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The Halachic Guide to Kiddush

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Shaimos Guidelines

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One of the most beautiful scenes in *Yiddishkeit* is the family gathered around the table for *Kiddush*, a special moment for which we wait all week. On *Yom Tov*, the beautiful melody¹ ushers in each of the *Shalosh Regalim* with much excitement.

Although we are quite familiar with how to recite *Kiddush*, it is important to review the *halachos* related to this *mitzvah*.

A. OBLIGATION

In the *Aseres Hadibros* (Ten Commandments), we are commanded to “Remember the *Shabbos* day to sanctify it.” One fulfills this *Torah* obligation by simply reciting *Kiddush* on *Shabbos*.² *Chazal* (the Rabbis) instituted the recitation of *Kiddush* over a cup of wine.³ This *Kiddush* consists of *Yom Hashishi-Vayechulu*, *Savri-Borai Pri Hagafen*, and the *brocha* of *Kiddush* as found in the *Siddur*.⁴ Both men and women are equally obligated in this *mitzvah*.⁵

B. THE WINE AND KIDDUSH CUP

1. Wine

Kiddush may be recited on any kosher wine⁶ upon which the *brocha* of *Borei Pri Hagafen* is recited. If one cannot drink wine, one may recite *Kiddush* on

It is forbidden by the *Torah* to discard holy objects by throwing them into the trash. Objects which have been used for a *mitzvah*, although they have no *kedusha* (holiness) of their own, may also not be thrown as is into the garbage. However, one may burn them or wrap them in plastic and place them into the garbage. Included in this category are *s’chach* of the *sukkah*, *tzitzis*, *esrogim*, *lulavim*, *hadasim*, *aravos*, and a *talis* bag.

Objects which do retain *kedusha* must be wrapped in plastic and buried. Included in this category are *tefilin*, *tefilin* bags, *mezuzos*, *mezuzah* covers, and *seforim* whether handwritten, printed, or photocopied.

HOLY OBJECTS ALSO INCLUDE:

1. Paper on which a *halacha* is printed or written with the intention of relating a *halacha*,

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¹ It should be noted that the melody of *Kiddush* for all of the *Shalosh Regalim* is also the tune used elsewhere during each *z’man* of *Yom Tov*. On *Shavuot* (*Zman Matan Torasainu*), it is also used for *Akdamus*. On *Simchas Torah* (*Zman Simchasainu*), it is also used when calling up the *Chosson Torah* and *Chosson Beraishis* (“*Mairshus*”). On *Pesach* (*Zman Chairusainu*), some also use this tune during the *Hagaddah* for “*Lefeechach*” and the *brocha* of “*Asher Ga’alanu*.”

² The *Rambam* (*Hilchos Shabbos* 29:1) writes that the obligation to remember *Shabbos* is both at the beginning and the end of *Shabbos*. Technically, *Havdalah* is also a “*Kiddush*” for the end of *Shabbos*.

³ See *Tosfos Nazir* 4a, “*my hee*.” *Tosfos Pesachim* 106a “*zochrayhu*” states two opinions: 1) the cup of wine is *d’Rabonon*; 2) the cup of wine is *d’Oraysa*, but the drinking of it is *d’Rabonon*.

⁴ There are slight differences between *nuschaos* (i.e. whether certain words are said). One should follow his family custom.

⁵ There is a dispute as to whether women are obligated to recite *Kiddush* on *Yom Tov*. The custom is to follow those who rule that they are obligated. For a full discussion, see *Shemiras Shabbos K’hilchasa* (S.S.K.) Ch. 47 footnote 26.

⁶ The wine cup should also not be *pogum* (i.e. this wine should not have been drunk from). For a full discussion, see S.S.K. 47:15. There is a *hiddur* (best way to perform the *mitzvah*) to use non-*mevushal* (uncooked) wine; however, *mevushal* wine may also be used. When using non-*mevushal* wine, one must be careful that an *Aino Yehudi* does not come into contact with the wine. Similiar *halachos* apply with a non-*Shomer Shabbos Yid*. One should preferably not use wine which was left uncovered for several hours (*megulah*) - see *Kitzur Shulchan Aruch* 77:5. Some are *mehadar* to recite *Kiddush* on red wine - see *Mishna Brura* (M.B.) 272:10. See also *Rama* 175:2 and M.B. 175:13 regarding white wine.



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grape juice.⁷ One must be careful to purchase only wine that has a reliable kosher certification.

2. Kiddush Cup

The cup must hold at least a *revi'is* (3.8 fl. oz.; 112 ml).⁸ It is *mehudar* (best) to recite *Kiddush* using a silver *becher*.⁹ The cup should be clean and intact, without any cracks or holes. One may also use a glass or any other non-disposable cup. *B'sha'as hadechak* (in a difficult situation), if the cups listed above are not available (e.g. one is traveling), one can recite *Kiddush* on the wine while it is still in a bottle or in a paper, plastic or styrofoam cup. It is best to fill the cup to the top. However, if one does not have enough wine to fill the cup he need not fill it, provided that the cup contains a *revi'is* of wine.

3. Amount to Drink

Upon completing *Kiddush*, the one who recites it should drink a "*m'lo lugmav*," the amount of wine that fills one of his cheeks. For an average adult male, this is between 1.5 and 2 fl. oz. (44-59 ml). This amount should be drunk within a 30 second time span.¹⁰ *B'dieved*, one is *yotzai* (has fulfilled his obligation) if it is drunk within four minutes.¹¹ Ideally, anyone being *yotzai Kiddush* through listening should also drink some of the wine;¹² however, the listener is still *yotzai* without drinking any wine.

If it is too difficult for the one who recites *Kiddush* to drink a *m'lo lugmav*, someone else may drink the entire *m'lo lugmav*. If this is not possible, he may share the wine with others so that they¹³ collectively drink 2 fl. oz. (59 ml). Either way, the *mekadesh* should at least drink a little of the wine. If he cannot drink any of the wine or grape juice (e.g. he is ill), others who heard *Kiddush* may drink the entire 2 fl. oz.¹⁴

C. KIDDUSH B'MAKOM SEUDAH

Eating Immediately After Kiddush In The Same Location

One is *yotzai Kiddush* only if a "*seudah*" (meal) is eaten immediately after *Kiddush* in the same location. This is known as *Kiddush B'Makom Seudah*.

1. Location

B'Makom seudah means eating in the same room in which *Kiddush* was heard. It is acceptable if one heard *Kiddush* while on one side of the dining room or social hall, and then moved to the other side of the room to eat. However, one may not leave the building to eat the meal. For example, one is not *yotzai Kiddush* if he heard *Kiddush* in *shul* and then went home to eat.

If one hears *Kiddush* in one room, and intends¹⁵ (has *da'as*) to eat in a different room in the same building, he may eat in the other room.¹⁶ This may be done *l'chatchilah* only if he can see the other room while saying *Kiddush*. If he cannot see the other room, he is only *yotzai b'dieved*.

2. Seudah

a. Ideally, the *seudah* consists of bread. Typically, following *Kiddush* one washes and recites *Hamotzi* on *lechem mishne* (two loaves). This constitutes *Kiddush B'Makom Seudah*, as the *seudah* follows *Kiddush*.

b. If one does not eat bread (e.g. at a *simcha* in *shul* after *davening*), one may eat a food containing *chamaishis minei dagan* (five special grains including wheat, oats, etc.) upon which the *brocha* of *Mezonos* is recited.¹⁷ Ideally, the food should be *pas haba'a b'kisnin* (e.g. cake, cookies or crackers). However, the "*seudah*" may consist of other *Mezonos* products, such as *Yerushalmi kugel* or pasta salad.¹⁸ In these cases, a regular *seudas Shabbos* with *lechem mishne* must be eaten later.

c. *B'sha'as hadechak*, if one is ill and cannot eat grain products for *Kiddush B'Makom Seudah*, one can drink a *revi'is* of wine or grape juice¹⁹ to fulfill this condition.

3. Amount of Food

a. In the above cases (as addressed previously in 2a and 2b), one must eat a *k'zayis*. A *k'zayis* is 1.27 fl. oz. (38 ml).²⁰ It is important to note that a *brocha acharona* after eating cake and/or wine should be recited while sitting.

b. If one does not eat a *k'zayis*, he has not fulfilled his obligation of *Kiddush*. For example, if one heard *Kiddush* on *Shabbos* morning²¹ in *shul* and did not eat (or did not eat the

⁷ If wine and grape juice are not available, there may be other options as will be discussed in Section E.1.

⁸ For a further discussion regarding *halachic* measurements, see the Autumn 1998 issue of *Kashrus Kurrents*, "Guide to *Halachic* Measurements," available at www.star-k.org or by calling the Star-K office.

⁹ This is in fulfillment of "*Hisna'eh B'mitzvos*," that we derive from the *passuk* of "*Zeh Kaylee Vanahu*."

¹⁰ This is the *shiur k'dai shtiyas revi'is* (*psak* of HaRav Moshe Heinemann, *shlita*).

¹¹ The lenient opinion for *k'dai achilas pras*. See S.S.K. 48:10.

¹² The ideal way to distribute *Kiddush* is as follows: After the completion of *Kiddush*, the *mekadesh* pours the wine from the *becher* into another cup. He then drinks a *m'lo lugmav* from the *becher*, and the wine in the other cup is distributed. If a husband and wife are eating alone, and the wife is a *niddah*, the husband should either 1) put his cup down after drinking a *m'lo lugmav* and his wife drinks from that cup, or 2) pour wine into another cup and drink a *m'lo lugmav* from that cup. His wife should then drink from the *becher* that he has put down.

¹³ Children age 6 and above can be counted in this drinking.

¹⁴ Within the time of *k'dai achilas pras*. For a full discussion, see *Shulchan Aruch OC 271:13 & 14* and the *Mishna Brura*.

¹⁵ Without *da'as*, one may not switch rooms.

¹⁶ See *Biur Halacha 273:1* "*v'chain*" and S.S.K. 54:9.

¹⁷ This is very common on *Shabbos* day in *shul*. *Lhalachah*, such *Mezonos* products constitute "*Kiddush B'Makom Seudah*" on Friday night, if necessary. See S.S.K. 54:22.

¹⁸ M.B. 273:25. *Matzoh* meal cake is also "*B'Makom Seudah*." However, potato starch cakes and rice products, such as "Rice Krispies Treats," can not be used for *Kiddush B'Makom Seudah*.

¹⁹ When hearing *Kiddush*, drink a *revi'is*. When reciting *Kiddush*, drink a *revi'is* and a half (S.S.K. 54:23). If one becomes ill from grain and wine products, he should eat fruits in order to have *Kiddush B'Makom Seudah* (*Shiltoy Gibborim* as quoted in M.B. 273:26). It is preferable that the fruit be cooked (see *Kitzur Shulchan Aruch 77:16*). One should rely on this only if it is a major *sha'as hadechak*.

²⁰ About the size of a golf ball or roll of quarters.

²¹ Friday night in *shul*, one is not *yotzai Kiddush* recited during *Maariv*. This *Kiddush* is an old *minhag* (custom) that was established when guests ate in the *shul*. The custom is to give this wine to children under the age of *Bar Mitzvah*. At least one child should be a "*bar chinuch*," over 6 or 7 years old.



prescribed amount), one is not *yotzai* Kiddush and he must recite it again and then eat a *seudah*.

c. Although the “*seudah*” one eats following Kiddush (for Kiddush *B'Makom Seudah*) can be a *k'zayis* of cake, it should be noted that to be *yotzai* the three *seudos* of *Shabbos* (*Shabbos* meals), one is required to eat a *Hamotzi* product (e.g. *challah*, bread or *matzah*); a *Mezonos* product does not suffice. Ideally, at each *seudah*, one should eat more than two *k'zaysim* of bread (i.e. “*yosair m'kebaya*” – at least 2.7 fl. oz., 80 ml); *b'dieved*, a *k'zayis* of bread will suffice.²²

D. SHOMAYA K'ONA

Hearing Kiddush Recited By Someone Else

Everyone has an obligation to recite and hear Kiddush. One may fulfill his obligation to recite Kiddush by hearing someone else (the “*mekadesh*”) recite it. This is known as “*Shomaya K'ona*,” (literally, “listening is like answering”).²³ *Shomaya K'ona* works only if all of the following conditions are met:

1. One must hear the entire Kiddush - One should not speak while listening and should not say “*Baruch Hu U'Varuch Sh'mo*.” If one spoke, *b'dieved*, the following *halachos* apply: If while speaking one failed to hear a word that is integral to Kiddush (e.g. “*Boruch*” or “*Hashem Elokeinu*” after “*Boruch Atoh*”), one is not *yotzai* Kiddush. If one did not hear a word that is not integral (e.g. “*Atoh*”²⁴ or “*Kee hu yom*”), he need not repeat Kiddush. The same *halachos* apply if the one reciting Kiddush skips, slurs or mumbles the words and the listener is unable to hear what words were said. It is proper to answer “*Amen*” when being *yotzai*; however, if one did not do so he is still *yotzai*. One should also not speak between Kiddush and drinking. If the *mekadesh* (or one who is listening) spoke, he is *yotzai* Kiddush but must recite another *Borai Pri Hagafen* before drinking.²⁵

2. “*Da'as Shomaya U'mashmia*”- It is necessary for the one reciting Kiddush to have in mind that he wishes to be *motzee*²⁶ those listening. One may have in mind specific individuals (e.g. “my family”),²⁷ or everyone listening (e.g. when a *Rav* recites Kiddush for everyone present). Furthermore, the one listening to Kiddush must have in mind to be *yotzai* Kiddush (fulfill the obligation by listening).

An example where one is not *yotzai* is the following scenario: Someone was at a “*shul Kiddush*” on *Shabbos* morning but was not planning to eat. When the *Rav* recited Kiddush, the listener did not plan to be *yotzai* with the *Rav* (i.e. he was thinking he will recite Kiddush at home). If he later changes his mind and decides to eat, he must recite (or hear) Kiddush again. Although he “heard” Kiddush from the *Rav*, he did not have in mind to be *yotzai* at that time.

²² Men and women must have *lechem mishne* at the three *Shabbos* meals. See *Shulchan Aruch* O.C. 274:1. Additional guidelines regarding *Seudah Shlishis* are addressed in *Rama* O.C. 291:4.

²³ *Shomaya K'ona* is not unique to Kiddush. When one hears *Shofar* or *Megillah*, one is *yotzai* with the principle of *Shomaya K'ona*. For a thorough discussion of this topic, see *Sefer Shaarei Shmiya* by *HaRav* Mordechai Shuchatowitz, *shlita*.

²⁴ M.B. 214:3.

²⁵ If he said something that pertains to Kiddush (e.g. when necessary, he may say “We need little cups to give everyone Kiddush”), he need not repeat *Borai Pri Hagafen*.

²⁶ This means that he recites Kiddush with the intent that others should be “*yotzai*.”

²⁷ In this case, if someone recited Kiddush for “his family” only, and someone else was listening, the other listener would not be *yotzai*.

3. High Enough Level of Obligation - The person reciting Kiddush must have either the same or higher level of obligation (*chiyuv*) as the listener.²⁸ This means that a child under *Bar Mitzvah*²⁹ may not recite Kiddush for an adult, since the child is obligated only because of *chinuch* (teaching the child to learn how to perform *mitzvos*) and the adult has a direct obligation in the performance of this *mitzvah*. If a husband is ill, his wife may recite Kiddush for him on *Shabbos* because both men and women are equally obligated to perform this *mitzvah*. Similarly, a woman may be *motzee* a man in any *mitzvah* that she is equally obligated to perform (e.g. *Chanukah* candles, the *brocha* on food that she is also eating). However, she may not be *motzee* him in *mitzvos* from which she is exempt (e.g. *Shofar*, *brocha* on *Sukkah*), or *mitzvos* from which she is possibly exempt (e.g. *Havdalah*, Kiddush on *Yom Tov*).³⁰

E. DIFFERENCES BETWEEN KIDDUSH ON FRIDAY NIGHT AND SHABBOS DAY

1. If one does not have (or is unable to drink) wine or grape juice, the following halachos apply:

a. *Friday Night*³¹ – One may recite Kiddush on *challos*. The procedure is as follows: Wash and recite “*Al Netilas Yadayim*.” Recite the entire Kiddush on the *lechem mishne*, replacing the *brocha* of “*Borai Pri Hagafen*” with “*Hamotzi Lechem Min Ha'aretz*.”³² After Kiddush, cut and eat the *challah*. If one does not have full *challos*, one may recite Kiddush on regular bread (even slices).

b. *Shabbos Day*³³ – Kiddush may not be recited on *challos* or bread. One may recite Kiddush on a *revi's* of *chamar medina*, ideally an alcoholic beverage including schnapps³⁴ or beer. If these are not available, one may use coffee or iced tea³⁵ and must drink at least a *m'lo lugmav*. The *brocha* of *Shehakol* is recited when using *chamar medina*.

2. Time

a. *Friday Night* - Ideally, Kiddush should be recited as soon as one comes home from *shul* on Friday night.³⁶ The earliest time to recite Kiddush on Friday afternoon



²⁸ One can be *motzee* others, even if he has been *yotzai* Kiddush already. For example, one who was *yotzai* at a “*shul Kiddush*” may recite Kiddush for his family at home, even though he was already *yotzai*. For an extensive discussion, see *Biur Halachah* 271:1 *meyad*.

²⁹ It should be noted that a *bochur* who recently became *Bar Mitzvah* should not be *motzee* adults in *mitzvos* that have a *Torah* obligation (e.g. Kiddush on Friday night). It is for this reason that *Bar Mitzvah* boys do not *lain* *Parshas Zachor* or blow *shofar* on *Rosh Hashana* for others. Under normal circumstances, they may be *motzee* adults only in *mitzvos d'rabanan* (regular *laining*, *chazaras hashatz*, etc.) The reason for this is beyond the scope of this discussion.

³⁰ Although women are accustomed to hear *Havdalah* after *Shabbos* and *Yom Tov*, as well as Kiddush on *Yom Tov*, there is a question as to the status of their obligation. The issue relates to the parameters of *mitzvos ase'i shehaz'man grama* – positive *mitzvos* bound by time, a topic beyond the scope of this article. Hence, they cannot be *motzee* men who are definitively obligated.

³¹ The same *halachos* apply to *Yom Tov* night.

³² The method of holding the *challos* in this case is discussed in M.B. 271:41.

³³ The same *halachos* apply to *Yom Tov* during the day.

³⁴ When reciting Kiddush on schnapps, one should use a cup that holds a *revi's* and drink a *m'lo lugmav* (as discussed above, Section B-3). One who wishes to recite Kiddush using a shot glass (i.e. 1 fl. oz. cup) should consult his *Rav*.

³⁵ See *Igros Moshe* O.C. 2:75 and *Aruch Hashulchan* O.C. 296:18. The advantage of iced tea over hot tea is that one can easily drink a *m'lo lugmav* quickly enough *k'dai shtiyas revi's* (see *Mikrai Kodesh-Pesach* 47:3). When necessary, *chamar medina* may also be used for *Havdalah*.

³⁶ Regarding when it is necessary to repeat *Shema* and count *Sefiras Ha'omer* before Kiddush, see *S.S.K.* 47:22 and 52:5.

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is *Plag Hamincha*,³⁷ which is one and a quarter *halachic* hours³⁸ before sunset.³⁹ The latest time to say the entire *Kiddush* is dawn on *Shabbos* morning. If one was unable to recite *Kiddush* at night, one may say *Kiddush* during the day. He should *daven Shachris* (after sunrise or, if necessary, after dawn) and then recite *Kiddush* without *Vayechulu* (i.e. begin *Kiddush* with *Savri ... Borai P'ri Hagefen*). If necessary, one may recite *Kiddush* (without "*Vayechulu*") until sunset⁴⁰ on *Shabbos* afternoon and immediately eat the *seudah*. If one recited the night *Kiddush* during the day, he does not have to recite *Kiddusha Rabbah*.

b. *Kiddusha Rabbah* - This is *Kiddush* recited during the day (when regular *Kiddush* was recited at night). It may be said from any time after *Shachris* until sunset. This *Kiddush* consists of *pesukim* (e.g. *V'shamru, Al Kain Bayrach*), *Savri*, and *Borai Pri Hagafen*. One should follow his family's custom regarding which *pesukim* to say.

3. **Position** - There are various customs regarding how *Kiddush* is recited. One should follow his family's custom. The reasons for standing or sitting on Friday night are as follows:

a. Standing – "*Vayechulu*" is *aidus* (testimony) that *Hashem* created the world and rested on *Shabbos*. Just as witnesses stand before *Bais Din* when testifying, similarly some stand for this "*aidus*" and remain standing while reciting the entire *Kiddush*.

b. Sitting – When being *motzee* others, everyone is joined together for that moment. This is known as a "*kviyus*." When everyone sits together, there is a stronger sense of unity of purpose and *kviyus*.

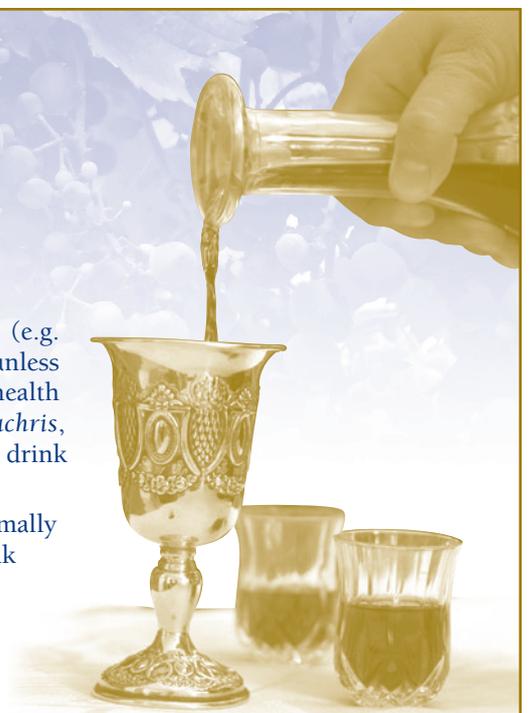
c. Some stand for *Vayechulu* because of *aidus* and then sit down for the rest of *Kiddush* for *kviyus*.

During the day, there are two customs. Some people have a custom to stand when reciting *Kiddusha Rabbah*, while others have a custom to sit. One should follow his family's custom.

4. **Eating Before Kiddush** - On Friday night, once *Shabbos* begins, one may not eat or drink before *Kiddush*.⁴¹ On *Shabbos* morning, men may drink water, tea or coffee before *Shachris* (after *brochos*), but may not eat and may not drink

"*chashuva* beverages" (e.g. alcoholic beverages) unless they are required for health purposes. After *Shachris*, one may not eat or drink until after *Kiddush*.

A woman who normally *davens* may eat or drink before *davening* after reciting morning *brochos*. According to some *Poskim*,⁴² on *Shabbos* if she needs to eat before *davening*, she is not required to recite *Kiddush* at that time. Once she has completed *davening Shachris*, she must hear *Kiddush* before eating or drinking.



F. YOM TOV KIDDUSH

Generally, the *halachos* of *Kiddush* on *Yom Tov* are similar to those of *Shabbos*.⁴³ One follows the special *nusach* for *Yom Tov* as found in the *Siddur* or *Machzor*. "*Shehecheyanu*" is said following *Kiddush*, with the exception of the last two nights of *Pesach*.⁴⁴

When *Yom Tov* occurs on *Shabbos*, the *Yom Tov Kiddush* with "*Vayechulu*" and the special *Shabbos* additions are recited. When *Yom Tov* occurs on *Motzai Shabbos*, *Kiddush* and *Havdalah* are recited on the same cup of wine. The acronym used to remember the order is *YaKNeHaZ*: *Yayin* (wine) - the *brocha* of *Borai Pri Hagafen*; *Kiddush* - the regular *nusach* of *Yom Tov Kiddush*; *Ner* - *Borei Me'orai Ha'aish*;⁴⁵ *Havdalah* - A special *brocha* of *Havdalah* for *Motzai Shabbos* going into *Yom Tov*; *Z'man* - the *brocha* of *Shehecheyanu*.⁴⁶ There are no *b'samim*.

Whenever the word "*Kiddush*" or "*kodesh*" is used, it indicates holiness and separation. For example, the place of the "*Kodesh HaKedoshim*" in the *Bais Hamikdash* remains the holiest of sites that is set apart from all other places on earth. When we, as *Yidden*, recite *Kiddush* every *Shabbos* we reflect upon the holiness of the day, as well as how the Jewish people have remained sanctified and separated from the other nations of the world.

In our modern world filled with ATMs, cell phones, instant messaging and MP3s, it is *Klal Yisroel* who emulates the *Ribono Shel Olam* when we stop all of our work for *Shabbos*. The cup of *Kiddush* wine symbolizes our responsibility to sanctify everything around us. That is what *Shabbos* is all about.

³⁷ When *Asara B'Teves* (or any private fast) occurs on Friday, one must wait until *Tzais Hakoachavim* to recite *Kiddush*. This case, and *Taanis Bechorim* for those who fast all day on *Erev Pesach*, are the only regular fasts that come to an end with the recitation of *Kiddush*.

³⁸ This time is based on the length of the day when 43/48 of the time between sunrise and sunset has elapsed. In the United States in the winter, this is often less than one clock hour before sunset; in the summer it is 1 1/2 - 2 hours before sunset.

³⁹ The night *Kiddush* of *Yom Tov* may also be said after *plag hamincha, l'chatchila*, on the following *Yomin Tovim*: 1) The seventh night of *Pesach*, 2) When the last night of *Pesach* occurs on *Shabbos* and 3) When the second night of *Shavuot* occurs on *Shabbos*. The *minhag* is not to recite *Kiddush* before *Tzais Hakoachavim* (before it is dark and three stars are visible) on any other night of *Yom Tov*.

⁴⁰ This should only be done *b'shaas hadchak*. If one was unable to recite *Kiddush* until after sunset on *Shabbos* afternoon, one should still say it until *Tzais Hakoachavim* without *Shaim U'Malchus* (i.e. say *Boruch Asher Kidshanu v'ratza banu ... Boruch mekadesh HaShabbos*). See *M.B.* 271:39.

⁴¹ *Shabbos* begins either because the sun has set, or because an individual has been *mikabel Shabbos* by lighting candles or during *davening* (e.g. by saying *Bo'ee B'Shalom of L'cha Dodi*). A woman who is thirsty may drink water after lighting candles if it is still before sunset (*S.S.K.* 43:46). Before *Shabbos*, one may not begin a *Hamotzee* meal from the beginning of the 10th hour of the day (3 *halachic* hours before sunset) so as not to suppress one's appetite. One may, however, eat cake or other *Mezonos*. On *Erev Pesach*, one may not even eat *Mezonos* after the beginning of the 10th hour. Similarly, men may not eat *Mezonos* after the beginning of the 10th hour on *Erev Sukkos*.

⁴² For the various details regarding this *halachah*, see *Machze Eliyahu* 33:3.

⁴³ However, on the *Seder* night the *Seudah* does not immediately follow *Kiddush* (due to *Maggid*, etc.).

⁴⁴ On the second night of *Rosh Hashana*, one should eat a new fruit immediately after *Kiddush* or wear a new garment. On the first night of *Sukkos*, *Shehecheyanu* is recited after the *brocha* of "*Layshev Basukkah*," and on the second night before "*Layshev Basukkah*." When the second night of *Sukkos* occurs on *Motzai Shabbos*, the longest possible *Kiddush* is recited.

⁴⁵ One should recite *Borei Meorei Ha'aish* using the *Yom Tov* candles, putting them together side by side while upright. They should not be tilted to touch each other. Alternatively, one may recite the *brochah* using a non-frosted incandescent light bulb which was turned on before *Shabbos* (or was turned on by a timer which was set before *Shabbos*).

⁴⁶ When the last night of *Pesach* occurs on *Motzai Shabbos*, the acronym of "*YaKNeHa*" would be applied as *Shehecheyanu* (*z'man*) is not said. It should be noted that this case (i.e. when the last night of *Pesach* occurs on *Motzai Shabbos*) is the only time that *Kiddush* ends with "*Kodesh*" (*Hamavdil Bain Kodesh L'Kodesh*).



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Insights from the Institute

SHAILOS FROM THE
INSTITUTE OF HALACHAH



RABBI MORDECHAI FRANKEL
DIRECTOR OF THE INSTITUTE OF HALACHAH

Q: I would like to buy a warming tray that has been manufactured for the *Shomer Shabbos* community. It is a glass covered warming tray and has a variable temperature dial with a removable knob. It can be set at a minimum temperature of 110°F and a maximum temperature of 230°F. It has a sticker on it stating that it is intended solely for the reheating of cooked foods and is not intended to be used for cooking. How may this tray be used on *Shabbos*?

A: In order to answer this question, one must have an understanding of the Rabbinic prohibitions of *shehiyah* and *chazarah*. The parameters of these two prohibitions differ for *Ashkenazim* and *Sefardim*. This response will explain the *halachah* as it applies to *Ashkenazim*.

Shehiyah: *Shehiyah* is the act of placing food on an open flame before the onset of *Shabbos* so as to allow it to remain there when *Shabbos* begins.¹ The *Torah* permits one to do this, even though the food will cook on *Shabbos*, because the person has placed the food on the flame before *Shabbos* and no action is being performed by him during *Shabbos* itself.² However, the *Rabbonon* forbade this unless a number of conditions are met. In certain circumstances *Chazal* necessitate covering an open flame. Due to the complexity of *hilchos shehiyah*, and the difficulty of assessing whether or not this ruling applies, it is customary always to cover an open flame.³ Regarding our stovetops where the flame is controlled by knobs, *Rav Ahron Kotler, zt"l, paskened* that covering the knobs is equivalent to the classical covering of the flame, although he advised covering the flame as well.⁴ However, *Rav Moshe Feinstein, zt"l*, took the opposite position. He *paskened* that the flame itself must be covered, and he encouraged covering the knobs.⁵

For this reason, it is customary to place a *blech* on the stovetop which serves as a covering for the flame. The food to be heated is then placed on the *blech* before *Shabbos*. If the food is not fully cooked, any action taken on *Shabbos* which speeds up the cooking process would be considered *bishul*.⁶ For example, one would not be allowed to remove and then replace the lid of a pot, since replacing the lid causes the food to cook faster.⁷ In order to avoid this issue, it is customary to cook all food fully before the onset of *Shabbos*.⁸

Therefore, it is ideal that all food placed on a warming tray be fully cooked at the onset of *Shabbos*, and that the knob be

covered or removed. It is not advisable to cover the flame of a glass covered warming tray, as such a covering traps the heat and may cause the glass to crack. Consequently, the custom to cover the flame would not be applied, and the fully cooked food may be placed directly on the warming tray before *Shabbos*.

Chazarah: *Chazarah* is the act of replacing fully cooked food onto a flame during *Shabbos*.⁹ The *Torah* permits the reheating of fully cooked solid food, as the *melacha* of *bishul* is limited to cooking raw food.¹⁰ The *Rishonim* debate whether or not the *Torah* permits the reheating of fully cooked liquids.¹¹ However, the *Rabbonon* forbade the reheating of fully cooked food unless all of the following conditions are met: (i) the food had already been on a flame during *Shabbos* and was temporarily removed, with the intention of returning it to the flame; (ii) the pot containing the food was in one's hand the entire time that the food was off the flame; (iii) the food did not cool down completely; (iv) the food is not being returned into an oven; and (v) the flame to which the food is being returned is covered.¹²



Therefore, it would be *halachically* acceptable to reheat food on a warming tray on *Shabbos* if the food had been temporarily removed from the tray, and the flame had been covered. However, as previously mentioned, it would not be advisable to cover the glass tray, as this may trap the heat and cause the glass to crack. Although the heating element in the warming tray is not visible (as it is covered by the metal of the tray), this is not considered a sufficient covering for *Shabbos*, as the metal is part of the unit and the flame has not been covered specifically for *Shabbos*.¹³ It would, therefore, seem that food cannot be reheated on this warming tray during *Shabbos*.

However, some *Poskim* do allow the reheating of food on a warming tray during *Shabbos*. This is due to the fact that there is a situation where *chazarah* is permitted. One is allowed to place a fully cooked solid on a heat source which is not normally used for cooking. For example, one may reheat fully cooked solid food by placing it on top of other food which is on a flame, as food is not normally cooked in this manner.¹⁴ Similarly, one may reheat fully cooked solid food by placing it on a radiator, which is not normally used for cooking.¹⁵ It could be argued that the same principle would apply to a warming tray, as it is intended to be used for reheating food and not for cooking it. If so, *chazarah* would be permitted on a warming tray, and the prohibition of *shehiyah* would also not apply. Contemporary *Poskim* debate this issue.



Shaimos Guidelines



RABBI MOSHE HEINEMANN
STAR-K RABBINIC ADMINISTRATOR

CONTINUED FROM PAGE 1

commentary of the *Tanach*, *Mishna*, *Gemara*, *Rishonim* and *Acharonim*. This also includes a *medrash* of *Chazal* which is intended to explain a *posuk* or to teach us how to conduct ourselves in *mussar* or *hashkafa*.

2. A paper on which three consecutive words of a *posuk* from *Tanach* have been written in one line, with the intention of quoting the *Tanach* (as opposed to a *melitzah*, which is not *shaimos*). Invitations from organizations and individuals that contain parts of *pesukim* are *shaimos*. However, the sentence *Od Yishama*, as frequently included on wedding invitations, is a considered a *melitzah* and is not intended to explain the *posuk*.

3. Any paper or material on which is written one of the names of *HaShem*. The Hebrew letters *IY"H*, *BE"H*, and *B"H* may be discarded according to the *halacha* and Jewish custom; however, it is regarded an act of piety to tear off those words and place them into *shaimos*. The Hebrew letters *BS"D* definitely may be put into the trash.

In the above cases, the *shaimos* or *divrei Torah* may be cut away from the paper and buried, if so desired. Pieces of paper that fell out of a *sefer*, even if there is no writing or print on them, qualify as *shaimos*. Letters or printed matter in the Hebrew language are not deemed *shaimos* if they do not conform with one of these specifications. Letters or printed matter in English, or any other non-Hebrew language, are regarded as *shaimos* if they conform with the above stipulations.

Newspapers and magazines which contain secular information should not be put into *shaimos*. They degrade the real *shaimos* that are buried with them, especially if the advertisements and pictures are not within the spirit of the *Torah*. The pages that contain *Torah* may be removed and put into *shaimos*, or the whole publication may be wrapped in paper and then placed in a plastic cover, *kli besoch kli*, and placed into the garbage. It is permissible to place newspapers into recycling bins if they are double wrapped.

If a *sefer* was covered with a book cover which was removed, the cover should be put into *shaimos*. Homework and test papers in *Limudei Kodesh* may be considered *shaimos* if they fall into one of the above categories. One may dispose of a *yarmulka* in the garbage. It is also permissible to delete computer files that are stored on one's computer which may contain *divrei Torah*.



Rav Shlomo Zalman Auerbach, *zt"l*, was of the opinion that a stovetop and a warming tray may be considered as two *halachically* distinct items, and he therefore allowed the use of warming trays for both *shehiyah* and *chazarah* on *Shabbos*.¹⁶ He limits this to returning food which had originally been on the tray from the onset of *Shabbos* and was merely temporarily removed. He does not allow the reheating of food which had not been on the tray during *Shabbos*, and would not allow one to take a fully cooked food out of the refrigerator and place it on a warming tray during *Shabbos*.¹⁷

However Rav Elyashiv, *shlit"a*, *paskens* that the same *halachos* would apply to both a stovetop and a warming tray.¹⁸ Even though a warming tray is designed for reheating, it reaches a high temperature which could be used for cooking; it should not be considered different from any other cooking surface. Therefore, *chazarah* would be permitted only if all of the previously mentioned conditions set by the *Rabbonon* are met. The warming tray would need to be covered with heavy duty foil before *Shabbos* so that the flame would be considered covered.¹⁹

Rav Moshe Feinstein, *zt"l*, *paskens* that *chazarah* would be permitted on a warming tray that cannot be used for cooking.²⁰ The implication is that the rules of *chazarah* would apply to a warming tray which is hot enough to be used for cooking.²¹ The glass topped warming tray in question reaches a temperature of 230°F, which is hot enough to cook food. However, it has been claimed that since the heat emanating from the warming tray is not confined to an enclosed area, the ambient heat of the food would not be high enough to fully cook it. Rav Heinemann, *shlit"a*, does not accept this claim and *paskens* that the rules of *chazarah* would apply to this type of warming tray. He adds that the sticker on the warming tray stating that it is not intended to be used for cooking does not change the fact that it could be used for cooking. Therefore, Rav Heinemann *paskens* that the rules of *chazarah* would apply.²²

There is another exception stated by *Chazal*. One may place uncooked food in an oven before *Shabbos* if the oven is then sealed shut. The prohibition of *shehiyah* would not apply, due to the fact that the oven has been sealed before *Shabbos*.²³ It could be argued that removing the knob of the warming tray is equivalent to sealing the oven.²⁴ Rav Shlomo Zalman Auerbach, *zt"l*, states that it is not clear as to whether *shehiyah* is permitted after the knob has been removed. Furthermore, he adds that *chazarah* would certainly not be permitted.²⁵ Rav Elyashiv, *shlit"a*, has been quoted as saying that one should not rely on removing the knob in order to permit *shehiyah*.²⁶

Therefore, a person who would like to use this warming tray in a manner that all *Poskim* would accept should ensure that all food placed on the warming tray be fully cooked before the onset of *Shabbos* and cover or remove the knob.²⁷

Halachic queries regarding all topics may be presented to The Institute of Halachah at the Star-K by calling 410-484-4110 ext. 238 or emailing halachah@star-k.org.

¹ ע"י הקדמת המ"ב לסי רנג ² שרע אר"ח ס"י רנב ומ"ב שם ס"ק א ³ ע"י שרע רומ"א ס"י רנג סעי' א וביה"ל שם ד"ה ונהגו, וע"י ברמ"א שם סעי' ב ובמ"ב שם ס"ק ע"ב וס"ק ע"ד ובש"כ פ"א ס"י ס"ג ⁴ שמעתי ממור"ר ר' היינעמאן שליט"א ⁵ שרע אג"מ אר"ח ח"א ס"י צ"ג וכן דעת הגר"ש אויערבאך זצ"ל בשלחן שלמה ס"י רנג אות ה קטע ג שצ"ד לכסות האש דוקא, וכ"כ בס' שבות יצחק ח"ב ע"מ כא בשם הגר"ש שליט"א ⁶ שרע ס"י ש"ח סעי' ד ומ"ב שם ס"ק כ ⁷ שרע ס"י ר"נ סעי' ד וביה"ל שם ד"ה גורם ⁸ ש"כ פ"א ס"י ס"ג, ושמעתי ממור"ר ר' היינעמאן שליט"א שכן נהגים ⁹ ע"י הקדמת המ"ב לסי רנג ¹⁰ שרע ס"י ש"ח סעי' ד וסעי' טו ¹¹ ע"י רמ"א ס"י סעי' טו ¹² ע"י שרע רומ"א ס"י רנג סעי' ב, ובמ"ב שם ס"ק נו כתב שבעת הצורך יש להקל אם ערוך בידו אפילו אין דעתו להחזיר וכן אם דעתו להחזיר אין שבתות חסידים מידו ¹³ ע"י בר"ך שבת דף טו ע"ב בדפי הר"ף ד"ה ע"ד שכתב שצ"ד לעשות מעשה להכירא ¹⁴ ע"י ברש"ע ס"י רנג סעי' ה ובביה"ל שם סעי' ג ד"ה ויזהר ¹⁵ שרע אג"מ אר"ח ח"ד ס"י ע"ד אות ל"ד (ומש"כ שם שהמאכל חם קצת נראה דמייירי בדבר לח) ¹⁶ ע"י ש"כ פ"א ה"ע"ה ע"ב בשם הגר"ש אויערבאך זצ"ל, ואף הוא לא כתב להחזיר אלא בפלטה שא"י להגיד את מידת החום שלה ¹⁷ ע"י ש"כ ח"ג בתיקונים ומלואים שם ¹⁸ שבות יצחק ח"ב ע"מ צ"ו בשם הגר"ש אלישיב שליט"א, וכ"כ בעל השבות יצחק תשובה מפי ר' אלישיב שליט"א בספר אצרות השבת ע"מ ת"ד, וכ"כ בס' ח"ל שבת בשבת ח"א ע"מ ד"ר בשם הגר"ש אלישיב שליט"א, וע"ע בס' אצרות רבינו ע"מ ק"ב אות א שהביא כן בשם החז"ר ¹⁹ שבות יצחק שם בשם הגר"ש אלישיב שליט"א, וע"י בשלחן שלמה ס"י רנג אות ה קטע ב ²⁰ שרע אג"מ ח"ד ס"י ע"ד אות לה ²¹ אצרות השבת פ"ב ה"ע"ה ק"ל ²² שמעתי ממור"ר ר' היינעמאן שליט"א ²³ ע"י שרע רומ"א ס"י רנד סעי' א ומ"ב שם ס"ק ד ²⁴ ספר אצרות שבת פ"ב סעי' י"ח ²⁵ שרע מנחת שלמה מחדורא תנינא (דפוס ראשון) ס"י ל"ד אות כ"א ושלחן שלמה ס"י רנג אות א ²⁶ מאור השבת ח"ב ע"מ רפ"ו בשם הגר"ש אלישיב שליט"א ²⁷ כן שמעתי ממור"ר ר' היינעמאן שליט"א שיש להשתמש בפלטה חשמלית רק באופן זה

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The Reviews are In:

STAR-K's Mashgicha Enrichment Program is a Big Hit

By: Margie Pensak

The eighteen *mashgichos* who attended STAR-K's *Mashgicha* Enrichment Program, November 2-3 in Baltimore, Maryland, had only one complaint — it wasn't long enough. Although it lacked nothing in the way of organization or detailing of comprehensible and practical information, the women would have appreciated even more face time with the STAR-K experts. The experience of meeting fellow *mashgichos* from so many communities, being able to ask questions throughout the presentations, and the camaraderie felt by the program's end, made it worth the trip!

Veteran *mashgicha* Alizah Hochstead travelled the farthest to attend the STAR-K program—all the

way from Efrat, Israel. "For forty years, I have been active in various aspects of *kashrus*—as a secretary, teacher, and *mashgicha*, both in *Eretz Yisroel* and in the States," says Mrs. Hochstead. "The learning opportunities for women to keep up with the changes and advances in the *kashrus* industry are limited. Lists that *kashrus* organizations put out are wonderful, but a *mashgicha* needs more training than that ... The interaction with the *rabbeim*, in a course such as this, where you go into the details and discuss the changes in food science and in the industry, is very important. *Kashrus* is not what it was in the past."

Other STAR-K *Mashgicha* *Kashrus* Enrichment Program participants hailed from Baltimore and beyond — California, Washington, Texas, Ohio, Pennsylvania, New Jersey, and Massachusetts. Rabbi Meyer Kurfeld, with his nearly thirty years of experience in *kashrus*, delivered the majority of the lectures and led a tour of Star-K's kosher kitchen at the Hyatt Regency hotel, in addition to a meat and dairy restaurant. The women also benefitted from the hands-on opportunity to check fruits and vegetables, viewing STAR-K's Chicken *Kashrus*

Video Tutorial, and learning about STAR-K certified Sabbath Mode appliances from administrative assistant, Mrs. Rivka Leah Goldman.

As noted by Rabbi Zvi Goldberg, director of the *Mashgicha* Enrichment Program, "We were impressed with the caliber of the women who came. They were extremely motivated to learn more about *kashrus*. We stressed to them that based on *Rav Moshe's teshuva* (*Igros Moshe* Y.D. 2:44), they are permitted to be *mashgichos* since they are working under the authority of a *Rav Hamachshir*. They are the most important link between their *Rav Hamachshir* and what is happening in their facility."

"It was absolutely worth the trip," says *Rebbetzin* Doris Fine of Scranton, Pennsylvania. "I gained a tremendous amount of knowledge on a practical and general level. The presentations were extremely organized and pleasant. It was inspiring to see other ladies who are taking their responsibility so seriously and with such integrity. These experienced women have the common goal of doing their jobs better. The STAR-K office and its warm, inviting manner is a true *Kiddush Hashem*."

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