**Scotch aged in Sherry casks**

**(1)טור יורה דעה הלכות יין נסך סימן קכג**-יין שנתנסך לכו"ם אסור בהנאה וחכמים גזרו על סתם יינן משום בנותיהן

**(2)שולחן ערוך יורה דעה הלכות תערובות סימן קה סעיף א**- איסור שנשרה עם היתר מעת לעת בצונן, מקרי כבוש, והרי הוא כמבושל ונאסר כולו.

**(3)Mishne Halachos Rav Menashe Klein Ungvarer Rav (10:109)-** suggests that wine blios – as opposed to actual wine – which mix into Scotch were not included in the original prohibition. This highly novel approach does not appear in other Poskim.

**(4)ש"ך יורה דעה סימן קלז ס"ק י**- דאפילו אינן ב"י אוסרים דלא שייך נטל"פ אלא בתבשיל אבל לא בכלי היין דאדרבה כל שמתיישנים נ"ט לשבח כ"כ הפוסקים

**(5)תלמוד בבלי מסכת עבודה זרה דף לג עמוד ב**- רבינא שרא ליה לרב חייא בריה דרב יצחק למירמא ביה שכרא

**(6)טור קלז:ד**- אף ע״פ שאסור ליתן בהם יין בכלי שנשתמש בהן הנכר ביין, מותר ליתן בהם מים ושכר ושאר כל מיני משקין לפי שהיין פוגם אותם.

**(7)תלמוד בבלי מסכת עבודה זרה דף עג עמוד ב**- ב' כוסות, אחד של חולין ואחד של תרומה, ומזגן ועירבן זה בזה, רואין את ההיתר כאילו אינו, והשאר מים רבין עליו ומבטלין אותו.

**(8)The Ra’avad** (Avodah Zara 39a d.h. v’Rebbi Yochonon, 73a d.h. yayin nesech) and **Ri Hazaken** (quoted in Ran, Ritva, and Rashba, Avodah Zara 73b) understand that the above Gemara in Avodah Zara is referring to two equal cups of wine.

**(9)The Ritva, Ramban**- and others (Avodah Zara ad loc.), maintain that wine is no different than other forbidden substances, and sixty measures are necessary to nullify one measure of wine. They therefore explain that the Gemara refers to unequal cups.

**(10)שולחן ערוך יורה דעה הלכות יין נסך סימן קלד סעיף ה**- כמה יהא במים ויהא בהם כדי לבטל טעם היין, ששה חלקים כנגדו.

**(11)The Rashba**- (Toras Habayis 5:6 pg. 60b; Chidushei HaRashba, Avodah Zara 73b) explains that **wine loses its “wine” status when mixed with other liquids six times its volume, referred to as “kiyuha-acid” instead**. This is also the opinion of the Ran (Avodah Zara 36b d.h. v’garsinan) and Tosfos (Chulin 25b d.h. hamitamed).30 Rav Moshe Feinstein (YD I siman 62 d.h. v’hinei)

**(12)Igros Moshe (YD I siman 63)-** There, Rav Pinchos Teitz is quoted as arguing that wine added to whiskey should not be nullified because it was **avida l’ta’ama**, added for flavor. Rav Moshe countered that even if wine was added for flavor the whiskey would not be prohibited because wine which is batul b’sheish is referred to as kiyuha and treated as “acid.”וא״כ מה לנו אם בכוונה ניתן מצד טעם הקיוהא – הא עכ״פ לא ניתן לטעם יין שזה ליכא במציאות, וטעם הקיוהא לא נחשב להאסר.

An additional reason to disregard the concern of avida l’ta’ama is that some Poskim are of the opinion that avida l’ta’ama prevents bitul only of actual forbidden items (bi’en); imparted flavors (blios), however, are not subject to the limitations of avida l’ta’ama (Beis Shlomo OC siman 87; S’dei Chemed, Ma’a’reches chometz u’matzah 4:6:10 and 4:12, Volume 7, pages 103 and 108). Other Poskim, however, argue that the concern of avida l’ta’ama applies to bi’en and blios alike (Pri Migadim M”Z OC 451:27).

**(13)The Shach (134:21)**- Quoting Issur V’Heter 23:16 states that non-kosher wine is batul b’sheish only when mixed with water.

**(14)The Taz (114s.k.4)**- Follows the opinion that wine is batul b’sheish in other liquids. Many Poskim side with the Taz, including the Pri Chadash (YD 114:10), Chochmas Adam (66:15) and Magen Avrohom (204:16).36 This is also the opinion of the Minchas Yitzchok (Vol. II 28:4) and Rav Moshe (Igros Moshe YD I siman 62).

**(15)The barrel calculator** - Indicates that the internal volume of liquid contained inside this barrel is 511.5L (fairly close to the stated volume), while the external volume of the barrel is 647.4L.56 Accordingly, it appears that the walls have a volume of 135.9L, which gives a liquid-to-wood ratio of 3.76:1, and would not be batul b’sheish.

**(16)ט"ז יורה דעה סימן קה ס"ק א**- דהחבית שנאסרה ע"י בלע יין עובד כוכבים בצונן אינו אלא מועט וע"כ סגי ליה בקליפת הכלי להכשיר

The **Chacham Tzvi** (siman 75) and **Macha’ne Ephraim** (Hilchos Ma’achalos Asuros 11:15, quoting his son) argue with the Shach and maintain that even if yayin nesech was stored in a barrel for many days, only the klipah is prohibited. This is also the opinion of the **Chazon Ish** (55:6), **Yad Yehuda** (Hilchos Melicha, 69:64, pg. 69a, column 2) and **Chikrei Lev** (siman 77).

**(17)ש"ך יורה דעה סימן צח ס"ק יג**- וכתוב בת"ח ריש כלל פ"ה בשם או"ה דה"ה אם נאסר הכלי ע"י עירוי א"צ לשער רק כדי קליפה אבל אם נאסר ע"י כבישה צריך לשער נגד כולו

**(18)** **Pri Migadim** (ad loc.) and the **Chochmas Adam** (57:11) both follow the opinion of the Shach that the full thickness of the wall is considered to contain forbidden blios, and **this is the accepted ruling**.

**(19)https://oukosher.org/content/uploads/2014/03/daf-hakashrus-purim74.pdf** -The OU does not permit “sherry cask” whiskeys to be served by their caterers or at their restaurants. However, unflavored whiskey that is not labeled sherry cask and there is no reason to assume it was kavush in a sherry cask is permitted.

**(20)The cRc policy** -is that Scotch is permitted unless the label states that it is aged in a wine cask, has a special finish, or an extra maturation. Consumers who wish to adopt this stance should read the label of each bottle before using it, and avoid wording such as double or triple finish, double or triple matured, dual casks or finish, European or French casks, Madeira finish, port, sauterne, or sherry. The cRc listings of recommended Scotches follows a stricter standard than the one listed above, and only includes Scotches that are certified and/or are known to not have any contact with wine or wine casks.

**(21)Blended Scotch whisky**- may contain a combination of whiskies from over 40 or 50 different malt and grain distilleries As such, even if whisky from Sherry casks were blended in, it is likely to be only a small amount of the entire blend lending itself to bitul.

**(22)Chanan does not apply to Rabbinical prohibitions** -Pri Chodosh 92:17 based on **Ran**, Chulin 44b; Aruch Hashulchan 92:25). Some Poskim allow one to follow the lenient opinion with regards to prohibitions other than basar b’chalav (K’sav Sofer siman 52; see also Chochmas Adam 44:13, and Tzvi L’Tzaddik, gloss to Taz 92:11).

**Rama** (92:4) rules that chanan does not apply when dealing with a **liquid mixture** (involving prohibitions other than basar b’chalav) in situations of hefsed gadol.

 **Igros Moshe** (YD II siman 36) rules that when dealing with a Rabbinical prohibition, such as stam yeinam, one may be lenient even without a great loss.

**Rashba** Toras Habayis 4:1, pg. 14, who is of the opinion that **wine – which is batul b’sheish – is not subject to the limitations of chanan**.