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## KINDER EGGS: TZA'AR BA'ALEI CHAIM QUESTIONS IN MODERN FARMING

Adapted from the writings of Dayan Yitzhak Grossman

AP News reports:

Every year the U.S. egg industry kills about 350 million male chicks because, while the fuzzy little animals are incredibly cute, they will never lay eggs, so they have little monetary value.

That longtime practice is changing, thanks to new technology that enables hatcheries to quickly peer into millions of fertilized eggs and spot male embryos, then grind them up for other uses before they mature into chicks. The system began operating this month in Iowa at the nation's largest chick hatchery, which handles about 387,000 eggs each day.

"We now have ethically produced eggs we can really feel good about," said Jörg Hurlin, managing director of Agri Advanced Technologies, the German company that spent more than a decade developing the

SUV-sized machine that can separate eggs by sex...

The machine, called Cheggy, can process up to 25,000 eggs an hour, a pace that can accommodate the massive volume seen at hatcheries in the U.S. Besides the Cheggy machine in the small eastern Iowa city of Wilton, an identical system has been installed in Texas, both at hatcheries owned by Hy-Line North America...

Jasen Urena, executive vice president of Southern California-based company NestFresh Eggs, which plans to sell Cheggy-processed eggs, said the new system was more expensive, but any price increase on store shelves would be minimal...<sup>1</sup>

We have previously touched on the question of whether modern farming practices are *(continued on page 2)*

<sup>1</sup>Scott McFetridge, The U.S. egg industry kills 350 million chicks a year. New technology offers an alternative. AP News. <https://apnews.com/article/eggs-chicks-hens-iowa-e9ff6ed93582a76ad3a4a16adbf2>

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Bring the Parsha to Life!

### PARSHAS VA'EIRA SORCERY'S SOURCE

Excerpted and adapted from a *shiur*  
by Rav Moshe Ze'ev Granek

And the necromancers did the same through their incantations to bring out the lice, but they were unable...

Shmos 8:14

The Rambam (Hil. Avodah Zarah 11) lists the types of witchcraft and sorcery that are forbidden. He writes that all of these are lies and falsehoods; they have no real power and are only tricks and illusions used to fool people.

This statement seems to contradict many Gemaras, as well as numerous *psukim*, that speak of witchcraft as a real but impure power. The *Rishonim* and *Acharonim* suggest several answers to this question, each of which presents its own challenges.

Perhaps we can offer another answer. In Hilchos *Yesodei HaTorah*, the Rambam says that a *navi* must prove himself with a sign—like successfully predicting the future—in order to be accepted. But how, the Rambam asks, is this a sign of prophecy? Maybe the man is just a sorcerer who can see the future through the forces of impurity? He answers that sorcerers are only correct some of the time and are always wrong about some of their predictions, so if someone is consistently *(continued on page 2)*

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### Finishing Coats

**Q** Raincoats have accumulated in my shul's coatroom over the years. May I give them away or discard them?

**A** Many shuls post a sign stating that all items become *hefker* (ownerless) after a certain period. If your shul has such a sign prominently displayed, you may dispose of the items (Igros Moshe Y.D. 4:23). If not, the principles of *hilchos aveidah* apply:

If the item has a name or *siman* (identifying marker), the owner retains his ownership, so you may not dispose of it. If there is no *siman*, it can be assumed that the owner has despaired of getting it back (*viush*).

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compatible with the Torah;<sup>2</sup> in this article and a follow-up, we consider halachic perspectives on some specific controversial practices. (For background on the basic framework governing the duty to exercise compassion toward animals, see our articles cited in the footnotes.)

### FORCED MOLTING IN CHICKENS

Chickens, like other birds, periodically shed their feathers and grow new ones in a process called molting. Some poultry growers artificially induce molting by withholding food from the chickens for an extended period, because it has the side effect of reinvigorating egg production and improving egg quality.<sup>3</sup>

R' Avraham Hillel Goldberg, in his work *Ha'aretz Umitzvoseha* (which bears *haskamos* from R' Shlomo Zalman Auerbach, R' Shlomo Shimshon Karelitz, and R' Binyamin Zilber, among others), unequivocally permits the practice of forced molting:

This is not an issue of negligence or cruelty—on the contrary, the farm owner is constantly concerned for the subsistence, convenience, and well-being of the animals—this practice rather involves an important farming consideration, the increasing of egg-laying. It is for this that the animals exist, and perhaps the molting improves the health of the bird and extends its life, and it certainly does not cause bodily harm...<sup>4</sup>

In a *teshuvah* written in 5732/1972, the *Minchas Yitzchak* (R' Yitzchak Yaakov Weiss) records that he was asked by many rabanim about the permissibility of forced molting. He inclines to the view that from a strictly halachic perspective, forced molting is permissible, but he notes that “this still involves an ethical issue (*inyan musari*), because we see how concerned Raza were about causing pain to animals (*tza'ar ba'alei chaim*).” He concludes that there is basis for leniency even in this regard, “but I have nevertheless written to point out this concern.”<sup>5</sup>

The *Sheivet Halevi* (R' Shmuel Vosner), however, unequivocally opposes forced molting:

But extreme cruelty as in our case, to starve animals for an extended period of time and

to withhold food from them [constitutes prohibited *tza'ar ba'alei chaim*]...and even if we say that this is not actually within the category of *tza'ar ba'alei chaim mide'Oreisa* because he is doing this, in the end, for profit, nevertheless, he is acting in accordance with the custom of the non-Jews...<sup>6</sup> as the Rambam writes at the end of *Hilchos Avadim* in a similar context, that the descendants of Avraham, to whom Hakadosh Baruch Hu has granted the goodness of the Torah, are merciful to all, and cruelty and brazenness are found only among idol worshipers.<sup>7</sup> And a fortiori because from the language of the *Sefer Chasidim siman 666* it appears that this constitutes actual *tza'ar ba'alei chaim*, therefore I agree with *kvod Toraso* that they should refrain from this.<sup>8</sup>

### VEAL PRODUCTION

R' Moshe Feinstein, in a 5742/1982 *teshuvah*, ruled that the confinement of veal calves and the severe and unnatural restriction of their diet were prohibited as *tza'ar ba'alei chaim*. (The treatment standards for veal calves in the US have greatly improved since.<sup>9</sup>) Although causing animals to suffer for human benefit is permitted, R' Moshe develops in detail the principle that this benefit must be an objective and legitimate benefit, and not every human desire qualifies. He explains that the production of veal does not justify causing suffering to the calves, because there is absolutely no objective improvement to the meat, and the goal is merely to swindle people into paying more for meat that they believe is healthier and more delectable, but is actually not so.<sup>10</sup>

R' Yehuda Dovid Bleich challenges the factual basis of R' Moshe's position:

Igros Moshe's halakhic points are certainly well-considered. However, he seems to have been provided with less than complete information. Some consumers do indeed prefer formula-fed veal because of its whiteness. However, feeding calves formula rather than grass or grain also significantly reduces the cost of producing veal. Moreover, there is no gainsaying the fact that the taste is entirely different. The taste of grass or grain-fed

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which renders it ownerless (see *Bava Metzia perek 2*).

Generally, an item intentionally placed in a protected area (*derech hinuach*), even without a *siman*, should not be touched, because the owner likely intends to retrieve it (Shulchan Aruch C.M. 260:9). But if a significant amount of time has passed, it is reasonable to assume that he forgot about it and *yiush* occurred (see the story in *Bava Metzia 23b*).



RAV ARYEH FINKEL

The principle of *be'isura asa leyadei* says that if an object entered the finder's hand before *yiush*, it does not become ownerless when *yiush* occurs (*ibid.* 21b). Some say that when an object enters the finder's property, it's like it entered his hand, so this principle would apply here, because the object was in the coatroom prior to *yiush* (Shach C.M. 268:3). Others argue that one's property is not like his hand, so *yiush* is effective here (*Magid Mishneh Hil. Aveidah 16:4*; see also *Nesivos Hamishpat 262:1*). All agree that if the property is not well guarded, it is not like a hand, so *yiush* later is effective (see *Rambam Hil. Aveidah ibid.*). So if your shul is privately owned and kept locked to the wider public, stringency is warranted.

According to many authorities, a community-owned shul is not considered the hand of its owners, making *yiush* applicable to *aveidos* found there (*Magein Avraham 154:23*).

In all cases, a recommended solution is to photograph the coats and then dispose of them. If the owners ever seek to retrieve their property, they can identify the items and be compensated in cash, as such items are readily available for repurchase in the marketplace (*Igros Moshe C.M. 2:45*).

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veal is similar to mild beef; formula-fed veal has a much blander taste. Some consumers have a marked preference for one over the other. *De gustibus non disputandum est*. Whether the economic and/or gastronomical benefit is sufficient to warrant the incremental discomfort caused the calves is another matter.<sup>11</sup>

<sup>2</sup>See my comments in response to R' Yair Hoffman following my article *Canine Hara: May Animals Be Hurt for Human Benefit?* *Bais HaVaad Halacha Journal*, May 16, 2024. The follow-up to that article, also relevant to our topic, is *Dorchei Noem: May Animals Be Hurt for Human Benefit?* *Bais HaVaad Halacha Journal*, May 23, 2024. See also *Monkeys on the Run: People and Ba'alei Chaim*. *Bais HaVaad Halacha Journal*, Nov. 21, 2024.

<sup>3</sup>Wikipedia contributors. *Forced molting*. In *Wikipedia, The Free Encyclopedia*. [https://en.wikipedia.org/w/index.php?title=Forced\\_molting&oldid=1193287137](https://en.wikipedia.org/w/index.php?title=Forced_molting&oldid=1193287137).

<sup>4</sup>*Ha'aretz Umitzvoseha* p. 437.

<sup>5</sup>*Shu"t Minchas Yitzchak cheilek 6 siman 145*.

<sup>6</sup>From *Yeshayah 46:12*.

<sup>7</sup>This is a slightly reworded citation of *Hilchos Avadim 9:8*.

<sup>8</sup>*Shu"t Sheivet Halevi cheilek 2 siman 7*.

<sup>9</sup>Tom Venesky. *Veal Industry Updates Animal Welfare Standards*. [https://www.lancasterfarming.com/farming-news/veal-industry-updates-animal-welfare-standards/article\\_618f20fc-c528-11ee-b8b0-c7606978f71a.html](https://www.lancasterfarming.com/farming-news/veal-industry-updates-animal-welfare-standards/article_618f20fc-c528-11ee-b8b0-c7606978f71a.html).

<sup>10</sup>*Shu"t Igros Moshe E.H. cheilek 4 siman 92*.

<sup>11</sup>Survey of Recent Halachic Periodic Literature—Formula-Fed Veal, Tradition, Issue 40.4 (Winter 2007) p. 62.

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correct, he must be a true *navi*. It emerges from this Rambam that practitioners of witchcraft might indeed see the future, but they do so unreliably. Perhaps he describes witchcraft as falsehood in

*Hilchos Avodah Zarah* because it is always partially wrong, unlike the powers of holiness, which are always completely accurate. A source for the Rambam may be found in our *pasuk*: The sorcerers were able to perform some of the same wonders as Moshe—turning

staffs into snakes, turning blood into water, and making frogs appear—but they could not conjure lice. This may have been because the powers of impurity are inconsistent.



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