

OVERVIEW of the Daf

1. Clarifying the Mishnah (cont.)

The Gemara makes two more attempts to determine whether the Mishnah follows the opinion of Chananyah and neither attempt produced a definitive answer.

2. Placing a pot next to an oven that was not shoveled or covered with ash

The Gemara questions whether it is permitted to place a pot next to an oven whose coals have not been shoveled or covered with ash.

Following two unsuccessful attempts the Gemara finally demonstrates from an explicit Baraisa that it is permitted.

3. The Halacha regarding a flame covered with ash that flares up

R' Oshaya is quoted as ruling that if one covers a flame with ash and it flares up again he may nonetheless leave a pot of fully cooked food or hot water on the stove. The novelty of this ruling is that, although normally even a fully cooked food may not be left on an uncovered flame, in this case since the flame was initially covered with ash, fully cooked food or heated liquid may be left on the stove.

The same halacha is said in the name of R' Yochanan and the Gemara explains that the further novelty is that even if the flame was fueled by rosewood the same leniency will apply.

4. Determining whether halacha follows the lenient ruling of Chananyah or the strict ruling of the Chachamim

R' Sheshes quotes R' Yochanan as ruling that one may leave a pot of uncooked food or unheated liquid on a fire that was not shoveled or covered with ash, but food may not be returned to such a flame.

Rava questions the necessity of R' Sheshes' ruling being that both halachos can be deduced from different Mishnayos. The Gemara answers that R' Sheshes was merely teaching the inference from the Mishnah.

R' Shmuel bar Yehudah quotes R' Yochanan as ruling that a fully cooked food or heated liquid may be left on an uncovered flame even if the food will improve with further cooking. When questioned on the matter from the ruling of Rav and Shmuel who prohibit such an act, R' Shmuel bar Yehudah answered that he knows the ruling of Rav and Shmuel but he follows the teaching of R' Yochanan who rules leniently on the issue.

R' Ukva from Mishan instructed R' Ashi that in Bavel they must follow the strict ruling of Rav and Shmuel, who prohibit leaving a fully cooked food on the fire if it will improve with further cooking, whereas in Eretz Yisroel they follow the lenient ruling of R' Yochanan.

Abaye asked R' Yosef regarding the permissibility to eat food that was left on an uncovered fire. R' Yosef demonstrated that it is permitted since R' Nachman bar Yitzchok would eat such food.

After the Gemara cites another story, R' Nachman rules that only food that deteriorates with further cooking can be left on an uncovered flame. R' Nachman also provides guidelines to determine whether foods improve or deteriorate with further cooking.

Gemara GEM

Clarifying Chanania and simmering food

שמע מינה מצטמק ויפה לו מותר... רב ושמואל דאמרי תרויחו מצטמק ויפה לו אסור

Both Rav and Shmuel state that if a pot of food will improve as it continues to simmer and cook, then it is prohibited to leave it on the fire from Friday afternoon. Most Rishonim (Tosafos, Ramban, Meiri, Ritva) understand that the consensus of Rav and Shmuel is not in accordance with the opinion of Chanania, who says that we can leave even an uncooked food on an active heat source (even a stove that is not swept out from its coals). According to Chanania, if we can leave even partially cooked food on the fire on Friday afternoon, where the cooking process clearly improves the food, then it would certainly be allowed to leave a pot of food which is mostly cooked, which needs just a bit more simmering before it is completed. Rather, the words of Rav and Shmuel were apparently said only according to Rabanan, who do not allow leaving a pot of food which is partially cooked on an open flame. The discussion in the Gemara is whether these Rabanan would allow leaving a pot of food on a fire if the food is fully cooked, where the simmering still provides an improvement for the food (מצטמק ויפה לו).

This serves as a support for Rif, among others, who rule according to Rabbanan, and against Chanania. However, Rabbeinu Zerachya Halevi (the בעל המאור) writes that even if we rule according to Chanania, it could very well be permitted to leave a food on the open fire once it is cooked כמאכל בן דרוסאי, because once it finally becomes fully cooked, the continued simmering would be undesirable. However, a food which improves by being left on the flame could be prohibited to be left on it. If the previous case, there is no risk that the person would stir up the coals, because this would just make things worse. But if the food will become cooked and then even improved further by being left on the fire, we would be concerned that the person might interact with it and stir up the coals to speed up the process. According to this, the fact that Rav and Shmuel agree about. ■

REVIEW and Remember

1. What substance other than ash may be used to cover a flame?
2. What is unique about rosewood?
3. What important halachic rule did R' Ukva teach R' Ashi?
4. Why was R' Yehudah permitted to eat foods left on an uncovered flame on Shabbos?

HALACHAH Highlight

Returning fully cooked foods into our present day ovens

דאמר רבי חלבו אמר רב חמא בר גוריא אמר רב לא שנו אלא על גבה, אבל לתוכה – אסור.
For Rabbi Chelbo said in the name of Rav Chama bar Guria who said in the name of Rav: that which the Mishnah permits the returning of a food to the Kirah is only to place the food upon the Kirah, however, to return the food into the Kirah is forbidden.

The Rishonim differ in explanation of the prohibition of returning a food to the Kirah oven, even though the coals are removed or covered. Some Rishonim¹ explain that there exists a concern that upon returning the pot to the oven, the person may stir some of the covered coals. Even in an oven from which the coals have been removed, there is concern for some coals that inevitably are left behind². Other Rishonim³ posit that the concern is for the possibility that upon returning the pot to the oven there may be the moving of the coals which are Muktzah. Yet other Rishonim⁴ explain that the reason why it is prohibited to return a cooked food to the Kirah oven, even though the coals are removed or covered and as such there is no concern that the coals be stirred, is because due to the intense heat of the oven⁵ it appears as if one intends to cook. This latter view is represented in the Mishnah Berurah⁶.

As to returning foods into our present-day ovens there are different views. However, as a preface, it is necessary to briefly state the conditions of return (תנאי החזרה): A. When taking the pot out, one must have clear intent to return the pot to the place of heat. B. One must not release the pot from his grip after having removed it from the source of heat until the return. C. The fire to which the food will be returned be covered (גרופה וקטומה). D. The food must be completely cooked. E. The food must still be warm.

Rav Moshe Feinstein and others: Rav Feinstein writes that it is surely prohibited to take fully cooked food from the refrigerator and place it in the oven⁷. When the conditions of return (תנאי החזרה) exist, it is still not permitted to return the pot to the oven⁸. This view ap-

pears to be upheld by Rav Shlomo Zalman Auerbach⁹ and Rav Yosef Sholom Elyashiv¹⁰. However, if one were to place in the oven a four-sided insert, then Rav Feinstein¹¹ held that it would be permitted to return a pot to the oven if the conditions of return were met, since the insert serves as a blech for the oven. It said in the name of Rav Feinstein¹² that if one had a pot in his oven, he may pull out the rack upon which the pot rests until the pot is revealed and remove food from the pot while it remains upon the rack, and then push the rack and the pot back into the oven. The reason for this leniency is because we do not consider the pot to have been removed.

Rav Aharon Kotler: Rav Aharon Kotler is quoted¹³ as having ruled that it is permitted to return a pot to our ovens, even without an oven insert, assuming that the conditions of return are met. However, according to his opinion it is obligatory to cover the knobs of the oven, since that serves as the real blech.

As always, one must consult his Rav for actual practice. <

1. מאירי (כאן ד"ה כבר ביארנו, עמ' 145). ועיי במחצית השקל (סיק רג ס"ק לה) וכן בשער הציון שם (ס"ק לו) בשם ספר הישר
2. מאירי שם וכן לעיל במשנה (ד"ה זו היא שיטת, עמ' 141). ועיי ברמב"ם (פ"ג מהל' שבת ה"ו)
3. מאירי בשם חכמי הדורות שלפנינו (=בעל ההשלמה), וכן באורחות חיים (הל' שבת אות ע"ו) ועוד
4. ראה בריטבי"א (לו ע"א ד"ה ת"ד). ועיי לו ע"ב ד"ה גמרא אבעיא ולט ע"ט סוד"ה (כל) וכן ראה היטיב בחידושי הר"ן כאן
5. עיי ברמב"ן (כאן ד"ה הא דאמרי'): דמסתבר להו בגמרא בחזרה דחמיר תוכה משום דנפיש הבלא ונראה כמבשל בשבת ואע"פ שגרף וקטום."
6. עיי במשנ"ב (סיק רג ס"ק נז). וכן ראה בשו"ת שבת הלוי ח"ג (ריש ס"י מח) שכתב לדחות דעת המחצית השקל הנ"ל, וכתב הטעם הזה כדמחזי כמבשל והשווה לכתוב בשער הציון שם (ס"ק לו) ואכמ"ל
7. שו"ת אגרות משה (ח"א מחא"ו"ח ס"ס צד)
8. שו"ת אגרות משה (ח"ד מחא"ו"ח ס"י עד בישול אות כו). וכן בשו"ת מנחת יצחק ח"ג (ס"י כח)
9. עיי שלחן שלמה ס"י רג ס"ק טו
10. עיי שבות יצחק פ"ז, עמ' פט
11. שו"ת אגרות משה שם אות כז
12. ס' כללים בהלכות שבת (מלאכת אופה – פרק ב' ס"י ב סעיף א תנאי 1 הערה 27, עמ' קמד)
13. ס' הלכות שבת לרבי שמעון איידר (ח"ד מלאכת אופה הערה תתקסג, עמ' 354). ועיי בשו"ת שבת הלוי ח"ג (ס"י מח) ובסי' מנוחת אהבה (פ"ג ס"ז) ■

STORIES Off the Daf

Things that aren't the way they seem

הא רב יהודה משה? ... בר מיניה דרב יהודה דכין דמסוכן הוא

As evident from our Gemara, we can never judge others or make solid conclusions based only upon observing their actions, unless we are explicitly informed that these actions comply with practical Halachah. Additionally, we should not judge a Talmid Chacham unfavorably, even when we see him doing something which is not in accordance with Halachah, as we are not privy to his reasons for his actions. Consider the following true story:

A renowned Talmid Chacham is seen in a brothel. Not only is he seen in a seedy area acting in a calm fashion, but he is also deliber-

ately eating non-kosher food! This might be a bigger trial than most of us might be able to handle in the department of judging favorably. The source of this story: the Gemara in Avoda Zara (18b). The name of the person: Rabbi Meir.

Rebbi Meir was wanted by the Roman government for having bribed a Roman official to release his sister-in-law from having to serve in a house of ill-repute. The Romans let all their guards know what Rebbi Meir looked like, and they informed them about exactly who he was. One day, he was spotted by a Roman officer, who started following him. As Rebbi Meir lost his pursuer for a moment, he had to think quickly. He ran into a brothel in order to fool the Roman guard, who was on the lookout for a pious sage. Acting calmly, Rebbi Meir dipped his finger in a cooked dish

of food at the brothel and sucked on a different finger. When the Roman guard arrived, he saw someone who looked like Rebbi Meir, but he was relaxing in a brothel and eating something that was Bishul Akum and/or non-kosher! The guard was certain that he had made a mistake, as he was looking for a venerable Torah sage, not a lowlife. He left Rebbi Meir alone.

Any other person who had seen Rebbi Meir in such a place and had not seen the officer might either think that it is not so bad to be in a brothel, or that one is permitted to eat questionable foods. A person can never rely on actions that he sees other perform unless he knows that they are Halachically correct. Even if he knows they are not, he should always judge such a Talmid Chacham favorably, even in a farfetched situation ■

