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Beis Medrash Mordechai Yaakov

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Meat & Milk

A menacing mixture — בשר בחלב

When a Jew decides to build or remodel a kosher kitchen, the first “architect” of the design is the Torah.



Whether to have one sink or two, separate counters, dishwashers and ovens, cabinets to separate the pots, pans and silverware, etc.

— all of these

considerations are determined by the laws pertaining to mixing milk and meat.

One of the most well-known laws given to Klal Yisroel at Har Sinai is the prohibition of mixing meat and milk. To this day, keeping milk and meat separate remains one of the main issues in a kosher kitchen. This defines the way our kitchen looks, where we eat, what we eat, and the food we take with us when we travel, and myriad other details. Why is there such a great emphasis on בשר בחלב? Let’s examine the source of this Mitzvah.

Some of the laws pertaining to בשר בחלב are דאורייתא (from the Torah) and some are דרבנן (Rabbinic decrees). The Issur to cook (which includes boiling, roasting, baking, frying, barbequing) using fire, to eat, or to benefit from a mixture of milk and meat that was prepared by cooking (דרך בישול) is derived

from the *pasuk* “לא תבשל גְּדִי בַחֲלֵב אִמּוֹ” – *Do not cook a kid in its mother’s milk*. The Torah repeats this admonition in three places (*Shemos* 23:19, *Shemos* 34:26, and *Devarim* 14:21). Chazal explain that this means that we are not allowed to cook meat with milk, eat milk with meat, or even benefit from such a mixture (*Chullin* 115b, *Shulchan Aruch* YD 87:1). One practical ramification of this is that a Jew would not be allowed to work as a caretaker or restaurant worker if it involves cooking milk with meat.

What is the reason for the mitzvah?

The Rambam (*Moreh Nevuchim* 3:48) writes that the Torah outlawed eating meat and milk together because that was a prevalent dish served among idol worshippers. He explains that this is why the prohibition of meat and milk is juxtaposed with the mitzvah of *aliyah l’regel* and celebrating *Yomim Tovim*, as if to caution us: when you celebrate your holidays, don’t eat what the *ovdei avodah zarah* eat on their holidays.

Rabbeinu Bechaye (*Shemos* 23:19) offers another possible reason: the combination of meat and milk causes a spiritual blockage within a Jew.

The Ramban (*Devarim* 14:21) and the Rashbam (*Shemos* 23:19) suggest that cooking an animal in its mother’s milk is an act of cruelty, as the milk was intended for the calf’s nourishment and not for its destruction.

Nevertheless, all the Poskim agree that the laws of separating meat and milk are essentially a *chok* (see Rambam, *Shemoneh Perakim*, Chap. 6; Rabbeinu Bechaye, *ibid.*), and it goes without saying that we

always follow the Torah's laws regardless of whether we understand the reasons for the mitzvos (see Rambam, *Hilchos Me'ilah* 8:8).

Some parameters

Rashi (*Shemos* 23:19) translates the word “גדי” as any young animal, i.e., a goat, a sheep, or a calf. Although the *pasuk* refers to an animal cooked specifically in its own mother's milk, Chazal explain that the prohibition applies equally to any two domesticated animals, irrespective of their relationship to one another (*Chullin* 114a-b).

The Gemara (*ibid.*, 113a) explains that while the Torah was referring to meat from goats, sheep, and cattle, Chazal decreed that fowl (i.e., chicken, turkey, ducks, geese, etc.) has the same status as meat for this purpose. The fact that *בשר בחלב* is prohibited even to cook and to derive benefit from is one of the many unique aspects of this mitzvah. It comes as no surprise, then, that entire sections of the Rambam, Tur, Shulchan Aruch, and many other halacha *seforim* are devoted to elucidating the details of the laws pertaining to meat and milk mixtures, including what to do if they do inadvertently end up getting mixed.

Waiting after eating meat before eating dairy

The obligation to wait after eating meat before eating dairy is a Rabbinic requirement. The source is the following Gemara (*Chullin* 105a): “Mar Ukva said, ‘Compared to my father, I am like vinegar the son of wine, for this matter. Whereas my father would wait 24 hours after eating meat before eating cheese, I [only] refrain from eating them at the same meal.’”

The Rambam (*Ma'achalos Asuros* 9:28) and others understand that Mar Ukva meant he would wait between meat and dairy meals the amount of time that meals are usually separated. In most cultures, that means six hours, and that is indeed the amount of time most communities wait between meat and dairy meals. From the time that a person stopped eating meat (*Kaf HaChaim* YD 89:9), a full six hours (i.e., 360 minutes) should pass before eating dairy,

according to most Poskim.

The most lenient opinion concerning the interval between meat and milk is that of Rabbeinu Tam and the Behag (quoted by Tosfos in *Chullin* 104b [ה"ד ע"ו]) who say that after finishing a meat meal, one can wash his hands and cleanse his mouth well and eat dairy right away. The Taz (YD 89:2) explains that this is the basis of the Rama's words that “in these countries, the widespread *minhag* is to wait one hour after eating meat to have dairy.” The Rama goes on to say that it is proper to wait six hours.

The Ritva (*Chullin* 105a), Me'iri (*ibid.*), and the Ran (לז: בדפי הרי"ף) say the halacha follows the Rif, Rambam, and the Rosh as opposed to Tosfos; i.e., thus, we wait six hours after eating meat before eating dairy. The Mechaber (YD 89:1) *paskens* this way as well.

As mentioned previously, most Poskim understand this to mean a full six hours (see *Darchei Teshuvah* 89:6). However, Rav Aharon Kotler *zt"l* disagreed and *paskened* that 5 hours and 31 minutes is sufficient, as this is the majority of the six hours required (see *Psakim V'Teshuvos* 89 fn. 19). To this day, many in Lakewood, New Jersey follow this *psak*. The Dutch and German *minhag* is to wait between 1 and 3 hours. This *minhag* may have arisen due to their having shorter times between meals (*Darchei Teshuvah*, *ibid.*).

The *Shulchan Aruch* (*ibid.*) states that the above interval is required not only after eating beef, but also after eating chicken, turkey, etc.

A person who is ill may be allowed in certain circumstances to wait only one hour, clean his hands and wash his mouth from any meat residue before eating dairy (*Aruch Hashulchan* 89:7, *Chochmas Adam* 40:13). This *heter* would certainly apply to dairy medication after eating meat (see *Igros Moshe* YD 2:26). One should ask his Posek in unique circumstances.

Why wait?

The reason for waiting between meat and milk according to **Rashi** (*Chullin* 105a) is that when one swallows meat, the meat leaves a fatty residue in the throat and mouth for that period of time. The **Rambam** (*Ma'achalos Asuros* 9:28), however, explains that some meat might get stuck in between a person's teeth, and for up to six hours it has the halachic status of viable meat. In practice, we follow both opinions (*Taz* YD 89:1). Furthermore, even if the meat one is eating is not stringy, or has no fat, we still require waiting six hours after eating it.

Separating Meat and Dairy: Precautions in Halacha

Cooking in meat pots

If a person eats pareve food that was cooked in a meat pot, and the pot was clean, the only restriction would



be to eat that food together with dairy (*Rama* YD 89:3; 95:2). (That is the halacha for Ashkenazim. Most Sephardim follow the *psak* of the *Mechaber*

who permits even eating the pareve food together with dairy; see *Yalkut Yosef*.) Any imparted flavor from the pot is one step removed from the original source and is thus considered a “secondary imparted flavor” (*nat bar nat* – נותן טעם בר נותן טעם); therefore, the pot would not transfer the full impact of what is absorbed in it.

In theory, silverware, dishwashers, etc. would be able to be used in a limited fashion for both dairy and meat. However, Chazal saw the folly of such a policy. Without a doubt, this would lead to the severe mixing of meat and milk, and therefore it was forbidden. Nevertheless, there are “בדיעבד” situations; after the fact, if there was a mix-up, one should ask a competent Posek what to do with the

food and the utensils.

As mentioned previously, eating dairy immediately after eating a pareve item cooked in a clean *fleishig* pot is fine. This is important to understand, because there are a number of products in the store labeled either DE for “dairy equipment” or ME for “meat equipment.”

The same halacha applies to a “*davar charif*,” a sharp-tasting food such as onions. Namely, if an onion was cut with a clean meat knife, it cannot go into dairy food, e.g., a salad with cheese. However, eating those pareve onions by themselves does not require any waiting period afterwards even though they were cut with a meat knife (see *Hagahos R' Akiva Eiger* YD 89:3).

French Fries in a deep fryer used for meat

One question that often comes up concerning this is what is the status of french fries cooked in a deep fryer that is intermittently used with meat. Is eating the pareve french fries tantamount to eating meat, and consequently one would have to wait six hours before eating dairy, or not? Harav Elyashiv zt”l told me that it does make the fries *fleishig* since they absorb



the meat residue and oil. Therefore, one would indeed need to wait the full time before consuming dairy. Harav Felder *shlit”a* in Lakewood took the same approach.

Not your typical shailah

A number of years ago, a woman from Northern California called to say that she had just given birth at home. She was nervous because her doula used a dairy pot to catch the placenta. The concern was that perhaps her pot was now not kosher. I explained to her that as far as Kashrus is concerned, her dairy pot could still be used for dairy. Even the Rambam (*Ma'achalos Asuros* 2:3), who considers human flesh

to be a Torah-level prohibition (as an *issur asei*), might agree that a human placenta is only “*pirsha b'alma*,” not flesh but mere residue. However, the *issur of Bal Teshaktzu* (not to eat disgusting foods) would be the main issue, as it may not be so appetizing to make an omelet in such a pot.

Tasting meat

If a person tasted meat (i.e., placed it on his tongue) but did not chew or swallow it, he would need to rinse out his mouth before eating dairy, but no waiting period would be needed (*Aruch Hashulchan* YD 89:14; Rav Yaakov Kamenetsky *zt”l* in *Emes L’Yaakov* 89 fn 35). However, if a person chewed the meat, he would have to wait the full time before eating dairy (Taz YD 89:1).

Maris Ayin (Misleading appearances)

One of the more popular burgers in non-kosher restaurants is a cheeseburger. Some kosher restaurants are now staking their future on kosher cheeseburgers utilizing pareve cheese. Their main issue is the *issur of maris ayin*. Appearances matter and one cannot give the impression that he is serving kosher meat and milk cooked together. I know of instances where people used a delivery service and thought they were ordering a burger with imitation cheese from a glatt kosher restaurant, but accidentally selected a restaurant with a similar-sounding name, ending up eating the real thing *r”l* (i.e., an unkosher burger with real, unkosher cheese).

Separate ovens

During the time of the Gemara, there were primarily two types of ovens: a כירה and a תנור. In our times, we have many more variations, such as baker’s ovens, pizza ovens, stoves, toasters, microwaves, etc. Cooking milk and meat in them at the same time cannot be done. Even if we say ריחא לאו מילתא, aroma does not carry substance from meat to dairy or vice versa, it remains a problem. As the *Igros Moshe* explains, one issue is that the steam coming from the food will congeal on the upper interior of the oven

and descend onto the next food in the oven. This is why people try to have two ovens or a main oven for meat and a toaster oven for dairy.

Another solution is to *kasher* the oven in between uses. This is done by waiting 24 hours from its last use, and turning the oven on for an hour at its highest temperature.

Another option is to cover the food so that there is no residue rising in the oven. This procedure is necessary as well before baking challah in a dairy or meat oven to keep the challah completely pareve.

Meat and milk together on the same table

The Mishnah in *Chullin* (103b) says that one cannot eat meat at a table that has dairy on it and vice versa. This is codified in *Shulchan Aruch* (YD 88). Therefore, if two people who may share food with each other sit at the same table and one is eating dairy and the other is eating meat, at least one must use a placemat (YD 88:2) to remind them not to share in this instance.



The *Shulchan Aruch* (YD 89:4) also says that a person should not eat dairy on a tablecloth

upon which he ate meat (and vice versa). Any bread that was used in a dairy or meat meal and was open to touch during the meal shares the status of that meal, meat or dairy. If the bread was not in an area that would have been touched by people eating, it remains pareve. The same is true for all shared foods, such as salads, dips, etc. Even though they are pareve, if they were used at a meat meal and exposed to meat, we are concerned that inadvertently they may have had contact with meat.

In a refrigerator, meat and milk can be placed near each other if there is no chance of spillage (see YD 88:1).

to meat or dairy has the possibility of having some of the food inadvertently smeared on it. Due to the severity of mixing milk with meat, the halacha states that bread from a dairy meal cannot be used at a meat meal. The concern is that someone with residue on their fingers may have touched the bread. Therefore, by necessity, having a dairy meal followed by a meat meal would require two different challah breads — which reminds us of the mitzvah of שתי הלחם, the two loaves of bread brought in the Beis Hamikdash on Shavuos.

Many make a dairy Kiddush and eat a meat meal for the Yom Tov lunch. Eating meat is to fulfill the mitzvah of ושמחת בחגך, that we are commanded in the Torah (*Devarim* 16:14) to have שמחת יום טוב. As the expression goes, אין שמחה אלא בבשר ויין, *happiness is demonstrated only through meat and wine* (see *Pesachim* 109a). The *Mishnah Berurah* (*Biur Halacha* 529:2, quoting the Bach) *paskens* that eating meat during the time of the Beis Hamikdash was an obligation, and although strictly speaking it is no longer mandatory, it is still preferred and would be considered a mitzvah of *simchas Yom Tov*.

The question is how to separate the *milchig* Kiddush from the *fleishig* Yom Tov meal. The Tur (OC 273) quotes the *psak* of the Geonim that a person can make Kiddush and eat a *k'zayis* of *mezonos* to fulfill the obligation of קידוש במקום סעודה. Based on that, in order to fulfill the *minhag* of eating *milchigs*, one could partake of a dairy *mezonos* item after making Kiddush.

As quoted earlier, the Gemara in *Chullin* (105a) says in the name of Rav Chisda that a person does not have to wait after eating milk in order to eat meat. The *Magen Avraham* (494:6) and the *Mishnah Berurah* (*ibid.*, 16) rule that a person who started his meal with *milchigs* does not have to *bentch* in order to separate between the dairy and the meat. However, others are stringent (see *Piskei Teshuvos* 494:12, based on the *Zohar*, *Shelah*, and other sources).

In order to ensure that one is not making a ברכה שאינה צריכה, we separate the meals with a clear *hesech hada'as* by doing something else between them. This will enable us to make new *brachos* on the

second meal.

Cheese

Cheese is made by adding rennet or cultures to milk in order to separate the curds and whey. After separation, the curds are made into cheese. There are many types of cheese produced globally, some soft and some hard. By using a strong coagulant of rennet and aging the cheese for months or years, it will become “hard cheese.”

The Gemara in *Avodah Zarah* (29b, 35a-b) says that *Gevinas Akum*, cheese produced without Jewish supervision, is not kosher and gives many reasons for the need to make special kosher cheese. Rennet was always the most common enzyme used to separate the curds and whey. Animal rennet is derived from the stomach of a nursing calf. Microbial rennet, more commonly used in cheeses today, is made from kosher pareve sources. Even animal-based rennet can be used to separate milk and whey to make cheese, as long as it comes from a properly slaughtered animal. Due to the severity of using non-kosher rennet and the possible addition of non-kosher additives such as lipase, this process requires a *mashgiach temidi*, constant kosher supervision (see *Shach* YD 115:20).

Hard cheese

Hard cheese or very pungent cheese is treated differently than soft cheese. Based on the *psak* of the Rama (YD 89:2), Ashkenazim wait the same amount of time after eating hard cheese before meat that one waits after eating meat before dairy, which for most people is six hours. Most Sephardim do not follow this stringency and are *noheg* simply to cleanse their hands and mouth from any residue (as detailed above) even after eating hard cheese (*Yalkut Yosef* YD 89:46).



The Shach (YD 89:15) and the Issur V'Heter (40:10) define hard cheese as cheese that has aged about six months or more. Rav Aharon Kotler defined hard cheese as that which was so hard to slice that it needed to be grated (*Kovetz Halachos*, Shavuot, Ch. 11 fn 19). Both hard cheese and pungent cheese leave an aftertaste and residue, therefore necessitating the waiting period.

Types of hard cheese

The following types are usually considered hard cheese:

- Appenzeller from Switzerland
- Asiago
- Caciotta Alpina
- Cheddar
- Dry Monterey Jack
- Emmental (Swiss cheese from Switzerland)
- Gruyere
- Parmesan
- Pecorino Romano
- Pecorino Sardo
- Piccante Provolone
- Reggianito
- Romano
- Speedy Piccante
- Tilsit

(Note: American cheese is never a hard cheese; it is nonaged cheddar cheese.)

Pizza, Eggplant parmesan

Most eggplant parmesan is made with mozzarella cheese with some parmesan that has not been aged.



There is a question about how long one must wait, if at all, after eating Pizza, which can be topped with parmesan cheese aged over six months. Most

Poskim say that one does not have to wait despite the use of parmesan

cheese on the topping. The reason is based on the *Yad Yehuda* (*Peirush Hakatzar* 89:30) who says that melting the hard cheese removes the reason for considering it a hard cheese. This would also apply to other items topped with parmesan cheese, like potato chips, popcorn, and so on. These products use powdered cheese which has been melted and turned into powder. Rav Elyashiv (*Kovetz Teshuvos* 1:58:2) disagrees, ruling that due to the strong taste of parmesan cheese, one must wait six hours after consuming it even in melted form.

Non-Dairy Milk and Cheese

Already long ago, nondairy milk was in use. In order to avoid a wrong impression (מראית עין), the halacha (Rama YD 87:3) states that when serving almond milk together with meat, a person needs to leave a few almonds nearby to clarify what it is.

Today, dairy imitation has gone far beyond almond milk. Most food outlets sell oat milk, soy milk, almond milk, coconut milk, etc. As mentioned above, there is even a chain of glatt kosher restaurants serving cheeseburgers, using glatt kosher meat with imitation cheese. This is often followed with a pareve milkshake.



Publicly and privately, one must be careful when using imitation dairy that it is properly certified as such and that it should not cause a *maris ayin* problem.

Ingredients

Most of the food in our times is bought pre-prepared, either as ingredients ready to cook or as a finished product. Either way, often it is impossible to know the true meaning of some of the listed ingredients without being on site and checking. For example, according to civil law, it is perfectly legal for “natural flavoring” in a meat product to refer to butter. Similarly, some companies may cook their products on the same machinery for milk and meat. There are countless deceptive words allowed when


describing ingredients, masking the true meaning of the listing or the machinery used. We often rely on Kashrus agencies to handle this issue. A product will have a “D” following the Hechsher, or a “DE” if it is pareve but made on dairy equipment. (As detailed above, the practical ramification is that one would not be allowed to eat an actual dairy product immediately after consuming meat, but a product that does not contain dairy but was merely made on dairy equipment can be consumed immediately after meat.)

The OU Kashrus agency (the largest in the world), for instance, has a list online of over 1,000 products that bear an OU-D symbol but are only made on dairy equipment. Oreo cookies is one such example. Although it does bear at this time an OU-D, it is in reality pareve made on dairy equipment and can be consumed immediately after a meat meal.

It is important to note that the name of a product is not always reflective of its ingredients, as we see in the following kosher-certified products:



INGREDIENTS: POTATOES, VEGETABLE OIL (CONTAINS ONE OR MORE OF THE FOLLOWING: COTTONSEED OIL, CORN OIL), SEASONING (WHEY, CORN MALTODEXTRIN, NATURAL FLAVOR, ONION POWDER, SALT, HYDROLYZED SOY PROTEIN, CITRIC ACID, SOUR CREAM [CREAM, NON FAT MILK, CULTURES], SPICES, SMOKE FLAVOR, YEAST EXTRACT, GARLIC POWDER, CHEDDAR CHEESE FLAVORED POWDER [MILK, SALT, FLAVOR], SPICE EXTRACTIVE), SALT.
CONTAINS: MILK, SOY.



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Pet food

It is estimated that in the U.S. there are approximately 90 million pets. When a person who abides by halacha buys a pet, it is incumbent upon him to learn the pertinent halachos concerning owning and caring for animals. Some of the main issues pertain to Pesach (since *chometz* is prohibited to derive benefit from), foods containing a mixture of meat and milk, when to feed pets, and Hilchos Shabbos. No matter how much one regards his pet as “part of the family,” it is not

necessary to feed it kosher food. On the other hand, as noted earlier, we are not allowed to have *hana'ah*, benefit, from mixtures of milk and



meat (see *Igros Moshe* YD 2:37). Even the brands of “kosher-certified” dog food in the U.S. do not contain kosher meat. Rather, the certification makes sure that it does not contain meat with milk and that it is acceptable for Pesach as well. Pet food made from a mixture of chicken and milk is allowed (YD 87:3).

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