The Kornitzer Family Edition

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לרבינו הגאון

רבי יחיאל מיכל הלוי אפשטיין זצ"ל

אב בית דין נאווהרדק

יורה דעה

הלכות איסור והיתר

סימנים קי"א–קכ"ב · כרך ג'

Aruch HaShulchan

by Rabbi Yechiel Michel HaLevi Epstein

Av Beis Din of Novardok (1829–1908)

Issur v'Heter — Vol. 3 — Yoreh De'ah 111–122

With interlinear translation, comparative halachah
from classical and modern poskim
and a practical summary of every siman

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A NOTE ON METHODOLOGY

The Nature of this Work

This volume presents an original English elucidation and commentary, prepared through a combination of advanced language and translation technology and experienced human editorial oversight. The methods employed were carefully configured to adhere to Orthodox Jewish *hashkafa* and to preserve fidelity to the original Hebrew text, and portions of the work were reviewed by an experienced translator and editor of Torah literature. Even so, this edition does not carry the authority of a translation prepared and certified by a full team of rabbinic scholars.

Usage and Limitations

This translation is intended as a tool to help advanced learners access the depth of the original work. It is **not** intended to replace the original Hebrew source, nor to serve as a substitute for study under a qualified teacher.

Because the nuance of Torah study often transcends any single method of preparation, we ask the reader to keep two things in mind:

1. **Verification:** Any novel insight, ruling, or conclusion drawn from this translation should be checked against the original Hebrew.
2. **Consultation:** All practical questions or derived lessons should be discussed with and verified by a qualified rabbinic authority before being relied upon.

The goal of this edition is to make these teachings accessible to a wider audience, but the responsibility for accurate understanding and practical application remains with the reader.

BS"D

This volume of the Kornitzer Edition of the *Aruch HaShulchan*—presenting the original Hebrew text together with a faithful English translation and practical *Piskei Dinim*—is dedicated to the eternal memory of

Frida bas Tziyon Hasis z"l
Rochel bas Michoel Kahalon z"l

and

Eliyahu ben Amos Kahalon z"l**,**

the beloved grandparents of Mrs. Reut Kornitzer, and the cherished great-grandparents of Yosef Yitzchak, Uriel, Yoav Alexander, and Eidel Rose Kornitzer.

Authored by Rabbi Yechiel Michel Epstein (1829–1908), the *Aruch HaShulchan* stands among the greatest codifications of *halachah*, uniquely weaving together the teachings of the *Talmud*, the *Rishonim*, the *Shulchan Aruch*, and later authorities into a clear and living guide for Jewish practice. Combining extraordinary breadth of scholarship with remarkable practical wisdom, it has served for generations as a trusted companion for *rabbanim*, *dayanim*, and students of Torah, illuminating not only the principles of *halachah* but their faithful application in everyday life.

It is our hope that this Kornitzer Edition, through its faithful translation and carefully organized *Piskei Dinim*, will enable even more students of Torah to appreciate the depth, clarity, and practical guidance of this timeless work, thereby strengthening the study and observance of *halachah* in homes and communities throughout the world.

May the merit of learning this *sefer* serve as an everlasting *zechus* for the *neshamos* of Frida bas Tziyon Hasis z"l, Rochel bas Michoel Kahalon z"l, and Eliyahu ben Amos Kahalon z"l, whose lives continue to inspire their family through enduring examples of faith, kindness, and devotion.

May this effort also serve, in some small measure, toward fulfilling the longing so often expressed by the Lubavitcher Rebbe—that through the ever-increasing dissemination of Torah, illuminated and made accessible to every Jew, we hasten the true and complete *Geulah*. Then we will once again be reunited with our loved ones and merit to learn Torah from the great sages of every generation, speedily in our days, with the coming of *Moshiach*, ממש.

אֲכִילָתָן הֵיא ע"י צְלִי וּבִישׁוּל אִם צָלַאן וּבִשְׁלָן עַכּוּ"ם מֻתָּרִים — But nevertheless hard pears and apples, even though most of their eating is by roasting and cooking, if a non-Jew roasted or cooked them they are permitted, דמ"מ נֶאֱכָלִין ג"כ חַיִּין וְעוֹד שֶׁרוֹב עִיקַּר אֲכִילָתָן חַי [שָׁם סקי"ט בְּשֵׁם או"ה] — for they are nevertheless also eaten raw, and moreover most of their primary eating is raw (there note 19 in the name of Issur V'Heter). [וְאִיתָא בגמ' דְּתוּמֵי וּכְרֵתִי נֶאֱכָלִין חַיִּין [בְּרָכוֹת ל"ח:] — And it states in the Gemara that garlic and leeks are eaten raw (Berachos 38b), וְכֵן קַפְּרִיסִין וְקַפְלוֹטוֹת [עַכּוּ"ם ל"ח:] — and likewise capers and porret-leeks (Avodah Zarah 38b). וְלֶפֶת אַף שֶׁיֵּשׁ שֶׁאוֹכְלִין אוֹתָהּ חַי בָּטְלָה דַּעְתָּן וְיֵשׁ בָּהֶם מִשּׁוּם בִּישׁוּלֵי עַכּוּ"ם [פר"ח סקכ"ד] וכמ"ש בְּסָעִיף ט"ו ע"ש — And turnips, even though there are those who eat them raw, their opinion is nullified, and they have [the prohibition of] *bishul akum* (Pri Chadash note 24), as written in seif 15, see there. וְאוֹרֶז עוֹלֶה עַל שֻׁלְחַן מְלָכִים וְדוֹחַן שֶׁקּוֹרִין הִיר"ז יֵשׁ מִי שֶׁאוֹמֵר דְּאֵינוֹ עוֹלֶה עש"מ וּמֻתָּרֶת [חכ"א שָׁם] — And rice comes up on the table of kings, and millet, called *hirz*, there is one who says it does not come up on the table of kings and it is permitted (Chochmas Adam there). וֶאֱגוֹזִים שְׁלֵמִים שֶׁמְּבַשְּׁלִים הָעַכּוּ"ם בִּכְלֵיהֶם מֻתָּרִים דְּאֵינָם עוֹלִים עש"מ — And whole nuts that non-Jews cook in their vessels are permitted, for they do not come up on the table of kings; אֲבָל אֱגוֹזִים גְּדוֹלִים שֶׁמְּרַקְּחִים בְּקִלִּיפָתָן הַמָּרָה אֲסוּרִין דְּאֵין נֶאֱכָלִין חַיִּין וְעוֹלִין עש"מ [מָרְדְּכַי פא"מ] — but large nuts that are preserved in their bitter shell are forbidden, for they are not eaten raw and they come up on the table of kings (Mordechai, Perek Ein Ma'amidin); וְלֹא יָדַעְתִּי מָה זֶּה כִּי בִּמְדִינָתֵינוּ לֹא נִמְצָא מִין זֶה וֶאֱגוֹזִים שְׁלֵימִים נִקְרָא שטעכי"ל נו"ס [שָׁם סק"ג] — and I do not know what this is, for in our country this species is not found, and whole nuts are called *shtechel-nuss* (Shach note 3). וּכְשֶׁמְּרַתִּיחִין קֶמַח עַל הַמַּחֲבַת עִם אֵיזֶה מַשְׁקֶה אִם הַקֶּמַח עִיקָּר שֶׁמְּבָרְכִין עָלֶיהָ במ"מ אָסוּר מִשּׁוּם בִּישׁוּלֵי עַכּוּ"ם — And when they boil flour on a pan with some liquid, if the flour is the essence, so that one blesses *borei minei mezonos* on it, it is forbidden due to *bishul akum*; וְאִם הַקֶּמַח הוּא לְדַבֵּק בְּעָלְמָא בְּאוֹפֶן שֶׁמְּבָרְכִין עַל זֶה שֶׁהַכֹּל אֵין בּוֹ מִשּׁוּם בִּישׁוּלֵי עַכּוּ"ם — and if the flour is merely for binding, in a manner that one blesses *shehakol* on it, it has no [prohibition] of *bishul akum*. וְלָכֵן כָּל מִינֵי צוקערקע"ס מֻתָּר לְאָכְלָן אֲפִילּוּ אוֹתָן שֶׁיֵּשׁ בָּהֶן קֶמַח מְעַט דְּאֵינוֹ אֶלָּא לְדַבֵּק בְּעָלְמָא — And therefore all kinds of sugar-cakes (*tzukerkes*) are permitted to eat, even those that have a little flour in them, for it is only for binding; וְכֵן כָּל מִינֵי קאנדיטערסק"י מֻתָּרִין בַּאֲכִילָה — and likewise all kinds of confectionery (*konditerski*) are permitted to eat.

LATER AUTHORITIES

Does jam made from cooked citrus peels have bishul akum?

SOURCES ***Poskim uTeshuvot*** YD 113 os ד

Poskim uTeshuvot forbids jam made from citrus peels cooked by a non-Jew because the peel is not normally eaten raw and each edible part of a fruit is judged on its own. This does not describe ordinary jam whose principal ingredients are raw-edible fruit pulp and sweeteners, which the same work generally permits. The controlling question is which part is being cooked and whether that part is normally eaten raw.

LATER AUTHORITIES

May a soft-boiled egg cooked by a non-Jew be eaten?

Sources **R' Ben-Zion Uziel**, Mishpetei Uziel IX, YD 19

R' Ben-Zion Uziel forbids an egg that a non-Jew left briefly in boiling water even when it is only soft-boiled, and all the more so an egg roasted by a non-Jew. Although an egg can technically be swallowed raw, that is eating only with extreme difficulty and does not make it raw-edible for this decree. His ruling here addresses the non-Jew's cooking itself; the separate rules governing a Jew who later completes partial cooking must be assessed independently.

LATER AUTHORITIES

May a traveler cook eggs in a non-Jew's pot?

Sources **R' Ben-Zion Uziel**, Mishpetei Uziel IX, YD 19

When a traveler cannot obtain eggs cooked by a Jew, **R' Ben-Zion Uziel** instructs him to place raw eggs himself into boiling water, either in his own pot or in a non-Jew's pot. The Jew's own placement supplies the Jewish cooking act, and in this need-based case an unspecified non-Jewish pot is presumed not *ben yomo*. The ruling does not replace the ordinary kashering requirement for a pot known to have absorbed *bishul akum*, nor does it permit a pot known to contain prohibited absorbed taste.

§20 שֻׁמָּן שֶׁל בָּשָׂר אוֹ שֶׁל עוֹפוֹת אִם עֲדַיִין לֹא נִטְגְּנוּ יֵשׁ בָּהֶם מִשּׁוּם בִּישּׁוּלֵי עַכּוּ"ם — **Fat of meat or of fowl, if it has not yet been rendered, has [the prohibition of] *bishul akum*;** אֲבָל כְּשֶׁכְּבָר נִטְגְּנוּ וְנִתְקַשּׁוּ וְהִתִּיכָן הַכּוּתִי אֵין בָּזֶה מִשּׁוּם בִּישּׁוּלֵי עַכּוּ"ם דְּאֵין בִּישּׁוּל אַחַר בִּישּׁוּל — **but when it has already been rendered and hardened, and the non-Jew melted it, there is no [prohibition] of *bishul akum*, for there is no cooking after cooking;** וְכֵן שֻׁמַּן דָּגִים [שָׁ"ך סק"ה] — **and likewise fish fat (Shach note 5).** וְכָל מִינֵי שְׁמָנִים בֵּין שֶׁמֶן זַיִת אוֹ שֶׁמֶן שְׁוּמְשְׁמִים אוֹ שֶׁמֶן מִזֶּרַע פִּשְׁתָּן אוֹ שֶׁמֶן קאנאפליאוו"א שֶׁקּוֹרִין אֵלַיי אוֹ שֶׁל שׁוֹשַׁנִּים שֶׁקּוֹרִין רייזי"ן איי"ל אוֹ פאצאנעסנ"א מאסל"א כּוּלָּן נֶאֱכָלִין חַיִּין וְאֵין בָּהֶם מִשּׁוּם בִּישּׁוּלֵי עַכּוּ"ם — **And all kinds of oils, whether olive oil, sesame oil, flaxseed oil, or hemp oil (*kanaplyova*) called *ölei*, or of roses called *reizen-eil*, or *patsanesna-masla* — all of them are eaten raw and have no [prohibition] of *bishul akum*.**

§21 פאנאד"א אוֹ פשטיד"א שֶׁאֲפָאָהּ עַכּוּ"ם אֲסוּרָה אֲפִילּוּ בְּמָקוֹם שֶׁנּוֹהֲגִים הֶיתֵּר בְּפַת שֶׁל עַכּוּ"ם — **A *panada* or *pashtida* (a meat pastry) that a non-Jew baked is forbidden, even in a place where they customarily permit the bread of non-Jews;** נֶאֱסַר מִפְּנֵי הַשֻּׁמָּן הַנִּבְלָע בּוֹ שֶׁנֶּאֱסַר כְּשֶׁהוּא בְּעַיִן מִפְּנֵי בִּישּׁוּלֵי עַכּוּ"ם — **it is forbidden because of the fat absorbed in it, which is forbidden when it is in its own form because of *bishul akum*.** וְאַע"ג דְּהַקֶּמַח עִיקָּר וְלָמָּה לֹא יִתְבַּטֵּל הַשֻּׁמָּן לְהַקֶּמַח מִפְּנֵי שֶׁהַשֻּׁמָּן נִרְאֶה וְנִיכָּר לָעַיִן בְּתוֹךְ הָעִיסָּה — **And although the flour is the essence, and why should the fat not be nullified to the flour — because the fat is seen and recognizable to the eye within the dough,** וְלָא דָּמֵי לְבֵצִים שֶׁבְּסִי' קי"ב סָעִיף כ' ע"ש — **and it is not similar to the eggs [in bread] in siman 112 seif 20, see there.** וְלָכֵן אִם מִפְּנֵי הַשֻּׁמָּן אֵין כָּאן אִיסּוּר כְּגוֹן שֶׁהָיָה כְּבָר מְהוּתָּךְ וּמְטֻגָּן וְאֵין בִּישּׁוּל אַחַר בִּישּׁוּל מְתֻּר — **And therefore, if there is no prohibition on account of the fat — for example, if it had already been melted and fried, and there is no cooking after cooking — it is permitted.** כֵּן הַדִּין בִּירָקוֹת וּפֵירוֹת הַנֶּאֱכָלִים חַיִּים שֶׁבִּשְּׁלָן עִם בָּשָׂר אֲסוּרִים מִפְּנֵי שֶׁהַשֻּׁמָּן שֶׁל בָּשָׂר נִבְלָע בָּהֶם וְנִרְאֶה וְנִיכָּר לָעַיִן וְלָא בְּטֵיל — **So too the law with**

vegetables and fruits eaten raw that one cooked with meat — they are forbidden, because the fat of the meat is absorbed in them and is seen and recognizable to the eye and is not nullified. [וּמַיְירֵי בְּשָׁמְנָן וּבָשָׂר כָּשֵׁר] וְדִין זֶה כָּתְבוּ הָרַשְׁבָּ"א וְהַטּוּר וְהש"ע סְעִיף ג' — (And it is speaking of kosher fat and meat.) And this law was written by the Rashba and the Tur and Shulchan Aruch seif 3.

LATER AUTHORITIES

When does a compote cooked by a non-Jew become forbidden?

SOURCES ***Poskim uTeshuvot*** YD 113 os 7

If raw-edible fruit is combined before cooking with a non-raw-edible ingredient that is truly secondary and no longer discernible, ***Poskim uTeshuvot*** follows the *ikar-tafel* rules used for *berachos* and permits the mixture even *lechatchilah*. But recognizable pieces do not disappear into the principal ingredient. A compote containing identifiable pieces of fruit that is not eaten raw is therefore forbidden when cooked by a non-Jew, even if most of the compote consists of raw-edible fruit.

§22 וְיָדַע דִּיֵּשׁ לִי בְּדִין זֶה שְׁאֵלָה גְּדוֹלָה — And know, that I have a great question on this law. וְהַרֵי כָּל רַבּוֹתֵינוּ כָּתְבוּ דְּלָכֵן אֵין בְּשֵׂכָר מִשּׁוּם בִּישּׁוּלֵי עַכּוּ"ם דְּכְמוֹ דְּהַתְּבוּאָה בְּטֵילָה לְהַמַּיִם לְעִנְיַן בָּרָכָה דְּמָבָרְכִינַן עָלֶיהָ שֶׁהַכֹּל ה"נ בְּטֵילָה הִיא לְגַבֵּי אִיסּוּר בִּישּׁוּלֵי עַכּוּ"ם [תוס' פא"מ ל"א: וְרֹא"שׁ שָׁם] — For all our teachers wrote that therefore beer (*shechar*) has no [prohibition] of *bishul akum*, for just as the grain is nullified to the water regarding the blessing, that we bless *shehakol* on it, so too it is nullified regarding the prohibition of *bishul akum* (Tosafos Perek Ein Ma'amidin 31b and Rosh there), וְהַרֵי אֵין לְךָ נִיכָּר מִזֶּה וְהַכֹּל רוֹאִים שֶׁיֵּשׁ שְׁעוֹרִים בְּחִטִּים — and yet there is nothing more recognizable than this, and everyone sees that there is barley grain in it. וא"כ מִי עָדִיף הַשְּׁמָן שבהפנאד"א מֵהַשְּׁעוֹרִים שֶׁבְּתוֹךְ הַשֵּׂכָר — And if so, why is the fat in the *panada* more strict than the barley within the beer? וְעוֹד כֵּיוָן שֶׁבִּשְׁכַר כָּתְבוּ הַטַּעַם מִשּׁוּם בְּרָכָה הָא גַּם בפנאד"א בָּטֵל הַשְּׁמָן לְהָעִיסָּה לְגַבֵּי בְּרָכָה וּמְבָרְכִינַן עָלָהּ במ"מ — And further, since regarding beer they wrote the reason as being the blessing, behold also in the *panada* the fat is nullified to the dough regarding the blessing, and we bless *borei minei mezonos* on it. וְכֵן חֲרֵי אָנוּ שׁוֹתִים הַטֵּיי בְּבָתֵּיהֶם מִפְּנֵי שֶׁעֲשָׂב הַטֵּיי בָּטֵל לְגַבֵּי הַמַּיִם — And likewise we drink tea in their houses because the tea-leaf is nullified relative to the water, וְכֵן מֻתָּר לִשְׁתּוֹת קאוו"א ושאקאלאד"א בְּלֹא חָלָב מִפְּנֵי שֶׁבָּטֵל לְהַמַּיִם וְאֵין לְךָ נִיכָּר גָּדוֹל מִזֶּה — and likewise it is permitted to drink coffee (*kava*) and chocolate (*shakalada*) without milk because it is nullified to the water, and there is nothing more recognizable than this. [כ"כ הפר"ח בְּהֵיתֵּר הקאווא וְהַשַּׁאקַאלַאדָּא בְּסִי' קי"ב סקי"ב סקי"ז וכ"פ בְּתַשּׁוּ' בְּאֵר עֵשֶׁק סִי' ק"ה דְּגַם מִמִּנְהַג קְדוֹשִׁים מֻתָּר ע"ש וכ"כ הנאה"ט ר"ס קי"ד וְלֵית מַאן דְּחָשׁ לָהּ למ"ש הפמ"א בח"ב סִי' ס"ב הֶבְיאוֹ הפ"ת שָׁם ודו"ק] — (So wrote the Pri Chadash regarding permitting coffee and chocolate in siman 112 notes 12 and 17, and so ruled in the responsum Be'er Eishek siman 105, that even by the custom of holy ones it is permitted, see there, and so wrote the Be'er Heitev at the beginning of siman 114, and there is no one who is concerned about what the Panim Me'iros wrote in part 2 siman 62, cited by the Pischei Teshuva there, and understand this.)

LATER AUTHORITIES

May water boiled by a non-Jew be drunk?

Sources ***Shevet HaLevi*** 10:125

Water is ordinarily outside *bishul akum* because it can be drunk without cooking. The ***Shevet HaLevi*** remains lenient even in a place where people avoid unboiled water because of danger, stating that several grounds support the permission. This is his conclusion for water based on those combined grounds; it should not be generalized into a rule permitting every liquid that becomes safe only through heat.

§23 וְהַתְּשׁוּבָה לָזֶה דְּלָא דָּמֵי אֲכִילָה לִשְׁתִיָּה — And the answer to this is that eating is not comparable to drinking, דְּהַטְּעָמִים שֶׁנִּתְבָּאֲרוּ טַעַם הַבִּיטּוּל וְטַעַם הַבְּרָכָה אֵינוֹ מוֹעִיל אֶלָּא בִּשְׁינוּי הַדָּבָר מֵעִיקָּרוֹ כְּמוֹ בְּשֵׂכָר וְטֵי וקאווא שֶׁמְּשַׁנֶּה מֵאֲכִילָה לִשְׁתִיָּה — for the reasons that were explained — the reason of nullification and the reason of the blessing — help only with a change of the thing from its essence, like with beer, tea, and coffee, which change from eating to drinking; משא"כ הפנאד"א הוּא דְּבַר אֲכִילָה וַחֲשִׁיבוּתוֹ הוּא מִפְּנֵי הַשֻּׁמָּן — whereas the *panada* is a food item and its significance is because of the fat, כַּיָּדוּעַ דְּעִיסָּה אֲפוּיָה בְּלֹא שֻׁמָּן אֵין בּוֹ שׁוּם חֲשִׁיבוּת וְהַשֻּׁמָּן הוּא דְּאַחֲשְׁבֵיהּ — as is known, that baked dough without fat has no significance, and it is the fat that makes it significant, וְעִיקַּר שֵׁם פנאד"א אוֹ פשטיד"א הוּא מִפְּנֵי הַשֻּׁמָּן דִּבְלֹא שֻׁמָּן מִקְרֵי לֶחֶם — and the essential name "*panada*" or "*pashtida*" is because of the fat, for without fat it is called bread. וְלָכֵן כְּשֶׁנִּיכָּר וְנִרְאֶה לָעַיִן אֵינוֹ בָּטֵל — And therefore, when it is recognizable and seen to the eye, it is not nullified, וַהֲוָה כְּמוֹ עֵירֵב דָּבָר הַנֶּאֱכָל כְּמוֹ שֶׁהוּא חַי עִם דָּבָר שֶׁאֵינוֹ נֶאֱכָל דְּהוֹלְכִין אַחַר הָעִיקָּר כמ"ש בְּסָעִיף י"ד — and it is like one who mixed something eaten as it is raw with something not eaten, where we follow the essence, as written in seif 14; וה"נ עִיקַּר הַחֲשִׁיבוּת הוּא הַשֻּׁמָּן — and so too here the essential significance is the fat. וּבְצוֹקֶר לֹא שַׁיָּךְ כְּלָל בִּישׁוּלֵי עַכּוּ"ם מִכַּמָּה טְעָמִים וּבִפְרָט שֶׁאֵינוֹ כְּצוּרָתוֹ הָרִאשׁוֹנָה לֹא בְּמַרְאֶה וְלֹא בְּטַעְמוֹ וְאֵינוֹ בְּגֶדֶר אֲכִילָה וּשְׁתִיָּה כְּלָל — And regarding sugar, ***bishul akum* is not applicable at all, for several reasons, and especially since it is not in its original form, neither in appearance nor in taste, and it is not in the category of eating and drinking at all.**

LATER AUTHORITIES

May a Jew drink coffee prepared by a non-Jew?

Sources ***Poskim uTeshuvot*** YD 113 os ט and nn. 105-109

Most authorities cited by ***Poskim uTeshuvot*** permit coffee prepared by a non-Jew even *lechatchilah* because the coffee is secondary to the water, and water is not subject to *bishul akum*. A *baal nefesh* may be stringent, especially with instant coffee. The permission addresses *bishul akum* only: non-Jewish milk, ingredients, and the cup can create separate concerns. Coffee beans roasted by a non-Jew may be brewed by a Jew; cold use of non-certified instant coffee without a later hot-water preparation presents an additional issue.

LATER AUTHORITIES

Should a Jew perform industrial milk pasteurization?

Sources ***Minchas Yitzchak*** 10:67; ***Maharsham*** 2:262; ***Maharitz*** 1:46

The ***Maharsham*** permits milk pasteurized by a non-Jew because milk is drinkable raw. The ***Maharitz*** questioned whether modern avoidance of raw milk because of danger changes that status and left the issue unresolved. The ***Minchas Yitzchak*** defends the lenient practice through several combined grounds, including locality and the possible status of steam processing, but does not issue an unqualified permit: when arranging Jewish pasteurization is easy, he says it is proper to be stringent. This ruling should not be expanded into a blanket permission for all dairy products.

§24 כְּשֶׁגָּזְרוּ חֲכָמִים עַל בִּישׁוּלֵיהֶם לֹא גָּזְרוּ לֹא עַל כִּבּוּשׁ שֶׁלָּהֶם וְלֹא עַל מָלִיחַ שֶׁלָּהֶם וְלֹא עַל הַמְעֻשָּׁן — When the Sages decreed on their cooking, they did not decree on their pickled [foods], nor on their salted [foods], nor on their smoked [foods], כמ"ש הָרַמְבַּ"ם בפי"ז דִּין י"ז וְז"ל דָּג שֶׁמָּלְחָן עַכּוּ"ם וּפֵּירוֹת שֶׁעִשְּׁנָן עַד שֶׁהִכְשִׁירָן לַאֲכִילָה הֲרֵי אֵלּוּ מֻתָּרִין — as the Rambam wrote in chapter 17 halachah 17 as follows: A fish that a non-Jew salted, and fruits that he smoked until he made them fit for eating — these are permitted; מָלִיחַ אֵינוֹ כִּרְותֵחַ בִּגְזֵרָה זוֹ וְהַמְעֻשָּׁן אֵינוֹ כִּמְבֻשָּׁל עכ"ל — salted is not like boiling-hot in this decree, and smoked is not like cooked, end quote. וְלֹא הִזְכִּיר כִּבּוּשׁ מִשּׁוּם דְּאֵין זֶה מְפוֹרָשׁ בַּשַּׁ"ס דְּמָלִיחַ מְפוֹרָשׁ בגמ' [ל"ח.] וּמְעֻשָּׁן יֵשׁ בַּיְרוּשַׁלְמִי נְדָרִים [רפ"ו] וְכִבּוּשׁ אֵינוֹ מְפוֹרָשׁ — And he did not mention pickled because this is not explicit in the Talmud, for salted is explicit in the Gemara (38a), and smoked is in the Yerushalmi Nedarim (beginning of chapter 6), and pickled is not explicit; ומ"מ חַד דִּינָא אִית לְהוּ דְּלָא גָּזְרוּ רַק עַל בִּישּׁוּל ומ"מ נ"ל דְּטִיגּוּן הָוֵי בִּכְלַל בִּישּׁוּל לְעִנְיָן זֶה מִשּׁוּם דְּגַם בְּשַׁבָּת הֲוָה טִיגּוּן כְּבִישּׁוּל מַמָּשׁ — and nevertheless they have one law, that they decreed only on cooking. And nevertheless it appears to me that frying is included in cooking regarding this, because also on Shabbos frying is like actual cooking, וּסְיָיגָ מָצָאתִי לָזֶה מֵהַיְרוּשַׁלְמִי שָׁם ע"ש [וּבָזֶה מְדֻקְדָּק לְשׁוֹן הָרַמָ"א בְּסָעִיף י"ג ודו"ק]: — and I found support for this from the Yerushalmi there, see there (and with this the language of the Rema in seif 13 is precise, and understand this).

LATER AUTHORITIES

Does microwave or induction cooking by a non-Jew forbid raw food?

Sources ***Poskim uTeshuvot*** YD 113 os כח and nn. 245-246

The majority of contemporary authorities cited by ***Poskim uTeshuvot*** treat a non-Jew's microwave cooking of raw food as *bishul akum*. Although microwave energy is not a derivative of fire, it is now a normal method of cooking; one authority permits and another remains uncertain. Reheating food already cooked by a Jew is not the same case. Induction cooking is treated stringently all the more, but Jewish participation must match the appliance's operation: because an induction surface stays cold until the pot is present, the Jew should activate it only after the non-Jew places the pot.

§25 וְלָכֵן מֻתָּר לֶאֱכוֹל דָּגִים מְלוּחִים שֶׁלָּהֶם וְאַף אִם בִּישְּׁלוּ אוֹתָם אַחַ"כ מֻתָּר כֵּיוָן שֶׁקּוֹדֶם הַבִּישּׁוּל הָיָה רָאוּי לַאֲכִילָה ע"י הַמְּלִיחָה הֲוָה כְּדָבָר שֶׁנֶּאֱכָל כְּמוֹ שֶׁהוּא חַי — And therefore it is permitted to eat their salted fish, and even if they cooked them afterward it is permitted, since before the cooking it was fit for eating by means of the salting, it is like something eaten as it is raw. וְז"ל רַבּוֹתֵינוּ בַּעֲלֵי הש"ע סְעִיף י"ב דָּגִים

קְטַנִּים שֶׁמִּלָּתָן יִשְׂרָאֵל אוֹ עַכּוּ"ם חֲרֵי הֵן כְּמוֹ שֶׁנִּתְבַּשְּׁלוּ מִקְצָת בִּישׁוּל וְאִם צְלָאָן עַכּוּ"ם אַחַ"כ מְוּתָּרִים — And the language of our teachers, the authors of the Shulchan Aruch, seif 12: Small fish that a Jew or non-Jew salted are like they were cooked a partial cooking, and if a non-Jew roasted them afterward they are permitted; אֲבָל דָּגִים מְלוּחִים גְּדוֹלִים אֵינָם נֶאֱכָלִים אֶלָּא ע"י הַדְחָק לְפִיכָךְ אִם צְלָאָן עַכּוּ"ם אֲסוּרִין וְיֵשׁ מַתִּירִים — but large salted fish are not eaten except with difficulty, therefore if a non-Jew roasted them they are forbidden, and there are those who permit; וְכֵן כָּל דָּבָר שֶׁנֶּאֱכָל חַי ע"י הַדְחָק וּבִלְשׁוֹן עַכּוּ"ם דִּינָן כְּדָגִים גְּדוֹלִים — and likewise anything eaten raw with difficulty, and [that] a non-Jew [cooked], their law is like large fish; וּבָשָׂר מָלוּחַ אֵינוֹ נֶאֱכָל כְּלָל כְּמוֹת שֶׁהוּא חַי וְאָסוּר אִם נִתְבַּשֵּׁל ע"י עַכּוּ"ם עכ"ל — and salted meat is not eaten at all as it is raw, and it is forbidden if it was cooked by a non-Jew, end quote.

§26 בֵּיאוּר דִּבְרֵיהֶם דאע"ג דְּדָגִים קְטַנִּים בלא"ה מְוּתָּרִים מִפְּנֵי שֶׁאֵין עוֹלִין עש"מ כִּדְאִיתָא בגמ' וכמ"ש בְּסָעִיף י' — The explanation of their words: that although small fish are permitted anyway because they do not come up on the table of kings, as stated in the Gemara and as written in seif 10 — זֶהוּ בְּמִין הַגְּדוֹלִים כְּשֶׁעוֹדָן קְטַנִּים אֵין בָּהֶם שׁוּם חֲשִׁיבוּת כְּמוֹ שֶׁקּוֹרִין בִּלְשׁוֹנֵנוּ פלאטקע"ס — this is with the large species when they are still small, they have no significance, like those called in our language *platkes*; אֲבָל מִינֵי דָּגִים קְטַנִּים שֶׁזֶּהוּ עֶצֶם גִּידּוּלָם וְאֵין מִתְגַּדְּלִין יוֹתֵר כְּמוֹ הערינ"ג ומרקד"ש וסערדינקע"ס ופליאנדערקע"ס וסאמאייקעס וְכַיּוֹצֵא בְּאֵלּוּ הֵם חֲשׁוּבִים מְאֹד וְעוֹלִין עש"מ — but types of small fish that this is their full growth and they do not grow more, like herring and *merkedes* and *sardinkes* and *pliandercas* and *samaykes* and the like, they are very significant and come up on the table of kings, וְלָכֵן הַהֶיתֵּר הוּא מִפְּנֵי מְלִיחָתָן הַקּוֹדֶמֶת — and therefore the leniency is because of their prior salting. וְזֶה שֶׁכָּתְבוּ דְּדָגִים מְלוּחִים גְּדוֹלִים אֵין נֶאֱכָלִין אֶלָּא ע"י הַדְחָק לָאו כְּלָלָא הוּא — And that which they wrote, that large salted fish are eaten only with difficulty, is not a [universal] rule, שֶׁהֲרֵי בִּזְמַנֵּינוּ יֵשׁ דָּגִים מְלוּחִים גְּדוֹלִים שֶׁנֶּאֱכָלִין בְּטוֹב כְּמוֹ שאנג"א ובייעל"א ריביצ"א ולאק"ס — for in our times there are large salted fish that are eaten well, like *shanga* and *biyela ribitza* and *laks* (salmon); אַךְ כַּוָּונָתָם לְסָתָם דָּגִים גְּדוֹלִים כְּמוֹ העכ"ט ולעס"ץ וסלייע"ן וְכַיּוֹצֵא בָּהֶם דְּאֵלּוּ וַדַּאי אֵין נֶאֱכָלִין בִּמְלִיחָתָן אֶלָּא ע"י הַדְחָק — but their intent is to ordinary large fish like the *hecht* (pike) and *les* and *sleyen* and the like, for these are certainly not eaten with their salting except with difficulty. וְלָכֵן יֵשׁ אוֹסְרִים וְיֵשׁ מַתִּירִים וְהָעִיקָּר כְּדַעַת הָאוֹסְרִים דַּאֲכִילָה ע"י הַדְחָק לֹא שְׁמָהּ אֲכִילָה [פר"ח סקכ"א] — And therefore there are those who forbid and those who permit, and the essential [ruling] is like the opinion of those who forbid, that eating with difficulty is not called eating (Pri Chadash note 21), אִם לֹא שֶׁנִּמְלְחוּ מִזְּמַן כַּבִּיר בְּאוֹפֶן שֶׁנֶּאֱכָלִין בְּטוּב טַעַם דְּאָז מֻתָּר — unless they were salted a long time ago in a manner that they are eaten with good taste, in which case it is permitted. וְלָכֵן בָּשָׂר מָלוּחַ וְכָל דָּבָר שֶׁנֶּאֱכָל חַי ע"י הַדְחָק אֲסוּרִים כְּשֶׁבִּישְּׁלָן עַכּוּ"ם — And therefore salted meat and anything eaten raw with difficulty are forbidden when a non-Jew cooked them.

LATER AUTHORITIES

Does factory-cooked fish have bishul akum?

SOURCES ***Chazon Ish***, letter in Pe'er HaDor vol. 4 p. 207

The ***Chazon Ish*** rules that fish finished by cooking in oil in a non-Jewish factory are subject to *bishul akum*. Factory production does not itself remove the decree, and he applies the ruling equally to cooking in water or through steam; he also includes a factory owned by Jews who do not observe the Torah. The conclusion assumes that the fish are actually made edible by the non-Jewish cooking and otherwise meet the raw-edibility and king's-table criteria.

§27 כְּבָר נִתְבָּאֵר דִּמְעֻשָּׁן מָותָּר וְלָכֵן דָּגִים הַמְעֻשָּׁנִים שֶׁקּוֹרִין קבצקע"ס מוּתָּרִין בַּאֲכִילָה — It was already explained that smoked is permitted, and therefore smoked fish, called *kabtskes*, are permitted to eat, וְאֵין לָחוּשׁ שֶׁמָּא עִישֵּׁן אוֹתָם תַּחַת קְדֵירָה מִבָּשָׂר טְרֵיפָה וְעָלָה הַזֵּיעָה לְהַדָּגִים דְּאֵין לְהַחְזִיק רֵיעוּתָא — and one need not be concerned lest he smoked them under a pot of treif meat and the steam rose to the fish, for one should not presume a defect, וְעוֹד דְּאַנְקִיוּתָא קָפְדִי וְלָכֵן אֲפִילּוּ בעה"ב עַכּוּ"ם שֶׁעִישְּׁנוּ דָּגִים מוּתָּרִים [שכו"י סי' ע"ד] — and moreover, they are particular about cleanliness, and therefore even fish smoked by a non-Jewish householder are permitted (*Shvus Yaakov* 3:74). וכ"ש בהפאריקי"ן שֶׁעוֹשִׂים בְּרִיבּוּי דָּגִים מְעֻשָּׁנִים כְּמוֹ הפלאנדערקע"ס דְּאֵין שׂוּם חֲשָׁשׁ בָּזֶה — And all the more so in the factories (*fabriken*) that make smoked fish in abundance, like the *pliandercas*, there is no concern in this. אֲבָל כְּשֶׁצָּלַאן עכּוּ"ם קוֹדֶם הָעִישׁוּן פְּשִׁיטָא שֶׁנֶּאֱסְרוּ בִּצְלִיָּה דְּזֶהוּ כְּבִישׁוּל — But when a non-Jew roasted them before the smoking, it is obvious that they became forbidden through the roasting, for this is like cooking. וְכֵן נִרְאֶה בָּרוּר בְּפֵּירוֹת כְּתַפּוּחִים וְאַגָּסִים שֶׁמְּיַבְּשִׁין הָעַכּוּ"ם בְּתַנּוּר דְּמָותָּרִין בַּאֲכִילָה — And likewise it appears clear regarding fruits like apples and pears that non-Jews dry in the oven, that they are permitted to eat, שֶׁהֲרֵי נֶאֱכָלִים כְּמוֹ שֶׁהֵן חַיִּים וְאֵין חֲשָׁשׁ שֶׁמָּא יְבִשּׁוּם בְּתַנּוּר שֶׁיֵּשׁ בּוֹ שׁוּמַן אִיסּוּר — for they are eaten as they are raw, and there is no concern lest they dried them in an oven that has forbidden fat. וַאֲפִילּוּ יְבִשּׁוּם בְּמַחֲבַת גְּדוֹלָה שֶׁקּוֹרִין בלעכי"ן לָא חָיְישִׁינַן שֶׁמָּא הָיָה בָּהֶם שׁוּמָן דְּהֵם מַקְפִּידִים אַנְקִיוּתָא כְּדְאִיתָא בגמ' — And even if they dried them in a large pan called *blechen* (a baking sheet), we are not concerned lest there was fat in them, for they are particular about cleanliness, as stated in the Gemara, וְעוֹד דע"פ רוֹב מַנִּיחִין תֶּבֶן וַעֲלֵיהֶם מַנִּיחִים הַפֵּירוֹת לְיַבְּשָׁן וְכֵן הַמִּנְהָג פָּשׁוּט וְאֵין לְפַקְפֵּק בָּזֶה כְּלָל — and moreover, usually they place straw and on it they place the fruits to dry them, and so is the widespread custom, and one should not cast doubt on this at all.

LATER AUTHORITIES

Does placing food in a kli sheni create bishul akum?

SOURCES ***Poskim uTeshuvot*** YD 113 os כח and nn. 238-240

Poskim uTeshuvot rules that a non-Jew's placement of food in a *kli sheni* does not create *bishul akum*, even when the liquid is hot enough to scald, because most authorities hold that a *kli sheni* does not cook. Some extend the leniency even to foods that cook unusually easily, though the ***Shevet HaLevi*** expressed doubt about that extension. A *kli rishon* removed from the fire is different: while it remains *yad soledes bo*, it can cook and the decree applies.

LATER AUTHORITIES

May fish prepared by modern hot smoking be eaten?

Sources ***Shevet HaKehati*** 4:198; ***Poskim uTeshuvot*** YD 113 os כז

Classical smoking, even when warm, is generally outside the *bishul akum* decree. Modern 'hot smoking' can be different: where ovens heat a room enough to bake the fish and smoke from a second chamber merely improves it, the ***Shevet HaKehati*** and other authorities rule stringently because heat, not smoke, makes the fish edible. Cold smoking at low temperature remains within the smoking leniency. The product's label is therefore insufficient; the decisive fact is whether oven heat actually cooks it.

§28 עַכּוּ"ם שֶׁבִּישֵּׁל וְלֹא נִתְכַּוֵּין לְבִישּׁוּל מֻתָּר — A non-Jew who cooked but did not intend to cook — it is permitted. כֵּיצַד כְּגוֹן שֶׁהִצִּית אוּר בָּאָגָם כְּדֵי לְהַעֲבִיר הֶחָצִיר — וְנִתְבַּשְּׁלוּ בּוֹ חֲגָבִים טְהוֹרִים חֲרֵי אֵלּוּ מֻתָּרִים אֲפִילּוּ בְּמָקוֹם שֶׁעוֹלִין עַל שֻׁלְחַן מְלָכִים — How so? For example, if he lit a fire in a marsh in order to remove the grass, and pure locusts were cooked in it — these are permitted, even in a place where they come up on the table of kings. וְכֵן אִם חָרַךְ רֹאשׁ לְהָסִיר הַשִּׂיעָר מֻתָּר לֶאֱכוֹל רָאשֵׁי הָאָזְנַיִם שֶׁנִּצְלוּ בִּשְׁעַת הַחֲרִיכָה — And likewise if he singed the head to remove the hair, it is permitted to eat the tips of the ears that were roasted at the time of the singeing. וְכֵן אִם הִסִּיק הַתַּנּוּר לְיַבֵּשׁ בּוֹ יָתֵד לַח וְכֵיוֹצֵא בָּזֶה וְטָמַן הַיִּשְׂרְאֵל מִקּוֹדֶם אֵיזֶה דָּבָר מַאֲכָל שֶׁיִּצָּלֶה שָׁמָּה מֻתָּר לֶאֱכוֹל — And likewise if he lit the oven to dry in it a moist peg or the like, and the Jew had first buried some food item to roast there, it is permitted to eat, מִשּׁוּם דְּלָא נִתְכַּוֵּין לְבִישּׁוּל אֶלָּא לְיַבֵּשׁ אֶת הַיָּתֵד — because he did not intend to cook, but rather to dry the peg. וְאַע"ג דִּלְעִנְיַן שַׁבָּת מִקְרֵי גַּם זֶה בִּישּׁוּל כִּדְאִיתָא בְּשַׁבָּת [ע"ד:] מ"מ לְעִנְיַן שְׁלָקוֹת לָא מֵיחֲשַׁב זֶה כְּלָל לְבִישּׁוּל [תוס' פרק א"מ ל"ח] — And although regarding Shabbos this too is called cooking, as stated in Shabbos (74b), nevertheless regarding cooked foods this is not considered cooking at all (Tosafos Perek Ein Ma'amidin 38). וי"א דְּדַוְקָא כְּשֶׁהָעַכּוּ"ם לֹא יָדַע מֵהַטְמָנַת יִשְׂרָאֵל אֲבָל כְּשֶׁיָּדַע אָסוּר מִשּׁוּם שֶׁמָּא נִתְכַּוֵּין לְבִישּׁוּל וְזֶהוּ דַּעַת הַטּוּר ע"ש — And there are those who say that this is specifically when the non-Jew did not know of the Jew's burying, but when he knew it is forbidden, lest he intended to cook, and this is the opinion of the Tur, see there; אֲבָל רוֹב הַפּוֹסְקִים לָא ס"ל כֵּן [ב"י] וּבְלֹא הפ"מ רָאוּי לָחוּשׁ לְדִיעָה זוֹ [פר"ח סקי"א] — but most of the poskim do not hold so (Beis Yosef), and where there is no great loss it is proper to be concerned for this opinion (Pri Chadash note 11).

LATER AUTHORITIES

Does a non-Jew operating the power station forbid food already in an oven?

Sources **R' Yosef Shalom Elyashiv**, Ashrei HaIsh YD 8:16

R' Yosef Shalom Elyashiv permits food placed in an oven before city electricity begins when non-Jewish power-station workers later supply the current, because they have no intent to cook and are not acting for any particular pot. This does not permit every restoration of electricity. If a non-Jew knowingly raises the home's main breaker while a dish is cooking and before it reaches *ma'achal ben derosai*, ***Poskim uTeshuvot*** treats the food as prohibited, although residual oven heat may provide grounds for leniency in a particular case.

§29 וְכָל זֶה כְּשֶׁהָעַכּוּ"ם לֹא כִּוֵּון לְשֵׁם בִּישּׁוּל כְּלָל כמ"ש אֲבָל אִם כִּוֵּון לְשֵׁם בִּישּׁוּל בְּעָלְמָא אע"ג שֶׁלֹּא נִתְכַּוֵּין לְבִישּׁוּל זֶה שֶׁל הַיִּשְׂרָאֵל — And all this is when the non-Jew did not intend to cook at all, as written; but if he intended for cooking in general, even though he did not intend for this cooking of the Jew's, כְּגוֹן שֶׁהִסְּיק הַתַּנּוּר לְבַשֵּׁל בּוֹ וְהַיִּשְׂרָאֵל טָמַן שָׁם מְקוֹדֶם בָּשָׂר וְנִצְלָה אע"פ שֶׁהָעַכּוּ"ם לֹא כִּוֵּון לָזֶה שֶׁהֲרֵי לֹא יָדַע בּוֹ כְּלָל מ"מ אָסוּר כֵּיוָן שֶׁהַהֶיסֵּק הָיָה לְשֵׁם בִּישּׁוּל — for example, if he lit the oven to cook in it, and the Jew had first buried meat there and it roasted, even though the non-Jew did not intend for this, for he did not know of it at all, nevertheless it is forbidden, since the lighting was for the purpose of cooking. וְיֵרָאֶה לִי דְּזֶהוּ כְּשֶׁהַיִּשְׂרָאֵל לֹא כִּוֵּון לִיתֵּן הַבָּשָׂר שֶׁתִּצָּלֶה אֶלָּא הִטְמִין שָׁם בְּלֹא כַּוָּונַת בִּישּׁוּל — And it appears to me that this is when the Jew did not intend to place the meat so that it would roast, but buried it there without intent to cook; אֲבָל כְּשֶׁהַיִּשְׂרָאֵל נָתַן אֶת הַבָּשָׂר לְכַוָּונַת בִּישּׁוּל פְּשִׁיטָא שֶׁמֻּתָּר כְּמוֹ שֶׁיִּתְבָּאֵר דְּבָזֶה אֵין מְשׁוּם בִּישּׁוּלֵי עַכּוּ"ם כְּשֶׁהַיִּשְׂרָאֵל נָתַן הַמַּאֲכָל לְתַתְּנוּר — but when the Jew placed the meat with intent to cook, it is obvious that it is permitted, as will be explained, for in this there is no [prohibition of] *bishul akum* when the Jew placed the food in the oven. וְאֵין לוֹמַר דְּזֶהוּ דַּוְקָא אַחַר שְׂגִירַת הַתַּנּוּר וְלֹא קוֹדֶם דְּמַאי נ"מ וְכֵן מִתְבָּאֵר לִי מִלְּשׁוֹן הגמ' [ל"ח.] דְּהַיִּשְׂרָאֵל לֹא נִתְכַּוֵּין לְבִישּׁוּל ע"ש — And one cannot say that this is specifically after the firing of the oven and not before, for what is the difference? And so it is explained to me from the language of the Gemara (38a), that the Jew did not intend to cook, see there. וְעוֹד נ"ל דְּכְשֶׁלֹּא נִתְכַּוֵּין הַיִּשְׂרָאֵל לַבִּישּׁוּל וְהָעַכּוּ"ם נִתְכַּוֵּין לְבִישּׁוּל אָסוּר אַף אִם הָעַכּוּ"ם לֹא בִּישֵּׁל כְּלָל בְּהֶיסֵּק זֶה כְּגוֹן שֶׁחָזַר בּוֹ מִלְבַשֵּׁל מ"מ כֵּיוָן שֶׁהַהֶיסֵּק הָיָתָה לְכַוָּונַת בִּישּׁוּל אָסוּר — And further it appears to me that when the Jew did not intend to cook and the non-Jew did intend to cook, it is forbidden even if the non-Jew did not cook at all with this firing, for example if he retracted from cooking, nevertheless, since the firing was with intent to cook, it is forbidden.

§30 אִיסּוּר שְׁלָקוֹת אֵינוֹ אֶלָּא כְּשֶׁלֹּא הָיָה לְהַיִּשְׂרָאֵל שׁוּם חֵלֶק בְּהַבִּישּׁוּל אֲבָל כְּשֶׁהָיָה לוֹ אֵיזֶה חֵלֶק מֻתָּר — The prohibition of cooked foods is only when the Jew had no part at all in the cooking, but when he had some part it is permitted. כֵּיצַד כְּגוֹן שֶׁהִנִּיחַ הָעַכּוּ"ם אֶת הַבָּשָׂר עַל הָאֵשׁ אוֹ שָׂמוּ הַבָּשָׂר בַּקְּדֵרָה וְהִנִּיחַ הַקְּדֵרָה עַל הָאֵשׁ אוֹ נָתְנָה בַּתַּנּוּר וּבָא הַיִּשְׂרָאֵל וְהָפַךְ אֶת הַבָּשָׂר אוֹ הֵגִיס אֶת הַקְּדֵרָה כְּדֵי לְקָרֵב הַבִּישּׁוּל אוֹ לְתַקְּנוֹ מֻתָּר — How so? For example, if the non-Jew placed the meat on the fire, or they placed the meat in a pot and placed the pot on the fire or put it in the oven, and the Jew came and turned the meat or stirred the pot in order to hasten the cooking or to fix it, it is permitted. וְכֵן לְהֵיפֵךְ כְּשֶׁהַיִּשְׂרָאֵל הִנִּיחַ הַבָּשָׂר אוֹ הַקְּדֵרָה וְהָעַכּוּ"ם הָפַךְ אוֹ הֵגִיס בַּקְּדֵרָה מֻתָּר — And likewise the reverse, when the Jew placed the meat or the pot and the non-Jew turned it or stirred the pot, it is permitted. זֶה הַכְּלָל כָּל שֶׁבִּישְּׁלוֹ יִשְׂרָאֵל מְעַט מֵהַבִּישּׁוּל בֵּין בַּתְּחִלָּה בֵּין בַּסּוֹף ה"ז מֻתָּר — This is the rule: anything that the Jew cooked a little of the cooking, whether at the beginning or at the end, is permitted. וַאֲפִילּוּ אִם בְּלֹא סִיּוּעַ הָעַכּוּ"ם לֹא הָיָה מִתְבַּשֵּׁל מ"מ כֵּיוָן שֶׁהָיָה לְהַיִּשְׂרָאֵל קְצָת חֵלֶק בְּהַבִּישּׁוּל מֻתָּר — And even if without the non-Jew's assistance it would not have cooked, nevertheless, since the Jew had some part in the cooking, it is permitted. וְכָךְ אָמְרוּ חֲז"ל [ל"ח:] בֵּין שֶׁהִנִּיחַ עַכּוּ"ם וְהֵיפֵךְ הַיִּשְׂרָאֵל וּבֵין שֶׁהִנִּיחַ יִשְׂרָאֵל וְהֵיפֵךְ עַכּוּ"ם מֻתָּר וְאֵינוֹ אָסוּר עַד שֶׁתְּהֵא תְּחִלָּתוֹ וּגְמָרוֹ וְכוּ' — And so the Sages said (38b): Whether the non-Jew placed [it] and the Jew turned [it], or the Jew placed [it] and the non-Jew turned [it], it is

§31 וְדַע דְּזֶה שֶׁכָּתַבְנוּ דַּאֲפִילּוּ אִם בִּלְּא סִיּוּעַ הָעַכּוּ"ם לֹא הָיָה מִתְבַּשֵּׁל מוּתָּר כָּתַבְנוּ זֶה לְפִי דִּבְרֵי רַבֵּינוּ הָרַמְ"א בִּסְעִיף ו' שֶׁכָּתַב כֵּן — And know, that what we wrote, that even if without the non-Jew's assistance it would not have cooked it is permitted — we wrote this according to the words of our teacher the Rema in seif 6, who wrote so. [וְכָל מְפָרְשֵׁי הש"ע תָּפְסוּ עָלָיו שֶׁזֶּהוּ נֶגֶד הַשַּׁ"ס [שָׁ"ךְ סק"ח וט"ז סק"ו ופר"ח] — And all the commentators on the Shulchan Aruch took issue with him, that this is against the Talmud (Shach note 8 and Taz note 6 and Pri Chadash), דִּמְפוֹרָשׁ שָׁם דְּאִם עִיקַּר הַבִּישׁוּל הוּא ע"י הָעַכּוּ"ם אָסוּר וְנִדְחֲקוּ מְאֹד בִּדְבָרָיו ע"ש — for it is explicit there that if the essence of the cooking is by the non-Jew it is forbidden, and they labored greatly with his words, see there. וְיֵשׁ שֶׁדָּחָה דְּבָרָיו לְגַמְרֵי וּלְעִנ"ד דְּבָרָיו בְּרוּרִים כַּשֶּׁמֶשׁ וְנָבָאֵרֵם בס"ד — And there is one who rejected his words entirely, and in my humble opinion his words are as clear as the sun, and we will explain them with God's help.

§32 אִיתָא בגמ' [ל"ח.] אָמַר שְׁמוּאֵל הִנִּיחַ יִשְׂרָאֵל בָּשָׂר ע"ג גֶּחָלִים וּבָא עַכּוּ"ם וְהִיפְּכוֹ מוּתָּר — It states in the Gemara (38a): Shmuel said, if a Jew placed meat on coals and a non-Jew came and turned it, it is permitted. וּמַסְקִינַן דְּמַיְירֵי דְּבִלְּא הַהִיפּוּךְ הָיָה מִתְבַּשֵּׁל בִּשְׁתֵּי שָׁעוֹת וּכְשֶׁהִיפְּכוּ יִתְבַּשֵּׁל בְּשָׁעָה אַחַת אֲבָל אִם בִּלְּא הַהִיפּוּךְ לֹא הָיָה מִתְבַּשֵּׁל כְּלָל אָסוּר — And it concludes that it speaks of a case where without the turning it would cook in two hours, and when he turned it, it would cook in one hour, but if without the turning it would not have cooked at all, it is forbidden; וקמ"ל דאע"ג דְּהָעַכּוּ"ם מְקָרֵב הַבִּישׁוּל לֵית לַן בַּהּ דְּקִרּוּבֵי בִּישּׁוּלָא לָא מִילְּתָא הִיא — and it teaches us that although the non-Jew hastens the cooking, we have no [concern] with it, for hastening the cooking is not a [significant] matter. וְאַחַ"כ אוֹמֵר אִיבַּעְיָא לְהוּ הִנִּיחַ עַכּוּ"ם וְהִיפֵּךְ יִשְׂרָאֵל מַהוּ — And afterward it says: A question was asked, if a non-Jew placed [it] and a Jew turned [it], what is [the law]? אָמַר רַב נַחְמָן בַּר יִצְחָק ק"ו גָּמְרוּ בְּיַד עַכּוּ"ם מוּתָּר גָּמְרוּ בְּיַד יִשְׂרָאֵל לֹא כָּל שֶׁכֵּן — Rav Nachman bar Yitzchak said: [It is] an a fortiori inference — if its completion in the hand of a non-Jew is permitted, its completion in the hand of a Jew, is it not all the more so [permitted]? אִיתְּמַר נָמֵי וְכוּ' א"ר יוֹחָנָן בֵּין שֶׁהִנִּיחַ עַכּוּ"ם וְהִיפֵּךְ יִשְׂרָאֵל בֵּין שֶׁהִנִּיחַ יִשְׂרָאֵל וְהִיפֵּךְ עַכּוּ"ם מוּתָּר וְאֵינוֹ אָסוּר עַד שֶׁתְּהֵא תְּחִלָּתוֹ וּגְמָרוֹ בְּיֵדֵי עַכּוּ"ם — It was also stated, etc.: Rabbi Yochanan said, whether the non-Jew placed [it] and the Jew turned [it], or the Jew placed [it] and the non-Jew turned [it], it is permitted, and it is not forbidden unless its beginning and its completion are by the hand of a non-Jew. אָמַר רָבִינָא הִלְכְתָא הָא רִיפְתָּא דְּשָׁגַר עַכּוּ"ם וַאֲפָה יִשְׂרָאֵל אִי נָמֵי שָׁגַר יִשְׂרָאֵל וַאֲפָה עַכּוּ"ם אִי נָמֵי שָׁגַר עַכּוּ"ם וְאָפָה עַכּוּ"ם וַאֲתָא יִשְׂרָאֵל וְחָתָה בֵּיהּ חִיתּוּיֵי שַׁפִּיר דָּמֵי עכ"ל הגמ' — Ravina said, the law is: This bread, that a non-Jew fired [the oven] and a Jew baked, or a Jew fired and a non-Jew baked, or a non-Jew fired and a non-Jew baked and a Jew came and stoked it a stoking, it is fine, end quote of the Gemara. וְהַשְּׁאִלְתּוֹת סוֹף פ' דְּבָרִים גּוֹרֵס הִלְכְתָא הָא רִיפְתָּא וְכוּ' ע"ש — And the She'iltos, end of parashas Devarim, reads "therefore this bread," etc., see there.