



Parshas Devorim 5769

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In the previous shiur we learned that it is forbidden to soak vegetables in water to rid of them their dirt. However, according to many *poskim*, one may wash fruit under running water.

*But did the Mishna Berura<sup>1</sup> not say that it is not permitted to pour water over potatoes?*

The *קצות השולחן*<sup>2</sup> explains that the *M"B* also agrees that washing fruit under the tap the way we usually do is not called *borer* but rather it is compared to peeling fruit, which is permitted prior to consumption. He explains that the *M"B* means, as we explained, that one may not use the water as a separator, for example: it is forbidden to place potatoes etc. inside a bowl and run water into the bowl where the water would separate between the food and the dirt.

Rav Shlomo Zalman Auerbach *זצ"ל* is also of the opinion that washing fruit the way we do has nothing to do with the case of the *Shulchan Aruch*,<sup>3</sup> provided it is done just before use.

Undoubtedly, if it is possible to wash the fruit before Shabbos one should do so. Once washed before Shabbos and one wants to wash the fruit again on Shabbos for added cleanliness (and the fruit are still clean) one may certainly do so.

Other *poskim*<sup>4</sup> are not so lenient and do not differentiate between soaking and washing fruit and they therefore require that all dirty fruit should be washed before Shabbos unless it is the

type of fruit that most people would consume without washing beforehand.

*Am I permitted to pour out the oil on the surface of a can of tuna fish, or must I remove the tuna together with the oil?*

We will begin with the simple case. The oil above the tuna fish is not mixed with the fish and hence its separation is not *borer*. Therefore one may pour out this oil.

The oil mixed with the fish does not serve any other function other than enhancing the tuna fish. Therefore it is not considered a separate entity but is part of the fish and its removal is **not** considered to be *p'soles* from *ochel*. Therefore, one may pour out the oil from the tuna can before use.

*Is it permissible to pour soup out of a pot and leave the vegetables behind or is that borer?*

When it comes to something like vegetable soup it is true to say that some people only like the soup, others only like the vegetables and some like both. Therefore the soup and the vegetables serve different purposes and are considered a mixture of two sorts. Consequently, it is *borer* to separate them.

If one only wants the soup, one may pour it out only prior to eating. If one wants the vegetables, one may not pour out all the soup, but rather, one must leave some of the soup together with the vegetables and thus no separation is considered to have taken place.<sup>5</sup>

This *halacha* applies in many cases. For example, salad dressing at the bottom of

<sup>1</sup> *Siman* 319:29.

<sup>2</sup> R' Chaim Na'ach, in *siman* 125 footnote 16.

<sup>3</sup> *SS"K* chapter 3 footnote 48.

<sup>4</sup> See תשובות והנהגות ח"א סי' רי"א.

<sup>5</sup> אג"מ ח"ד סי' ע"ד בורר א'.

coleslaw salad or pickles and olives in brine. In some cases the liquid is considered to be a separate entity to the food and in these situations the *dinim of borer* are applicable and in other cases the liquid is considered all part of the food and borer would not be relevant. It is preferable to seek halachic guidance as to how to proceed in each case.

***The sweater I need is in the middle of a pile of sweaters. Am I permitted to remove the top ones in order to access the one I need?***

The *Mishna Berura* <sup>6</sup> teaches us that one may move sweaters etc. out of the way in order to reach a sweater located somewhere in the middle of the pile if required for immediate use. This is also true for a pile of clothes on a chair next to one's bed when one is looking for an article of clothing somewhere in the middle. The *chidush* is that we do not say that removing the outer layer is itself an act of "separation" between the various items. On the other hand, one may not remove dirt from a mixture and say that one is merely doing so to reach the mixture, because by removing the dirt one is separating between *p'soles* and *ochel*.

### Close To the Meal

We have previously mentioned that there are three conditions that must be complied with in order to permit separating *ochel* and *p'soles*. 1. Removing the *ochel* from the *p'soles* and not the *p'soles* from the *ochel*. 2. With one's hand and not with a *k'li* and 3. Immediately before use.

***How long before eating or using may it be done?***

The reason for the precondition "prior to consumption" is in order that the separation should be a *דרך אכילה* – a manner of consumption and not a *דרך ברירה*. <sup>7</sup> The process of *בורר* (separation) when done as a normal '*melacha*' would be to remove the *p'soles*

and store the *ochel* in a storeroom or warehouse for later use and in order for it to be considered an act of 'consumption' one must do the separation as close as possible to use.

The *Bais Yosef* even quotes *Rishonim* <sup>8</sup> who hold that one may only separate for immediate consumption and not for the entire meal. However, the *halacha* is, as written in the *Mechaber* <sup>9</sup> and the *Rama*, that one may separate by way of removing *ochel* from *p'soles* for the entire meal immediately prior to the meal whatever one needs for the entire meal, even for the last course.

The *Mishna Berura* <sup>10</sup> comments that even if the meal is intended to take a long time one may separate before the meal, but if one separates more than is required for the meal with the intention of eating it later, even though one is merely adding items to the separating process, one is liable to bring a *korban chatas*, i.e. one has committed an *issur d'oraisa*.

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## Orchos Chaim LaRosh

**להתרחק מן השקר ומן הכזב** – one must distance oneself from lies. *Hashem's* seal is truth and speaking falsehoods is opposite of *Hashem's* 'primary' trait. Our power of speech differentiates us from animals and thus it may not be misused.

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לזכר נשמת חנה בת ברוך

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<sup>6</sup> *Bi'ur Halacha* se'if 3 '*le'echol*'.

<sup>7</sup> *M"B siman* 319:10.

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<sup>8</sup> The *Mordechai* in the *bagabos* in the beginning of the 7<sup>th</sup> *perek* quotes the *Ra'avan*.

<sup>9</sup> *Siman* 319:1.

<sup>10</sup> *Siman* 319:4-5.

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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.