

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

### **Rabbi Yehuda Balsam**

One who wishes to clean dishes after a meal must take a number of considerations into account. Whether washing dishes in the sink or using a dishwasher, one must take care not to create a situation where the dishes might be exposed to basar b'chalav or other kashrus considerations.

### **Background**

By first understanding a number of classic cases discussed by the Poskim, we will be able to examine and understand common everyday occurrences. The Shulchan Aruch (Y.D. siman 95, sif 3) describes a case where one rinses meat bowls in a milk basin. Assuming there is no actual milk or meat residue on any of the plates, the Mechaber writes that all of the pots are considered to be kosher. (This is assuming that the basin is a kli rishon and the water is above the temperature of yad soledes bo – 110 degrees f.) His reason is based on the leniency of nosein ta'am bar nosein ta'am (nat bar nat). This means that both the meat and milk tastes that were absorbed into their respective utensils did so in a primary fashion (i.e. milk was boiled directly in the pot, and meat was cooked or roasted on the pan and the ta'am (taste) was absorbed into it). Once that taste leaves its respective pot and is absorbed into another surface, it does not maintain its original flavor, but is weakened due to its disconnection from its original source. This taste is now a secondary taste, a Nat Bar Nat. Everyone agrees to this Din as it is mentioned in the gemarah (see Chulin 111b), but rishonim are divided concerning its application. Some are of the opinion that it applies across the board, while others apply it in limited cases. (For a listing of the various opinions see Beis Yosef siman 95.) Therefore, the meat and milk tastes imparted from both the meat dishes and the milk basin are not powerful enough to create an issur of basar b'chalav. The Shach (s.k. 9) writes that the Mechaber did not permit this l'chatchilah, but only relies on this heter once the dishes were actually rinsed in this fashion. Not everyone agrees that Nat Bar Nat can't create an issur in this case. Indeed the Rema writes that in the aforementioned case both the meat dishes and the milk basin would require kashering. This is the Rema's classic view that Nat Bar Nat doesn't apply in cases when the tastes are cooked together directly. The Rema would also prohibit the use of milk and dairy plates that were rinsed together in a parve basin, based on the same reasoning. The Meat and dairy tastes are both absorbed into the water and mix, creating basar b'chalav. The tastes are then re-absorbed into their respective plates.

The aforementioned Shittos apply only in a case when both the milk and meat utensils had absorbed their respective tastes within the previous 24 hours (ben-yomo). In a case where one or both of the types had not been used in the previous day (eino ben-yomo) then the taste absorbed inside them is considered to be stale. In order for an absorbed taste to have relevance in Halacah it must be capable of improving the flavor of the foods with which it comes in contact. This is known as a Nosein Ta'am L'shvach. A stale taste is not considered to have the ability to improve and is called a Nosein Ta'am L'fgam. This being the case, if one or both types of the utensils was a Nosein Ta'am L'fgam, neither of them need kashering. (The Rema does record a minhag to prohibit the use of the water.) However, one may still not rely on this l'chatchilah. It is

important to note that even if the utensils had not been used in 24 hours, if they have actual milk or meat residue upon them, they do not have the status of Nosein Ta'am L'fgam. One must therefore ascertain that both types of utensils were and are completely clean (see Shach s.k.1 and Pri Megadim s.k. 11).

The Rema also discusses a case where the dishes were not washed at the same time. In this instance, neither of the dishes need be kashered since this represents an absolute Nat Bar Nat (the taste is absorbed into the water before the other type of dish was present and is therefore a very weak taste and incapable of creating an issur). This is only if the dishes are clean. Next, the Rema cites a case where even if the dishes are dirty they remain Kosher: if the basin in which they are washed is a kli sheni. The Gemarah (Shabbos 40b) writes that 'kli sheni einu mevashel (a kli sheni is incapable of cooking). A kli sheni is any receptacle that was not heated directly on a fire. If the water was boiled in a pot and then poured into the basin, the pot is considered a kli rishon, the water being poured from the pot into the basin is called iruy kli rishon (the pouring of a kli rishon whose status will be explained shortly), and the basin is a kli sheni. Thus the Rema writes that even if the dishes were soaked together in a basin that is a kli sheni, they are both permissible. The Taz (12) writes that even if they were soiled with milk and meat residue everything is considered kosher.

The last case mentioned by the Rema is that of iruy kli rishon. The Poskim (Rosh Meseches Shabbos 3:17, Tosfos: Shabbos 42a s.v. nosein) generally assume that the pouring of a kli rishon can only cook the very outer layer of a food (k'dei klippah). This is significant in the laws of Kashrut as well. One who pours water directly from a meat kli rishon onto dairy foods or utensils has created basar b'chalav. This is because the water was already 'fleishig' and was hot enough to affect the outer layer of the milk. However, the Rema permits one to pour water from a parve kli rishon directly onto a combination of milk and meat dishes even if they are dirty. He posits that the iruy does not have the ability to impart and absorb taste from one utensil to another. The Shach disagrees with the Rema and claims that an iruy kli rishon can transfer tastes if there is actual food on the plates. Iruy lacks the ability to remove the taste from the plate itself and cause it to be absorbed into another, but it can absorb food into a plate. Based on these cases we can attempt to understand and apply these halachos to the modern kitchen.

### **Sinks**

Based on what we have learned, one can understand why it is problematic to wash meat and dairy dishes in the same sink at the same time. Even the Mechaber, who uses the Heter of Nat Bar Nat by clean dishes, would prohibit placing dirty dishes together under a running faucet. The water running from the faucet constitutes an iruy kli rishon (if it is yad soledes bo) which can run directly onto the meat residue and a dairy plate, thus causing the dairy plate to absorb the meat taste and creating basar b'chalav. Even if one washes meat and dairy dishes separately problems can arise. When one allows the water to run from the faucet over the meat or milk residue and then to fall into the sink basin (or over milk or meat residue sitting in the sink basin), the basin absorbs the taste of the food. When hot milk or milk residue that is being subsequently rinsed falls onto that spot, the sink basin becomes basar b'chalav. Once an issur exists, we can no longer apply the Heter of Nat Bar Nat, and dishes that are placed into the sink basin and washed there can absorb this taste. It is for this reason that the Minchas Yitzchak (chelek 2, siman 100) recommends that if one has the means, he should acquire two different sinks. In a case where this is impossible, he gives the following guidelines for washing dishes. One should acquire two

(one for milk and one for meat) large plastic basins, and place it in the sink. One should first let the water run into the basin (thereby giving it the status of a kli sheni) before placing any dishes into it. This way, even if the water and food residue fall into the sink, they are incapable of absorbing into the sink basin. The Minchas Yitzchak adds an additional Chumrah; that one should make sure that the sink basin is completely clean and place a rack on top of it and then place the basin onto the rack, to prevent any absorption of tastes from the sink basin to the insert.

This method of washing dishes is common to homes in Eretz Yisrael that contain only one sink. In America, most people who have only one sink rely on the opinion of Rav Moshe Feinstein (Y.D. chelek 1 siman 42). Rav Moshe allows one to wash both types of dishes in the same sink (at separate times) if one uses separate racks for meat and dairy. As long as the dishes aren't resting on the sink basin itself one need not worry about tastes from meat and milk creating an issur. Since the only way basar b'chalav can be created in the sink basin is if water that is yad soledes bo runs directly over a piece of meat sitting in a meat basin and then having the exact same occurrence take place with milk within the next 24 hours. This possibility is so remote, that Rav Moshe rules one need not be concerned it. The requirement to use separate rack is simply an additional precaution so that the utensils don't actually touch the sink basin, but if they do, they are still considered Kosher.

An additional consideration is that the drain should remain clear so that the water does not back up and touch the utensils. If this does occur, neither the Minchas Yitzchak nor Rav Moshe would require that the utensils be koshered. We mentioned above, according to the Rema, that milk and meat dishes soaked together in a kli sheni do not need to be koshered even if they are dirty. However, the situation should be avoided if possible.

### **Dishwashers**

Using the same dishwasher for meat and dairy presents a number of the same problems. The dishes and cutlery are placed into racks that hold them in place and hot water is sprayed over them. This hot water either comes from the tap, or is heated in the bottom of the dishwasher and sprayed over the dishes. Additional water is sprayed from the top. These waters constitute an iruy kli rishon. However, the standard iruy is a constant, uninterrupted stream being poured from the kli rishon. Here, the stream is not constant or uninterrupted, as it is sprayed. This is called an iruy shenifsak Ha'Kiluach. In this case, the Rema (68:10) and the Shach (105: s.k. 5) rule that an iruy has the din of a kli sheni. Thus one can certainly be more lenient, at least Bidi'eved. This iruy kli rishon then touches the food on the dishes and sprays all over the dishwasher walls. There is a good chance that the walls will absorb the taste of the food in the dishwasher and subsequently become basar b'chalav when the other type of dishes are placed inside it. Similarly, the taste of the food certainly becomes absorbed into the racks in which the dishes are placed, and those certainly become basar b'chalav. These constitute a far greater problem than the walls of the dishwasher, because any water that hits the walls and subsequently runs onto the dishes would be considered kli sheni and incapable of imparting taste. The racks, however, are directly touching the dishes, and the same iruy can run over the racks and the food as a kli rishon. It is for these reasons that Rav Moshe Feinstein (Y.D. 2, siman 28-29) permits using a dishwasher if he uses separate racks for meat and dairy utensils. Rav Moshe also adds an additional reason. Any taste that is released from the walls into the dishes constitutes a Nat Bar Nat because its original source is no longer present. Therefore, one need not worry about his dishes becoming basar b'chalav from the tastes absorbed in the Dishwasher

walls and racks. He still maintains that one use separate racks because there might be some actual food particles stuck to the racks and that is always considered a primary taste.

One problem that Rav Moshe does not address is that of the filter. Many dishwashers have filters that catch food particles from entering the drain and the particles remain there. These particles can become basar b'chalav and subsequently be sprayed upon the dishes. It is for this reason that the Badei Hashulchan (siman 95, S.K. 81, and biurim s.v. shari) prohibits the use of the same dishwasher for milk and for meat. It is unknown whether Rav Moshe was aware of the existence of these filters when he wrote hi Teshuva. There is definitely room to assume that he was aware of them and still permitted the use of these types of dishwashers for a number of reasons. First, the particles are being sprayed onto the dishes by an iruy shenifsak hakilu'ach, and may not present the same problem as food stuck to the racks. Second, the particles may constitute less than a sixtieth of the water in the bottom of the dishwasher and may be considered Batel. Furthermore the taste of the food may become Nosein Ta'am L'fgam because of its contact with the dishwasher detergent. Regardless of whether Rav Moshe relied on any of these kulos, the Badei Hashulchan does not consider them sufficient grounds for leniency.

One should consult a competent poseik to decide how to conduct himself.