

## OVERVIEW of the Daf

### 1) Grooming activities (cont.)

R' Avahu in the name of R' Yosi the son of R' Chanina explains that one who applies paint to her eyes violates the prohibition against dyeing, and one who fixes or braids her hair violates the prohibition against building.

R' Shimon ben Elazar rules that liability for grooming is when a woman grooms another, but a woman who grooms herself she is not liable.

### 2) Toldos

A Baraisa records a dispute whether different activities violate a Torah prohibition or only a Rabbinic enactment.

### 3) Removing loaves of honey from a honeycomb

R' Elazar provides the source for R' Eliezer's ruling that removing loaves of honey from a honeycomb violates a Torah prohibition.

### 4) Laying the dust

Ameimar permitted sprinkling water to lay the dust in Meshuza, because the basis for the restriction is the concern that one may come to level out holes in the ground and in Mechuzas the floors are made of stone, thus the restriction does not apply.

Two methods to circumvent the restriction are presented. The Gemara concludes: Since we follow the opinion of R' Shimon who permits a **שאינו מתכוין** laying the dust is permitted outright.

**5) MISHNAH:** The Mishnah records a dispute concerning things growing in a flowerpot.

### 6) Clarifying the opinion of R' Shimon

A Contradiction is noted regarding R' Shimon's view of a plant growing in a perforated flowerpot.

Rava explains: Generally R' Shimon treats a plant growing in a perforated pot as if it detached from the ground. Regarding tum'ah, however, the Torah is lenient with regards to seeds and they are considered part of the ground and not susceptible to tum'ah.

A certain elder asked R' Zeira what R' Shimon would say if the root of a plant was directly opposite a hole in the flowerpot.

R' Zeira did not have an answer to this question but he did rule that if the flowerpot had a hole sufficiently large to remove tum'ah from the flowerpot then the plant is considered attached to the ground.

Abaye adds that R' Zeira referred to a hole near the bottom of the flowerpot.

### 7) The status of different size holes in earthenware utensils

Rava identifies five different size holes and the affect they have on the tum'ah status of the utensil.

R' Asi taught: A utensil loses its susceptibility to tum'ah if the hole is large enough to let a pomegranate through. ■

## Gemara GEM

### Milking a Cow—Which Melacha Is It?

חולב חייב משום מפרק

Rashi explains that the melacha involved in milking an animal is threshing – **דש**. Rashi also quotes others who say that it fits into the category of harvesting – **קוצר**, which is when something is cut off from its source from where it nurtured. Rashi rejects this explanation, though, because harvesting is only when something is attached to the ground and it is then cut off from its source. Milk is not attached to its source in this manner.

Tosafos, questions Rashi's interpretation that milking falls into the category of threshing. Threshing, Tosafos maintains, is only applicable by commodities which grow from the ground, and milk is not in this class. Therefore, Tosafos claims that milking an animal is the melacha of smoothing – **ממחק**. The udder is softened and flattened as the milk is pushed out.

Ramban defends the explanation of Rashi. Threshing is generally only applicable by items which grow from the ground (**גידולי קרקע**). This, however, is when the threshing is done on the item itself, for example to remove a kernel from its husk. However, when we apply this concept to milking, it simply refers to removing a desirable element from its pouch. And furthermore, we do find that animals are categorized as "**גידולי קרקע**", and as such we can directly apply the concept of threshing to them.

Some want to say (**רבינו אברהם בן הרמב"ם**) that the **מלאכה** of threshing only applies by items which grow from the ground, but the **תולדה**, such as milking, can apply even to not agricultural items.

Finally, Rashba and Ritva bring a proof to the opinion of Rashi from a Gemara (144b) where we find that it is permitted to milk a cow if the milk drops directly into a container in which there is food, and the milk becomes absorbed. Now, according to Tosafos, the melacha occurs at the udder (**ממחק**), and there should be no dispensation based upon the fact that the milk falls and is

(Continued on page 2)

## REVIEW and Remember

1. What is the source that braiding hair is a form of building?
2. Milking a cow is a subset of which melacha?
3. According to Rabanan who consider a plant in a perforated pot to be attached to the ground, does it matter where the hole in the flowerpot is situated?
4. Why was the elder unhappy with R' Zeira's ruling of liability concerning a flowerpot with a hole large enough to remove its tumah status?

# HALACHAH Highlight

## Sunbathing on Shabbos

וכן היה רבי שמעון בן אלעזר אומר משום רבי אליעזר: אשה לא תעביר סרק על פניה מפני שצובעת.

And similarly would Rebbi Shimon ben Elazar say in the name of Rebbi Eliezer: A woman may not apply rouge to her face on Shabbos because it colors the skin.

Rav Yitzchak Yaakov Weiss<sup>1</sup> was queried whether sunbathing is permitted on Shabbos. In his responsum, Rav Weiss differentiates between sunbathing for medical and/or health purposes, and sunbathing for aesthetic reasons, namely in order to become tanned which is considered an improvement of one's appearance. Rav Weiss rules that both purposes for sunbathing are prohibited on Shabbos. In discussing the second possible intention for sunbathing, that is in order to become tanned and improve one's appearance, Rav Weiss presents numerous reasons to forbid. As the first reason to forbid appearance-enhancing sunbathing, Rav Weiss cites our passage that applying rouge to the face is interdicted due to the prohibition to dye on Shabbos, being that the act of sunbathing tans the person. As well, we find several actions that are forbidden on Shabbos because they improve the person's state. As a further rationale to prohibit, Rav Weiss notes that generally sunbathing is a pleasant experience, however, when the sun is exceedingly hot, that experience can become painful. At that point there would be basis to prohibit based upon the Rambam<sup>2</sup> who explains that the reason why it is forbidden to bath in filthy and/or malodorous water is because such bathing would be unpleasant. Another reason to forbid sunbathing on Shabbos is because such activity may result in possible desecration of the Shabbos, such as the application of creams before and/or after sunbathing. Finally, the activity itself is not in the spirit of Shabbos. Thus, Rav Weiss concludes that one must not tan on Shabbos. Rav Mordechai Ya'akov Breish<sup>3</sup>, the Chelkas Ya'akov, also rules to forbid sunbathing on Shabbos.

However, other contemporary authorities<sup>4</sup> appear to rule leniently. Note must be taken of the intriguing reasoning suggested by Rav

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absorbed. But, according to Rashi, we can understand why threshing is not applicable in this case. We only consider milking the cow as דש if we have retrieved the milk that was contained in the udder. But when it falls directly onto food and is absorbed, we can understand why we began with a solid food with milk absorbed into it, and this is also what we ended with. It would be reasonable why דש has not been achieved. ■

Pesach Eliyahu Falk<sup>5</sup>. Rav Falk analyzes the parameters of the category of labor referred to as צובע (dyeing). He asks whether a chemical change that results in a change of color without the external application of any coloring can be considered dyeing, or does the category of dyeing require the tangible application of a coloring of some kind? He presents sun tanning as a practical ramification for this question, being that the change in color (tanning) that results from being exposed to the rays of the sun does not involve the application of any coloring to the skin. Rav Falk cites the previously mentioned strict ruling of Rav Weiss and then remarks that possibly the tanning of the skin accomplished by direct heat exposure can be considered some kind of external application. [Ultimately, Rav Falk determines that even if there is no real application of a coloring agent, the action may still be considered צובע (dyeing).]

Although it appears that Rav Falk would rule strictly regarding sun tanning on Shabbos, there is another point presented there that should be mentioned. Rav Falk contends that surely it would be permitted to be out in the sun without the intent to become tanned although tanning may actually result. Thus, to sit in the sun or to walk in the sun without the intent to become tanned would be permitted, even though there exists the possibility that tanning will result. ■

1. שו"ת מנחת יצחק ח"ה (סי' לב שאלה ב)
2. רמב"ם (פכ"א מהל' שבת הלכה כט)
3. שו"ת חלקת יעקב ח"ד (סי' יז אות א). אבל ראה שם שטעמו להחמיר שונה מדברי המנח"י. ע"ש.
4. ע"י בשש"כ (פרק יח הערה ע, עמ' רט). וכן ראה בשו"ת אז נדברו ח"ב (סי' ל) שאם אין כוונתו לחזק מזג וכ"ש לרפואה, רק לתענוג אז במקום שאין רואים אותו, כמו על גל ביתו הפרטי - מותר. וכן ראה בס' תורת המלאכות (מלאכת צובע ס"ק כה) בשם ר"י קרליץ שליט"א [ובא לציו"ן בס' הלכות שבת השייכות לבית ח"ב (פכ"ב הערה 32, עמ' 335). ע"ש].
5. שו"ת מחזה אליהו (סי' סה ענף ו אות כד, דף קכ"ץ סו"ע"א) ■

## Distinctive INSIGHT

### Rambam Rules that כוחלת is Writing

כוחלת משום צובעת

Rambam (Hilchos Shabbos 23:12) writes that painting the face with this particular makeup (כוחלת) is in the category of writing (כותב). The Lechem Mishneh, as well as the Shiltei Giborim, ask against Rambam from our Gemara. Although the Gemara does mention that this is indeed writing, the conclusion of the Gemara is that this is actually in the category of dyeing (צובעת). The Shiltei Giborim suggest that Rambam might have

had a different text in his Gemara that concludes that this is writing, but according to our Gemara, the ruling of Rambam is difficult (see Note 'א עין משפט on the Daf).

Based upon the text of Rambam, Kehillas Yaakov (#40) justifies the logic of Rambam. Writing is accomplished when one places a mark on a surface. Coloring, or dyeing, is when one wants the item to be colored. For example, the Yerushalmi gives a case of two people on Shabbos, one drew an outline on a wall, and the other came and colored it in. The first has violated "writing", while the second has done "coloring". The first person intended to make an impression of a picture upon the wall, but the second

wanted the picture to take on a different color. Therefore, explains Kehillas Yaakov, the woman applying the cosmetics does not want her eyelids to be dyed blue. She only wants to have the color be applied to the surface of the skin. This, then, is the melacha of writing, and not the melacha of dyeing. Furthermore, writing is when one's inscribing is designed to form a shape or image. Dyeing is when one fills in a pre-existing form (coloring a picture) or to color a material. The shape or form of the picture or garment already exists, and its color has to be applied. Therefore, coloring the eyes is not to be categorized as writing, but rather as dyeing. ■

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