



FROM THE VIRTUAL DESK OF THE OU VEBBE REBBE

RAV DANIEL MANN



Tevila of Something that Turns into a “Meal Utensil”

Question: I received an ornamental honey dispenser and glass plate. I want to use the plate every Shabbat to hold *challa* rolls for *lechem mishneh*. Does it require *tevilat keilim*, assuming that it was made by a non-Jew(ish company)?

Answer: You correctly imply that you could use the plate for its intended purpose without *tevilat keilim*, as we will illustrate. The *gemara* (Avoda Zara 75b) posits that only “*klei seuda*” (utensils for meals) require *tevila*, and the *poskim* understand that it must be used to come in direct contact with food, as opposed to serving/touching a utensil that holds food (Shulchan Aruch, Yoreh Deah 120:4), e.g., the plate for the dispenser.

What happens when something is

designed for a purpose to which *tevila* does not apply but is now being used for a purpose that requires it, e.g., a plate for bread. The Rama (YD 120:8, based on the Issur V’heter 58:85), says that if one bought and uses a knife for cutting parchment, he may not use it, even occasionally, for cutting food. Most of the classic commentaries of the Shulchan Aruch/Rama seem to accept this ruling. On the other hand, the Pri Chadash (ad loc. 19) argues, invoking a (not unanimous) rule (see Shulchan Aruch, Orach Chayim 451:6) regarding the companion *halachot* of *hechsher keilim* (*kashering*) that determinations of status follow the majority of usage. Here, says the Pri Chadash, all should agree that if the majority of usage is such that does not require *tevilat keilim*, it is not required.

The two opinions likely disagree as to the heart of *tevilat keilim* – is it the *mitzva* to do the *tevila* or the lack of permission to use the *kli* before *tevila*. Logically, the *mitzva* should depend on the overall status, but not using without *tevila* could apply to even sporadic usage. Our *chakira* likely gives us the opposite outcome in a case where a *kli* requires *tevila* but one wants to use it beforehand for a non-*seuda* use. If it the main point is the usage prohibition, this is likely only relevant to *seuda* uses. If the main thing is a *tevila* obligation, then it **might be** necessary to not use it for **any-thing** before discharging one’s obligation.

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See Chelkat Binyamin (p. 284) for opinions on this matter.

As far as practical *halacha* is concerned, Chelkat Binyamin (120:68) finds it difficult to ignore the near consensus of the classical *poskim* who requiring *tevila* before any *seuda* usage. He also does not dismiss the Pri Chadash and therefore advocates not making a *beracha* on that *tevila*. Rav Zvi Cohen (Hagalat Keilim 1:2) rules like the Pri Chadash regarding *keilim* whose purpose is not as a *kli seuda*, as the Aruch Hashulchan (YD 120:40) agrees fundamentally and this is apparently the more prevalent practice. There is also more room for leniency regarding a glass utensil, where the maximum obligation is Rabbinic (see Hagalat Keilim 1:3; see Chochmat Adam 73:8 regarding a similar context)) or when there are other grounds for exemption.

However, in your case, the lenient opinions do not suffice. That is because when one decides to change a non-*kli seuda* into a *kli seuda*, it becomes obligated in *tevila*. As we find such decisions change the status even to remove a *tevilat keilim* obligation (Shach, YD 120:17), all the more should it add an obligation. Perhaps you were thinking about Rav Moshe Feinstein's novel leniency (Igrot Moshe YD II:40) that one who buys a container that does not require *tevila* because it is disposable and decides to use it regularly does not thereby create a *tevila* requirement. However, his (not

unanimous) idea is that we view it as a Jew "creating" the status of a *kli*, and one can even exempt himself from *tevila* by physically undoing a *kli* status and then have a Jew repair/restore it (Pitchei Teshuva, YD 120:1). There is no precedent that a *kli* that was not yet obligated in *tevila* when acquired from a non-Jew would not become obligated later based on a new usage (see Shulchan Aruch, YD 120:8). Therefore, barring other grounds for exemption, the plate needs *tevila* before it can be used regularly for *challa*. ■

Eretz Hemdah has begun a participatory Zoom class - "Behind the Scenes with the Vebbe Rebbe" - an analytical look at the sources, methodology, and considerations behind our rulings, with Rav Daniel Mann. Contact info@eretzhemdah.org to join.

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