

Jewish Owned Bakeries

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The

Tur writes that dough which is owned by a Yisroel but is baked by a non-Jew becomes forbidden like *bishul akum*. This would mean that it would not have any of the leniencies of *pas akum*. For example, even if *pas Yisroel* is unavailable, this bread would still be forbidden. Shulchan Aruch writes similarly

that dough that belongs to a Jew that was baked by a non-Jew, without any Jewish participation in the baking, is forbidden. However, Shulchan Aruch does

not explain whether he means to *pasken* like the Tur that the bread is completely *assur*, or if it is like *pas akum* which has certain leniencies.

Taz

and Shach interpret the words of Shulchan Aruch like the Tur, that in this case

the bread would have the status of *bishul akum*. This would imply that even if the non-Jew was a *palter* (professional baker), there would be no room for leniency. Pri Migadim explains that *pas palter* was only permitted because of "*chayei nefesh*" (difficulty of living without bread), and this *heter* could not be applied to bread that belongs to a Jew. Since the Yisroel has the ability to bake the dough himself, this is not considered *chayei nefesh*.

However,

Aruch Hashulchan says that we do not follow this *p'sak* of the Tur. Aruch Hashulchan explains that this *p'sak* of the Tur is linked to another *p'sak* of the Tur, which we do not follow. The Tur writes that bread belonging to a non-Jew is always *pas akum/ pas palter* even if a Yisroel turns on the ovens. Aruch Hashulchan maintains that just as Shulchan Aruch does not agree

with that ruling of the Tur, so too we do not say that Jewish owned dough baked

by a non-Jew becomes *bishul akum*.

Igros

Moshe offers another approach. He says that if the Jewish owned bakery requires

many workers to run, we cannot expect the Yisroel to bake all the bread himself, nor can we expect him to only hire Jewish worker. Since he needs to hire

non-Jews to do the baking, this bread would qualify for the leniency of *chayei*

nefesh, and even the Tur would agree that it is permitted. Based on this, the OU permits certifying *pas palter* from factories that are owned by

Jews.

Baking

Pas Yisroel

If

a bakery wishes to bake *pas Yisroel*, this can be accomplished by having a Yisroel turn on the ovens. Once the oven is turned on, it will remain in "*pas*

Yisroel" status, even if the fire in the oven temporarily turns off, so long as the temperature in the oven does not dip below 176° F (80° C), which is the lowest cooking temperature. Alternatively, if the ovens have pilot lights that are lit and secured by the mashgiach (*aish m'aish she'hidlik Yisroel*) then bread baked in this oven would be *pas Yisroel* (as per Rema Y.D. 113:7). However, it is not sufficient for the mashgiach to turn

on a lightbulb or glow plug that will always remain on. Although this can be considered a *hashlachs kiseum* (adding a twig to the fire), there are two explanations in the Rishonim as to why *hashlachs kiseum* works.

Rambam says that *hashlachs kiseum* acts as a *heker* (reminder) that *pas akum* is forbidden. Rav Belsky points out that from the *lashon*

of the Rishonim¹ that the *kiseum* is "*machshir ha aish*" or "*machshir ha'tanur*", it is clear that one can only create a *heker*, once there is already an existing fire. Rav Schachter adds that a *kiseum* is only *machshir* the *aish* if it combines with the fire, which does not happen with an electric element. Other Rishonim, including the Rosh

and Ramban explain that *hashlachs kiseum* works only if it is *mikarev bishulo* (it quickens the cooking time). Since turning on a light bulb or glow plug has no effect on the cooking time of the bread, this cannot be viewed

a *mikarev bishulo*. If a heating element is installed which can heat the entire baking area of the oven to 176°

F, and would stay on all the time then this would also be acceptable.

Bread

baked on Shabbos

If

bread is baked on Shabbos at a Jewish owned bakery, the bread may be eaten

after Shabbos *b'chdei she'yaseh* (the amount of time it took to prepare). For example, if preparation and baking time for a loaf of bread is 4

hours, in order that one should not benefit from the act of *chillul* Shabbos, one must wait until 4 hours after Shabbos before consuming this bread.

Mishnah Berurah explains that this is true, even if the bread was baked for a

specific recipient. If a Jew was involved in the baking of the bread, the

bread
would be forbidden to that person forever, however others, even if they
were
the intended recipients, may eat the bread after Shabbos *b'chdei she'yaseh*.
The OU does not require *kashering* the *keilim*, since the bread
itself is permitted to the consumer after Shabbos, the *beliyos* in the *keilim*
become permitted as well. In general, regarding Jewish owned factories,
the lag
time from when an item is produced until it reaches the consumer, will be
much
longer than *b'chdei she'yaseh*.