Bishul Akum

Part 3

**You Can Eat That Raw!**

Just as there are foods that definitely are subject to the prohibition of bishul akum, there also are foods that definitely are not. One example of such foods is applesauce and other sauces made from fruits that can be eaten raw. The same is true of any dish made from fruits or vegetables that can be eaten raw. These dishes are without a doubt permitted even if they were completely cooked by a non-Jew.

**Would A King Eat It?**

On the other hand, there are many foods whose status are in doubt because it is uncertain whether they fall under the category of foods that would be eaten at a royal table. It is true that the Rema rules (Se’if 11) that in all cases where there is a doubt regarding bishul akum we rule leniently and permit the food to be eaten. However, the Rema is speaking about cases where we are uncertain how the food as cooked – i.e. we do not know who cooked it and therefore do not know if it was cooked by a Jew or a non-Jew or if we know who cooked it but do not know if he was Jewish or not (see Tu”Z ibid:11). However, if we know that the food was cooked by a non-Jew but are uncertain whether it is subject to the prohibition or falls under a leniency it is possible that we may not be able to be lenient. In such cases, one should consult with a Rov.

**The Sugar Question**

We do find certain specific cases where the leading Poskim have ruled leniently, the most prominent of which is the dispute that arose in past generations regarding the usage of sugar that was cooked by non-Jews.

This issue is discussed at length in the Sefer Darchei Teshuva (113:16). The Darchei Teshuva begins by explaining that the prohibition of bishul akum includes both food that was cooked in an oven and food that was roasted over a fire or roasted in a pot (which would include frying on a stove). The Aruch Hashulchan (Se’if 24) also rules that frying falls under the prohibition. He adds that smoking (his intention is lightly smoking, as when foods are smoked in very high temperatures they are considered to have been cooked), salting, and pickling are not considered forms of cooking that are part of the prohibition (see Shulchan Aruch, Yoreh Deah, 113:13). In general, there is a rule that salting a food to make it palatable is considered the same as cooking it, however, with regard to bishul akum, the Aruch Hashulchan says it is not considered cooked because the sages only prohibited food that was cooked in some form of fire.

Accordingly, if a non-Jew would cook an egg through the heat of the sun, there would be no prohibition. The same would be true if he cooked an egg in sand that had been heated up by the sun, on a hot roof that had been heated by the sun, or on any surface that was heated up in any way other than through an actual fire.

The Darchei Teshuva says that some Poskim wanted to use this leniency as a means to permit sugar that wad cooked by a non-Jew. They claimed that because sugar is made through a steaming process that is done using boiling water, rather than by using an actual fire, it is not subject to the prohibition of bishul akum. The Shu”t Shem Aryeh (Siman 22) disagrees with this reasoning for several reasons, but still permits sugar cooked by non-Jews for another reason. He says that the kind of steaming machine used to cook sugar did not exist in the times of Chazal, and, therefore, was never included in the prohibition of bishul akum, and thus cannot be prohibited.

The Shu”t Shevet Halevi, however, seems to look at the matter in a completely opposite manner than the Shem Aryeh. In response to a question from someone who asked whether the prohibition of bishul akum applies to cooking in a microwave, he answers (Chelek 5, Siman 185): “It is absolutely certain that this is prohibited because of bishul akum. Both reasons for the prohibition, the concern of intermarriage and the concern that we may ingest something forbidden (see Rashi, Avodah Zara 38A), apply to cooking in a microwave…Since the decree is to forbid foods cooked by non-Jews in order to avoid contact with gentiles, what difference does it make exactly how the food is cooked? It is certain that anything that is cooked and prepared in the normal way for that generation is included in the prohibition. The only thing the sages left out of the prohibition was foods that are smoked. This is because smoking is not cooking. So too, salting and pickling are not considered forms of cooking, and are not part of the prohibition.

“Cooking in a microwave, however, is a normal way to cook in our generation. It is thus certain that it is included in the prohibition and one may not be lenient in this matter! Furthermore, at the end of the day cooking in a microwave is done by electric ‘fire’. If one would permit it, he would ultimately come to permit any cooking on any electric oven – and it is forbidden to say such a thing!”

It would seem that according to the Shevet Halevi, the Shem Aryeh’s reasoning to permit foods cooked in a steamer is incorrect. Therefore, he would need to find a different way to permit sugar cooked by a non-Jew.

One other means to permit sugar is mentioned in the Darchei Teshuva. He says that foods that are forbidden as bishul akum must be eaten at a royal table **as an accompaniment for bread.** Since distinguished people do not dip their bread in sugar, it is not included in the prohibition. This is the same reason why jams are not subject to the prohibition – because distinguished people would not dip their bread in jam at a royal meal.

Now that we have finished discussing which foods are included in the prohibition, we still must ask exactly what part of the cooking process may not be done by a non-Jew. This will be the topic of discussion in the fourth and final segment of this series.