

ליקוטי ופסקי הלכות "חוקי היום"

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"חוקי היום"
לעשות רצונך
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שע"י "חדר הוראה" שבגנת מנחת יצחק פיעה"ק ירושלם תובב"א - בראשות הרב חיים אהרן בלייער שליט"א

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read during
Davening or
Krias Hatorah

Chanukoh Foods

Mikeitz - Chanukah 5785

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Donuts and Milchige Food on Chanukoh

- Milchigs.** Some say one should eat cheese and milchige dishes on Chanukoh since the miracle was brought about by the milk Yehudis gave to the enemy (רמ"א תר"ע ס"ב).
- Donuts.** There is an old minhag to eat donuts on Chanukoh since they are fried in oil, which recalls the miracle of the olive oil jug (רבינו (מיימון בן יוסף אבי הרמב"ם נדפס בקובץ שריד ופליט ירושלים תשי"ה). Eating milchige donuts fulfills both minhagim simultaneously..
- Rav Shlomo Zalman Auerbach offered another reason: when the Chashmonaim were purifying the Beis Hamikdash, they did not know how to purify the stones of the mizbeich that the Greeks defiled, so they hid them away (ע"ז ג"ב). Therefore, we eat food that requires Birkas Mei'ein Sholosh, which, unlike Birkas Hamozon, contains the words, "ועל מזבחך." For this reason, we specifically eat donuts outside of a bread meal in order to say Al Hamichyah (הליכות) (שלמה ארוחות הלכה).

Halochos Pertaining to Donuts

Chiyuv of Hafroschas Chaloh on Donuts

- When a person makes donuts with a thick dough of flour and water that he plans to cook in water or fry in oil, most rishonim hold that despite the thickness of the dough, it does not need hafroschas chaloh since it is not being made into bread (סתומת המחבר י"ד סי' שכ"ט ס"ג).
- However, Rabbeinu Tam is of the opinion that we do not care about one's plans; since the dough is chayov in hafroschas before it is cooked or fried, the cooking/frying does not exempt it (ר"ת, ברכות ל"ז: ד"ה לחם).
- The Maharam was machmir like Rabbeinu Tam. Therefore, he instructed his family to take some of the dough and bake it. This obligated all the dough in hafroschas chaloh even though the rest would be cooked (כמבואר בשו"ע י"ד סי' שכ"ט ס"ד). The poskim write that even when cooking or frying all the dough, one should separate chaloh without a brochah (ר"ת, שם, הגרש"י הירש, מנחת שי סי' כ"ח).

Mezonos or Hamotzi?

- The poskim argue regarding the brochah on a food prepared with regular dough made of flour and water that is not pas habo'oh bekisnin [even if it has a bread-like form – "tzuras lechem" – and requires hafroschas chaloh, e.g., when one kneaded dough planning to bake it and then decided to fry it in oil or cook it in water]. Some say it is Mezonos since something is only bread if it is baked (רב) (ראשונים); others say it is Hamotzi since it has a bread-like form (שי ר"ת, והוא שני דיעות בשו"ע א"ח סי' קס"ח ס"ג).
- The Mechaber implies that he holds like the first opinion, that the brochah is Mezonos, but he concludes that a G-d-fearing person should be safe and say Hamotzi, eat a different bread, and only then eat this food. The Ramo writes that the minhag is to be meikel and say Mezonos (שם), at least if the dough was kneaded from the outset for the purpose of frying or cooking (מ"ב סקע"ה).

Donuts Today

- Donuts today are usually made from flour and water and deep-fried in oil. They fall into the above category, and those who follow the Ramo's opinion should say Mezonos on them. Many Sephardim today also say Mezonos, as will be explained later (אור לציון ח"ב עמ' צח).

Donuts during a Meal

- The Mechaber's recommendation to a G-d-fearing person does not work so well for modern-day donuts. According to the poskim who hold they are Mezonos, a Hamotzi will not cover them since they are generally eaten as a dessert at the end of the meal, in which case they could require a Mezonos even if one said Hamotzi at the beginning of the meal (ביאר"ל ד"ה ורא, אור לציון תשובה ד' פמ"א, זאת הברכה לוח ברכות ה"ל ק"א).
- Several poskim hold that donuts fried in a lot of oil are Mezonos because they are pas habo'oh bekisnin, not because they are fried (ט"ז). (הובא בביאר"ל ד"ה וכל זה). According to these poskim, eating them within a meal gets into shailos of pas habo'oh bekisnin during a meal; these halochos are discussed by the Biur Halochah (סי' קס"ח ס"ה ד"ה טעונים) (see issue 298 at length).
- That being the case, perhaps it is better not to eat them during a meal since doing so gets into shailos of whether one should say Mezonos. Thus, the poskim write it is better to eat them outside of a meal and say Mezonos (הגרש"א, קונטרס מבקשי תורה, שו"ת אור לציון ה"ל).

Eating Donuts as a Meal ["Kevius Seudoh"]

- If donuts are Mezonos because they are fried, one says Mezonos no matter how many he eats (מ"ב שם סק"ע) because they are viewed as a cooked dish, not as a form of bread ["pas"].
- However, if they are Mezonos because they are pas habo'oh bekisnin, one only says Mezonos if he does not eat them as a meal. When eaten as a meal ["koveia seudoh"], they are Hamotzi and require Birkas Hamozon [see Chukai Chaim, Issue 17 for a full discussion about this]. According to the first opinion (above, 7), something fried cannot be pas habo'oh bekisnin and is always Mezonos; according to Rabbeinu Tam, donuts are Hamotzi and require Birkas Hamozon (ביאר"ל שם).

Baking the Dough after Frying It

- Dough fried in oil or cooked in water does not require hafroschas chaloh and is Mezonos only if it was not subsequently baked. If it was subsequently baked in an oven, it has the full status of bread: thus, chaloh must be separated (שו"ע י"ד סי' שכ"ט ס"ה), and it is Hamotzi and requires Birkas Hamozon (שו"ע א"ח סי' קס"ח ס"ד).
- American bagel.** Thus, the brochah on an "original American bagel" [a round roll with a hole in the middle] which was fried and then baked is Hamotzi.
- Donuts.** It should be noted that some bakeries bake their donuts in an oven without frying them. There are also bakeries that first fry their donuts and then bake them in an oven. These donuts are Mezonos only because they are pas habo'oh bekisnin if they are very sweet and were made with a lot of oil and sugar, not because they are fried. Therefore, all poskim would agree that if one eats them as a meal, he would need to say Hamotzi and bentsh in accordance with the halochah of pas habo'oh bekisnin.

Milchige Bread

- One may not make milchige dough to bake milchige bread. Likewise, one may not make fleishige dough. Since the bread shows no visible sign that is fleishigs or milchigs, we are concerned someone may eat it with the other type. If one kneaded or baked milchige or fleishige bread, the bread may not be eaten, even by itself (שו"ע י"ד סי' צ"ז ס"א) (שו"ע י"ד סי' צ"ז ס"א). However, it may be sold to a non-Jew (פרי תואר הובא בדרכ"ת סקל"ב).

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19. **Small amount.** There are two permissible ways to make milchige or fleishige bread. The first way is by making a small quantity, i.e., only enough for one meal (ש"ע) or one day (ש"מ). (רמ"א שם).
20. **Indication on the bread.** Another permissible way is by making an indication on the bread, e.g., giving it a unique shape, before baking it (ש"ע). If it was baked without any sort of indication, it becomes ossur, and making an indication afterward does not help (חור"ד סק"ז ופמ"ג סק"א).
21. Making the bread in a different manner only helps for one's family members. It does not allow one to sell it to the public since not everyone knows what it signifies. The storeowner cannot be relied upon to inform all his customers since people sometimes forget (מהר"ט הובא בפתח"ת סק"ג). However, some say that Jews in big cities all over the world bake milchige bread by making it in a unique manner and also sell it to guests if it is well-known that it is milchigs (יד יהודה הקצר סק"ז).
22. **Pizza.** One may bake dough that everyone knows is milchigs. Thus, pizza, which is milchigs by nature and clearly has cheese on it, may be made without a special indication (יד יהודה שם סק"ח). Therefore, pizza may be sliced into squares or triangles; it does not need to be cut specifically into triangular slices as a sign that it is milchigs [It should be noted that of recent, many prepare meat pizzas, therefore one should be careful to be and make others aware that it is meaty].

Milchige Donuts

23. Based on the above, the poskim discuss how one may make donuts from milchige dough without giving them some sort of indication when baking them.
24. **Sweet foods.** In practice, we rely on the acharonim who hold that these halochos only apply to bread or dough made into something that is actually eaten together with fleishigs or milchigs. Sweet foods, such as cookies, cakes, or donuts, are usually eaten as a dessert after the meal, not together with fleishigs. Therefore, these poskim hold, Chazal did not extend their decree to these foods and one may make them milchigs (שו"ת מהר"ט ח"ב י"ד סי' ח"י, חכ"א).
25. Since no one puts actual pieces of meat on a donut, the only concern is that it will be eaten within six hours of eating fleishigs. Since this issue is more lenient, we are not worried about it when it comes to this issue, and one can make milchige donuts (יד יהודה סק"ו).
26. The opposite case is a true concern: one may not bake fleishige cake, even if it is a sweet type of food, since it is common for people to eat cake with a milchige coffee.
27. Realistically speaking, people do get confused about which donuts are milchigs and which are parve. Therefore, the policy of the Eidah Chareidis's Vaad Hakashrus is to require a sign in the store indicating which donuts are milchigs along with a specific mark. This year [5785] all milchige donuts will have a small blue flag with the word 'חלב' on it inserted on each donut.
28. It should be pointed out that even the Eidah Chareidis must rely on the above reasons for why, strictly speaking, they do not need a special sign. As mentioned above, if a special sign was halachically required, making this sign on the donuts after the milchige dough was already baked would not help. They just do this as an extra precaution to prevent people from making mistakes.

Waiting Six Hours after Different Types of Foods

Fleishige Cooked Food ["Tavshil shel Bosor"]

29. **Potato from a cholent.** Just a potato without any meat or cholent liquid has the status of a fleishige cooked food ["tavshil shel bosor"]. According to the Mechaber, one does not need to wait six hours after eating it, but he must wash his hands before eating cheese (ש"ע י"ד סי' פ"ט ס"ג). According to the Ramo, one must wait six hours; this is the Ashkenazi minhag (ש"ע) and also the Sefardic minhag (ב"י א"ח סי' קע"ג, כ"ק החיים סי' פ"ט סק"ג).
30. **Tasted fleishige cooked food.** If one only tasted a fleishige cooked food without swallowing it, he does not need to wait six hours (מ"ד כ"ק מרן גאב"ד ירושלים).
31. **Meat soup.** The poskim argue whether clear liquid broth of a meat or chicken soup without any meat pieces has the status of actual

meat (ש"ע פ"ח סי' ה הובא בט"ו) or a fleishige cooked food (ש"ע). As mentioned above, according to the Ramo, one would have to wait six hours regardless.

Fleishige Pot

32. If something parve was cooked in a fleishige pot, even if the pot was a ben yomo, i.e., fleishigs was cooked in it within the past 24 hours, as long as the pot was clean when it was used for the parve food, one can eat milchigs immediately after eating it (ש"ע).

Dirty Pot

33. **Vegetable soup after cooking meat.** If a pot was used to cook meat and then emptied, but not rinsed well enough to get rid of all the residual oil and fat from the meat, and then something parve – e.g., a vegetable soup – was cooked in it, one does not need to wait six hours after eating the soup to eat milchigs (ש"ע י"ד סי' פ"ט סק"ט).
34. However, some poskim hold that one does not need to wait six hours only if the volume of the soup was at least 60 times that of the fleishige residue (א"ר א"ח סי' קע"ג) or if there is definitely no fleishige taste detectable in the soup (יד יהודה שם). Others say this heter applies even if there was not 60 times as much soup as there was fleishige residue (יד יהודה א"ר סק"ה בדעת הש"ך, ערוה"ש סי' פ"ט סק"ג). The reason for this is because the person had no intention whatsoever for fleishige residue to remain and give flavor to the parve dish, just he wanted to use the pot again and did not exert himself to rinse it thoroughly enough; in such a case, Chazal did not forbid a person to eat cheese immediately afterward (יד יהודה שם).

Oil Used to Fry Shnitzel and then Fries/Chips

35. If shnitzel was fried in oil and then the shnitzel was removed and the same oil was used to fry chips, does one need to wait six hours after eating just the chips? Some want to say there is no need to wait six hours since it is like the case of the pot with fleishige residue (above, 33), and the halochah in that case is that one does not need to wait six hours since he had no intention for the residue to give fleishige flavor to the parve dish. Here too, they say, there was no intention for the shnitzel to give flavor to the chips.
36. However, this is incorrect. This case is more like a soup that was cooked with chicken inside, where the halochah is that one must wait six hours after eating just broth (above, 31). The oil has the status of a fleishige cooked food, and each piece of potato is saturated with that oil. One must therefore wait six hours afterward. This is not like the pot with residue – in that case, all the person wanted to do was use the pot; the residue is botul due to its miniscule size and insignificance, and it is as if it is not there. Additionally, the halochah about the pot is a chiddush; it cannot be extended to a case of eating an actual fleishige cooked food. Almost all the poskim take this approach (נועם הלכה סי' ב' הע' ס"ז, הגר"ח קנייבסקי, הגר"ע אויערבאך ועוד).
37. **Restaurants.** When buying something like fries/chips in a meaty restaurant, be aware that it could very well be they were fried in the same oil that shnitzel was fried in previously. Therefore, one should not eat milchigs afterward for six hours.

Latkes Sitting in Shnitzel Oil

38. **Question:** If someone fried shnitzel in a frying pan, took them out and put them in an aluminum pan, removed them from the pan, leaving behind some oil from the shnitzel at the bottom of the pan, and then put latkes in the same pan, in the leftover oil from the shnitzel, would one need to wait six hours after eating those latkes?
39. **Answer:** One must wait six hours. When he ate the latkes, he also ate the oil from the shnitzel that was on the bottom of the latkes. Just like one would need to wait six hours if he rubbed his finger on the bottom of the pan and ate the oil from his finger, he needs to wait six hours after eating the oil that was intact on the bottom of the latkes. This is not at all comparable to a pot with fleishige residue (above, 33) – in that case, the residue was mixed into the parve dish and botul, not intact.

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