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לעילוי נשמת ר' יצחק מאיר בן אליהו ובריינא בת אברהם ע"ה ור' גדליה בן אברהם מנחם הכהן ומרים בת ישראל ע"ה

## The Laws of Challah Part 3

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*What liquids used in dough create a challah obligation?*

*Is cooked dough obligated in challah?*

In the previous two articles, numerous halachic issues pertaining to the mitzvah of hafrashas challah were discussed. This article will continue focusing on additional areas of halacha of this great mitzvah.

Which liquids create the challah obligation: The Mishna (Challah 2:2) teaches that dough kneaded with mei peiros (lit., fruit juice; eggs and oils other than olive oil are included)<sup>1</sup> is obligated in challah. However, the Rosh cites the Talmud Yerushalmi (Challah 2:1) which cites the opinion of Rabi Yehoshua ben Levi that only the Seven Liquids recognized by halacha - wine/grape juice, bee honey, olive oil, milk, dew, blood, water - would create the challah obligation<sup>2</sup>.

The Shulchan Aruch (ibid. 329:9) follows the ruling of the Mishna that dough kneaded with mei peiros is obligated in challah. The Shach (Yoreh Deah 329:9) writes, however, that if mei peiros is used, a bracha should not be recited to avoid a potential bracha levatala (blessing in vain) out of concern for the dissenting view of the Yerushalmi. (See further regarding a mixture of Seven Liquids and mei peiros.)

Despite its validation of mei peiros, the Shulchan Aruch (Yoreh Deah 329:10) writes that one should not use mei peiros alone, but should add one of the Seven Liquids. The Taz (ad loc.:7) explains that omitting will create halachic complications, since a food must at some point become wet with one of the Seven Liquids in order to obtain the capacity to become tamei (impure); this process is known as hechsher (lit., preparation). Mei peiros cannot be machshir (lit., prepare) the dough to become tamei (impure). If the dough cannot become tamei, it cannot be burned, as only tamei challah may be burned<sup>3</sup>. (Run-of-the-mill wheat flour as well as oats are usually wetted with water during processing, making the entire issue of hechsher moot. Oats are also generally steamed to the point that they become wet during processing. However, this is not necessarily the case for whole wheat flour or flour from other grains.)

However, once it is already dough and obligated in challah, the Shach (ad loc.:11) writes that one cannot add one of the Seven Liquids, as this will ultimately cause the challah to become tamei, which is forbidden. The Chelkas Binyomin (Challah 329:77) cites authorities who say that nowadays that challah is a Rabbinic obligation<sup>4</sup>, it is permitted to add water so that it will become tamei and will be

<sup>1</sup> A fruit juice made from concentrate is not true fruit juice according to halacha, as it contains water. The dough is thus considered to be made from both water and fruit juice.

<sup>2</sup> Blood would obviously not be relevant for use in dough.

<sup>3</sup> As discussed in a previous *Iyun Halacha* article, *Laws of Challah Part 1*, virtually everyone is considered *tamei* today, and so merely touching the dough after *hechsher* will render it *tamei*.

<sup>4</sup> See previous *Iyun Halacha* article, *Laws of Challah Part 1*, for full discussion.

burned properly according to halacha.

Rabi Akiva Eiger (ad loc.), citing the Sha'ar Hamelech, says that adding even a small amount of water renders the dough susceptible to tumah, but other liquids of the Seven Liquids would need to be the majority of the liquid in the dough to have this effect<sup>5</sup>.

The Pischei Teshuva (ad. loc.:4), however, wishes to draw a distinction between adding one of the other Seven Liquids separately from the mei peiros, in which case a small amount would suffice, as opposed to mixing the liquid with the mei peiros before kneading it into the dough, in which case a majority of the liquid would indeed be necessary<sup>6</sup>. However, the Pischei Teshuva does not issue a conclusive ruling.

Rabbi Pesach Eliyahu Falk (Machaze Eliyahu 110) applies these rulings of Rabi Akiva Eiger and the Pischei Teshuva to the dispute regarding the challah obligation of dough made with mei peiros and says that even a small amount of water would obligate the dough in challah according to all opinions, as would one of the Seven Liquids if it is the majority liquid. Rabbi Falk also seems to rule in accordance with Pischei Teshuva's proposed distinction that even other Seven Liquids, when added separately from the mei peiros, would suffice and thus obligate the dough in challah.

Thick vs. thin dough; baked vs. cooked: Challah is only separated from something with the halachic status of lechem, bread. There is a dispute in the Rishonim regarding what types of dough preparations are regarded as lechem. As an introduction to the discussion, it must be understood that there are two points where the status of lechem can be created – when the ingredients are initially kneaded into dough, and when the dough is heated to make the final product.

The Mishna (ibid. 1:5) discusses the status of loose, thin batters (as opposed to a thick dough) as well as a thick dough which was cooked (i.e., using liquid<sup>7</sup>) instead of being baked (i.e., using dry heat). A thick dough is regarded as a bread-type dough, while a thin batter is not. Dough that is baked is considered a bread-type preparation, while cooking is not.

Rabbeinu Tam (Tosafos Brachos 37b s.v. lechem) understands the Mishna as teaching that a loose batter that was cooked is exempt from challah, since there is no point where it has bread-type qualities.

<sup>5</sup> The reasoning behind this unique capacity of water is beyond the scope of this article.

<sup>6</sup> This distinction is based upon whether the Seven Liquids liquid is *batel* (nullified) in the other liquids or not; a full discussion is beyond the scope of this article.

<sup>7</sup> This includes deep frying. Pan fried in minimal oil used to grease the pan is tantamount to baking; larger amounts of oil but not deep fried is the subject of halachic debate and beyond the scope of this article.

However, a thick dough that was cooked or a loose batter that was baked is obligated in challah.

Rabbeinu Tam understands that since the initial dough is a bread-type dough, the fact that it is destined to be cooked is of no consequence; its status as bread was acquired when the dough was made as a thick, bread-type dough (see Chiddushei Rav Chaim al HaRambam Hilchos Chametz Umatzah 6:5 s.v. vihinei).

The Rash Mishantz (Challah ibid. s.v. Yerushalmi) disagrees and interprets the Mishna as teaching that even if one made a thick dough but intended to cook it, it is exempt from challah - as long as it is ultimately cooked. However, if the plan changed and it was ultimately baked, the obligation of challah kicks in at the time of baking. Conversely, intent at the time of kneading to bake the dough will cause the obligation of challah to take effect, even if it is subsequently cooked.

The Rash understands that simply having a thick, bread-type dough at the point of kneading is insufficient to confer bread status; one must look at the intended method of preparation, as well. If the intent is to cook it, that will prevent the status of bread from being conferred upon it at the point of kneading. However, if the plan subsequently changes and it is indeed baked, it acquires the status of bread at the time it is actually baked, since baking the dough always confers a status of bread (even for loose batter) in of itself.

The Rash (ibid.) brings a proof to his opinion from a ruling of Rav Yochanan cited in the Talmud Yerushalmi (Challah 1:5) that one dough made with the intent of dividing it into parts that are smaller than the requisite shiur is exempt from challah<sup>8</sup>. From this, says the Rash, we see that bread qualities at the time of kneading (in this case, the requisite shiur) are insufficient on their own, as one must consider the intent for the time it will be heated, as well. Since at the time of baking, the dough will be divided up and will not have the proper shiur to be obligated in challah, it is exempt from the start. The Rash Mishantz (ibid.) concludes that the same is true regarding thick dough which will be cooked; even though it has bread qualities now, the fact that there is intent to later cook it prevents it from being regarded as bread. <sup>9</sup>

The Shulchan Aruch (Yoreh Deah 329:3) follows the opinion of the Rash Mishantz that if one made a thick dough intending to cook it, it is exempt from challah. However, the Shach (Yoreh Deah 329:4) writes that challah should be separated out of concern for the opinion of Rabbeinu Tam, though a bracha should not be recited. A practical application of this halacha is pasta or kreplach, which are made as a thick dough and then cooked.

Accordingly, the halacha is as follows: Challah is separated from a thick dough with a bracha if it will eventually be baked. Dough that is first boiled and then baked (e.g., bagels) is also considered baked. A thick dough that will be cooked or fried requires separation of

<sup>8</sup> This halacha will be explained at length later.

<sup>9</sup> See Chiddushei Rav Chaim Halevi al HaRambam Hilchos Bikkurim 6:19 for a lengthy discussion of the logic behind this halacha.

challah without a bracha. A thin batter that will be cooked is exempt from challah, but if it will be baked (e.g., cake or pancake<sup>10</sup> batter), challah is separated with a bracha.

There is a difference between a thick dough and a thin batter regarding when challah should be separated. By a thick dough, the ruling of the Shulchan Aruch (ibid. 327:3) is that challah is separated when the kneading process is complete. When preparing a batter, the Toras Haaretz (4:92,98) writes that the obligation to separate challah applies only after the baking process is complete. Since it is a thin batter, it is only considered “bread” after it is baked, and so the challah obligation takes effect only then.

Dividing the dough: As mentioned earlier, Rav Yochanan rules that if one intends to divide the dough into parts smaller than the requisite shiur for the challah obligation, it is exempt from challah. This is codified in the Shulchan Aruch (ibid. 326:2). The Shach (ad loc.:1) and the Taz (ad loc.:5) add that if one had intent to divide it only after it is baked, it is obligated in challah. This is a common scenario, as a person will often make dough with the intent to give out the loaves to other people. In such a case, challah should be separated and a bracha recited. However, if one plans on giving out portions of dough to multiple people, there is no challah obligation.

What is considered “divided” for this halacha? The Pischei Teshuva (Yoreh Deah 326:2) cites three opinions. The Levush, Bach and Prisha say that “divided” is only when one intends to distribute the dough to others. This is also the opinion of the Gra (Yoreh Deah 326:7) and the Shach (ibid.:5). The Ma’adanei Melech rules that even if one divides the dough with intent to bake the parts separately later (and each part will lack the requisite shiur), there is no challah obligation. The Bais Efraim (Yoreh Deah 69) rules that if the dough is being divided at the time of baking into separate parts (e.g., multiple loaves), and there is no intention to combine them later (through placement in a container or the like), there is no challah obligation.

It is not unusual for someone to make a large batch of dough, divide it and place most of it in the freezer to be taken out and baked fresh at a later point. According to the second and third opinions cited in the Pischei Teshuva, such dough is exempt from challah, but it is obligated in challah according to the first opinion. The Shevet Halevi (4:145) writes that the custom follows the first opinion, and in such a situation challah should be separated with a bracha. However, Rabbi Shlomo Zalman Auerbach (cited in Shemiras Shabbos Kehilchasa 42:45) ruled that challah should be separated without a bracha out of concern for the other opinions.

This third article on the laws of challah has continued discussing the many halachic details and questions that are relevant to the mitzva of challah. There are many other issues not covered herein, and the reader is encouraged to seek competent halachic guidance for all situations of uncertainty. A fourth article is planned that will focus on the actual procedure of separating the challah from the dough.

<sup>10</sup> As noted in footnote 7, frying with minimal or no oil is akin to baking; pancakes are not usually fried in significant amounts of oil.

## Points to Ponder

*What is the status of a loose batter of which some will be baked and some cooked?*

*What if one plans to divide the dough but then later decides not to?*

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