

The Parameters of Pas Paltur

Rabbi Yehuda Spitz

A recent article titled "Pie Crusts, Pas Paltur and the Aseres Yemei Teshuva" touched upon several contemporary issues related to Pas Paltur, Pas Akum and Pas Yisroel. Especially after coming out from the month of Tishrei when many are (properly) stringent with inyan, this article's intent is to provide the basic background, parameters, and common applications of these imperative halachos.

Which Pas is Which?

In the times of the Mishnah, Chazal forbade us from eating Pas Akum - bread and bread-like items that were baked by non-Jews (Avodah Zarah 35b), even if said bread does not have any kashrus concerns,[1] in order to dissuade us from assimilation and intermarriage.[2] This prohibition pertains exclusively to bread products containing one or more of the five major grains: wheat, barley, oats, spelt or rye,[3] and generally includes baked goods that have the form of bread (tzuras hapas).[4] [See Tur, Shulchan Aruch, and main commentaries (Yoreh Deah 112) at length.]

If, however, a Jew participated in the baking process by lighting the fire, stoking the coals under the bread being baked, or by putting the bread on the fire, and thereby taking an active part in the actual baking process, or even in some small way such as throwing in a small sliver of wood (hashlachas kiseim),[5] the bread becomes permitted, and is known as Pas Yisroel.

In later years, due to the fact that many baking ovens were owned or operated by non-Jews, making it difficult to procure Pas Yisroel products, Chazal later qualified this prohibition, and created a new class of bread products known as Pas Paltur, literally "Baker's Bread". This refers to bread products baked in a bakery or commercial setting, where there is no personal or intimate contact between the baker and customer, thereby drastically reducing the chance of intermarriage, and is therefore permitted.[6]

Some authorities, including the Rema,[7] maintain that Chazal's heter of Pas Paltur applies in all cases, even when Pas Yisroel is readily available. However, many decisors, including the Shulchan Aruch and the Shach,[8] argue that this heter is only applicable if one cannot purchase Pas Yisroel of similar type, quality or price[9], and stress that one should otherwise strive to obtain Pas Yisroel exclusively.

Don't Let It Pas You By

Although the leniency of Pas Paltur remains in effect year round, the Shulchan Aruch and Rema, in Hilchos Rosh Hashanah qualify it, writing that during the Aseres Yemei Teshuvah, the Ten Days of Repentance between Rosh Hashanah and Yom Kippur,[10] as well as on Shabbos and Yom Tov,[11] one should ensure that all one's bread products are Pas Yisroel. Nevertheless, if one is unable to obtain Pas Yisroel products during these special times, one may rely on Pas Paltur.[12]

What is Considered "Bread"?

This din of "Pas" (bread) is not exclusive to what we refer to as 'bread', but rather includes various baked goods that have the form of bread (tzuras hapas)[13]. Following are various types of common foods and their status vis-à-vis this important halachah:

Cake and cookies [14]- Several authorities are of the opinion that for cake to be included in the 'bread' category, it must be a type that if one eats enough and is koveya a seudah (bases an actual meal) on it, one must wash and make Hamotzi,[15] while others maintain that that alone is not sufficient, but it must also be made from a 'thick batter'. [16] Contemporary practice is to assume all cake and cookies are included in the category of "bread" and would thereby be subject to the halachos of Pas Yisroel and Pas Paltur.[17]

Bagels [18] - Even though true bagels are first boiled, nevertheless, since at that stage they are not fit to be eaten until actually baked, they are still included in the category of "Pas".

Pancakes [19]- Although pancakes are "fried" in a frying pan, if the only oil generally used is to make sure they do not stick the pan, then they would still be considered 'baked', not fried, as they still share enough similarities with bread to be considered "Pas". However, this would technically depend on actual recipes used for making pancakes. If one would make them with thin, runny batter or deep fry them, then they would be considered as not having tzuras hapas.

Pretzels [20]- Since pretzels are made from dough and baked, they are considered to have tzuras hapas even though they are twisted into a unique, non-bread-like shape.

Doughnuts' [21] inclusion in this category, however, is a matter of halachic debate - whether anything fried can be considered to have a "form of bread", or if it depends on the thickness of batter. Several Poskim[22] maintain that it depends on the batter - that a thick batter, even when deep fried, maintains its status as tzuras hapas, while others[23] are of the opinion that once it's fried it loses its status of "bread" and is therefore subject to the more stringent parameters of "Bishul Akum", as it is considered 'cooked', and not 'baked', by the deep frying. The Shulchan Aruch himself cites both opinions as valid and does not rule conclusively.[24] All would agree that a thin batter that is deep fried would not be considered to have tzuras hapas.[25] Rav Ovadiah Yosef zt"l,[26] addressing the issue of buying kosher doughnuts in a restaurant, maintains that one may rely on the opinions that they are considered having "tzuras hapas" and are therefore Pas Paltur and thereby essentially permitted.

Crackers [27] - Since crackers are made from flour and water and baked, they are considered bread-like even though they are much thinner.[28] Although several authorities[29] opine that snacks which are not Oleh Al Shulchan Melachim, "Fit For a King's Table", would not be included in the Pas Akum prohibition, similar to the parameters of Bishul Akum, conversely, the majority consensus[30] is to include them, as the Tur, Shulchan Aruch and their main commentaries do not seem to make such a distinction regarding bread products.

Noodles, couscous, and farfel [31] - Would be excluded from this rule entirely, as they do not have a form of bread at all.

Cereal - Most Kashrus agencies in America, including the OU and cRc, maintain that Cheerios and other cereals do not have a true tzuras hapas and are

therefore exempt from Pas Yisroel status. The reason for this is that breakfast cereals, including Cheerios, are actually made by first thoroughly cooking the grains. Although afterwards they do undergo a drying process, nevertheless since this drying does not cause *krimas panim* (forming of a crust / caramelization) but rather just dries out the cereal to give them crunch, they are more similar to bread that is baked by leaving it out in the sun. Accordingly, breakfast cereal would be considered a *'tavshil'* and not *'pas'* and therefore is not subject to the laws of Pas Yisroel.[32]

In conclusion, although the idea of buying bread possibly leading to intermarriage may seem farfetched to some, we can clearly see and appreciate to what extent Chazal were concerned about mingling with non-Jews. The message is clear: When one's goal is preserving the sanctity of the Jewish nation, we take no shortcuts. Just something to think about the next time you run out for some bagels or cookies.

This article was written *l'zechus Shira Yaffa bas Rochel Miriam v'chol yotzei chalatzeha* for a *yeshua sheleimah teikif u'miyad!*

For any questions, comments or for the full *Mareh Mekomos* / sources, please email the author: yspitz@ohr.edu.

Rabbi Yehuda Spitz serves as the *Sho'el U' Meishiv* and *Rosh Chabura* of the *Ohr Lagolah Halacha Kollel* at *Yeshivas Ohr Somayach* in *Yerushalayim*.

[1] See *Pischei Teshuva* (*Yoreh Deah* 112: 2).

[2] Shulchan Aruch (Yoreh Deah 112: 1). This prohibition applies even when intermarriage does not, i.e. eating with a non-Jewish priest who has no children. See Rashba (Shu"t vol. 1: 148), Rema (Yoreh Deah 112: 1), Shach (ad loc. 4), Taz (ad loc. 1), Chochmas Adam (65: 1), Pri Megadim (Yoreh Deah 112, Mishbetzos Zahav 1), and Kaf Hachaim (Yoreh Deah 112: 9).

[3] Tur (Yoreh Deah 112) quoting his father, the Rosh, Shulchan Aruch (ad loc. 1), Taz (ad loc. 2). The Pri Chodosh (ad loc. 5), however, advances the notion that in far-off islands where all bread is made out of a halachically inferior grain (ex. rice), then this prohibition might possibly apply to it as well.

[4] The different types of foods to which this applies will be addressed later in the article.

[5] According to the Shulchan Aruch and Rema (ad loc. 9 and Yoreh Deah 113: 7), this includes increasing the heat level even minutely, by throwing a toothpick into the fire or blowing on it. Most Acharonim agree as well (see for example the Chida's Shiyurei Brachah, Yoreh Deah 112: 18 and Ben Ish Chai, Year 2, Parshas Chukas 5). However, the Aruch Hashulchan (Yoreh Deah 112: 27), and Kaf Hachaim (ad loc. 60) maintain that one should only rely on these leniencies under extenuating circumstances; rather, one should strive to do actions listed above, as they are actually mentioned by the Gemara.

Additionally, several Rishonim, including the Ramban (cited in the Ran 15b s.v. v'assa and v'af) and Rosh (Avodah Zarah Ch. 2: 33) disapproved of relying on said leniencies, as throwing a toothpick into a fire does not really add much to the baking process. [This argument is partially based on how these Rishonim understood the hetter in the Gemara. The Rambam (Hilchos Maachalos Asuros Ch. 17: end 13; see also Teshuvos HaRashba 228) understood that the act of

throwing a toothpick into the fire makes it recognizable that a Jew added something, albeit small, to the baking process, and that is sufficient. The Ramban and Rosh, however, maintained that the thrust of the heter in the Gemara was that a Jew needed to be an active part of the actual baking process, and a toothpick's overall contribution is quite negligible.] This is also the Minchas Yitzchok's (Shu"t vol. 4: 28, 4) conclusion l'maaseh.

[6] Tosafos (Avodah Zarah 35b s.v. michlal), Tur and Shulchan Aruch (Yoreh Deah 112: 2). Rav Moshe Feinstein (Shu"t Igros Moshe, Yoreh Deah vol. 1: 48) ruled that if a Jewish-owned large commercial bakery needed to hire non-Jewish workers, even though the bread might actually have been baked by those non-Jewish workers, the bread does not have the status of Pas Akum, and is permitted to be eaten.

[7] Including the Rema (Yoreh Deah 112: 2), Biur HaGr"a (ad loc. 4), Levush (ad loc. 3), Kitzur Shulchan Aruch (38: 1), and Ben Ish Chai (Year 2, Parshas Chukas 2).

[8] Including the Shulchan Aruch (Yoreh Deah 112: 2, & 5), Shach (ad loc. 9), Arizal (cited by the Ben Ish Chai ibid.), Chochmas Adam (65: 2), Aruch Hashulchan (Yoreh Deah 112: 9), and Kaf Hachaim (ad loc. 23). According to this opinion, the distance given that one should travel for Pas Yisroel products is 4 mil [see Shulchan Aruch ibid. 16], generally assumed to be 72 minutes, (but there are opinions of up to 96 minutes). The Pri Chodosh (ad loc. 28) points out that this is only if one was already traveling in that direction; however if one is not traveling, then he does not have to wait that length of time, but rather only 18 (or 24) minutes [as per the Chochmas Adam's (65: 4) understanding of the Pri Chodosh's opinion]. The Pischei Teshuva (ad loc. 6) cites the Shu"t Beis

Yosef (35) that there is no difference if one is walking or riding on a horse, that one must traverse the same distance. The Aruch Hashulchan (ibid. end 18) echoes this as well, that the "Chachamim Hishvu Midoseihem", or made a one-size-fits-all edict. However, the Mishnah Berurah (163, Biur Halacha s.v. b'richuk) writing on a similar topic where the Shulchan Aruch gives a distance of 4 mil, comments that it is improbable to differentiate between someone walking or riding on a "flying camel", and understands that the gezarah was referring to an amount of time, which is one-size-fits-all, that one must wait the amount of time it takes to walk such a distance, meaning 72 minutes and not an actual distance. On this topic, see Chelkas Binyamin (pg. 59 Biurim s.v. ad dalet milin). [Yet, it seems possible to say that "Chachamim Hishvu Midoseihem" on this topic that "there is no difference between walking or riding on a horse" cited by the Aruch Hashulchan, might actually be referring to time, like the Mishnah Berurah's opinion, v'tzarich l'ayen b'zeh].

[9] Although the hetter of price difference is not clearly mentioned by the Shulchan Aruch, it is nonetheless mentioned by several Acharonim, including the Pri Toar (Yoreh Deah 112: 6; who explains that "nicer bread" is actually referring to saving money on it), the Zivchei Tzedek (ad loc. 14), and the Kaf Hachaim (ad loc. end 30). This author has also seen this hetter quoted in the name of Rav Yosef Shalom Elyashiv. However, Rav Shmuel Halevi Wosner is quoted (Kovetz M'Beis Levi, vol. Yoreh Deah, pg. 47, end footnote 8) as not relying on this leniency. Rav Moshe Feinstein is quoted (Mesores Moshe pg. 238: 61) as explaining the shittah of the Shulchan Aruch and Shach as that it is preferable not to rely on the hetter of price difference unless one is an ani and therefore cannot afford the more expensive Pas Yisroel bread, or if one does not (at the time of purchase) have the money on him to pay for the more expensive

Pas Yisroel bread. See also Chelkas Binyamin (112: 51) who posits to be stringent, without citing any sources, simply stating that this is the mashma'os of the Shulchan Aruch. This position has struck this author as odd, as several earlier authorities explicitly ruled to be lenient with this exact issue.

[10] Shulchan Aruch (Orach Chaim 603: 1), based on the Tur (ad loc.) quoting the Yerushalmi (Shabbos Ch. 1, Halachah 3). Also ruled by the Rosh (end Maseches Rosh Hashanah), Ravyah (cited by the Mordechai ad loc. end 559), Ran (ad loc. s.v. garsinan b'Yerushalmi), Rema (Toras Hachatas 75: 1), Levush (ad loc. 1), Shach (Yoreh Deah 112: 9), Beis Hillel (ad loc. 2), Chayei Adam (vol. 2, 143: 1), Kitzur Shulchan Aruch (130: 2), Matteh Efraim (603: 1), Aruch Hashulchan (Orach Chaim 603: 1 and Yoreh Deah 112: 17), Mishnah Berurah (603: 1), and Kaf HaChaim (ad loc. 1 and Yoreh Deah 112: 23).

[11] Including the Magen Avraham (Orach Chaim 242: 4), Matteh Yehuda (ad loc. 5), Shulchan Aruch Harav (ad loc. 13), Chayei Adam (vol. 2, 1: 4), Kitzur Shulchan Aruch (72: 6), Aruch Hashulchan (Orach Chaim 242: 45), and the Mishnah Berurah (ad loc. 6). The Rema himself (Darchei Moshe, Orach Chaim 603: 1) writes that it is proper to follow this minhag, as well. There is, however, the notable minority opinion of the Elyah Rabba (Orach Chaim 242: 10; and in Elyah Zuta ad loc. 8) who maintains that regarding Shabbos, while it is nevertheless proper to be makpid on Pas Yisroel on Shabbos and Yom Tov due to Kavod Shabbos V'Yom Tov, it is not an actual halachah to do so, as he holds that is not comparable to the requirement during the Aseres Yemei Teshuva. The Yad Efraim (ad loc. s.v. umavie) implies this way as well and the Levushai Srad (ad loc. s.v. u'm"m) cites both sides of the machlokes with no clear ruling. Yet, both the Machatzis HaShekel (ad loc. 4 s.v. shehataam) and Pri Megadim (Eshel Avraham ad loc. 4 s.v. b'Darchei Moshe) answer up the Elyah Rabba's

taynos, and maintain that one must indeed be stringent on Shabbos with Pas Yisroel products as well. The Mishnah Berurah (ad loc. Shaar HaTziyun 18) adds that "afilu b'soch haseudah nachon lizaher", and concludes (ad loc. 6) that if one is 'anus' and the only possible bread he has to make Kiddush on is not Pas Yisroel, he may then nevertheless use it for Kiddush (Hamotzi). This was addressed at length in a previous article titled "Pie Crusts, Pas Paltur and the Aseres Yemei Teshuvah".

[12] Mishnah Berurah (ad loc. 1).

14 See Shulchan Aruch Yoreh Deah 112 ad loc.

[14] See Shulchan Aruch and Rema (ad loc. 6), Toras Hachatas (75: 12), Toras HaAsham (ad loc. s.v. aval), and Shiyurei Brachah (Yoreh Deah 112: 1). There is also an interesting dissenting minority opinion of Rav Shimon Shapiro, Av Beis Din of Prague, cited by the Minchas Yaakov (75: 21), that since cake is not actually referred to as 'bread' and bakery bread is anyway technically muttar, but many are nevertheless stringent, that abstaining from it is akin to a personal neder (vow). Therefore, since nedarim's intent follows the colloquial language, cake (and other bread-like items) would not be included in the prohibition. However, the Minchas Yaakov (ibid and ad loc: 2), argues that since Pas Akum is a gezeira derabbannan, the laws of nedarim are not applicable. In fact, across the board, the vast majority of poskim consider cake to have tzuras hapas. See also Teshuva M'Ahavah (Yoreh Deah 112: 6) who defends his ancestor's shittah, arguing that Rav Shapiro was referring to someone who made an actual neder to exclusively eat Pas Yisroel, who may be lenient with cake, and even during the Aseres Yemei Teshuvah, even though everyone else lenient year-round is then vigilant. The Chasam Sofer (Chiddushim on Yoreh

Deah 112: 11; cited in Shu"t Zichron Betzalel vol. 3: 53, 20) answers similarly, that perhaps Rav Shapiro was referring to far-off places where they were unaware of the takkanas chachamim against Pas Akum, but the Perushim made personal vows to abstain; they may rely on lashon bnei adam to permit cake. However, all would seem to agree that such a hetter is no longer applicable.

[15] Taz (Yoreh Deah 112: 6), Biur HaGr"a (ad loc.15), Pri Chodosh (ad loc. 17), and Beis Meir (ad loc.). This would also seemingly fit with the shittos of the Rivash (Shu"t 28) and Aruch Hashulchan (Yoreh Deah 112: 31; see below).

[16] Shach (ad loc. 18), Be'er Heitiv (ad loc. 9), and Chochmas Adam (65: 1).

[17] See Kovetz M'Bais Levi (vol. 8, pg. 24: 40) and Chelkas Binyamin (112: 64) who maintain that the halachah here follows the Taz. However, Rav Moshe Sternbuch (Shu"t Teshuvos V'Hanhagos vol. 3: 248 s.v. sof) rules that by cake or cookies made from thin, runny batter that a non-Jew baked, then me'iker hadin one may rely on the Shach's hetter, that it is not included in the prohibition.

[18] See Aruch Hashulchan(ad loc. 31), Shu"t Igros Moshe (Yoreh Deah vol. 2: 33and Yoreh Deah vol. 4: 4), Chazon Ish (Orach Chaim 26: 9), and Shu"t Bais Avi (vol. 5: 7, 7). A similar sevara is given by the Soles L'Mincha (61: 11 s.v. u'kruv) and the Chasam Sofer (Chiddushim on Yoreh Deah 112: 12 s.v. v'hinei) regarding 'pretzels' that are first shortly boiled prior to baking.

[19] Shu"t Rivash 28.

[20] See Soles L'Mincha (61: 11 s.v. u'kruv), Chiddushei Chasam Sofer (Yoreh Deah 112: 12 s.v. v'hinei), Darchei Teshuva (Yoreh Deah 112: 49 - 50), Aruch Hashulchan (ad loc. 31), Shu"t Zichron Betzalel (vol. 3: 92, 21), and Kuntress Yad Dodi (Rosh Hashanah and Aseres Yemei Teshuvah, Question 11).

[21] This is debated in Tosafos (Pesachim 37a) between Rabbeinu Tam and Rabbeinu Shimshon.

[22] Including the Rivash (Shu"t 28), Pri Chodosh (Yoreh Deah 112: 17), and Aruch Hashulchan (ad loc. 31).

[23] Including the Tashbat"z (Shu"t vol. 3, 11) and the Yad Efraim (Yoreh Deah 112: 6).

[24] Shulchan Aruch (Orach Chaim 168: 13).

[25] See, for example, Toras Hachatas (75: 12), Pri Chodosh (Yoreh Deah 112: 17), Beis Meir (ad loc. s.v. v'osen), and Ben Ish Chai (Year 2, Parshas Chukas 15). This is because one would not be able to make Hamotzi even if one would be Koveya Seudah on such an item.

[26] Shu"t Yechaveh Daas (vol. 5: 53). Although Rav Ovadiah was ruling for Sefardim as well, that they can consider doughnuts a bread and therefore not included in the more stringent category of Bishul Akum, on the other hand, it should be noted that several other contemporary other Sefardi Poskim, including Rav Ben Tzion Abba Shaul (Shu"t Ohr L'Tzion vol. 2, pg. 98), Rav Shalom Mashash (Shu"t Shemesh Magen vol. 2, Yoreh Deah 12 and Shu"t Tevuos Shamesh, Yoreh Deah 70), and Rav Mordechai Eliyahu (Darchei Halachah

glosses to the Kitzur Shulchan Aruch 38: 4) maintain that a Sefardi should be stringent and not rely upon this. They base this on the Shulchan Aruch's ruling (Yoreh Deah 329: 3) that doughnuts are exempt from the obligation of hafrashas challah. Since only baked "bread" items are obligated in hafrashas challah as opposed to cooked items, this implies that the Shulchan Aruch meant for doughnuts, although fried, to be included in the Bishul category. Additionally, the Rambam (Hilchos Maachalos Asuros Ch. 17: 18) squarely places 'sufganim that are deep fried in oil by a non-Jew' in the prohibited category of Giyulei Akum [however, this brief statement of the Rambam's does not necessarily encompass every item that we would nowadays call a 'doughnut' - see the Chida's Shiyurei Brachah, Yoreh Deah 112: 11]. If so, they conclude, a Sefardi should not rely that they are merely Pas Paltur, but potentially subject to the more stringent Bishul Akum. Rav Dovid Feinstein is also quoted as holding this way, that doughnuts are not considered pas, but rather a tavshil (Kuntress Yad Dodi Rosh Hashanah and Aseres Yemei Teshuvah, Question 12b). On the other hand, Rav Yisroel Belsky (see the OU's Kashrus Manual on Bishul Akum pg. 11 - 12) maintains that generally speaking, most doughnuts, although considered a 'tavshil', would nonetheless still be permitted, as they are not considered 'Oleh Al Shulchan Melachim'.

[27] Shulchan Aruch (Orach Chaim 168: 8).

[28] See Mishnah Berurah (ibid. 36) and Shu"t Shevet Halevi (vol. 8: 33).

[29] Including the Matteh Yonason (Yoreh Deah 112: 1) and Avnei Nezer (Shu"t Yoreh Deah 92: 7). Lechora, Rav Shimon Shapiro, Av Beis Din of Prague (see footnote 15 above) would concur with this lemaaseh, as these snacks are not actually referred to as an actual 'bread' by the general populace.

[30] Including the Pri Megadim (Yoreh Deah 112, Mishbetzos Zahav 3), Tiferes L'Moshe (ad loc. 2), Aruch Hashulchan (ad loc. 13, 14, and 31), and Kaf Hachaim (ad loc. 19). Additionally, the Rema (Toras Hachatas ibid. explicitly puts all bread-based products (with thick batter) where the flour content is the main ingredient, in the category of having tzuras hapas.

[31] See Rema (Orach Chaim 168: 13), Kovetz M'Bais Levi (vol. 8, pg 24: 4), and Shu"t Yabea Omer (vol. 8, Orach Chaim 21: 13).

[32] This is also the opinion of Rav Yosef Eliyahu Henkin zt"l (responsum published in a footnote in Rav Nissan Telushkin's Taharas Mayim, Ch. 60; pg. 252 and later in Teshuvos Ibra Ch. 3: 42), mv"r Rav Yaakov Blau zt"l (head of the Vaad Hakashrus of the Badatz Eidah Chareidis of Yerushalayim), ybl"ch Rav Dovid Feinstein (as cited in Kuntress Yad Dodi, Rosh Hashanah and Aseres Yemei Teshuvah, Question 11), and Rav Asher Weiss (in an as-yet unpublished responsum to this author). Although this would seemingly place the breakfast cereal in the stricter Bishul Akum category, most poskim hold that it would be exempt from this as well, as they do not deem cereal as 'Oleh Al Shulchan Melachim'. See, for example Rav Henkin (ibid.), Minchas Asher (Parshas Devarim 5: 8) and the OU's Kashrus Manual on Bishul Akum (pg. 14 - 16).

[There seems to be an opposing opinion of Rav Shlomo Zalman Auerbach's, cited in V'Zos Habrachah (new edition, pg. 232), that he held that Cheerios had 'tzuras hapas'; but this was exclusively regarding the inyan of Kevias Seudah, that he maintained that if one ate a large amount of them he would need to wash and make Hamotzi. There is no mention of whether he was of the opinion that one must therefore also refrain from eating them on Shabbos, Yom Tov and the Aseres Yemei Teshuvah. This author pointed out these important details to the sefer's author, but has yet to receive a full response. Perhaps this issue will

be addressed in the next version of V'Zos Habrachah. Interestingly, Rav Telushkin (Taharas Mayim ibid. Ch. 60: 2) himself held that since cereal is dried out after the cooking it is akin to bagels and therefore is considered 'Pas Paltur'. Accordingly, and although not explicitly mentioned, he should hold that eating a grain cereal would be an issue on Shabbos, Yom Tov and the Aseres Yemei Teshuvah.] Although the exact geder of 'Oleh Al Shulchan Melachim' is defined differently by different poskim, and it seems that some might consider cereal as such [the Chazon Ish is widely rumored to have held similarly], there is an additional rationale in this case not to. It is quoted in the name of Rav Moshe Feinstein by Rav Nota Greenblatt, (responsum published in Kovetz Mesorah vol. 1, pg. 94; who wrote that Rav Moshe agreed to this psak) that food that is cooked in a factory, that one would not have the same equipment to do so at home, with absolutely no contact between the non-Jewish workers and the customer, is not included in the prohibition. This psak is also quoted in Shu"t Rivevos Efraim (vol. 5: 596), where he adds that Rav Reuven Feinstein confirmed that this indeed was his father's opinion, as well as the OU's Kashrus Manual on Bishul Akum (pg. 16), where it was confirmed by Rav Yisroel Belsky that he personally asked Rav Moshe as well. See also Shu"t Igros Moshe (Yoreh Deah 4: 48, end 5) where he rules similarly. This is an analogous shittah to the Maharit Tzahalon (Shu"t 161; cited by the Chida in his Shiyurei Brachah, Yoreh Deah 112: 9 s.v. v'all). Although the Chida (ibid. s.v. v'ani) and later, the Chazon Ish (cited lema'aseh in Shu"t Shevet Halevi vol. 6: 108, 6 and Shu"t Teshuvos V'Hanhagos vol. 3: 247) was unconvinced and maintained that a factory setting would not be considered any different than any other type of store, even so common custom (based on the opinions of several contemporary authorities) is to accept this leniency as a tziruf, when it is combined with other questionable situations. See Shu"t Minchas Yitzchok (vol. 3: 26, 6), Shu"t Yabea

Omer (vol. 5: Yoreh Deah 9: 5), Teshuvos of the Be'er Moshe (Pischei Halachah pg. 117), Shu"t Shulchan Halevi (Birurei Halacha 25: 2), Responsum of Rav Tzvi (Herschel) Shachter (dated 24 Cheshvan 5756), and the OU's Kashrus Manual on Bishul Akum (pg. 14 - 16). Accordingly, one may eat Cheerios, et al, during the Aseres Yemei Teshuva. Rav Dovid Feinstein, Rav Asher Weiss, and Rav Yisroel Belsky (ibid.) averred this outright. On the other hand, based on the above sefeikos, the Badatz Eidah Chareidis of Yerushalayim is makpid to ensure that cereals under their hashgachah are 'Bishul Yisroel' as well; a far easier prospect to ensure in Eretz Yisroel than in other countries.

Disclaimer: This is not a comprehensive guide, rather a brief summary to raise awareness of the issues. In any real case one should ask a competent Halachic authority.

L'iluy Nishmas the Rosh HaYeshiva - Rav Chonoh Menachem Mendel ben R' Yechezkel Shraga, Rav Yaakov Yeshaya ben R' Boruch Yehuda.