

# HALACHICALLY SPEAKING

Volume 8 Issue 2



{ TOPIC }

## HALACHOS OF FISH (IN ORACH CHAIM)



SPONSORED BY:



KOF-K KOSHER SUPERVISION

Compiled by  
**Rabbi Moishe Dovid Lebovits**

Reviewed by  
**Rabbi Benzion Schiffenbauer Shlita**

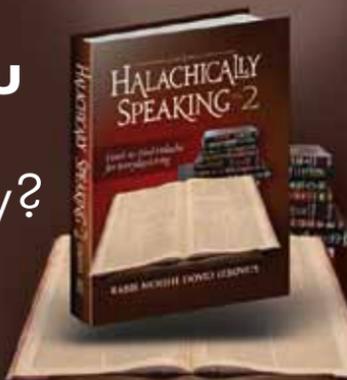
All Piskei Harav Yisroel Belsky Shlita are reviewed by Harav Yisroel Belsky Shlita

**SPONSORED:**

לרפואה שלמה  
מרת רחל בת פעסיל

Halachically Speaking  
volume 2.

Do **you**  
have it  
already?



*Hard-to-Find Halacha  
for Everyday Living*

Design by:   
**vivid design**

SRULY PERL 845.694.7186

**SUBSCRIBE  
FOR FREE**

and view archives @

[www.thehalacha.com](http://www.thehalacha.com)



# HALACHICALLY SPEAKING

## HALACHICALLY SPEAKING

► Halachically Speaking is a monthly publication compiled by Rabbi Moishe Dovid Lebovits, a former *chaver kollel* of *Yeshiva Torah Vodaath* and a *musmach* of *Harav Yisroel Belsky Shlita*. Rabbi Lebovits currently works as the Rabbinical Administrator for the KOF-K Kosher Supervision.

► Each issue reviews a different area of contemporary *halacha* with an emphasis on practical applications of the principles discussed. Significant time is spent ensuring the inclusion of all relevant *shittos* on each topic, as well as the *psak* of *Harav Yisroel Belsky, Shlita* on current issues.

## WHERE TO SEE HALACHICALLY SPEAKING

► Halachically Speaking is distributed to many shuls in Flatbush, Lakewood, Five Towns, Far Rockaway, and Queens. It is sent via email to subscribers across the world.

To sponsor an issue please call  
**718-744-4360**

© Copyright 2012  
by Halachically Speaking

# HALACHOS OF FISH (IN ORACH CHAIM)

There are many *halachos* that apply to fish, such as what *beracha* is recited on fish sticks, breaded fish, and *gefилte* fish. In addition, why do we eat fish on *Shabbos* and *Yom Tov*? Are there any *borer* issues with fish on *Shabbos*? All these questions and others will be discussed in this issue.

Fish were created some 5772 years ago.<sup>1</sup> We find many references to fish in *Tanach*. Fish are protected from *ayin hara*.<sup>2</sup> Yaakov *bentched* Yosef's sons that they should multiply like fish.<sup>3</sup> The *Bnei Yisroel* ate fish in *Mitzrayim*.<sup>4</sup> Some say that fish are not subject to *ayin hara*, so a dish prepared from several fish varieties brings good luck. Fish are symbolic of fertility in the *Chumash*, as Yaakov *bentched* Yosef and his sons by saying: "May they increase in the land like fish."<sup>5</sup> We all know of the story of *Yona* who was swallowed by a fish.<sup>6</sup> One of the gates of *Yerushalayim* was called the Fish Gate.<sup>7</sup>

1. Refer to Bereishis 1:20-23.

2. Rashi Bereishis 48:16, Toldos Yitzchok Bereishis 1:26.

3. Bereishis 48:16.

4. Bamidbar 11:5. Refer to Meseches Yoma 75a, Torah Temimah Bamidbar ibid.

5. Bereishis 48:15-16.

6. Sefer Yona 2:1.

7. Divrei Hayomim 2:33:14.



## Beracha on Fish

The *beracha* on items which do not grow from the ground or on a tree is a *shehakol*. Accordingly, the *beracha* on fish is a *shehakol*.<sup>8</sup>

## Beracha on Fish Sticks

A question arises regarding which *beracha* to recite on fish that are fried with breadcrumbs. If the breading is thick, some say that a *mezonos* should be made on the breading and a *shehakol* on the fish,<sup>9</sup> while others say that only a *mezonos* is recited.<sup>10</sup> If there is a thin coating, then a *shehakol* is recited even if the breading serves to give taste to the fish.<sup>11</sup> If one is unsure, then a *shehakol* and a *mezonos* should be recited on other foods to exempt the fish and the breadcrumb coating.<sup>12</sup> The same *halachos* would apply to fish sticks.

Breadcrumbs are frequently added to gefilte fish as an extender. The *beracha* is *shehakol*.<sup>13</sup> (If the breadcrumbs

8. Shulchan Aruch 204:1, Aruch Ha'shulchan 1.

9. *Ve'zos Ha'beracha* page 110.

10. Rivevos Ephraim 5:147, *Ve'zos Ha'beracha* *ibid* quoting the opinion of Harav Elyashiv Shlita, *V'sein Beracha* page 78, *Birchos Haneinen* pages 129 quoting the opinion of Harav Elyashiv Shlita, *Ve'aleihu Lo Yeibol* 1:page 113:148.

11. Refer to *Lehoros Nosson* 4:9, 5:6, *L'Torah V'horah* 5:page 21, *Rivevos Ephraim* 3:122 quoting the opinion of Harav Moshe Feinstein zt"l, Harav Yaakov Kamenetsky zt"l, and others, *Sharei Ha'beracha* 16:21, *Divrei Chachumim* page 72:7 quoting the opinion of Harav Yaakov Kamenetsky zt"l, *Birchos Haneinen* pages 129-130 quoting the opinion of Harav Shlomo Zalman Aurbach zt"l, *V'sein Beracha* page 78 quoting the opinions of Harav Sheinberg Shlita, Harav Moshe Feinstein zt"l, and Harav Yaakov Kamenetsky zt"l, *Emes L'Yaakov* 208:footnote 214. Refer to *Pnei Ha'shulchan* pages 221-226 in depth.

12. Harav Yisroel Belsky Shlita.

13. *Avnei Nezer* 1:38, *Maharsham* 2:32, *Be'er Moshe* 5:62, *Rivevos Ephraim* 2:77, 3:117, 5:152, 7:62, 8:409, *Teshuvos V'hanhugos* 1:181, *Ve'zos Ha'beracha birurim* 19, *Birchos Haneinen* pages 142-144, *Orchos Rabbeinu* :page 88:90.

כל השווה הלכות בכל יום מובטח לו שהוא בן עולם הבא... (גדה עב)



serve to add taste, a *mezonos* would be made,<sup>14</sup> but this is not normally the case).

## Eating Fish on *Shabbos*

The custom<sup>15</sup> of *Klal Yisroel* is to eat fish on *Shabbos*.<sup>16</sup>

Many reasons are offered for this custom. Some say that just like fish have their eyes opened, *Hashem* opens His eyes to those who fear Him and has compassion on them.<sup>17</sup> Others explain that water is the source of life for fish, and *Torah*, which is comparable to water, is the source of life for *Klal Yisroel*. Eating fish reminds us that we should devote *Shabbos* for learning of the *Torah*.<sup>18</sup> Furthermore, the *daled* and *gimel* of *dagim* represent the four forefathers and the three *emahos*. Also, the *mon*, which did not fall on *Shabbos*, is called *gad*, which are the letters of *Dag* (fish).<sup>19</sup> *Hashem* blessed three things at their creation: fish on the fifth day, man on the sixth day, and *Shabbos*. When people eat fish on *Shabbos* it brings these three blessings together in “a three-stranded cord that does not break easily.”<sup>20</sup>

*Shalosh Seudas*

14. Ohr L'tzyion 2:14:19.

15. Refer to Shulchan Aruch Harav (kuntres achron) 242:4 who quotes an opinion that it is an obligation. However, he refutes this opinion.

16. Refer to Meseches Shabbos 35b, 118b, Medrash Rabbah Koheles 7:23:3, 9:10:3, Shulchan Aruch Harav 242:2, Yeshurin 5:page 448. See Journal Shoneh B'shoneh 5744:pages 293-301.

17. Otzer Hayidios Shabbos page 82:11.

18. Sefer Matamim page 28:2 new.

19. Sefer Matamim page 28:7 new.

20. Sefer Matamim page 27:1 (new), Bnei Yissochor Shabbos 3:16:pages 11b-12 new.

The *poskim* say that one should eat fish at all three *Shabbos* meals.<sup>21</sup> Tuna fish is routinely served at *shalosh seudos*; this is sufficient and considered as fish.<sup>22</sup>

### **Muktzah - Fish**

A raw food that is fit for animal consumption is still *muktzah* on *Shabbos* and may not be moved.<sup>23</sup> Frozen raw fish is *muktzah* and may not be moved in the freezer.<sup>24</sup>

Many people keep aquariums with fish. Some say that it cannot be moved with the fish on *Shabbos* since it is *muktzah*.<sup>25</sup>

### **Borer and Fish**

*Borer* on *Shabbos* is a very complex issue. Therefore, we will limit our discussion to its application to fish. It is prohibited to remove bad items from good items on *Shabbos*.<sup>26</sup> There is a discussion among the *poskim* if *borer* is permitted while eating.<sup>27</sup> Some permit it,<sup>28</sup> though the custom is to be stringent.<sup>29</sup> Nonetheless, one who does so while he is eating should not be rebuked.<sup>30</sup> This has

21. Magen Avraham 242:1, Sefer Matamim Hachodesh pages 15-16, Kaf Ha'chaim 10, 291:29, Taamei Haminhagim 305-306 pages 143-144, and kuntres achron, Lekutei Maharich page 76, M'boa V'ad Tzeiso 68:17:footnote 43, Shearim Metzuyanim B'halacha 72:18, see Nishams Shabbos 2:442.

22. Harav Yisroel Belsky Shlita.

23. Shulchan Aruch O.C. 308:32, Mishnah Berurah 127.

24. Refer to Shalmei Yehudah 8:footnote 5 who says if there is a great loss one can be lenient (quoting the opinion of Harav Elyashiv Shlita, Rivevos Ephraim 4:97:3).

25. Rivevos Ephraim 1:239 quoting the opinion of Harav Moshe Fienstein zt"l, 3:207, Be'er Moshe 2:28:4, Har Tzvi O.C. 194, Shalmei Yehudah 13:11, Yabea Omer 5:26, Oz Nedberu 9:27:1. Refer to Ketzos Hashulchan 121:4, and Yesodo Yeshurin 4:page 328 who are lenient.

26. Shulchan Aruch O.C. 319:4. Refer to Oraisa (journal) 7:pages 187-198 in depth.

27. Refer to Minchas Shabbos 80:15:footnote 62.

28. Refer to Minchas Shabbos 80:15:footnote 62.

29. Biur Halacha O.C. 319 "ha'borer".

30. Biur Halacha O.C. 319 "metoch". Refer to Chazzon Ish O.C. 54:4 who is stringent.

כל השווה הלכות בכל יום מובטח לו שהוא בן עולם הבא... (גדה עב)

SPONSORED BY:



ramifications when eating fish on *Shabbos* that contains bones (such as carp, whitefish and some herrings).<sup>31</sup>

According to the stringent opinion, one would be required to eat the flesh (good) from the bones (bad), and not remove the bones before eating the flesh.

To avoid these issues, the custom of many people is to eat *gefilte* fish (filled fish) on *Shabbos*, since they do not contain bones. They are usually made with a variety of different kinds of fish.

### Fishing on *Chol Hamoed*

In order to stay focused on the main concepts of *chol hamoed*, one should not be distracted by other pursuits.<sup>32</sup> One should not go fishing even if he will eat the fish on *Yom Tov*.<sup>33</sup> However, if he enjoys fishing, then some permit it on *chol hamoed*. He should try to eat the fish on *Yom Tov*.<sup>34</sup>

### Fish on *Pesach*

In previous years carp was shipped alive from city to city by placing alcohol on a piece of *chometz* in its mouth. After they died, the *chometz* was absorbed. Therefore, many had the custom to refrain from eating carp on *Pesach*.<sup>35</sup> Although the fish is no longer shipped in this manner, some people still have the custom.<sup>36</sup> Some have the custom to eat fake fish instead, which is made out of chicken.<sup>37</sup>

31. The same applies on *Yom Tov* (Bior Halacha 510 "haborer").

32. Refer to the opinion of the Be'er Moshe as quoted in *Chol Hamoed* (English) page 187:30. See *Shulchan Aruch* O.C. 533:4, *Magen Avraham* 7, *Mishnah Berurah* 18.

33. *Mishnah Berurah* O.C. 533:23, *Shar Ha'tzyion* 33.

34. Refer to *Aruch HaShulchan* O.C. 533:7. Opinion of *Harav Moshe Feinstein* zt"l as quoted in *Chol Hamoed* (English) page 166:13.

35. *Pri Megadim Eishel Avraham* 447 (end). Some had the custom to buy live fish (*V'yagid Moshe* 27:9:page 227).

36. *Harav Yisroel Belsky* Shlita.

37. *Halacha Shel Pesach* page 160:footnote 43.

איננו להקדיף"ה בעולמו אלא י  
אמור של הלכה בלבד... (ברכות ח')



כל השנה הלכות בכל יום מובטח לישוא בן עולם הנא... (תדה עב)

## Fish at a *Seudah Hamafsekes*

Some say that one may not eat fish at the *seudah hamafsekes* on *erev Tisha B'Av*.<sup>38</sup> One reason is that eating fish causes joy.<sup>39</sup> Others say that this is a mistake, and eating fish is indeed permitted.<sup>40</sup> The custom of many is to be stringent.<sup>41</sup>

## Fish During *Aseres Yemi Teshuva*

There are those who refrain from eating fish during *Aseres Yemi Teshuva* since some of its letters are the same as “worry” in Hebrew (*da'aga*).<sup>42</sup> Others specifically eat fish, since they are a *remez* to multiplying and being fruitful.<sup>43</sup> Indeed, the custom of most people is not to be concerned with this.<sup>44</sup>

### *Succos*

When exiting the *Succah* for the last time, we say a *tefilla* that just as we have fulfilled the *mitzvah* of *Succah*, we should have the *zechus* to dwell in the *Succah* of the skin of the *Levyason* (fish).

## Fish and *Adar*

The zodiac sign of the month of *Adar* is fish.

When Haman plotted the genocide of the Jewish People, he consulted the stars to see which month would be the most propitious for his murderous plan. He found

38. Shulchan Aruch 552:2.

39. Magen Avraham 2, Mishnah Berurah 6.

40. Gra 552 “v'dagim,” Aruch Ha'shulchan 3. Refer to Bigdei Yeshaya 552:2.

41. Nechamas Yisroel 27:20. Sardines are not *chashuv* therefore eating them at this *seudah* is permitted (ibid:footnote 54).

42. Matei Ephraim 583:3.

43. Matei Ephraim 583:3, Minhag Yisroel Torah 3:page 85. Refer to Darchei Moshe Ha'uruch 583:1.

44. Matei Ephraim 583:3, Lekutei Maharich 3:page 619 (new).

SPONSORED BY:



that the month of *Adar*, whose sign is *Dagim* contained no special merit for the Jews. He surmised that, just like a fish, he could “swallow” his prey. The fact that death had “swallowed” Moshe on the seventh day of *Adar* lent support to his hypothesis. However, Haman had forgotten two small points: Moshe was also born on the seventh of *Adar*, and although fish can swallow up their prey, they can also get swallowed up by bigger fish. This is exactly what happened to Haman and his crew - all their plans were turned upside down, and Haman and his family were hung on the exact same gallows which he had prepared for Mordechai.

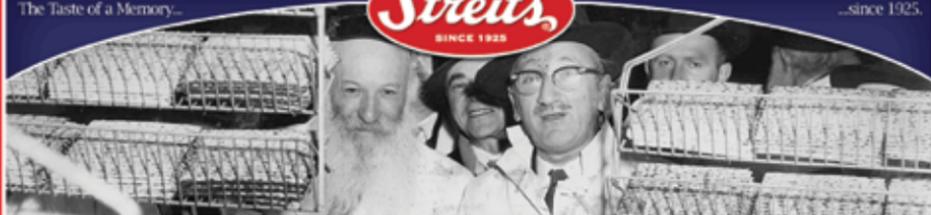
אין על להקצי"ה בעולמו אלא י  
אמות של הלכה בלבי... (ברכות ה)



The Taste of a Memory...

**Streit's**  
SINCE 1925

...since 1925.



## Celebrating Passover Together

*From America's  
Oldest Matzo Bakery  
that you love & remember*

Manufacturers Coupon **DO NOT DOUBLE** Expires 4/15/12

# Save \$2

On Any  
Box of



## 5lbs Matzos



Retailer: We will reimburse you the face value of this coupon plus 8¢ holding provided you and the consumer have complied with the terms of this offer. Invoices providing purchases of sufficient stock to cover presented coupons must be shown on request. Any other application may constitute fraud. Coupon void where prohibited taxed or restricted. Consumer must pay any sales tax. Cash value 1/20¢. Reproduction of this coupon is expressly prohibited. Mail to: Aron Streit Inc. CMS Dept. 70227 One Fawcett Drive Del Rio, TX 78840 **DO NOT DOUBLE**



Manufacturers Coupon **DO NOT DOUBLE** Expires 4/15/12

# Save 75¢

On Any  
Box of



## Egg Matzos



Retailer: We will reimburse you the face value of this coupon plus 8¢ holding provided you and the consumer have complied with the terms of this offer. Invoices providing purchases of sufficient stock to cover presented coupons must be shown on request. Any other application may constitute fraud. Coupon void where prohibited taxed or restricted. Consumer must pay any sales tax. Cash value 1/20¢. Reproduction of this coupon is expressly prohibited. Mail to: Aron Streit Inc. CMS Dept. 70227 One Fawcett Drive Del Rio, TX 78840 **DO NOT DOUBLE**



Manufacturers Coupon **DO NOT DOUBLE** Expires 4/15/12

# Save 75¢

On Any  
Box of



## Meal or Farfel



Retailer: We will reimburse you the face value of this coupon plus 8¢ holding provided you and the consumer have complied with the terms of this offer. Invoices providing purchases of sufficient stock to cover presented coupons must be shown on request. Any other application may constitute fraud. Coupon void where prohibited taxed or restricted. Consumer must pay any sales tax. Cash value 1/20¢. Reproduction of this coupon is expressly prohibited. Mail to: Aron Streit Inc. CMS Dept. 70227 One Fawcett Drive Del Rio, TX 78840 **DO NOT DOUBLE**



Manufacturers Coupon **DO NOT DOUBLE** Expires 4/15/12

# Save 75¢

On Any  
Box of



## Cake Mix



Retailer: We will reimburse you the face value of this coupon plus 8¢ holding provided you and the consumer have complied with the terms of this offer. Invoices providing purchases of sufficient stock to cover presented coupons must be shown on request. Any other application may constitute fraud. Coupon void where prohibited taxed or restricted. Consumer must pay any sales tax. Cash value 1/20¢. Reproduction of this coupon is expressly prohibited. Mail to: Aron Streit Inc. CMS Dept. 70227 One Fawcett Drive Del Rio, TX 78840 **DO NOT DOUBLE**



Manufacturers Coupon **DO NOT DOUBLE** Expires 4/15/12

# Save 75¢

On Any  
Box of



## Macaroons



Retailer: We will reimburse you the face value of this coupon plus 8¢ holding provided you and the consumer have complied with the terms of this offer. Invoices providing purchases of sufficient stock to cover presented coupons must be shown on request. Any other application may constitute fraud. Coupon void where prohibited taxed or restricted. Consumer must pay any sales tax. Cash value 1/20¢. Reproduction of this coupon is expressly prohibited. Mail to: Aron Streit Inc. CMS Dept. 70227 One Fawcett Drive Del Rio, TX 78840 **DO NOT DOUBLE**



Gluten Free

**OBERLANDER**<sup>®</sup>

כשר לפסח • KOSHER FOR PASSOVER



With a rich 50 year background in creating quality baked goods, Oberlander produces delicious, lactose free, Italian style cookies for the discerning palate.

The scarcity of options available to the significant lactose intolerant market segment, has spurred us to launch a 100% dairy-free product line and we have been introducing new, flavorful varieties ever since, to keep pace with the increasing demand.

**OBERLANDER**  
BAKERY FRESH

Oberlander Baking Co.  
555 Cortlandt Street  
Belleville, NJ 07109



TEL. 973 844-9994 • FAX 973 844-9995  
[www.oberlanderbaking.com](http://www.oberlanderbaking.com)

# You Won't Believe It...

## Sugar Free

# MIKEE



All Natural • Fat Free • Corn Free

Gluten Free • Cholesterol Free • No MSG

## Exotic Sauce Packaging, Inc.

[www.mikee.com](http://www.mikee.com)

Proudly certified Kosher by KOF-K





**FUNDING RESOURCES**  
MORTGAGE CORP.

*We put the truth in lending.*

**RATES ARE AT HISTORIC LOWS.**



**Evan (Ephraim) Tempelman**  
NMLS ID #28392  
Loan Officer  
917.291.1951  
et@fundingrmc.com

Licensed by the NY, NJ, CT, IL, MD & FL Dept. of Banking & Ins. NMLS ID 24675

**Business Accounting**  
**Financial and Tax Planning**  
**Business Management and Consulting**

**Mutty Lebovits, CPA**  
Of Saul N. Friedman and Company

*Having a team with over 35 years of experience makes a difference..*

**347-268-8085**  
Email me at - [mlebovits@snfco.com](mailto:mlebovits@snfco.com)

# WANT YOUR TEFILLOS ANSWERED?

Open the lines of  
**DIRECT communication**  
to Hashem!



**Put aside**  
your cellphones, Smart Phones,  
and Blackberries  
for a  
**FOCUSED tefillah**  
that will  
**reach high**  
**and bring results!**

# NEW RELEASE!



ONLY  
**\$10**  
Order by April 1st  
and get  
**20% off**

of  
**Harav Yisroel Belsky shlit" a**  
on Orach Chaim and Yoreh Deah

Compiled by  
**Rabbi Moishe Dovid Lebovits**

**54**  
**CHAPTERS**

LEARN ONE CHAPTER  
EACH WEEK  
AT THE SHABBOS  
-YOM TOV TABLE

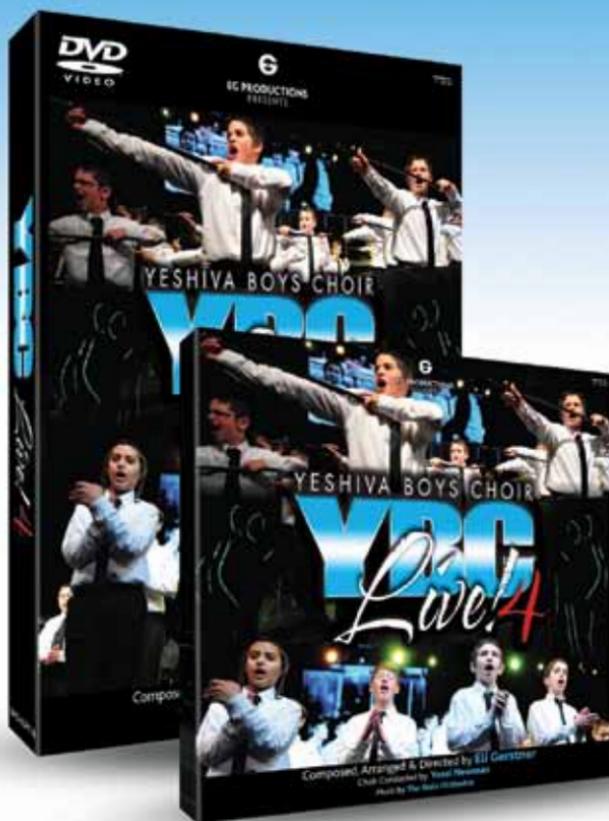
זכות רפואה שלמה למון  
הרה"ג חיים ישראל בן חנה צירל

#### TO ORDER:

1. Go to [www.thehalacha.com](http://www.thehalacha.com)
2. Email: [piskeihvol1@gmail.com](mailto:piskeihvol1@gmail.com)
3. Call : 718-744-4360
4. In select sefarim stores in Brooklyn and Lakewood.

# Ah Ah Ah...

Featuring YBC LIVE in Concert + 6 Music Videos + Behind The Scenes  
+ Bloopers + A Brand New Song Special For This CD/DVD



AVAILABLE ON DVD & CD WHEREVER JEWISH MUSIC IS SOLD & ONLINE AT  
[www.theyeshivaboyschoir.com](http://www.theyeshivaboyschoir.com)