

# **Using the Same Oven for Meat and Milk**

## **Rabbi Yehuda Balsam**

Jewish dietary laws are extremely complex and encompass a wide spectrum. Not only are we instructed as to what animals we may or may not eat, but we are even given guidelines as to how we should eat them. It's not enough that the types of food be permissible, but they must also be enjoyed in an acceptable fashion. This is the anomaly of basar b'chalav. One can combine two perfectly kosher products, and be left with a mixture that carries a greater prohibition than pig. In order to avoid this problem, one must take great pains to insure that the two never mix. This not only applies to the food itself, but to the utensils as well. What follows is a brief discussion of whether one may use the same oven to cook both meat and dairy products. Since there are varying opinions on the matter, one should be sure to discuss this particular issue with a competent poseik.

### **Both meat and dairy in the oven at the same time**

The initial consideration that one must take into account is whether or not the foods will be touching each other. In a case where there is a chance that a portion of the milk will drip or splatter onto the meat (or vice versa) one chances an issur mid'oraisah of cooking basar b'chalav. The issur is found three times in the Torah and is always described as an issur to cook a kid in its mothers' milk. The Torah writes 'lo s'bashel g'di bachalev imo' (shmos 23:19, 34:26, devarim 14:21.) The resulting food would be assur b'hana'ah. Thus, even if it were permitted to cook both milk and meat in the same oven, one would still need to ensure that the two would not come into any contact with each other. This is the most simple consideration. The other two considerations are:

- (1) Reicha – the odor that emanates from the food, and
- (2) Zei'ah – the steam that rises from the food.

The Gemarah (Pesachim 76b) has a machlokes between Rav and Levi. Rav assumes that reicha milsa (the odor must be taken into account when deciding questions of Kashrus) while Levi holds that reicha is 'lav milsa' (insignificant). The rishonim are divided as to whose view is accepted. Rashi (s.v. amar) and the Behag seem to side with Levi, while Rabbeinu Tam (tosfos s.v. asrah) paskens like Rav. The Rif writes that Levi is correct but one should not rely on his opinion l'chatchilah. The Rashba (Toras Ha'adam) writes that the consensus of poskim is meikil, but, l'chatchilah, one should not cook milk and meat together in a small oven. The Rosh (Meseches Avodah Zarah perek 5 siman 8) and many other rishonim (Ba'al Hama'or, Mordechai and others) hold like Rabbeinu Tam, but explains that even one who assumes reicha milsa would only assur cooking in a small, covered oven. However, in a large, uncovered oven, it would be mutar. The Mechaber (Shulchan Aruch Yoreh Deah siman 108 sif 1) accepts this opinion, and permits roasting a kosher and treif peace of meat together in the same oven, provided that the oven is large and uncovered, and the pieces of meat don't touch each other. The Rema adds that the same would be true by basar b'chalav. However, he then quotes that our minhag is to prohibit milk and meat even in a large, uncovered

oven l'chatchilah, and to permit it in a small oven b'dieved (see the remainder of the sif where the Rema discusses a number of important variables concerning this din that are beyond the scope of this essay). This is provided that neither food is covered. If one of the foods is covered, then it is permissible. The Shach (s.k. 10) quotes the Issur V'heter that nevertheless, the minhag is to be machmir l'chatchilah even when one of the foods is covered. The Pri Megadim (ibid s.k. 10) limits this chumrah to a non-conventional case, but permits it if there is a solid cover on one of the foods.

Thus, Ashkenazim have the custom to prohibit cooking milk and meat, uncovered, in the same oven, at the same time. If one has already cooked the food, there are strong grounds to say that the food may be eaten, provided that they were in a large, well ventilated oven, and neither food touched the other. Certainly, a posek should be consulted.

### **Cooking one after the other**

The more practical question concerns whether one may cook dairy and meat products consecutively in the same oven, or is it necessary to purchase separate ovens for milk and meat. The issue of reicha is a non-factor here because even if we assume reicha milsa it would certainly not apply once the source of the odor has been removed from the oven. Therefore the only issue with which we need concern ourselves is that of Zei'ah. The Rosh (shut 20:26) in a teshuvah to his son (Rav Yaakov Ba'al Haturim) writes that one should not place a pot filled with meat directly above an uncovered pan filled with milk. The fear is that the steam emitted from the milk will be absorbed into the fleishig pot and will mix the meat together with the steam from the milk. The Rosh understands that the steam coming from the milk has the status of the milk itself. He derives this from the mishnah (Maseches Machshirin 2:2) that writes that the steam emitted from an impure bathhouse has the status of the water itself and is capable of giving forth impurity to food that it contacts. The Vilna Gaon (Bi'ur Hagra s.k. 39 and s.k. 2) also learns it from the gemarah in Chulin (108b) which states that a covered pot filled with steam is considered to be filled to the top, even if the contents themselves don't fill the entire pot.) The Trumas Hadashen (chelek 2 siman 103) limits this to a case where the steam will still be yad soledes bo (which is 110 degrees according to Rav Moshe Feinstein) by the time it reaches the upper pot. Food or water that is cooler than this temperature is considered cold and unable to cook. This causes concern for our ovens. If we assume that the ze'ah of the food has the same status as the food itself, perhaps the steam of the milk cooked in the oven rises and becomes absorbed into the roof of the oven. Later, the same thing could happen to the meat. The two tastes become mixed together in the roof of the oven and obtain the status of basar b'chalav. This basar b'chalav can then come down and cause whatever is cooking in the oven to become asur b'hana'ah. A more plausible problem can be that the meat taste that is being absorbed causes the milk to be released from the oven and be absorbed into the meat that is currently cooking, thus creating basar b'chalav.

Now that we understand the issue of ze'ah we must ask the following question: if we assume that the Rosh is correct, and ze'ah is a significant concern, why did the aforementioned gemarah that discussed cooking Kosher and Non-Kosher meat together never mention the issue of ze'ah? There are a number of answers to this question

(for an exhaustive list see Shut Yabia Omer Chelek 5 siman 7). We will mention only a few. The Aruch Hashulchan (92:55) writes that the Gemarah was speaking about a well ventilated area in which ze'ah wasn't a problem. He goes on to say that in our ovens, which are large and well ventilated one need not concern himself with ze'ah. The Pri Megadim (cited in Pischei Teshuvah 92:6 based on the Rambam) writes that the din of ze'ah only applies to liquids, but solid foods emit not ze'ah. Based on this, Rav Moshe Feinstein (Yoreh Deah 1, siman 40) relies on this leniency only in a case when one cannot see actual steam rising off of the solid food. If the steam was actually visible, one should reject the Pri Megadim's kulah.

### **Practical Halachah**

Based on these answers, we can understand three of the major opinions in the poskim.

(1) The Aruch Hashulchan (ibid) holds that ze'ah is not a problem in today's ovens and one may therefore cook meat directly after milk (and vice versa) provided that the oven is clean.

(2) Rav Moshe Feinstein (ibid) writes that if one wishes to do this he must cover either the milk or meat that he wishes to cook in the oven, thereby preventing the ze'ah from leaving the pot. In addition, he writes that one may be lenient by solid foods if he doesn't see any steam. A third possible leniency is if the oven has a heating element in the roof, one might assume that whatever ze'ah rose to the top was burned out by that fire.

(3) The Minchas Yitzchak (chelek 5, siman 20), and the Chelkas Yaakov (2:136) both strongly advise that one should use separate oven for milk and meat. Since there are a number of problems that can arise, one should try to avoid the situation altogether.

For those interested in using the same oven to cook both milk and meat (either by covering one type according to Rav Moshe, or by relying on the Aruch Hashulchan), the sefer Badei Hashulchan (siman 92, s.k. 180) raises an additional issue. He recommends that one should try and use separate racks for the meat and milk pots. He fears that some of the meat or dairy food may overflow onto the rack while it is cooking and may then be absorbed into the next pot placed upon it. For the same reason, he also advises that one use separate grates (to cover the burners) for meat pots and dairy pots. However, most poskim don't concern themselves with this chumrah. Their reasoning is that tastes cannot be absorbed from one vessel to another without an intermediary of liquid. While the Badei Hashulchan fears that the food that spilled from the pot onto the oven rack constitutes such an intermediary, they assume that the food either dehydrates or completely evaporates due to the heat of the oven, and cannot lead to the transfer of tastes.

The Torah (vayikrah 20:26) tells us that keeping the laws of Kashrus is directly related to the special kedushah of the Jewish people. The Rambam in his Mishneh Torah codifies the laws of Kashrus (hil. Ma'achalos Asuros) in Sefer Kedushah. We have just seen that the laws of cooking milk and meat as complicated as they are essential to a Jewish home. We should take great care to educate ourselves in order to ensure that our knowledge and observance of kashrus fulfill both the letter and spirit of the law; thereby infusing our lives with kedushah and closeness to Hashem.