

HALOCHOSCOPE



בָּרוּךְ

Congregation Shaaray Tefilah, Pittsburgh, PA

This week's question:

Is there any reason to be concerned about washing dishes after rubbing hand-cream of questionable Kashrus on one's hand?

The issues:

- (A) Is *Seecha*, rubbing non-kosher food on one's skin allowed?
- (B) *Pagum*, when the unkosher food is converted into an inedible product.
- (C) *Pogem Lechatchila*, intentionally giving a bad taste.

(A) Seecha

Generally, there are two ways that something is forbidden by the Torah: *Issur Achila*, forbidden to eat, and *Issur Hana'ah*, forbidden to derive any benefit. Understandably, one may not enjoy the *Issur Hana'ah* by rubbing it on the skin. *Basar Bechalav*, a mixture containing meat and dairy products or their derivatives cooked together, is *Assur Behana'a* and may therefore not be used in any way including shampoo or lotion. Most lotions do not contain milk, although they may contain animal proteins or greases. If, however, a lotion or shampoo does contain a milk product and also animal proteins, it must be determined whether the mixture constitutes the *Issur Hana'ah* of *Basar Bechalav*. Although one may not eat dairy and meat products together, it is not forbidden Scripturally (but Rabbinically) unless the meat came from a kosher animal and was cooked together with the milk. The Rabbinical prohibition only forbids eating and does not extend to benefitting. In addition, the proteins and fats are often taken from parts of the animal anyway forbidden, such as the *Chelev*, forbidden fats, or the blood, or from a *Neveilah*, an animal that was not slaughtered ritually. There is an opinion that since these were previously forbidden to eat, there can be no additional prohibition of *Basar Bechalav - Ain Issur Chal Al Issur*, once it is forbidden it cannot be forbidden again. Others, however, maintain that since *Basar Bechalav* forbids it *Behana'ah*, for which it was never forbidden previously, it can become forbidden again.

Issur Achilah is only forbidden to eat, or in the case of a liquid, to drink. Rubbing on the skin is not eating or drinking, but is sometimes forbidden as a category of drinking. Many Poskim view this as either a Scriptural or a Rabbinical prohibition limited to the few cases cited by the Talmud: *Yom Kippur*, *Teruma*, the tithes given to the Kohen that are forbidden to a non-

Kohen, and Issurei Hana'ah. In each case there is an additional reason to forbid Seecha. Consequently, mixtures that contain Issurel Achila may be rubbed on the skin. However, we do find a number of stringencies here. Firstly, *Stam Yeinam*, wine handled by a gentile, is forbidden to drink but permissible, according to most Poskim, to benefit from. Nonetheless, except for medicinal purposes for a sick person, one may not rub *Stam Yeinam*, its vinegar, derivatives or mixtures on the skin. Similarly, forbidden fats, including lard may not be rubbed on the skin. Nonetheless, this is to be viewed as a stringency and there are instances when a dispensation might be given under the guidance of a Rav. [See Chulin 115b. Shulchan Aruch Yoreh Deah 87:1-6. commentaries. Yuma 76b-77a, Tosafos. Beis Yosef Y.D. 117,123. Sh. Ar. Y.D. 123:2,134:2 etc. 155:3, 117, Taz 4, Nekudas Hakesef, Pischei Teshuva 33.]

(B) Pagum

If a forbidden food becomes inedible it is no longer forbidden. Based on this, Issur mixed with permissible food in a proportion that would otherwise deem the whole mixture forbidden because of its flavor, but now gives it a bad flavor, does not forbid the mixture. Here, even if it is not inedible, only bad-flavored, it is considered Pagum. The reason is that to forbid the mixture the Issur must contribute positively to the whole, whereas in this case it has a negative effect. In the case of a mixture, it is not necessary for the forbidden food to be bad itself; it is sufficient if the combination of the two is bad, for instance adding bits of non-kosher meat to honey. The question is then raised: What if the non-kosher food is not in a decayed inedible state, but had something added to it to render it inedible? A further question is: What if subsequently something is added to the mixture or it is added to another food in small amounts and is now considered edible?

The general rule is: if the food was rendered inedible to humans or simply repulsive, it is indeed not considered Assur, but, since it is still food, it can become Assur again when its taste improves. If, however, it became so repulsive that it was unfit for animal consumption, it is no longer considered food, but *Afra*, dirt. When this is later added to a food, its Issur is not revived.

It must be noted here that some foods are repulsive in their natural state and yet forbidden, such as insects. When these are mixed with other foods, they do not lose their Issur unless it is impossible to detect the pieces, in which case, some Poskim permit the whole mixture. There are complex details to this Halacha, and if a fly or spider is falls into food, a competent Rav should be consulted. Likewise, one may not assume that a product containing insect derivatives is kosher.

Soap is often produced from animal or other products. If it is unkosher, the issue of Seecha is present. However, since it is usually rendered unfit for animal consumption because of other ingredients, most Poskim permit its use considering that Seecha is only a *Chumra*, stringency. In addition, many soaps

are made of palm-oil or synthetics. With regard to milk-soap,-shampoo or-lotion, such as specialized skin-care products, one must to ascertain that there are no meat products in its ingredients or that the milk or meat ingredients were Pagum or Afra before they were added, in which case the mixture never became Assur.

All of the above applies primarily to Issurei Achila. Basar Bechalav, besides being Issur Hana'ah, has another stringency: it is even forbidden to eat in unusual ways, such as when something bitter was added to it. Accordingly, if the actual Issur is Pagum, it remains forbidden, but when it is mixed with other food, it does not render the mixture Assur; the rules of insects apply. It is interesting to note that with regard to the Issur Hana'ah, it is unclear whether Basar Bechalav can forbid a second mixture. For example, if a stew is cooked with sufficient meat and milk to forbid the whole mixture, and then a piece of the mixture falls into a second mixture, although the second stew is now forbidden to eat, it might not be forbidden to benefit from. If a lotion is produced like this, the Halacha would depend on whether rubbing is considered the same as drinking or merely Hana'ah. [See Avoda Zora 65a-69a. Tur and Sh. Ar. Y.D. 84,103,104,107 commentaries. Pri Megadim, Psicha Lehilchos Basar Bechalav. Y.D. 117, Ba'er Hetev 3, Aruch Hashulchan 29, Darkei Teshuva 33. Y.D. 95, Taz 15, Pischei Teshuva 7, etc. 87:10, Rema, Yad Efraim and commentaries.]

(C) Pogem Lechatchila

The question now arises: May one intentionally give a bad flavor to a food to permit it? Understandably, one would not add a bad taste to food and then eat it. This is really applies to cases where one wishes to avoid forbidding utensils and the like, but may be extended to Seecha, which is itself a stringency. The question is twofold: a) may one be Pogem a forbidden food product and then use it with a kosher utensil?, and b) may one be Pogem a permissible food to prevent it from becoming forbidden such as a meat product that will be mixed with a milk product? In the first case, the Issur is being neutralized intentionally; the second case the Issur is being prevented from ever becoming Assur.

While we find that the second case is permitted by major Poskim (although hotly debated) the first case raises the issue of *Bitul Issur Lechatchila*, neutralizing a forbidden food intentionally, which is usually prohibited Rabbinally. In addition, if it was thus neutralized, it remains forbidden to the person who did it and to those for whom it was done. When the intention is not to neutralize the Issur, but it is anyway neutralized, it is permitted. For example, one may liquefy berries to make jam without checking them for bugs (which are only forbidden when they are not broken up and mixed in) because the intention is not to neutralize the Issur; it is only a by-product of his action. [See Beitzah 5b. Sh. Ar. Y.D. 95:4, 99:5-6, commentaries.]

In our case: Assuming there is no problem with Seecha (for example, it is a lotion that has only milk or meat, or a different unkosher ingredient which is Pagum), when one washes the dishes, they come into contact with the unkosher

food present in the lotion. Here, however, there is another reason for leniency: the water used when washing dishes is rarely considered hot enough to cause *Bliah*, absorption, of the unkosher flavor. In addition, usually the lotion has already been absorbed into the skin and is no longer able to attach itself directly to the dishes. If the lotion had a milk ingredient, but is Pagum, and meat dishes are being washed, it is permitted according to a major Posek. In addition, the dishes are being washed with detergent, an additional Pogem. There is no problem here of Bitul Issur Lechatchila, since the intention is not to neutralize to forbidden ingredients, but to moisturize the skin. Furthermore, in most cases, the lotion is no longer fit for animal consumption. In conclusion: One should avoid using lotions that might contain Basar Bechalav or Stam Yeinam (wine vinegar), but may use those containing other animal ingredients. When washing dishes, one should use detergent, and make sure that the lotion is rubbed into the skin and does not stay on the surface.

© 1994 Rabbi Shimon Silver

ANNOUNCEMENTS

SCHEDULE:

SHABBOS SHACHARIS	9:00 am
SHABBOS MINCHA	4:55 pm
SHACHARIS SUNDAY	8:00 am
SHACHARIS MON ~ FRI	7:00 am
MINCHA SUN ~ THURS	5:10 pm
CANDLE-LIGHTING BESHALACH	5:07 pm
MINCHA EREV SHABBOS	5:15 pm

SHIURIM:

GEMORA MAKOS~	SUNDAY 7:15 am
HALACHA B'IYUN~	MONDAY 8:30 pm
HILCHOS SHABBOS~	SHABBOS 8:15 am

- Junior Minyan for boys on the third floor beginning at 9:15.
- Playgroup with refreshments for preschoolers and first-grade girls on the second floor.

This issue of HALOCHOSCOPE has been sponsored by Mr. and Mrs. Brad Perelman in honor of the Yortzite of his father Reb Dovid Ben Mordechai, z"l on the 29th of Teves.

Anyone interested in subscribing to Halochoscope may send their name and address, along with a check for \$36 made out to Congregation Shaaray Tefilah, to the address below. Please note in the "memo" of the check that this is for a subscription to Halochoscope.

Comments and suggestions are welcome and can be addressed to :

Rabbi Shimon Silver
Congregation Shaaray Tefilah
5741 Bartlett Street
Pittsburgh, PA 15217 (412) 521-5419/9911