

דרך קצרה

Brief summaries of cRc Kashrus Policies

CALCULATING AINO BEN YOMO [PART 2 – FILLED CONTAINER]

In the previous installment we discussed the opinion of *Yad Yehudah* regarding calculating *aino ben yomo* if a utensil is used for hot water (i.e., kosher pareve) during the 24-hour period. This installment considers what to do when the utensil was used in a different manner.

Biur Halacha records an opinion which appears to be even stricter than *Yad Yehuda*, and to understand it we must first review a question that the *Acharonim* pose. A simple case of *kovush* is when kosher and non-kosher food soak together in a container of liquid for 24 hours; *ta'am* spreads from the non-kosher food to the kosher, and both foods are now forbidden. *Issur V'heter* says that the same applies if kosher food soaks in a non-kosher container (with liquid); after it is there for 24 hours the food absorbs non-kosher *ta'am* and is no longer kosher.

Many *Acharonim* ask on *Issur V'heter* that since *kovush* takes 24 hours, by the time *kovush* is completed the container will be *aino ben yomo* and unable to affect the status of the food!? Many *Acharonim* therefore disagree with *Issur V'heter's* conclusion or limit it to such unusual cases that it effectively never applies.

Ma'amar Mordechai suggests that the answer to the question on *Issur V'heter* is that a container only becomes *aino ben yomo* if it is empty for 24 hours, but if there is liquid in the container that stops (or

pauses) it. Therefore, if kosher food was put into a non-kosher container with liquid while the container was still *ben yomo*, the container will not become *aino ben yomo* even after 24 hours pass (as long as the liquid remains in the container). Therefore, when 24 hours of *kovush* are completed, the food becomes non-kosher since the container will not have become *aino ben yomo*.

This suggestion is stricter than *Yad Yehuda* noted above, in that it posits that even if cold liquid – which causes no transfer of *ta'am* (before 24 hours pass) – is in the container it prevents *pegimah*. Thus, those who disagree with *Yad Yehuda* would seemingly disagree with *Ma'amar Mordechai*.

Biur Halacha acknowledges that the *Poskim* cited above clearly do not agree with *Ma'amar Mordechai*, but nonetheless suggests that one be *machmir* at least *l'chatchilah*. In one location, *Mishnah Berurah* records the strict opinion but follows that with a statement that most *Poskim* are lenient. Elsewhere, *Mishnah Berurah* assumes the lenient position. *Chochmas Adam*, *Aruch HaShulchan*, and *Chazon Ish* are also lenient on this matter, ruling that a container can become *aino ben yomo* even if it is filled with liquid. It appears that the common practice is to follow this approach.



CRC POLICIES

162. A pot was last used for non-kosher food at 9:00 AM on Sunday, then was filled with cold water on Monday morning from 5:00 AM until 10:00 AM. At what time is the pot considered *aino ben yomo*?

9:00 AM on Sunday

מראה מקומות

שולחן ערוך סימן תנ"ב סעיף ב'
ביאור הלכה סימן תמ"ז סעיף ח' ד"ה אם
מאמר מרדכי סימן תמ"ז ס"ק י"ז
משנה ברורה תנ"א ס"ק קכ"ב ותמ"ז ס"ק ל"ט
חכמת אדם כלל נ"ז הלכה ט'
ערוך השולחן יו"ד סימן ק"ה ס"ק י"ג
חזון איש או"ח סימן קי"ט ס"ק ו'