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חג כשר ושמח!

Danger - Sakana: Keeping Our Food Safe & Healthy

RABBI TZVI ROSEN
EDITOR, KASHRUS KURRENTS

In an ongoing effort to keep food processing on a high level of quality, a new position known as Director of Food Safety has been created in the Quality Assurance departments of food processors. In fact, there is a relatively new certification program that companies undergo known as SQF certification. SQF stands for Safe Quality Food, and there are different levels of SQF certification: 1, 2 or 3.

SQF standards are very rigorous, some may say bordering on excessive. However, the repercussions can be devastating if a company's production environment is compromised or unsanitary. A common nemesis to food producers that Quality Assurance valiantly tries to battle is the presence of E-coli, bacteria comprised of many different strains that are commonly found in one's intestines. Most are harmless, yet there are some E-coli that can cause severe food poisoning.

When the bagged salad industry was in its fledgling stage, E-coli food poisoning was traced back to a bagged spinach producer. This caused industry-wide panic. Another incident was traced to a famous lettuce producer who did not take proper precautions with its H-Vac (air conditioning) system. Due to improper maintenance, E-coli subsequently found its way to romaine and iceberg lettuce and was responsible for many reports of food poisoning and even death. Listeria is another type of bacteria that can be found in uncooked poultry or other raw food products. It can be quite harmful if someone is infected with this food-borne bacterium.

For these and other reasons, there is no place in the world of food processing for substandard or unsanitary food production. In fact, STAR-K certifies Intralytix, a biotechnology company focused on food safety, sanitation and other products developed to control bacterial pathogens in a food processing setting. The Torah is passionate concerning health and safety in general, and food safety in particular. Based on the *pasuk*, "רק השמר לך ושמר נפשך מאד", "Only be careful and watch yourselves closely",¹ one is to exercise spiritual as well as physical watchfulness. There is discussion amongst the commentaries regarding risk-taking, personal safety and being careful to maximize food safety and a high standard of hygiene in food establishments.

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נישט אױף שבת גערעט? The Guide to Proper Speech on Shabbos

RABBI DOVID HEBER
KASHRUS ADMINISTRATOR

Shabbos is the most beautiful day of the week, and our *Neviim* and *Chazal* have enhanced its sanctity by establishing various *mitzvos d'rabanan*. These *mitzvos* include activities that maintain *kedushas Shabbos* and render it more enjoyable, and prohibitions to ensure we do not perform a *melachah d'oraisa*. One example of an *issur d'rabanan* is what *Yeshayahu Hanavi*¹ refers to as "*daber davar*", a restriction on business and *melachah*-based discussions on *Shabbos*.



According to the *Talmud Yerushalmi*,² when we are careful with speech on *Shabbos*, we emulate the *Ribono Shel Olam*, Who rested from speech³ on *Shabbos Beraishis* following the completion of the creation of the world.

The following *halachos* are based upon the *psak* of *Harav Moshe Heinemann, shlit"a*, Rabbinic Administrator of STAR-K Kosher Certification.⁴

I. Discussions of *Melachah*

In general, on *Shabbos* one is not allowed to say that he will perform a *melachah* after *Shabbos*. For example, it is forbidden to say, "Tonight I will write down your address" or "I will water my flowers tomorrow", as these activities are not permitted on *Shabbos*. Furthermore, on *Shabbos* one may not say, "Let's go shopping tomorrow"⁵ or "Can you bake a cake after *Shabbos*?"⁶

The following are exceptions and may be discussed on *Shabbos*:

1. One is allowed to speak about a *melachah* that already occurred. For example, "Last Thursday we drove from Los Angeles to San Diego".

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1. *Sefer Yeshayahu* (58:13). This *pasuk* is read in the *HafTORah* of the morning of *Yom Kippur* and some recite it as part of *Kiddush* on *Shabbos* morning. Some *halachos* are addressed in the *Shabbos Zemer*, "*Mah yedidus... chafatzecha assurim...*"
 2. End of 15th *perek* of *Meseches Shabbos*.
 3. As it says, "*Basara maamaros nivra haolam*" (*Avos* 5:1).
 4. Many of these *halachos* are based on *Shulchan Aruch Orach Chaim* (S.A., O.C.) and *Mishna Brura Siman* 306 & 307.
 5. This is because *Daber Davar* applies to Rabbinic prohibitions, as well.
 6. It does not help to preface your prohibited statement with the words "*Nisht oyf (or im) Shabbos geredt*." For example, you may not say, "*Nisht oyf Shabbos geredt - Can you bake a cake after Shabbos?*" In this case, although you are stating the *halacha* that it is prohibited to say this, your obvious intent is to ask the person to bake the cake after *Shabbos*.

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RABBI TZVI ROSEN
EDITOR, KASHRUS KURRENTS

Danger - Sakana: Keeping Our Food Safe & Healthy

FOOD SAFETY

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Although the argument can be made שמר פתאים השם,² "Hashem watches over the unaware, the truth is that Chazal tell us אין סומכין על הנס, we don't count on miracles. Halacha is quite insistent about not taking risks and chances with one's health and well-being. In fact, there is another aspect to health, well-being and taking health risks. Chazal tell us מאסורא סכנתא,³ one should be careful to avoid dangerous situations that can pose health threats to life and limb. Of course, there are the "no brainers" – walking alone in a dangerous neighborhood or climbing a high tree while untethered. Moreover, there is a whole area that transcends the obvious areas of risk known as שמירת הגוף והנפש, health precautions.

Volumes have been written regarding the subject of well-being and health risks. Some of the most well-known areas of discussion include mixing fish and meat, leaving peeled onions, garlic and eggs overnight, uncovered beverages and leaving food and beverages under a bed or stroller. There are many "hanbagos" that are commonly practiced and many that are not.

The following דינים ומנהגים reflect STAR-K policy and the psakim of HaRav Moshe Heinemann, shlit"א, Rabbinic Administrator of STAR-K.

I. Mixing Meat & Fish

Chazal maintain that mixing fish and meat is forbidden.⁴ Worcestershire sauce often lists anchovies as one of its ingredients. Sometimes, kosher certification categorizes the Worcestershire sauce as Kosher-Fish, and other times as Kosher-Pareve. The difference is the percentage of fish in the recipe. If the amount is greater than שישים (>1.6%), then the Worcestershire sauce may not be used to flavor meat or chicken; when it is less than שישים (<1.6%), it is permissible.⁵

Although according to most authorities it is permissible to cook meat in a fish pot or fry fish in a meat pan,⁶ it is STAR-K policy to follow the opinion of "יש מחמירים" and require caterers to have separate utensils for meat and fish. In the event that fish was cooked in a meat pot or vice versa, מעיקר הדין, it is permitted. STAR-K policy is to be מחמיר. Halachically, there is no difference between cooking, roasting or broiling.

Similarly, it is forbidden to cook fish and meat uncovered in the same oven even if they are dry, due to סכנה. However, if one of the dishes is covered, meat and fish may be prepared in the same oven.⁷

II. Peeled Onion, Garlic and Eggs

The Gemara states that it is forbidden to leave peeled onions, garlic, hard boiled eggs, cracked eggs, (whites or yolks) overnight unless the head whiskers of the onion and garlic clove are intact, the

skin of the unused onion or the peel of the unused garlic is intact, or the egg is in its shell. It does not help to cover the eggs, onion or garlic in a container. However, if they are mixed in a salad or if they are salted they may be kept overnight.⁸

Do the same restrictions apply to chopped or peeled raw onions, garlic or cracked eggs that have been left overnight? Some authorities say they do, and some are lenient in this regard based on a ruling by Rav Moshe Feinstein, zt"l. He stated that since the custom of not leaving peeled onions, garlic and eggs overnight is not mentioned in the Shulchan Aruch, we are permitted to be more lenient with peeled raw products from a factory or industrial setting. It is STAR-K policy to follow the ruling of Rav Moshe Feinstein, zt"l.

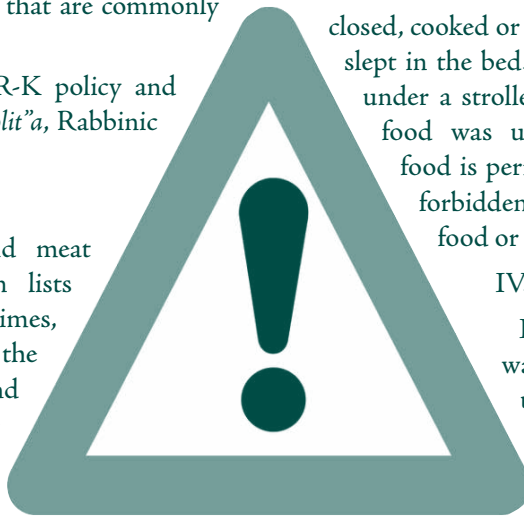
III. Food & Beverages Under A Bed

It is forbidden to put food under a bed, whether open or closed, cooked or raw. The food becomes forbidden if someone slept in the bed. Included in this prohibition is leaving food under a stroller in which a baby fell asleep.⁹ In the event food was unintentionally left unattended, בדיעבד, the food is permitted. Another way to reverse the status of forbidden food is to wash Negel Vasser directly over the food or tovel it in a mikvah.¹⁰

IV. Uncovered Beverages

In previous eras, it was forbidden to drink water or other uncovered beverages that were left unattended. The reason for this prohibition was that there was a חשש, a concern, that a snake would drink the water and deposit venomous poison in the water. Since snakes are not as commonly found today, the minbag is to be more lenient. However, there are other authorities who are still strict with the laws of גילוי, uncovered liquids which include water, milk, olive oil and wine. The timeframe in which to forbid uncovered liquids is three seconds.¹¹

As we know, the Torah mandates "והתקדשתם והייתם קדושים"¹², we should sanctify ourselves so that we should be holy; just as the Ribono Shel Olam is קדוש, so too should we emulate Him. Just as we follow the laws of kashrus unwaveringly without question or compromise so, too, the laws of שמירת הגוף והנפש should be treated with the same sanctity and zeal.★



2. תהלים קט"ו.
3. חולין י' עמוד א'; א"ח קע"ג.
4. יורה דעה קט"ו.
5. ש"ך שם.
6. ט"ז יו"ד צ"ה.
7. חכמת אדם ס"ה:א.
8. שמירת הגוף והנפש.
9. ח"א ס"ה:ג.
10. שמירת הגוף והנפש.
11. ibid.
12. פ' שמיני א':מד'.

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KASHRUS ADMINISTRATOR



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2. One may discuss plans to take place after *Shabbos* if no *melachah* is involved. For instance, one may say, "I will walk over to your house tomorrow." Since this can be done on *Shabbos*, it may be discussed on *Shabbos*. It is also permitted to say, "I will come over to your house tomorrow," even if the house is 20 miles away, since a *melachah* was not stated and it is possible to walk.

3. One may discuss something "potentially" permissible on *Shabbos*. For example, if someone lives in a city with no *eruv* he may say, "I will bring some pictures to your house tomorrow." Since this activity could be performed if that city had an *eruv*, it is permissible to make such a statement on *Shabbos*.⁷

4. An extension of the previous *halacha* allows one who resides in a city to say, "Tomorrow, I am going to another city" (e.g., someone in Lakewood may say he is going to Baltimore on Sunday). Although there are at least two prohibitions involved in this activity – driving a car and leaving the *tchum* – such a statement would be permitted since he did not say he is driving.⁸ Furthermore, one could theoretically walk to another city using a route if it would be built up with *burganin*,⁹ so that it falls within the *tchum*. Therefore, someone in Los Angeles may say, "I am going to New York tomorrow."¹⁰

5. If the *melachah* is about performing a *d'var mitzvah*, one may discuss it if necessary.¹¹ For example, if it were necessary on *Shabbos* to discuss specific travel arrangements for attending a *levaya* in order to avoid "losing a ride", one may discuss this on *Shabbos*. Although this activity is a *melachah*, it is permitted to discuss since it involves a *mitzvah*.

II. Speaking About Business

One may not speak about business issues on *Shabbos*. This includes the following:¹²

1. Prices – One may not discuss the price of various items with someone who can utilize this as business information. This applies to a "big ticket item" (e.g., "The house around the block is selling for \$500,000") or one of lesser value (e.g., "Cookies at the kosher market are on sale for \$1.00"), or any case in between. This includes prices on almost any item – food, travel, household items, etc.¹³

This also includes conversations about free items including, "If you want a free round trip ticket to *Eretz Yisroel* you can get one on United Airlines if you have 85,000 frequent flyer miles." Generally, speaking about stocks, bonds, mutual funds, banks and credit cards is forbidden even without mentioning specific financial information.

2. In general, one may not give "business advice" on *Shabbos*. An accountant may not discuss financial matters with a client or anyone else. Asking an accountant for tax advice on *Shabbos* (e.g., "Can I count my married child as a dependent if her *chasunah* was last December?") is not permitted. This also applies to asking a mechanic for automobile advice (e.g., "What do you recommend for squeaky brakes?") or a computer expert for recommendations (e.g., "What is the best program for graphics?"). Furthermore, one may not make certain calculations,¹⁴ especially those related to business. For example, one may not say "I bought a tie for you which cost twenty dollars plus 5% tax. So the total amount you owe me is twenty dollars plus one dollar tax, or twenty-one dollars."¹⁵

If someone asks you something that is prohibited to discuss on *Shabbos* you should not discuss such issues. The correct response is to say, "Let's speak after *Shabbos*." One should not respond, "Let's speak about 'it'¹⁶ after *Shabbos*."

3. The following situations are exceptions and may be discussed during *Shabbos*, even though they are financial or business related:

a. *Tzedakah* Matters – This is a *heter* for the *gabbai* to announce *nedavos* (donations declared following *aliyos*), as this financial discussion is for the purpose of *tzedakah*. Calculations for *tzedakah* and other *mitzvos* are also allowed.

b. Public Affairs – Something that will benefit the general public is permitted. An example is a city engineer who comes on *Shabbos* to survey the area in order to install a traffic light and crosswalk in an area frequented by the *tzibbur* (e.g., outside the *shul*). In such a case, one may speak with the engineer about the project as it will benefit the entire community.

c. If one's "business" is teaching *Torah* or other *divrei mitzvah*, then one may discuss such topics on *Shabbos*. For example, one

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7. S.A. O.C. 307:8 based on the *Gemara Shabbos* 150b that states one can speak about leaving the *tchum* because "*burganin*" (huts for guards) could be built to make it in the *tchum* (by spacing the huts close enough).

8. Driving was not stated, and since it does not have to definitively happen it is considered as *birbur* on the part of those listening (see *Rashi, Shabbos* 150a *Hanireh*).

9. See footnote 7

10. One may even say, "I am going to *Eretz Yisroel*", since under optimum conditions one could walk through Canada and Alaska, then over the Bering Strait (when frozen) through Russia. Furthermore, one may travel on a boat during *Shabbos* under certain conditions (e.g., the journey does not begin or end on *Shabbos*). Therefore, one may even say, "I am going to Australia tomorrow."

11. S.A. O.C. 306:6

12. The prohibition applies even if one derives "*oneg*", pleasure, from discussing business matters. (The *Rama* - 307:1 only allows interesting news, etc. for *oneg*, not business affairs.)

13. One may mention a price that was paid for an item in the past which has absolutely no current relevance to himself or the listener.

14. However, one may make a calculation to "sharpen skills" if it has no relevance, e.g., one may ask a third grader, "What is 5 times 5?"

15. Even to simply say "You owe me twenty-one dollars for the tie" is prohibited.

16. Stating that we will discuss the business issue ("it") after *Shabbos* is *assur* because one would be stating that he wants to do an *issur D'rabanan* (*Daber Davar*) after *Shabbos*. However, one may simply state, "Let's talk after *Shabbos*", since the prohibited activity is not referenced.



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may speak to his son's *rebbe* or teacher on *Shabbos* regarding how his child is performing in *shiur*. He may hire a tutor¹⁷ to teach *Torah*, provided salary is not discussed on *Shabbos*. One may also discuss *shidduchim* on *Shabbos*. One may even say "support will be available." Some opinions allow even specific financial arrangements for the *shidduch* to be discussed on *Shabbos*.¹⁸ Consult your *rav*.

Likewise, one may ask a *kashrus* professional for advice (e.g., "Can I eat this product that has no *hechsher*?"). One may also speak with others who work for *chesed* organizations (e.g., asking a member of the *Bikur Cholim* organization about a hospital).

d. Health care professionals may give advice on *Shabbos* (but may not discuss related financial issues). This includes speaking to one's doctor or two doctors who are conferring about a medical technique or issue. Nurses and occupational, physical or speech therapists, etc., may discuss health issues or techniques for helping others. They may also speak to a patient who is seeking their advice on *Shabbos*.

III. Miscellaneous Cases

1. One should avoid sharing sad news or something that brings *tzaar* (distress)¹⁹ on *Shabbos*, unless it is necessary. For example, on *Shabbos* one should not tell his friend, "Did you hear that *Ploni* died?" However, one may tell a relative or someone who is involved if they need to know (e.g., "Your uncle, who was my neighbor, was *niftar* this morning. I think your cousins would appreciate if you came over on *Shabbos* for guidance.").

2. One may ask a *shayla* or "speak in learning" regarding a case that involves business (e.g., asking a *rav*, "Reuven is lending Shimon \$10,000 and would like to charge 5% interest. How should I tell him to set up a *heter iska*?").

3. Thinking about a *melachah* or business (*hirhur*) is permissible; however, for *oneg Shabbos* it is best to avoid doing so.²⁰

4. Similar prohibitions apply to *Yom Tov*, as well. However, there are "exceptions" in the case of *Yom Tov*:

a. On *Yom Tov*, one may discuss a *melachah* that is permissible on *Yom Tov*, even if it is forbidden on *Shabbos*. For instance, one

may not say on *Shabbos*, "Let's bake a cake after *Shabbos*." However, on *Yom Tov* one may say, "Let's bake a cake after *Yom Tov*." This is because under certain conditions, it is permissible to bake on *Yom Tov*.

b. On *Yom Tov*, one may discuss non-*melachah* prohibitions related to that particular *Yom Tov* (e.g., on *Yom Kippur* one may say, "I know you find fasting difficult, before *Yom Tov* I brought food for you to eat immediately after *Havdalah* in *shul*").

It is noteworthy that the restriction of *Daber Davar* is the basis for the prohibition of handling *muktzah* on *Shabbos*. According to the *Rambam*,²¹ *Chazal* realized that if "business speech", which is intangible, was prohibited by the *Neviim* on *Shabbos*, *kal v'chomer* (how much more so) would the *Neviim* forbid one from handling items that are related to business or have no normal *Shabbos* use. Furthermore, one of the reasons for the prohibition of *Amira l'Akum* (asking a non-Jew to perform work on *Shabbos*) is *Daber Davar*. The fact that *Daber Davar* is a *m'kor* (source) for *muktzah* and *Amira l'Akum* illustrates the importance of how we speak on *Shabbos*.²²

The enhancement of *Shabbos* through proper speech is illustrated in a story found in *Sefer Ktzos Hashulchan*.²³ A king once gave his subjects the opportunity to request their needs. A homeless individual with a skin disorder, who normally picked through garbage cans for food, approached the king with the following request. "Today there are no garbage cans available. My request is that you provide me with garbage cans through which I can rummage for food." Everyone who heard this ridiculous request laughed and said, "You fool! The king could have had the best dermatologists treat your illness or he could have given you a house in which to live. Instead, you choose the same garbage cans from which you eat every day?"

On *Shabbos*, the *Ribono Shel Olam* grants us the opportunity to spend *Shabbos* in an enhanced way with *divrei Torah*, which spiritually and physically heal and protect us. It is a day with more time for *Torah*, *tefillah*, our families, inspiring *seudos*, *gemilas chasadim* and proper speech. Why would anyone want to treat this special day as just another day to discuss business and financial matters, as we do every other day of the week?*

17. One may even hire a teacher for *limudei chol*, such as math or science (provided salary is not discussed), because it is a *mitzvah l'lamdo umnos* (see *Mishna Brura* 306:30 based on *Kiddushin* 29a).

18. See *Ktzos Hashulchan* 107:14

19. *Mishna Brura* 307:3

20. S.A., O.C. 306:8

21. *Hilchos Shabbos* (24:12)

22. On *Shabbos*, when people come together at family gatherings and social events one should be extra *nizbar* (careful) in all *halachos* of proper speech that are relevant every day. See *Chofetz Chaim*, footnote at the end of *Psicha Asin* Os 6.

23. Written by *Rav Avraham Chaim Noeh, zt"l*, in *Chalek 4, Siman 107, Os 29* in the name of *Aishel Avraham m'Butchoch* in the name of *Toldos Yaakov Yosef*.

STAR-K's 16th Annual Kashrus Training Program will take place July 22-25, 2019.

This intensive seminar, held at STAR-K's offices in Baltimore, Maryland, is limited to 25 students – *rabbonim*, *kollel* members and others serving as *klei kodesh* – who have studied *Yorah Deah*.

In addition to lectures, audio-visual presentations and a hands-on practicum, several field trips are planned.

STAR-K will also be running its annual **Food Service Mashgichim Training Seminar** for people involved (or who want to get involved) in *hashgocha* for restaurants, catering halls, and hotels. The course will be held **August 5-7, 2019**

To apply, call the STAR-K office at 410-484-4110 and speak with Rabbi Zvi Goldberg, or go to www.star-k.com to download the application form.



WHEN YOU CAN DRINK AND DRIVE: THE HALACHIC IMPLICATIONS OF DRINKING COFFEE ON THE ROAD

RABBI BORUCH BEYER
KASHRUS ADMINISTRATOR



Happy Fact: Unflavored roasted coffee beans, whole and ground, are considered kosher without a *hechsher* (kosher certification). Bearing this in mind, buying a cup of unflavored regular, decaf, or High-Octane coffee (my usual choice) should not present any *kashrus* issues, right?

Not so fast fellow caffeine heads; life is never so simple.

The Problem: Some coffee vendors sell kosher and *treif* (non-kosher) items, like the Bacon & Gouda Breakfast Sandwich and the Pepperoni & Tomato Savory Foldover¹. The *keilim* (utensils) used for coffee and *treif* can at times be washed together, causing *blios*, absorbed tastes, from the *treif kli* to enter the coffee equipment. In Starbucks, for example, it's been established that the brew basket that holds the coffee grounds while the coffee is being made is sometimes washed with *keilim* that may have come into contact with *treif*. If we have a "perfect storm" situation in which the wash water is *yad soledes*,² and no soap enters the water before the *treif* equipment is placed in the water, then the brew basket is considered *treif* and the coffee made afterwards is *treif*.

We do not know the cleaning procedures used by all coffee vendors, but most of them sell *treif* items along with coffee and the possibility exists that similar *keilim* issues may be present.

Based on these facts and assumptions, the *psak* (halachic decision) should be that one is permitted to buy hot coffee only from vendors that he knows do not sell *treif*, or whose cleaning procedures do not impact the *kashrus* of the coffee. This is, indeed, STAR-K's opinion on purchasing coffee from stores that sell *treif* items.

The Exception: True or False?

If one is traveling on the road – by car, plane, bus, or horse – he can stop at a rest stop, gas station or even a Starbucks and purchase a hot cup of Joe.

Give yourself a star if you answered True.

Upon what is this exception based?

We need some background to answer this question. Our concern centers on the *keilim* used to make coffee and/or the utensils from which one may drink that may have *blios* from *treif*.

The *halacha* is that tastes that are *pagum*, or off-tasting, do not have an ability to impart a *treif* status to kosher foods or utensils.³ The *halacha* also states that tastes absorbed in a utensil that is not a *Ben Yomo*, i.e., has not been used within 24 hours, are considered *pagum*.⁴

Furthermore, *Shulchan Aruch paskens* in *Yoreh Deah* (Y.D.) 122:6, that if one is unsure if the eating utensils or cooking equipment owned by non-Jews was used for non-kosher within 24 hours, one may assume that they were not. This concept is known as *Stam Keilim Einyon Bnei Yoman*, or just *Stam Keilim* (סתם כלים) in *halachic* shorthand. With this in mind, the *Mechaber paskens* that if someone mistakenly used the pot of a non-Jew to heat up something, the food is permitted since it is assumed that the pot was not used within the past 24 hours. This is a great *din* to keep handy when faced with a *b'dieved*⁵ situation, like the one in the *Shulchan Aruch*.⁶

The question we need to answer is if buying coffee in a non-kosher establishment while traveling has the status of a *b'dieved* situation. This would allow us to apply the principle of *Stam Keilim* to the coffeemaking equipment and grant us a guilt-free cup of Starbucks (how to avoid guilt while paying \$5 for a cup of coffee is beyond the scope of this article).

Rabbi Moshe Heinemann, *shlit"a*, answered this question by marshalling a *Yad Ephraim*⁷ that appears on the page in the *Shulchan Aruch* that we previously mentioned in Y.D. 122: 6. The *Yad Ephraim* references a responsa from the *Nodah B'Yehuda*⁸ (*Nb"Y*) which discusses the propriety of Jews drinking coffee in the Gentile-owned coffeehouses of 18th century Prague. As they say, the more things change the more they stay the same! It is almost 300 years later, and Jews still want their coffee ככל העמים.

The issue addressed by the *Nodah B'Yehuda* revolved around drinking coffee from the coffeehouse's mugs. It was assumed that the mugs had non-kosher milk in them when the Gentile patrons drank their coffee. In those days, there was no *heter* (permission) to drink non-*cholov Yisroel* milk or *cholov stam* and it was considered אסור, not kosher. Since paper cups had not yet made their way onto the scene, the only way to drink the coffee was to use the mugs that had absorbed the taste of non-kosher milk. What was a Jew to do?

The Jews who drank from the mugs back then had two possible reasons why it should be allowed:

1. The mug was a *Kli Sheni*⁹ and, therefore, not hot enough to cause a transfer of *treif* milk taste into the coffee.
2. *Stam Keilim*. The *halacha* we referenced earlier allows us to assume that utensils have not been used within 24 hours, and any *blios* are *pagum*.

The *Nb"Y* dismisses the *Kli Sheni heter* by referencing the *Taz* and *Rashal*, who *pasken* that this only helps in a *b'dieved* situation.

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1. I didn't make these up, they are actual choices on the Starbucks menu.

2. Literally, the temperature at which someone will quickly remove his hand to avoid being burned. The food must be at least this hot before its taste is considered to have been transferred into a utensil. Rabbi Heinemann holds *yad soledes* is 120°F.

3. ש"ע סי' ק"ג.

4. Ibid.

5. A scenario in which the halacha allows a lenient approach to be applied.

6. *Stam Keilim* is based on סתם כלים אין בני יומן is based on ספק ספיקה, maybe this pot was not used within 24 hours, rendering any absorbed taste *pagum* (off tasting). Even if it was used within 24 hours, maybe the absorbed non-kosher taste is *pagum* in this particular food that was cooked, ק"ב בשם הרא"ש.

7. Rabbi Ephraim Zalman Margolis ZT"l d: 5588-(1828)

8. נודע ביהודה י"ד שאלה ל"ו.

9. The mug or bowl into which food from a pot on the fire is poured into is called a *Kli Sheni*, a second level utensil. This means that the walls of the utensil are considered to have cooled the temperature of the food to an extent where it is not hot enough to transfer its taste into the utensil walls.



Bedikas Chometz Search for Dough Like a Pro



RABBI MORDECHAI FRANKEL
DIRECTOR, INSIGHTS FROM THE INSTITUTE



Before *Pesach*, a person is obligated to perform *bedikas chometz*; a search of his house and possessions to ensure that he does not own any *chometz*. The *bedikah* should be conducted at the beginning of the night of the 14th of *Nissan*, immediately after *tzeis hakochavim*.¹ If he did not do so, the *bedikah* can be done all night. *Bedieved*, if he did not perform the *bedikah* that night he should do it on the day of the 14th of *Nissan*.²

If he will not be home on the night of the 14th of *Nissan*, he should appoint another adult to perform the *bedikah* on his behalf.³ If he leaves his house within thirty days of *Pesach*, and is not planning to return and conduct a *bedikah* or have someone else perform a *bedikah* for him, then he should do *bedikas chometz* without reciting a *brocha* at night before he leaves.⁴

If he leaves his house more than thirty days beforehand (i.e. the 14th of *Adar* or earlier) and is not planning to return for *Pesach*, he does not need to perform *bedikas chometz* and may rely on the *bittul* that he recites on *erev Pesach* at the time of *chometz* burning. However, he should remove or sell any known *chometz* in the house. If he plans to return home on *Pesach* and will not have someone else perform a *bedikah* for him, he must perform *bedikas chometz* before he leaves.⁵

There is no need to check areas containing *chometz* which will be sold to a non-Jew before *Pesach*.⁶ If a person is home on the night of the 14th of *Nissan* but is planning to leave for the duration of *Pesach*, he may arrange to sell the *chometz* in all the rooms of his house - except one - to a non-Jew and check that room to fulfil the *mitzva* of *bedikas chometz*.⁷ (If it is his custom not to sell *chometz gommur*, then he should make sure that there is no *chometz gommur* in the other rooms). If guests will be staying in the house during *Pesach* and using some of the rooms, those rooms must be checked for *chometz*.

Guests who arrive before the night of the 14th of *Nissan* are obligated to check for *chometz*. If the owner of the house does not want them searching his house, he can perform a *bedikah* on the house himself and leave one area for the guests to be *bodek*. People staying at a hotel for *Pesach* should perform a *bedikah* on their room. If

they arrive on the day of the 14th of *Nissan*, a *bedikah* should be done at that time. A *brocha* is not recited over the *bedikah* of a hotel room.⁸

One should not begin any *melacha* within half an hour before *tzeis hakochavim* on the night of *bedikas chometz*. He should not eat a *beitzah* or more of bread, cake or cookies at that time; he may eat other food. He may learn *Torah* but should arrange for a *shomer* or set an alarm to ensure that he stops for *bedikas chometz*. At *tzeis hakochavim*, he should stop whatever he is doing, no longer eat any food, and conduct the *bedikah*.⁹ He could *daven maariv* before the *bedikah*, although if he always *davens* at a specific later time he can do the *bedikah* first and *daven* at that time.¹⁰

When performing *bedikas chometz*, one should search his house for any edible crumbs of *chometz*.¹¹ *Meikar hadin*, it is not necessary to clean one's house from small soiled particles of *chometz* which will not come into contact with food on *Pesach*.¹² Nevertheless, many are stringent and attempt to rid their house of all *chometz*.¹³ It is not necessary to check books and *sefarim* for *chometz*, although those which will be brought to the table on *Pesach* should be cleaned to ensure that they do not contain crumbs which could fall into one's food.¹⁴

The *bedikah* should be conducted by the light of a candle with a single wick.¹⁵ Some have the custom to turn off the house lights during the *bedikah*.¹⁶ Others leave them on, using both the house lights and a candle to conduct the search.¹⁷ The prevailing custom is for ten pieces of bread to be placed in different areas of the house before the *bedikah*¹⁸ (although some do not this *minbag*).¹⁹ Some people take care that each piece is smaller than a *kezayis*,²⁰ and it is a good idea to wrap them up in order to ensure that no crumbs are left behind. The person conducting the *bedikah* could position the pieces of bread, but it is customary for another member of the household to do so.²¹ One may use a flashlight to aid in the search.²²

For the purposes of this article, we will assume that the reader is familiar with the process of *bedikas chometz*. Among other

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1. מ"ב סי' תלא ס"ק א, ועי' מש"כ בזה בספר הליכות שלמה (פסח פ"ה סעי' י) בשם הגר"ש איועראך זצ"ל.
2. שו"ע סי' תלג סעי' א ומ"ב שם ס"ק ב.
3. מ"ב סי' תלג ס"ק ח וסי' תלו ס"א, ועי' ש"ש טוב יותר למנות אנשים לבדיקה, אמנם הערוך השלחן סי' תלו סעי' ז פסק שמותר לכתחלה למנות אשה וכתב "האינא נשי דידן בודקות יותר טוב ומחטיין אחר משהו חמץ ורוחצין ומנקין כל המקומות ומדקדקות יותר מאנשים". ובשו"ת שבט הלוי ח"ט סי' קיח כתב שעדיף לבדוק ע"י שליח בליל י"ד בזמנו מלבדוק בעצמו קודם זמנו.
4. שו"ע סי' תלו סעי' א.
5. שו"ע שם ומ"ב שם ס"ק ה וש"ת אגרות משה או"ח ח"ד סי' צה.
6. עי' במ"ב סי' תלו ס"ב לב, והגר"ש איועראך (הליכות שלמה פסח פ"ה דבר הלכה אות 1) אמר שהמנהג פשוט להקל בדבא.
7. בענין מש"כ בשו"ע הגר"ש סי' תלג סעי' ז שאפשר לדבוק שאר חדרי הבית מקודם ולתניח חדר אחד לבדיקה בליל י"ד.
8. כן שמעתי ממור"ר משה היינעמאן שליט"א שכיון שמנקין החודר קודם ביאתו ל"ל דהוי כמקום שאין ממניין בו חמץ.
9. כל זה בשו"ע סי' תלא סעי' ב ומ"ב שם.
10. עי' במ"ב סי' תלא ס"ק ה, בארחתו רבינו ח"ב עמ' א כתב שהחזו"א והקהלת יעקב בדקו לאחר מעריב, וכן הובא בשם הגר"מ פיינשטיין זצ"ל (שמעתא דמשה - שמועות משה סי' תלא סעי' ב) שיש להתפלל הפילת ערבית בזמנה מיד לאחר צאת"כ ואח"כ לבדוק.
11. בשעה"צ סי' תלג ס"ק לג משמע שא"צ לבדוק לפיזורין וכמש"כ בהליכות שלמה פסח עמ' קג, אמנם החיי אדם כלל קיט סעי' ו כתב שהצריכו הכמנים לבדוק אף לפיזורין מחשש שמא יבא לאכלם, והגר"ש אלישיב זצ"ל (אשרי האישי או"ח ח"ג עמ' שנה) כתב שהמנהג כהחיי אדם לבדוק אפילו לפיזורין.
12. המ"ב סי' תמב ס"ק לג כתב שחמץ פסח קצת ופחות מכזית א"צ לבדוק לכו"ע, ועי' במ"ב סי' תמד ס"ק טו.
13. כתב הרא"ש (פסחים פ"ג ס' ב) "ישראל קדושים הם וגוררין כל החמץ הנמצא אפילו כל שהוא". והשו"ע סי' תמב סעי' ו כתב שנהגו לגרר הכתלים והכסאות, ופי' המ"ב שם ס"ק כח דר"ל שאין ללעוג על המנהג לומר שהוא חומרא יתירא. והגר"ש אלישיב (אשרי האישי ח"ג עמ' שנה) כתב שבחזו"ר וסדקין שיש לחוש בהם לחמץ אך קשה לו לבדוקם ישפוך לתוכם חומר שפוגם את החמץ ופוסלו מאכילת כלב.
14. במעשה רב אות קע"ח כתב שהגר"א היה בודק את הספרים, וכ"ה בחזו"א או"ח סי' קטז ס"ק יח. והגר"ש אלישיב (אשרי האישי ח"ג עמ' שנה) כתב שמצד הדין א"צ לבדוק ספרים אבל לא יניחם על שלחנו בפסח שמא יפול פיזור חמץ לתוך האוכל. ובעי"ן דעת הגר"מ פיינשטיין (שמעתא דמשה - שמועות משה סי' תלג סעי' ג), וגם הגר"ש איועראך (הליכות שלמה פסח פ"ה סעי' ו) כתב שא"צ לבדוק הספרים.
15. שו"ע רמ"א סי' תלג סעי' א וסעי' ב.
16. בספר בדיקת חמץ וביעורו עמ' קפה הערה לה כתב שכן נהג מרן הגר"י, ובשו"ת שבט הלוי ח"א סי' קלו כתב שרגיל לבדוק לאור הנר בלבד אבל אם חסר לטיב הבדיקה מדליק גם החשמל.
17. כן נהגו החזו"א (ארחתו רבינו ח"ב פ"ה אות ג) והקהלת יעקב (שם ח"ב עמ' ב). ולדעת הגר"מ פיינשטיין (שמעתא דמשה - שמועות משה סי' תלג סעי' א) מוטב לבדוק כשהאור פתוח. והגר"ש איועראך (הליכות שלמה פסח פ"ה דבר הלכה אות 1) סי' ס"ל שאם דולק אור החשמל בבית בשעת הבדיקה א"צ לכבותו, וכן דעת הגר"ש אלישיב (אשרי האישי ח"ג עמ' שסא) שאין צריך לכבות את החשמל שהרי אור כזה אינו מחשיך ואדרבה מסייע הוא לבדיקה, אבל אין לשנות ממנהג ישראל לבדוק גם ע"י נר (ע"ע מש"כ בזה בספר הל' חג בתנ"ך עמ' עט).
18. מ"א סי' תלב סעי' ב ומ"ב שם ושעה"צ שם ס"ק יב, ולדעת הגר"ש אלישיב (אשרי האישי ח"ג עמ' שס) בזמנו מעיקר הדין צריך להניח פתיתים.
19. הגר"א שם פסק שא"צ להניח פתיתין והחיי אדם כלל קיט סעי' כב כתב שאין לחוש להניח פתיתים, והשעה"צ שם ס"ק יא כתב שלדעת ה"י יותר טוב שלא להניח שמא יאבד, והחזו"א לא נהג להניח פתיתים (ארחתו רבינו ח"ב עמ' ב) וגם הגר"מ פיינשטיין לא נהג כן (שמעתא דמשה - שמועות משה סי' תלב סעי' ב).
20. שערי תשובה ס"ס תלב.
21. בארחתו רבינו (ח"ב עמ' ב) כתב שהקהלת יעקב היה מניח הפתיתים בעצמו, וגם הגר"ש אלישיב היה מניח הפתיתים לעצמו (אשרי האישי ח"ג עמ' שס). אמנם מנהג העולם הוא שבני הבית מניחים את הפתיתים ולא הבודק, וכן משמע מדברי הרמ"א (סי' תלב סעי' ב) שכתב שנהוגים להניח הפתיתים במקום שימצאם הבודק, וכן מבואר מדברי החק יעקב (שם ס"ק יד).
22. לדעת הגר"ש אלישיב (אשרי האישי ח"ג עמ' שסא) מותר לבדוק ע"י פנס דק שמאיר היטב לחורים וסדקים אלא שלכתחלה אין לשנות ממנהג לבדוק לאור הנר, ובמקום שקשה לבדוק לאור הנר מותר לכתחלה ע"י פנס. וכע"ז הובא בשם הגר"ש איועראך (הליכות שלמה פסח עמ' קי) והגר"מ פיינשטיין (שמעתא דמשה - שמועות משה סי' תלג סעי' ב).

WHEN YOU CAN DRINK AND DRIVE: THE HALACHIC IMPLICATIONS OF DRINKING COFFEE ON THE ROAD

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The *Shach* writes that we need to be strict in applying the *heter* of *Kli Sheni* regarding earthenware utensils, such as the mugs that were used. The *heter* of *Stam Keilim* also doesn't work here since he says that these mugs are certainly used daily. Therefore, the *Nodah B'Yehuda paskens* that these mugs should not be used *l'chatchila*, and that whoever has it within their power to protest the practice of Jews drinking in Gentile coffeehouses should do so.¹⁰

Let's return to the future now. We don't need to use the non-kosher mugs in our Gentile-owned coffeehouses. We have disposable everything these days, including cups, *Baruch Hashem*. Yay! Order up that Starbucks Venti (20 oz size for the uninitiated)!

Not so fast.

If you recall, our 21st century issue is not mugs – it's the washing procedures that may mix *treif* dishes with the coffeemaking equipment. Disposable cups won't save us from that. "But wait," you say. "What about *Stam Keilim*?" Whew, crisis averted!

Sorry for the rollercoaster of emotions I'm putting you through, but the *heter* of *Stam Keilim* applies to *b'dieved* situations only, as previously mentioned.

Is all hope lost?!

No! Rabbi Heinemann, *shlita*, has ridden to our rescue using ten words in the *Nodah B'Yehuda* that we quote here, "ולהלכה למעשה בדרך באושפחא שאין שם כלים אחרים מיחשב דייעבד וכו'" *Practically speaking, when someone*

is traveling and is in a place where no kosher utensils are available, he is considered to be in a b'dieved situation" and he may use the gentile owned mugs. The *Nodah B'Yehuda* allows the use of the mugs based on the *heter* of *Kli Sheni because traveling is a b'dieved situation*. Rabbi Heinemann applies the same *lomdus* (thinking) to our modern coffeehouse issue. He says when someone is on the road traveling, he is considered to be in a *b'dieved* situation. Based on our investigations, we also know that the *treif* dishes are not always washed with the coffee equipment.¹¹ Therefore, we can use the *heter* of *Stam Keilim* since we are in a *b'dieved* situation. One Venti House Blend coming up!

While you are savoring your caffeine-fix, let me remind you of a few caveats. Once you get home, it's back to Moishé's Coffee Café for you. You are no longer considered to be in a *b'dieved* situation; you're back in *L'chatchila*¹² Land, and non-kosher coffee places should be avoided unless you know clearly that no *treif* utensils are washed with the coffee equipment.

Bear in mind that even while traveling, you can only order regular or decaf coffee and a Latte made with *stam cholov* (if you don't keep *Cholov Yisroel*). Frappuccinos and other similar flavored coffee creations contain additional ingredients that need to be reviewed before they can be recommended.

Happy Trails!★

10. The actual words of the Nb"Y are illustrative of how serious he felt this issue was: ...ידע רום מעלחו, אם הם בני תורה אינם בני יראה והמה קלי דעת...
11. The fact that the *treif* dishes are not washed with the coffee equipment every day allows us to avoid the issue the *Shach* mentioned earlier, that the mugs could not be allowed based on *stam keilim* since they are used daily with non-kosher milk.
12. A scenario in which the strict halacha must be applied.

Bedikas Chometz Search for Dough Like a Pro



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areas, one should remember to check clothing pockets, handbags, strollers, car seats, children's knapsacks, pet cages, fish tanks, pet and fish food, cars and garages. One should ensure that vacuum bags containing *chometz* are discarded and that garbage cans are cleaned. Areas which were thoroughly cleaned beforehand do not need to be scrutinized at the time of *bedikas chometz*.²³ For example, clothing pockets which were cleaned well and checked beforehand do not need to be rechecked during *bedikas chometz*.²⁴ However, the person conducting the *bedikah* should enquire and verify that all the pockets were, in fact, cleaned.²⁵ One should remove or sell all *chometz* at his workplace. If he owns the workplace, he should perform *bedikas chometz*, preferably on the night of the 14th of *Nissan*.

One is not obligated to move a heavy piece of furniture to check behind it for *chometz*.²⁶ However, if it is known that *chometz* is present it is customary to remove it if possible.²⁷ One is not obligated to check areas of the house into which *chometz* is never brought. However, those areas do need to be checked if children live in the house and could reach them.²⁸

One should not speak between the *brocha* and the beginning of the *bedikah*. During the *bedikah* he should preferably speak only about things related to the search. If he did speak about non-related matters after starting the *bedikah*, he does not repeat the *brocha*.²⁹ If he goes to the bathroom during the *bedikah*, he may recite *Asher Yotzar*.³⁰ At the conclusion of the *bedikah*, he should say *Kol Chamira*.★

23. עי' אשל אברהם מבוססאשט סי' תלד סעי' א ודעת תורה להמהרש"ם סי' תלג סעי' ב.
24. עי' בארוחות רבינו (ח"ב פסח עמ' ה) שהחזו"א אמר שאחר שמכבסים את הבגדים לפסח ונוהרים עליהם מפני חמץ היו כמקום שאין מכניסים שם חמץ וא"צ בדיקה בליל י"ד.
25. לדעת הגרש"ז אויערבאך (הליכות שלמה פסח פ"ה סעי' א), בומננו שמכבדין את הבית היטב לפני ליל י"ד אע"פ שחיוב הבדיקה במקומו עומד מ"מ אין בעל הבית חייב לפשפש בשעת הבדיקה בכל המקומות אלא ידקק. ויבחון היטב אם כבר ניקו כל מקום ופינה מחמץ, ואם לאו ינקחו. ועי' בדברי הגר"ש אלישיב בזה (אשרי האיש ח"ג עמ' שנה-שנז).
26. שדינו כמקום שאין מכניסים בו חמץ.
27. עי' בשו"ע הגר"ז סי' תלג סעי' יט שאם נפל חמץ תחת קרקעית הבית המרוצפת בנסרים א"צ לקעקע את הנסרים לברוק תחתיהם אפילו אם ראה שנפל שם חמץ אלא מבטלו ודין, ומ"מ אמר מו"ר ר' היינעמאן שליט"א שאם אפשר נוהגים להסיר החמץ. ואם הוא מקום ששייך חפישת הכלכל ל"ל שחייב מעוקר הדיון, עי' בשו"ע סי' תלג סעי' ח ובשו"ע הגר"ז בקו"א שם.
28. שו"ע סי' תלג סעי' ג ומו"ב שם ס"ק יט.
29. שו"ע סי' תלג סעי' א ומו"ב שם.
30. כן פסק הגר"ש אלישיב (אשרי האיש ח"ג עמ' שסא).



FIRST EVER PAN-ASIA KOSHER TRAINING SEMINAR *Held in Shanghai*

MARGIE PENSAK

They come from Perth; *Yerushalayim*; Mumbai; Manila; Boston; Scottsdale; and Los Angeles, but truly the *mashgichim* attending the inaugural STAR-K Pan-Asia Kosher Training Seminar in Shanghai, January 9-14, live out of their suitcases. Dedicated to the mission of ensuring and spreading *kashrus*, even at a moment's notice, implies where they are from is wherever their luggage happens to be.

Representing the premier kosher certifier in Asia, these STAR-K *mashgichim* are the "eyes and ears" in the field who help certify thousands of products --from canned goods and nori sheets in China and South Korea, to spices and coconut products in India and Sri Lanka, and banana chips and coco sugar in the Philippines-- mostly exported as "bulk" ingredients to be processed globally into consumer products.

STAR-K operates regional support centers in Shanghai, China and Cochin, India and representative offices in Manila, Philippines; Colombo, Sri Lanka; Karachi, Pakistan; and Jakarta, Indonesia.

Joining Baltimore-based STAR-K *Kashrus* Administrators Rabbi Dovid Heber and Rabbi Avrohom Mushell were Amos Benjamin and Joel Weinberger, who run the STAR-K Far East and India/Sri Lanka offices, respectively. STAR-K *mashgichim* Rabbis Jonathan Goldschmidt, Yofiel Jacob, Yitzchok Kaufman, Nossan Levin, Aryeh Mendoza, Eli Putney, Ariel Stein, Yosef Wexler, and Shmuel Zvuloni also attended. For some, it was the first time they were able to put a face to the voice after much telecommunication.

Seminar topics covered were: Plant report development; rabbinical prohibitions in kosher law; insect removal from vegetables--process and methodology; the International

Dateline and possible time issues when *davening* while traveling. *Mashgichim* and STAR-K office personnel paired up to inspect factories. Seminar highlights included: a *Shabbaton* and *Malaveh Malka shiur*; an interactive SKYPE visit with STAR-K Rabbinical Administrator *HaRav* Moshe Heinemann, *shlit"á*; and an *erev Shabbos* walking tour of Jewish Shanghai.

Rabbi Yosef Wexler, who traveled from *Yerushalayim* to attend, mentioned in his letter to STAR-K President Avrom Pollak, "As I go back into the field today, it is with renewed energy after the inspiring few days that I spent in Shanghai with Rabbi Mushell, Rabbi Heber and the incredible team of STAR-K Asia Pacific. All the *shiurim* and events were informative and inspiring. The Q & A session with Rabbi Mushell was an important opportunity for us in the field to discuss face-to-face with our *Kashrus* Administrator various issues that come up in the factories. Rabbi Heber's *shiur* on *zmanim* and the International Dateline helped me gain a clear picture and practical guidelines in this complicated area of *halacha* often encountered by the traveling *mashgiach*. However, without a doubt, the highlight was the Q & A session with the *Rav HaMachshir* Rabbi Heinemann, *shlit"á*. It was a tremendous *zechus* to ask various *shailos* to such an *adom gadol*. The *Rav* answered all our *shailos* at length with tremendous insight and depth and even a little humor sprinkled in. *Yasher koach!*"

Participant Aryeh Mendoza, from Manila, concluded, "To date, this was the most impactful weekend of my career. I now truly recognize the amazing people I work with, and we all gained a deeper understanding of the holy work in which we are involved."☆



STAR-K Kosher Certification

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FOUNDING EDITOR:
A.J. Levin

EDITOR:
Rabbi Tzvi Rosen

MANAGING EDITOR:
Mrs. Pesi Herskovitz

COPY EDITOR/COORDINATOR:
Ms. D. Rosenstein

CONTRIBUTING WRITER:
Mrs. Margie Pensak

GRAPHIC ARTIST:
Miss Hudi Neuberger

Phone: 410.484.4110
 Fax: 410.653.9294
 E-mail: info@star-k.org
www.star-k.org

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