



A PROJECT OF CHICAGO COMMUNITY KOLLEL

# PARSHA

# ENCOUNTERS

24 Cheshvan 5776 / Nov. 6, 2015

Parshas Chayei Sara / Rabbi Yehuda Gordon

## Not Worth the Risk

**T**he Torah goes to great lengths detailing the narrative of Eliezer, loyal servant of Avraham Avinu, choosing a wife for Yitzchak. Indeed, the *Midrash* comments that we see how precious the so-called “small talk” of the servants of the Avos is to the Torah, even more than many laws of the Torah itself, which are mentioned briefly without elaboration. This is due to the fact that no action of the Avos was trivial; these giants of men never viewed anything as insignificant, but rather understood each action’s cosmic effect.

One of the details mentioned is the oath that Avraham Avinu made Eliezer take as he embarked on his mission. Avraham’s requirement is puzzling. Eliezer, faithful servant of Avraham, was also recognized as his star pupil and disciple for many decades. Why would an oath be necessary; would not his own word suffice?

The famed Mashgiach of Mir, R’ Yeruchem Levovitz, offers the following insight. In all aspects of Torah law, we find *gezeiros d’rabbanan*, fences enacted by *Chazal* in order to distance us from *aveiros*. To *Chazal* every *aveirah* was a raging fire; proper precautions must be taken to avoid even being singed. The more one recognizes the damage of an *aveirah*, the greater the precautions one will take in order to safeguard oneself from it. Avraham Avinu was acutely aware of the danger to an even greater degree; he certainly understood what it meant to go back on one’s word. Unwilling to risk such an *aveirah*, he com-

pelled Eliezer to take an oath to ensure that he would not change one iota of his mission. Everything Avraham Avinu did was with the utmost sincerity and honesty.

As we explore these *parshiyos* of the *Avos*, we are struck by the nuances and details of their pursuit of perfection. May we too be *zocheh* to this level of dedication and *zehirus*, as a *ma’aseh avos siman l’banim*.

*Rabbi Gordon is a fulltime member of the kollel.*

**CHICAGO COMMUNITY KOLLEL**  
invites you to join us for

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NOVEMBER  
6-7TH

with  
**HARAV EPHRAIM**  
**Wachsman** שליט"א

**PROGRAM**

**This Shabbos!**

**ONEG SHABBOS - 8:00 P.M.**  
at the home of Rabbi & Mrs. David Weinschneider ~ 6122 North Sacramento

**SHACHARIS - 9:10 A.M.**  
at K'hal Ohr Yissrocher Chodorov ~ 6636 North Lincoln

**MINCHA - 3:45 P.M. FOLLOWED BY SHALOSH SEUDOS**  
at Chicago Community Kollel ~ 6506 North California  
כל רגע נוסף חיים בן יואל לב חסי"ו ע"ה מרפ"ט ש"ה ב"ה ב"ה

**MOTZEI SHABBOS - 8:30 P.M. MELAVE MALKA (FOR MEN ONLY)**  
at Congregation K'hal Chassidim ~ 6757 North Richmond

# HALACHA ENCOUNTERS

## **Tevilas Keilim -Part 2**

Rabbi Moshe Kaufman

### **Defining Utensils for Food**

**A**fter establishing that all forms of metal and glass utensils require immersion in a *mikvah* before usage, we can discuss additional conditions. Only utensils considered *klei seudah*, utensils for the meal, require *tevilah* (*Shulchan Aruch* 120:1). This category includes utensils used for the cooking, preparation, serving and eating of food. Utensils sold as merchandise would therefore be exempt. However, a utensil must meet certain qualifications in order to be defined as a *kli seudah*:

1. The utensil must come in direct contact with the food (SA 120:4). The utensil will require *tevilah* even if it is used with a baking sheet or silver foil (*Chelkas Binyomin* 34, *Tevilas Keilim* 1:4). If the utensil is merely supporting a different utensil that is touching the food, it does not need *tevilah*. Therefore, an oven and its racks would not need *tevilah*, as its normal use is to hold pots and pans, never the food directly. A *blech* or hotplate is similarly exempt, unless food is placed directly on it. Similarly, a refrigerator, even one with glass shelves, is designed to hold containers etc., and usually does not touch food directly. (Ovens and refrigerators have other considerations that are beyond the scope of this article.) There is a discussion about the requirement of drawers designated for fruits and vegetables, which do in fact touch the food directly. The *minhag* seems to be not to require *tevilah* (TK 11:10).

However, the racks of a toaster oven or grill do come in contact with food and require *tevilah*. They may be detached and immersed by themselves, without the rest of the utensil. If this is not feasible, there are Halachic solutions that will be discussed in a future article addressing electric utensils.

A cover for food, such as a cake cover, would not need *tevilah*, as it does not touch the food. However, a pot cover does require *tevilah* (*Rema* 120:5), as the food boils and steam hits the cover (*Gra*, *Aruch HaShulchan* 32). The same would apply for the metal cover of a plastic thermos.

According to this distinction, corkscrews and can openers do not need *tevilah*. R. Moshe maintained that nutcrackers do not require *tevilah* as they do not touch the actual nut, only the outer shell (*Mesores Moshe* Vol. 2). However, R. Shlomo Zalman and others argued that it does require *tevilah* because the shell is not significant enough, and it is as if the nut itself is being handled. Since the requirement is a subject of dispute, one who *tovels* should do so without a *brachah*.

2. The utensil must either come in contact with food at a stage where the food is edible (cutlery for example), or serve to render the food edible (cookware). A food processor, and other choppers and graters, while touching the food directly, do not make the food more edible. However, as these are also used for foods that are already edible, such as vegetables, they will need *tevilah*. The same applies to peelers and apple corers.

There are utensils that only handle food in its raw state, such as a bread maker or rolling pins. The ruling of the *Chachmas Adam*, based on the *Shach* (120:11), is that if it is a utensil that theoretically can be used for edible food, one should perform a *tevilah* without a *brachah*. A utensil which is only suitable for raw foods does not need *tevilah*. Therefore, the bowl for a bread machine would need *tevilah*, but rolling pins, cookie cutters or meat grinders would not. Other *Poskim* require *tevilah* without a *brachah* for all these utensils (*Taz* 7, *Gra* 14).

Utensils that are made for the sole purpose of storing food, and are not used for the actual preparation, serving, or consumption of food also require *tevilah* without a *brachah* (TK 11:16).

### **Tovelling a Utensil Being Given As a Gift**

Once one acquires a utensil that must be *toveled*, anyone may do so on the owner's behalf. However, one may not perform the *tevilah* before the obligation has started. For example, a store owner may not *tovel* his wares for customers before they have purchased them. Similarly, if one is giving a utensil to someone else as a gift, he may not *tovel* it for him beforehand. At this point, the recipient of the gift has no obligation of *tevilah*, as he has not yet received the utensil, and the current owner also has no obligation, because he did not buy it for food, only as a gift (*Minchas Shlomo* 2:66:11). However, he can allow the recipient to acquire the utensil through a third party, and then *tovel* the utensil on the new owner's behalf (TK 8:5-6). If there is a chance that the recipient will exchange the utensil, it is better not to *tovel* it for him (*ibid*).

If one is giving a utensil, such as a tray, as a gift, and he puts food on the tray as part of the gift, some say he should *tovel* it beforehand, as he himself is using it for food (see *Koveitz Halachos Purim* 15:41). One who does so should not recite a *b'racha*. Some suggest using a third party as described above (R. Shternbuch 1:452). However, when purchasing a ready-made platter, this is difficult to do. In many instances, the tray is merely a means of transporting the food to the recipient, and will be thrown out anyway. In that circumstance all agree that no *tevilah* is required. However, if the tray is meant to be kept, a solution might be to have in mind not to take ownership of the tray, thus delaying the obligation from starting until the tray is presented to the recipient of the gift.

### **Definition of a "Non-Jewish" Utensil**

*Tevilah* is only necessary when a "non-Jewish" utensil is acquired by a Jew. What is called a "non-Jewish" utensil? The *Poskim* say the definition is solely dependent on the ownership of the utensil. If the factory is owned by a Jew, even if it is made by non-Jewish workers, the utensils produced there will not need *tevilah* (*Ar"ch* 58, *Ig"m* YD 3:4, 21). If one has genuine doubts as to whether the utensil was owned by Jews or not, it still must be immersed (even glass), albeit without a *brachah* (*Igros* YD 2:40). A utensil made outside of Eretz Yisroel is assumed to have non-Jewish owners and therefore will require *tevilah* with a *brachah*.

A utensil that is shared by a Jew and non-Jew may be used without *tevilah* (*Rema* 11) The *Poskim* (*Shach* 26, *Gaon* 31 and *Darchei Teshuvah*) reason that as long as it is under ownership of a non-Jew, a *tevilah* is ineffective, as it will retain its impure status. However, once a Jew purchases a utensil from such a partnership, it requires *tevilah* with a *brachah*. Therefore, one need not be concerned that perhaps there are Jewish stockholders in the company, since the partnership is with non-Jews, the utensil needs *tevilah*. (However, based on the reasoning of the *Aruch HaShulchan* (53) a person who purchased a utensil only partially owned by a non-Jew would not recite a *brachah*.)

If the company is owned by the government, and not private individuals, it requires *tevilah*, for it is not owned by Jews (*Igros Moshe* YD 2:39). This is true even in Eretz Yisroel, because the non-Jews there are also part of the government (TK 3:21 in the name of R. S.Z. Auerbach).

*Rabbi Kaufman is a full-time member of the kollel*