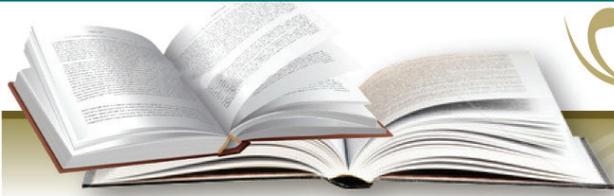


TORAH & HORAHAH



Shemini 5777

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Dear Reader,

As noted in this week's article, *Parashas Shemini* gives us an opportunity to reflect on the laws of *kashrus*, and to extract the lessons therein. Rav Yitzchak Arama (*Akeidas Yitzchak*, *shaar 60*) explains the fundamentals of the Torah principles of *kashrus*:

“We should know that those foods that are forbidden were not prohibited for reasons of health, as some have written – Heaven forbid – for if so, the greatness of the Divine Torah would be diminished, becoming a small book of medicine, with little instruction and explanation, and this would be a disgrace.... Furthermore, even the non-Jewish nations, who eat pig meat and other non-kosher animals, fowl, and fish, are healthy and well, and do not tire for this reason.

Rather, the prohibition of non-kosher foods is *on account of the ills of the spirit and its wellbeing*, for they [the non-kosher foods] are disgusting and

This week's article discusses the *kashrus* issue of finding blood spots in eggs. Must an egg with a blood spot be discarded? Does this depend on the type of egg? Do we need to check eggs for blood before using them, and are the special ways in which eggs should be boiled? These questions, among others, are discussed in this week's article.

This week's Q & A discusses the question of somebody who forgot to count the Omer until shekiya of the next day.

Eggs in Halacha: The Kashrus of Spotted Eggs

Parashas Shemini includes some of the everyday halachos that we live with: the laws of *kashrus*. Given the need for food consumption, we must be constantly vigilant to ensure that the foods we eat meet the halachic standard of *kashrus*.

Today, this is often done for us by others. Almost everything we buy comes with a *hechsher*, a stamp of approval denoting its kosher status. The consumer is left to decide between competing *hechsherim*, and to ensure nothing goes wrong in the kitchen (for example, in separating between meat and dairy). However, there are still certain issues that remain firmly in the domain of the home. One of them is the matter of blood spots in eggs.

This week we will discuss blood spots. Is there an obligation to check eggs for blood spots before using them? Does this depend on which type of egg we use? What happens when we find a blood spot? We will discuss these questions, among others, below.

Fertile and Nonfertile Eggs

In bygone days eggs were generally produced by fertile hens. Fertilized hens have higher hormone levels, which stimulate increased egg production, which of course is good for farmers. Eggs that are laid by fertilized hens—hens that have mated with a rooster—are known as fertile eggs, and these can be incubated and developed into chicks.

Today, nearly all commercially produced eggs are laid by >>>

detestable, and cause damage to the elevated spirit, causing it apathy, an evil temperament, and destructive cravings, from which a spirit of defilement is born, defiling a person's consciousness and deeds, and banishing the spirit of holiness from within.

Of this spirit wrote King David (Tehillim 51:13), "The spirit of Your holiness do not take from me," and further (ibid. 12), "Create for me a pure heart, O G-d, and a steadfast spirit renew within me." ... Therefore forbidden and permitted foods are referred to by the Torah as purity and defilement ... to teach us that the reason for their prohibition is the defile spirit that they awaken within their eaters. One who guards himself should distance himself from them as he is wary of foods that kill."

The senses of members of the human race – and the Jewish People among them – react to the physical rather than the spiritual, to the tangible rather than the intangible. Yet, the laws of kashrus teach us that the foundational and principle human element is not tangible superficiality, but rather an inner, intangible person.

The laws of the Torah are directed not at the wellbeing of the body, but principally at the rectification of the spirit. So decreed the Creator – that

hens that have not mated with a rooster. These are far cheaper to produce, and research shows that fertile eggs are not more nutritious than nonfertile ones, and they don't keep as well. The hormonal stimulation for the hens is achieved artificially through the feed. As a result, fertile eggs are a modern rarity. Virtually all eggs on the market today are not fertile.

In Israel, it is in fact illegal to sell fertile eggs. All eggs must be stamped with a seal of approval, and eggs that carry the seal are guaranteed to be nonfertile.

For halachic purposes, the difference between fertile and nonfertile eggs is significant. A nonfertile egg cannot develop into a chicken. In the past, every blood spot likely signified the beginning of a new embryo. But modern commercial methods ensure that this is not the case—the blood spot *cannot* be a new embryo, and eating it cannot be a transgression of eating a *sheretz ha'of* (a non-kosher bird).

As we will see, this has important halachic ramifications.

Consuming Eggs with Blood Spots

The Gemara (*Chullin* 64b) notes the prohibition of consuming eggs with a blood stain, and Poskim discuss the parameters of this prohibition. Based on the understanding that the prohibition is the result of fertilization, many rule that an egg with a blood spot must be discarded in its entirety.

Others, however, rule that only the blood must be discarded, while the rest of the egg may be consumed. Some authorities write that this depends on where the blood is found—in the yolk (the yellow part of the egg, which is the actual ovum of the hen), in the albumin (the white part of the egg), or in both (see *Shulchan Aruch, Yoreh De'ah* 66:2-5).

The Rema (66:2) writes that due to the complexity of this halacha, the custom is not to distinguish between different areas in the egg, and to prohibit any egg that contains blood (see also *Aruch Hashulchan* 66:15).

Nonfertile Eggs

The Gemara also discussed eggs that are nonfertile, calling them *safno mearo*. Based on the Gemara, the Rashba writes that finding a blood spot in such eggs does not prohibit the egg for consumption. However, he writes that the blood itself should be separated and discarded.

This halacha is ruled by the Shulchan Aruch (66:7).. The reason is that the blood is not the beginning of a chick but rather from a blood vessel in the chicken's reproductive tract rupturing during the egg formation process, and the egg is, therefore, permitted for consumption..

Based on the Shulchan Aruch's stringent opinion, the Vilna Gaon (66:12) writes that failing to remove the blood is a rabbinic

prohibition.

For today's eggs, which can be assumed to be nonfertile, the halacha is therefore that one throws out the blood while the rest of the egg is permitted for consumption (*Minchas Yitzchak 1:106*; *Iggros Moshe, Yoreh De'ah 1:36*; *Yecheveh Daas 3:57*).

Some authorities have written that it remains preferable to be stringent, even today, and to throw out the entire egg. Rav Moshe Feinstein writes that since there is negligible loss, and since there is a minority of fertile eggs that can get mixed up with the nonfertile ones, it is preferable to be stringent. *Shut Mishnah Halachos (4:96)* notes another reason for stringency: Because eating an egg that had blood in it is "peculiar." People will not understand why this is permitted, and this itself is grounds for stringency. However, this reasoning is dismissed by Rav Ovadia Yosef (*Yecheveh Daas 3:57*).

Checking Eggs for Blood

The Rema writes that since the majority of eggs do not have blood spots, it follows that according to the basic halacha there is no obligation to check eggs for blood (**66:8**). However, he proceeds to state that one making a dish with eggs should check the eggs to make sure there is no blood in them.

The *Aruch Hashulchan (66:32)* notes that this is the custom in all of Israel. However, since checking is a custom rather than a full obligation one could argue that where it is hard to check (for instance at night) one may cook the egg without checking it for blood (*Shut Vayevarech David, Yoreh De'ah 2:92*; see *Shulchan Aruch 66:8*). This could perhaps apply for commercial production, where hundreds of eggs are used at a time. However, in practice eggs, commercial eggs are pre-checked.

Even today, when there is no concern for a full prohibition of blood, it remains the common custom to check eggs for blood. However, if eggs were used without checking, it is certainly permitted to eat the food (see *Shut Beer Moshe 5:129* concerning unchecked eggs that were smeared on *challos* for Shabbos; his conclusion is that in the US one can certainly be lenient).

Note that the chances of finding a blood spot today are slim, though it is greater in brown eggs than in white. In the US, mass-produced eggs are candled, meaning that a light is shone through them while a person or machine checks for spots. This further reduces the chance of finding blood spots.

Egg Pots

Because of the concern for finding blood spots, in the past people would use designated egg pots, to ensure that general pots and pans should not become *treif* upon finding blood. Alternatively, people would cook three eggs at a time and mix cold water before removing any egg, so if one of them would have a blood spot it

the deeds of the body, and in particular eating (which is the most elemental physical act we perform), should influence the inner spirit, raising it upwards or dropping it downwards.

Just as on an individual level the human senses seek to deflect us from our inner purpose, so on a national level, the events of the world beg to lead us along a superficial that blocks out its inner meaning. The world around us storms with upheavals and revolutions, leaders and wars, winners and losers, each of them fighting for his honor and his cause. Major events appear to follow one another without direction and without guidance, a random chain of turbulence and turmoil.

Yet, the believing Jew knows that behind the scenes Hashem guides the world, by means of all the bewildering events that meet our eyes, towards its ultimate destiny. It is for this reason that we can out of Egypt – so that we should infuse the world with faith in Hashem, drawing Divine Providence into the darkest corners and imbuing our lives with His supervision.

As we begin our preparations for Pesach, a time when principles of kashrus come to the fore, our prayer and hope is that we should be imbued with the faith of Pesach, clinging to the pure and holy and removed from all evil.

would be annulled by the majority of permitted eggs (see *Teshuvos Vehanhagos* 2:384).

While some are stringent and practice this even today (see *Orchos Rabbeinu* Vol. 3, p. 79), it seems that these precautions are no longer necessary. As noted above, the chance of finding

a blood spot is very minimal (since the eggs are not fertilized and are checked), and even if blood is found, the egg remains permitted. Rav Moshe Feinstein (*Orach Chaim* 3, 61) writes that his practice was to wait twenty-four hours (but did not kasher) before using the pot again if the egg had a blood spot.

Halachic Responsa

to Questions that have been asked on our website dinonline.org



The Question:

If I missed a night of Sefirah, and counted the next day exactly 10 minutes after shekiya, can I continue to count with a beracha the next night?



Answer:

You can continue to count with a berachah.

Best wishes.



Sources:

This is a difficult question, and there are those who write that one cannot continue counting with a berachah. The reason for this is if one counts in the day one can continue counting on account of a 'safek sefeika' – it is possible that one can count in the day, and even according to the opinion that one may not count in the day, it is possible that one can count even after missing a day.

The Rashba writes that a safek sefeika must involve two full sefeikos, and in the case of counting after shekiya the second safek is not a full safek, because of the additional consideration that perhaps it is already night. This rationale is stated by the Beis David (268).

However, it is possible that the reason why one can continue to count is not because of a safek sefeika, but rather because of a 'mima nafshach': According to the opinion that counting by day isn't good, one can continue even if one misses a day, and according to the opinion that missing a day is a problem, counting by day is fine. According to all opinions it therefore emerges that if one counts in the day one can continue counting (Maamar Mordechai 489).

Based on this, it follows that if one counts a few minutes after shekiya (in bein ha-shmashos) there will be a safek sefeika: If the time is day, everything is fine, and even if the time is night there is an opinion that missing a day doesn't stop the count.

In addition to this, the Sha'ul U-Meishiv writes that even based on the safek sefeika rationale, counting in bein ha-shmashos is sufficient, because counting is specifically "definite" and the time for counting only begins at nightfall, and Shut Beis Shlomo (102) likewise writes that one can continue to count on following days.

Therefore, the general consensus of poskim is that one can continue to count with a berachah, and this can be relied on in practice (see also *Mitzvas Sefiras Ha-Omer* 35:5).