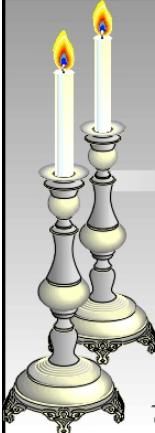


THE SHABBOS WEEKLY

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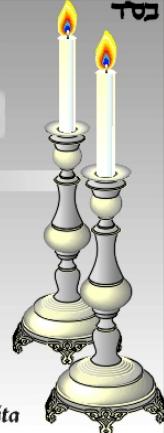


A Project of
The Shema Yisrael Torah Network

based on the shiurim given by

RABBI DOVID
OSTROFF shlita

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These halachos were shown by Rabbi Ostroff to HaGaon HaRav Moshe Sternbuch, shlita

Parshas Behar 5763

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What is the halacha with regards to squeezing the excess liquid from a pickle?

The reason for prohibiting squeezing a fruit for its juice is because one ascribes importance to the extracted juice and promotes it from being a food to a beverage. Were one to squeeze out the juice for a different reason the ramifications would be different. Accordingly:

Pickles are often saturated with excess brine or vinegar and one's sole purpose when squeezing the pickle is to rid it of the excess liquid. Since one is not squeezing it for the sake of its juice, it is permitted.¹ One may even squeeze it into a cup or plate;² it need not be squeezed into a tissue or napkin.

The *Mishna Berura*³ says that the same *halacha* applies when squeezing *lokshen* from excess fat or lettuce after being soaked in water. The purpose for extracting the liquid is not to produce a beverage; rather it is to rid the food of excess liquid.

Does that mean that one may squeeze fruit to rid it of its excess liquid?

The *Mishna Berura*⁴ writes that one may not squeeze olives and grapes in order to rid them of excess juice, because one might easily squeeze them for their juice. This

implies that one may squeeze all other fruit to rid them of excess juice.

According to some opinions,⁵ one should refrain from squeezing juice from oranges for the very same reason.

Is one permitted to crush ice in order to produce cold water?

The *gemora* in *Shabbos* 51b says that it is prohibited to break ice in order to produce water. We find various reasons in the *Rishonim* as to why *Chazal* instituted this *halacha*.

Rashi says that it prohibited because it is similar to performing a *melacha*, as one is 'creating' water.

The *Sefer haTruma* says that is prohibited on account of *nolad* – a new entity.

What is the halachik difference between the two reasons?

According to *Rashi* one would be permitted to place ice in an empty cup in the sun and benefit from the melted water. Since one is not crushing the ice one is not performing a *melacha*.

¹ *Simon* 320:7.

² *Ibid.*

³ *M" B simon* 320:24-25.

⁴ End of *M" B* 320:24.

⁵ This is based on the *Rashba* who writes that grapes and olives are *d'oraisso* because most of the fruit is squeezed for its juice. Accordingly, since today most oranges are squeezed for their juice, squeezing oranges on Shabbos to produce a beverage involves a *d'oraisso*.

According to the *Sefer haT'ruma* it would be forbidden to do so because after all one is producing a new being.⁶

Another case would be the placing of meat with congealed gravy near a heat source. (Not hot enough to cause the gravy to reach 45° C but warm enough to melt the gravy). According to *Rashi* it is permitted because one is not crushing the gravy and according to the *Sefer haT'ruma* it is forbidden.

Since it is a machlokes (dispute) what is the halacha?

The *Mechaber*⁷ (*Shulchan Aruch*) rules like *Rashi*⁸ and permits placing ice in an empty cup in the sun and he also permits placing congealed gravy near a heat source.

The *Rama*⁹ is stringent similar to the *Sefer haT'ruma* and prohibits these two cases. Therefore *Sephardim* who follow the *Mechaber* may place ice in an empty cup in order to drink the melted water and *Ashkenazim* who follow the *Rama* may not.

According to the Rama, if the gravy or ice melted must it be discarded or remain unconsumed?

The *Rama* only rules like the *Sefer haT'ruma l'chatchila*,¹⁰ and therefore one must avoid doing it. If it was done (*b'diavad*) or when this gravy is necessary one may benefit from the dissolved gravy.

⁶ There is a *machlokes* between the *Rashba* and the *Rosh* as to p'shat in the *Sefer haTrumah*. The *Rashba* learns that the *issur* is the end result and the *Rosh* learns that one is creating the new being. We discussed this in length in vol. IV shiur 15 of the *Shabbos shiurim*!

⁷ *Simon* 320:8 and 318:16.

⁸ Or the *Rambam* who holds that the reason is so one will not come to squeeze fruit.

⁹ *Simon* 318:16 and *M" B* 320:35.

¹⁰ *Simon* 318:16 and see *M" B* 318:107.

Rav Shlomo Zalman Auerbach¹¹ however says that *l'chatchila*, if one has other water to drink one should not drink the water that remains from dissolved ice because it is something so paltry it is not called *b'diavad*.

Vort on the Parsha

The Torah teaches (25:14) us not to cheat in business and not to raise prices above the average. Why though is this written after the laws of *sh'mitah*? Is there a connection? Rav Sternbuch eloquently points out that during the *sh'mitah* year, one realizes that Hashem is the provider and even when one's land lies fallow one is still provided and cared for. Subsequent to this practical lesson in *Hashgacha* one does not try to grab from another person what is not rightly his, because the Provider is Hashem.

Food For Thought

According to the Rama – Ashkenazim, may one place ice in water or cola, and if yes why?

May one crush the ice inside one's drink or stir the drink to melt the ice?

Is one permitted to defrost frozen orange juice?

What if the top of the jug of water iced up and the way to the water is to break the ice on top of the jug, is it permitted?

Answers coming next week.

¹¹ *SS"K* 10:3.