

# HALOCHOSCOPE



**This week's question:**

**May a hot water dispenser used year-round for water only be used for Pesach?**

**The issues:**

- A) *Kli chametz, utensils used with chametz*
  - B) *Taam, balua, how utensils absorb forbidden flavor*
  - C) *Zaia, hevel, nitzuk whether steam or a steady stream can convey taam*
- A) *Kli chametz* [Excerpted from Halochoscope XVI:23]

The normal definition of *chametz* is leavened dough made of the five bread grains. These are the cereal grains, wheat, barley, rye, oats and spelt. Other grains with 'leavening' is not *chametz*, but bloating. Flour's natural yeast mixed with water and left to stand for a time period will react with the sugars and other natural chemicals present and leaven. This pure *chametz gamur* is forbidden Scripturally to be eaten under penalty of *kareis*, excision. If this *chametz* is mixed with neutral ingredients, the entire mixture is forbidden, unless the proportion is sufficient to allow for *bitul*, neutralization of the forbidden content. This prohibition is also Scriptural, known as *ta'aruveiss chametz*, a mixture of *chametz*. This is derived from an extra mention in the Torah of *machmetzess*. Depending on the proportion of the *chametz*, it is possible that consuming this mixture is punishable with *malkos*, lashes. [The Talmud and poskim debate the amount and proportion. A complete *kezayis*, olive-sized piece, of *chametz* is mixed with six or eight parts, or is part of six or eight. Some say that the person must then consume the entire mixture.]

Rabbinically, all mixtures are forbidden to consume on *Pesach*, unless the *chametz* content was neutralized before *Pesach*. *Chametz nuksheh*, simply translated as bad *chametz* is unfit for human consumption or stopped before it could fully leaven. The Talmud cites three views on this: Some consider it Scripturally forbidden *chametz*, on a level worse than *ta'aruveiss chametz*. Others consider it Rabbinical, while a third view considers it forbidden Scripturally but that it's consumption carries no penalty. [See Psachim 33a 39b-40b 42a-43a etc., Poskim. Tur BY Bach Sh Ar OC 442 443 447, commentaries.]

**B) Balua and its removal**

When food is cooked in a utensil, particularly metal and earthenware, flavor is absorbed into the walls of the utensil. This is called *belia*, swallowing. This extract will be imparted to the next food cooked in the same utensil. If a food is forbidden, its flavor extract is also forbidden, known as *taam keikar*. Thus, if the first food was forbidden, and the second food was permitted, the *taam* of the first food forbids the second food. If the extract is undetectable, the second food is not forbidden. We assume that one part in sixty is neutralized. It is assumed that all the *taam* available is absorbed, and that the walls of the utensil can be saturated with it. Thus, under normal circumstances, to neutralize for-

bidden *taam*, one must have sixty times the volume of the walls in the second batch of food. Most medium to heavy utensils do not have this capacity.

The utensil may not be used for permissible food until it is cleansed. To cleanse all traces of forbidden flavor, one must purge it in the same way it was absorbed, known as *kebol'o kach polto*. This is determined by the normal use of the utensil. A utensil used cold will absorb if the forbidden food was left to soak into the utensil for at least twenty-four hours. To purge this, the utensil is soaked in cold water for this time period, and the process is repeated three times. A utensil used to cook with a liquid medium absorbs through the heat and the liquid. It is *kashered* by *hag'alah*, boiling the flavor out of the walls. A utensil used with no liquid medium, must be heated more directly.

There are two forms of this heating, or *libun*: *libun chamur*, strong heat such that the top layer of the utensil becomes red hot and appears to be ready to peel off; *libun kal*, moderate heating, to the point that straw (or tissue paper) would begin to char when touching any part of the surface. These are not considered purging methods, but more like a destroying method. The *taam* is not removed but destroyed in place. If the utensil was in direct contact with both the food and the fire at the time of absorption, *libun chamur* is required. Where the utensil had direct contact with the food, but indirect contact with the fire, *libun kal* is sufficient.

When *hag'alah* is done, the surface of the utensil must be clean, so that the water can penetrate the walls and will not reabsorb some new flavor from the residue, imparting it back to the utensil. For *libun*, the fire will burn the residue along with the flavor. For *libun kal*, unless one is able to apply the heat directly to where the residue is, it is advisable to clean the surface well. The residue should be burned up like the flavor, but there is always a chance that it will survive where flavor would be destroyed.

Earthenware cannot be *kashered*. Glass is treated like earthenware for *Pesach*. Plastic and synthetic materials are basically considered like glass or earthenware.

When forbidden food becomes inedible, it may be consumed as though it were dirt. Based on this, if the food is edible but imparts an unpleasant taste, it cannot forbid other food by its *taam*. Flavor can only effect its prohibition by enhancing the mixture.

*Balua* flavor loses its complimentary quality after being separated from any hot material food for twenty four hours. Thus, if it was absorbed in the walls of a utensil that was empty for this period, or if the utensil was only used cold during this period, it is *pagum*. *Taam shaini*, or *nosain taam bar nosain taam*, in short, *natbarnat*, means *taam* that was twice removed from the food source before entering the second food. It refers to a neutral food that absorbed flavor from a meat utensil. If it is mixed with milk, the *taam* is too weak to have any forbidding effect.

In regard to *chametz*, there are various stringencies. First, while *bitul* should apply to any forbidden food in a mixture, the Rabbis imposed a stringency on a *chametz* mixture that is made on *Pesach*. Even in minute amounts and proportions, the entire mixture is forbidden. Second, while *ta'am pagum* should apply to utensils that absorbed *chametz*, if the flavor is imparted on *Pesach*, this leniency is suspended. In both of these cases, the stringency is only applied on *Pesach*, or according to many poskim, on *Erev Pesach* after the time that *chametz* is forbidden to consume (although the *kareis* penalty does not yet

apply then.) A third restriction applies to *ta'am sheini*. This concept could only apply to flavor that is not yet forbidden when it enters the second-hand state. Thus, *nevailah*, meat from an animal that was not properly slaughtered, is forbidden even after the flavor has moved from one state to another. Meat is permissible by itself, as is milk. Their *ta'am shaini* has leniencies, that prevent the prohibition from taking effect. The poskim debate whether this could be applied to *chametz*. In certain respects, it is like meat and milk. It is permitted before *Pesach*. In other respects, it is different. It is not the mixing of the flavor that determines the prohibition, but the passage of time. Therefore, the poskim debate whether one may rely on dilution through *ta'am shaini* before *Pesach*. [See *Pesachim* 30a-b 44 Avoda Zara 66b 75b-76b Zevachim 97a Chulin 97-99, Poskim. Tur Sh Ar OC 451[:4-9, 13 etc.] 452:1, commentaries.]

### C) *Raicha, zaia, hevel, nitzok vekiluach*

When food is cooked openly with no utensil, fumes could be given off. If there is a smell, it comes from fumes of the food. However, while it might be true that smell must have some type of particle to it, this need not constitute *ta'am keikar*, flavor. The Talmud discusses the issue of *raicha* when two foods cooked in proximity. If one is forbidden, could the *raicha* forbid the other? In some cases, for example, if the space in which the two items were cooked is well ventilated, the issue is mitigated. The question is whether *raicha*, which does exist, is *milsa*, something to be concerned about. The Talmud seems to debate the issue, although it is unclear whether anyone would be compelled to forbid *raicha* outright. When cooked inside a utensil, many maintain that there is no *raicha*.

The conclusion is to restrict cooking items in such proximity. If items were cooked this way, it depends on the nature of the flavor. Greasy flavor could be more problematic. Certain foods are treated stringently, because they impart heavy fumes, they absorb fumes easily, or they are particularly strict in terms of their penalty. Ideally, one should avoid cooking them in proximity at all, especially in close proximity with little ventilation. If they were already cooked this way, they are permitted. However, one should find a way to avoid relying on the laxity. Thus, if neutral food was exposed to *raicha* of milk or meat, it should not be eaten with the opposite kind. It can be eaten with the same kind, avoiding reliance on the leniency. The poskim debate whether to apply the leniencies of *raicha lav milsa* to *chametz*. In cases of major loss, one may rely on the lenient view.

If the fumes are steamy, the status changes somewhat to *zaia*, literally, sweat. This could be viewed as a plain water evaporation with no *ta'am* in it, neutral water with *ta'am*, or a worse form of *raicha*. As a water, it is extremely hot and can impart any flavor in it. However, it is not contained in a utensil, and has air mixed in with it. The lid of a pot often does not touch the contents, yet is considered saturated with the *ta'am* through the *zaia*. Some term this *hevel*. (No air is present.) By the same reasoning, if it is known that *zaia* rose from forbidden food to a utensil above it, the utensil is forbidden.

Usually, a neutral food absorbs *ta'am* through contact with the forbidden food in a *kli rishon*, utensil heated directly. A *kli shaini*, utensil into which the hot food is placed, cannot impart flavor. *Iruy*, forbidden food poured directly from a *kli rishon*, has the capacity to impart flavor. If the food beneath it is hot, the mixture is forbidden. If it is cold, only the surface is forbidden. The flow must be unbroken. If it is broken, the forbidden


food loses its status of *iruy kli rishon*. Landing on a cold surface and then continuing to flow unbroken, is a matter of debate. Since the surface could cool the flow, the capacity to forbid is reduced. On the other hand, the flow is still connected to the *kli rishon*.

If cold forbidden food is beneath the *iruy* of neutral food, such as water poured from a kettle into non-kosher food, the question arises: can the *bli'a* travel upwards, against the flow of the *iruy*? The concept of *nitzok chibur*, where the flow connects in both directions, is discussed by the Talmud in similar contexts. For example, kosher wine is poured into a utensil held by a gentile or owned by him. The wine in the utensil becomes forbidden. Does the wine flowing into the utensil also become forbidden due to its contact? Does the wine in the top utensil all become forbidden? In the context of *bli'a* from a cold lower utensil through the hot flow to the hot upper utensil, the poskim debate whether to apply restrictions. If the upper utensil is cold, one should not pour directly into a hot lower utensil. If this was done, the poskim permit the upper utensil after the fact, provided it is not too close enough for *za'ia*. Our case is the reverse.

In our case of the hot water spout used for *chametz* food, the issue is whether the spout is considered a *chametz* utensil. If there is an issue of *za'ia*, and even just *ra'icha*, the ideal would be to consider it a *chametz* utensil, and to limit its usage for *Pesach*. If the food was always too far from the spout, the issue is *nitzok chibur*. In the case of pouring into an empty *chametz* utensil, the additional issue of *ta'am shaini* applies, since it is done before *Pesach*. In both cases, *bitul* should work, before *Pesach*. In addition, if the water was used with *chametz* soups, there is concern that *chametz* touched the spout. During the year, there is no reason to take special care. The poskim recommend stringency with regard to *ra'icha*, *za'ia* and *nitzok* in cases similar to those in our question. [See Psachim 76b Avoda Zara 71b 72b, Poskim. Tur Sh Ar OC 444:3 447:1 451:9 14 (Dirshu note 73) 15 20 452:1 YD 91:4 92:7-8 93 105:2 3 4 108:1 4, commentaries (MB Kaf Hachayim etc.). Nitei Gavriel Pesach 62 81:13.]

In conclusion, instant hot water (sink) dispensers, stove top or electric kettles, urns and Keurigs are all a *kli rishon* usually pouring into a *kli shaini*. The issues are *nitzok* from the *kli rishon* and *za'ia* and *hevel* from the *kli shaini*. Occasionally water might be added to a hot *kli rishon* of *chulent* or noodles. *Chametz* spatters on sink and stove top versions. A *kli rishon* absorbs a spatter. *Chalah* is warned on the lids of urns. *Chametz* can fall into utensils when lids are removed. Unless one is sure that he never uses the water in proximity to *chametz*, the spouts need to be *kashered*, and in some cases, the utensils, if this is possible, depending on their materials and structure.

*On the parsha ... This is the Torah of the domestic beast, the poultry, the living beings in the water and everything that swarms on the ground. [11:46] An ignoramus may not consume meat or poultry, as it says "This is the Torah ..." - only Torah scholars may consume ... [Psachim 49a] Why would this be true? What kind of privilege is it for scholars, or punishment for the ignorant? Is this to be taken as a prohibition? Perhaps, due to the complicated laws of *kashrus*, the Torah is saying that as long as one remains ignorant, he is not ready for meat and poultry!*

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