

## OVERVIEW of the Daf

### 1) Clarifying the Mishnah

The Gemara presents a discussion regarding the permissibility to slaughter an injured bird on Yom Tov. This relates to the issue of whether we refrain from doing melachos which may prove to be unnecessary and thus a violation of Yom Tov.

### 2) Heating tiles on Yom Tov

Two contradictory Beraisos are cited regarding the number of violations transgressed when different people perform different parts of the cooking process. A resolution to the contradiction is presented.

The Gemara questions the reason for liability for the one who places an empty pot on the fire.

Reish Lakish explains that the case refers to a new pot that is completed when heated.

A Beraisa discusses other activities that relate to completing utensils on Yom Tov.

A second related Beraisa is cited.

A Beraisa related to the topic of using an oven on Yom Tov is recorded.

A Beraisa regarding food preparation is presented.

3) **MISHNAH:** R' Eliezer and Chachamim disagree about the necessary steps needed to remove the muktza status from produce.

### 4) The effect of Shabbos on maaser and muktza

Following the citation of two Mishnayos, Rava asked

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## REVIEW and Remember

1. How many different people may be held liable for cooking one pot of food?

2. Why is there no concern when cracking a nut in a cloth that one will tear the cloth?

3. Explain שבת קובעת למעשר.

4. According to Mar Zutra, what is the significance that the Mishnah discusses a case of shemittah?

## Distinctive INSIGHT

### A trampled chicken and a first-time Mohel

אמר ליה אגן מפני שצריך לחוסמן מתנינן לה

**S**hulchan Aruch (O.C. 498:8) rules that it is permitted to slaughter a chicken that has been trampled, and we are not concerned that an inspection of the animal will reveal it as a tereifa. **ישועות יעקב** notes an inconsistency with this ruling from a parallel case. In Hilchos Shabbos, the **מחבר** writes (331:10) that a mohel who has never performed a milah before may not perform his first milah on Shabbos, as we are afraid that he might err and not succeed in doing the milah properly this first time. This would result in a violation of Shabbos without the justification of having done the mitzvah. This ruling is in accordance with the opinion of the **מרדכי** (Chullin #958). Why does the halacha not express caution regarding possible violation of Yom Tov in the case of slaughter of a possible tereifa bird (which must be inspected after **שחיטה**), yet we prevent a mohel from doing a milah on Shabbos due to our initial concern of possible chillul Shabbos in case he is unsuccessful?

**ישועות יעקב** answers that our Mishnah disallows heating of new tiles. One opinion in the Gemara explains that heating tiles is only prohibited because it definitely cures the ceramic (**לחסמן**). Accordingly, if the tile must simply be checked (**לבדוק**), heating it would be allowed, and even if the tile would break and the heating of the oven would be end up being for naught, it is permitted due to the doubt. Accordingly, we allow slaughter of a trampled chicken because the act of **שחיטה** is essentially permitted for the sake of food preparation. Even if the bird is damaged, slaughtering it is a permitted act. However, in regard to milah, causing an injury is not allowed on Shabbos. The only reason the mohel can justify his act is if he is performing a kosher milah, and until such time the act of cutting is in violation of Shabbos.

**שבות יעקב** (1:23) answers that the Torah only allows milah on Shabbos when it is relatively certain that the mitzvah will be fulfilled, and not when there is a doubt whether the act will be complete (a first-time mohel). This is as opposed to food preparation on Yom Tov which may

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Liluei Nishmas Eliyahu Yochanan ben Aharon Yosef a"h  
by his family

# HALACHAH Highlight

## Is there a Biblical prohibition against cooking water?

תניא אחד מביא את האור... ואחד מביא את המים... כולך חייבין  
 It was taught in a Beraisa: If one brings a fire ... and one brings the water ... they are all liable [i.e. they are in violation of a Biblical prohibition.]

The Radvaz<sup>1</sup> writes that cooking a food that is edible raw does not violate the Biblical prohibition against cooking. As proof he cites the halacha of cooking a food that already reached the minimal stage of edibility (כמאכל בן דרוסאי). Just like one is not liable for cooking a food that was already cooked to a stage of minimal edibility, so too cooking a food that can be eaten raw does not violate the Biblical prohibition. Rambam<sup>2</sup>, on the other hand, rules that one is liable for cooking water, even though water does not require cooking to be drinkable. Seemingly, Rambam is consistent on this matter because he rules<sup>3</sup> that one is exempt for cooking a fully cooked food, thus implying that if the food is not fully cooked one is liable even though it is minimally edible. In summary, according to Radvaz there is no Biblical liability for cooking foods that do not require cooking, whether because they are edible without cooking or whether they are edible be-

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R' Nachman whether Shabbos establishes a maaser obligation for produce that was not fully processed.

R' Nachman responded that Shabbos established a maaser obligation even for unprocessed produce.

Rava unsuccessfully challenges this ruling.

Mar Zutra the son of R' Nachman unsuccessfully attempts to support R' Nachman's explanation. ■

cause they have already been partially cooked. According to Rambam there is Biblical liability.

The Pri Chadash<sup>4</sup> cites our Beraisa as support for Rambam. Our Beraisa states that one who brings water and puts it in the pot on the fire is liable, which clearly indicates that there is Biblical liability for cooking water. Mishnah Berurah<sup>5</sup> cites both opinions on this matter and concludes that the strict ruling of Shulchan Aruch should be practiced and one should treat cooking water as a Biblical prohibition. B'dieved, however, the food would not be prohibited<sup>6</sup>. ■

1. שו"ת הרדב"ז ח"א סי' רי"ג

2. פ"ט מהל' שבת ה"א

3. פ"ט מהל' שבת ה"ג

4. פר"ח במים חיים על הרמב"ם (פ"ט ה"א)

5. ביאור הלכה סי' שי"ח סע' ד' ד"ה אפילו בעודו

6. ע"ע בשו"ת יביע אומר ח"ד סע' ל"ד אות ל"ז שמביא פלוגתא דא

ועוד דעות ואכמ"ל ■

# STORIES Off the Daf

## Mutual responsibility

תניא אחד מביא את האור ואחד מביא את העצים ואחד שופת את הקדרה ואחד מביא את המים ואחד נותן בתוכו תבלין ואחד מגיס כולך חייבין

On today's daf, we find a reference to a Beraisa regarding partial acts of cooking on Shabbos. It says, "If one person lights the flame, another places the wood, yet another places the pot on the stove, a fourth pours in the water, another adds spices, and still another stirs...all of them are liable." These partial acts of cooking all contribute to a whole prohibition. As we see from the following story, some

would even consider failure of a bystander to protest such an act as tantamount to abetting the crime.

Once, Rav Yosef Chaim Sonnenfeld, zt"l, was informed that an ostensibly observant Jew had been seen violating the Shabbos by lighting a fire. The Rav rushed to the home of the perpetrator and, indeed, spied a column of smoke rising from the man's chimney.

Without even so much as knocking, the Rav burst in the house and exclaimed, "Could it be that you profaned the holy Shabbos and lit a fire? It's an act that is liable for **כרת**!"

The homeowner remained absolutely calm. With aplomb, he retorted with a question of his own.

"How can you burst into my house without even knocking?" the man fired back. "Is this proper etiquette—to barge into another man's domicile without even asking his permission? Have you no respect for the rights of a man over his own private space?"

Rav Sonnenfeld shot back vehemently, "Rules of etiquette hardly apply when there is clear and present danger to life and limb! I heard that there was a fire in your house—naturally, I burst in to try and avert the catastrophe!" ■

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be done even if it is uncertain if the food will be eaten (the possibility that guests might come is enough of a reason to allow cooking on Yom Tov). ■