



לא באתני אלא לעורר

BITUL OF WINE VINEGAR

RABBI ELI GERSTEN

RC Recorder of OU Psak and Policy

THE GEMARA (Avoda Zara 29b) writes that kosher wine vinegar is not subject to *mageh akum*. This is because it is not the *derech* to be *mina'sech* vinegar. However, it is not clear at what point wine changes its state and is classified as wine vinegar. Because of this uncertainty, Shulchan Aruch (YD 123:6) writes that one must consider wine vinegar to be subject to *mageh akum* until it ferments to the point where it bubbles when poured on the ground.

In practice, this method of testing the strength of wine vinegar by pouring it on the ground is difficult to apply. Vinegar is an acid, and it will bubble when it reacts with an alkaline. If strong vinegar is poured on a cement floor it will bubble, because cement is an alkaline. If poured on a pure dirt floor, even strong vinegar will not bubble. Thus, it is not clear what type of surface the Shulchan Aruch is referring to when recommending the test of pouring the vinegar on the floor.

Nevertheless, it can be assumed today that commercially produced wine vinegar is definitely classified as vinegar, even without testing it by pouring it on the ground. This is true for the following reason:

continued on page 46

OREO SANDWICH COOKIES

WHAT IS THE STATUS OF OREO SANDWICH COOKIES? DO THEY CONTAIN ACTUAL DAIRY INGREDIENTS?

At the present time the following Oreo Sandwich Cookies do not contain dairy ingredients, although they are manufactured on dairy equipment:

- ▶ Original Oreo Sandwich Cookies
- ▶ Oreo Double Stuf Sandwich Cookies
- ▶ Oreo Original Mega Stuf Sandwich Cookie
- ▶ Mini Original Oreo Sandwich Cookies
- ▶ Chocolate Oreo Sandwich Cookies
- ▶ Golden Oreo Sandwich Cookies
- ▶ Triple Double Oreo Sandwich Cookies
- ▶ Oreo Thins Sandwich Cookies



OU KOSHER HALACHA YOMIS

On Chanuka

RABBI MORDECHAI STARESHEFSKY

Rabbinic Coordinator

WHEN IS THE OPTIMAL TIME TO LIGHT CHANUKA CANDLES?

The Talmud (Shabbos 21a) relates that Chanukah candles should be lit at sunset, and remain lit for half an hour. This is codified in the Shulchan Aruch (OC 672:1). However, it is unclear what sunset means. Does it mean sunset in the literal sense, which is when the ball of the sun sets below the horizon and is no longer visible, or does it refer to sunset in a broader sense, when the rays of the sun can no longer be seen in the sky?

1. Some Poskim take the latter approach, and they hold that the Talmud is referring to the commencement of nightfall, *tzeis hakochavim*, i.e., when the sun's rays have completely disappeared and three stars can be discerned (Magen Avraham ibid. 1; Bach OC 662; Mordechai).
2. Others follow the latter approach, but take the position that sunset in this instance means twilight, i.e. when the sun's rays have almost entirely disappeared. This happens about fifteen minutes prior to nightfall (Ran, Rashba, Meiri).
3. Finally, the Vilna Gaon (Beur HaGra OC 672:2), understands

continued on page 46

- ▶ Oreo Cinnamon Bun Sandwich Cookies
- ▶ Oreo Lemon Sandwich Cookies
- ▶ Oreo Mint Creme Sandwich Cookies
- ▶ Oreo Peanut Butter Sandwich Cookies
- ▶ Oreo Red Velvet Sandwich Cookies

The equipment is not necessarily cleaned before the production of these cookies, and there may be a small amount of dairy residue present. Nonetheless, the dairy component would be minimal, and from a Halachic perspective, the dairy residue is nullified (*botel bishishim*) and of no consequence. The bottom line of all this is that these cookies may be consumed after meat and poultry, but not simultaneously.

Please bear in mind that the manufacturer may choose in the future to reformulate these products and add dairy ingredients. Since these products already bear OUD symbols, formulation changes may not be reflected in the OUD logo. As such, we recommend that consumers check regularly with our office to confirm the status of these items. ■



In wine production, the sugar is fermented and converted to alcohol. The strongest wines have a maximum of 13 or 14% alcohol. This is because at that level, the alcohol destroys the yeast that promotes fermentation.

Wine vinegar is made by further fermenting wine with the aceto-bacter bacteria. The microbes consume the alcohol that is present in the wine and convert it to acetic acid. The conversion ratio is slightly less than one to one. A strong wine that is 13%-14% alcohol, if allowed to completely ferment, would yield a 11-12% acetic acid wine vinegar. It is not possible to have a stronger vinegar than that.

For this reason, commercially produced wine vinegar, which is typically allowed to reach full fermentation, will reach a maximum acidity level of 12%. It may be bottled with water which reduces the level of acidity, often to 6%. We may assume that when fermentation is completed, our wine vinegar is just as strong as any wine vinegar made hundreds or thousands of years ago, such as in the time of the Shulchan Aruch and Gemarah. Thus, it is unnecessary to test our wine vinegar by pouring it on the floor. In practice, most wine vinegar is made from *mevushal* wine, so anyways it would not be subject to *mageh akum*.

BITUL OF NON-KOSHER WINE

Before we discuss *bitul* of wine vinegar, we must first discuss the *halachos* of *bitul* of wine. Shulchan Aruch (YD 134:5) writes that if *yayin nesech* was diluted into 6 parts water it is *batel*. Shach (YD 134:21) points out that this is only true when wine is diluted in water (and according to Taz YD 114:4 also other *mashkim*). However, if *yayin nesech* was mixed into a *tavshil* (e.g. meat, fish or any other non-beverage) it will not be *batel* in less than *shishim*. Why is there a difference? Ordinarily all *issurim* require *bitul b'shishim*. The reason wine is *batel* in six parts water is because the taste of wine is easily compromised through dilution in water, and at this ratio the wine is “nosein *ta'am lifgam*”¹. But when wine is added to a *tavshil*, it improves the taste. Therefore, in a *tavshil*, we still require *shishim*.

BITUL OF WINE VINEGAR

What is the *halacha* if wine vinegar is added to six parts water? Is wine vinegar viewed the same as wine? Do we say that just like wine is *ta'am lifgam* and loses its status when mixed into six parts water, so too wine vinegar, or perhaps wine vinegar into water is *ta'am lishvach*, just like when wine is mixed into a *tavshil*? This question is not directly addressed by earlier *poskim*. Rav Belsky zt”l concluded

YOMIS



sunset in a literal sense, when the actual sun disappears from view. Beiur Halachah (672, s.v. *velo makdimim*) notes that this is the Rambam’s position as well.

IN THE PREVIOUS HALACHA YOMIS, IT WAS EXPLAINED THAT THERE ARE THREE OPINIONS REGARDING THE OPTIMAL TIME TO LIGHT CHANUKA CANDLES. WHOSE POSITION SHOULD I FOLLOW?

Mishnah Berurah rules that ideally (*lechatchila*) one should follow the second opinion we cited – that of Ran, Rashba and Meiri – and light about fifteen minutes prior to nightfall. Yet, to accommodate the first opinion – Magen Avraham and Bach – he should ensure that they remain lit for half an hour after *tzeis hakochovim* (Mishnah Berurah 672:1). Mishnah Berurah does note elsewhere (677:16) that the prevailing custom is to daven Maariv first and then light candles. However, the Brisker Rav would light at sunset, in accordance with the ruling of the Vilna Gaon.

that since we do not find *poskim* differentiating between wine and vinegar, we should assume that the *halachos* are the same, and wine vinegar would be *batel b'shaish*. However, Rav Schachter disagreed. He argued that wine is a *mashkeh* (beverage) that is intended for drinking, and when mixed with water the resulting mixture is a *mashkeh*. Only with a *mashkeh* do we allow *bitul b'shaish*. However, although wine vinegar is a liquid, it is not a *mashkeh* (beverage) that is intended for drinking, and when mixed with water, as would be the case when making salad dressing, the resulting mixture is treated as a *tavshil* and not a *mashkeh*. When wine is diluted in a *tavshil* it requires *shishim* and not *shaish*. Therefore, when wine vinegar is mixed with water, if the resulting mixture is a *tavshil* and not a *mashkeh*, it too will require *shishim*. In practice, the OU is *machmir* that we do not consider wine vinegar to be *batel* in six parts water, but if there are other *tz'dadim P'hakel* then Rav Schachter agreed that we can be *mitztaref* this *safek* as well.

RETURN CONDENSATE FROM WINE VINEGAR

If hot water or steam was used to heat a kettle that held wine which was *yayin nesech*, the OU does not require draining the water. This is because:

We assume that the *ta'am* of wine will be *batel b'shaish* in the water.

One is permitted to put water into *klei yayin*, (even when there is not *shaish*), because *bliyos* of *yayin* that were absorbed in a *kli* are always *ta'am lifgam* into water (Shulchan Aruch YD 137:4).

What about regarding wine vinegar? According to Rav Belsky, the exact same *sevaros* that were applied to wine would apply to wine vinegar as well. Therefore, there is no need to drain the water in the boiler. Rav Schachter also agreed that the water need not be changed. Although Rav Schachter was unsure if we could apply the *sevara* of *bitul b'shaish* to wine vinegar, in this case he agreed that it was permitted since there are two other considerations to be *maikel*. First, there is a general *safek* in *halacha* whether a *bliya* that is absorbed on one side of a *kli* is expelled into liquid on the other side of the *kli* (see Taz YD 92:19). Therefore, whether or not the taste of vinegar will enter the boiler water is at most a *safek*. Secondly, in this instance, the vinegar does not mix with the boiler water. The concern is only that the *bliyos* of vinegar that were absorbed into the *kli* might enter the boiler water. As such, it is possible that *bliyos* of vinegar that mix in water are *ta'am lifgam* and are *batel*. ■

¹ See Pri Migadim (P'sichos Shaar HaTa'aruvos Perek 4) for an elaboration on exactly how this works.

There are those who are accustomed to light at twilight (i.e. about twenty minutes after sunset), because by doing so one accommodates all three opinions. This is the time dictated by the Ran, Rashba and Meiri; it is within a half hour of sunset – hence it fulfills at least in part the Vilna Gaon’s opinion; and it is within a half hour prior to three stars emerging – hence it fulfills the opinions of the Magen Avraham and the Bach. This was the custom of the Chazon Ish (Chut Shani, Chanuka, p. 318), and R’ Aharon Kotler. For specific guidance, everyone is encouraged to speak to their rabbi.

I WORK IN THE CITY AND RETURN HOME LATE. MY CHILDREN WAIT FOR ME TO LIGHT THE CHANUKA CANDLES. SHOULD THEY LIGHT AT THE PRESCRIBED TIME, OR SHOULD THEY WAIT FOR ME SO THAT WE CAN LIGHT CHANUKA CANDLES AS A FAMILY?

In a previous Halacha Yomis we learned that the optimal time to light candles is at sunset. This is because the miracle will be publicized

continued on page 47

► (*pirsuma nisa*) for the people who pass by and see the candles. The Rama (OC 672:2) writes that this was true when candles were lit outside the house. Nowadays, candles are generally lit indoors and the main *pirsuma nisa* is for the members of the family, and candles may be lit any time at night. Nonetheless, the Rama writes that even so, it is preferable to light early in the evening, so that passersby will see the candles in the window. As such, one can light the Menorah when returning home from work late in the evening. However, there is no reason for the children who are home to refrain from lighting on time. The children should light at the optimal time, and the father should light later when he comes home.

I WILL NOT GET HOME ON CHANUKA UNTIL IT IS LATE. SHOULD I HAVE MY WIFE LIGHT FOR ME AT THE OPTIMAL TIME OR IS BETTER FOR ME TO LIGHT WHEN I GET HOME?

The Brisker Rav (Uvdos Ve'Hanhagos L'Beis Brisk II pg. 99), R' Shlomo Zalman Auerbach (Minchas Shlomo II 52:43) and R' Ovadia Yosef (Yechaveh Daas 3:51) held that it is preferable to perform the mitzva at the optimal time. Therefore, the wife should light earlier in the evening and the husband should be *yotzai* (fulfill the mitzvah) with his wife's lighting. However, R' Vozner (Shevet HaLevi 4:66) felt that one's religious experience is enhanced when he takes an active role, and the husband should light himself when he comes home.

Note: The halacha is that if one's agent lights for him, he is still obligated to recite the bracha of *she'asa nissim* when he sees the candles burning. It is questionable if this applies in the event that his wife lights for him. Indeed, Mishnah Berurah (676:6 and 677:14) notes that the Mechaber appears to have issued two contradictory rulings as to the proper course of action for this situation. As such, if one follows the first opinion above and fulfills the mitzva through his wife lighting the candles, he should not make the beracha of *she'asa nissim* when he sees the candles burning.

MY WIFE WORKS IN THE CITY AND COMES HOME LATE. SHOULD I LIGHT THE CHANUKAH CANDLES AT THE PRESCRIBED TIME, OR SHOULD I WAIT UNTIL SHE COMES HOME?

Although lighting Chanuka candles is a mitzva which is exceedingly beloved (Rambam Hil. Chanuka 4:12), nonetheless, it does not come at the expense of family harmony and good will in the home. If one only has one candle on Friday, and cannot procure another, it should be used for Shabbos candles and not for Chanuka candles, because Shabbos candles were instituted to foster *shalom bayis*, i.e., peace and harmony in the home. Without light people would be unable to see, and *shalom bayis*, would be negatively impacted (Shulchan Aruch OC 678:1 from Gemara Shabbos 23b). In our case as well, lighting candles without waiting for one's wife to arrive will potentially have a negative impact on *shalom bayis*, and one should therefore wait until his wife comes home (Emes leYaakov OC 670 fn. 586; Kovetz MiBeis Levi 10, p.3; Ner Tzion 6:11)

Indeed, the Chafetz Chaim related that his Rebbi, R' Nochum of Horodna was always exceedingly careful to light Chanukah candles at the proper time – but when his wife was late in coming home, he delayed lighting Chanukah candles until she arrived. R' Chaim Kanievsky related a similar story regarding R' Yosef Chaim Sonnenfeld. Both R' Nochum and R' Yosef Chaim explained their rationale as we explained above: *shalom bayis*, takes precedence over Chanukah candles (see Tuvcha Yaabiu, Lech Lecha, pg. 74-75; Ner Chanuka 2 fn. 8).

I LIVE IN NEW JERSEY AND WILL BE TRAVELING TO NEW YORK FOR A CHANUKAH PARTY AT MY PARENTS' HOUSE, AND WON'T BE RETURNING HOME UNTIL LATE. SHOULD I LIGHT AT HOME AT 4:00 PM (WHICH IS BEFORE SUNSET)? APPOINT AN AGENT (SHLIACH) TO LIGHT IN MY HOUSE FOR ME AT THE PROPER TIME? LIGHT AT MY PARENTS' HOUSE? OR I CAN LIGHT UPON RETURNING HOME LATE AT NIGHT WHEN THERE ARE NO LONGER ANY PASSERSBY? WHAT SHOULD I DO?

The Mechaber rules that if one will not be able to light the Chanukah candles at the prescribed time, he may light them any time after *Plag HaMincha* (Shulchan Aruch OC 672:1). *Plag HaMincha* in the winter is approximately an hour before sunset. However, if one must leave immediately thereafter, it may not be advisable to leave candles unattended. The possibility of using an agent is questionable, since Mishnah Berurah (675:9) rules that when an agent lights for him, the person must stand next to the agent and hear him recite the brachos; obviously, this is not feasible in this case. The third possibility, lighting at one's parents' home, is not acceptable. One must light where he lives (i.e. the place where he eats and sleeps on a regular basis). Since he does not live in his parent's home but is merely eating a meal there, he may not light there. One should follow the fourth option and light upon returning home. As noted in a previous Halacha Yomis, nowadays, the menorah is lit primarily for one's family, and not to publicize the miracle to the public. Therefore, one may light even if it is late and there will be no passersby to see the menorah. (To be continued).

I DID NOT GET HOME UNTIL AFTER MIDNIGHT. IN MY NEIGHBORHOOD AT THAT HOUR OF THE NIGHT THE STREETS ARE DESERTED. MAY I STILL LIGHT CHANUKAH CANDLES WITH A BRACHA?

Mishnah Berurah (672:11) writes that in order to recite a bracha when lighting candles late at night, at least one other member of the household must be awake to see the candles. Mishnah Berurah writes that if everyone is sleeping, it is appropriate to wake one of the family members so that you will not lose out on the bracha. Aruch HaShulchan (OC 672:7) rules that the household member may be a woman or even a small child so long as they are old enough to understand the significance of the candles. It does not matter that this family member already lit candles and fulfilled their obligation. The Mishnah Berurah (Shaar Hatziyun 672:17) presents a dissenting opinion that permits reciting a bracha late at night even if no family member is present, but concludes "*safek berachos l'bakel*" (in cases of doubt we refrain from reciting a bracha), but we need not stop one who wishes to follow this practice. R' Moshe Feinstein, however, held that even if one lights late at night, and one's family members are sleeping, a bracha is recited (Igros Moshe O.C. IV 105:7)

continued on page 48



to **RABBI HOWIE KATZENSTEIN** (Kashrus Business) and **RABBI NOSSON COHEN** (NCSY Accounting) and their wives on the engagement of their children Chaviva Katzenstein to Daniel Yehuda Cohen.

to our dedicated RFR in Postville, IA **RABBI LEVI GOLDSTEIN AND HIS WIFE** on the Bar Mitzvah of their son Mendel.

to our devoted RFR in St. Louis, MO **RABBI YOSSY FLORANS AND HIS WIFE** on the engagement of their daughter Dena to Shimmy Fried of Baltimore, MD.

The mitzva of lighting Chanukah candles was instituted so that every household should publicize the great miracle which transpired on Chanukah. For that reason, the menorah was lit outside the door of each home, so that the general population will see the candles burning, and the miracle of Chanukah will be publicized. However, when governments began persecuting Jews for lighting the menorah, the Chachamim instituted that the menorah be lit inside, where it only will be seen by one's own family. As a result, the miracle was no longer fully publicized—the public did not see the candles. In order to continue publicizing the great miracle, it became customary to light the menorah in shul. As a sign of the importance of this custom, a bracha is recited before lighting (Rivash, Siman 111; Mechaber OC 671:7 with Mishnah Berurah 44).

CAN I FULFILL MY OBLIGATION OF LIGHTING CHANUKAH CANDLES IF I ASK THE ONE WHO IS LIGHTING IN SHUL TO BE MOTZI ME (HAVE ME IN MIND)?

As explained in a previous Halacha Yomis, Chanukah candles must be lit in the place where he lives (i.e. the place where he eats and sleeps on a regular basis). Since the person does not reside in the shul, he cannot be *yotze* the mitzva with the lighting that is done there. That person must light himself at home.



Boys and birds in Bialystoker shul presented by Rabbi Loike



Rabbi Eleff presents at Machon Yakov in Eretz Yisroel.

**KASHRUS
ALERT**

The Orthodox Union does not certify **HEINZ POYO, PAPPA Y ARROZ PAPILLA**, a jarred baby food product produced by The Kraft Heinz Company, Pittsburgh PA. This product is labeled with a Spanish only label, and is sold in Mexico and possibly other markets. Some jars were labeled with an unauthorized U symbol. Corrective actions are being implemented.

The Orthodox Union does not certify any **CHESHNI** product. Some Cheshni Black Olives jars and bags of dried apricots, figs and dates produced by Cheshni Foods LLC are labeled with an unauthorized U symbol. Corrective actions are being implemented.

The Orthodox Union does not certify **RAYAN GRAPE PASTE** and **POMEGRANATE PASTE** produced by Rayan Canada, Toronto ON. Some of these products are labeled with an unauthorized U symbol. Corrective actions are being implemented.

The Orthodox Union does not certify **MEDURI CINNAMON APPLE STREUSEL COFFEE CAKE** produced by Meduri World Delights, Dallas OR. Some labels bear an unauthorized U symbol. Corrective actions are being implemented.

The Orthodox Union does not certify **HEINZ (1) POYO, PAPPA Y ARROZ PAPILLA** and **(2) CARNE DE RES CON VEGETABLES** (jarred baby food) produced by The Kraft Heinz Company, Pittsburgh PA. Some of these products were labeled with an unauthorized U and sold in Mexico (and possibly other markets). Corrective actions are being implemented.

The Orthodox Union certifies **LUCKY LEAF PREMIUM CARAMEL APPLE FRUIT FILLING OR TOPPING** produced by Knouse Foods, Biglerville, PA as an U^D dairy product. This product contains dairy ingredients as indicated in the ingredients panel. Some 9.5 lb. pails of this product were labeled with an U symbol, without the D-Dairy designation. Corrective actions are being implemented.

GORDON CHOICE FRUIT COCKTAIL in **EXTRA LIGHT SYRUP** and Gordon Choice Fruit Cocktail in **PEAR JUICE** produced by Gordon Food Service mistakenly bears an U symbol on the cardboard cases, but not on the individual can labels. The product contains carmine as listed in the ingredient panel. Corrective actions have been implemented. Please note, that the OU does certify a similar product Gordon Choice Mixed Fruit in Light Syrup and Mixed Fruit in Pear Juice which correctly bears an U symbol.

The Orthodox Union does not certify **SKINNYGIRL GUMMIES** produced by Rivo USA, Las Vegas NV. Some Skinnygirl Gummies packages are labeled with an unauthorized U mark. Corrective actions are being implemented.

**KASHRUS
ADVISORY**

A number of statements recently appeared about the kosher status of Coca-Cola in Mexico which has caused confusion amongst consumers. The Orthodox Union does not certify these products and is unable to recommend products that are not under certification.