



Cholov Akum & Children

Milk not supervised by a Jew - Revisited 2018

("Beyond 'Reb Moshe'")

With Rabbi Mordechai Z. Hecht



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✿ INTRODUCTION ✿

"In Talmud Berachos 8a, the Rabbis discuss the verse: "G-d loves the gates of Zion above all the dwelling places of Yaakov." [The interpretation is]: G-d loves learned discussion that produces straightforward rulings of Halachah – Jewish law, more than all the *batei medrash*- study halls and shuls. This accords with the statement [loc. cit.] of Rabbi Chiya bar Ami in the name of Ulla: "Since the day that the *Beis HaMikdash*- the Temple was destroyed, the Holy one (blessed be He) possesses nothing of consequence in this world beyond the four cubits of Halachah."

וכך פסק השו"ע (חו"מ, סימן י' סעיף א)
והגם לבו בהוראה וקופץ ופוסק הדין קודם שיחקרנו היטב בינו לבין
"עצמו עד שיהיה ברור לו כשמש, הרי זה שוטה רשע וגס רוח"

It is ruled in the code of Jewish law Choshen Mishpat, 10,1:

"One who is haughty and jumps to make judgments and rulings in Jewish law before researching the matter thoroughly...so much so that it is clear to him like that of the rays of sun of the day, is a fool, a wicked person and a boastful person."

It is base don this teaching that I unequivocally state here that this publication is neither my Halachic ruling nor one specific ruling of any one individual sage, not even one great sage or Rebbe or Tzaddik. Rather, this publication is a collection of numerous sources of rulings of sages over the past 500+ years and particularly that of the sages of our generation and most importantly that of our Rebbe. The Rebbe being the leader of our generation – the *Neshoma Klalis*- general and all-encompassing soul of our generation, who is deeply concerned with all matters physical and spiritual for our overall well-being now and forever, till Moshiach comes.

I reminisce, both as an individual and as a Rabbi, how many times have people thrown around all sorts of permission slips for the consumption of Cholov Akum?! How many a people throw a blanket over the whole concept and make it simple and light as if the matter is simple and old news. How many parents have I heard make leniencies for children and infants - all in the name of "great sages" - when in fact it is the farthest thing from the truth.

There is no better time than now, in the weeks of Parshios of the book of Shemos, beginning with the story of Moshe Rabbeinu in Mitzrayim, Tu Beshevat – the birthday of the trees, as man is compared to a tree, and as a tree needs certain appropriate nutrients for it's greatest success at produce, so too man. It is also around Yud Shevat time – the day our Rebbe assumed his mantel of leadership and began to teach and lead Klal Yisroel and encourage us to be the best human beings and Chassidim that we can be. Finally, Chof Bes Shevat – the Yahrtseit of the Rebbetzin, the greatest example of the mother of us all, that we bring this publication to print for all to benefit from both physically and spiritually.

~*~

I'd like to thank my Father, may he live and be well, Rabbi Sholem Ber Hecht Shlit"a for reviewing this article and encouraging me to compile it and publish it.

I would furthermore like to thank Reb Mendel Ungar for his critical thinking and research in this matter, helping us produce a more comprehensive collection.

~*~

Our hope is, if this article will help even but 1 more Jew to have healthy and productive children in all aspects of life, then all the time spent on this article would have been worth it.

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~ Part I. A ~

There are many ways in which we can format this publication rather in the spirit of all practical purposes we will lay out this publication in a question and answer format with the sources black and white and with minimal explanation and elaboration on their words. Although there is adequate verbiage and sources in this publication to serve a complete understanding on the matter and to conclude with a clear and unambiguous halachic understanding, the reader is nevertheless strongly encouraged to visit the sources and review them thoroughly for themselves.

We begin this publication with a Question, which sums up the matter in the most concise way.

Question:

What is the reason for the prohibition against eating *cholov akum* - 'dairy products unsupervised by a Jew' in our times, when there is government supervision which prohibits mixing milk of a non-kosher animal with milk of a kosher animal, and where there is a penalty in place to the company for a transgression of such a regulation. Why would it be prohibited for one to drink such milk. In other words, we are seemingly guaranteed that what we get in our milk containers will be without a doubt milk of cow, not of any other un-kosher animal. Rightfully assuming then, that this would be sufficient to deem milk kosher and under the category of Cholov Yisroel?

Answer:

Here we begin to share with the reader sources that will show how even milk that is guaranteed to be from a cow, that is not supervised by a Jew is deemed *cholov akum* and is not permissible for consumption [on the best level of Kosher adherence].

It is stated in the Talmud, tractate of Avoda Zara, 35b:

"The following things of a non-Jew are forbidden to be eaten - but one may *benefit* from the milk which was drawn by a non-Jew when a Jew was not present."

The Gemora asks,

"If on account of the possibility that there may have been a substitution [of animals], [the milk of] a clean animal is white and of an unclean animal greenish in color! If, on the other hand, it is on account of the possibility of a mixture [of a clean animal's milk with that of an unclean animal], let him curdle it, because a Master has declared: The milk of a clean animal curdles but that of an unclean animal does not!"

Drawing on a logical and sensible distinction between the two milk types.

The Gemora answers: that also in cheese and in milk that was prepared for drinking, there is a suspicion that perhaps a little non-kosher milk may have been mixed into the kosher milk.

Code of Jewish Law

It is likewise cited in the Shulchan Aruch Yoreh Deah, chap. 115:1:

"Milk that was drawn by a non-Jew and a Jew was not present, then it is forbidden to drink, because perhaps some un-kosher milk has been included."

From this we derive that the prohibition of cholov akum is because maybe some un-kosher milk mixed into the kosher milk. Therefore a Jew must supervise the milking which will cause the non-Jew to fear mixing something unkosher into the milk.

In modern times when this is Government supervision, following this Halacha, certain poskim – halachic codifiers in our times were lenient with milk that was produced in different dairy factories owned by non-Jews. They argued they are under government supervision and if they will include milk from a non-kosher animal in kosher milk, the authorities will penalize the owner of the factory and the factory may be forced to close. Under such conditions, surely, they fear mixing the milk and therefore there is reason to permit milk produced by the factories; because they will not risk mixing the milks for no logical reason. This milk has become known as “Cholov HaCompany” or “Cholov Stam” in some circles (See Reb Moshe Feinstein, Igros Moshe).

Pious Jews - Chassidim

It is known that by Chassidim in general, and especially by Chabad Chassidim, that they were very particular about the prohibition of cholov akum. Even in casewhere there was no suspicion of mixing the milk, they ate only cholov yisroel products watched by a Jew, watched - even if it was essentially kosher and all natural.

Concerning children, we also find in many of the Rebbe’s (ZT”L) letters, to be very particular even regarding children, that they should use only cholov yisroel [see part II for a deeper understanding].

In reality, we do find in the words of the Rishonim – early codifiers, pre 1500’s, that the prohibition of cholov akum was still enforced, although the reason of the prohibition did not exist at the time.

RaShB’A

The Rashba wrote in his sefer Toras Habayis, Bayis 3 Shaar 1:

“Everything that has been prohibited in the chapter of the tractate of Avoda Zora (quoted earlier) was prohibited by a number of sages, and therefore cannot be permitted, even if the basis for this prohibition does not exist any longer.”

Abuhab

We also read about a wonderful fact in the Sefer Hazichronos of Muharash Abuhab, Rabbi Shmuel Abuhab (1610-1694) who wrote:

“Although in the Gemora, the primary reason for the prohibition is because of a suspicion that some non-kosher milk may have been mixed into the kosher milk, this would be the revealed and obvious reason that our sages have publicized and it was in order that their words should be accepted, and as it is stated in the Gemoro Avoda Zora 35a.

But their main intention in this prohibition was that the Jewish nation should be a holy nation to Hashem, therefore they prohibited milk drawn by a non-Jew that was not supervised by a Jew, as they have prohibited non-Jewish bread, pas akum, or non-Jewish cooking, bishul akum.”

Divrei Chaim

In the responsa of the Divrei Yisroel, Grand Rabbi Shmuel Eliyahu Taub of Modzitz, chap. 15, he quotes from the Divrei Chaim, The Holy Sanzer Rebbe in the name of Boruch Taam, Rabbi Baruch Frankel-Teomim, that he has a tradition passed on from Moshe Rabeinu, that the reason that milk which was drawn by a non-Jew and was not supervised by a Jew is forbidden, is not only for the reason that some non-kosher milk may have been mixed into the kosher milk, because this reason the sages have revealed for the world - but there is an additional concealed reason.

Minchas Elazar

The Minchas Elazar, Reb Chaim Elazar Spira, famed and most accepted authority and codifier writes: Part 4, Sec. 25:

“As is brought by the Aruch Hashulchan, Rabbi Yechiel Michel Epstein, that the truth is there are various established laws of our sages about which they have not shared the reasons with us, See: Aruch Hashulchan, 115,6 and see the Darchei Teshuva as well. And he goes as far as saying, “who would allow this in our days”.

Chasam Sofer

See also this matter in halachic depth in the teachings of the Chasam Sofer, Yoreh Deah 107 where he goes as far as saying that:

“...eating Cholov Akum - milk not supervised by a Jew, is like transgressing a ‘Biblical Promise’” [see section 2-4 below: the promise that is the commitment sages and Jews have made for centuries by mere consideration of the their actions, which when done more than 3 times is deemed a commitment, a promise for future actions] and one who breaks the boundaries on this matter are “bringing a snake into their lives.”

[The Chasam Sofer is the most accepted and wide spread Halachic codifier of the 1800's one with knowledge of the entire Torah, who would be brazen to trespass on his words expaling this precept.]

Radvaz

Furthermore, the Minchas Elazar continues:

“for those who argue that they may drink it in a situation(s) where there is no other milk in the city’ - See the words of the Radvaz, Reb Dovid Ben Zimra 1, 145, that milk which was milked by a non-Jew is like all other prohibitions of our sages - and that ‘one should and is obligated to spend all his money until he finds ‘permissible milk’ - or “eat other (permissible) foods that you can obtain in place.”

Tzemach Tzedek - 3rd Chabad Rebbe

A novel concern above and beyond:

“Even though in our country no unclean milk is found, we must, none the less take into consideration the view of Rabbeinu Tam ... that for that reason we must prohibit it lest one permit it in countries where there is unclean milk.” (*Tzemech Tzedek Yoreh deah 76*)

Sdei Chemed

The Sdei Chemed quotes the Tzemach Tzedek ch. 75 and says once the custom was practiced, moving and circumstances changing won't change the standard of practice:

"...even in a recently settled city, if the origin of the settlers is known, they must follow the practice of their native city (*Pri Chadash, Laws of Festival Customs, Rama Choshen Mishpot 331*)."

[What the authors here are saying is quite simple, we were careful with this matter in Europe we will do the same in America, regardless of reasons.]

6TH Chabad Rebbe

The previous Rebbe, Rabbi J.I. Schneersohn in the Sefer Hamamorim Yiddish – P. 57. writes:

"The Yetzer Hora misleads the person with forbidden matters which the person is unaware of and this G-d forbid kills the person with a spiritual death."

Alter Rebbe – First Chabad Rebbe

It is told over by the previous Rebbe in the name of the Alter Rebbe, the story of a person who came with his son-in-law, a great scholar, to the Alter Rebbe in Liozna, and complained that his son-in-law always conducted himself in an appropriate way, but suddenly one day he began having doubts about belief in Hashem and he himself had great agony from this.

"The Alter Rebbe responded, that the son-in-law had without his awareness eaten from cholov akum and subjects similar to cholov akum - *"This originated from the yetzer hora – evil inclination who throws his arrows from a distance and they, G-d forbid, kill or wound the person, in a spiritual sense."*

The Rebbe & Children

This story is also mentioned in the Lubavitcher Rebbe's letters, Igros vol.16, page 243:

"In regards to what I have mentioned to you about cholov akum based on the famous story of my father-in-law, the Rebbe, that this causes doubts in belief in Hashem. If one needs to be cautious with this at all times, it is surely so when it relates to the youth in the United States."

In summary and conclusion: one should always contact their own personal competent learned Rabbi for guidance in this matter and any question they may have in Judaism. Yet, this may serve as a resource for some information and insight on this matter.

And as in the closing words of Minchas Elazar (mentioned above), "may we merit to be able to uphold to the teachings of our Torah and not break them, and may we merit to see the coming of Moshiach, when G-d will bring back all Jews to our faith, with the coming of Moshiach now."

An excerpt from a responsa by the chief rabbi of Cincinnati, Ohio. – Head of Agudas HaRabbonim of America, Rabbi Eliezer Silver o.b.m.:

“I have noticed that certain rabbis, basing their decision on invalid reasons, have come to deal leniently with a halachah mentioned in the Talmud, the Shulchan Aruch, and by the Rishonim, early halachic authorities, viz. that milk of non-Jews, whose milking was not witnessed by a Jew, is interdicted. According to Rashi and many other Rishonim, it is a very early enactment, preceding that of gentile cheeses, and not subject to any lenient ruling. According to many authorities, it is even a Biblical interdiction, like that of a vow, but almost all authorities rule against its use. Several hundred years ago, a rabbi from among the Sephardim took it upon himself to permit it, and all the Geonim of that generation opposed him, until he remained alone with his ruling. A similar occurrence happened to another rabbi more than one hundred years ago, when all Orthodox communities stood their ground and did not permit it. Some even prohibited the use of milk of a mechallel shabbos, a Sabbath desecrator, and that of an unobservant Jew, as is delineated in the works of the Acharonim, the later halachic authorities. Many even prohibited it if a Jew made cheese or butter from it. Yet, now there have arisen rabbis, who, contrary to the ruling of all the Rishonim, permit it because of reasons unacceptable to a Torah scholar. They base their ruling on the credibility of the courts and the milk producers’ fear of them. Even if such a reason were applicable to the halacha, in this case, it is completely erroneous, for who knows better than I how easy it is to bribe the courts, who, for a small bribe, will sell everything? I have witnessed this time and time again. Consequently, the courts are completely unreliable. But the truth of the matter is that no degree of reliability can alter the halachah which was decided by our early sages such as Rashi, Rashba, and others. Even Radbaz prohibits it because its observance has become a vow, and all the Geonim of generations stood their ground, not to permit gentile milk, such as Chatham Sofer and others, who forbid it. The final analysis is that there are many more reasons to prohibit it than to permit it. *Chas vechalilah* to rely on those who rule leniently in this halachah and permit the drinking of chlov akum. Unfortunately, in our days many unwarranted heterim are being promulgated. I, therefore, appeal to my fellow Jews to refrain from permitting any foods forbidden either by Torah law or Rabbinical law. Do not to defile yourselves with any of them. (signed) (Rabbi) Eliezer Silver. [Encyclopedia of Kashrus Vol 1. P 85]



Photo of Rabbi Joseph Isaac Shneersohn, the 6th Lubavitcher Rebbe and Rabbi Eliezer Silver ZT”L



Cholov Akum & Children:

~Part II~

Inner Dimensions

Prologue

For a Father, the above collection of sources would suffice as a comprehensive collection of resources for the protection of our children and ourselves from spiritual and physical harm. Yet, being that we are looking to prevent even further challenges to our children's upbringing, education and over all wellbeing, here in part II we will explore this concept even further and even deeper.

Don't nurse-feed the baby

The Lubavitcher Rebbe writes concerning a mother feeding children after she may have eaten something prohibited, even when she was allowed to for lifesaving purposes.

"As explained, eating prohibited food creates a *Mezeg Ra* -bad elixir, which is a **natural** reality. So lifesaving reasoning has no impact on it's effect. See the Shach and TaZ Yoreh Deah end of sec. 81:

"A nursing mother who ate food which is prohibited by the Torah should not nurse the child. Even if the mother for some reason was allowed to eat that food. And we don't differentiate which prohibition it may be. On the contrary, be it idolatry, which causes negative mind thoughts in a Jew who sins in that area, how much more so prohibited foods such as *Chazir* – swine, which itself is prohibited not only because of it's effects or mind concerns."

From this letter of the Rebbe we gain tremendous and priceless insight into the extent of the effects of prohibitive foods even on infants.

You have to understand, the Rebbe, as we all know, loves every single Jew like his own first born child. If the Rebbe writes this it is because he wants desperately to assist us and help us in our daily lives. He wants us to maximize the health and wellbeing of our children. Leaving little room for doubt and ambiguity in the matters of food and the effect on the blood flow and even it's transfer to others and our overall wellbeing

Expounding on the above mentioned words of the Previous Chabad Rebbe, Rabbi J.I. Schneersohn:

In the above mentioned discourse of the previous Rebbe, he expounds even further:

"The service of shedding light upon and brightening up the darkness of the Evil Inclination, where both sides are using huge amounts of power and energy to be victorious. The Evil Inclination has two type of strategies of war within man attempting

to win over the human being. The first is the revealed strategies, those things which man is aware of such as desire and lust – which cause man to become crass and materialistic.

The second being, *hidden* strategies of war, in battle with the Good inclination, which causes man to sin in those things and areas which are prohibited, *without* man knowing-*clandestinely*.”

Cholov Akum, says the Previous Rebbe is one of the Evil inclination’s secretive strategies of war in the fight to win the minds, hearts and actions of the Jew.

Perhaps, and it is worthy to note and it seems to be so much what the Previous Rebbe is saying, that the whole debate in recent decades about Cholov Akum and the oft elusive nature of this whole conversation is precisely because it itself is part of Satan’s scheme, trying to make it seem like it is permissive when really it is not, enabling the Satan’s negative effects to flourish, in the hearts and minds of our children.

With the words of this great Chassidic master, we can now return to the words of the great sages in part 1 of this essay and truly comprehend why they were so worrisome and careful in prohibiting the consumption of Cholov Akum. Perhaps even going as far as saying that the Previous Rebbe may have actually revealed to us the “*Taam Komus* - secret reasoning” in this prohibition, as mentioned above by multiple Halachic codifiers. In turn letting us know that: even when we know for sure the milk is not from a non-kosher animal, still, as long as it was not supervised by a Jew, we mustn’t consume it.

Furthermore, when reading further in this talk of the Previous Rebbe particularly in sec. 4, the Rebbe explains that a major, fundamental principal and foundation of Judaism is that we do things with *Kabolas Ol* – dedication supra-rationally – doing the action because it is the will of G-d Al-mighty. Doing things only because we understand them logically is somewhat materialistic and Human-centered vs. G-d centered. This kind of behavior has major negative results and ramifications both spiritually and physically.

Drawing on this idea of Cholov Akum, even if, let us say, we wish to deduce that the logic here for it’s prohibition is missing or non-existent, perhaps this is precisely what the mitzvah is. Milk, even from a cow, which is a kosher animal, that is **not** supervised by a Jew when milked should **not** be consumed! And why? Because this is the will of G-d. And when we CAN do this - accomplish this supra rational feat - we actually defeat the Evil Inclination - who is using your rationale against your dedication to G-d. You see?! Hence, causing your mind to be numbed spiritually – *Tintum Hamoach ViHalev*, and for doubts in G-d’s existence to surface. Because, in a subtle battle of not being able to overcome your desire and lust, causing one to consume this dairy product you set G-d aside, producing feelings of separation from G-d in return.

With this thought in mind, now we can perhaps further explain the Chasam Sofer, mentioned earlier, that one who consumes this ‘nefarious’ Cholov Akum is as if he has transgressed a Biblical Promise. What’s the Biblical oath – (neder)? The Chasam Sofer explains in his responsa there, that it’s the “commitment to drinking of only Cholov Yisroel” taken upon by the sages, that we are breaking. As our Holy Torah teaches us, a. to listen to the sages and, b. not to break ‘commitment-of-practice regardless of the reasoning’. [How much more so when we have reasoning and it is common practice we are also breaking a prohibition of eating something not kosher]. (See also Pischei Teshuvah ch 115 who concurs with the Chasam Sofer.)

As we actually find a similar statement was made by Chatham Safer o.b.m. himself in his derashot, as follows;

"For Moshe Rabbeinu, the erudite sage, became saddened and grieved upon perceiving that in later generations, the Jews would be enticed by the gentiles to spend their time studying strange disciplines, until finally, the gentiles would intermingle with us in this field.

They would then commence to expound upon the Torah in a most uncomplimentary way, asking, "Why was milk of unclean animals interdicted?! Because it brings about illness and clogs the heart.

All this follows science, and Moshe was a wise man to know all this. But, if so, it is foolish to prohibit milk that was milked by a gentile without a Jew witnessing him." They will probably make similar statements concerning all mitzvot. If they were wise, they would understand that all these mitzvot have other reasons, lofty and exalted, and everything has angels appointed over it, who do good or bad. Then they would understand that all safeguards enacted by our Sages, and all their decrees have a root in heaven above. (See Rosh Hash HaShanah 19a: Words of kabbalah are like words of Torah [These are words which we have as a maxim of Halacha Moshe M'Sinai] [Encyclopedia of Kashrus p.96]

Reflection & Closing thoughts:

One must ask oneself, and one can only wonder that when not even one single Chassidic Rebbe allows the consumption of Cholov Akum - Cholm HaCompany- why this would be the case?! One would be inclined logically to say that there is good reason for this law and wide spread practice.

Furthermore, when one researches all the responsa on this matter well, what we get is that even when we seem to be finding some level of leniency by any of the sages, be it the Radvaz in the 15th century with Sefardic Jews in a certain town, or the Chasam Sofer in the 18th Century with a certain Rabbi who pushes in his Question in this matter, or Reb Moshe in the 20th Century it is always with great reluctance and seemingly only where we are trying to bring merit to Jews and not G-d forbid to make Jews out as sinners in this matter or the like. However, if one really wants to know what the best way is to conduct our lives and educate our children with regard to this matter, the issue is as white as - Kosher Milk - and that is: Cholov Yisroel is the best or perhaps the only way to go!



~ Cholov Akum Part III: ~

On a Mother's milk & children & other prohibitions

Once we are on the topic of Cholov Akum we should address the Topic from a different perspective as well, which will no doubt expand our understanding of the depth of this prohibition.

Often, when we see the breadth of an idea it enhances our understanding of it's depth and profundity. Without it, often we miss the point.

We all know that Moshe Rabbeinu (in Parshas Shemos) was placed in a basket and sent down the Nile River only to be found by Pharaoh's daughter. When she tried to nurse him he refused. Eventually a Jewish wet-nurse (his own mother) was called in and he nursed, with no refusal. (see Medrash Shemos Rabbah 81,25) It is precisely here where the Halachic discussion of nursing from a non-Jewish mother begins.

Maharsha

Some would argue (See the Maharsha Talmud Sotah 12b: See Rashi & Tosfos there), that this was only Moshe Rabbeinu, a giant who would not nurse from a gentile, but others, regular people have nothing to be concerned with. [And which Jewish mother doesn't see their child as a potential Moshe Rabbeinu.]

However the truth is that is not the law - as the Talmud states:

"Our sages taught, a Bas Yisroel - Jewish women should not nurse the son of an Akum-gentile women...and a Jewish child should not nurse from an Akum - a gentile women - because of matters relating to *Shfichus Domim*- life and death, these are the words of Rabbi Meir... See the entire discussion there in *Avodah Zarah 26a*, Rashi. (See Also the *Jerusalem Talmud, Avodah Zarah, 2,1*. See also Maimonides ruling in this matter, *Laws of Ak"um 9,16*:. See also *Avodah Zarah 10b* with a story of Rebbe Yehudah the prince).

The Rema

The Rema, 16th century giant and most accepted codifier writes:

"Egyptian milk is like Jewish milk. one should not nurse a child from an Egyptian if possible from a Jew. (See: *Yoreh Deah 81,7*)

Yoma 39

An important Talmudic teaching that must be mentioned here to help us fully fathom the effect of these prohibitions is from Talmud Yoma 39a:

"It was taught in the name of Rebbe Yishmael, "sin is *mitamtem*" - stuffs up the heart of man, as it is written in scripture: "Do not defile yourself with them and be defiled by them" - do not read defile - *Nitamasam*, but rather *Nitamtem* - stuff(ed) up."

From this Talmudic passage we learn that prohibitive foods gives-birth to a negative nature and an incongruent mind.

The Rosh

It is furthermore precisely here that we must mention, and we would be remiss drastically otherwise to do so, to share that of the great sage the Rosh: See SA, Laws of Avodah Zarah 2,6:

"A nursing women should not eat non-kosher consumables of any sort, as we learn from *Acher-Alisha Ben Avuah*, who was a great sage until one day he drastically turned away from Judaism, of which we are told that his mother ate food from an Akum and this caused him - in his old age- to turn to severe misconduct in the eyes of our holy Torah, only later on in life."

The ill effect of our actions may be planted in our infancy and only surface in our old age; can you imagine?! Stop and re-read what the Talmud is saying and what the code of Jewish law is concluding - it's absolutely astonishing.

The Talmud expounds

We all want the best for our children and we all want them to live physically happy and healthy lives, so listen up. As a result of being careful not to feed young children any prohibited food, when they grow up, a spirit of purity will envelope them, as Rabbi Chanina said (Chulin 24b):

"...The warm water and oil with which my mother anointed me during my childhood, stood me in good stead in my old age." With G-d's help, I explained this as follows: Washing a child with warm water is imperative for his health, as is stated in the Mishnah and the Gemara (Shabbos 134).

Anointing with oil, however, is imperative only to help heal a wound. For healthy children, however, it is not a dire necessity. R'Chanina wished to illustrate that his mother took extremely good care of him during his childhood. She not only gave the extremely necessary care of washing him with warm water, but she even bestowed upon him such care that could be dispensed with such as anointing with oil, to insure him of good health.

It was this care that stood him in good stead even through his old age.

Let us truly absorb the wise and warm wisdom of our sages of the Talmud.

Mishne Halachos

"An excerpt from Response Mishneh Halachoth, vol. 8 by the well-known posek, author of Mishneh Halachoth in eight volumes. I personally received this from the author, who wrote this regarding the seriousness of a **single** drink of cholov akum.

"...but I cite proof from the Midrash quoted by Tosefot, Avodah Zarah 10b, s.v. He said to him... It is clear from the Midrash that *non-kosher milk* contaminates even if a child is fed it only once. *Rabbi Menashe Klein.*" [Encyclopedia of Kashrus p. 109]

In closing:

After much debate back and forth, all the sages would agree that a mother, Jew or gentile, who consumed non-kosher food should not feed a child - and that the effects upon the child who does consume this milk are natural and long term - often even lying dormant for years and only showing up years later.

As my colleagues would not allow me to produce this article without at least mentioning Reb Moshe ZT"l even though the title of this article is "Beyond Reb Moshe", because greater and more experienced scholars have chewed over his words and concluded his meaning etc. - I have humbly and carefully referred to it here, briefly and succinctly, because even he would in most instances not allow Cholov Akum.



Part IV: Addendum:

On Reb Moshe

With regards to the responsa of Reb Moshe Feinstein ZT"l, our grand Posek and Authority in America and beyond, there has been much discussion over the decades on this matter and there are those authorities who have stated that he clarified his stand on the prohibition of Cholov Akum and one can even see his reluctance in his own words mentioned in these responsa. What is simply important in connection with our above mentioned is what I share with you below:

There are 4 responsa on the topic found in Igros Moshe:

- 1) *On a Pasteurizing machine not supervised by a Jew and milk overnight:* See Igros Moshe, Yoreh Deah 5, 34 and his quote of the Rama 115,1.

This responsa particularly opens my mind and my heart to the great leader and master and lover of Israel that our Reb Moshe ZT"l was and is:

- 2) *On Cholov HaCompany & a question about modesty:* See Igros Moshe Yoreh Deah 5, 35:

...min haroi lbalei nefesh lihachmir...kidai lihachmir ki gam zeh minyonay chinuch...uminyanei chinuch ein litzamtzem..."It is proper for pious one's to be strict...it is proper to be strict because this too influences the education and upbringing of children...and on matters of education we should not be stingy or limiting."

...however in far places where there is no milk that's supervised by a Jew, and it is very difficult to get milk which a Jew supervised, af liyechdim ein lihachmir - only for certain individuals they don't need to be strict..."

[I ask, Can one deduce from these words of Reb Moshe that Cholov Akum is allowed carte blanche? Obviously **not**. Anyone with any real experience in the study of responsa and Jewish law and the teachings of Reb Moshe, based on these words, would clearly understand that Reb Moshe would not want for us to drink Cholov Akum and that it would be most appropriate even in his opinion where he has offered a certain few to be lenient for good reason, would want the rest of us to be careful and stricter.

I may add that growing up as child in NY we were always taught this spirit of Reb Moshe's thoughts and even one story which has doen its rounds that he was once served by mistake cholov akum and he went to the bathroom to throw it up. Even certain circles that back in the 80's did not see this practice as critical and important is much more careful now as the practice is becoming more and more wide spread and the knowledge of this matter more well known.]

- 3) See also Yoreh deah 47: *On milk watched by one who isn't Shabbos observant.*

- 4) See also Yoreh deah 48: *On the issue of Cholov Haccompany cottage cheese*

And then there is **this** important letter, not found in his Teshuvos:

In This letter Reb Moshe is saying that the concern of many that Cholov Yisroel is more expensive is no permission slip for drinking cholov akum, because if more Jews would drink cholov akum it would become cheaper, simple logic. [I remind the reader furthermore of all the earlier sages who mentioned that one should travel far distances to keep this practice and furthermore, remind the reader of all the sages who don't allow it on any ground even difficulty and even financial hardship etc.].

"Ruling of Hagaon Rabbi Moshe Feinstein - this ruling was published in Toronto in 5728, and we present it as it appeared...

B.H. Elul 3, 5728

Shomrei Hadath - K'hal Machazikei Torah

IMPORTANT NOTICE!!!

Since the High Holy Days are approaching, and our brethren are especially scrupulous in their observance of mitzvot, we find it in place to arouse the community again concerning the appalling laxity even among the most Orthodox, in the observance of the law of Jewish milk and cheese, laws that all Jewish communities observed strictly throughout all generations.

Since many depend on the ruling of Hagaon Rabbi Moshe Feinstein to permit use of these products, we find it in place to publicize his letter to us especially on this topic, to rectify this error.

The following is a translation of his letter:

"Many years ago, religious Jews in Toronto, with the agreement of the rabbis and all those conscientious in their observance of the mitzvot of the Torah and the Rabbinical enactments, established a company for the production of milk and other dairy products, such as cheese, butter, and cream, with strict Jewish supervision. Recently, however, this matter has become sadly neglected.

Since the kosher dairy products have become slightly more expensive, many Jews - even of those who formerly used the kosher products exclusively - have commenced to buy dairy products produced without any supervision...and especially those who never depended on any reasons to deal leniently in this matter, but insisted upon Jewish supervision for their dairy products, since they observed this stringent ruling for many years, are bound by a vow not to use dairy products made without supervision.

Moreover, the reasons given for any lenient ruling, apply only to milk, not to cheese, yet those who use the unsupervised milk, use also the unsupervised cheese. It is, therefore, of the utmost importance to strengthen this observance and to lend support to those active in this matter by assuring the continued existence of the kosher milk company in Toronto.

Since many people will purchase milk and dairy products produced with supervision, the price will automatically fall, and no one will find any difficulty in buying these products.

As a reward for our conscientious observance of G-d's commandments and the enactments of our Sages o.b.m., we will all merit the g'ulah sh'lemah, the complete redemption that all of us are hoping for every day.

Tammuz 28, 5728 - (Rabbi) Moshe Feinstein [Encyclopedia of Kashrus p.63]

In conclusion of this addendum, one should always consult with their own competent experienced and well versed Orthodox Rabbi in this matter and any matter of Halacha.

With warmest Blessings until the coming of Moshiach,

May it be speedily today.

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