



Shabbos Rosh Hashana 5763

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**Please note:** The next two issues deal with the chagim and are not developed from the Chabura of the Shulchan Aruch Learning Project.

***If one forgets Ya'aleh V'yavo in the bentching (birkas hamazon) of the night or day of Rosh HaShana, is he required to bentch again?***

The general rule with regards to *Ya'aleh V'yavo* is that when one is required to partake of bread at the meal, if *Ya'aleh V'yavo* is omitted one must *bentch* again. Therefore, on the first night and day of Succos when one is obligated to eat bread at the festive meal, if *Ya'aleh V'yavo* was omitted one must *bentch* again.<sup>1</sup>

On *Rosh Chodesh* one need not partake of bread at his meal and therefore if *Ya'aleh V'yavo* was omitted one is not required to *bentch* again.<sup>2</sup>

The points of debate with regards to *Rosh HaShana* are twofold. A) According to some opinions one is permitted to fast on *Rosh HaShana*<sup>3</sup> and hence exempt from eating therefore not being required to say *Ya'aleh V'yavo*. B) If one omits *Ya'aleh V'yavo* in the *Sh'moneh Esreh* on the night of *Rosh Chodesh* he is not required to repeat the *t'filah* because the *Beis Din* would not sanctify the new month at night. The same applies to *Rosh HaShana*. Accordingly one might be exempt

from having to repeat his *bentching* upon omitting the *Ya'aleh V'yavo*.

*HaGaon* Rav Shlomo Zalman Auerbach זצ"ל writes<sup>4</sup> that one is required to repeat the *bentching*, because a) although one is permitted to fast on *Rosh HaShana*, at night it is forbidden, as ruled by the *Mishna Berura* 596:5. b) On behalf of *Rosh Chodesh* it is true one would not be obligated to *bentch* again but since it is *Yom Tov* he is obligated.

*HaGaon* Rav Moshe Sternbuch *shlita* however holds that<sup>5</sup> although fasting is forbidden, bread is not obligatory, and therefore *Ya'aleh V'yavo* is not obligatory either.

The optimal thing to do therefore is not to forget to say *Ya'aleh V'yavo*!!

***Is one permitted to take food out of the refrigerator/freezer on Shabbos day (this year Rosh HaShana) in order for it to defrost for the second night of Rosh HaShana?***

Normally one is forbidden to 'prepare' on Shabbos for after Shabbos and on *Yom Tov* for after *Yom Tov*.

However, the *Shulchan Aruch HaRav*<sup>6</sup> says that one may soak meat (which enables it to be salted after *Yom Tov*) on *Yom Tov* even though one is forbidden to wash dishes on *Yom Tov* for after *Yom Tov*, because soaking in water is not an active involvement as one is merely placing the meat into water, unlike washing dishes where one is actively

<sup>1</sup> *Simon* 188:6 and *M"B* 26.

<sup>2</sup> *M"B* 188:26.

<sup>3</sup> Mentioned in the *Rama* in *simon* 596. This only applies to one who finds that he cannot eat, or derives greater satisfaction from not eating, on the Day Of Judgment. See the *Darhei Moshe Ha'aroch* *ibid*. See also the *Sha'ar Ha'tsiun* 188:15.

<sup>4</sup> *Minchas Shlomo* vol. II *simon* 60:27.

<sup>5</sup> *T'shuvos V'Hanhagos* vol. II *simon* 269.

<sup>6</sup> *Simon* 500:20.

cleaning the dishes. Harav Ezriel Auerbach *shlita* learns from this that one may take frozen food out of the freezer because one is merely changing its location and one is not doing an active preparation for after Shabbos.<sup>7</sup>

Other *poskim* learn as follows: The *Mishna Berura*<sup>8</sup> quotes the *Chayei Adam* saying that if one will not find wine easily on the second night of Yom Tov one may obtain wine on the first day for the second, but it must be done early in the day so that it should not be noticeable that it is done for after the first Yom Tov.

Accordingly, since it is virtually impossible to defrost food after the first day of *Rosh HaShana* for the night meal, it is permitted to take food out of the freezer for the second night of Yom Tov, provided that it is done early enough on Shabbos so that theoretically it could be still be eaten on Shabbos.<sup>9</sup>

***If a doctor or medic was called out of shul on the second day of Rosh HaShana between the first set of t'kios (shofar blowing) and the second set, must he make a b'rocho over the second set?***

The *Shulchan Aruch*<sup>10</sup> rules that one must refrain from talking between the *b'rocho* of the *shofar* until after the completion of the *t'kios* blown during the *mussaf*. The *Rama* adds that if nevertheless one did speak he need not repeat the *b'rocho*.

The same would apply to our case. If however he was called out before hearing

the minimum set of *t'kios* he might be required to make a new *b'rocho* and a *rav* should be consulted.

***May one pop an Acamol, Aspirin or Tylenol due to a headache on either day of Rosh HaShana?***

As opposed to the second day of a regular Yom Tov (outside of *Eretz Yisroel*) the two days of *Rosh HaShana* are considered as one long day (at least *l'chumra*)<sup>11</sup> and are treated, in most aspects, as one.

Therefore, the second day of *Rosh HaShana* does not have any special leniencies as far as treating the non-critically ill is concerned and one may not take any medication, on either day, unless he has fallen to bed or the pain he is experiencing affects his entire body. (We are not referring here to people taking antibiotics or any other complicated medical matters).

For example, one who has a slight headache may not take any medication to relieve his pain because he is not considered being ill. On the other hand a severe headache or migraine affects one's entire body (besides often having to go to bed) and one may feel free to take medication to relieve the pain.

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May *Hashem* grant His children a year of health and happiness, prosperity and well-being, love and kindness towards others and everything of the best.

May His people never experience pain and sorrow again and He should comfort us by bringing the *Moshiach* and building the *Bais HaMikdash* speedily in our days.

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<sup>7</sup> There is reason to say that this may be even better than bringing wine from a storeroom, because here one is merely 'removing the cold' and not 'preparing' the food.

<sup>8</sup> *Simon* 667:5.

<sup>9</sup> See also the *Piskei T'shuvos simon* 503. *Yom Tov Sheini Kehilchaso* 1 footnote 28. *SS"K* 10:10 and the footnote and the corresponding notes in the 3<sup>rd</sup> vol.

<sup>10</sup> *Simon* 592:3.

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<sup>11</sup> They are not considered as one for all things otherwise one would be permitted to prepare from one day to the other.

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May we all be inscribed in the Book of Life for a healthy and happy year.

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**Note:** The purpose of this series is intended solely for the clarification of the topics discussed and not to render halachic decisions. It is intended to heighten everyone's awareness of important practical questions which do arise on this topic. One must consult with a proper halachic authority in order to receive p'sak.