

# HALOCHOSCOPE <sup>TOI</sup>

Chicken was breaded with cereal crumbs, then baked with no liquid. Later it was discovered that there was some dairy content in the cereal. What is the status of the chicken, with or without its coating? May this cereal be used for this purpose?

The issues:

- (A) *Basar Bechalav*, mixing meat and dairy
- (B) Transferring forbidden flavor by means of heat
- (C) *Bitul Heter Beheter*, neutralizing an ingredient that is not yet forbidden; *Bitul Issur Lechatchila*, intentionally neutralizing forbidden ingredients

(A) *Basar Bechalav*

The Torah forbids a cooked mixture of meat and milk. Additional Rabbinical prohibitions apply, including eating them together, eating dairy products after eating meat (within the customary waiting period) and serving them at the same table to different people. Scripturally, only meat of domesticated animals can be forbidden. Poultry or venison cooked with milk is forbidden Rabbinically.

The Torah not only forbids ingesting certain foods, but includes in its prohibition the flavor imparted by those foods. Neutral foods absorb this flavor when they are cooked together with the forbidden foods and are likewise forbidden. This is known as *Ta'am*, the flavor, *Ke'ikar*, is like the principal food.

To neutralize forbidden flavor, one must be certain that it can not be detected in the neutral kosher food. Tasting it involves the possibility of violating the prohibition. Therefore, the Rabbis determined that sixty of the permissible parts of the mixture must be present for each of the forbidden parts. Both meat and dairy are permissible. It is only after they are mixed that they forbid each other. To do so they must mix in the same aforementioned proportions. If these proportions are not present, they never become forbidden in the first place. Once mixed they attain the status of any other forbidden food. [See *Halochoscope* II:3 23.]

(B) *Transferring Taam by heat*

While foods can be mixed at any temperature, flavor can only be imparted through heat, pickling or soaking. Pickling and salting are considered a heat medium, and soaking for a twenty four hour period is considered the same as

pickling. For Basar Bechalav purposes, only real heat is considered sufficient to forbid it Scripturally. Other methods forbid it Rabbinically.

When items are cooked together with a liquid medium the Taam is evenly absorbed throughout the foods. If they are cooked through heat with no liquid, the flavor cannot penetrate in the same way. It can be absorbed some of the way, and the volume in this depth must be able to neutralize the absorbed flavor. However, if either of the foods is of a fatty nature, the flavor can be absorbed throughout the whole food. In our case, assuming the milk element was absorbed throughout the chicken, there would be enough to presume neutralization. However, the Poskim debate whether we may consider ourselves expert in determining how fatty a food is, or how fatty it should be. Therefore, though we would tend to stringency and forbid the entire food if there was sufficient Taam to impart, we could not also apply this principle to practice leniency if it is not enough. Thus, if the Taam present could forbid the surface layer, this part would be forbidden.

In our case, the two parts to the "mixture" are also seen as separate entities joined together. As such, they could absorb from one another in the manner and proportions detailed in the preceding section. The chicken might neutralize any milk entering it, due to its volume, since the milk element in the cereal is small. However, the crumb crust would not neutralize the large volume of chicken Taam entering it. Thus, the crust could become forbidden totally. Now that it is saturated with the flavor of Basar Vechalav, it could in turn impart this back to the chicken. This time around the chicken does not have enough volume to neutralize it.

There are rules governing "relaying" Taam. The first is that though Taam can be spread further as a result of the intervention of fatty nature, it can only transfer its own forbidden Taam. A Fatty permissible piece that absorbed forbidden Taam from another piece can only spread as far as the original forbidden Taam could spread. Basar Vechalav is the subject of debate. Some say that once the flavor of either has become forbidden through mixing with the other, it can be imparted as though it is fresh forbidden flavor. Thus, the fatty chicken Taam that became Basar Bechalav in the crust can spread to the rest of the chicken. By the same token, the immediate surface area of the chicken beneath the cereal is considered to have absorbed the lean Taam. This is now considered fresh Basar Bechalav Taam, and its fatty nature can spread it throughout the piece of Chicken.

However, the fatty nature of these two pieces remains constant during the mixing process. Thus, if the mixture is duly influenced by its fattiness, the mixing will run its course and evenly distribute the milk and meat elements. If it is not fatty

enough to do this, it will stop at the surface layer. It would not be considered a two step process, with the part forbidden in the first step going on to forbid further. If it were later reheated, the issue could arise as mentioned. Therefore, in our case, if the milk content could not be neutralized, the entire piece is forbidden. If it could be neutralized, the crumb crust is forbidden and the surface layer of the chicken should be removed, in case the fattiness was insufficient. The rest is permissible. [See Chulin 96b-97a, Poskim. Tur, Sh. Ar. Y.D. 105:5-7, commentaries.]

### *(C) Bitul Heter Beheter; Bitul Issur Lechatchila*

In our case, it is possible that the crust would not be forbidden either. We have assumed all along that the milk content in the cereal was significant enough to forbid the cereal when the chicken Taam was absorbed in it. What if the milk content of the cereal was already insignificant and was neutralized before the chicken Taam entered it. The Poskim deliberate on whether it is possible to neutralize milk when it is part of a neutral mixture. *Bitul*, neutralizing, is a result of a conflict of two ingredients. An *Issur*, forbidden ingredient, wishes to impart its flavor to forbid a *Heter*, permissible mass. The mass of Heter overcomes the onslaught with sheer volume, and the Issur fades away. We know that it really exists, somewhere in the mixture. The Torah says that we consider it as though it ceases to exist. When milk is mixed in cereal there is no conflict that must be resolved through *Bitul*. The milk content could thus be viewed as though it still exists in the cereal as an independent entity. When a small enough amount of meat Taam comes in it finds the milk content and creates a new Issur.

The other way to view it is that *Bitul* is based on fact. In insignificant amounts the milk is considered non-existent. In addition, though there is no conflict at present, the rules of *Bitul* could be applied in potential, to take effect should a conflict arise. The consensus of the Poskim is to permit the neutral mixture when mixed with the opposite type. An example would be a drop of milk lost in a lot of water, then mixed with meat. The water may even be mixed into the meat. However, one may not add the milk to the water with the intention of adding it to meat.

In our case, it was determined that the milk content of the cereal was indeed small enough to be *Bateil* in the rest of the cereal. This would mean that the crust might not have become forbidden at all. If the crust was not forbidden, the entire piece of chicken is certainly permissible. Even for those who do not accept a preemptive *Bitul Heter Beheter*, the information about the proportion of milk content does help resolve the issue. If the amount is so small, even if it is absorbed indepen-

dently into the top layer of chicken it can not forbid the top layer. Since it is Bateil in the cereal, it is also Bateil in the amount of chicken in the surface layer of chicken. Furthermore, the crust is really a separate entity attached to the chicken. When the chicken Taam finds the small amount of milk content and mixes with it, we may assume that an amount of chicken flavor equal to the volume of the crust will be absorbed in it. This is enough to neutralize the milk content, so that even it will never become forbidden, not to mention the absorbed chicken flavor. Thus, even the crust would not be forbidden.

One may not intentionally neutralize Issur. According to most Poskim this also applies to Basar Vechalav, even though both are presently permissible and the minute amount will never become forbidden. If one neutralized Issur, he may not eat the mixture. It is also forbidden to intended beneficiaries of the Bitul. Thus, if a host did this Bitul on behalf of his guests the food would be forbidden to these guests. It may be eaten by others for whom it was not done specially. The Poskim maintain that even if the person doing the Bitul had no-one in particular in mind, but intended it for any prospective customer, it is forbidden. [See Trumos 5:9 Beitzta 5b, Poskim. Tur Sh. Ar. Y.D. 99:5-6, commentaries.]

May one intentionally use the cereal as a coating for chicken, in the knowledge that the dairy content has been neutralized? Is it possible that the manufacturer is considered intentionally neutralizing it for use with chicken? First, if the manufacturer is not Jewish, one would have to consider him an agent of the Jewish consumer to apply this restriction. Really, once an Issur is Bateil, nothing should be forbidden. The restriction on using intentionally neutralized material is to deter others from doing it again. A gentile is not forbidden to do it in the first place. However, one would wish to deter a Jew from asking a gentile to do it for him. A large scale manufacturer can not be considered the agent of his Jewish consumers. Secondly, the cereal is not sold primarily as a breading item. Therefore, it is not intentionally neutralized for use with chicken. However, since it is known that milk exists in the ingredients, buying it specifically to bread chicken, or using it for this purpose, sets a dangerous precedent. It could lead to using items that have a more significant amount of dairy ingredients. Therefore, one should not use this cereal intentionally to bread chicken.

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