VIRTUAL HALACHA PROGRAM

Shiur Summary

Waiting between eating meat and milk

המתנה בין בשר וחלב | סימן צ"ט סעיף א'

1. *89:1 Reason for Waiting*

Chullin 105a Rav Ḥisda says: **If one ate meat, it is prohibited for him to eat cheese**, as the meat contains fatty substances that stick to one's mouth and preserve the flavor of meat. But if he ate cheese it is permitted for him to eat meat without delay. Rav Aḥa bar Yosef said to Rav Ḥisda: In the case of meat that is between the teeth, what is the halakha? Are these remnants considered meat to the extent that one may not eat cheese as long as they are in his mouth?

In response, Rav Ḥisda read about him the following verse: "While the meat was yet between their teeth" (Numbers 11:33). This verse indicates that even when the meat is between one's teeth it is still considered meat, and therefore one may not partake of cheese until that meat has been removed.

What is the reason for waiting? 1) Tosfot – don't eat together at the same meal, 2) Rashi – fat, 3) Rambam – meat between teeth.

Tosfot Chullin 105a "lseudato" This does not refer to the regular meals that people are accustomed to having, one in the morning and one at night. Rather, one is even **permitted to eat (cheese) immediately after clearing away the table and saying Birkas ha'Mazon**, as the Rabbanan did not differentiate. **Tosfot** Chullin 104b "of" **Rabeinu Tam** explains, as does the Bahag, that if he eats meat he cannot eat cheese means that he cannot do so without washing and cleaning his mouth. However, if he **washes his hands and cleans his mouth it is permitted**. If he eats cheese, he is allowed to eat meat afterwards without washing his hands and cleaning his mouth. Mar Ukva did not eat meat until his next meal. (Doesn't this show one must wait between meat and cheese?) Answer #1: This means he waited if he did not wash his hands and clean his mouth. Answer #2: Alternatively, he was stringent for himself (but one does not have to do so).

Rashi Chullin 105a "assur" explains that when one swallows meat, the **fat of the meat** leaves a fatty residue in the throat and the mouth for that amount of time.

Rambam Maachalot Assurot 9:28 When a person ate meat first - whether the meat of an animal or the meat of a fowl - he should not partake of milk afterwards unless he waits the

time for another meal, approximately six hours. This stringency is required because **meat that becomes stuck between teeth** and is not removed by cleaning.

What are the nafka minot between the various opinions?

Tur YD 89:1 according to Rashi if one just **chewed on meat (and didn't swallow**) one doesn't have to wait because there's not a strong taste when just chewing meat, if meat is found between one's teeth after the allotted time one must remove the meat since it still has the taste of meat. However, according to the Rambam if one chewed on meat one must wait as there is a real concern of meat getting stuck in one's teeth but if meat is found between one's teeth after the allotted time one doesn't have to remove it because the one only waited that time so that the meat between one's teeth would become digested and lose the status of meat. **Shach** YD 89:2 quotes the Levush who disagrees that Rashi would permit this and believes even according to Rashi it would be forbidden. The Shach concludes like the Tur. The Tur **concludes** that one should be **strict for both opinions**.

Tur YD 89:1 if one finds meat in his **teeth after six hours**. According to the Rambam, the meat is considered decomposed and one is allowed to swallow it, but according to Rashi a person must remove it. **Ran** Chullin 37b says that if one finds meat in one's teeth and takes it out one does not have to start the count from the time he found it but from the time he concluded eating. **Chochmat Adam** 40:12 rules this way.

Aruch HaShulchan YD 89:3 If one **cleaned his teeth** very well. Perhaps according to the Rambam, one does not have to wait. He rejects this as perhaps one wouldn't clean it well.

Yalkut Yosef quotes another nafkah minah would be one who uses **dentures** when chewing meat. According to the Rambam, if one wants to eat dairy after he takes his dentures out or exchanges his dentures for a different pair, does not need to wait six hours. According to Rashi, one will still have to wait six hours even if one removed the dentures.

Rama YD 89:3 And fat of meat has the law of meat itself. **Biur HaGra** YD 89:14 this is like the Tur as according to the Rambam one does not need to wait since fat does not get stuck in between one's teeth.

Shulchan Aruch YD 89:1 One who eats meat, even of a wild animal or fowl, does not eat cheese afterwards until he **waits six hours**. Even if he waits that period, if he has meat between his teeth he has to remove it. One who chews food for a child has to wait. Rama: If afterwards he finds meat between his teeth and removes it, he has to wipe his mouth out before eating cheese (Ran chapter 25).

Rav Shlomo Kluger Pri Meggadim 89:1 if one put the food in one's mouth without chewing or swallowing it then it is permitted. **Yalkut Yosef** 89:13 rules this way and says one can be lenient if one tastes gravy of a meat meal that one doesn't have to wait.

2. *89:1 Time to Wait*

Chullin 105a **Mar Ukva** said: I am, with regard to this matter, like vinegar, son of wine, with respect to Father, i.e., my practice is inferior to that of my father. As Father, if he were to eat meat at this time, would not eat cheese until tomorrow at this time. But as for me, only at this meal, during which I ate meat, do I not eat cheese; **at a different meal** on the same day I will eat cheese.

Rambam Maachalot Assurot 9:28 When a person ate meat first - whether the meat of an animal or the meat of a fowl - he should not partake of milk afterwards unless he waits the **time for another meal**, **approximately six hours**. This stringency is required because meat that becomes stuck between teeth and is not removed by cleaning. **Lechem Mishna** Maachalot Assurot 9:28 This was because, in the time of the Talmud (as brought in Pesachim 12b; Shabbat 10a), **Tamidei Chachamim** such as Mar Ukvah, usually ate their morning meal in the sixth hour of the day. Thus, the evening meal was normally six hours later.

Tosfot Chullin 105a "lseudato" This does not refer to the regular meals that people are accustomed to having, one in the morning and one at night. Rather, one is even permitted to **eat (cheese) immediately after clearing away the table and saying Birkas ha'Mazon**, as the Rabbanan did not differentiate.

Tosfot Chullin 104b "of" **Rabeinu Tam** explains, as does the **Bahag**, that if he eats meat he cannot eat cheese means that he cannot do so without washing and cleaning his mouth. **However, if he washes his hands and cleans his mouth** it is **permitted**. If he eats cheese, he is allowed to eat meat afterwards without washing his hands and cleaning his mouth. Mar Ukva did not eat meat until his next meal. (Doesn't this show one must wait between meat and cheese?) Answer #1: This means he waited if he did not wash his hands and clean his mouth. Answer #2: Alternatively, he was stringent for himself (but one does not have to do so).

Tur OH 173:2 quotes the Rosh who says to wait six hours. **Shulchan Aruch** YD 89:1 One who eats meat, even of a wild animal or fowl, does not eat cheese afterwards until he waits **six hours**. Even if he waits that period, if he has meat between his teeth he has to remove it. One who chews food for a child has to wait.

Rama YD 89:1 **There are those** that say that he doesn't have to wait six hours, but rather **immediately** if he finishes the meal and says the **concluding blessing**, it is permissible after **wiping and rinsing** his mouth (Tosafot Hullin 105a - "At the next meal", Mordechai chapter 25, Haga'ot Ashri, Haga'ot Maimoniot chapter 9 of forbidden foods, and Ravya). **Yad Yehuda** YD 89:7 is machmir for both Tosfot and Rabbeinu Tam that one needs both birkat hamazon and wiping/rinsing. **Mateh Yehonatan** YD 89:1 Tosfot really agrees to Rabbeinu Tam and

Bahag as well. **Shach** YD 89:6 if one didn't have bread then whatever appropriate beracha achacrona is required.

Rama YD 89:1 The **simple custom** in our **countries** is to wait after eating meat **one hour** and to eat cheese afterwards, but you have to say the **concluding blessing** after the meat (HaAruch, Haga'ot Shaarei Dura) because then it's like a new meal and permissible to eat according to the lenient view. But with no blessing, waiting alone does not good. What is the source of the custom of waiting one hour? **Darkei Moshe** YD 89:1 quotes the Shaarei Durah that people make a **compromise between the one hour and six hour** opinions – even though there is no source for this but given it is a custom amongst people we should let htem be. **Biur HaGra** YD 89:6 says this opinion is built upon **Zohar** Mishpatim which says that a person shouldn't eat meat and milk within shaata chada. **Kreti U'pleti** 89:3 contends that there is no proof from the Zohar, since the Zohar does not say outright that one must wait an hour, rather, it uses the word shaata. "The word "sha'ah" does not necessarily have to mean an hour consisting of sixty minutes, it can also refer to a general significant amount of time. **Shach** YD 89:7 if one waited an hour, one does not need rinsing/washing.

Rama YD 89:1 And **some are careful** to wait **six hours** after eating meat before eating cheese, and it's **proper to do so**. **Shach** YD 89:8 quotes the Maharshal that this is proper for anyone with a re'ach Torah. **Chochmat Adam** 40:12 anyone who doesn't wait six hours violates bal titosh. **Aruch HaShulchan** YD 89:7 the custom everywhere is to wait six hours and if one changes from this, a snake will bite him.

Is it really six hours? **Meiri** Chullin 105a "vhadar" the amount of time is six hours or something similar to it. **Magen Avot L'Meiri** 9 says explicitly that one needs to **wait five or six** hours. **Simchat HaMoadim** pg 426 quotes the custom of waiting **five and a half hours**. **Yabia Omer** YD 1:4 tries to find some basis for waiting five and a half hours. He bases this ruling on the language of the Rambam "about six hours". He explains that in earlier times people had not clocks and certainly approximated the six-hour period. Even so, he did not want to be lenient for everyone. For soldiers on an army base, they may be lenient to wait until five hours. However, for Yeshivot, one should not be lenient for less than five-and-a half hours.

Simchat HaMoadim pg 426 quotes others who wait into the sixth hour meaning **five hours and a little bit**. There is a mesorah that was the practice of the Chatam Sofer. **Ashrei HaIsh** 5:20 says this was Rav Elyashiv's practice. This is also the practice of Rav Nebenzahl who believes one can always wait this amount and this is the same opinion of six hours.

Kitzur Shulchan Aruch Basar BChalav pg113 it is difficult to find a source for the custom of waiting **three hours** which is the German minhag. **Rabbeinu Yerucham** Issur V'Heter 39 writes that one can wait three hours. **Rabbeinu Yerucham** Adam V'Chava Netiv 15:28 says six hours. **Minchat Asher** 1:42 says it is not clear that Issur V'Heter was actually written by Rabbeinu Yerucham, it is possible that three hours was a typo given he quotes his source as being Rabbeinu Peretz who himself says six hours. Rav Asher Weiss suggests that three hours is

perhaps a **compromise** between one hour and six hours (more like five). **Pri Chadash** YD 89:6 explains that during the winter months in Europe, when the sun sets quite early, the standard amount of time between the lunch and dinner meals was approximately **four hours**. **Darchei Teshuva** YD 89:6 quotes this as three hours.

Shorshei Minhagei Ashkenaz 3:pg20 quotes Rav Shach and Rav Shlomo Zalman Auerbach that if one waits three hours, they should keep that custom and not switch to six hours. This is also the opinion of Rav Mordechai Willig. **Kitzur Shulchan Aruch Basar BChalav** pg113 quotes Rav Shlomo Zalman Auerbach that those who move to Israel should change their minhag and wait six hours. This is what Rav Nebenzahl believes as well and he himself changed his minhag. **Shorshei Minhagei Ashkenaz** 3:pg20 quotes Rav Elyashiv who says one should change their minhag too.

3. *89:1 Times to be Lenient / Halacha*

Pitchei Teshuva YD 89:3 a person who is a **little sick** and even if he is not in danger can wait one hour. **Yalkut Yosef** YD 89:23 says one can be lenient for **pregnant and nursing** women.

Yabia Omer YD 10:3 if one **accidently made a beracha** on a dairy food after one hour passed from eating meat, they can eat taste a bit of the food to avoid a beracha levatala and relying on Tosfot's opinion.

Aruch HaShulchan 89:4 brings an opinion that one must count six hours from the **end of the meal** to the beginning of the dairy meal. **Dagul Mirvava** YD 89:1 and **Yalkut Yosef** 89:19 a person must only wait six hours from the **time that one finished eating the meat**, and not from the end of the meal.

Yad Yehuda YD 89:1 if one has a **doubt** whether six hours passed or not, they cannot be lenient even though it is a din derabanan because it is a davar sheyesh lo matirin and one can wait longer until six hours definitely pass. **Darchei Teshuva** YD 89:5 and **Yalkut Yosef** 89:16 say one can be lenient in a case of doubt and it is not considered a davar sheyesh lo matirin because one can always eat a different piece of dairy later and one can also rely on Tosfot's opinion.

What is the halacha in terms of children waiting? **Chut Shani** 4:pg309 starting from the age of nine, children should wait the amount of time it takes from one meal to the next which may be shorter than six hours. Close to bar mitzvah, they should wait six hours. **Rav Nebenzahl** 343:1 one can be very lenient for children and add time as they get older until they get to 12-12.5. **Yabia Omer** 3:3 and **Yalkut Yosef** 89:21 say a child only needs to wait six hours a year

before bar mitzvah. Children who understand should only be lenient for real / necessary foods and not desserts.