

# Voice OF THE VAAAD

Issue 10 - Kislev 5780 - December 2019

**1** DOUGHNUTS OR LATKES



**3** ARE ALL OLIVE OILS SUITABLE



**4** ST. LOUIS ERUV



**4** HALACHA CORNER




Rabbi M.H. Eichenstein זצ"ל  
Chief Rabbi 1942-1981

Rabbi S. Rivkin זצ"ל  
Chief Rabbi 1982-2003

Rabbi Menachem Greenblatt  
Rabbi Yosef Landa  
Rabbanim Achraim

Rabbi Zvi Zuravin  
Executive Director

Rabbi Avraham Bloch  
ראש השוחטים

Rabbi Yitzchak Kowalsky  
Senior Rabbinical Coordinator

Mr. Alan Kandel  
President

## DOUGHNUTS OR LATKES

Doughnuts or latkes, the question can be challenging for the Jewish homemaker preparing for a Chanukah party. The custom of having foods cooked in oil to celebrate the Festival of Lights has been a tradition for centuries<sup>1</sup>. With the availability of commercially processed foods on the market today, one has more options for Chanukah themed foods than in times past. When it comes to our favorite Chanukah foods there are numerous halachic considerations to consider before rendering the item as kosher. Besides the obvious need to verify that all raw materials are properly kosher certified, the exact procedure involved in producing a Chanukah treat will have a crucial role in the end product being kosher-certified.

As we have previously discussed,<sup>2</sup> many cooked/fried items are subject to the rules of *Bishul Yisroel*, which require some level of active Jewish participation in the cooking/frying process. However, as we also have discussed elsewhere<sup>3</sup> many baked items have a leniency which classify them as *Pas Palter*. To explain briefly, one is allowed to consume bread-like items produced by a commercial non-Jewish baker<sup>4</sup>

without any active Jewish participation. How does halacha view our *sufganiot*? Are they considered a bread-like item and are therefore subject to the

leniencies of *Pas Palter*? Or, are doughnuts considered a cooked item and therefore subject to the laws of *Bishul Yisroel*?

Before attempting to answer this dilemma, we must raise another halachic issue. What *bracha* does one recite on an item which is made from a thick dough which is cooked/fried instead of baked? The *Rema*<sup>5</sup> rules that, on an item called "*lukshen*" commonly translated as pasta, one always recites a *mezonos*

*bracha*. The reason for saying *mezonos* instead of *hamotzi*, is that *lukshen* does not resemble a bread-like product. However, in an instance where the finished product does have a bread-like appearance, the *bracha* is subject to a dispute. One opinion is that only baked dough products can be subject to the *bracha* of *hamotzi*, whereas a cooked dough is automatically subject to the *bracha* of *mezonos*. Others disagree and explain that if the item retains a bread-like appearance, the proper *bracha* would be *hamotzi*. Because of this dispute, the *Shulchan Aruch*<sup>6</sup>



Continued on p. 2

## DOUGHNUTS OR LATKES *Continued from p. 1*

recommends that a G-d fearing individual should only consume such items during a meal in which he has already recited *hamotzi* on regular bread. The common custom as codified by the *Rema*, is to follow the first opinion which rules that the *bracha* is *mezonos*.<sup>7</sup>

Based on this *halachic* discussion regarding what is the proper *bracha* one recites on bread-like items cooked/fried in oil, it seems that we should classify them within the *halachic* considerations of requiring *Bishul Yisroel*.<sup>8</sup> However, the consensus of many contemporary *poskim* is that doughnuts do not qualify to be called *oleh al shulchan melachim* – suited for a royal banquet – and therefore are absolved from the requirement of *Bishul Yisroel*.<sup>9</sup>

Potato Latkes as well present their own discussion for understanding their kosher certification. Potato dishes have been argued throughout the ages as to whether they are suited for a royal banquet. The *Aruch HaShulchan*<sup>10</sup> writes that potatoes are known to be a peasants' food that would never find their way onto an elegant royal table, and are therefore not subject to the requirement of *Bishul Yisroel*. The *Chochmas Adam*<sup>11</sup> states that potatoes are required to be *Bishul Yisroel* since they are suited to be served royally. The *Chelkas Binyamin*<sup>12</sup> writes that it could very well be that the *Chochmas Adam* and the *Aruch Hashulchan* are not arguing. What determines if something is *oleh al shulchan melachim* needs to be consistently re-evaluated for each generation and locale to determine what is suited for a royal banquet and potatoes might vary depending on time and place.

How do we determine if our potato latkes require *Bishul Yisroel*? It would seem that today a potato latke would qualify as a food item which is *oleh al shulchan melachim*.<sup>13</sup> It therefore would require reliable kosher certification to verify that the *Bishul Yisroel* requirement has been fulfilled.<sup>14</sup>

What is the source of the *minhag* of eating latkes and doughnuts

on *Chanukah*? An early source attributed to the father of the *Rambam*,<sup>15</sup> is the well-known idea that we specifically enjoy oily foods on *Chanukah* to remind us of the miracle of the oil. *Rav Shlomo Zalman Aurebach zt"l* is quoted as explaining a novel idea to why we eat specifically doughnuts (a *mezonos* item with an abundance of oil). After ousting the Greek forces from the *Beis HaMikdash*, the *Chashmonaim* were able to be *me'taher* - to purify - everything except for stones of the *Mizbe'ach* which the Greeks had ruined and which accordingly had to be put away into *genizah* and replaced with new stones.<sup>16</sup> This was a source of distress for the *Chashmonaim* to not be able to completely purify the *Beis*

*HaMikdash*. For us to remember what happened to the *Mizbe'ach*, the custom was to eat something which required an after-bracha of *Me'Ein Shalosh*, such as *Al HaMichya*, for this is the only *bracha* which specifically asks *Hashem* to have *rachamim* "Al Mizbaichecha" - on Your *Mizbe'ach*. Indeed, even *Birchas HaMazon* (in the third *bracha*), when asking *Hashem* to have *rachamim* upon *Yisrael, Yerushalayim, Zion* and the *Beis HaMikdash* does not specifically request His Mercy for the *Mizbe'ach* as we do in *Al HaMichya*. It is for this reason that we eat those wonderful doughnuts - so that we can remember what happened to the *Mizbe'ach* - and ask for *Hashem's* Mercy in bringing the *Geulah Shleimah*.

Lastly, the word "lat" in Yiddish means patch; we eat latkes on *Chanukah* is to commemorate the breaches made by the *Yevanim*<sup>17</sup> in the *Beis HaMikdash* that were subsequently patched up by the *Chashmonaim*. The breaches were made by the *Yevanim* who resented their restriction of entering that area of the *Beis HaMikdash*. They wished to join us with the intention of influencing us in our religious observances.

The aforementioned "halachos of latkes" remind us the underpinnings of the requirement for *Bishul Yisroel*. *Chazal* understood that for *Klal Yisroel* to survive we must enact specific safeguards to maintain the sanctity of the nation.<sup>18</sup>



### What is the source of the minhag of eating latkes and doughnuts on Chanukah?

1 See below where we discuss this more

2 See Voice of The Vaad – Vol. 2 – available at: <https://ovkosher.org/voice-of-the-vaad-2/>

3 See Voice of The Vaad – Vol. 1 – available at: <https://ovkosher.org/voice-of-the-vaad-1/>

4 Needless to say, this is only after it is verified that all the raw materials are kosher.

5 OC 168:13

6 OC 168:13

7 *Rema* *ibid*. *Rav Shlomo Zalman Aurebach* in *Halichos Shlomo* – *Moadim* Vol I 17: Dvar Halacha 11

8 See *Chelkas Binyomin* 112: fn 207, where he equates these *halachic* parameters.

9 See *Imrei Dovid* – *Pas Yisroel/Bishul Yisroel* – Chapter 10. See *OU Policy Document A-105*, where other arguments to permit doughnuts are suggested as well. For dissenting views see *Ohel Yaakov YD* 112:33: fn 46 & 113:91:fn 102.

10 *YD* 113:18

11 66:4

12 113:9. See also *Kosher Food Production* (Second Edition) pg. 411.

13 See *Ohel Yaakov YD* 113:82, *OU Policy Document A-25* and *Halachically Speaking* 14:6 fn: 81.

14 There is *halachic* precedent to certify a partially cooked latke as kosher, with the intention that a Jewish person will complete the cooking process. However in practice *kashrus* agencies will not certify such a product as kosher, see *Imrei Dovid* – *Pas Yisroel/Bishul Bisroel* – Chapter 39.

15 See *Halichos Shlomo* – *Moadim* Vol I 17: *Orchos Halacha* 20

16 See *Mescheta Midos* 1:6

17 See *Mescheta Midos* 2:3

18 *Rambam* – *Laws of Forbidden Foods* 17:9

# ARE ALL OLIVE OILS SUITABLE FOR CHANUKAH?

Rabbi Akiva Tandler, *Rabbinic Coordinator, OU Kosher*

With *Chanukah* quickly approaching our thoughts turn to olive oil used for the *Menorah*. Many people are confused with the various types of olive oil and those which can be used to fulfill the *Hidur Mitzvah* of lighting with *shemen zayit*. In this article we will attempt to “shed light” on this topic.

Extra Virgin Olive Oil and Virgin Olive Oil production begins by transforming the olive fruit into olive paste by crushing the olives. The microscopic oil droplets concentrate and separate from the olive solids without chemical treatment. The difference between Extra Virgin and Virgin is only in the acidic level of the oil. Extra Virgin Oil has less than .8% free fatty acid and Virgin Oil can have up to 2%. Neither one is blended with non-Olive Oil or with Refined Olive Oil.

Pomace is the solid substance left after the oil separates from the olive paste. Olive Pomace Oil is oil extracted from the Pomace using solvents. This oil is then refined and often blended with some Virgin Oil. It is fit for consumption, but may not be described simply as Olive Oil.

Pure Olive Oil and Olive Oil are refined Olive Oil blended with Virgin Olive Oil of no more than 1.5% acidity. Virgin Oil is blended with the refined Oil since refined Oil commonly lacks strong flavor.

Lampante Olive Oil is not suitable as food due to high acidity, poor flavor, and unpleasant odors. The term Lampante comes from olive oil’s long-standing use in oil-burning lamps. Lampante oil is mostly used in the industrial market but is often found in Jewish stores before *Chanukah*.

Refined Olive Oil is the Olive Oil obtained from Virgin Olive Oils by refining methods that do not lead to alterations in the initial glyceridic structure. It has a free acidity of not more than .3%. Note that no solvents are used to extract the oil, but it is refined with the use of charcoal and other chemical and physical filters.

Most bulk oils come to the USA following an inspection approved

by the International Oil Council (IOC). In addition, every major bottling company has a laboratory for testing the quality of the oil. Major brands in America test their competitor’s retail product for signs of adulteration. Therefore, there is no reasonable concern that a reputable brand will adulterate their oil. To date, no scientific study has concluded that there is adulteration by

reputable companies presenting other oils as Virgin Olive Oil. However, little known brands that may hit the market at cheaper prices and fade away are suspect of adulteration.

It is the opinion of most poskim regarding *Ner Chanukah* that even Refined Oil that does not have a hechsher is acceptable. This is based on the position that for *Ner Chanukah* the oil does not need to be kosher.<sup>1</sup> An exception to this includes oils forbidden because of *Basar Bcholov*. Others opine that oils used for *Ner Chanukah* should be kosher. Others further say that although it is technically permitted to use

non-kosher oils, one should do their best to use oil that has absolutely no doubts about its kosher status.

**Conclusion:** In conclusion, any Extra Virgin or Virgin Olive Oil purchased at any major food supplier, or produced by any major brand, has no fear of adulteration and may be consumed. The OU encourages consumers to purchase Extra Virgin or Virgin Olive Oil with a reputable hechsher or from a well-known brand to negate all concerns. All other olive oils listed above must have a reputable hechsher to be consumed.

All olive oils, even if refined and not certified kosher, are acceptable for *Ner Chanukah*, as per most *poskim*<sup>2</sup>. However, in the spirit of *Mehadrin Min HaMehadrin* it is praiseworthy to only use Olive Oil that is certified kosher.<sup>3</sup>

For a longer article on this subject, kindly contact the author at [tandlera@ou.org](mailto:tandlera@ou.org).

**This article originally appeared in the *Daf HaKashrus* of OU Kosher and is reprinted here with kind permission of the author.**



1 השיטות שצריך מן המותר בפיך לנר חנוכה שו"ת שנת חיים לר"ש קלוגר סימן ר"ח ושו"ת בית יצחק ח"ב קמ"ה. שיטות שאין צריך מן המותר בפיך לנר חנוכה שו"ת מהרש"ם ח"ט סי' ל"ט, שו"ת דעי"ת סימן ל"ט, חתם סופר סי' ל"ט (ועיין עוד שדי חמד מערכת חנוכה סי' י"ב).

2עיין בהלכות חנוכה להגאון הרב שמואל קמינצקי שליט"א פרק ראשון אות ד' שכתב אבל מהיות

טוב להמנע מלהדליק נר חנוכה בשמן של איסור.

3 שם הערה ז' בשם המהרש"ם. ועיין עוד פניני חנוכה פ"ז עמוד קמ"ד דדעת הגרי"ש אלישיב זצ"ל שהביטול ברוב אינו נותן להמיעוט המעלה של הרוב שיהי נחשב כשמן זית ויש חולקין ע' שם.

# HALACHA CORNER



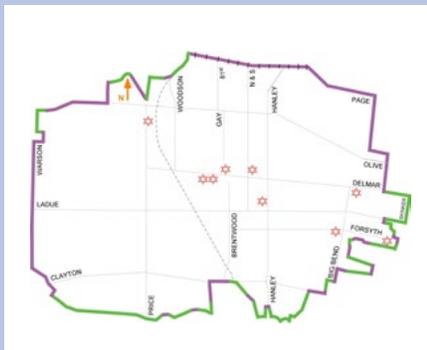
*Question: We are planning on having a dairy Chanukah party<sup>1</sup> for family and friends. I would like to keep the various cheese dishes warm with the hot-plate I typically use on Shabbos with meaty foods. Is this permissible?*

**Answer:** Yes, with the following conditions. First, the hot plate must be cleaned of any meaty residue. You can then place the dairy pans on top of a clean piece of aluminum foil. Any *blieos* – absorbed meat flavor, emitted from the hot-plate will not penetrate the dairy foods<sup>2</sup>.

<sup>1</sup> This custom is codified by the Rema in OC 670:3  
<sup>2</sup> See Rema YD 92:8

## ST. LOUIS COMMUNITY ERUV CELEBRATES 25<sup>TH</sup> ANNIVERSARY

On Friday, December 9, 1994, the St. Louis Community Eruv was first completed and inspected. This year the Jewish Community celebrates the 25th Anniversary of the Eruv. Every Shabbat, except 4 times, during the past 25 years, the Eruv has been available for use by members of this Community.



we are soliciting financial support for the Eruv from those who live within it. The St. Louis Community Eruv is requesting that each resident within the Eruv consider a contribution to the Eruv of \$200 or more. To make an online contribution by credit card or PayPal account, please go to the Eruv website, [www.stleruv.org](http://www.stleruv.org) and select

the DONATE button. Contributions by check should be made payable to St. Louis Community Eruv, Inc. and mailed to:

**St. Louis Community Eruv, Inc.**  
**c/o Joel Garbow, Ph.D., Treasurer**  
**7947 Cornell Avenue**  
**St. Louis, Missouri 63130**

*St. Louis Community Eruv Inc is a not-for-profit and is tax exempt.*

The Eruv's 20-mile perimeter is inspected every week by two very qualified and dedicated inspectors. Often, repairs are required to keep the Eruv functional. The costs to operate the Eruv include all costs of insurance, weekly inspections, the Eruv hotline and email alert system, repairs, maintenance and boundary changes. Repairs often require the assistance of a qualified lineman.

The Eruv has incurred, and will incur, costs and expenses for its repair and maintenance. On this 25th anniversary,

## KELIM MIKVAH UPDATE

During office hours the Kelim Mikvah is available via entrance through the Vaad office door. At other times the Kelim Mikvah is accessible through a rear door entrance. The code to enter is **aleph, gimmel, hey**.

Please use parking lot in the front of the building. During the winter months (November-March) the Kelim Mikvah may not be accessed after 4 pm and in the summer not after 7 pm.



## KASHRUS ALERTS



Follow Us:  
**@VaadHoeir**

Or send a text to  
**40404** with the message:  
follow **@vaadhoeir**