

HALOCHOSCOPE



debated by the poskim. Some require the *brocha* before *tevilah*, and some, after it. A third view maintains that there was never any *brocha* instituted for *tevilas kailim*. The immersion is not a *kashrus* issue, which would only apply if the utensil was permeated with forbidden flavor. *Kashering* a used utensil purchased from a gentile is required, due to the likelihood of it being forbidden. This is not a *mitzvah*, but rather a way to avoid forbidden food. *Tevilah* is considered a *mitzvah*, that applies to any utensil, due to its *tum'ah*. 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. Some never require the *brocha*. 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.

A *brocha* reflects the *mitzvah* performed. In most instances, the *brochos* were instituted using language that covered the specific *mitzvah*. In our case, the *mitzvah* is to immerse *kailim*. The general noun for this would be in the plural. However, it could also be used when immersing a single *kli*. The meaning would be: 'we have the *mitzvah* to immerse *kailim*, and I am fulfilling it with this (*kli*)'. Indeed, one posek maintains that this is the prevailing *minhag*. Another view seems to be that the *brocha* is always *keli*, meaning 'a utensil', as an indefinite article. However, perhaps as a compromise, the major poskim say that for immersing one *kli* the *brocha* is in the singular. There are also other views on the word used for *tevilah*. The consensus is, for those who recite it, to say *al tevilas kailim*, and *al tevilas keli* for a single utensil.

Some say that the true language of the *brocha* is *al tevilas klei mateches*. *Mateches* usually means metal, but its original meaning is things that melt. Some poskim object to the usage of terminology that limits the *brocha* to metals, based on the obligation to *tovel* glassware. When immersing two utensils, one of which is a *safek*, doubt about whether it requires *tevilah*, the poskim recommend saying *al tevilas kailim*, in the plural. [See Avoda Zara 75b Ritva. Tur Sh Ar OC 323 [PMG MZ 6] YD 120:3, commentaries.]

In conclusion, the pill-splitter should not be *toveled*. The other two utensils should be *toveled* at the same time. The *brocha* should be *al tevilas kailim*.

On the Parsha ... *The[avadim kenaanim] shall be for you an inheritance. You shall leave them as an inheritance .. but you brothers .. each man to his brother, you shall not enslave him with hard labor. [25:45-46]* Why does the Torah use the plural for *avadim Kenaanim*, but the singular, throughout the *parsha*, for *avadim Ivrim*? An *eved Ivri* can only be acquired through purchase. Usually, one purchases one *eved* at a time. An *eved Kenaani* can be captured at war. It is normal to capture more than one. Perhaps this helps explain why there are two versions of *brochos* for *tevilas kailim*. In the war with Midian, they captured entire kitchens full of utensils. When purchasing, one often buys one *kli* each time. The variation in *brochos* reflects this.

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This week's question:

Does a pill-splitter need to be *toveled*, ritually immersed, before use?

If one *tovels* a steel blender blade, attached to the machine, at the same time as an aluminum corn-popper, which *brocha*, if any, does he recite?

The issues:

- A) *Tevilas kailim*
- B) The types of *kli*, utensil, that require immersion
- C) The materials that require immersion
- D) The *brochos*, *al tevilas keli* and *al tevilas kailim*

A) *Tevilas kailim*

A utensil can become *tamei*, ritually contaminated, just as a person can. When this happens, its uses are limited until it is cleansed or otherwise changed. 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*.

For some utensils, cleansing requires more than *tevilah*. Earthen utensils need to be broken. They cannot be cleansed by *tevilah*. Other utensils may also be cleansed by breaking them. The Talmud discusses conditions for this. Must it be irreparable? Must the pieces be unusable, or not usable for the same or similar uses as the original utensil? Rabbatically, a metal utensil melted and reconstructed, regains its original *tum'ah*.

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 of that passage 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 uten-

sil attains a level of *tum'ah*. Therefore, utensils made of six metals must be cleansed in purifying waters 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. Some compare this *tevilah* to that of a convert, who changes from a gentile status to that of a Jew. As a gentile there was no *tevilah*, or any concept of *tum'ah*, Scripturally. Becoming Jewish requires *tevilah* because a *tum'ah* comes to rest on him.

If a gentile made the utensil from scratch, with his own raw materials, or if he purchased it for personal use and then sold it to a Jew, it must be immersed. If a Jew manufactured the utensil from his own raw material, it does not require *tevilah*. [Accordingly, when purchasing a silver *kiddush* cup made in Israel, one may assume that it was manufactured by a Jew of Jewish owned material.] 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. [See *Parshas Matos* 31:23. *Shabbos* 34a, *Beitza* 18a, *Avoda Zara* 75b, *Poskim*. *Tur Sh. Ar. YD* 120:esp. 1-5 8 9, *OC*: 323:7 *Pri Megadim* 451, commentaries.]

B) Types of *kli* that require immersion

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.

Utensils not meant to be used for food, that one decided at some point to use for food, do not require *tevilah*. For example, if someone uses a screwdriver to separate frozen food, but bought it from a tool store, it does not require *tevilah*. There is some discussion about a utensil originally made for non-food use. However the owner dedicates it for food usage. One might use a safety pin to hold parts of a roast together. Or one might use a saw made for wood, to cut hard food. If the raw material was purchased from a gentile and then made into a *kli*, it does not require *tevilah*. In one view, the same is true when the Jew converts the use into a food use.

A pill splitter is not really a food preparation *kli*. Pills can be made of natural and edible ingredients, but are not consumed as a food. Some are candies with a medicine ingredient. However, they are not usually eaten by healthy people as food. They might be taken as a supplement. Those made of inedible ingredients are ingested orally as a way to

change the chemical balance or to somehow deal with something present in one's body. Usually, one does not recite *birchas hanehenin* on medicines, unless he eats it for its pleasure as well. Even *kashrus* issues are dealt with differently when it comes to pills. Therefore, the pill-splitter does not qualify as a food preparation utensil, and does not require *tevilah*. Should the owner decide to use this gadget regularly for another kitchen use, such as to break up small measured pieces of a seasoning, he would *tovel* it.

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. 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, 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. Some poskim say that if the *kli* would be damaged, one should have a Jew alter it professionally. Or it can be given to a gentile and borrowed back indefinitely.] [See *Kailim* 13:6 15:4 *Shabbos* 60a *Avoda Zara* 75b, *Poskim*. *Tur Sh Ar YD* 120:1 4-7 10, commentaries. *Halochoscope* III:44.]

C) Materials that require immersion

Tum'ah applies to many materials, once formed as a utensil. Food utensils, clothing, furniture and the like fit the guidelines to be *mekabel tumah*, susceptible to defilement. Many of the halachic guidelines for such *tum'ah* apply to new *kailim* as well. However, the Torah specifies six metals for *tevilah*: gold, silver, copper, iron, lead and tin. Therefore, only these and their alloys require *tevilah* Scripturally. Rabbinically glass was added to the list. Wood and earthenware, though susceptible to general *tum'ah*, are not included Rabbinically. The main difference between metal and wood is the ability to mend the utensil by melting it together. Glass can be melted. Metal, glass and earthenware are all mineral based, but metal and glass are made by melting, while earthenware is baked.

A question arises regarding other metals, especially aluminum. This was not used for utensils until relatively recently, and is not mentioned by the Torah. However, it could be included Rabbinically like glass. Did the Rabbis draw the line at glass? Did they mean a general decree, applicable to anything relevant? One may not add to a Rabbinical institution at a later date. The consensus is to immerse aluminum. However, the *brocha* is debated, and many do not recite a *brocha*. Some suggest that one should *tovel* other items at the same time, that require a *brocha*.

An corn-popper is definitely a food preparation utensil. It can be immersed totally and then dried out. [See *Shabbos* 15b-16b *Avoda Zara* 75b, *Poskim*. *Tur Sh Ar YD* 120:1 (*GRA* 19 *ArHash* 24-25 *DarkTesh* 13-14. *Igros Moshe* *YD* II:164 III:22 *Yabia Omer* IV:YD 8 *Minchas Yitzchok* III:76-78 IV:114.)]

D) The *brochos*, at *tevilas kailim* or at *tevilas keli*

Before immersing a utensil, most have the custom to recite a *brocha*. This is actually