



Parshas Bechukosai 5763

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

In the previous sheet we saw that according to the Rama, (Ashkenazim), one may not place ice in an empty cup in order to drink the melted water.¹ The reason being that the newly melted water is called *nolad* – a new being. According to all *halachick* opinions though, one may put ice into a drink. The melted ice combines with the liquid, whether it is wine, water or coke and is not distinguishable. The prohibition of *nolad* only occurs when the new item stands alone. When it dissolves in a mixture where the majority is the beverage it is permitted.²

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

It is prohibited to crush ice even according to the *Mechaber*. The question is whether this prohibition changes when crushing ice in a drink because the water hence formed is not distinguishable.

On the one hand we could say that since the water produced is not distinguishable it should be permitted, because the issue of *nolad* is waived in such circumstances, but on the other hand one is 'creating' water by crushing ice. The *Mishna Berura*³ says that

l'chatchila one should be stringent and not crush the ice in one's drink. Stirring the ice gently in one's drink is another matter because one is not crushing and producing water, the water melts on its own accord.⁴

Is one permitted to defrost frozen orange juice?

During hot weather many are accustomed to placing orange juice, raspberry juice etc into the freezer, which subsequently turns into a frozen drink. When required, it is removed from the freezer and after defrosting it is drunk. Would this be similar to melting ice, which *l'chatchila* must not be done, or for some reason is it different?

Rav Shlomo Zalman Auerbach זצ"ל⁵ says that it is permitted to defrost an item that has no use as a frozen solid, because even in its frozen state it is still called a liquid and hence it is not *nolad*. Accordingly he permits defrosting milk on Shabbos. He explains that ice serves a different function to water (and is indeed called another name) and hence its defrosting involves *nolad*, whereas frozen milk is still called milk and it does not serve a function in its frozen state.

We apply the same rule to the defrosting of many drinks that are merely frozen in order to cool them and consume when required. Therefore, when necessary one may freeze

¹ When such water is necessary, either for an ill person or for some reason where regular water is inadequate, one may place ice into an empty cup. *Simon* 318:16 in the Rama and M"B 107.

² *Simon* 320:9 and M"B 35 and M"B *simon* 318:103.

³ The *Sha'ar Hatsium* in *simon* 318:146. See the SS"K 10:2 footnote 6.

⁴ *Kaf haChaim simon* 320:60.

⁵ SS"K 10:5 and footnote 15.

and defrost on Shabbos all drinks such as orange juice, apple juice etc.

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

In this case the ice is not broken in order to produce water and therefore it is permitted.⁶

Since crushing ice is forbidden, how is one supposed to walk on ice or snow on Shabbos when there is a possibility that one will crush the ice and produce water?

The *Mabaram* of Rotenberg addressed this issue and permits it.⁷ The *Vilna Ga'on* explains that it is permitted because one has no interest in the outcome. This is true even when trampling on the snow will definitely produce water. The *Taz* explains that it is permitted because *Chazal* did not issue a decree when it is impossible to adhere to it. Since many regions are iced or snowed over in the winter *Chazal* did not apply the *issur* of producing water in such circumstances.⁸

Is one permitted to freeze water to make ice on Shabbos?

Here too we find a *machlokes* as to whether making ice is called *nolad* being it a new entity, or it is permitted. The Rav of Tchebin, in his classical work the *דובב מישרים* rules that it is *nolad* and forbidden. Others permit it.⁹

The *halacha* is that A) one should prepare sufficient ice cubes before Shabbos. B) When very necessary, such as when guests

are arriving, one may rely on the lenient opinions and prepare ice for them.

Vort on the Parsha

This *parsha* commences with extraordinary bountiful blessings *Am Yisrael* will receive should they choose to learn Torah and keep its *mitzvos*. Does this not contradict the famous saying that “there is no reward for the *mitzvos* in this world”? One must ask the same question on the *sh'ma*, which says that one's actions determine whether there will be rain and sustenance for oneself and one's animals.

The *Rambam* (chapter 9 of *hilchos T'shuva*) explains that since our ultimate objective is to serve Him through keeping the Torah, if one does so willingly Hashem will remove all obstacles that would prevent one from serving Him and bestow one with all the physical necessities enabling a person to reach that goal.

In other words, all the beautiful physical blessings in this *parsha* are means and not rewards.

Food For Thought

May one use a sponge to wash dishes on Shabbos?

Does it make a difference whether the sponge sports a handle or not?

Is one permitted to add food coloring to food on Shabbos?

Is there an issue of Coloring when wiping stained hands on a napkin on Shabbos?

Answers coming next week.

⁶ *Simon* 320:10.

⁷ *Simon* 320:13.

⁸ According to the *Vilna Ga'on* it is permitted regardless, and even according to the *Taz*, since *Chazal* did not issue a decree against walking on snow or ice, one may do so even if it is possible to walk where there is no ice.

⁹ See the *SS"K* 10:4 and footnote 14.

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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.