YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

**LAWS OF SHABBAT: COOKING**

By Rav Yosef Zvi Rimon

**Shiur #8 — On Ladles (Part VIII) and Solid Foods (Part IX)**

**VIII) Ladle**

Is one allowed put pieces of matza in a bowl of soup?

Is one allowed to add salt and spices to a bowl of soup?

**Is a Ladle a *Keli* *Rishon* or *Keli Sheini*?**

Tosafot (*Avoda Zara* 33b, s.v. *Kinsa*) ponder whether a person can put a pan in a larger pot that is on the stove, wait until the water in it boils, and then place other vessels inside that pan in order to render them kosher. They write:

There are those who put a bowl inside a pot on the fire until the water in the bowl boils, and they use this bowl for rendering vessels kosher by immersion in boiling water. However, the Ri has his doubts as to whether this bowl is equivalent to a *keli rishon* (primary vessel) or not, and he rules stringently…

The doubt in play is whether the bowl is considered a *keli rishon*. Apparently, the reality described here is similar to the way we normally use a ladle, and if so, Tosafot must also be in doubt whether a ladle is a *keli* *rishon* or *keli sheini* (secondary vessel).

**Peri Chadash: A Ladle Is a *Keli* *Sheini***

However, the Peri Chadash (451:5) writes that the words of Tosafot prove that **a ladle is considered like a *keli* *sheini***:

Tosafot write: “There are those who put a bowl inside a pot on the fire until the water in the bowl boils… and the Ri has his doubts as to whether this bowl is equivalent to a *keli rishon* or not.” This indicates that if one [merely] draws in a vessel from the boiling cauldron, it would obviously be like a *keli* *sheini*…

Apparently, Tosafot have a doubt only if the ladle stays in the water **until the water in it boils** — this implies that if one merely inserts the ladle **and then removes it immediately**, the ladle is certainly considered a *keli* *sheini*. In addition, the Me’iri (42b) and Maharil (*Hilkhot Pesach*, cited by Magen Avraham 452:9 and Taz, see below) indicate that they believe that a ladle is considered a *keli sheini*.[[1]](#footnote-1)

**Taz: A Heated Ladle Has the Status of a *Keli Rishon***

On the other hand, the Taz (YD 92:30) writes that a ladle is clearly a *keli rishon*:

Tosafot write there that the main distinction between a *keli rishon* and a *keli sheini* is that the latter cools down because its walls are not hot, and therefore it becomes progressively cooler. This [ladle] certainly has boiling walls; after all, they have been heated by the boiling water in a *keli rishon*…

Thus, a ladle that has been inside a boiling soup pot has hot walls, and it is thus considered to be a *keli rishon*, as we have seen in a previous *shiur* is the view of Tosafot. Those who are lenient about this believe, apparently, that no vessel can be considered a *keli rishon* unless it is itself situated directly upon the fire.

**The Mishna Berura’s Contradictory View**

What is the halakhic ruling?

The Mishna Berura (318:87) writes:

It is called a *keli sheini* when they pour (*irui*) into it from a *keli rishon* in which liquids were heated… but if one draws in an empty vessel from the *keli rishon*, there are those who say that it has the status of a *keli rishon*; certainly, if the empty vessel is left in it until the water boils, this is certainly called a *keli rishon*.

Thus, there is no question if the ladle is in the pot when it boils that it is a *keli* *rishon* (i.e., that we are stringent when it comes to the discussion of Tosafot), but even if it is put in for a short while, “there are those who say that it has the status of a *keli rishon*.” In other words, there is reason to say that one should always treat a ladle stringently as a ***keli* *rishon***, even when it didn’t remain in the water for any extended length of time.

However, when discussing the concept of *bishul achar afiya* (cooking after baking, i.e., putting baked goods in boiling water), the Mishna Berura (45) also writes:

The Rema writes that one should be careful about this, and if one wants to add bread [to his soup, he] should wait until his soup is no longer *yad soledet bo* (scalding), or at least should make sure that one spoons the soup out of the pot, so that the bowl will be a *keli shelishi*.

In other words, since we are concerned about *bishul* *achar* *afiya*, one should avoid putting bread into soup, at least making sure that the soup comes from the pot (a *keli* *rishon*) via a ladle (a *keli* *sheini*) into the bowl (a *keli* *shelishi*).[[2]](#footnote-2) From here we see that the ladle is a ***keli sheini***.

**Rav Neuwirth: The Leniency for a Ladle Relates to Baked Goods**

In *Shemirat Shabbat Ke-hilkhata* (ch. 1, n. 180), Rav Neuwirth resolves the contradiction in the view of the Mishna Berura: since there is a dispute among the halakhic authorities concerning a ladle, one should be stringent generally and consider it a *keli rishon*; however, when we are talking about a case of ***bishul* *achar* *afiya***, since most authorities believe that in any case there is no prohibition of *bishul* for a baked food (we will discuss this in a later *shiur*), even though we are also stringent and concerned about the view that *yesh bishul* *achar* *afiya*, we may be lenient about the ladle and consider it a *keli* *sheini* for this issue.

Thus, Rav Neuwirth does indeed write that a ladle has the status of a *keli rishon* (op. cit. 48):

Since one puts the ladle into a *keli rishon*, particularly if it remains within the pot for some time, it has all the laws of a *keli rishon*, and therefore it is forbidden to pour the cooked food, with a ladle, upon food to which the prohibition of cooking applies.

But when it comes to *bishul achar afiya* he says that it can still be viewed as a *keli sheini* (op. cit. 59):

There is cooking after baking, roasting or frying… Thus, it is forbidden to put bread into soup or biscuits and matza into tea and the like… However, for this issue, the ladle and the spoon do not have the law of a *keli rishon*… Therefore, there is reason to be lenient and put bread in a bowl of soup that has been removed from a *keli rishon* by a ladle.

**Minchat Yitzchak: Ladle versus Plates**

Minchat Yitzchak (Vol. V, 127:3) offers an alternate way to solve the contradiction of the Mishna Berura:

It is obvious that since there is an argument if a spoon stuck in a *keli rishon* has the status of a *keli rishon*… this is a matter of halakhic doubt. Therefore, when the doubt is whether it is a *keli rishon* or *keli sheini*, he is stringent; when the doubt is whether it is a *keli sheini* or *keli shelishi*, he is lenient. This distinction is well-understood…

According to him, in the first source we mentioned (87), the Mishna Berura is discussing putting uncooked food **into the ladle**. In this case, the doubt is whether it is a ***keli* *rishon* or *sheini***; cooking in the former is biblically prohibited, and since this is a **biblical** doubt, one must be stringent about it. In the second source (45), the Mishna Berura talks about one who pours into a bowl by way of a ladle and wants to add an uncooked food **into the bowl**. Here, the doubt is whether the bowl is a ***keli* *sheini* or *shelishi***, and since the general prohibition to cook in a *keli* *sheini* is only rabbinical, this is a **rabbinical** doubt, and one may be lenient.

**Practical Halakha**

Halakhically, a ladle that remains in the pot becomes a *keli* *rishon*, and the bowl would be a *keli* *sheini*. If it is does not remain in the pot, but is only in the pot for a moment, according to the Minchat Yitzchak, the bowl is considered a *keli* *shelishi* for everything, while Rav Neuwirth sees the bowl as a *keli* *sheini*, and one may be lenient and regard it as a *keli* *shelishi* only for baked foods. It turns out that according to everyone, **one may put matza in a bowl of soup:** for when it comes to the issue of *bishul* *achar* *afiya,* the bowl is certainly considered a *keli* *shelishi* (and based on the Minchat Yitzchak, there is good reason to be lenient and put any uncooked item in a soup bowl).[[3]](#footnote-3)

**Modern Spices — One May Be Lenient**

As we saw in the previous *shiur,* there is an argument whether one is allowed to put modern spices in a *keli sheini*. However, if one moves the food from the pot to a bowl via a ladle, since according to the Minchat Yitzchak the bowl is a *keli* *shelishi* already, one may be lenient and put spices in it.

**Cold Cooked Food**

The Mishna Berura (end of 253:84) indicates that one may pour from the ladle on **a cooked liquid, even if it is cold:**

This is common practice, that one puts legumes in a bowl and pours meat sauce onto them from a *keli rishon*… Because it has not cooled totally, cooking does not apply… Now, if all of the legumes and the soup in the bowl have fully cooled, certainly one should by law be careful not to pour on them from a *keli rishon*, **but rather by using a spoon.**

Indeed, generally we are stringent that *yesh bishul* *achar* *bishul* (a cooked item can be cooked further) for a cooled liquid (we will discuss this in a future *shiur*). However, it appears that since there is a doubt concerning the status of the ladle, and in addition to the view of most Rishonim that *ein bishul* *achar* *bishul* (a cooked item cannot be cooked further) even for a cooled liquid (see loc. cit.) — we have a double doubt here, and one may be lenient (see *Shemirat Shabbat Ke-hilkhata*, ch. 1, end of n. 130).

**Ladle**

*Keli* *Rishon*

**Rav Neuwirth:** This is usually considered a *keli* *sheini*, but when it comes to putting baked goods in, it is a *keli* *shelishi*.

**Minchat Yitzchak:** For all purposes it is a *keli* *shelishi* (a case of rabbinical doubt).

*Keli* *Sheini* or *Shelishi*?

**IX) Solid Foods**

May one put ketchup on hot meat?

May one put raw salad on a plate if it touches a hot potato?

A *davar gush* (literally, massive or substantial item) is a solid food that maintains its own heat and does not depend on the heat of the walls of the vessel to do so. A liquid conforms to the shape of its container, and therefore putting it in a cool vessel causes it to lose heat, by contact with the air and by contact with the surface of the vessel. However, when we transfer, for example, a hot potato from one vessel to another, it maintains its heat: it comes in minimal contact with the air, and its surface area does not change.

Naturally, the following question arises: is there significance to transferring a *davar gush,* or should a hot potato in a *keli* *sheini* actually be considered to have the power of a *keli* *rishon*?

**The View of the Maharshal**

According to the Issur Ve-hetter (36:7) and the Maharshal (*Yam shel Shelomo*, *Pesachim*, 87, no. 44), a *davar gush* that is *yad soledet bo* is like a *keli* *rishon*, as the Shakh (YD 94:30) notes:

The view of the Issur Ve-hetter… is that even in a *keli sheini*, it is considered like a *keli rishon* as long as it is *yad soledet bo*… because it is a substantial item, and this is the view of the Maharshal… For a substantial item, such as meat and the like, which is opaque, there is no difference between a *keli rishon* and *keli sheini*, but as long as it is *yad soledet bo*, it is forbidden.

This is the ruling of both the Shakh (YD 105:8) and the Magen Avraham (318:45).

**The View of the Rema and the Gra**

On the other hand, Tosafot and the Ran indicate that a *davar gush* in a *keli* *sheini* has the status of its container (see Chatam Sofer, YD, ch. 95). This is what the Rema writes in *Darkei Moshe* (YD 105:4), and this is what arises from his glosses to Shulchan Arukh (ad loc*.* 3), as he discusses the question of a vessel imparting forbidden taste to a permitted food in it:

This is true only with the heat of a *keli rishon* — for example, immediately when one removes it from the fire, one puts it on the permitted food — but if it is already sitting in the *keli sheini*, and afterwards one puts the permitted food next to it or upon it, it does not make it forbidden at all, because a *keli sheini* does not make things forbidden.

This is also the Gra’s ruling (YD 105:17).[[4]](#footnote-4)

**The Root of the Argument**

What is the root of the argument? In an earlier *shiur* we saw two possibilities regarding the distinction between a *keli* *rishon* and *keli sheini*:

1. *Bishul* applies only in a vessel with hot walls.
2. *Bishul* does not apply to a vessel with cool walls.

According to the Maharshal and others, a *keli* *sheini* does not cook because it has cool walls, and therefore a *davar gush*, **which has no walls to cool it**, is considered a *keli rishon*; the Issur Ve-hetter (loc. cit.) says this explicitly. Another possibility is to explain that *bishul* indeed applies only when there are hot walls to maintain the temperature; however, since a *davar gush* does maintain its heat, it is considered as if **it has hot walls of its own.**

The Rema and others, on the other hand, apparently believe that *bishul* cannot occur without external hot walls, **and the *davar gush* does not have any**, making it equivalent to a *keli sheini*. Indeed, according to this view, we would apparently need to be lenient even for a *davar gush* inside a *keli rishon*, since there are no walls to maintain its heat. It may be that in such a case the *davar gush* would have the rule of a *keli rishon* because it is directly touching it.

According to this, there is then good reason to explain that a *davar gush* in a *keli sheini* shares its status, since the bottom of the vessel touches and cools down the food.

**Halakhic Ruling**

The Mishna Berura (318:45) rules stringently:

All the more so, one must be careful about the custom to put onions onto a food that is a *davar gush*. Certainly one must be careful about this, because there are those who rule that a *davar gush* in a *keli sheini* has the status of a *keli rishon*.

However, since there is some doubt, we have found cases in which the halakhic authorities are lenient for a *davar gush*. We will discuss six of them now.

**Ex Post Facto**

1. When it comes to *ma’aseh Shabbat* (a forbidden action performed on Shabbat), for example, if someone puts an uncooked food item on a *davar gush* in a *keli sheini*,ex post facto one is allowed to eat it. This is the view of the Mishna Berura (318:118):

If one removes a roast on a spit from the fire, as long as it is seething, i.e., *yad soledet bo*, it is forbidden to grease it; even if one puts it afterwards in a bowl that is a *keli sheini*, it is still forbidden, for many authorities believe that as long as a *davar gush* is *yad soledet bo*, it will cook other things, even in a *keli sheini*. In any case, ex post facto, one need not forbid when it is left in a *keli sheini*, because we rely on those who rule that a *keli sheini* does not cook in any case.

**A Cooled Liquid**

1. Rav Moshe Feinstein (OC, part IV, *bishul*, 5) combines two doubts, that of a *davar gush* and that of *bishul* *achar* *bishul* for a cooled liquid (we will discuss this in a later *shiur*) and thus allows putting **ketchup** (which is cooked while it is being processed) on **hot meat**:

Q: Is it permissible to put ketchup on Shabbat on hot meat in a *keli sheini*?

A: It seems that the rule follows the *Terumat Ha-deshen* that one may put ketchup on hot meat in a *keli sheini*… [This is because] it is a mere stringency to say that *yesh bishul achar bishul* for a liquid… and [as for] the stringency about a *davar gush*, to consider it seething even in a *keli sheini*, many dispute this, including the Rema… Therefore… one need not combine these two stringencies, even for Shabbat prohibitions.[[5]](#footnote-5)

**Fluid Dry Food**

1. The Maharshal (loc. cit.) writes that even rice[[6]](#footnote-6) is called *davar gush*, because it is dry. On the other hand, the Shakh (loc. cit.) writes that since one can spill rice, there is room to be lenient:

The view of the Maharshalis… that a *davar gush*, such as a piece of meat or fish or rice or millet, poured hot from the pot, retains the status of a *keli rishon* as long as it is *yad soledet bo*… However, certainly if the rice or millet is as smooth and fluid as a sauce, it appears that one may rely on the master [the Rema]…

***Davar Gush* with a Liquid**

1. The Peri Megadim in his *Mishbetzot Zahav* (YD 107:2) indicates that even if the *davar gush* is accompanied by sauce it still has the status of a *davar gush*. However, the Peri Megadim in *Eshel Avraham* (OC 253:32) states that since the liquid cools and acquires the status of the *keli* *sheini*, it may be that the solid in it has a similar law. This is what the Pitchei Teshuva (YD 94:7) writes:

If one pours the meat with sauce into a *keli* *sheini*, then the meat is cooled down by the sauce, which cools down and surrounds the meat on all sides.

As the concept of *davar gush* is in itself quite strict, it makes sense that one may be lenient about this, and thus cholent would not be considered a *davar gush*, as it contains liquids along with the potatoes and meat.

**Contact**

1. Seemingly, one must be careful not to let uncooked items, such as a salad, come in contact with a hot *davar gush* on one’s plate, such as potatoes, kugel or chicken, as these foods are considered to have the status of a *keli rishon*, so naturally it would be forbidden for an uncooked item to come in contact with it.

However, Rav S.Z. Auerbachbelieves (as cited in *Meor Ha-Shabbat*, Vol. I, p. 263) that there is no reason to be stringent about this, since the entire issue of a *davar gush* is subject to a dispute, and therefore one may factor in a number of reasons to be lenient: the person does not intend to cook and gains no benefit from it, the *bishul* is caused incidentally and it may be classified as *mitasek* (an act performed while preoccupied), and the vegetables do not improve — they are actually damaged. His son Rav Shmuel Auerbach adds (cited in *Orechot Shabbat*, ch. 1, n. 144) that the essential heat of the *davar gush* is inside it, while the outer envelope of it is exposed to air and cools during the transfer to a *keli sheini*, and therefore one should not be stringent about the minor contact of an uncooked food with the outer layer of the *davar gush*.

**Sprinkling Salt**

1. The authorities are lenient about **sprinkling salt on a *davar gush***, as we shall see (in a future *shiur*).

**Substantial Item**

**Mishna Berura:** One should be stringent because of this view and not put an uncooked item on top of a hot *davar gush*, even if it is in a *keli* *sheini*.

We may enlist this view to be lenient in various cases:

1. After the fact, the food is not forbidden.
2. A cooled liquid may be put on a *davar gush* ab initio.
3. A solid that is pourable, such as rice, is not considered a *davar gush*, nor is a *davar gush* in sauce.
4. One need not be stringent about the minor contact of a *davar gush* with other uncooked foods on a plate.

**Issur Ve-hetter, Maharshal:** It is considered a *keli* *rishon* even if it is in a *keli* *sheini*, since it does not touch the walls of the vessel, and there is no great significance to transferring it from one vessel to another.

**Rema, Gra**: When it is in a *keli* *sheini*, it has the status of a *keli* *sheini*, since it touches the *keli* *sheini* on the bottom, and it has no walls to keep in its heat.

1. The **Chazon Ish** (122:3, s.v. *Seder*) introduces an innovation that is quite strict: according to him, even those who are lenient do not consider the ladle a *keli sheini* unless it is put in the pot **after the pot has been taken off the fire;** however, if one removes food with a ladle while the pot is on the fire, according to everyone, the ladle is considered a *keli rishon*. [↑](#footnote-ref-1)
2. It may be that the terminology “at least” (*le-chol ha-pachot*)indicates his concern that the ladle may in fact be a *keli* *rishon*. [↑](#footnote-ref-2)
3. As for **soup nuts and croutons** (as we will discuss in a future *shiur*): since they are deep-fried, they are considered cooked, and one is allowed to put them even in a *keli rishon* removed from the flame. [↑](#footnote-ref-3)
4. Beyond this, there are Acharonim (Peri Megadim, *Mishbetzot Zahav*, YD 94:14; *Nishmat Adam* 20:3; *Beit Meir* ch. 318, end; et al.) who believe that the Maharshal’s view is that a *davar gush* can’t heat other foods, it can only cause the absorption of taste, which is relevant to the separation of meat and dairy and the like, and it might be that he concedes that the prohibition of *bishul* is not an issue here. [↑](#footnote-ref-4)
5. In *Shemirat Shabbat Ke-hilkhata* (1:58), Rav Neuwirth disputes this and forbids pouring cold soup on a piece of hot meat on a [non-*keli rishon*] plate. However, he later allows putting ketchup on a hot potato, and he notes that the source of this law is the *Iggerot Moshe*. This is striking, because Rav Feinstein holds that one should also allow pouring cold soup on hot meat on a [non-*keli rishon*]plate! In the newer edition of *Shemirat Shabbat Ke-hilkhata* (5770, ch. 1, n. 200), Rav Neuwirth goes further, writing in the name of Rav S.Z. Auerbach, that indeed he does **not** believe that one may be generally lenient by pouring a cooled liquid on a *davar gush*, as Rav Feinstein writes; however, when it comes to ketchup he believes that one may be more lenient, either because the ketchup, unlike the soup, does not taste better when it is warm, so heating does not improve it; or because the ketchup is viscous, so that it may be considered a solid rather than a liquid (see *Meor Ha-Shabbat*, Vol. I, pp. 450-451). [↑](#footnote-ref-5)
6. The surface area of the rice does not change as one transfers it from one vessel to another, unlike a liquid; however, there is contact with the air from many directions. Therefore, it cools down more than a regular solid, but less than a liquid. [↑](#footnote-ref-6)