YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**LAWS OF SHABBAT: COOKING**

By Rav Yosef Zvi Rimon

**Shiur #11: Congealed Sauce and Melting Sugar**

**XIII) A Solid That Becomes a Liquid**

May one heat chicken in congealed sauce?

Is one allowed to put sugar or salt in a *keli rishon* (primary vessel)?

**Congealed Sauce**

Let us consider the issue of reheating chicken. What status does the congealed sauce have? At the moment it is solid, but as the dish heats, it will become liquid.

**A Contradiction**

Rav Yosef Karo seems to hold two different positions, one as the Beit Yosef (318, s.v. *Ve-asur litten*) and the other in Shulchan Arukh (318:16), concerning heating an *infanda*, a pocket of cooked dough with fat in it. When heated, the fat melts (Mishna Berura ad loc.100). Rav Karo writes in the Beit Yosef that while the Sefer Ha-teruma forbids this because of ***nolad*** —creating a new entity on Shabbat, which is rabbinically forbidden — the Semag, Semak and Rabbeinu Yechiel of Paris allow this because this *nolad* is not being done directly. He goes on to question the latter view, based on the Talmud’s clear determination (40b) that melting hardened oil or fat is part of the prohibition of *bishul*:

We explicitly conclude in the chapter of *Kira* [chapter 3 of tractate *Shabbat*] that “oil is subject to [the prohibition of] cooking” and that “making it lukewarm is [viewed halakhically as] cooking it.”

This would indicate that the prohibition is in fact *bishul*! However, Rav Karo contradicts his view in the Beit Yosef with what he writes in Shulchan Arukh:

It is permissible to place an *infanda* near the fire in a place that is *yad soledet* (scalding), even though the fat congealed in it melts.

This teaches us that there is no prohibition of *bishul* of an *infanda*. The Acharonim suggest a number of resolutions of this contradiction, two of which we will mention:

1. TheLevush (318:16) argues that there is a scribal error; instead of “in a place that is *yad soledet*,” it should say “in a place that is **NOT** *yad soledet*.” According to this, the prohibition of *bishul* does apply to melting fat (as the Taz rules, 20).
2. The Magen Avraham (40) argues that the Beit Yosef is discussing **uncooked** fat, and therefore the act is forbidden. In Shulchan Arukh, on the other hand, Rav Karo is talking about congealed **cooked** fat, and therefore he allows it. According to this, the prohibition of *bishul* does not apply to melting congealed fat.

**Halakhic Ruling**

The Mishna Berura (100) is lenient:

The reason for allowing this is that since it is dry, even though it has cooled, [the prohibition of] cooking no longer applies to it… Even though the reality is that the fat will melt again, nevertheless it is called dry, since at the time that one puts it near the heat, it still has not melted yet.

However, the Chayei Adam (20:7) writes that one should forbid this ab initio, and one should be lenient only in **a case of need**. Nevertheless, the Mishna Berura rules, as we have said, that one may be lenient, and this is the view of the Shulchan Arukh Ha-Rav (318:27), the Chazon Ish (37:13, s.v. *Ha-rotzeh lechamem*), Rav Feinstein (*Bishul* 6) and Rav Ovadya Yosef (*Livyat Chen*, ch. 47; *Yechaveh Daat*, Vol. II, ch. 44, end).

Why are we lenient? Ultimately, one is causing a liquid that has cooled to become hot again!

**Human Action**

The simple answer is that **the act of cooking is the act of positioning the food;** since at this point the fat is solid, **this act does not involve any prohibition of cooking,** even if the ultimate result will be the cooking of a liquid. (This is dependent on the understanding of the prohibition of cooking, whether the liability is for the act of positioning the food in proximity to the heat source or for the result, but this is not the place to elaborate.) This is how Rabbi Akiva Eger explains (in his glosses on the Magen Avraham**,** 253:41), that “when one puts it by the fire it is congealed, and when it melts afterwards, one does not do anything [to cause it to melt].”[[1]](#footnote-1)

**Pouring Hot Liquids**

However, he adds that this approach is efficacious only when one puts congealed sauce next to a fire and the like; it does not help when someone **pours boiling water on congealed sauce.** In this case, the sauce becomes liquid immediately, and therefore, when the person continues to pour boiling water on it there is an act of *bishul*. Nonetheless, with Rabbi Akiva Eger’s conclusion, there is reason to be lenient even in this case, from another direction: at the point at which the sauce melts and liquefies, it is already a bit warm, and the Rema is lenient about *bishul* *achar* *bishul* (cooking a previously cooked food item) of a liquid when the liquid has not fully cooled. Yet Rabbi Akiva Eger rejects this possibility; in his view, the words of the Rema are not applicable to a cold liquid that is heated up, because once it has cooled, the concept of *bishul* has been uprooted from it (as we stated in a previous *shiur*). However, later he writes that one may allow this nevertheless, for at first the food was solid and cooked, and at the time that its status changes and it becomes liquid, it becomes hot as well, so that **there is no moment in which the original act of *bishul* executed upon it is nullified.**

**Rema: Heating Congealed Sauce Is Forbidden Due to *Nolad***

As we have said, according to the Mishna Berura and many halakhic authorities, heating an *infanda* is not a violation of *bishul*. However, the Rema writes that there is another problem — the rabbinical prohibition of *molid*, creating a new entity (*nolad*). Thus, heating such a food would be forbidden due to the creation of the sauce, which did not exist previously.

**Small Amounts**

Therefore, in practice, the Rema forbids heating up congealed fat on Shabbat. However, there is a difference between the concern for *bishul* and the concern for *molid*. The concern of *molid* exists when **the liquid created is noticeable.** From this reason, one is allowed, according to all opinions, to put **ice in a cup with liquid,** for even when the ice melts, the melted water will be indistinguishable from the rest of the beverage (we will discuss *nolad* in greater depth in a future *shiur*). According to this, indeed one should not heat congealed food that will become liquid, but one should be allowed to heat food **with a bit of congealed sauce,** because when it becomes liquid, it will not be noticeable that a new item is coming into existence; only a bit of sauce will be created around the meat or other food. The Mishna Berura (318:105) writes (speaking of the analogous *pashtida*):

Know that even according to the stringent view, it is not forbidden unless there is a great amount of fat in the *pashtida*, so that when it melts, it will flow out and it will be noticeable on its own, but if the *pashtida* does not have so much fat… one may heat up the *pashtida* according to all views, and even though the fat melts and flows from the meat, it is a small amount and allowed according to all. Similarly, one may heat on Shabbat a fatty piece of meat, even though part of it liquefies; since it is a small amount that melts, it is not significant and the action is permissible.

**Shulchan Arukh**

According to the Shulchan Arukh (318:16, 320:9), **there is no problem of *molid* at all**, and therefore Sefardim may heat up a food with congealed fat, **even if there is a great quantity of sauce**.

**Rema**

The Rema also agrees that one may be lenient **in a case of need,** and therefore when there is a need for a sick person or another important purpose, even Ashkenazim may be lenient and heat a food with a lot of congealed sauce.[[2]](#footnote-2) Ex post facto, one may be lenient in any case (Mishna Berura, 318:107).

**Halakha**

**What should one do practically?**

* Ab initio, one should take the chicken out of the sauce before Shabbat[[3]](#footnote-3) and put it in another vessel, so that it will be possible to heat it without sauce (or so that only a bit of sauce remains on it).
* If one has failed to do so, and now the food is covered with congealed fat, removing the sauce from the chicken may involve the prohibition of *borer*. In this case, **one should take the chicken out and put it in another vessel** (thereby selecting food from refuse). Indeed, congealed sauce will remain on the chicken, and it may be that a lot of sauce will liquefy, but at this time, this is a case of need, and one may be lenient. (Similarly, if one does not have another vessel, one may heat it in a *keli rishon*, because this is considered a case of need.)
* There is an additional solution for heating chicken to which congealed sauce adheres. It may that if one puts the chicken **on top of rice,** it will be permitted ab initio in terms of *molid* too. Indeed, the rice will be soaked with the sauce, **but the liquid created will not be noticeable in its own right,** and it seems that there is no concern of *molid* in this action. (Nevertheless, is preferable to mix the rice a bit with the congealed sauce.)

**Summary**

According to most authorities, there is no **prohibition of cooking** sauce that has totally congealed, even if it will, in the future, turn into a liquid due to the application of heat. This is the halakhic view of the Mishna Berura. Therefore, Sefardim may heat a dish with congealed sauce in it. However, Ashkenazim are concerned about **the prohibition of *molid***, and therefore, in their view, one cannot turn congealed sauce into liquid. However, Ashkenazim may be lenient in a number of aspects:

1. If we are talking about **a bit of congealed fat** (so that the sauce transforms it not into a soupy dish, but only into a food with a bit of liquid), there is no concern of making a solid into a liquid.
2. **When the sauce will be absorbed in another food** and it is not noticeable, for example, when chicken with congealed sauce is put on top of rice, there is no concern.
3. **In a case of need**, even when there is a lot of congealed sauce, one may be lenient.

**Ex post facto,** even if it was warmed incorrectly, it is permissible to eat it.

**Congealed Sauce or Fat**

**GRANULAR SUBSTANCES**

**Levush, Taz:** There is a problem of cooking in warming it.

Sefardim may heat up food with congealed sauce.

The **Rema** is concerned about *molid*, and therefore Ashkenazim may be lenient only **concerning a bit of congealed sauce,** in which case the creation of the liquid is not noticeable; or in any case in which the sauce **is absorbed in another food.** They may be lenient **in a case of need** or **ex post facto**.

**Most authorities:** There is no problem of cooking. (This is the halakha.)

**Uncooked Salt**

The Talmud (42b) reports:

Rav Yosef thought to rule that salt is like spices: namely, it cooks in a *keli rishon* but not in a *keli sheini*.

Abbayei told him that Rabbi Chiya taught: “Salt is not like spices, **for it cooks even in a *keli sheini***.”

Now, he differs from Rav Nachman, who said: “Salt requires as much cooking as ox flesh.”

Others state that Rabbi Chiya taught: “Salt is not like spices, **for it does not cook even in a *keli rishon*,”** and this is identical with Rav Nachman’s dictum: “Salt requires as much cooking as ox flesh.”

According to the first view, one may not put salt even into a *keli sheini*, while according to the second view, one may put it even in a *keli rishon* taken off the fire, since it requires a great deal of cooking, and it cannot be cooked except on the fire itself.

**Halakha**

Tosafot (s.v. *Ve-hainu*) rule that the halakha does follow the latter view, however, ab initio, it is worth being stringent, following the first view:

Rabbeinu Shmuel rules, because of this, that it is permissible to put salt in food on Shabbat, even in a *keli rishon* removed from the fire. Nevertheless, one who is stringent like the first view and avoids putting salt on a plate as long as it is *yad soledet bo* is praiseworthy.

In other words, one is allowed to put salt **even in a *keli rishon*;** however, ab initio, it is best to be stringent and not put it even in a *keli sheini*.

The Shulchan Arukh (318:9) writes:

A *keli rishon*, even after it has been taken off the fire, cooks as long as it is *yad soledet bo*. Therefore, it is forbidden to put spices in it, but it is permitted to put salt in it once it has been taken off the fire, for salt requires as much cooking as ox flesh.

On the other hand, the Rema (loc. cit.) adds the words of Tosafot:

There are those who forbid putting salt even in a *keli sheini* as long as it is *yad soledet bo*, and one who is stringent is praiseworthy.

**Cooked Salt and Sugar**

This debate relates to salt extracted from mines, which is not cooked. What is the law of our salt, which is extracted from saltwater and boiled during its processing?

The Magen Avraham (318:31, end) writes:

And it appears to me that cooking does not apply to the salt we make from water that is boiled, because we hold *ein bishul achar bishul*.

The Shaarei Teshuva (ad loc.28) deals with **sugar**, and he writes that one may put sugar in a *keli rishon*, as the Magen Avraham writes concerning our salt. He writes:

For the sugar has already been cooked in the house of the artisan, and *ein bishul achar bishul* for solids; even though the sugar melts, it still has the law of a solid, and one may put sugar even in a *keli rishon*.

In other words, one should forbid melting sugar in a *keli* *rishon*, since it melts and becomes liquid, and naturally it must be considered a liquid, so that it would be forbidden to cook it even if it has been cooked in the past. However, in fact, one need not be concerned about this, and one may put sugar even in a *keli rishon*.[[4]](#footnote-4)

**Mishna Berura**

The Mishna Berura (71) writes:

However, in *Yere’im Ha-shalem* (134b) the formulation is somewhat different: salt made from boiled water has no issue of cooking according to everyone, because *ein bishul achar bishul*…

Similarly, sugar may be placed, for this reason, in a *keli rishon* after it has been removed from the fire. There are those who doubt this, and ab initio, one must be careful about a *keli rishon*.

This ruling requires some explanation: why should one be careful ab initio? The Mishna Berura rules that there is no prohibition of *bishul* in **congealed sauce**, even though it turns from a mass into a liquid; this being the case, why does he write to be stringent ab initio when dissolving sugar from a solid to a liquid?

From his words in *Shaar Ha-tziyun* (95), we see another reason:

This is what is written by the Eliya Rabba concerning salt, and its prohibition is rabbinical; it is *mechzi ke-mevashel* (appears like cooking). The same applies to sugar.

In other words, one should forbid putting **salt and sugar in a *keli rishon*** because **it looks like *bishul*.**[[5]](#footnote-5)

**Halakha**

Practically, it **is best ab initio** to put sugar, salt[[6]](#footnote-6) or other cooked granular substances (such as instant coffee) **in a *keli* *sheini***. However, in a case of need, one may put them even in a *keli* *rishon* removed from the fire (but not in a *keli* *rishon* on the fire, because this violates *mechzi ke-mevashel*).

Translated by Rav Yoseif Bloch

**Putting Table Salt or Sugar in a *Keli* *Rishon***

Essentially permissible

It is good to be stringent ab initio, and to put the hot water first and only afterwards add the sugar or salt.

The salt and sugar are currently fully cooked solids, and we do not consider the fact that afterwards they may become liquids.

It is a problem of *mechzi ke-mevashel*.

Some believe that the reason for the stringency is that the salt and sugar turn into a liquid; however, we are not stringent about this.((OR: Some believe that we’re stringent because the salt and sugar...

“the reason is because” is poor English))

1. Rav S.Z. Auerbach (*Minchat Shlomo*, Vol. II, ch. 20, end) writes the same: “In our case, when it is solid, [the prohibition of] cooking does not apply to it; it is merely destined to change and take another form (and only then will the prohibition of cooking apply to it]. In a case such as this, the act is not considered to be even in the category of causation (*gerama*).” We may explain this law in other ways, but this is not the place to elaborate. [↑](#footnote-ref-1)
2. As for **using a hot plate**, the Magen Avraham (42) and Mishna Berura (106) add that one may put congealed fat in an oven that is off and have a non-Jew light it, since the Jew does not do any action with his hands. We should analyze if, in a similar way, one may allow putting sauce on a hot plate that is currently off but will be turned on by a timer later.

 This question is dependent, among other things, on this argument of the Rishonim and the Acharonim: does the prohibition proscribe only **creating *nolad* by hand,** so that one would be permitted, for example, to put ice in an empty cup so that it may melt on its own? Alternatively, is there a prohibition in any case **to arrive at the result of *nolad*,** even if this happens on its own? If so, putting ice in an empty cup would be forbidden.

 If the prohibition is only *molid* by hand, it makes sense that putting it on the inactive hot plate is not *molid* by hand, and therefore the Shevet Ha-Levi rules leniently (Vol. VII, ch. 40): one may put ice or congealed fat in a place in which “ultimately the heat of the oven will come.” On the other hand, if there is a prohibition upon any situation of bringing about *nolad*, one may say that the Magen Avraham and the Mishna Berura are lenient, in all of this, only concerning an oven being lit by a non-Jew, since before the lighting by the non-Jew, there is no meaning to putting the food inside.

 According to this, one may have a doubt concerning a hot plate that will go on via a Shabbat timer: on the one hand, there is no meaning in the meantime to putting something on the hot plate (unlike putting ice in an empty cup, which causes melting to begin immediately); on the other hand, the melting will definitely happen and does not require any further human action (unlike the case of putting food in an oven, as the oven must be lit by a non-Jew’s act).

 **In fact, it appears that if people are interested in heating a food that has on it a lot of congealed fat, one may be lenient and put it on the hot plate** (preferably, on an inverted vessel) **before the hot plate turns on,** because aside from the fact that there are Rishonim and Acharonim who are lenient about this, the Rema is lenient in a case of need, and heating this food is a Shabbat-related necessity. Admittedly, this is not a case of great need, but the Rema is talking not about a case of great need, but about a case of need in general. Many times the food is tastier when there is a bit of sauce, and it is not burnt by the continuous heat of the hot plate. (Certainly there is a tremendous need for this when removing the congealed fat is difficult and bordering on the prohibition of *borer*!) Regardless, it is worthwhile to strive to make certain that the food is mostly solid, as this would allow us to enlist the view of the **Peri Megadim** and **Minchat Kohen**, considering this dish to be solid in any case. [↑](#footnote-ref-2)
3. If we are talking about large pieces of chicken, one may take them out of the liquefied sauce even on Shabbat itself, since the chicken is not considered to be mixed in with the sauce, and there is no issue of *borer*. [↑](#footnote-ref-3)
4. Indeed, the Shaarei Teshuva adds that the Chida in his book *Machazik Berakha* writes, quoting the Zera Emet, that it is good to be stringent about this and to put sugar only in a *keli sheini*. However, if one looks at the **Zera Emet**((why bold?)) (Vol. I, ch. 39) inside, it becomes clear that the reason for the stringency is that one should be concerned that sugar is processed not by *bishul* but rather by roasting; it seems that this reason is not applicable today, because it is clear that the sugar goes through a process of cooking. (One may also see in his words an additional reason, which is very innovative and which authorities do not seem to be concerned with.) [↑](#footnote-ref-4)
5. However, RavNeuwirth (*Shemirat Shabbat Ke-hilkhatah*, ch. 1, n. 138) explains that the reason for the stringency is that we are concerned about the view that a solid that dissolves and becomes liquid is considered liquid. In fact, this reason requires some analysis, because when it comes to melting fat, the Mishna Berura is simply lenient and is not concerned about this view. Therefore, the Mishna Berura does not write that there is a concern of true *bishul*; it is only a problem of ***mechzi ke-mevashel****.*It is possible to explain that by the letter of the law, we follow the **time of placement,** and since the sugar and salt are dry at that point, there is no problem of *bishul*. Nevertheless, the Sages are stringent to follow the **results**: the sugar and salt become liquid, and it appears as if *bishul* has been performed here, as there is a problem of *bishul* for liquids in such a case.

 According to this, it would be possible to ask: why specifically are we stringent about granular substances and concerned about *mechzi ke-mevashel*, while we are not concerned about the appearance of cooking when fat melts? One may respond that salt and sugar dissolve and become liquid immediately, as opposed to fat, which melts in a slower process; or that sugar and salt dissolve fully and merge chemically with the liquid, while the fat is more dense (see *Orechot Shabbat*, ch. 1, n. 55; *Chut Shani*, Vol. II, p. 187). It is worthwhile to consider at length the distinction between sugar and salt on the one hand and melting fat on the other, but this is not the occasion to elaborate. [↑](#footnote-ref-5)
6. Regular table salt goes through a process of *bishul*, but the thicker salt, called cooking salt, generally goes through a process of evaporation and not cooking. Indeed, sometimes even regular salt only goes through evaporation, and if so, it is appropriate to put it in a *keli sheini* only.((Sounds like evaporation is less than cooking and therefore poses more of a problem of reheating, whereas in the next sentence, evaporation seems to be a mitigating factor)) However, in point of fact, it appears that in a case of need it is possible to put any salt even in a *keli rishon* (off the fire), because by the letter of the law, we rule that it is permissible to put even uncooked salt in a *keli* *rishon*, and we are stringent only ab initio, particularly if the salt has only gone through evaporation, so that the matter is considered baking, and according to most Rishonim, *ein bishul* *achar* *afiya* (there is no prohibition to cook a previously baked food item)*.* (While it is true that we are stringent about this ab initio, as we will discuss in a future *shiur*, in the case of salt, in which one may be lenient generally according to the letter of the law, it is certainly possible to be lenient in this case.) [↑](#footnote-ref-6)