

SHE'AILOS U'TESHUVOS

by Rabbi Doniel Neustadt

QUESTION: What is the kashrus status of onions that were diced with a clean, fleishig knife?

DISCUSSION: The onions, to a certain degree, are considered as if they are fleishig themselves, even if the knife was not in contact with meat within the previous twenty-four hours. Consequently:

- * The onions may not be eaten together with dairy foods.(1)
- * The onions may not be cooked or baked together with parve foods in dairy utensils.
- * After eating the onions, one does not become fleishig. There is no need, therefore, to wait before eating dairy foods.(2) [Even if the knife used to cut the onions was not completely free of meat or fat residue at the time that the onions were diced, one need not wait between eating the onions and eating dairy.(3)]

Note: Although one need not wait between eating "fleishig onions" and eating dairy, according to some poskim, one does have to wait (six hours (4)) between eating fleishig and eating dairy onions, i.e., onions that were diced with a dairy knife.(5) Other poskim, however, disagree and hold that one need not wait between eating fleishig and "dairy onions".(6)

QUESTION: If onions that were diced with a fleishig knife were inadvertently cooked with dairy foods or utensils, must the food be thrown away?

DISCUSSION: Not necessarily. Some poskim maintain that if the knife that diced the onions was not used within the previous twenty-four hours with hot meat, then b'diavad the mixture is permitted to be eaten.(7) Since not all poskim agree with this leniency,(8) a rav must be consulted.

QUESTION: What is the kashrus status of a parve blender in which onions that were diced with a clean, fleishig knife were blended - does the blender become fleishig or does it remain parve?

DISCUSSION: The poskim are divided in their opinion. Some hold that the blender is considered fleishig, since the onions - which became fleishig when they were diced - transfer the "meaty taste" which they absorbed, into the blender.(9) Other poskim, however, disagree. Although they, too, agree that the onions themselves are considered fleishig, they hold that the onions are not able to transfer a "meaty taste" into the blender; the blender, therefore, remains parve.(10)

In deference to the more stringent opinions, one should avoid placing "meaty onions" in a parve blender. But the basic halachah follows the more lenient opinion that the blender remains parve.(11)

QUESTION: If one finished eating, forgot to bentch, and left the premises, must he return to where he ate in order to recite birkas ha-mazon?

DISCUSSION: If, by the time he remembers to bentch, the food has already started to become digested, i.e., he no longer feels full,⁽¹²⁾ then he can no longer recite birkas ha-mazon.

But one who remembers to bentch before the food has begun to be digested is obligated to bentch even though he is no longer at the premises where he ate. The Rishonim, however, disagree on whether or not the halachah requires him to return to where he ate in order to bentch, or whether he may bentch at his present location. Whenever possible, therefore, one should make every effort to quickly return to the place where he ate and bentch [even if this will cause him to miss tefilah b'tzibur⁽¹³⁾]. But under extenuating circumstances one may rely on the lenient opinions and bentch wherever he finds himself at the time he remembered to bentch.⁽¹⁴⁾

There are two exceptions to the above rule:

* If, by the time he will return to the place where he ate, more than 72 minutes will have passed from the time he finished eating, he should bentch immediately and not go back.⁽¹⁵⁾

* If there is bread available at the place where he presently finds himself, he need not return to the place where he ate originally. Instead, he should wash his hands [without reciting al netilas yadayim⁽¹⁶⁾], recite ha-motzi,⁽¹⁷⁾ eat [at least] a small amount of bread¹⁸ and then recite birkas ha-mazon.

QUESTION: If one finished eating cake [or any other mezonos foods] or wine or fruits of shiva'as ha-minim, forgot to recite Al ha-Michyah, etc., and left the premises, must he return to where he ate in order to recite Al ha- Michyah, etc.?

DISCUSSION: If he can return to where he ate without undue delay, he should do so. Otherwise, he may be lenient and recite Al ha-Michyah in his present location.⁽¹⁹⁾

However, when one eats foods whose berachah acharonah is borei nefashos, he need not return to where he ate if he left without reciting a berachah acharonah;⁽²⁰⁾ he recites borei nefashos at his present location.

QUESTION: Is it permitted for a physician or a nurse to accept remuneration for medical services rendered on Shabbos [or Yom Tov]?

DISCUSSION: Generally speaking, one is not allowed to receive payment for work performed specifically on Shabbos, even if no Shabbos Labors were violated in the performance of the work. Thus it is forbidden to pay a baby sitter or a waiter who is hired for Shabbos only, since they are receiving remuneration for work performed on Shabbos. This prohibition, known as sechar Shabbos, is part of the general rabbinic prohibition against conducting business transactions on Shabbos.⁽²¹⁾

But many poskim maintain that a health-care provider is different from a baby sitter or a waiter and is

permitted to receive compensation for medical services which he performed on Shabbos. Two basic reasons are posited for this distinction:

* Some poskim hold that the prohibition of sechar Shabbos is lifted when a mitzvah is performed. Since it is certainly a mitzvah to heal the sick, the prohibition of sechar Shabbos does not apply.

* Some poskim suggest that the reason we permit Shabbos pay for a health-care provider is so that he will not hesitate to see patients on future Shabbosos and thereby possibly endanger their lives.(22)

While one may rely on this ruling, it is not accepted by all poskim. (23) Moreover, the poskim agree that money earned from Shabbos services, even when performed for the sake of a mitzvah, does not bring one a siman berachah, a "sign of blessing." (24) Thus the recommended method [according to all views] for a health-care provider to collect Shabbos pay is to schedule a follow-up visit after Shabbos, and then bill the patient in one lump sum. This is based on the ruling of the Shulchan Aruch(25) that it is permitted to accept Shabbos payment when it is included [lit: swallowed up with] in the payment for a service rendered on a weekday.

FOOTNOTES:

1 Y.D. 96:2.

2 Rama Y.D. 89:3, as explained by Rav Akiva Eiger.

3 Shach Y.D. 89:19, and quoted by Chochmas Adam 40:13; Aruch ha-Shulchan 89:13 and Darkei Teshuvah 89:42.

4 Or however many hours it is his custom to wait.

5 Peri Megadim O.C. 494:6, quoted in Badei ha-Shulchan 89:90.

6 See Darkei Teshuvah Y.D. 89:42, who quotes several poskim who are lenient, particularly if the knife was not used for hot dairy within the previous twenty-four hours. Harav Y.S. Elyashiv is quoted (ha-Kashrus 10, note 320) as ruling leniently on this issue.

7 Beis Meir Y.D. 96:3. Often this leniency can be relied upon even if some meat or fat residue remained on the knife, since in all probability it will be bateil b'shishim.

8 Peri Megadim and Chochmas Adam, quoted in Badei ha-Shulchan 96:58.

9 Magen Avraham O.C. 451:31 and Peri Megadim, quoted by Mishnah Berurah 451:90.

10 Even ha-Ozer, Chavas Da'as and Rav Akiva Eiger, quoted in Badei ha-Shulchan 96:56 and in Piskei Teshuvos 451:41.

11 Sefer Davar Charif 4, note 3, quoting contemporary poskim.

12 Although many poskim mention 72 minutes as the time when digestion begins, in reality, this time frame depends on each individual's digestive system and on the amount of food that he ate. Thus a better method to determine the onset of digestion is when one no longer feels full from the previous meal and is ready to eat again.

13 Harav C. Kanievsky; She'alas Rav, pg. 276.

14 Mishnah Berurah 184:7.

15 Mishnah Berurah 184:3.

16 Beur Halachah 178:2, s.v. tzarich.

17 Beur Halachah 178:2. s.v. im heisiach.

18 Even if it is less than a k'zayis; Mishnah Berurah 184:9.

19 Based on Aruch ha-Shulchan 184:3.

20 But l'chatchilah he should not leave the location where he ate until after reciting borei nefashos; Mishnah Berurah 178:36.

21 O.C. 306:4.

22 Minchas Shabbos 90:19.

23 See Aruch ha-Shulchan 306:11-12 who rejects the view that sechar Shabbos is permitted for the sake of a mitzvah. See also Teshuvos Chasam Sofer C.M. 194 who rules that money earned from healing a non-Jew on Shabbos must be donated to charity. See also Sisri Umagini 15:2 who writes that conscientious physicians will not refuse to see a patient whether or not they receive payment.

24 O.C. 585:5; Mishnah Berurah 306:23. See Har Tzvi O.C. 204 who applies this principle in regard to medical services as well.

25 O.C. 306:4. See Tzitz Eliezer 8:15-13.

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