

OVERVIEW of the Daf

1. Unintentionally leaving a pot on an uncovered flame

R' Chiya bar Abba was asked what the halacha would be if a person forgot and left an uncooked food on top of an uncovered flame and the food cooked on Shabbos.

R' Chiya bar Abba's response was vague and there is a dispute what he meant. According to Rabbah and R' Yosef, R' Chiya bar Abba meant to rule leniently even if the food was left on the flame intentionally. According to R' Nachman bar Yitzchok, R' Chiya bar Abba meant to rule strictly and prohibited the food even if it was left on the flame unintentionally.

The Gemara demonstrates from a Baraisa that the lenient approach of Rabbah and R' Yosef is difficult to maintain.

The Gemara explains that a decree was enacted prohibiting food even left unintentionally on an uncovered flame because people began to leave the food on the flame intentionally and claim that it had been left unintentionally.

A contradiction is noted in the opinion's of R' Meir and R' Yehudah and the Gemara explains how to resolve the contradictions.

2. Intentionally leaving a pot on an uncovered flame

The Gemara questions whether the Rabbis prohibited food intentionally left on an uncovered flame.

An attempt is made to answer the question from a story involving a ruling R' Yosi but the ruling is inconclusive.

3. Returning food to the stovetop

R' Sheshes clarifies that according to the lenient position of Beis Hillel, a food may be returned to the stovetop even on Shabbos day.

Two qualifications are discussed regarding the permissibility of returning food onto a stovetop. One issue is whether the pot must remain in someone's hands. The second issue is whether and under what conditions intent to return the pot to the fire is necessary.

R' Yirmiyah and R' Ashi ask some technical questions regarding these issues, but the Gemara is unable to answer them.

4. MISHNAH: The Mishnah presents the halachos relevant to the use of different types of ovens.

5. Placing food along the outside wall of a tanur

R' Yosef asserts that it is permitted to place food along the outside wall of a tanur.

Abaye challenges the assertion of R' Yosef. Although his challenge does not definitively prove R' Yosef incorrect, there is a Baraisa that supports Abaye strict position.

6. The kupach and kirah

R' Ashi explains that a kupach is hotter than a kirah, but not as hot as a tanur, and its status is in between the two.

R' Yosi bar Chanina states that a kupach has room for one pot and a kirah has room for two pots. A Baraisa supports these definitions.

7. MISHNAH: Various methods of unconventional cooking are discussed.

8. Roasting an egg

The Gemara asks about the consequence of roasting an egg and R' Yosef responded that a person who roasts an egg unintentionally is liable to bring a korbon chatas. ■

Gemara GEM

The Sinner Who Won't Eat Food Cooked on Shabbos

במזיד לא יאכל

The Chashukei Chemed points out an interesting problem with our Gemara. We are dealing with a person who does not listen to the Torah prohibition against cooking on Shabbos. Why would he listen to the Rabbinic prohibition against eating food that he cooked for himself on Shabbos? It would seem that the fine levied on this person who wantonly cooked on Shabbos, knowing that he is sinning, is irrelevant. It would, instead, make sense only to discuss whether or not others, who would not normally violate Shabbos, can eat the food prepared by this sinner.

One answer is that we are addressing the possibility that this person may repent immediately after having cooked on Shabbos. However, The Chashukei Chemed rejects that this decree was made for people who have sudden thoughts of teshuva. Though it would make a nice story, it does not seem that this case is prevalent enough to warrant a special Rabinnic decree.

The Chashukei Chemed explains that this could be talking about a time when the institution of Beis Din was powerful, and they were able to enforce halachah much more rigorously than they do today. Though one can't always anticipate Chilul Shabbos, if it does occur, the Jewish court can make sure that the evildoer does not eat from his food.

Alternatively, the Chashukei Chemed answers that it could be talking about a woman who is expecting company. She is horrified to see that the fire is out and her food will be cold. Her embarrassment overwhelms her, and she is not able to resist relighting the fire (a story related by the Chazon Ish in Emunah u'Bitachon). Now that she is spared the embarrassment, she will observe the halacha of not eating from the food. Similarly, if a well known frum caterer sees on Friday night that his fires are not lit underneath the food he is expected to serve at a Simcha, his Yetzer Hara might convince him to turn the fires back on on Shabbos (a story told to this author by the person who saw such a caterer do exactly that). However, he would oblige by the Rabbinic law not to eat the food. It is for these people that there is a penalty that they cannot eat their own Shabbos cooking. ■

REVIEW and Remember

1. What substance other than ash may be use 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

The Conditions of Chazarah

עודן בידו ודעתו להחזיר


The Gemara discusses the laws of performing Chazarah, the permitted process of returning food to a fire on Shabbos after having taken it off the fire. Our Gemara mentions different conditions that must be met in order to be allowed to perform Chazarah. The following is a list of factors that everyone agrees must *always* be present in order to do Chazarah:

- The food being returned must be totally cooked. If it is not, one is cooking on Shabbos.¹
- Chazarah cannot be done to an oven, even if it is Garuf v'Katum.²
- The fire must be Garuf v'Katum (i.e. covered by a Blech).³ Whether or not the fire of a Shabbos hotplate is considered Garuf v'Katum is a subject of much debate in the Poskim. The Igros Moshe⁴ held that if the hotplate only has one setting (for warming) it is considered Garuf v'Katum, as there is no way of "stoking the fire." Rav Elyashiv⁵ held that it is not Garuf v'Katum, and in order to be able to do Chazarah one must place a thick layer of aluminum foil on top of the hotplate. Rav Ovadya Yosef seems to consider any hotplate as Garuf v'Katum.⁶
- The Remah holds that the food must not have completely cooled off by the time one wants to return it to the fire.⁷ The Shulchan Aruch holds the food must still be hot.⁸

The Shulchan Aruch⁹ seems to Pasken that two of the criteria listed in our Gemara are necessary: **עודה בידו ולא הניחה ע"ג קרקע**. This means that Chazarah may only be done when someone is holding the pot in his hand the entire time that it is off the fire, and that he did not put it on the ground. The Rema adds another condition: **דעתו להחזיר**. This means that Chazarah can only be done if the person had intention to return the food to fire when he originally took it off the fire. A person should l'Chatchila have these intentions in mind when planning to do Chazarah.

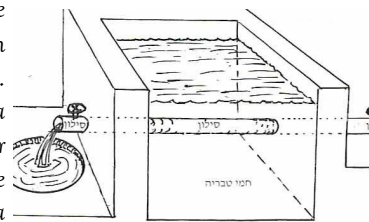
If someone did not have these intentions in mind, there are many lenient opinions which the Poskim say one can follow b'Dieved. For example, the Rema¹⁰ quotes the Ran who holds that

Daf DIAGRAM



אין נותנים ביצה ליד המיחם
It is prohibited to place an egg next to a kettle.

ולא יפקיענה בסודרין
It is prohibited to break an egg up in a cloth which was heated in the sun.



According to R"l, (תד"ה מעשה), the water in the pipe did not mix with the hot-springs water of Teveria. The hot-springs were collected in a pool, and the pipe with fresh water was directed through it to become heated. Also, see Mishnah Berura 326:3, #14, and Biur Halacha.

these intentions only apply to food which was not on the blech when Shabbos started. Food which was on the blech when Shabbos started can be placed back on the blech without any conditions. The Rema says that it is good to be stringent not to rely upon this opinion. However, b'Dieved one may rely on this opinion to place the pot back on the blech. There are many other degrees of leniency discussed throughout the Mishna Berurah¹¹ and Biur Halachah.¹² ■

- 1 ע"י ברמ"א אור"ח סי' רנג ס"ב
- 2 ע"י בשו"ע שם
- 3 ע"י בשו"ע שם
- 4 ע"י באור"ח ח"ד סי' עד אות לה
- 5 ע"י באורחות שבת פ"ב הערה כ'
- 6 ע"י בילקוט יוסף סי' רנג ס"ט, וכן שמעתי בשם ר' חיים פינחס שיינברג שליט"א. אולם כמדומני שאין המנהג כן אצל בני אשכנז.
- 7 ע"י במשנה ברורה סי' רנג ס"ק נד, אולם לפי דעת השולחן ערוך צריך שתה"ר ותחת
- 8 ע"י בשו"ע שם
- 9 שם
- 10 ע"י ברמ"א שם
- 11 ע"י בס"י רנג ס"ו
- 12 ע"י בביאור הלכה ד"ה "ודעתו להחזירה" ■

STORIES Off the Daf

Not His Cup of Tea

חמין שהוחמו בשבת – ואסורין ברחיצה ובשתיה

A meeting of the spiritual leaders of the Polish Jewish community was convened to deal with communal issues. The agenda required that the rabbis spend

Shabbos together at a certain inn. One of the gentiles at the hotel warmed up water for himself to have tea, and after he finished there was enough hot water remaining in the pot for more people to be able to also drink. One of the rabbis felt that it was permitted for a Jew to use the hot water to drink, because the gentile cooked the water for himself, having no intent to provide it to the Jews.

Reb Chaim from Brisk was present at that gathering, and he argued that the water was prohibited. He explained that the only time we allow a labor performed by a gentile to be used for a Jew is by other labors, other than cooking. Heating water, however, is a special case, dealt with in our Mishnah, where it is prohibited both for drinking as well as for bathing. ■

