

# HALACHICALLY SPEAKING

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{ TOPIC }

## *Bishul Akum* Specific Products Part 2



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# HALACHICALLY SPEAKING

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► Halachically Speaking is a monthly publication compiled by Rabbi Moishe Dovid Lebovits, a former *chaver kollel* of *Yeshiva Torah Vodaath* and a *musmach* of *Harav Yisroel Belsky Shlita*. Rabbi Lebovits currently works as the Rabbinical Administrator for the KOF-K Kosher Supervision.

► Each issue reviews a different area of contemporary *halacha* with an emphasis on practical applications of the principles discussed. Significant time is spent ensuring the inclusion of all relevant *shittos* on each topic, as well as the *psak* of *Harav Yisroel Belsky, Shlita* on current issues.

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# Bishul Akum

## Specific Products Part 2

In another article we discussed many products and their *bishul akum* status. In this article we will continue to explore more products and whether there is an issue with *bishul akum*.

### Fish

*Bishul akum* applies to many types of fish, such as herring, lox, sardines, tuna, and many others.

Small fish that are salted or soaked<sup>1</sup> can be eaten without cooking, since the salting dries the fish out.<sup>2</sup> Therefore, they are not subject to *bishul akum*.<sup>3</sup> Large fish cannot be eaten when salted<sup>4</sup> and are subject to *bishul akum* according to many *poskim*.<sup>5</sup> Raw fish that is cooked by a non-Jew would be subject to *bishul akum* since fish are served at a king's table,<sup>6</sup>

1 *Tur* Y.D. 113.

2 *Mordechai*, *Maseches Avodah Zarah* 832; *Chelkas Binyamin* 113:111.

3 *Issur V'heter* 43:16; *Maseches Avodah Zarah* 38a-b; *Rosh* 2:29; *Ran* page 15; *Rashba*, *Toras Habayis* 3:7; *Rambam*, *Hilchos Ma'achalos Assuros* 17:16; *Beis Yosef*, *Shulchan Aruch* 113:12.

4 If they can only be eaten by pushing oneself a lot then all would agree that it is forbidden (*Taz* 14; *Darchei Teshuvah* 74). The layer of wheat on the fish is not a concern (*Pri Tohar* 14).

5 *Tosafos*, *Maseches Avodah Zarah* 38a, "dagim"; *Mordechai*, *Maseches Avodah Zarah* *ibid.*; *Rashba*, *Toras Habayis* (*hakatzer*) 3:7, pages 212-213 (new); *Tur*; *Beis Yosef*; *Bach*; *Shulchan Aruch* 113:12; *Toras Chatas* 75:24; *Levush* 13. Refer to *Bishul Yisrael* pages 105-115 in depth which explains the opinion of the Rambam. Refer to *Chelkas Binyamin* 113:115 why if a food is cooked a third of the way it is permitted even though it is not edible to most people, and this kind of fish is not permitted even though it is eaten with pushing oneself.

6 Refer to *Rambam*, *Hilchos Ma'achalos Assuros* 17:15.

but there is a difference between small fish (that always remain small)<sup>7</sup> and large ones.<sup>8</sup>

Fish which remain small are *chashuv* and are fit to be served at a king's table, but large fish are not fit to be served on a king's table, even if they are served while young and small.<sup>9</sup> Based on this, herring would be subject to *bishul akum* since it is a small fish, but since it is readily edible when salted, it is not subject to *bishul akum*.<sup>10</sup>

Some say that today even large salted fish are readily eaten, and are not a *bishul akum* concern.<sup>11</sup> An example of this is lox.<sup>12</sup> In addition, lox is cold smoked, and smoking is not a concern of *bishul akum*.<sup>13</sup>

## Salmon

Salmon is served at a king's table and is subject to the *halachos* of *bishul akum*.<sup>14</sup>

The opinion of the *Shulchan Aruch*<sup>15</sup> is that smoking is not subject to the laws of *bishul akum* (see above).

Salmon is commonly found in the form of lox, or nova. Lox is made by brining salmon in a saltwater solution. The

<sup>7</sup> Taz 12.

<sup>8</sup> Refer to *Ramban, Maseches Avodah Zarah* 38a; *Rashba, Maseches Avodah Zarah* ibid.

<sup>9</sup> *Bach* 113; *Shach* 16; *Taz* 12; *Pri Chadash* 20; *Shiurei Brachah* 14; *Minchas Yaakov* 75:45; *Aruch Hashulchan* 26; *Kaf Hachaim* 69. Some say there is no difference and small fish are not fit to be served on a king's table (refer to *Yabia Omer, Y.D.* 5:9:1).

<sup>10</sup> Opinion of Harav Yisroel Belsky *zt"l*, quoted in OU document X-1:111:B; see *Aruch Hashulchan* 27; *Darchoi Teshuvah* 79; *Kitzur Hilchos Bishul Akum* (Sharf) 28; *Noam Halachah* pages 127-128.

<sup>11</sup> *Aruch Hashulchan* 26. Refer to *Darchoi Teshuvah* 113:73.

<sup>12</sup> *Aruch Hashulchan* ibid. Lox is salted for up to four months to make it edible. Sable is salted for four weeks.

<sup>13</sup> Opinion of Harav Yisroel Belsky *zt"l*, quoted in OU document X-1:111:A; *Chelkas Binyamin* 113, footnote 308; *Kitzur Hilchos Bishul Akum* (Sharf) 28; *Kitzur Hilchos Bishul Akum* (Berger) page 15, 12.

<sup>14</sup> *Bishul Yisrael (teshuvos)* page 8.

<sup>15</sup> *Y.D.* 113:13. See *Ramban, Hilchos Ma'achalos Assuros* 17:17.

cold smoked salmon (nova) is placed in a smoking oven (baked) at around 75°F where the smoked flavor is added to the fish. This cold smoking lasts for 8-24 hours. Many *poskim* say that cold smoke is not considered cooking at all, and even if it was cooked with hot smoke later it is permitted since it is edible after the cold smoking has taken place.<sup>16</sup> If salmon is hot smoked (at 140°F) only, it would be dependent on the above discussion regarding hot smoke and its relevance to *bishul akum*.<sup>17</sup> If the fish is cold smoked first and then hot smoked it does not require *bishul Yisrael*.<sup>18</sup> Certain salmon are not smoked at all and are cooked in a can. These types of salmon are not fit to be served on a king's table so there is no concern of *bishul akum*.<sup>19</sup> Broiled salmon is a *chashuv* food and would require *bishul Yisrael*.<sup>20</sup>

## Sardines

Many say that there is no issue of *bishul akum* with sardines because some *poskim* say that small fish are not fit to be served on a king's table.<sup>21</sup> Additionally, the fish is salted (edible) before being cooked in the can.<sup>22</sup> Others are stringent regarding sardines and maintain since it is fit

16 Refer to *Bishul Yisrael (teshuvos)* pages 1-14 in depth.

17 Refer to *Daf Hakashrus* Volume 3:6, page 25.

18 This is the opinion of the OU as well, as stated in document F-16:3. Refer to *Bishul Yisrael* (Falk) pages 1-14 in depth.

19 Opinion of Harav Yisroel Belsky *zt"l*, as stated in OU document A-47:2; see *Daf Hakashrus* Volume 3:6, page 26; *Yeishiv Moshe, Y.D.* 6, page 348.

20 Refer to opinion of Harav Yisroel Belsky *zt"l*, quoted in OU document X-1:111:D; OU document M:7.

21 Opinion of the *Be'er Moshe*, quoted in *Pischei Halachah (Kashrus)* page 118, 4. Refer to footnote 448; OU document M-7.

22 Refer to *Tiferes Yisrael, Maseches Avodah Zarah* 2:55; *Yabia Omer, Y.D.* 5:9; *Halichos Olam* 7, pages 124-131; *Orchos Habayis* 8:15. Refer to *Shevet Halevi* 6:108:6 which says sardines are not salted before going into the can; *Levushei Mordechai* 2:148.

איזן לל להקצי"ה בעולמו אלצ"י אמותו של הלכה בלביד... (ברכות ח')

to be served on a king's table it is a *bishul akum* concern.<sup>23</sup> Nonetheless, the custom is not like this opinion.<sup>24</sup>

## Sushi

Sushi is a food of Japanese origin and has become popular worldwide. It is made with vinegary rice and some vegetables. The original word means a snack. There are various types of sushi. Some are eaten while rolled in a nori (dried layers of seaweed), or rolls.

Only a certain kind of fish is used for sushi, and it is never eaten raw directly from the ocean. The fish is frozen to kill any bacteria.

## Edible Raw

Food is not subject to the *halachos* of *bishul akum* if it is eaten raw.<sup>25</sup>

Some say that if the custom in a certain place is to eat the food raw, but it is viewed as a “weird” thing to do, then it is not considered edible raw since the whole world does not do it that way.<sup>26</sup> The status of fish is a matter of debate. Today many people eat raw fish, such as sushi. Some processed fish products do not require *bishul Yisrael* since they are not fit to be served on a king's table. However, sushi seems to be served at many important functions and fancy dinners.<sup>27</sup>

Sushi is usually eaten together with other items to make

23 *Aruch Hashulchan* 113:26; *Darhei Teshuvah* 113:79; opinion of the Chazon Ish *zt”l*, quoted in *Mesorah* 1, page 86, 2; *Orchos Rabbeinu* 3, page 79, 39, quoting the opinion of the Chazon Ish *zt”l*, Steipler *zt”l* and Harav Chaim Kanievsky *shlit”a*; *M’Beis Levi* 8, page 31, 14; *Shevet Halevi* 6:1086. Refer to *Dinim V’hanhagos of the Chazon Ish, Y.D.* page 11, 17.

24 Harav Yisroel Belsky *zt”l*. Refer to *Dinei Machalei Nachrim* pages 47-48. We can rely on the opinion of Harav Moshe Feinstein *zt”l* that *bishul akum* is not a concern when dealing with factories (and canning) (Rabbi Ari Senter *shlit”a*).

25 *Shulchan Aruch, Y.D.* 113:1.

26 *Chelkas Binyamin* page 62.

27 Refer to *OU Madrich* page 100.

כל השווה הלכות בכל יום מובטח לו שהוא בן עולם הזה... (גדה עב)



the sushi more palatable. Some say that if one eats the raw food with bread or other food, it is considered “eaten raw” (even if it may not be the *derech* to eat raw food together with the other food).<sup>28</sup>

## According to Each Fish

Although a specific fish may be eaten raw, that does not mean that all fish is edible raw and would not require bishul Yisrael. Therefore, salmon and tuna would require bishul Yisrael even though sushi may not.<sup>29</sup>

### Tuna

Tuna is first steamed with dry steam and then cooked in the can;<sup>30</sup> therefore, it is edible before the cooking takes place, and is not subject to *bishul akum*<sup>31</sup> (whether tuna requires a *mashgiach temidi* is not our discussion<sup>32</sup>). Broiled tuna is a *chashuv* food and would require *bishul Yisrael*.<sup>33</sup>

### Whitefish

Whitefish is hot smoked and would require *bishul Yisrael*.<sup>34</sup> Whitefish salad requires *bishul Yisrael*.

### French Fries

The fact that French fries appear at the children’s table at weddings does not make fried potatoes fit to be served on a

28 Magen Avraham, O.C. 203:4; Mishnah Berurah 203:11; Chelkas Binyamin 113:7.

29 Harav Yisroel Belsky zt”l. Refer to Chelkas Binyamin ibid.

30 Rabbi Genack *shlit”a* (OU). In Lakewood in the early years tuna fish without *bishul Yisrael* was served.

31 Beis Avi 3:115; Mesorah 1, pages 74-76 and page 95, 7; Ohr Hamizrach 5748, pages 164-165. Refer to Yabia Omer, Y.D. 5:9 which is stringent.

32 Refer to Mesorah 1, pages 66-83 in depth; Teshuvos V’hanhagos 2:382.

33 Opinion of Harav Yisroel Belsky zt”l, quoted in OU document A-64:4; see OU document M-7.

34 Opinion of Harav Yisroel Belsky zt”l; quoted in OU document X-1:111:D.

איזו צד להקציף? הבעולמו אלא די אמותו של הלכה בלביד... (ברכות ח)

king's table.<sup>35</sup> Accordingly, frozen French fries do not require *bishul Yisrael*.<sup>36</sup>

## Ketchup

The main ingredient in ketchup is tomatoes, which are eaten raw. The other ingredients are not recognizable, so it is not subject to *bishul akum*.<sup>37</sup>

## Lentils

Lentils are not fit to be served on a king's table and are not subject to *bishul akum*,<sup>38</sup> but see later regarding soups.

## Medicine

Medicine which is cooked by a non-Jew is permitted since it is not fit to be served on a king's table. Additionally, it is made for health purposes, so there is no concern of intermarriage.<sup>39</sup>

## Milk

Milk needs pasteurization. The question is if milk is subject to the *halachos* of *bishul akum* since it is pasteurized or if it is considered that one can drink it even without the process.

## Pasteurization and Raw Milk

Milk is pasteurized because it contains dangerous bacteria, such as *escherichia*, *listeria*, *salmonella*, *yersinia*, and *brucella*.<sup>40</sup> The pasteurization process uses heat to

35 Harav Yisroel Belsky *zt"l*. Refer to *Pischei Halachah* page 119, 15; *Chai Halevi* 4:50:10; *Dinei Machalei Nachrim* page 51, 9; *Tzohar* 4, pages 89-95 in depth; *M'Beis Levi* 12, pages 94-103.

36 OU document A-25:4.

37 Opinion of Harav Falk *shlit"a*, as expressed in *Bishul Yisrael (teshuvos)* page 90, 22.

38 Opinion of Harav Yisroel Belsky *zt"l*, quoted in OU document A-64:3.

39 *Kitzur Hilchos Bishul Akum* (Sharf) 11.

40 [www.fda.gov](http://www.fda.gov).

כל השומה הלכות בכל יום מובטח לו שהוא בן עולם הנא... (תדה עב)

destroy harmful bacteria without significantly changing the milk's natural value or flavor. Although some claim that raw milk is healthier since the pasteurization kills nutrients, this is not the case. Some studies say that raw milk may be dangerous, but if it is handled the proper way then it can be safe and healthy.

## Halachic Literature

The Rambam in *Ma'achalos Assuros*<sup>41</sup> says that since milk is edible raw one is permitted to drink it even if a non-Jew cooked it. This is the opinion of the Maharsham,<sup>42</sup> the *She'arim Metzuyanim B'halachah*,<sup>43</sup> and the *Shevet Halevi*.<sup>44</sup>

The *Minchas Yitzchak*<sup>45</sup> says that the lenient opinions were true then, but this changed today, and milk is no longer drinkable raw according to most people. Although some do drink it raw, there is a dispute in the *poskim* if this impacts the status of milk. The opinion of many of the *poskim* is that it must be the custom of most people to eat the specific product raw.<sup>46</sup>

However, he says one can be lenient for other reasons. First, the cooking is done through steam, and many *poskim* hold that steam is not subject to the *halachos* of *bishul akum*. Second, the steaming is performed in a company setting. In addition, since the milk is cooked to remove bacteria (a negative substance) there is no concern of closeness in such

41 17:14.

42 2:262.

43 38:6, page 216.

44 *M'Beis Levi* 8, page 30. Refer to *Bishul Yisrael* pages 124-126.

45 10:67.

46 Refer to *Birchei Yosef* 113:1; *Pri Chadash* 113:2; *Darchoi Teshuvah* *ibid.*; *Chachmas Adam* 66:4; *Aruch Hashulchan* 113:12; *Kaf Hachaim* 10; *Shevet Halevi* 5:93, page 97; *Chelkas Binyamin* 113:6; opinion of Harav Elyashiv *zt"l* (fax received from Harav Shmuel Felder *shlit"a*).

a situation.<sup>47</sup> The *Minchas Yitzchak* concludes that although it is permitted, one should try to see to it that a Jew does the pasteurization.<sup>48</sup>

## Mushrooms

Mushrooms are fit to be served on a king's table as an appetizer and would be subject to the *halachos* of *bishul akum*.<sup>49</sup> However, others say they are not fit to be served on a king's table,<sup>50</sup> and since some of them can be eaten raw it would depend on the kind of mushroom<sup>51</sup> (such as portabella mushrooms<sup>52</sup>). Some say that since canned mushrooms require further cooking, they are not subject to *bishul akum* if a Jew partakes in the cooking.<sup>53</sup>

## (Tradition) Noodle Soup

Tradition soups are made in the following manner: The noodles are cooked by direct steam, and then deep fried. The noodles are not edible after they are steamed. The product is fully edible after deep frying. The noodles are freeze dried and the other ingredients are added. Since it is edible at the time the product is shipped to the consumer, the fact that a Jew is cooking it at home with hot water is not relevant. In addition, the noodles can be made edible by using cold water.

47 Opinion of Harav Shmuel Felder *shlit"a* (tape on *bishul akum*).

48 Refer to *Noam Halachah* page 185 which is stringent.

49 *Issur V'heter* 43:2; *Shach* 113:2; *Pri Chadash* 7; *Chachmas Adam* 66:4; *Ben Ish Chai*, *Chukas* 2:10; opinion of the *Be'er Moshe* quoted in *Pischei Halachah (Kashrus)* page 119, 11; *Chelkas Binyamin* 113:13; *M'Beis Levi* 8, page 31, 15; *Shevet Halevi* 6:108:4; *Mekor Chaim* 263:12; *Hamesivta* 5754, page 84.

50 *Aruch Hashulchan* 10; *Kaf Hachaim* 5; see OU document M-7.

51 Refer to Star-K article entitled "Food Fit for a King" page 2. In Eretz Yisrael things may be different (*ibid.*). See *M'Beis Levi* 12, pages 104-105.

52 OU document M-7. Button mushrooms are edible raw (OU document *ibid.*).

53 Star-K article entitled "Food Fit for a King."

כל השווה הלכות בכל יום מובטח לו שהוא בן עולם הזה... (תדה עב)

## Halachah

If we consider the noodles a cooked item, then there would be a concern of *bishul akum* since the noodles are fully cooked. Although they are dehydrated, one can add cold water to it to make them edible, so even if the Jew would add hot water it would not be considered like the Jew did something to make the food (noodles) edible.

As mentioned above, the dough is a thick batter which is cooked by steam and deep fried;<sup>54</sup> therefore, a *mashgiach* turns on the fire before the production starts.

## Noodles

Even though a non-Jew cooks noodles when making the product it is not edible again without another person cooking it; therefore, if a Jew cooks it the second time there is no concern of *bishul akum*.<sup>55</sup>

## Onions

Since many people eat raw onions, it is not subject to the halachos of *bishul akum*.<sup>56</sup> In addition, it can be eaten raw together with other ingredients that are edible raw.<sup>57</sup>

## Pancakes

Pancakes are made in a frying pan and they are thicker than blintzes. If one places only enough oil that they should not burn, the *brachah* would be *Hamotzi* if one eats the amount of a *seudah*.<sup>58</sup> Others say that even if one is *kove'ia*

54 Refer to *Shulchan Aruch* 168:13; *Aruch Hashulchan* 42. See *Mishnah Berurah* 67-73 which explains the opinions. Refer to *Pnei Hashulchan* pages 55-57.

55 *Noam Halachah* page 178.

56 *M'Beis Levi* 8, page 30, 18; opinion of Harav Shmuel Felder *shlit"a* (tape on *bishul akum*); see *Minchas Yitzchak* 10:67; *Maharsham* 2:262.

57 *Shevet Hakehasi* 5:134.

58 *V'zos Habrachah* pages 219 and 367; see page 28, quoting the opinion of Harav Shlomo Zalman Auerbach *zt"l* and Harav Elyashiv *zt"l*; *V'sein Brachah* page 493.

איננו להקדיף"ה בעולמו אלא י  
אמות של הלכה בלבד... (ברכות ח')

כל השווה לפת בכל יום מובטח לו שהוא בן עולם הנא... (תדה עב.)

*seudah* on pancakes they are *Mezonos*.<sup>59</sup> Pancakes that are deep fried are a *Mezonos*. A thin pancake would have the same *halachos* as a blintz..<sup>60</sup> Accordingly, we would treat a pancake as *bishul* as opposed to *pas*.<sup>61</sup> However, since pancakes are not served on a king's table they are not subject to *bishul akum*.<sup>62</sup>

## Peanuts

Peanuts are not subject to *bishul akum* even if they are cooked or roasted by a non-Jew since they are edible raw.<sup>63</sup> (One must make sure that kosher oil is used.<sup>64</sup>)

## Potatoes

There is a discussion in the *poskim* whether a potato is fit to be served on a king's table.<sup>65</sup> Some *poskim* say that it is fit to be served on a king's table<sup>66</sup> while others hold it is not.<sup>67</sup> The *Aruch Hashulchan*<sup>68</sup> says that it is a food meant for poor people. The *minhag* of many is that a potato is fit to be served on a king's table. If a potato is made in a way that it is fit for a king's table, then that particular dish could potentially be a problem of *bishul akum*. Some *poskim* hold that even though

59 Refer to *V'sein Brachah* page 494.

60 *V'zos Habrachah* page 219, quoting the opinion of Harav Shlomo Zalman Auerbach *zt"l*.

61 Refer to *Aruch Hashulchan*, *Y.D.* 112:21.

62 Opinion of Harav Yisroel Belsky *zt"l* as expressed in OU document A-63:1.

63 *Be'er Moshe* 4:49; *Chai Halevi* 4:50:9. Refer to *Pri Chadash* 113:4. Included in this are almonds, cashews, pistachios and walnuts (OU document M-7, footnote 82). Refer to *Aruch Hashulchan* 19 which says the reason is because they are not served on a king's table.

64 *Be'er Moshe* *ibid*.

65 Refer to *Pri Hasadeh* 2:28 regarding potato bread.

66 *Chachmas Adam* 66:4; *Shevet Halevi* 2:45, 6:108:4, 9:23:1; *M'Beis Levi* 8, page 33, 17; *Hamesivta* 5754, page 89; *Yalkut Yosef*, *Y.D.* 2, pages 156 and 158; *Dinei Machalei Nachrim* page 22.

67 *Aruch Hashulchan*, *Y.D.* 113:18; *Yaskil Avdi*, *Y.D.* 7:6:4; *Pischei Halachah* page 118, 8. Refer to *Chelkas Binyamin* 113:9. It could be that the *Chachmas Adam* and the *Aruch Hashulchan* are not arguing since the *Chachmas Adam* may be talking for his time.

68 *Y.D.* 113:18.

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the potato is not fit for a king's table in one way of preparing it, since it could be fit for a king's table if prepared differently, the whole *min* of potatoes is considered fit to be served on a king's table, and all potatoes would need *bishul Yisrael*.<sup>69</sup> However, most *poskim* disagree with this statement and maintain that one judges each dish separately.<sup>70</sup> Accordingly, if a specific potato is prepared in a way that it is fit for a king's table then only that type of potato is a problem of *bishul akum*. This is the opinion followed by most kashrus agencies.

A sweet potato is generally fit to be served on a king's table when cooked; therefore, it would require *bishul Yisrael*.<sup>71</sup>

## Potato Chips

The previous *machlokes* has ramifications in regard to potato chips. Some say that since a fried potato is fit to be served at a king's table, potato chips require *bishul Yisrael* even though they are not served at a king's table.<sup>72</sup> Others disagree, and this is the opinion of the majority of the *poskim*<sup>73</sup> and kashrus agencies. The KOF-K certifies potato

69 Refer to *Bishul Yisrael* pages 139-144.

70 Refer to *Bishul Yisrael* page 143.

71 Harav Yisroel Belsky *zt"l*; see *Pischei Halachah* page 118, footnote 7; OU document A-89.

72 *Igros Moshe*, Y.D. 4:48:5; *Emes L'Yaakov*, Y.D. 113, footnote 42, page 307; *Shevet Halevi* 10:124; OU document A-106; *Journal of Halachah and Contemporary Society*, Fall 2001, page 67; *Teshuvos V'hanhagos* 1:438. Refer to *Bishul Yisrael* 37:12-22.

73 Harav Yisroel Belsky *zt"l*; *Shulchan Halevi* pages 67-72; see *Chelkas Binyamin*, *biurim* page 67a-67b; OU document A-68; *Chai Halevi* 4:50:10; *Bishul Yisrael*, *teshuvah* from Harav Falk *shlit"u*, page 14. This is the consensus of some of the major kashrus agencies (*Journal* *ibid.*, page 64, footnote 33). If a fried potato would indeed begin to be fit to be served on a king's table the OU might insist on *bishul Yisrael* for its potato chip products (Harav Yisroel Belsky *zt"l*). Refer to *Bishul Yisrael* 37:1.

chips and does not require *bishul Yisrael*.<sup>74</sup> Kettle-cooked potato chips have the same halachah as fried potato chips.<sup>75</sup>

## Potato Salad

One should make sure that potato salad is *bishul Yisrael*.<sup>76</sup>

## Potatoes at a Wedding

Fried potatoes that appear at weddings as side dishes are in fact fully edible boiled potatoes that are merely placed in oil to deep fry for a small amount of time in order to brown them. Therefore, the potatoes are not actually considered fried, but rather cooked and then browned in some oil.<sup>77</sup>

## Mashed or Instant Potatoes

*Bishul Yisrael* is not required on either mashed or instant potatoes, as there is an opinion in the *poskim* which maintains that if a non-Jew makes a food which is not fit to eat until a Jew cooks it, it does not need *bishul Yisrael*.<sup>78</sup> Since one cannot eat this food without putting it in hot water (cooking), it is permitted because the Jew is doing the cooking. If one can reconstitute them simply with warm

74 Harav Moshe Feinstein *zt"l* held that potato chips do not require *bishul Yisrael* (as related by Harav Aharon Felder *shlit"á*). This is in contradiction to the *Igros Moshe*, *Y.D.* 4:48:5. Refer to *Tzohar* 4, pages 89-95 in depth.

75 Harav Yisroel Belsky *zt"l*. Kettle-cooked is fried in a deep fryer but in a different way.

76 Opinion of Harav Yisroel Belsky *zt"l*, quoted in OU document X-1:112:A. Rabbi Willig *shlit"á* is lenient.

77 Harav Yisroel Belsky *zt"l*; see OU document A-106. Refer to *Journal of Halachah and Contemporary Society*, Fall 2001, pages 56-57, footnote 20; *Be'er Moshe* 4:49; *Teshuvos V'hanhagos* 1:438. That is why these "deep fried" potatoes are not fit to be served on a king's table because they are never deep fried (Harav Yisroel Belsky *zt"l*).

78 Harav Yisroel Belsky *zt"l*; *Shulchan Halevi* page 72. Refer to *Darhei Teshuvah* 113:65; OU document A-68; *Shevet Halevi* 2:45; *Be'er Moshe* 4:48; *Hechsheiros* 43:2, footnote 80; see *Bishul Yisrael* pages 297-299 and page 37 (*teshuvos*); *Techumin* (journal) 17, pages 359-364 in depth. Refer to *Chelkas Yaakov* 2:71 about steamed potatoes.

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water then it would not be considered *bishul Yisrael*.<sup>79</sup> The same halachah would apply to potato flakes.<sup>80</sup>

## Pringles®

The consensus of the *poskim* at the OU is that Pringles® are not considered a food that is fit to be served on a king's table, and do not require *bishul Yisrael*.<sup>81</sup>

## Quiches

Eggs are a main ingredient in quiches and the question is if there is a *bishul akum* concern. As mentioned above, the *Shulchan Aruch*<sup>82</sup> rules that an egg is subject to the *halachos* of *bishul akum* even though it is fit to be eaten raw. The *Taz*<sup>83</sup> explains that most people will not willingly eat a raw egg, so it is not considered edible raw. When eggs are mixed into a batter, it is not subject to *bishul akum*, since it is not recognizable in the dough during the baking.<sup>84</sup> In addition, the dough is the *ikar*, not the eggs.<sup>85</sup>

## Rice

The *Shach*<sup>86</sup> brings both opinions whether rice is fit to be served on a king's table. The opinion of the *Aruch*

79 Harav Yisroel Belsky *zt"l*, as stated in *Daf Hakashrus* 3:6, page 27, footnote 23; see OU document A-25:2, *Noam Halachah* page 122, 24; *Bishul Yisrael* pages 297-298; opinion of Harav Shmuel Felder *shlit"u* (tape on *bishul akum*). However, they can be permitted for two different reasons: 1. Direct steam 2. Factory setting (OU documents A-21 and A-25).

80 OU document A-21. Refer to OU document A-25 regarding frozen latkes.

81 Harav Yisroel Belsky *zt"l*; *Shulchan Halevi* pages 71-72. Refer to OU document A-23; see OU *ibid.* about frozen potato latkes; *Journal of Halachah and Contemporary Society*, Fall 2001, page 69, footnote 40. Refer to *Bishul Yisrael* page 578. In regard to regular latkes they need *bishul Yisrael* (opinion of the *Be'er Moshe* quoted in *Pischei Halachah* [*Kashrus*] page 119, 9).

82 *Y.D.* 113:14; *Levush* 112:4; *Chachmas Adam* 66:2; *Aruch Hashulchan* 112:20, 113:19.

83 113:14; see *Be'er Heitiv* 16.

84 Refer to *Chelkas Binyamin* 112:52 for a beautiful explanation on this *inyan*.

85 *Shach*, *Y.D.* 112:15; *Taz* 5; *Aruch Hashulchan* 20; *Kaf Hachaim* 38.

86 *Y.D.* 112:5. This is the opinion of the *Pri Chadash* 113:4 and *Pri Tohar* 113:2.

*Hashulchan*<sup>87</sup> is that rice is fit to be served on a king's table. The *Chachmas Adam*<sup>88</sup> disagrees. The custom is that cooked rice is considered fit for a king's table.<sup>89</sup>

## Rice Cakes

Rice cakes are made by popping rice, which makes the rice stick together. This is not a form of cooking, and rice cakes are also not fit to be served on a king's table. Therefore, rice cakes do not pose a *bishul akum* concern.<sup>90</sup>

## Parboiled Rice

The *Shulchan Aruch*<sup>91</sup> rules that if a *goy* cooked the food to the level of *ma'achal ben drusa'i* it would not be permitted even if a *Yid* would finish off the cooking. This would pose a problem with parboiled rice. However, according to the *Rema*<sup>92</sup> a Jew's action in the cooking after it reached *ma'achal ben drusa'i* helps. Most rice is parboiled in the company and it is not edible in that state until the Jew finishes it off in his home. Therefore, even according to the *Shulchan Aruch* this would be permitted.<sup>93</sup>

## Rice Pudding

According to some *poskim*, rice is fit to be placed on a king's table and requires *bishul Yisrael*; however, rice pudding is not fit to be served on a king's table and does not require

87 *Y.D.* 113:19. This is the opinion of the *Ben Ish Chai*, *Chukas* 2:10 as well.

88 66:2.

89 Harav Yisroel Belsky *zt"l*; see OU document A-53.

90 Opinion of Harav Shmuel Felder *shlit"u*. Refer to *Chai Halevi* 4:51:4; *Bishul Yisrael* page 246. See *Pischei Halachah (Kashrus)* page 119, 21.

91 *Y.D.* 113:9.

92 *Ibid.*

93 Opinion of Harav Yisroel Belsky *zt"l* in OU document A-85. If it says to cook it for ten to fifteen minutes on the box it means the rice was not fully cooked in the factory. If it is instant rice where it takes minutes to cook then it would be an issue of *bishul akum* (*ibid.*).

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*bishul Yisrael*. The question regarding this product is that at an earlier stage of production the rice would be fit to be served on a king's table. Only later is the rice processed into pudding, which is not fit to be served on a king's table.

Some view the cooking as one long process and treat it as a food which is not fit to be served on a king's table, so it does not require *bishul Yisrael*. This is the opinion of the *poskim* at the OU. Harav Yisroel Belsky *zt"l* added that since it is only becoming *oleh al shulchan melachim* during cooking it is not fit to be eaten at that time since it is in a boiling pot.<sup>94</sup>

## Salad Dressing

Since salad dressing is not served as a main course but on a salad, it is not subject to the *halachos* of *bishul akum*.<sup>95</sup>

## Salted Meat

Salted meat is not edible, so if a non-Jew cooked the meat it is subject to *bishul akum*. If it is very salted and edible, then if a non-Jew cooks it there is no *bishul akum* concern.<sup>96</sup>

## Soups

A soup which contains food that is edible raw is obviously not subject to *bishul akum* (such as broccoli, fruit or mushroom soup). It would seem that even a food which is not edible raw that is pureed in a soup would not be subject to *bishul akum* since the main ingredient is water (similar to beer and coffee).<sup>97</sup> If the product is visible in the soup and it is a food which is fit to be placed on a king's table, then the soup would require *bishul Yisrael* (such as real chicken soup,

94 OU document A-143. Refer to OU *Madrich* page 96 and OU document A-53 regarding rice powder.

95 *Bishul Yisrael* page 197.

96 *Rema*, Y.D. 113:12; *Taz* 13; *Kaf Hachaim* 73; *Darchoi Teshuvah* 78.

97 Based on a discussion with Rabbi Ari Senter *shlit"l*.

potato or rice soup).<sup>98</sup> But certain soups are not fit to be served on a king's table and there is no *bishul akum* concern for those soups (such as lentil soup or split pea soup).<sup>99</sup>

## Spices

Spices are not eaten as a main dish, but as a *tafel* to the dish. Therefore, they are not subject to the *halachos* of *bishul akum*.<sup>100</sup> In addition, they are eaten raw.<sup>101</sup>

## Sugar

There is no *bishul akum* concern for sugar since it is edible raw.<sup>102</sup>

## Techinah

*Techinah* is made from sesame seeds and it is eaten raw, so there is no concern of *bishul akum*.<sup>103</sup>

## Waffles

Some say waffles should be considered like blintzes because they are thin.<sup>104</sup> However, today this is not the case as our waffles are thick. Since they do not have an appearance of bread, even if one eats the *shiur* of a *seudah* one would recite a *Mezonos*.<sup>105</sup> If so, they may be considered *bishul* rather than *pas*. However, since waffles are not fit

98 Refer to OU document M-7.

99 Ibid.

100 Refer to *Bishul Yisrael* pages 189-196 in depth; OU document *ibid*.

101 *Teshuvah* from Rabbi Falk *shlit"á* in *Bishul Yisrael* 9. Refer to *Chelkas Yaakov*, Y.D. 27.

102 Refer to *Ben Ish Chai*, *Chukas* 2:22; *Biur Halachah*, O.C. 202, "al hasukar"; *Aruch Hashulchan*, Y.D. 113:19, 23; *Sedei Chemed* 5, page 285, 2. See *Darhei Teshuvah* 113:16 and *Halichos Olam* 7, pages 131-132 for other reasons.

103 OU document *ibid*.

104 *Mishnah Berurah* 168:38; *Sha'ar Hatzion* 30.

105 *Yaskil Avdi* 8, page 184, 8; *Rivevos Ephraim* 6:80:5; *Pnei Hashulchan* pages 45-46; *Pischei Halachah* 8:33; *Pischei Halachah (michtavim)* 38, page 290; *V'zos Habrachah* page 22, footnote 22, quoting the opinion of Harav Scheinberg *zt"l*; *Sha'arei Habrachah* page 345.

כל השווה הלכות בכל יום מובטח לו שהוא בן עולם הבא... (גדה עב)

to be served on a king's table they are not subject to *bishul akum*.<sup>106</sup>

## Water

In Eretz Yisrael many people do not drink the water without cooking it first. If a non-Jew cooked the water one may still drink it since most people drink it without cooking it first.<sup>107</sup> In other areas where all people cook the water first the *din* may change, if it is cooked for taste.<sup>108</sup>

## Water Chestnuts

Water chestnuts are native to China. It is a grasslike plant grown for its edible corms. Water chestnuts are usually served together with vegetables, or stir fried. It is eaten raw by many people,<sup>109</sup> while others say that it is not edible raw.<sup>110</sup>

Some say even if it is not considered edible raw there is no need for *bishul Yisrael*, since it is normally cooked again and placed in salads and other dishes. This is based on the Rema<sup>111</sup> who says that if a Jew finishes the product the food is permitted. One should make sure the cooking is done by a Jew. Water chestnuts are usually only placed in a dish as a *tafel* to give it added crunch. In this situation no *bishul Yisrael* is required.<sup>112</sup> Harav Yisroel Belsky *zt"l* said water chestnuts are not better when they are cooked. Therefore,

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106 OU document M-7. See OU document A-30.

107 *Shevet Halevi* 10:125; *Bishul Yisrael* page 127, 6. Refer to *Shevet Hakehasi* 5:135.

108 *Ibid.* page 127, 7. Opinion of Harav Shmuel Felder *shlit"a* (tape on *bishul akum*).

109 Refer to *Tosafos, Maseches Brachos* 38a, "mishkachas"; *Toras Chatas* 75:16; *Minchas Yaakov* 36; *Halichos Olam* 7, page 101.

110 OU document A-49.

111 *Y.D.* 113:9. This would not be a *heter* according to the *Shulchan Aruch* 113:9.

112 OU document *ibid.*

איזן על להקצי"ה בעמלמו אלא די אמות של הלכה בלביד... (ברכות ה')

we can rely on the Shach<sup>113</sup> who says a food which is not improved by cooking is not subject to *bishul akum*.<sup>114</sup>

## Whiskey

Generally, whiskey is not an important drink and it does not bring closeness with non-Jews, so it is not subject to *bishul akum*. Although some brands are fit to be served on a king's table because of their importance, they are not common because of their expense, so they are permitted.<sup>115</sup>

**The opinions expressed in this article  
are not those of the KOF-K.**

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113 Y.D. 113:1.

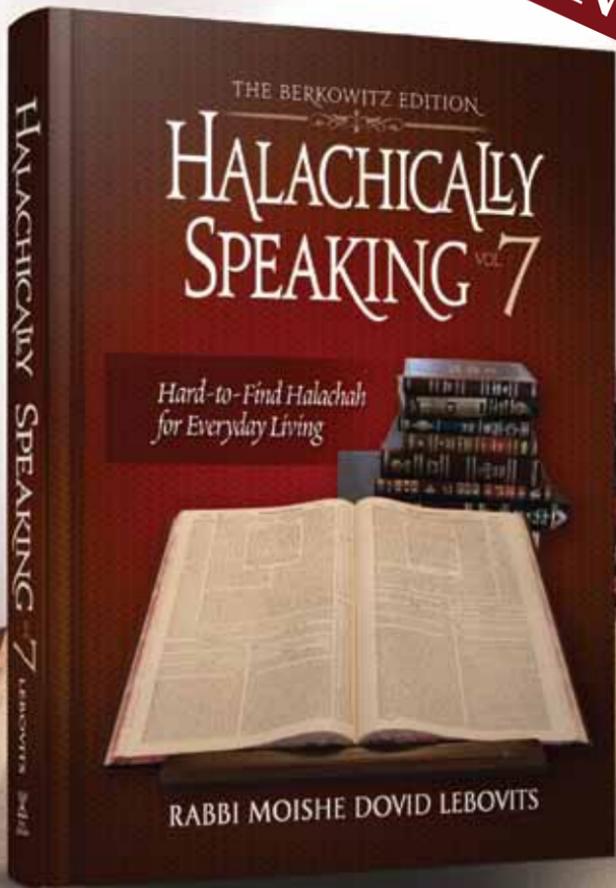
114 OU document *ibid.*; see OU *Madrach* pages 93-94.

115 *Aruch Hashulchan* 114:11. However, this is aside from the kashrus issues.

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