

HALOCHOSCOPE

This week's question:

May one use a cone filter to make coffee on *Shabbos*?

The issues:

- A) *Bishul*, cooking on *Shabbos***
- B) *Ain bishul achar bishul*, reheating cooked food or liquids**
- C) *Kli shaini*, a receptacle not heated by fire; *kalei habishul*, foods that cook quickly**
- D) *Borair*, sorting the bad from the good**
- A) *Bishul* [mostly excerpted from Halochoscope II:41]**

Cooking is a process that effects a change in the food. It happens slowly over a period of time. At which point is the food considered cooked? When the desired change will have been determined to have taken place. Thus, if one did the act of cooking by placing the food in a pot on the stove, but removed it before this change took place, he is not liable for violating the Scriptural *melacha*. If he left it there, the initial act is a violation.

For these purposes, the point at which a food becomes edible is taken as the point it is considered cooked. This varies according to the food. For bread, it is the forming of a crust (not a brown crust, but a hard crusty outside layer). For cooked foods it is *maachal Ben Drusai*. *Ben Drusai*, according to the some, was a robber chief. He ate his food in a hurry. He waited until it was minimally cooked and edible. Most poskim maintain that this is a third cooked. Some say this is half cooked. According to some, this is measured in cooking time. That is, a third of the usual time it takes to become fully cooked, from the point it is heated. Others seem to say that this is not measured in cooking time, but is a qualitative measure.

Once food reaches this stage, it can still be improved until it is fully cooked. One who puts it back on the stove to finish cooking will also violate the *melacha*. Stirring the pot, causing the food to be cooked uniformly, or helping some of the food get closer to the heat source or deeper in the liquid, is also considered *bishul*. Some consider it a form of the regular *bishul*. Others consider it a *tolda*, sub-category of *bishul*. Accordingly, some maintain that *maigiss*, stirring, applies even if the food was already fully cooked, but could still 'thicken and improve'. [Fully cooked means that people would eat it even if there was no emergency. Improved would mean that when left for longer, it would taste better or get firmer or softer.] Most poskim maintain that one who helps it thicken and improve does not violate the Scriptural *melacha*. At the time of the *Bais Hamikdash*, this would mean that he does not bring an atonement offering. It is still forbidden Rabbinically. Accordingly, even fully cooked food should not be stirred.

Scripturally, only fire or its derivatives, regulated heat, is considered a heat source for *bishul*. Natural heat of the sun does not count. It is Rabbinically forbidden to use indi-

rect solar heat because it can be confused with indirect fire heat. Physical change that comes about through a temperature change but not through cooking, such as melting snow, is not called *bishul*. Water poses a problem in terms of measuring a physical change. It is not visibly changed or made edible. The Talmud uses the point of *yad soledess bo*, when a hand would be jerked away because of the heat. This is a tasteful pseudonym for the point at which the skin on a baby's stomach would be scalded by the hot water. This is the lowest temperature that hot water can effect a physical change, that is, a scald mark. Water need not undergo a permanent change. It is considered cooked at this point. Water is a *bishul* medium, and is measured this way. Other food must cook long enough to reach a stage of *maachal Ben Drusai*. Water is considered cooked at *yad soledess bo*, even before it comes to the boil, and is considered 'fully cooked'. [See Shabbos 4a 34a 38b-42b 74b etc., Poskim. Tur Sh Ar OC 253-4 318, commentaries.]

B) *Ain bishul achar bishul*

Since *bishul* must bring about a change in the food, once this change has already taken place, there cannot be a second *bishul*. Thus, warming over cooked food does not constitute real *bishul*. Cold water that was previously boiled was never really different after it was 'cooked'. It is difficult to see why there should be no second *bishul* when reheating it. The poskim debate reheating other liquids, such as cooked food that has gravy. The cooked gravy has changed permanently from its raw state. Alternatively, the complete food including its liquid and solid components could be viewed as one. Since there is no second *bishul* on the solid part, there is no new *bishul* on the whole. The difference between these views applies to a case where there is no solid, such as clear chicken soup. We follow the view that considers cold liquid 'raw' with regard to a second *bishul*.

Ashkenazic communities adopt one leniency in reheating liquids. As we mentioned, one way to consider water 'cooked' is the way it is used. Warm liquids are consumed differently than cold ones. If soup has cooled to the point that it is not considered normal to eat it in this state, it is considered 'raw'. If it is still warm enough to consume normally, it is considered fully cooked. This temperature would be much colder than *yad soldess bo*. *Sepharadic* communities consider anything colder than *yad soledess bo* to be 'raw' again.

The poskim debate whether the Torah recognizes baked or roasted as no longer raw in regard to cooking it later in a liquid medium, in terms of *bishul achar bishul*. We follow the minority view to consider it forbidden Scripturally to reheat something that was previously roasted enough to be eaten. Seasonings are often roasted in an oven before being used to season. If they can actually be eaten in their dried or roasted state, they should fall into this category. Roasted coffee is usually not eaten plain, but brewed. The grounds are usually discarded. If, however, it can be shown that it is normal to eat them, they would be considered an already processed food. Cooking them again would not violate *bishul*, according to the majority view. Nonetheless, we follow the stringent view. [See Shabbos 34a (Rashi) 40b (Rosh) 145b, Poskim. Tur BY OC Sh Ar 253:2 4 5 (Rema MA 19 34 PMG41 etc.) 318:4 5 15 16, commentaries. ST Chasam Sofer OC:74.]

C) *Kli shaini; kalei habishul*

If a pot was removed from the fire but is still boiling hot, it will retain a high temperature for long enough to cook many types of food. The hot water or other food in the

pot is considered indirect fire heat source. This would seem to Scripturally forbid its use for *bishul*. This is known as *kli rishon*, the 'first' utensil, in relation to heat. The Yerushalmi actually debates whether Scripturally one requires the actual fire. Nonetheless, the food can be 'cooked' in a *kli rishon* off the fire.

Hot food or water that has been placed into another receptacle that was not previously hot will no longer maintain the heat for long enough to cook. This is known as *kli shaini*, the 'second' receptacle. Some say that the walls of the colder utensil will actively cool down the hot food. If water is poured directly from a *kli rishon* on cold food in a *kli shaini*, the sides of the *kli rishon* are not available to help the cold food cook, but the cold sides of the *kli shaini* are also not able to hinder the heat of the water. We assume that the hot water will cook a paper thin layer of the surface of the cold food on contact. Therefore, *iruy kli rishon*, pouring from a *kli rishon* directly onto cold food is also forbidden.

Some foods do not require extended exposure to heat to be cooked. These are called *kalei habishul*, easily-cooked items. Some of these can be cooked with *iruy kli rishon*. Even in a *kli shaini*, the water would retain the heat of *yad soledess bo* for just long enough to accomplish *bishul* on some of these foods. Since we are stringent to forbid *iruy* from a *kli rishon* almost as much as the *kli rishon* itself, we apply a stringency to *kalei habishul* as well. We forbid immersing it even in a *kli shaini* without *iruy*. Some poskim contend that the nature of *kalei habishul* is that they cook in any water that is *yad soledess bo*, regardless of the status of the utensil. Therefore, even if they are in a *kli shlishi*, 'third-hand' receptacle, they can be 'cooked', as long as the water is hot.

The Talmud describes some seasonings as *kalei habishul*. Indeed, it appears that some are never added to the food on the fire, and some are usually added in a *kli shaini*. Tea and coffee are not usually cooked directly on a fire. They are cooked through *iruy kli rishon*, with water that is just boiling, or even slightly colder than that. The water must be more than *yad soledess bo*, but the time taken to 'brew/cook' the coffee and tea is minimal. The mixture can also be left to stand in the *kli shaini*, as is the norm for tea or for coffee brewed in a press. It can also be brewed cold, but takes a lot longer. This leads to a debate on whether coffee and tea may be made with *iruy kli shaini*, or in a *kli shlishi*. We have no real precedent to forbid *bishul* in a *kli shlishi*. However, if the single factor in cooking *kalei habishul* is that the water is *yad soledess bo*, this applies to a *kli shlishi* or *revi'i*. On the other hand if the same items can be brewed cold, the fact that they brew quicker with hot water need not mean that they are being cooked. Thus, the poskim debate whether to permit brewing tea and coffee in a *kli shlishi*, or with *iruy kli shaini*. There is no consensus on this, and each person can follow the ruling of his *rav*. [See Shabbos 38a-42b 145b Zevachim 95b, Poskim. Sh Ar OC 318:4 (Ar Hash 28, Dirshu 45) YD 68:10-11 (Pri Chadash, PMG) 94:7 (Pischei Teshuva 7), commentaries. Igros Moshe OC:IV:74:bishul15. Kitzur Hilchos Shabbos 16:12-13, notes, esp. 66.]

D) Borair

Suppose one follows the lenient view, considering ground roasted coffee either already cooked or *kalei habishul* and that it may be cooked using *iruy kli shaini* or *shlishi*. Separating the grounds from the brewed coffee raise the *borair* issue. This *melacha* forbids removing bad components from a mixture. Three conditions exist to alleviate *bo-*

rair: *beyad*, using one's hands or an extension thereof, rather than a *kli berairah*, utensil made to separate; *miyad*, one needs the separated food right away, rather than ahead of time; *ochel mitoch pesoless*, removing the good from the bad, rather than the other way around. Another leniency applies if one leaves some of the good behind with the bad. For example, one may not separate fat from meat. If some fat is left with the meat, or if some meat is left with the fat, one may prepare this ahead of time.

Removing a tea bag, for example, involves removing the unwanted component from the wanted, and is forbidden. This applies even if the tea bag is not considered a specifically made utensil for *borair*. One may pour the tea out of the cup leaving behind the bag. If the bag is to be considered a *kli berairah*, some tea must be left behind. One may certainly not remove the tea inside the bag. The same would apply to a coffee cone filter.

When pouring the water through the filter, one could say that he is indeed separating the coffee from the grounds as well. The Talmud forbids pouring unfiltered wine through a *meshameress*, cheesecloth. It is also forbidden to place the cloth over a barrel, making a 'tent'. However, if there is wine sediment already there in the cheesecloth, one may pour water through it to separate the wine from its sediments. The water is being used to separate the wine. Nonetheless, it is not considered a way to do *borair* activity. The normal way is to pour the mixture through the filter. The wine will indeed be separated, but mixes immediately with the water and filters out as a separate entity. Adding water to the coffee grounds, which will then brew and be mixed with the grounds, and then letting it filter through the cone, would be similar to this. In fact, it is similar to using a tea bag and removing the tea. The filter should not cover an area with dimensions of a cubic *tefach*, to avoid making a tent. It could be argued that while wine is not filtered in this manner, it is considered a normal way to make coffee. Thus, coffee does not necessarily have the same dispensation as wine. On the other hand, there is no mixture until the water is poured through. The person pouring it has not done an active act of *borair*, but has led to a result of separating, that might not be considered *borair* at all. The poskim permit running relatively clear water through a sand filter. Although it mixes right before it goes through, it entered the filter clear, and leaves the same way. On the other hand, in our case, the person pouring wants the mixture, to facilitate the brewing process, albeit for an instant. Perhaps the intent is not so much to mix the two components, as to pour the water onto the grounds and right off them. Thus we see that this issue is somewhat murky! There seems to be room to permit it, but there is no clear consensus. [See Shabbos 137b 139b, poskim. Tur Sh Ar OC:319:9-10, commentaries. Chazon Ish OC:53. Tzitz Eliezer XIV:46. Shmiras Shabbos Kehilchasa 3:58.]

In conclusion, there is room to permit making coffee on *Shabbos* using a *kli shlishi* or *iruy kli shaini*, and pouring it through a cone filter. However, there is no consensus, and one should follow the ruling of his own *rav*.

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