

## סימן שכ

### A. Juicing Fruits on Shabbos

**סימן שכ** deals with the prohibition of **סחיטה** – squeezing out liquids. When learning **שב סימן שכ** we saw that there are two possible prohibitions related to **סחיטה**: A) The prohibition of **מלבן** – laundering, when wringing out the absorbed liquid within a garment to clean and enhance the garment. B) The prohibition of **מפרק** – extracting, [a **תולדה** (an offshoot) of **דש** – threshing], when squeezing juice out of fruit or when wringing liquid from a garment in order to use the liquid. The **דש** of **מלאכה**, threshing, is transgressed when removing the grain of wheat from the chaff, and the prohibition of **סחיטה** as it pertains to **דש** is transgressed when removing absorbed liquid from a fruit/garment by squeezing it out. **סימן שכ** deals mainly with the prohibition of **סחיטה** as it relates to **דש**.

The (1) **משנה שבת** (קמג:) teaches that you are not allowed to juice a fruit on Shabbos. Rashi explains that squeezing juice out of a fruit is a violation of **סחיטה**, a **תולדה** of **דש** – threshing. The **ארחות** (2) **שבת** (עמ' קצא) explains as mentioned above that just like extracting wheat kernels from the chaff is forbidden, so too extracting juice from a fruit is forbidden. Although you might think that squeezing fruit should be permitted because you are separating one type of food (the juice) from another type of food (the fruit) as opposed to threshing where you are separating food (grain) from waste (chaff), it is still forbidden because the prohibition of juicing is defined as creating something new by transforming a fruit into a beverage. Understanding this underlying principle of juicing will guide us through all the various *halachos* in this **סימן**.

The **איסור דאורייתא** teaches that only juicing grapes and olives constitutes an **איסור דאורייתא**. The **ר"ן** (ד"ה כבשין) explains that only the transformation of grapes into wine and olives into olive oil is considered a new creation, since the Torah specifically describes these juices as **תירוש ויצהר**.<sup>1</sup> However, transforming other fruits, such as strawberries or pomegranates (or oranges) into juice is only rabbinically prohibited because although you created something new, these new juices are not explicitly described in the Torah. The **גמרא** (קמד:) adds that juicing fruits and vegetables that are usually not juiced is permitted because you did not create something new by juicing them. On the contrary, since they are never juiced their juice is viewed as thinly cutting them but not as a new creation.

The (1) **משנה** also teaches that according to the **חכמים**, Chazal even forbade drinking juice that naturally oozed out of the fruit lest you come to juice them. **רבי יהודה** argues on this latter ruling and differentiates between fruits that are set aside to be eaten and fruits that are set aside to be juiced. Juice that naturally oozes out of fruits that are set aside to be eaten may be drunk since we are not

<sup>1</sup> **Rashi** (שבת קמה ד"ה דבר תורה) offers a different explanation that only olives and grapes are biblically forbidden because they are commonly juiced. (see **שלחן שלמה** שכ-טו who says that Rashi might also agree to the **ר"ן** that only juicing fruits from the **שבעת המינים** is an **איסור דאורייתא**).

worried you will come to juice them, but juice that naturally oozes out of fruits that are set aside to be juiced may not be drunk lest you come to juice the fruits.

The **גמרא** limits this dispute and cites **שמואל** as saying that **רבי יהודה** agrees to the **חכמים** that you are not allowed to drink juice that naturally oozed out of olives and grapes even if they were set aside to be eaten. The reason is that olives and grapes are widely juiced, so Chazal were worried that you might come to juice them after drinking some of the juice. Similarly, the **חכמים** agree to **רבי יהודה** that juices which naturally ooze out of other fruits that are set aside to be eaten are permitted. In this case, Chazal were not concerned that you will juice fruit that was set aside to be eaten. The **חכמים** and **רבי יהודה** argue with regards to fruits that are similar to strawberries and pomegranates where some people set them aside for juicing and some people set them aside to be eaten. The **חכמים** hold that since they are commonly juiced, you are not allowed to benefit from the juice that naturally oozes out, even if they were set aside to be eaten. **רבי יהודה** argues and differentiates between whether you set aside these fruits to be eaten or juiced. As long as you set them aside to be eaten, you are allowed to drink the juice that naturally emerges from them. The **גמרא שבת (יט)** adds one additional point that only juice that oozed out on Shabbos is forbidden, but fruits that were juiced before Shabbos may be drunk on Shabbos.

The S"A in **סעיף א'** *passkins* based on the **ראשונים** like the opinion of **רבי יהודה**. Consequently, it emerges that there are three levels of juicing fruits and vegetables:

- A. Olives and grapes – Juicing them is an **איסור דאורייתא** of **מפרק** (see **משנ"ב סק"א**) and you are not allowed to drink the juices that naturally emerge from them lest you come to squeeze them.
- B. Strawberries and Pomegranates (and other fruits and vegetables that are occasionally juiced) – The **משנ"ב סק"ה** explains that juicing them is an **איסור דרבנן** and if their juices naturally ooze out, you are allowed to drink them only if they were set aside to be eaten (since Chazal were not concerned that you will come to juice the rest of the fruit in this case). However, if they were set aside to be juiced, you are not allowed to drink the oozed-out juices lest you come to squeeze out olives and grapes.<sup>2</sup>
- C. All other fruits that are never juiced – you are allowed to juice them on Shabbos. The **משנ"ב סק"ז** explains that the prohibition of **מפרק** – extracting, applies only if something new and beneficial is created (as is the case with threshing wheat, where the kernel is revealed or juicing olives and grapes, where olive oil and grape juice is created). But with regard to fruits that are always eaten and never juiced, the juice is viewed as a piece of the fruit and not as something new. Therefore, squeezing such a fruit is permitted, just as cutting it in half is permitted.

---

<sup>2</sup> This was included as part of the original **גזירה** prohibiting the use of juices that naturally oozed-out of olives and grapes.

Juice that naturally oozes out of ↓	Set Aside to be Juiced	Set Aside to be Eaten
<b>Olives and Grapes</b>	Forbidden	Forbidden
<b>Strawberries and Pomegranates (and all fruits that are occasionally juiced)</b>	Forbidden	Permitted
<b>Fruits that are never Juiced</b>	Permitted (and you are even allowed to juice them intentionally, but see שש"כ below)	Permitted

The *Rama* adds that in places where the custom is to juice certain fruits and vegetables, those fruits or vegetables have the status of strawberries and pomegranates (even if they are not usually juiced elsewhere), such that you are not allowed to juice them. The *שש"כ* (פ"ה-ב) (3) writes that today the juice industry is so large that all fruits and vegetables have the status of strawberries and pomegranates and you are not allowed to juice them on Shabbos. If the juice comes out on Shabbos, you are only allowed to drink it if it was set aside to be eaten. What emerges is that today there are really only two categories of fruits: A) Olives and grapes and B) All other fruits and vegetables.<sup>3</sup>

The S"A in *סעיף ב'* *passkins* that only juice that oozed out on Shabbos is forbidden, but juice that oozed out of grapes and olives before Shabbos is permitted even if the olives and grapes were intentionally pressed.

#### Practical examples:

Eating a grapefruit with a spoon: There are two possible issues with eating a grapefruit juice on Shabbos: A) You are squeezing out the juice B) You are benefiting from the squeezed juice. **Rav Shlomo Zalman Auerbach** quoted in *שש"כ* (פ"ה-יב) (4) allows cutting a grapefruit in half, eating it with a spoon, and then drinking the left-over juices if your intention was only to eat the fruit and not to juice it. He explains that there are a few reasons to be lenient: Grapefruits fall into the category of "strawberries and pomegranates," for which juicing is an *איסור דרבנן*, the juicing is performed with a *שינוי* since you are using a spoon, you do not intend to juice it, and there is room to say that you are not being *מפרק* – extracting the juice from the fruit since the juice gets reabsorbed in the fruit. Additionally, the left-over juice may be drunk since the fruit was set aside to be eaten and not to be juiced.

Watermelon Juice left over in bowl: When watermelon is served for dessert and there is leftover juice in the bottom of the bowl, you are allowed to drink the juice. This is the case of fruits that are designated to be eaten, where the juice that comes out is permitted (except for olives and grapes).

Fruit salad: Left over juice of a fruit salad may be drunk on Shabbos since the fruit inside was set aside for eating. However, if there are grapes in the fruit salad and the juice of the grapes was visible before it

<sup>3</sup> There may be a minimal number of fruits or vegetables that are still included in the third category nowadays, such as onions that are never juiced.

got mixed with the other juices,<sup>4</sup> you are not allowed to drink the juice in the fruit salad since the juice is a **דבר שיש לו מתירין שאפילו באלף לא בטל** – a forbidden item (the juice from the grapes) that will be permitted over time (after Shabbos) and is not **בטל** even in a mixture of permissible substances that are 1000 times its size. If there was already juice from the other fruits in the bottom of the bowl and the juice of the grapes went directly into the juice or was immediately absorbed by another fruit (e.g., the juice from the grape was never visible), you are allowed to drink it if there is 60 times the amount of permissible juice more than the juice of the grapes. This is because we do not apply the rule of **דבר שיש לו מתירין אפילו באלף לא בטל** in a situation where the juice of the grapes was never visible. This is all evident from the **משנ"ב סקי"ד** and is how the *passkins* שש"כ (פ"ה סקמ"ו) (See section C in the brackets for the lenient opinion that allows drinking the juice of a fruit salad that contains cut grapes.)

---

*B. Juicing Fruits Directly into the Mouth, Nursing, & Milk Production in Israel*

---

The *Rama* in **א' סעיף א'** quotes a dispute whether you are allowed to suck on olives and grapes in order to squeeze out their juices. The **משנ"ב סקי"ב** explains that the dispute is only when the olive/grape is partially out of your mouth, but if it is completely in your mouth everyone agrees it is permitted because that is considered eating and not juicing. The *passkins* סימן שכח – לג"א in *S"א* that drinking milk directly from a cow's utter is forbidden on Shabbos because of **מפרק**. The **משנ"ב סקי"ו** explains how the opinions quoted in the *Rama* compare sucking on an olive/grape to drinking directly from a cow's utter. The opinion that permits sucking on an olive that is partially out of your mouth explains that since you are separating the juice from the fruit with a **שינוי** – in an abnormal manner (i.e., with your mouth and not with a **כלי**), Chazal consider it “eating” and not **מפרק**. In contrast, drinking milk directly from a cow or goat is not considered a full-fledged **שינוי** since animals drink that way, and is forbidden. The second opinion that forbids sucking on olive/grape holds that just like Chazal forbade drinking milk directly from a cow/goat even though it is a full-fledged **שינוי** (humans don't drink directly from animals), so too, sucking juice out of a grape is forbidden even though it is being “juiced” with a **שינוי** (i.e., with your mouth and not a **כלי**). The *passkins* **משנ"ב** that with regards to other fruits, one can be **מקיל** and suck the juice out of a fruit even if the fruit is partially out of his mouth, though it is best to be **מחמיר** with grapes and olives.

The *passkins* **גמרא שבת (צה)** that milking a cow also violates the biblical prohibition of **מפרק**, as the milk is extracted from the cow and is a **דש תולדה** of **דש** – threshing,<sup>5</sup> (and we mentioned in the above **סימן שכח-לד** in *S"א* that drinking directly from the cow is considered a **שינוי** and **אסור דרבנן**).

---

<sup>4</sup> The juice is only forbidden if it is settled in the bowl or is streaming down the walls of the bowl. This is evident from the *גמרא* (9) in the beginning of section C that juicing grapes into food is allowed even though the juice is visible as it drops into the food.

<sup>5</sup> The **רמב"ן שבת קז א; רשב"א שם; תוס' רי"ד שם** (see ראשונים) as well as the majority of **רמב"ם** (שבת פ"ה-ז) *passkin* that the prohibition of **מפרק דש/מפרק** applies on a **דאורייתא** level only to **גדולי קרקע** (items that grow from the ground). The **מגיד משנה** on the **רמב"ם** explains that milking a cow is still considered by the *Gemara* to be an **איסור** “גדולי קרקע” because animals are also considered “גדולי קרקע”.

*passkins* that this דאורייתא applies to nursing mothers as well, who are not allowed to pump milk into a bottle and feed it to a baby. However, in the S”A *passkins* that if the baby is having trouble latching, the mother is allowed to *shpritz* some milk into the baby’s mouth to encourage the baby to eat. **RSZA** quoted in (5) שש”כ (לו-כב) says that if a baby usually drinks mother’s milk and refuses to latch, the mother is allowed to pump on Shabbos and feed the milk to the baby. This is permitted because the child is in danger and the mother does not need to try to feed the baby formula. The שש”כ adds that it is preferable to set an electric pump to turn on with a Shabbos clock than use a manual pump because every squeeze involves a מלאכה, and it is best to minimize the מלאכה when possible.<sup>6</sup>

If the mother produces an excess amount of milk and is in pain from being engorged, the S”A in *סימן של-ה* *passkins* that she may pump the milk by hand onto the floor. This is not considered מפרק since the milk is going to waste (מפרק is only transgressed when you use the milk)<sup>7</sup> and although it is still rabbinically forbidden, Chazal did not forbid צער – when she is in pain. The (6) שש”כ (לו-כא) *passkins* that if the mother is not able to remove the milk by hand, she is even allowed to use an electrical pump that is set to turn on with a Shabbos clock or a manual pump, but she must first put soap in the bottle so that the milk will be unusable. The שש”כ adds that in a situation where the baby is well fed and the mother is not experiencing any pain she may still pump in the above-mentioned fashion (where the milk goes to waste) if she is worried that her milk might dry up, preventing her from nursing in the future.

As mentioned, milking cows on Shabbos constitutes an איסור דאורייתא of מפרק. If so, what do kosher dairy farms do on Shabbos when the cows need to be milked? The S”A *סימן שה-כ* *passkins* that if the cow is engorged, you are allowed to ask a non-Jew to milk the cow because Chazal permitted אמירה when צער בעלי חיים is involved. The S”A adds that the milk milked on Shabbos by the non-Jew is forbidden for the entire Shabbos. The משנ”ב סקע”ב explains that it is forbidden since we are concerned that you will come to milk the cow yourself, just like you are not allowed to drink the juice that oozes out of fruits that are set aside to be juiced. The (7) שש”כ (כז-מח,נ) *passkins* that a kosher dairy farm’s best option is to ask a non-Jew to milk the cows on Shabbos. If there is no non-Jew available, you are allowed to set a Shabbos clock on the automatic milking machine and place it on the cows before the machine turns on. If this is not possible, you are allowed to place the machine on the cow after it turns on or milk the cow yourself, provided the milk spills directly onto the ground or is placed in a bowl with detergent (as mentioned above, מפרק is only forbidden when you use the milk). **Rav Avraham Yitzchak Kook** in (8) אורח משפט (סד) writes “it is my wish, with Hashem’s help, that we all unite and strengthen the G-d fearing Jews who value the sanctity of Shabbos” and find non-Jews to milk cows on Shabbos.

There are two main companies in Israel that produce dairy products named טרה and תנובה. These companies have their own dairy farms, but they also get some of their milk from other local dairy farms. They each have two lines of milk: A line with מהדרין השגחה and a line with the regular השגחה of the רבנות. The difference between the השגחות is that the מהדרין line of milk comes from dairy farms with a specific השגחה guaranteeing that the milk was milked in a halachically permissible fashion, such

<sup>6</sup> Additionally, if the electrical pump is placed in position before it turns on, the mother has not performed any מלאכה but merely positioned herself so that a מלאכה will be done on her, which is permitted for the sake of the baby.

<sup>7</sup> See Tosfos (קיא:): ד”ה האי שבת

as only having non-Jews perform the milking on Shabbos. The non-מהדרין line, in contrast, uses milk from dairy farms that has been milked by non-religious Jews on Shabbos. One might ask, though, that if the cows in these non-מהדרין factories are milked on Shabbos, how do they get a השגחה at all? Aren't you benefiting from מלאכה that was performed on Shabbos when consuming the milk? There are a few reasons to allow the use of non-מהדרין milk. Firstly, the S"A in שיח-א *passkins* that when a Jew performs an איסור דאורייתא on purpose it is only forbidden for him, but those who he performed the מלאכה for may benefit from it on *Motzaei-Shabbos*. The כתב סופר (או"ח תשובה נ') suggests, though, that when a prohibition is violated on a consistent basis, even those for whom the מלאכה was performed may not benefit from it. Rav Tzvi Pesach Frank (שו"ת הר צבי-סימן קפ) argues on the כתב סופר and says that we cannot invent new גזירות.<sup>8</sup> This מחלוקת between the כתב סופר and Rav Frank, which we learned about in סימן שיח, is still hotly disputed among the contemporary *posskim*. Yet, even according to those who follow the כתב סופר, there is still room to allow drinking non-מהדרין milk because not every bottle of it was necessarily milked on Shabbos; the non-מהדרין milk bottle you picked up in the store might have been milked during the week. Furthermore, milk that was milked on Shabbos may have been mixed with milk that was milked on Friday or *Motzaei-Shabbos*. Based on all of these considerations, it is always best to buy the מהדרין milk to avoid this issue, but there is room to be מקיל and buy the non-מהדרין milk when needed or drink it if it was already bought by mistake. Apparently, some of the milk companies have the date that the cow was milked on the container, and if you see that it was milked on Shabbos and not מהדרין it is best to avoid it.<sup>9</sup>

---

### C. Juicing into Food & Juicing Lemons

---

#### Juicing fruits into food:

[We skipped 'סעיף ג.] The (9) **גמרא שבת** (קמה.) teaches that you are allowed to squeeze grapes into a food, but not into an empty bowl. The S"A in **סעיף ד'** *passkins* like this Gemara and elaborates that squeezing grapes into a dish of food is permitted if the juice enhances the food, since this is viewed as "food going into food." This can be understood based on the principle of juicing we mentioned in section A that juicing is only forbidden when you create something new by transforming a fruit into a juice. The **משנ"ב** סקי"ז explains that squeezing grapes into a dish is not viewed as a new creation, but rather as food (the grapes) going into food (the dish),<sup>10</sup> which is permitted.

The (10) **שש"כ** (ה-ג) *passkins* based on the S"A that juicing a fruit into food is permitted even if some of the juice is not fully absorbed in the food, but as long as the majority of the juice is absorbed in the food. The **שש"כ** (ה-ז) adds that if the juice is coming to enhance the flavor of the dish you are allowed to juice it on the food even if the majority of the juice is not being absorbed by the food. For

---

<sup>8</sup> Furthermore, the מגדים פרי שיעשו is uncertain whether one needs to wait בכדי שיעשו when מלאכה was performed by a מומר on Shabbos, but nowhere do we find that for others the מלאכה will be forbidden forever.

<sup>9</sup> For more on this topic see [bit.ly/SCPMilking](http://bit.ly/SCPMilking) and [bit.ly/SCPMilking2](http://bit.ly/SCPMilking2).

<sup>10</sup> But juicing a grape into a liquid is forbidden because you are ultimately changing the grape into something new – the juice.

example, juicing a lemon on a salad is permitted because the lemon is coming to flavor the salad, even though most of the lemon is not being absorbed by the salad.

The (10) **שש"כ** (סקט"ו) infers from the S"A that there are two ways you are allowed to squeeze a fruit into food: A) When the juice gets completely absorbed in the food (as it says "food going into food") B) When the juice is added to enhance and "fix" the dish. Therefore, squeezing lemons, grapes or olives into a salad (where the fruits are juiced to enhance the flavor of the salad) is permitted even if the juice will not be fully absorbed in the salad. [Based on this, the **ארחות שבת** (ד-כט) allows drinking the juice left over in a fruit salad even if the fruit salad has cut grapes. He explains in the footnote that the juice that leaves the grapes is considered "food going into food," which is permitted. The **שש"כ** (פ"ה-) **שש"כ** (סקמ"ו) (quoted in section A) argues on this and only allows if the juice from the grapes goes directly into the juice. Presumably, he holds that it is considered "food going into food" only if your intention is for the juice to go into the fruit. When that is not your intention, the juice that emerges is viewed as a new entity, such that eating it is forbidden lest you come to juice the actual fruit.]

The **משנ"ב** סק"ז adds that the S"A in **סעיף ז'** quotes those who argue on this *halacha* (based on a different **שבת** **גמרא**) and forbid squeezing fruits into food. The **משנ"ב** concludes that those who are **מחמיר** should be blessed. The **שש"כ** (פ"ה-ד) writes that even if you want to be **מחמיר**, you only need to be **מחמיר** to refrain from squeezing olives and grapes into food since squeezing them involves a potential **דאורייתא** **איסור**, but juicing other fruits and vegetables into food is permitted. The **משנ"ב** סק"ח adds that the leniency of the S"A to squeeze fruits into a dish applies only when juicing the fruit directly into the food. But it is forbidden to first juice it into an empty bowl or cup and then pour the juice into the dish. The reason is that when you first squeeze the fruit into the empty utensil, you have created something new (i.e., juice from the fruit), which is forbidden even when the juice remains there only temporarily.

#### Juicing lemons:

[We skipped **ה' סעיף**.] The **בית יוסף** (11) quotes the **רא"ש** who *passkins* that juicing lemons into an empty bowl is permitted, because lemons fall into the third category of fruits that are not juiced for their liquid; they are only juiced to add flavoring for food. The **בית יוסף** asks on the **רא"ש** that in Egypt, everyone juiced lemons into water and sugar for drinking as lemonade. If so, then lemons should be included in the second category of fruits and vegetables that are occasionally juiced, for which juicing is forbidden, but no rabbinic figures ever protested this custom. The **בית יוסף** gives two answers as to why it should be permitted: **A)** Chazal only forbade juicing fruits whose juice can be drunk naturally without any additives. Fruits that are commonly juiced but are only drinkable with additives (such as sugar or water), are permitted to be squeezed. Here too, the reason is based on what we explained earlier that juicing is only forbidden if you create something new (i.e., transforming fruits into juice), but juicing a fruit that cannot be drunk on its own is not considered as if you created something new and it is permitted. Therefore, lemons that are not drunk naturally may be juiced on Shabbos. **B)** Juicing lemons in Egypt was permitted because they would juice the lemons into water and Chazal only forbade when juiced into an empty container.

The S"A in **ו' סעיף** *passkins* like the **בית יוסף** that you are always allowed to juice a lemon, i.e., even when it is squeezed into an empty cup. The **משנ"ב** **סקכ"ב** quotes the two reasons given in the **בית**

יוסף to be lenient and says that today the second reason of the בית יוסף (that the lemons are juiced into liquid) does not apply since lemons are juiced and stored in large containers to be sold. Therefore, lemons today fall into the second category of fruits (that are occasionally juiced) where juicing them is forbidden even into other liquids, but juicing them onto food or sugar is permitted. Juicing on sugar will be permitted even if the lemon juice is greater than the sugar as we learned above that juicing into another food to enhance its flavor is permitted even if the juice does not get fully absorbed.

**Rav Ovadya** in (עמ' פ) and the (שכ-יג) **ילקוט יוסף** (12) argue on the **משנ"ב** and *passkin* like the *S"A* that squeezing lemons into an empty cup is permitted. In a footnote, the **ילקוט יוסף** quotes his father and many other אחרונים that the בית יוסף's main reason to allow juicing lemons is the first one (that only juicing fruits that are drunk naturally are forbidden). Therefore, juicing lemons today is also permitted since lemon juice is too sour to be drunk naturally. Nevertheless, the (סעיף יד) **ילקוט יוסף** adds that if you make lemonade, it is best to be מחמיר and juice the fruit into sugar.

For *Ashkenazim*, the (או"ח נז:ו) **חזו"א** forbids juicing lemons even onto sugar since your intention is to ultimately add water and drink it, your action is viewed as if you are juicing the lemon for the sake of the juice and not to enhance the sugar. The (פ"ה-ד) **שש"כ** *passkins* like the **משנ"ב** that squeezing a lemon into an empty container is forbidden, but onto sugar is allowed. The **ערוך השלחן** (סקי"ז) is מקיל like the *S"A* since lemon juice is not drunk in its natural form. *Lem'ase*, you should ask your Rov.

---

#### D. Squeezing Water/Oil out of Pickles and Kugel

---

The *S"A* in **סעיף ז'** *passkins* based on the (קמה.) that you are allowed to squeeze the water out of pickles, fruits, and vegetables into an empty bowl if you are doing so to enhance the pickle/fruit/vegetable, but squeezing in order to use the liquid is prohibited (unless the liquid falls directly into food, as was *passkined* in ד' (סעיף ד'). Similarly, the *S"A* in **סעיף ח'** *passkins* that squeezing a piece of fish to use any absorbed oil or fat inside has the same status as squeezing other vegetables. Thus, squeezing it for the sake of the fat/oil will only be permitted if squeezed onto other food, but squeezing it to remove the excess fat/oil and enhance the taste of the fish is permitted even into an empty bowl. The reason why squeezing excess oil/fat/water for the sake of enhancing the pickle/fruit/vegetable/fish is permitted is understood based on what we said above that juicing is only prohibited when you are creating something new. Therefore, the **משנ"ב** **סקכ"ד** explains that when squeezing absorbed liquid even into an empty bowl, your action is not viewed as creating something new since your intention is not to use the liquid, but only to improve the food.

The *S"A* also quotes the opinion of חננאל who argues on the 1<sup>st</sup> opinion in this **סעיף** and on the opinion quoted in ד' (סעיף ד') and holds that squeezing fruits, pickled foods or other food that absorbed liquid is forbidden even if the juice directly enters the other food. The **משנ"ב** in ד' (mentioned in Section C) quoted this opinion and wrote that those who are מחמיר should be blessed and the **שש"כ** added that one should only consider being מחמיר by olives and grapes.

According to how we *passkin*, it is understood that squeezing foods such as kugel and pickles to remove the excess fat/oil/water is permitted when done to enhance the food in your hand and is not a violation of *מפרק*, but why is it not a violation of *בורר*? You are sorting the bad (the juice/oil) from the good (the pickles/kugel)! **RSZA** in (פ"ה סקל"ד) **שש"כ** (13) answers that since most people eat the pickles with the juice and the kugel with the oil, it is similar to a case of filtering sediment from wine, which is permitted. This is because filtering out the sediment from wine or squeezing out the oil from the kugel is viewed as separating two parts of one entity and not as sorting the good from the bad.<sup>11</sup>

---

### E. Melting Ice

---

The (נא:) **גמרא שבת** (14) teaches that you are not allowed to crush ice to turn it into water, but you may place ice in water and let it melt naturally. There is a three-way *מחלוקת ראשונים* as to the reason behind the rabbinic decree of crushing ice to create water.

- 1) **Rashi** (14) writes that you are מוליד – creating something new, which is similar to a *מלאכה*. Placing ice in water (or even next to a fire) is permitted because you are not actively creating the water; the transformation happens on its own.
- 2) The **בית יוסף** (15) quotes the **ר"ן** and **רמב"ם** who write that it is forbidden as a *גזירה* that you may mistakenly come to squeeze fruits. In other words, one might conclude that if crushing ice is permitted, squeezing fruits that are used for juice is also permitted. However, placing ice in water (or even next to a fire) and benefiting from the water is permitted because ice and water are the same substance in essence, so we are not concerned that this will lead you to create a new substance, i.e., juice, when squeezing a fruit. Only when you are actively extracting water from ice are we worried that you will actively extract juice from fruits.
- 3) The **ספר התרומה** writes that it is forbidden because of נולד – the creation of something new on Shabbos, which becomes *מוקצה*. The **סו"ת** explains that only placing ice in water is permitted since the melted ice becomes instantly *בטל* to the existing water, but placing ice next to a fire is forbidden.

The difference between *מוליד* and *נולד* is that *מוליד* includes any forbidden acts that create something new, while *נולד* includes benefiting from anything new that was created on Shabbos even if Shabbos was not violated in the process (e.g., an egg laid on Shabbos is forbidden although no *מלאכה* was transgressed). Rashi holds that crushing ice is similar to *מוליד* since your action transforms the ice into water. The **ספר התרומה** holds that the water from the melted ice is *מוקצה* due to *נולד*. A *נפקא מינא* between Rashi and the **ספר תרומה** would be ice that melted on its own. According to Rashi, you are

---

<sup>11</sup> It should be noted that the *קצות השולחן* cited in the beginning of this footnote in the *שש"כ passkins* that squeezing it would constitute *borer*, and one should therefore squeeze the liquid out for use close to the time of the meal, similar to the removal of a fruit peel. This is also how the *שש"כ* himself *passkins*.

allowed to drink it since no מלאכה was transgressed, while the ספר התרומה would forbid (as נולד) since the water did not exist before Shabbos and is now מוקצה.<sup>12</sup>

The S”A in סעיף ט' *passkins* that you are not allowed to crush ice on Shabbos to produce water, but you are allowed to place ice in a full cup of water or wine, or even in an empty cup next to a fire, and allow it to melt on its own. The משנ”ב סקל”ג quotes the opinions of Rashi and the רמב”ם that crushing ice is forbidden either because it is similar to מוליד or lest you come to squeeze fruit. But both agree that allowing it to melt on its own, even next to a fire, is permitted since Chazal only forbade actively melting the ice. The שער הציון סקל”ה writes that he did not include the ספר התרומה’s reason in the משנ”ב because the S”A does not *passkin* like him. According to the ספר התרומה, the prohibition of נולד prohibits the use of the water even if the ice melted on its own.

What is the *halacha* regarding crushing ice that is already in a cup of water? Is this similar to placing it in a cup filled with water or next to a fire, which is permitted, or is it similar to the standard case of crushing ice, which is forbidden? The answer to this question depends on the reasoning for the prohibition of crushing ice to create water. The מג”א (סקי”ג) (16) infers that the S”A only allows placing ice into a cup of water, but crushing it while it is in the water is forbidden. The פמ”ג א”א (סי”ג) explains that מג”א is learning that the strict opinion of the S”A is in accordance with Rashi’s explanation that crushing ice is forbidden because of מוליד, and the prohibition of מוליד would apply even when crushing into water, since you are actively creating water. However, the מג”א writes that according to the ר”ן and רמב”ם where the prohibition of crushing ice is because you might come to squeeze fruit, crushing ice in a cup filled with water is allowed because the melted ice is not visible and you will not come to squeeze fruit.

From this סעיף in the S”A, it is evident that the S”A is חושש for the opinion of Rashi that crushing ice in water is forbidden due to מוליד. This also seems to be evident from the S”A in סעיף יא, where the S”A *passkins* that it is best to avoid washing your hands with icy water, and if you have no other option you should be careful not to crush the ice. The ביה”ל ד”ה יזרה writes, though, that according to the מג”א that the ר”ן/רמב”ם allow crushing ice in water, here too you are allowed to wash your hands in icy water. The ביה”ל concludes that one should refrain from washing his hands in icy water as this is the opinion of many *Rishonim*, including Rashi (S”A).

What emerges is that the S”A *passkins* like both Rashi and the ר”ן/רמב”ם’s understanding of the above גמרא with an emphasis on Rashi’s understanding. The משנ”ב סקל”ה writes that in סימן שיח-ט”ז the S”A also *passkins* like the ר”ן/רמב”ם and Rashi and allows placing fat next to a fire even if it will melt. However, the *Rama* there argues on the S”A, saying that it is best to be מחמיר like the סה”ת and refrain from placing fat next to a fire that will cause it to melt because of נולד. The משנ”ב writes that here too, the *Rama* would hold that you are not allowed to place ice next to a fire to melt it and you are not allowed to benefit from melted ice even if it melted on its own in room temperature.

RSZA (17) quoted in (פ”י סק”י) שש”כ says that although the *Rama* in סימן שיח-טז allows relying on the S”A to place fat next to a flame even though the fat will melt במקום הצורך – in dire need, here he

---

<sup>12</sup> This is how RSZA explains the סה”ת and משנ”ב. See also (פ”ד סקס”ד) שבת ארחות שבת for other ways to understand the סה”ת.

holds that you are not allowed to benefit from the melted ice. The reason is that נולד is only permitted בשיעת הצורך, and in our situation you can easily find other sources of water in your house. Therefore, you should avoid drinking the melted bowl of ice if you have other readily available water. **Rav Elyashiv** (18) quoted in (פי"ד- הע' 63) argues and says that the *Rama* who relies on the *S"A* in a situation would allow drinking melted ice, since in its current melted status is comparable to a situation.

What is the *halacha* with regards to crushing other frozen liquids? Do they have the same status as ice, which is forbidden to crush? **RSZA** (19) in (פ"י-ח וסקי"ח וכ"ד) writes that only crushing ice is forbidden because you created something new through your crushing – you transformed an entity called ice into water. However, melting frozen milk is permitted since you did not create anything new. Frozen milk is called milk and melted milk is also called milk. Therefore, according to Rashi, who holds that the prohibition of crushing ice is מוליד, it is permitted here since you did not create anything new. Similarly, according to the רמב"ם/ר"ן, who holds that the prohibition stems from concern that you might come to squeeze fruits, melting frozen milk is permitted since nothing new was created, and no concern exists that you will come to juice fruits as a result. Finally, even the ספר התרומה would permit because only the transformation of ice into water is forbidden, since something new was created. But defrosting milk, ices or ice cream is permitted since their name and status do not change once they melt. Defrosting these items is similar to defrosting a cooked piece of frozen meat, which is permitted. Thus, according to all opinions, you are even allowed to crush frozen milk on Shabbos.

To summarize, everyone forbids crushing ice into an empty cup either because of מוליד, concern that you might come to squeeze fruits, or נולד. The *S"A* *passkins* that crushing ice is prohibited but placing ice next to a fire is permitted since the reasons of מוליד (Rashi) and the concern that you might come to squeeze fruits (רמב"ם/ר"ן) do not apply. The *Rama* holds that it is best to be חושש for the reason of נולד (the סה"ת) and the melted ice is inherently forbidden. **RSZA** writes it best not to drink water from ice that was melted on Shabbos, while **Rav Elyashiv** permits. Finally, **RSZA** allows actively crushing and defrosting milk and ice cream.

---

#### F. Making Ice & Whip Cream on Shabbos

---

In the previous two sections we learned that actively crushing and melting ice is forbidden on Shabbos. Would the same prohibition apply to making ice on Shabbos?

We learned that there are three reasons to forbid crushing ice into water on Shabbos: you might come to squeeze fruits, מוליד and נולד. The first two explanations do not apply to making ice since making a water into a solid will not cause you to squeeze a fruit. Additionally, there is a prohibition of מוליד only when you actively crush ice, but placing it near the fire is permitted. Similarly, you are allowed to place water in a freezer knowing that it will freeze over time. However, there might be an issue of נולד – something new is being created when transforming water into ice.

The *passkins* (שכב-ג) **ילקוט יוסף** that making ice on Shabbos is permitted because it is just like placing ice next to a fire and is not a violation of **נולד** since the ice becomes water on its own. Similarly, placing water in a freezer is permitted because the water becomes ice on its own. The **ש"כ** (פ"י סקי"ד) quotes the **טשעבינר רב**, Rav Dov Berish Weidenfeld, who writes in **משרים** דובב that even Rashi and the **רמב"ם** would agree that making water into ice is considered **נולד** since something new is being created. However, **RSZA** was more inclined to permit, arguing that Rashi and **ר"ם/ר"ן** would certainly allow making ice, and even the **ספר התרומה** might agree that freezing ice is not **נולד** (since ice is not necessarily an improvement over water). Ultimately, **RSZA** did not want to argue outright on the **דובב משרים** and the **ש"כ** (פ"י-ד) (22) writes that it is best to avoid making ice on Shabbos unless there is an important need, such as for the sake of guests. The **ציץ אליעזר** (ח"ו-לד) (23) argues and allows making ice on Shabbos, writing that the prohibitions of **מוליד** and **נולד** are only violated if the created item is permanent, but not where the created item is only temporary. Therefore, melted ice is forbidden (according to the **סה"ת**) since the newly melted ice remains water. However, making ice on Shabbos is permitted because at the moment it is removed from the freezer, it begins to lose its new status as ice and immediately begins to melt.

Based on this, the **ציץ אליעזר** would allow spraying whipped cream from the pressurized can since the whipped cream will eventually melt. The **חוט שני** (ח"ג עמ' קצב) (24) and **ארחות שבת** (פט"ו-כח) also allow using the pressurized can that makes whip cream on Shabbos. This is also the opinion of Rav Schachter shlit"a, but Rav Belsky disagreed and forbade the use of whipped cream on Shabbos (see <https://bit.ly/SCPwhippedCream> for more on this).

---

### G. Walking on Snow

---

The **S"A** in **סעיף י'** *passkins* that although you are not allowed to crush ice in order to make water, you are allowed to break a piece of ice in the lake or well in order to access the water that is underneath it. Similarly, if you want to use a piece of ice that is too big, you are allowed to break it into smaller pieces. The **משנ"ב סקל"ו** explains that the prohibition of crushing ice applies only when doing so to create water, but breaking a block of ice into two is permitted. The **משנ"ב סקל"ב** quotes the **בית יוסף** who allows even if a little bit of water is melted in the process since you do not intend to melt the water and the melted water is not being used.

The **S"A** in **סעיף יג** writes that you are allowed to walk in snow on Shabbos. The **משנ"ב סקל"ט** writes that it is permissible for two reasons: **B** You do not intend to melt the ice when walking. The **ש"ע** (הרב) (20) explains that the snow will not necessarily melt with each step and therefore it is not considered a **רישא** (פסיק **ט"ז**). According to the **ט"ז**, Chazal did not forbid walking on snow since that is unavoidable when the ground is covered in snow.

A **נפקא מיניא** between reasons A and B would be in a case where you are certain that the snow will melt when you walk. According to A, it would be forbidden, but according to B it is permitted. Similarly, the **S"A** in **סעיף יד** writes that the **מהר"ם מרוטנברג** allowed urinating on snow, but the **רא"ש** forbade. The **שו"ע הרב** (ibid) explains that although the snow will certainly melt in this case (rendering it

a פסיק רישא), the מהר"ם still permits based on the reasoning of the ט"ז that in the winter walking on the snow is unavoidable (since the entire ground is covered in snow) and Chazal did not forbid in such a situation. The משנ"ב סקמ"א writes that one can be מקיל, but if it is not too difficult it is best to avoid. Therefore, if part of the sidewalk is paved, it is best not to deliberately walk on the snow since the reason of the ט"ז does not apply.

Shoveling snow on Shabbos should be permitted in theory as you are not intending to melt the snow (it's not a פסיק רישא) and it is unavoidable. However, the אחרונים forbid because of עובדין דחול and overexerting yourself on Shabbos. The שש"כ (פכ"ה סקנ"ג) (21) writes that if you are worried someone will slip in the snow, you are allowed to salt the floor. He explains that the ט"ז would permit since the snow covers the entire ground and there is no place to walk. Additionally, placing the salt on the floor is not considered actively melting the snow since the snow melts over time and it is similar to placing ice near a fire where the ice melts over time. The Rama was only מחמיר like the ספר התרומה to prohibit placing ice near a flame, but in a שעת הצורך he would permit. Therefore, in a situation where people might slip, it is considered a שעת הצורך and sprinkling the salt is permitted.<sup>13</sup>

There was a certain community in the New York area that was experiencing a large number of break-ins, especially on Shabbos, when people used to leave their homes. One Friday there was a big snowstorm and one member of the community noticed that his neighbor left for Shabbos. The member of the community was worried that his neighbor's house might be broken into, as there were no footsteps in or out of the house. He wanted to know if he was allowed to deliberately walk up and down his driveway to make it look as if someone was staying there for Shabbos. It would seem that if when walking on the snow you are certain that the snow will melt, you are not allowed to walk on it since the above two reasons do not apply (i.e., you are actively melting the snow and you have other areas to walk). Salting the walkway, though, is permitted as the שש"כ passkins that you can rely on the S"א במקום הצורך.

---

<sup>13</sup> Handling the salt is not a violation of מוקצה because you most likely set it aside before Shabbos knowing that a snowstorm is coming. Even if you did not know that there would be a snowstorm, the halacha is that you are allowed to move מוקצה that may cause harm and similarly, you are allowed to move מוקצה (the salt) to prevent harm.