



Parshas Vayeishev/Chanukah 5767

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Hilchos Yom Tov (cont.)

May one make ice on Yom Tov?

First we must investigate whether one may make ice on **Shabbos**.

The *Rama* writes,¹ with regards to consuming fat that melted on Shabbos, there are those who are stringent and will not consume it, on account of *nolad* – a new entity, which is a type of *muktzeh*.

What has this to do with making ice?

The Tchebiner Rav² learns that making ice is also *nolad* because the solid state is “new” compared to the liquid state.³ Other *poskim* argue saying that ice is not a new form of water, nor is water a new form of ice.⁴

The *Sh'miras Shabbos* rules that it is not correct to make ice on Shabbos but when very necessary, one may.

As we have learned, the rules of *nolad* and *muktzeh* are stricter on Yom Tov than on Shabbos and consequently the same rule applies.

What about making ice cream on Yom Tov?

One must beat eggs to make ice cream, which is very hard without a beater. If however the mixture is ready and all that is required is to

place the liquid in the freezer, provided the ice cream is to be eaten that day, it is permitted.⁵

Why is it different then to making ice, which not everyone permits?

Rav Shlomo Zalman Auerbach זצ"ל explains⁶ that ice cream can also be consumed in its melted state, just like water and hence the changeover from being frozen to being melted is inconsequential.

The *S'mak* prohibits melting fat on Shabbos because it changes from a solid to a liquid and Rav Shlomo Zalman explains that fat is not eaten in its solid form but only as a liquid. An item that is consumed in any state, frozen or liquid, would not be *nolad*.

But melted ice is nolad, even though water and ice are consumed?

That is because ice and water serve different functions. One may freeze soup on Shabbos even though it changes from a liquid to a solid, because it is not used in its frozen state and its purpose is eventually to be defrosted.⁷

To summarize:

- one may freeze ice cream on Shabbos and Yom Tov.
- One may beat eggs on Yom Tov.⁸
- One may mix eggs, sugar and all the other ingredients on Yom Tov to make ice cream.

¹ *Simon* 318:16.

² שו"ת דובב מישורים ח"א סי' נה.

³ (He learns that even the *Ramban* who argues on the *S'mak* and permits consuming a melted solid, would agree that ice is *assur*).

⁴ *Tsits Eliezer* vol. VI *simon* 34, *Shevet Halevy* vol. I *simon* 119, *SS"K* 10 footnote 14 – Rav Shlomo Zalman.

⁵ *SS"K* 10:7.

⁶ *SS"K* 10 footnote 20.

⁷ *SS"K* 10:5 and footnote 15.

⁸ *SS"K* 11:31.

- It is a *machlokes* whether one may make ice on Yom Tov.

May one handle sukkah decorations on Yom Tov?

Sukkah decorations are set aside for the sukkah and are *muktzeh* on Shabbos and Yom Tov. This type of *muktzeh* is known as *muktzeh machmas mitzvah* – *muktzeh* set aside for a mitzvah. The decorations are *muktzeh* because one may not have benefit from them. On *chol hamoed* one may move them but not use them.⁹

What if they fell from the sukkah, may one use or handle them?

Even if they fell from the sukkah on Yom Tov or *chol hamoed* one may not use or benefit from them. Consequently they remain *muktzeh* even after falling from the sukkah.¹⁰ If the decorations fell onto the table and disturb one's meal they may be removed, in line with the rule that says that *muktzeh* may be moved for *ochel nefesh*, but the *P'ri Megadim* says that if possible they should be moved *kilachar yad* – in a backhanded manner.¹¹

May I learn torah using the Chanukah lights?

One may not use Chanukah lights for personal use because we must show that they were lit specifically for the mitzvah, not for personal benefit.¹²

We are also familiar with the *gemora* that says that one may not count money by the Chanukah lights, because it degrades the mitzvah in one's eyes.¹³

Why must you introduce a new reason for counting money? Is the first reason not applicable?

It does not take that long to count money and is a *tashmish aray* – temporary use.¹⁴ Reading or eating is more lasting and hence more problematic. Nevertheless both are *ossur*, even counting money from afar, because one may not make any use of the lights.

This is true also for learning torah or eating a *se'udas mitzvah*, as the lights are intended for their specific use. Others disagree and say one may learn with chanukah lights, see the *Bi'ur Halacha* ad hoc.

May one walk past the candles and use the light to see where one is going?

That is not called using the lights, because one is not expected to close one's eyes. Besides, you are not really doing anything, you happen to benefit from the light.¹⁵

Vort on the Parsha

"And the pit was empty, it had no water". *Rashi* explains that there was no water, but there were snakes and scorpions. The *Vilna Ga'on* says that the *posuk* is hinting to Torah. If a person is void of Torah, he can be filled with bad traits. It is through Torah that one can purify one's deepest inner self and be sure that one's actions are guided by the *yetzzer tov* and not vice versa. (*Ta'am Veda'as*).

⁹ *Simon* 638:2, *SS"K* 22:29.

¹⁰ *Simon* 638:2, the *Rama*.

¹¹ *Bi'ur Halacha* ibid "uvyo"t".

¹² *Rashi*, cited in *M"B* 673:8.

¹³ *M"B Simon* 673:11 citing the *gemora*.

¹⁴ *M"B Simon* 638:10.

¹⁵ *Sha'arei T'shuvah Simon* 673:3.

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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.