

חלב and בשר between הרחקות

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The איסור of בחלב בשר is a unique concept in הלכה. Rarely do we find to items, each of which is completely harmless, that when joined together form an איסור which is more חמור than a non-kosher animal. It is perhaps because of its distinctive nature that חז"ל went to great lengths to ensure that one never violate this particular עבירה. What follows is a discussion of some of the fences that חז"ל placed around the איסור of בחלב בשר in an attempt to maintain the strict standards of כשרות that the תורה demands of the Jewish people.

Putting milk and meat on the same table

The משנה in (קג:) חולין tells us that one may not place meat and cheese on the same table. The גמרא (קד:) is puzzled by this seemingly unnecessary (and perhaps unlawful) גזירה. שם asks: at the end of the day, both foods are cold! אביי answers that we are afraid that the foods will be hot. Still, this is only a כלי שני and a כלי שני is not able to cook (and cannot cause an איסור דאורייתא). Rather, we are afraid that he will bring the כלי ראשון to the table (thereby cooking the two foods in the pot together and causing an איסור דאורייתא).

The ראשונים are puzzled by the גמרא's answer. Isn't this a גזירה on top of another גזירה, which would violate the general principle of לא גזרינן לא גזירה (see ביצה ג.), that חז"ל only decreed one safeguard per מצוה, but did not safeguard their own איסור. In our case, it seems putting them on the table together will lead to one eating them together in a כלי שני, which may in turn cause one to put them together in a כלי ראשון. The רשב"א (תורת הבית ג:ד) explains that the entire דין was one major גזירה intended to help the individual avoid any possible situations that could possibly lead to a violation of the התורה. This statement often used by the גמרא to explain these types of situations is, כולא חדא גזירה היא.

תוספות (קד. ד"ה ומנא) argues that this case is, in fact a double גזירה. Generally, there is no formal איסור for חז"ל to make such decrees, but they understood that doing so was not the standard תורה practice. However, in certain cases, they saw it fit to place extremely high fences around the תורה, and in those situations, they would make a גזירה לגזירה, and בשר בחלב is one of those מצוות. However, תוס' warns that one should not draw his own conclusions concerning which מצוות warrant such treatment and we should only follow the exact גזירות outlined in the גמרא.

A third explanation can be found in the רמב"ם (מאכלות אסורות ט:כ). He explains that the רבנן made the decree against putting meat and dairy on the same table to prevent us from violating the איסור דרבנן of eating them together. (This answer is difficult to understand in lieu of the fact that the רבנן don't generally make fences around other איסורי דרבנן. See לחם אמת.) רמב"ם (סימן פט ס"ק ד-ה) and the משנה (שם) who attempt to explain this.

This איסור does not apply to a counter

The משנה (קד:) tells us that this איסור only applies to a table upon which one eats, but not to a table used for preparing and serving food. Nowadays this היתר can be used for

counters, that one may prepare both meat and dairy foods on the same counter-top (although it is certainly advisable to keep them at a distance from one another so that they do not touch or splatter).

If two people are eating together

The aforementioned הלכות were stated regarding one individual eating at a table. The next משנה (קז:) describes a case in which two guests staying at an inn wish to eat at the same table. The משנה permits them to eat together even if one is eating meat and the other dairy. The גמרא explains that this only applies to a situation in which the two guests do not know each other. However, if they are acquainted, they may not sit together. תוספות (ד"ה כעין) offers a solution to the problem and states that if they have a separation between them, or each one eats off of a separate tablecloth, they may sit next to each other and eat together. The שולחן ערוך (שם סעיף ב) explains that any noticeable item that is not normally found on the table can serve as a היכר and effectively separates the two. The אחרונים point out (see בדי כא), that the היכר of each one eating on his own placemat only applies if this is not normally done and therefore serves as a distinguishing factor. A question is raised concerning whether a היכר works to allow one individual to place both meat and dairy on the same table. The הפלאה argues that in this case it does not sufficiently remind the individual and he may not violate the דין of the משנה under these circumstances, but the חכמת אדם makes no distinction between one person and many.

Eating meat after cheese

The גמרא (קד:) tells us that someone who eats cheese and then wishes to eat meat must perform three acts in order to make this switch, 1) קינוח - cleaning out his mouth, 2) הדחה - rinsing out his mouth, 3) נטילת ידים - washing his hands. The obvious purpose of all of these is to remove any cheese residue that remains in the mouth or on the hands and thereby avoid איסור דרבנן of אכילת בשר בחלב ביחד. The גמרא and שולחן ערוך (סעיף ב) outline the proper method for performing קינוח and הדחה. First one should chew a piece of bread, cracker, or any non-sticky food in order to loosen the cheese particles from his teeth and should then rinse with any beverage in order to flush these loosened particles out of his mouth. Concerning the נטילה, the גמרא points out that if it is day time and one can see his hands clearly, he need not do נטילה because he is sure that there is no cheese remaining on his hands. The ש"ך (סימן פט ס"ק ט) writes that if one has a very good candle (or, perhaps, electric light) he need not wash his hands even at night.

Based on the גמרא and שולחן ערוך (פט:ב), there is no time requirement for waiting between cheese and meat. Some people have the מנהג to wait an hour after eating dairy before eating meat. This is based on the זוהר (פר' משפטים - קכה) that writes that one should not eat בשר בחלב during the same hour.

The רמ"א cites the מהר"ם מרוטנברג who suggests that one who eats hard cheese should not consume any meat until the same amount of time expires that he would wait from meat to dairy. This is based on a situation in which the מהר"ם found that there was a good deal of cheese stuck in his teeth even after performing קינוח והדחה and he felt that he had violated the איסור ביחד. The מהרש"ל cited by the ש"ך argues vehemently against חומרות and states that it is almost מינות (heresy) to suggest that we must create new

that חז"ל never intended. The ש"ך himself seems to accept the פסק'רמ"א provided that the cheese is aged more than six months.

Meat to dairy

The גמרא writes in the name of רב חסדא, that although one may eat meat directly after eating cheese, provided that he performs קנוח והדחה, he may not do the same after eating בשר. Furthermore, although one might think that the meat stuck between one's teeth does not have the status of '*fleishigs*' anymore, רב חסדא quotes the פסוק (במדבר יא) "הבשר, בפסוק (במדבר יא) "בשר דיין" to show that it does indeed carry with it the דין of בשר בין שניהם".

The ראשונים offer two main explanations for why one needs to wait after eating meat. רש"י writes that since meat is generally fatty, the taste remains in one's mouth for a good deal of time. Eating dairy while one's mouth still contains a meaty taste would be tantamount to אכילה ביחד. Therefore one must wait until the taste dissipates before consuming any milk products. The רמב"ם argues and claims that we wait because we are afraid that some meat may have gotten stuck in between one's teeth (even after doing קנוח והדחה). Since that meat has a full דין of בשר, one cannot eat any dairy all the while that the meat is not considered to be consumed and having lost its *fleishig* quality.

There are two מינות between the רש"י and רמב"ם. The first is a case in which one chews food in order to soften it for a baby. According to רש"י, this is not a significant consumption of the food that would cause a flavor to remain in one's mouth and he need not wait before eating dairy. On the other hand, there is certainly the chance that meat will get stuck between someone's teeth even in this case. Thus the רמב"ם would say that one still needs to wait the necessary time before moving on to *milchigs*. On the other hand, if one still has meat stuck between his teeth after the waiting period expires, the רמב"ם would not require him to remove it because it is considered digested and no longer *fleishig*. רש"י, on the other hand, would certainly worry about any type of meat that one knows he has in his teeth and would require its removal. The מחמיר is שולחן ערוך (פט:א) in both directions, and one must wait after chewing for a baby, and remove any known meat residue from his teeth, even after the necessary waiting period.

How long must we wait

The גמרא does not offer a time frame for how long one must wait after eating meat. The גמרא simply quotes מר עוקבא who says that he waits until the next meal before eating dairy. רמב"ם (ד"ה לסעודתא) takes the גמרא literally and says that immediately after one says ברכת המזון, he may partake in dairy products. However, the רמב"ם (ט:כח) writes that one must wait six hours after eating meat. The גמרא in ביאור הגר"א explains that his source is the גמרא in שבת that states that a תלמיד חכם eats his first meal six hours into the day, and his next one six hours later. Thus when חז"ל spoke of between meals they were referring to six hours. The רמ"א, although admitting that one may פסקן in favor of תוספות and simply say ברכת המזון (provided he does a proper קנוח והדחה), writes that the מנהג where he lived was to wait one hour. The גמרא explains that this מנהג is based on the aforementioned זוהר and is not the same שיטה as תוס' At the end of the סעיף, the רמ"א concludes that the best thing to do is to wait six hours.

The ש"ך concurs that anyone who 'possesses that spirit of תורה' should follow the רמב"ם opinion.

Many have the custom to follow the מחבר and the רמ"א, but not to wait a complete six hours. The basis for this מנהג is questionable, and is generally assumed to come from the words of the רמב"ם himself. The רמב"ם writes that the amount one should wait is **כמו** שש שעות **about** six hours. Thus it seems that the רמב"ם was not concerned that one sit with an atomic clock to figure out exactly when the six hours expire, so long as one waits around that period of time. However, the simple explanation of the רמב"ם's words is probably, since they didn't have watches or clocks that were completely precise the רמב"ם permits us to estimate the six hours to the best of our ability. However, if one has an exact timekeeping device, he should certainly use it to determine when the six hours are up.

Jews of German descent follow the מנהג to wait three hours. This practice is found in ראשונים and is explained along the same lines as the שיטה of the רמב"ם. One is supposed to wait the same amount of time that one normally takes between one meal and the next. However, during the winter the days are much shorter, and the amount of time between meals can be as short as three hours. Therefore, that since the entire דין of waiting between meals is a חומרא, מדרבנן only intended the waiting period to be as long as the shortest day.

In this area, as in all areas where there are various מנהגים, one should adhere to his family's custom and consult with his רב for further guidance.