

# HALOCHOSCOPE

**This week's question:**

**Does a food thermometer require *tevilah*? If electronic parts, such as the digital display, tend to break when immersed, may they be left out of the *mikveh*? To a lesser extent, the dial on others tends to break when immersed. May this be left out of the water? May they be covered or otherwise protected during the *tevilah*? If it is not immersed, should one cover the probe of the thermometer with plastic so that it does not come in contact with the foods? On thermometers that have a plastic covered wire running from the probe to the display, how much of the utensil would require any kind of immersion? Is there any difference between thermometers that are not meant to remain inside the food during cooking, and those made to stay inside the food?**

**The issues:**

- A) *Tevilas kailim*, immersion of new utensils**
- B) What qualifies as a *kli seuda*, utensil for food preparation?**
- C) *Chatzitza*, surface adhesions that prevent total immersion**

**A) *Tevilas kailim***

If a utensil is *tamei*, ritually contaminated, its uses are limited until it is ritually 'sterilized'. For most utensils, cleansing involves *tevilah*, immersion in a *mikvah*, ritual body of water. The details of a kosher *mikvah* are beyond our discussion. The main points are that it must be in the ground. It may not be made as a container and then attached to the ground. Its supply must be naturally collected rainwater. During collection it may not pass through containers or over or through utensils susceptible to impurity. Or it may be part of a naturally flowing body of water, such as a spring. If made of collected rainwater, it must be stationary. There is a minimum amount, after which more may be added in any way. The new water will become part of the existing kosher *mikvah*.

*Tevilah* is required for people or utensils that have contact with a source of *tum'ah*. These include corpses and carcasses, and certain emissions or conditions of the body. The main application of the laws of *tum'ah* is to foodstuffs that must be kept ritually pure. These include parts of offerings and tithes from crops or dough. Due to the absence of the temple, the uncertain lineage of the priesthood, and the unavailability of the purging process of the *parah adumah*, red heifer, this has no practical application nowadays.

Nowadays, the common application of *tevilas kailim* practiced is on utensils purchased by a Jew from a gentile. The Torah mentions this obligation in relating the laws regarding the spoils of the Midianite war. The simple context is the *kashering* of utensils that were used with forbidden foods. The Talmud applies it to *tevilah* as well. There is a minority view that it is not a Scriptural but a Rabbinical obligation. The *Yerushalmi* explains, when transferred from the possession of a gentile to a Jew, the utensil attains a level of *tum'ah*. Therefore, utensils made of six metals must be cleansed in purifying wa-

ters before use. In the gentile's possession they are not impure. In fact, there are situations when it is preferred to keep them in a gentile's possession. Most notably, on *Shabbos* one may not immerse a *kli*. Without *tevilah* it is still useless. *Tevilah* 'fixes' it. One solution is to transfer it to a gentile, then to borrow it from him. Certain utensils are so impractical to *tovel* that the poskim suggest this as a quasi-permanent solution for them.

Utensils purchased for resale, both by a Jew from a gentile and by a gentile retailer from a Jewish manufacturer, are debated by the poskim. As a rule, the end consumer has the obligation to *tovel*. There is also discussion on a utensil repaired by a gentile for a Jew, or vice versa. If a Jew purchased material and made the utensil, it does not require *tevilah*. If the Jew purchased a non-food utensil and converted it to a food use, with or without a physical alteration, the poskim debate whether *tevilah* is required. However, if the Jew alters it for food usage, then wishes to use it for a non-food usage, he need not *tovel* it before using it for non-foods.

Before immersing a utensil, a *brocha* is recited. *Tevilah* is considered a *mitzvah*, that applies to any utensil due to its *tum'ah*. [*Kashering* a non-kosher utensil is required as a method to permit its use. However, it is not a *mitzvah* in its own right. No *brocha* is recited when *kashering*, as opposed to *tevilah*, which is a *mitzvah*.] However, in some instances the obligation to immerse is debatable. In many of these situations, the poskim do not decide the issue conclusively, and require the immersion, due to doubt, but no *brocha* is recited. If there is indeed no requirement to immerse, the *brocha* is being recited in vain. Therefore, it is preferable not to recite it. The *mitzvah* is valid regardless of whether the *brocha* was recited. If *tevilah* is not required, it is better not immerse the utensil as a self-imposed *chumra*, stringency. This might lead one to recite a *brocha* in vain. [See Parshas Matos 31:23. Shabbos 34a, Beitzah 18a, Avodah Zara 75b, Poskim. Tur Sh. Ar. YD 120:esp. 1-5 8 9, OC: 323:7 Pri Megadim 451, commentaries.]

### **B) *Kli seuda***

It is implicit in the Torah that the utensils taken from Midian were used with food. Only these utensils require *tevilah* when purchased from a gentile. This includes utensils used for preparing, serving, eating [and storage according to most poskim] of food or drink. Exactly which levels of preparation are included is debated by the poskim. Some maintain that only the stages that make it ready to eat are included, which excludes knives for slaughtering. Some maintain that the food need not come in direct contact with the utensil. If it is needed for the food to be served, albeit with a liner or cover, it is considered a food utensil. There is some discussion about multi-purpose utensils, such as a pocket knife. Storage utensils, both long term and short term, are debated by the poskim.

A question arises with regard to measuring utensils. These are needed in the process of preparation, but they are not being used specifically to prepare the food. They also need not come in contact with the food. Some exempt glass measuring utensils used by a store. Some require *tevilah* on consumer's measuring utensils. The specific case is used to measure out liquids. It is possible that these utensils are also used for serving. Certainly, when taking the food, liquid or solid, from its container to the mixing bowl, the measuring utensils serve as preparation utensils.

A thermometer is used for a different type of measurement. The operative term is *tikun ochel*, accomplishing some positive change in the food. A utensil used to measure

ingredients or portions performs such a function. A thermometer is used to decide whether the food should be brought closer to the fire or the heat should be increased or decreased. These seem to have little direct connection to *tikun ochel*. In earlier times, such utensils did not exist. This is similar to a utensil used to poke food to see whether it is fully cooked. It is also not being used in a conventional preparation application. It seems that its entire use is to touch the food, rather than to add any steps in its preparation. The Talmud discusses the *kli* status of a reed used to measure the depth of a cistern of wine, or water. Another type of reed was used to determine whether the olives in a ripening tank were ready to press. These measuring tools resemble the thermometer. However, there is no discussion on whether a metal tool serving these functions requires *tevilah* as a food preparation item. In the absence of any discussion by the poskim, it would appear that this utensil does not require *tevilah*. If one were to *tovel* it, one should not recite a *brocha*. [See Kailim 13:6 15:4 Shabbos 60a Avoda Zara 75b, Poskim. Tur Sh Ar YD 120:1 4-7 10, commentaries [Darkei Teshuva]. Hakashrus 4:18-21 32.]

### C) *Chatzitza*

The entire *kli* must be immersed, including the handle. This is called a *yad*, a stick protruding from the *kli*, or an *ozen*, an 'ear'. Even if the handle is of a material that does not require *tevilah*, such as wood or plastic, the *kli* is immersed with the non-metal handle. What if the handle is left out of the water? When a person immerses, the Torah requires the *basar*, skin, to be immersed totally in the water. The whole body must be under water at the same time. No part of the skin may be covered in a way that the water cannot get to it. For utensils, the Torah says that 'only' the gold etc. must be immersed. This teaches that corrosion must be removed from the surfaces first. This also implies that there may be no adhesions to the surfaces.

There are three types of unintended adhesions, or *chatzizta*. If foreign matter covers the majority of the utensil, and is also so significant that it would normally be removed, it is Scripturally considered a *chatzitza*. If it is not significant enough to be removed, it is still considered a *chatzitza* Rabbinically. If it covers a minority of the surface, but is significant enough to be removed, it is also a *chatzitza* Rabbinically. This applies when the prevailing practice is to remove it, despite the specific user's lack of concern. It also applies when the user insists on its removal as a personal quirk, even if the prevailing practice is to leave it there during use and washing.

If a part of the utensil is non-metallic, one might think that it does not require *tevilah*. However, at its point of contact with the utensil, it prevents the penetration of the water. Thus, it acts as a *chatzitza*. If it is immersed with the rest of the *kli*, it is being treated as part of it. Just as one need not penetrate the thickness of the *kli*, one need not penetrate the joint. If it is left outside of the water, one has not immersed the entire *kli*. If one wishes to consider it a separate entity, he has made it into a *chatzitza*. Therefore, one must immerse the entire *kli*, including the non-metallic parts.

If the utensil has electrical parts, some poskim maintain that these parts are, by definition, not meant to come in contact with any food or liquid. Unlike regular handles that sometimes touch the food, the electrical parts cannot be considered part of the utensil in terms of *tevilah*. This is also based on other considerations relevant to the laws of *tum'ah*. Others maintain that the utensil must be totally immersed, but not the wire or cord.

[If the utensil is thoroughly dried before use, usually, there will be no negative effect. However, some circuit boards have sensitive components that can break if they get wet. On certain utensils, these are not very well protected. In such instances, it is advisable to place some tape on the areas where the water could enter and do harm. In our case, experience has already shown that the thermometer has broken. Some poskim say that if the *kli* could be damaged, one should rather have a Jew alter it professionally. Or it can be given to a gentile and borrowed back indefinitely.]

The reason that the cord need not be immersed is that it may be considered a separate entity. There are two utensils joined together, the food utensil and the electric supply. The electric supplying device is not a food preparation utensil, and does not require *tevilah*. The question is, why does this not act as a *chatzitza*? Two considerations may be taken into account. First, internal parts, called *bais hasetarim*, that are not usually exposed to the water, do not present a *chatzitza*. Second, if one has no intent to remove that part, it should not be considered a *chatzitza*. [See Kailim 13:6 15:4 Mikvaos 9:3 10:5 Shabbos 60a Avoda Zara 75b Chulin 72b-73a Nidah 41b-42b, Poskim. Tur Sh Ar YD 120:1 4-7 10 202:5 9, commentaries. Igros Moshe YDI:57-58. Halochoscope IX:4.]

In conclusion, if the probe is not meant to remain in the food during the entire cooking, it appears that the thermometer does not require *tevilah*. However, one may *tovel* it with no *brocha*. If it is left in the food all the time, it should be immersed with no *brocha*. Only the probe should be immersed. One should not *tovel* the sensitive parts that measure. They may be protected from the water. Using the probe with a plastic cover would not change the *tevilah* requirement, according to many poskim. If it is indeed considered a food-preparation utensil, it might not necessarily need to come in contact with the food to require *tevilah*.

**On the Parsha ...** .. may they multiply like fish in the belly of the land .. [48:16] and the evil eye has no dominion over them [Rashi, see Brochos 20a] .. because brocha can only be found where the eye cannot see [Bartenura]. Why are the fish in the belly of the land? Apparently, the protection only works when the fish are in a water body in the ground, as opposed to in a container. By being compared to fish, immersed in the water, we are more receptive to *brocha*. Maybe this is another symbolic reason to immerse food utensils purchased from gentiles, as opposed to any other utensils. Hashem wishes to bless specifically our bread and water [Mishpatim 23:25]. To make the food more receptive to blessing, the utensils used to prepare it are immersed totally in water of a *mikveh* – 'in the belly on the ground.' Food prepared on utensils that were not immersed is not defiled, and may be eaten. However, perhaps it is not quite so blessed.



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**to Nechama Horowitz, mazal tov.** 

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