

סימן שיט

A. *Introduction to בורר*

The **משנ"ב** in the introduction to **סימן שיט** writes something that he does not write in any other **סימן**. He writes that **בורר** is an **איסור דאורייתא**, but many people are unfortunately not aware of the intricacies of the *halachos* and unknowingly transgress them. He continues that for this reason, he will explain the *halachos* of **בורר** in great detail because they are very common and apply to many different items in addition to food. **Bez"ח** when learning this **סימן**, we will focus on the very relevant *halachos* that arise almost weekly.

The **משנה שבת (עג.)** teaches that "הדש, הזורה, הבורר, הטוחן והמרקד" – "threshing, winnowing, sorting, crushing, and sifting" are all **מלאכה** and forbidden on Shabbos. These **מלאכות** are some of the **מלאכות** that are performed when baking bread and are known in the **גמרא** as "סידורא דפת" – the order of baking bread. Once the wheat is fully grown and cut, the farmer would gather it and collect it. The farmer would then thresh the wheat (**דש**) – crushing it to release the kernel from the chaff. He would subsequently throw the mixture of kernels, chaff and debris into the air (**זורה** – winnowing) so that the wind carries the lightweight chaff and debris into the distance while the kernels fall straight to the ground. However, these kernels were still mixed with some of the heavier debris, such as gravel. In order to perfect the grain, the farmer would remove the pebbles from the kernels (**בורר**), after which he would crush/grind the grain to make flour (**טוחן**). After the grinding of the grain, there were still impurities that were left in the flour and the farmer would sift the grain with a sifter (**מרקד**) in order to produce clean flour. The **גמרא** asks that aren't the **מלאכות** of winnowing, sorting, and sifting in essence similar acts of separating the bad from the good? The **גמרא** answers that they indeed all serve the same purpose, but since they were done individually in the **משכן** (either in the preparation of dye or for the baking of the **לחם הפנים**), they are each counted as an independent **מלאכה** (today many of these steps are performed by machine, but the process is still essentially the same). With this background, we can begin to examine the basic parameters of what is included in the prohibition of **בורר**.

The **גמרא שבת (עד.)** quotes a cryptic **ברייתא** about **בורר** and a 5-way **אמוראים** as to what the **ברייתא** means, which has ramifications concerning the parameters of **בורר**. We will not delve into the details of this **מחלוקת** but instead focus on the **הלכה למעשה** as it appears in the **S"A**. In order to better understand this **סימן** and as an additional introduction to **בורר**, we will first learn a select group of **סעיפים** as an overview.

The **S"A** in the beginning of **סעיף א'** and in **סעיף ג'** defines a "mixture" as including not only a blend of food and waste, but also a mixture of two different foods where you prefer one of them. The separation of the food in either of these mixtures can rise to the level of an **איסור דאורייתא** of **בורר** – sorting.

The **S"A** at the end of **סעיף א'** explains that sorting with your hand in order to eat immediately is permitted. The **משנ"ב סק"ג** quotes the **S"A** in **סעיף ד'** that this is only permitted if you sort the food

from the waste, but removing the waste from the food is prohibited. Thus, what emerges from here is that sorting parts of a mixture (whether a mixture of food and waste or sorting one type of food from another) is permitted when three conditions are met:

1. אוכל מתוך פסולת – you remove the food from the waste
2. מיד – you plan on eating the food immediately
3. ביד – you are sorting the mixture using your hands

If בורר is an איסור דאורייתא, why would it be permitted when these three criteria are met? The **משנ"ב** in the introduction to שיטת סימן explains that when all these criteria are met, we do not consider your action as an act of sorting, but rather as an action of eating – "דרך אכילה". He writes that even if only one of these criteria is not met, you will be in violation of an איסור דאורייתא because your act is considered an act of sorting. For example, if you use your hand to sort a mixture in order to immediately eat the food but separate the waste from the food, you are in violation of the איסור דאורייתא of בורר. This is considered "דרך ברירה" since when separating the kernels from the pebbles, the farmer would remove the debris (the פסולת) from the kernels (the אוכל). Similarly, separating food from waste in order to eat right away is forbidden if you use a vessel that is specially used for sorting. Here too, your act is considered an act of sorting and not an act of eating since you are using a כלי. Additionally, even if you sort the food from the waste and use your hands, it is still prohibited if you plan on eating the food much later. Here too, your separation constitutes an act of sorting rather than an act of eating since you are storing it to be eaten at a later time (similar to the way kernels are sorted and then stored to be crushed into flour at a later time).

B. "ביד" and the Use of a כלי for בורר

We will now learn the three requirements listed above in more depth with practical applications in the order they appear in the סעיפים of the ערוך. As mentioned, the S"A in **א' סעיף א'** *passkins* that you are not allowed to use a כלי for sorting even if you are sorting the good from the bad for immediate consumption. Which כלים are included in this prohibition? Are you allowed to use a slotted serving spoon to scoop out a soupy cholent? Are you allowed to use a pitcher with a narrow opening that prevents ice cubes from coming out? Are you allowed to use a saltshaker with kernels of rice inside? Bez"ח, in this section we will define the term "כלי" with regards to בורר.

The S"A in **א' סעיף א'** *passkins* that the use of נפה וכברה – 2 different types of sieves – is איסור מדאורייתא, but the use of קנן ותמחוי is rabbinically prohibited. The **משנ"ב סק"ב** explains that a קנן is similar to a funnel that is narrow on one end and wide on the other. One would place a mixture of beans and waste in the wider side and the beans would then roll out from the narrower side while the waste remained in the wider side. A תמחוי is a big shallow bowl that was used for sorting where one would evenly spread out the beans in order to easily identify the defective ones and remove them. The **משנ"ב** explains that only the use of a sieve is biblically forbidden since it is regularly used for sorting, but the use of a קנן ותמחוי is only rabbinically prohibited because it is considered sorting with a שינוי.

When discussing our modern utensils, we need to determine whether they are more similar to a sieve, a קנון ותמחוי, or whether they are not similar to either and are completely permitted. In order to do that, let us focus on the method of ברירה used by the תמחוי. Many אחרונים ask why there should be a prohibition of בורר when using a תמחוי (the big bowl) if the תמחוי is only used to spread out the grain but does not facilitate the actual ברירה process. Why is it any different than spreading out beans on a counter, where it is permitted to sort פסולת מתוך אוכל with your hands for immediate consumption (since all three conditions to permit בורר are present)? We will learn two answers to this question that will define what is considered a "כלי" and also have tremendous ramifications for the status of our modern-day utensils.

Rav Moshe in (או"ח ח"א-קכד) **מ"אגרו"מ** (2) answers that although a תמחוי does not actually sort, it makes the sorting process easier and is therefore forbidden for use even if you remove the אוכל מתוך פסולת for immediate use. In other words, a "כלי" is defined as any object that assists the sorting and does a better job of it than simply using your hands.

Based on this, Rav Moshe writes that using utensils for sorting the good from the bad when eating is permitted only if you use the utensils so as not to dirty your hands. But if they are assisting in the act of בורר (even if you are separating פסולת מתוך אוכל), you are not allowed to use them because they would then be similar to a תמחוי. For example, using a fork to remove a potato from the cholent is permitted because you are doing so not to burn and dirty your hands. However, if you have a head of lettuce where the outside leaves are rotten (and you want to keep them on since they are protecting the inner leaves), you are not allowed to stick a fork inside the lettuce head to detach a whole leaf from the bottom of the lettuce head. This is because the fork facilitates the ברירה by enabling you to remove a whole leaf, since if you were to use your hands, the leaf would rip in half when trying to pluck it out from the top (and you are not able to stick your hand all the way to the bottom of the lettuce head in order to detach a leaf from the root).¹

The (פרק ג' הע' עט) **ארחות שבת** (3) argues on Rav Moshe and suggests the following answer based upon the חזון איש and **Rav Shlomo Zalman Auerbach**. He explains that using a תמחוי is forbidden (even though it does not assist in the ברירה) because any כלי that is usually used in the process of ברירה gives the action that you are doing the status of "דרך ברירה" even if the sorting is conducted מיד, ביד, ואוכל מתוך פסולות. Since the תמחוי is usually used during the forbidden act of sorting (i.e., when you separate the פסולת from the אוכל during the week) it is forbidden to use on Shabbos because it gives the act that you are performing a categorization of ברירה (even when separating the good from the bad). In other words, a "כלי" is defined as any object that is usually used during the sorting process (and not any item that assists the ברירה).

The **ארחות שבת** then suggests that the flip side of this סברא dictates that any utensil used while eating is always considered דרך אכילה even when used for actively separating, because only כלים that are used during the ברירה process are considered "דרך ברירה". Based on this, you would be allowed to use a fork even if it helps you sort (the good from the bad) since it is an object that is not used for

¹ In most cases, forks and spoons do not do a better job of sorting than your hands and would be permitted.

sorting but rather only during the process of eating.² He continues that this might be the logic behind the ruling of the **חזון איש** to allow using a tea kettle with a filter on the spout (to keep the tea leaves in) since "it is similar to sorting with your hands." In other words, since the filter is used during the meal it is considered **דרך אכילה** (see below where we explain the issue of the tea kettle in more detail). Rav Rubin also suggests that RSZA may be taking this approach as well when he writes that the use of a **כלי** that filters for immediate use during the meal is considered "**דרך אכילה**" and permitted. This is also the opinion of the (שיט-סק"י) **ילקוט יוסף** (4) and Rav Ovadya that a fork may be used even if it assists in the **ברירה** (as long as the 3 criteria are still met) and only **כלים** that are used regularly for **ברירה** are forbidden.

To summarize, sorting (**בורר**) is forbidden when using a **כלי** even when removing the **אוכל מתוך** **פסולת** for immediate consumption. Rav Moshe defines a "**כלי**" as any item that assists the sorting in any way. The **ארחות שבת** explaining the approach of the **חזון איש**/RSZA, and **ילקוט יוסף** write that a "**כלי**" is only defined as an item that is usually used for sorting at times other than during the meal. Below are a few practical examples that illustrate the difference between the approach of Rav Moshe and that of the other **אחרונים**.

Utensils: **Rav Moshe** (quoted above) holds that using utensils when sorting is permitted only if the utensils are being used to prevent getting one's hands dirty, but if the utensils facilitate the **ברירה** they may not be used. The **ילקוט יוסף** (4) and the **ארחות שבת** explanation of the **חזון איש**/RSZA would permit even if they facilitate the sorting since these **כלים** are used for sorting done during the meal. Therefore, the act of sorting is considered "**דרך אכילה**" (as long as the criteria of **מיד** and **אוכל מתוך** **פסולת** are met).

Tea kettle with a filter on the spout to prevent the leaves from leaving: If the tea leaves are settled on the bottom of the kettle, all opinions agree that you may pour a cup of tea as long as there is some liquid left in the bottom of the kettle. The reason is that the tea leaves are only mixed with the water at the bottom of the kettle and not with the water above them. Therefore, pouring a cup of tea is not considered separating a mixture. However, if the kettle is shaken and the tea leaves are floating throughout the kettle, thereby rendering the leaves *halachically* mixed together with the water, Rav Moshe would not allow using it on Shabbos since the filter is assisting in the separation. But according to the **חזון איש** quoted above in the **ארחות שבת** and RSZA quoted in the (**פ"ג הע' קמ**) **שש"כ** (5), it would be permitted because the filtering is considered "**דרך אכילה**" - an act of eating, since it is happening during the meal.

Pitcher with narrow spout to prevent ice from coming out: The **ארחות שבת** (**פ"ג-פד**) (6) explains that if the ice cubes are big, all opinions agree that you may use the pitcher because we do not view the liquid in the pitcher and the ice cubes as a mixture (as will be discussed further in later sections). However, if the ice cubes are small, they are considered to be mixed together with the water and using the pitcher would be similar to using a tea kettle with a filter.

² Based on this **סברא**, the **ארחות שבת** (**סקצ"ח**) resolves a contradiction in the **משנ"ב** between **סקס"ו** and **סקס"ב**. The **ארחות שבת** quoted resolves this **סתירה** using his **סברא**. We did not discuss the actual **סתירה** because we are only focusing on the practical ramifications of its resolution, which is the **מחלוקת** between Rav Moshe and the **ארחות שבת** listed above.

Saltshaker with grains of rice: According to **Rav Moshe** (as quoted in (בורר-הע' קג) ספר הלכות שבת), this would be forbidden since the cap of the saltshaker is facilitating the ברירה and it is as if you are being בורר with a כלי. However, according to the logic of **RSZA** (as quoted at the end קמ הע' פ"ג שש"כ (5), it would be permitted. It should be noted that even according to RSZA it is only permitted if used immediately prior to eating (מיד).

Removing a tea bag from water: According to **Rav Moshe**, shaking the tea bag after removing it from the cup for the water droplets to fall into the cup is considered בורר בכלי – sorting with a כלי (the separation of the water from the tea leaves through the bag) and forbidden. However, **RSZA** (5) quoted above in the שש"כ would permit since it is used during the meal and you are removing the אוכל from the פסולת (the tea water is coming out) for immediate consumption.

Slotted ladle: Rav Moshe would definitely forbid since the ladle is actively assisting the sorting by removing the food from the liquid. The (פ"ג-עד) (7) **ארחות שבת** *passkins* that it is forbidden to use a slotted ladle when serving a salad with a lot of liquid since you are actively separating the liquid from the food using a כלי (the ladle). He asks in the footnote (סקפ"ב) that perhaps RSZA and the חזון איש would be מיקל since it is done during the meal and is similar to the spout of a tea kettle. However, the **ארחות שבת** rejects this suggestion and explains that a tea kettle is mainly designed and used to store and serve tea. Since the filter on the spout is only designed for purposes of convenience and as a side function of the kettle, serving tea does not look like an act of sorting, but rather an act of eating. However, a slotted ladle is specifically designed to sort and by actively choosing to use the it (over other spoons), you demonstrate your intention to sort. As a result, even RSZA and the חזון איש would agree that using it is forbidden as "דרך ברירה". However, the (פ"ג-נח) **שש"כ** *passkins* that if you quickly serve yourself, making sure not to deliberately shake out the droplets, it may be used since your intention is only to transfer the food to your plate and not to sort (see "סק"ל"ב **משנ"ב** who *passkins* that the prohibition of בורר does not apply if you do not intend to sort).

Pouring out the liquid soup by holding down the lid of the pot and preventing the big vegetables from leaving the pot: **Rav Moshe** in (או"ח ח"ד עד-בורר:א) *passkins* that if you want to remove the liquid alone from the soup, you are not allowed to tightly seal the pot with the lid such that only the liquid can leave. The reason is because holding the lid in such a way facilitates the ברירה, which is consistent with Rav Moshe's logic discussed earlier. **RSZA** quoted in (פ"ג סקקע"ו-וקע"ז) **שש"כ** seems to agree that this is forbidden. He explains that actively choosing to use the lid in conjunction with the pot to sort makes it into a "כלי ברירה", similar to choosing a slotted ladle that is made to sort. This is also how the **ארחות שבת** (פ"ג סקפ"ב) explains RSZA.

Peeler: Bez"ח, we will discuss a peeler when learning the *halachos* of removing a peel and pits from food.

Spinning Lettuce Dryer: It would seem that **Rav Moshe** would forbid a lettuce dryer as its main function is to remove the water that is hidden in the crevasses of the lettuce. **RSZA** would also forbid since it is a כלי ברירה as it is used to sort before the meal. However, there are some who wanted to be מקיל if there is only a little bit of water left on the leaves. In such a situation, the water is not considered "פסולת" since most people would eat lettuce together with the minimal water that is on it (similar to wine sediment, see ahead section D). *Lema'ase*, ask your LOR.

How do we *passkin* in all of the above cases? Like Rav Moshe or RSZA/איש חזון and ילקוט יוסף?
The (ח"א-פד) **שבט הלוי** (8) writes that since the איש חזון used the word "אפשר" – "it could be", when allowing the use of a tea kettle with a filter, he was not *passkining* למעשה, but only raising it as a suggestion (see also פ"ג סקקפ"ח). Similarly, RSZA quoted in (פ"ג סקק"מ) שש"כ also uses the word "אפשר" and ends with "צריך עיון". It is thus unclear whether RSZA relied on this סברא as *halacha le'masse*. The שש"כ himself (Rav Yehoshua Neuwirth) does not completely rely on the סברא of RSZA and *passkins* that it is best to remove a tea bag with a spoon because allowing the droplets to drip in the cup may be forbidden (סד) and that it is best not to use a saltshaker with rice kernels (סו). However, the (שיט סקנ"ב) **ילקוט יוסף** (9) seems to *passkin* להלכה that an item that is not usually used for בורר may be used on Shabbos to sort (if the other criteria of permissible sorting are met). Therefore, he permits the use of salt shakers with rice kernels because only כלים that are specifically used for ברירה such as קנון ותמחוי are forbidden, but כלים that assist ברירה but are not used specifically for ברירה are permitted. Similarly, in סעיף מב he writes that you may use a slotted spoon, and one of the explanations given in the footnote is that the spoon is considered an extension of his hand. In סעיפים מו-מז he permits the use of a kettle with a filter and removing a tea bag from a cup. However, in the footnotes there he gives a different reason for permitting, see inside.

To summarize, the majority of *Ashkenazi posskim* are inclined to be stringent in the above cases, although those who are מקיל have on what to rely. The *Sephardi posskim*, on the other hand, are more inclined to permit. *Lema'ase* ask your LOR. See summary chart below for details.

Summary chart on next page.

	Rav Moshe	ילקוט יוסף	חזון-איש/RSZA	Practical Halacha
Using utensils to sort	<u>Prohibited</u> - when facilitating sorting. <u>Permitted</u> - when used not to dirty hands and when sorting אוכל מתוך פסולת, מיד.	<u>Permitted</u> – even when facilitating ברירה, but only when sorting אוכל מתוך פסולת for immediate use	<u>Permitted</u> – even when facilitating ברירה, but only when sorting אוכל מתוך פסולת for immediate use	When facilitating the sorting – <u>מחלוקת</u> . When not facilitating - <u>permitted</u>
Tea kettle with filter on spout (and leaves are mixed throughout kettle)	Prohibited	<u>Permitted</u> (mainly because of leniencies with filtering liquid)	<u>Permitted</u> – it's considered "דרך" "אכילה".	If leaves settled on bottom everyone permits as long as some liquid is left with leaves. If leaves mixed throughout - <u>מחלוקת</u>
Pitcher with small cubes of ice and narrow spout	Prohibited	<u>Permitted</u> (mainly because of leniencies with filtering liquid)	<u>Permitted</u> – it's considered "דרך" "אכילה".	If the cubes are large, everyone permits. If cubes are small – <u>מחלוקת</u>
Salt shaker with rice kernels	Prohibited	Permitted	Permitted	Most <i>Ashkenazi posskim</i> forbid; <i>Sephardi posskim</i> permit
Removing a tea bag and letting droplets drip into cup	Prohibited	<u>Permitted</u> (mainly because of leniencies with filtering liquid)	<u>Permitted</u> – it's considered "דרך" "אכילה".	<i>Ashkenazi posskim</i> - best to remove with spoon. <i>Sephardi posskim</i> - permit
Slotted ladle	Prohibited	Permitted	<u>Prohibited</u> (according to ארחות שבת)	<i>Ashkenazi posskim</i> – forbid, but if intention is only to quickly serve yourself – permitted. <i>Sephardi posskim</i> - permit
Holding lid to pot to remove the liquid for consumption	Prohibited	Permitted	Prohibited (as is similar to slotted ladle)	<i>Ashkenazi posskim</i> -Prohibit. <i>Sephardi posskim</i> - permit
Lettuce dryer	Prohibited	Prohibited (it is a כלי specifically designed to sort)	Prohibited (it is a כלי specifically designed to sort)	Some allow if there is minimal water on lettuce.

C. מיד

In this section, we will learn the details of the second criteria that permits sorting: "מיד" – sorting the good for immediate use. The S"A in **א' סעיף א'** *passkins* that sorting is permitted if you remove the food from the waste (אוכל מתוך פסולת) using your hand (ביד) with intention to eat immediately (מיד – also referred to as "לאלתר"). When these three criteria are met, the sorting is considered "דרך אכילה". The S"A in **ב' סעיף ב'** *passkins* that sorting **א' פסולת מתוך אוכל** by using your hands is biblically forbidden if you plan to eat the food later in the day. The Rama in **א' סעיף א'** explains that "מיד" includes sorting of any food needed for the upcoming meal, even if you are hosting many guests and the preparation takes a long time. Therefore, you are allowed to remove the good leaves of lettuce from the bad ones (i.e., אוכל (מתוך פסולת) when preparing a salad for the meal.

The **משנ"ב סק"ה** warns that if you sort more than what you need with intent that it be left over after the meal, it is no longer considered "מיד" and you are transgressing the **א' דאורייתא** of **בורר**. Therefore, sorting when making a big salad for lunch with intent to leave some for **שלישית** is forbidden. However, if you sort food with intent that it be consumed at the meal but some remains afterwards, it is permitted. **RSZA** (10) quoted in **שש"כ (פ"ג - סק"כט)** adds that you are even allowed to sort (in the permissible manner) extra amounts of food knowing that it will not all be consumed during the meal if you are doing so to show respect to the guests. Therefore, you are allowed to make an extra-large salad or a big dessert platter by peeling fruits (close to the meal)³ out of respect for the guests even if you know the guests will not eat it. The **משנ"ב סק"ו** adds that you are allowed to sort for a meal even if you personally will not partake in it.

Is there a limit to how much time before the meal one must perform the sorting in order for it to be considered "מיד"? Rav Moshe writes in a **תשובה** quoted in **ספר הלכות שבת** (11) by Rav Shimon Eider that there is no specific amount of time that qualifies as "מיד". Rather, the time that is needed for the preparation of the meal is considered "מיד" even if it is a few hours before the meal. This **תשובה** is quoted in the **מ"א ח"ד:עד** as well. The **שש"כ (פ"ג-סט)** adds that "מיד" includes even the sorting that is done for dessert and even in preparation for a meal that will last many hours (as long as the sorting is **א' אוכל מתוך פסולת** and **ביד**). However, **RSZA** (13) quoted in the **פ"ג-סקרי"ב** qualifies that you are not allowed to sort in advance of a meal even if you will not have time later to prepare for the meal. Therefore, if you are going to a friend's house for a Shabbos meal and are tasked with making the salad, but your lettuce has some rotten leaves and you need to sort the good ones from the bad, you are not allowed to sort the leaves before going to their house. Similarly, if you are hosting a large lunch meal, you are not allowed to sort before going to shul. The difference between this situation and a situation of preparing for a large meal is that when preparing for a large meal, your actions are considered "מיד" since your preparations will continue without interruption until the meal begins. Therefore, your actions are considered **דרך אכילה**. However, if you sort food before shul and then take a

³ We will learn that peeling fruit is only permitted close to consumption of the meal.

break to go to shul, your sorting is not considered "מיד" since there is a gap unrelated to the meal between the sorting and the meal, rendering it "דרך ברירה".

Practical examples of "מיד":

Sorting in order to lend: **RSZA** (14) in (שיט-ד) שלמה שולחן *passkins* that if a neighbor asks to borrow a dish (that is mixed in the closet with other dishes) or a cucumber (that is mixed in the vegetable drawer), you are allowed to give it to him even if he will only end up using it later in the day. The reason is because your act of sorting (i.e., the usage of the sorted item) ends when you hand over the dish/cucumber to your neighbor and is therefore considered "מיד". In other words, there are two ways to use a cucumber; you can eat it yourself or lend it to a neighbor. When lending it to your neighbor, the act of sorting (i.e., the usage of the cucumber) ends when you hand it to him. However, RSZA adds that you are not allowed to lend it to him if you know that he will only use it later in the day and you are available throughout the day to lend it to him. The reason is that the sole act of performing a מצוה (i.e., the lending) only suffices to consider your actions as "מיד" in conjunction with the possibility that your neighbor will be using it now. Otherwise, if any sole מצוה or act of חסד automatically transformed your action to "מיד", this criterion of "מיד" could simply be circumvented by performing a מצוה or doing someone a favor. For example, if you wanted to sort for tomorrow, you could just ask a friend to do it for you because his "act of sorting" ends when he gives you the sorted item. Or, if a parent asks a child to sort food at night for the daytime meal, one might think it would be permitted since the child needs to listen to his parents immediately, thus defining the sorting as "מיד". But ultimately, as RSZA points out, it is still forbidden because the act of performing a מצוה alone does not rise to the level of "מיד" (and in the second example, it is considered as if the parents are asking the child to transgress the prohibition of בורר). It is only permitted if a possibility exists that the act of חסד will occur in close proximity to the meal/usage of the item.

Sorting clothing from a messy drawer: The (פ"ג-ג-עה) שש"כ (15) *passkins* that you are not allowed to sort your children's clothing at night to be ready for them in the morning. In the footnote, he quotes another scenario from RSZA that if you are planning on going out of the house on Shabbos, you are also not allowed to select a change of clothing for your children from a messy drawer. In both cases, since you are not immediately using the clothing after sorting them, you do not fulfill the criteria of "מיד", and it is forbidden.

Sorting items from a freezer to defrost: **RSZA** (16) in (שיט-ד.ה) שלמה שולחן writes that sorting an item and letting it sit is permitted if the sitting improves the quality and taste of the item. For example, you are allowed to sort (ביד and אוכל מתוך פסולת) in order to prepare a fruit salad a few hours before the meal if the salad's flavor is enhanced when sitting in the juice for a few hours. This, too, is considered "מיד" since the sitting in the juice is necessary for the refined taste of the food. RSZA qualifies this leniency by saying that you are only permitted to do so if this specific preparation could not have been completed before Shabbos. However, if this specific preparation would not affect the quality of the food if done before Shabbos, you are not allowed to prepare it on Shabbos and let it sit. The reason is because if the sitting could have been done before Shabbos, it cannot qualify as מיד, which only includes activities that must be performed shortly before the meal. However, if the food can only achieve the level of taste or quality desired when remaining out on Shabbos, then the sitting is part of the preparation of the food and considered "מיד". In other words, letting an item sit after the initial sorting is

only considered "מיד" if the sitting is crucial for the taste of item and the sorting could not have been done before Shabbos.

Therefore, removing a challah from a messy freezer drawer is forbidden because you need to wait for it to defrost and the removing of the challah could have been performed before Shabbos. However, RSZA writes that if the challah tastes substantially better if it is defrosted right before the meal, you may remove it from the freezer on Shabbos. In a situation where it is prohibited to remove the challah from the freezer, you are allowed to empty all the contents of the freezer and spread them out on the counter in a way where it is no longer considered a mixture (see section D).

Sorting in order to heat up food for Shabbos: The (פ"ג-נו) **ארחות שבת** (17) writes in the name of RSZA that sorting food in order to heat it up on the *plata* on Shabbos morning is permissible since the sitting on the *plata* is essential for the taste of the food and the heating-up could not have been completed before Shabbos. For example, you may remove a piece of meat from congealed fat or small pieces of meat from a soup in order to heat them up (without the liquid) on the *plata*. In the footnote, he adds that RSZA would not allow sorting a drink from a mixture in order to place in the fridge (for example, removing a can of coke from a cooler filled with assorted cans of soda) because the sorting is not being performed for immediate use and you could have placed the drink in the fridge before Shabbos. In contrast, placing food on the *plata* could not have been done before Shabbos; thus, the sorting is considered "מיד" even though the food stays on the *plata* for many hours before consumption.

D. Defining a Mixture & אוכל מתוך פסולת

In the previous two sections we learned two out of the three criteria needed for a permissible sorting – ביד and מיד. Bez"ח, in this section we will discuss the third requirement of "אוכל מתוך פסולת" – "removing food from waste" in a mixture. The S"A in **סעיף ד'** *passkins* that removing פסולת from אוכל is an איסור דאורייתא, and the *Rama* adds that it is prohibited even if it is more convenient to remove the פסולת from the אוכל. In order to discuss the practical applications of אוכל מתוך פסולת, we first need to define two concepts: A) In what proximity do we view items as being "mixed together" (because the prohibition of בורר only applies to mixtures)? B) How do we define "פסולת"? In other words, once we identify two or more items as being *halachically* mixed together, how do we determine which one of them is considered waste? Can "waste" be subjective? In order to answer these questions, we will jump around and learn a few סעיפים in the S"A. We will then apply what we learned from these סעיפים to the very practical and relevant situations that arise weekly.

We will start by answering the first question regarding the proximity of items in a mixture to be considered a "*halachic* mixture." The S"A in **סעיף ג'** *passkins* based on the רמב"ם that the prohibition of בורר applies to two different types of foods that are mixed together. The question that many אחרונים ask is how to define a *halachic* "mixture." The **ערוך השלחן** (שיט-ט) (18) explains that anything that is visibly separate is not considered a mixture.⁴ The **ארחות שבת** (עמ' קלא) (19) writes that it is very

⁴ See *Rama* ג' סעיף – צ"ע. See also ערה"ש סי"ז and (ח"ג-עמ' צז) מסורת משה.

difficult to qualify a “mixture,” but anything that is visibly separate is not considered a mixture. Many times, the size or shape of the items can determine whether the mess in front of you is considered a mixture. For example, if there are a few items in very close proximity, and one of the items is considerably larger than the others, this would not be considered a mixture.

Another relevant source to this question can be found in the *Rama* a few סימנים later. The *Rama* in *סימן שכא-יט* *passkins* that you are only allowed to peel a garlic (or other fruits/nuts) if you intend to eat it right away, but peeling it for later on in the day is forbidden because of בורר. We learn from here that items that are stuck together are also considered a mixture. **RSZA** quoted in (ג-סקצו) שש"כ says this explicitly that the shell of the nut is considered mixed with the nut since they are attached together.

[The ביה"ל ד"ה לקלף asks why it is permissible to peel garlic before the meal if you are removing פסולת from the food? The ביה"ל answers that since this is the only way to reach the fruit, the peeling is considered "דרך אכילה". In other words, when you have two options of how to sort, either אוכל מתוך אוכל, and you choose the removal of פסולת from אוכל, that is considered "דרך ברירה". However, when the only way to access the food is by removing the peel (i.e., the פסולת), it is considered "דרך אכילה" and permitted if done without a כלי and right before the meal.]

The (ג-ג) שש"כ (20) summarizes that the prohibition of בורר applies only if you are sorting items that are actually mixed together or in very close proximity without any specific order (and certainly if they are stuck together). However, if each item is separate from the other, they are not considered *halachically* mixed and the prohibition of בורר does not apply (i.e., you can sort them even by using a כלי, for later in the day and by separating the פסולת).

Now that we have defined the proximity of items required to be considered a mixture, we will answer our second question and define what is considered "פסולת". As mentioned in סעיף ג', the prohibition of בורר does not only apply to mixtures of food and waste, but also to mixtures of two different types of food where you prefer one over the other. The משנ"ב סקי"ב explains that בורר applies to a mixture of two different types of food since the food you wish to eat is considered אוכל and the food that you do not want to eat now is considered פסולת.⁵ Thus, it is viewed as a mixture of good and bad where בורר is forbidden. The *Rama* in סעיף ג' adds that only a mixture of two different types of food can be viewed as a mixture of אוכל and פסולת where בורר is forbidden, but a mixture of one type of food is not considered a *halachic* “mixture” and it may be sorted. For example, you are allowed to sort different sizes of cut fish (from the same type of fish), even without fulfilling the three requirements of a permissible sorting (i.e., even using a כלי for later in the day).

Another relevant source to this question can be found in the *S"A* and *Rama* in סעיף י' who *passkin* that filtering clean water or wine is permitted even if there are small sediments in the liquid since they are drinkable without filtering. The משנ"ב סקל"ד explains that since most people would drink the water/wine with the sediments, we do not view the sediments as a “mixture” and you are allowed to remove them even with a כלי. In other words, even though with a mixture of two types of foods, you are not allowed to sort the food you dislike from the food you like (i.e., it is viewed as אוכל מתוך אוכל),

⁵ See סעיף י' ד"ה ומניח, where the רמב"ם explains differently, but the (שיט-טז) יוסף *passkins* in accordance with the language of the *Rama*.

here it is permitted because we do not view the sediment and the drink as a “mixture.” Rather, it is viewed as one substance with the wine/water where splitting them apart is permitted, just as you are allowed to cut a vegetable it half and it is not viewed as sorting one half from the other. The **ביה"ל ד"ה** **הואיל** writes that for someone who is an **אסטניס** and would never drink unfiltered wine/water, filtering could be considered **בורר**, since for him the sediment is always **פסולת**. For example, **Rav Moshe** in **אגרו"מ (או"ח ח"ד -עג)** *passkins* that someone who occasionally drinks pulped orange juice is allowed to filter out the pulp on Shabbos with a strainer, but if he would never drink the pulp, it is forbidden (see below for other practical applications).

To summarize, it is difficult to define the exact proximity required for items to be considered a mixture. However, if two items are stuck together or if various items look like a mixture, the prohibition of **בורר** applies. Additionally, a mixture of two edible foods is also considered a mixture of good and bad with regards to **בורר** if you do not wish to immediately eat one of the items (since the item you do not wish to eat is considered **פסולת**). However, different sized pieces of one type of food, or liquid that is mixed with sediments (that most drink without filtering) are not considered a *halachic* mixture with regards to **בורר** and separating them is permitted even if the three requirements of **בורר** are not met.

In most *halachic* topics, after one learns the rules, he is able to readily apply them to practical cases. However, with regards to **בורר**, since the definition of a *halachic* mixture is not clearly codified, the **אחרונים** discuss what the halacha should be in an array of cases that arise on Shabbos. Whenever approaching these practical cases, one needs to ask, “are the items close enough to be considered a mixture?” and if yes, “is this a mixture of two separate items or one item (where **בורר** does not apply)?”

Practical applications:

What to do when you need to sort but you cannot fulfill the three requirements of a permissible sorting:

RSZA (21) quoted in the **שש"כ (ג-סק"ו)** *passkins* that since the prohibition of **בורר** only applies to a mixture, if you find yourself in a situation where you cannot sort a mixture in a permissible manner, you are allowed to abolish the mixture by spreading it out on the floor and then sort in any way you see fit. **Rav Moshe** (22) in **אגרו"מ (או"ח ח"ד סימן עד בורר:יא)** *passkins* like RSZA and writes that if you want to set the table well before the meal and your utensils are all mixed up, you are allowed to spread them out across the table, thereby abolishing the mixture.

Utensils: If your forks, knives, and spoons are mixed up and you wish to place them back in their appropriate drawer or to set the table with them, you may spread them out and dissolve the mixture as mentioned above by Rav Moshe. Alternately, the **שש"כ (ג-פה)** *passkins* in the name of RSZA that you are allowed to randomly pick up a utensil and place it in its appropriate drawer or place it where it belongs on the table and continue doing so until all the utensils are put away or the table is set. The prohibition of **בורר** would apply only when sorting out the spoons to put away or to set the table with, and then the forks and then the knives. However, if you randomly pick one up and do not care which one it is, you are allowed to place it in its appropriate place. This is also how Rav Moshe seems to *passkin* in **אגרו"מ (או"ח ח"ד-עד:בורר-יב)**. (If you set the table for the meal immediately prior to the meal, thus qualifying as a case of **מיד**, it would be permitted to sort all the forks and then all the knives.)

Fridge: The (א-כא) **ארחות שבת** (23) *passkins* that items placed side-by-side on a shelf in the fridge are not considered a mixture. However, if they are mixed together, and certainly if they are piled one atop of the other, it would be considered a mixture, just as a messy vegetable drawer is considered a mixture.

Books: **RSZA** (24) in (שיט-ד:ב) *passkins* that books on a bookshelf are not considered a mixture even if it is a set that is out of order (e.g. a ש"ס out of order). Since each book is standing by itself and easily recognizable from the outside, it is not considered a mixture. Similarly, clothing hanging in a closet is not considered a mixture. However, a messy pile of books on the table is considered a mixture and removing one is only permitted if the three requirements of בורר are met. For example, removing a חומש from a bookshelf on Friday night in order to be handy when you wake up in the morning is permitted, but removing the same חומש in the same situation from a messy table with lots of ספרים is prohibited. [In such a situation, you can either disperse the books on the table or you can take the book you want from the mixture and immediately read a little bit from it whereby your sorting of goof (the חומש) from bad (the rest of the books) is used immediately.] **Rav Ovadya** in (ח"ה-לא) and **Rav Yitzchak Yosef** in (סימן שיט הע' פא) *passkins* that books are never considered mixed together since they are easily distinguishable one from the other.

Pickles: The water in a pickle jar is not considered "mixed" with the pickles since they are each easily recognizable. Therefore, you may pour out the water (i.e., the פסולת) from the jar even with the use of a כלי (see (פ"ג-כה) **ארחות שבת** (25)).

Sorting large pieces from small pieces of the same dish: The (פ"ג-לב) **ארחות שבת** (26) writes based on the *Rama* in ג' סעיף ג' that sorting big pieces from small pieces or vice versa on the same dish is permissible. The reason is that it is not viewed as a mixture. Therefore, if you are preparing to serve a kugel and you do not want to serve the small pieces, you are allowed to remove them even with a כלי well in advance of the meal.

Grilled meat and cooked meat: The *משנ"ב* סקט"ו *passkins* that a platter with grilled and cooked (boiled) meat is considered a mixture, even if both were from the same animal or package. Similarly, a platter of grilled meat where some pieces of meat got burned and others were grilled to perfection is also considered a mixture and removing a piece is only permitted if the three conditions of בורר are met.

Dark meat and white meat: The (פ"ג-לג, לד) **ארחות שבת** (27) quotes **Rav Elyashiv** as viewing all the pieces of chicken as "מין אחד" – one type of food where separating them is permitted, but **RSZA** felt that they are considered two different types of foods and separating them is only permitted if the three requirements of בורר are met. The **ארחות שבת** then quotes the **פמ"ג** who writes that if you never eat white meat, everyone agrees that a platter with white and dark meat is considered a mixture.

Brita water filter: We mentioned above that the *S" A* in י' סעיף י' *passkins* that filtering water/wine from sediment is permitted since most people would drink it without filtering; therefore, it is not considered a mixture. However, the *ביה"ל* quotes the **פמ"ג** who writes that an *אסטניס* who would never drink it as is may not filter it. It would seem based on this that someone who only drinks filtered (or bottled) water is not allowed to use a filter on Shabbos. However, the (פ"ט הע' 32) **הלכות שבת בשבת** (28) *passkins* in the name of **Rav Elyashiv** that drinking filtered water is permissible even for an *אסטניס* for two reasons. Firstly, there is no prohibition of בורר when the sorting is not noticeable. Since there is no difference in the appearance of the water between before and after it enters the Brita, the laws of בורר do not apply.

Secondly, the פמ"ג is referring to an אסטניס who would never drink unfiltered water. But today, everyone would take a cup of cold water from the sink if they were extremely thirsty, and even if they would not, they surely would use the unfiltered water when cooking. [It should be noted that the ילקוט יוסף quoted above in section B allowed the use of a tea kettle with a filter in the spout since most people do not mind if there are a few leaves in their tea.]

An important exception to the above rule of the הלכות שבת בשבת may apply in the following case. NYC's water supply is filled with living edible bugs that cause no harm if consumed. There was a big dispute whether drinking these bugs is forbidden and many *passkim* wrote that it is best to install a filter on the sink to avoid drinking the bugs, see bit.ly/SCPwater. Those who follow these *passkim* and do not drink unfiltered water would not be allowed to drink a cup of filtered water from the sink on Shabbos because the two reasons to be מקיל above do not apply. Firstly, when looking closely at the water the bugs are visible. Secondly, those who are מחמיר are considered an אסטניס because they would never drink the water unfiltered (even when cooking). However, even those who are מחמיר can use the water to wash their hands and dishes because for that usage, they do not mind the small bugs. This is the opinion of the שש"כ (פ"ג-ס) and Rav Belsky in (פ"ט-ה) שלחן הלוי, though Rav Schachter allows filtering NYC water even if you would never drink it unfiltered. He brings four reasons for this leniency; we will not discuss all of them, but one is based on the opinion of the חיי אדם who holds that the prohibition of בורר doesn't apply when the reason you do not want the "פסולת" is because of *halachic* considerations (see here footnote 6 for more on this: bit.ly/SCPbugs).

Removing a fruit peel: As mentioned earlier, the *Rama* שכא-יט *passkins* that removing an *inedible* peel right before the meal is permitted. The ביה"ל explains that since there is no way to get to the fruit without peeling it first, removing the peel is considered "דרך אכילה" and permitted if conducted before the meal and without the use of a כלי. RSZA explains that even if there technically is a way to get to the fruit without removing the peel (such as slicing an orange into quarters), you are still allowed to peel it because that is the normal way of eating it, see below (39). Therefore, peeling an egg, orange, banana or an onion is permitted if done right before the meal and without the use of a כלי. (See also ילקוט יוסף (שיט:נח,ס) where he quotes those who are מקיל to peel fruit (but not garlic or onions) even if done well in advance of the meal and concludes that "those who have the custom to be מקיל have upon whom to rely." See his reasoning inside.)

Removing apple peel: The (בורר-ס"ו) אגלי טל (29) *passkins* that since everyone eats the apple peel, we do not view the peel and the "meat" of an apple as a mixture and the laws of בורר do not apply. Therefore, you are allowed to remove the peel even with a peeler (which most *passkin* hold is a כלי of ברירה) and well in advance of the meal. This would be similar to filtering water and wine, where the sediment is not viewed as a mixture since most people drink them together and its removal with a כלי is permitted. The (פ"ג-לד) שש"כ also *passkins* that using a peeler on an apple is permitted, as well as any fruit or vegetable that is eaten with its peel, such as a peach, a pear, and a tomato. [Rav Moshe in (או"ח ח"ד עד-בורר:ח) argues and *passkins* that peeling an apple is just like peeling any other fruit or vegetable from which one discards the peel and is only allowed immediately before a meal and without using a כלי.]

Removing skin of chicken: Rav Moshe (30) in (או"ח ח"ד עד-בורר:ח) *passkins* that the skin of the chicken is considered part of the chicken (i.e., מין אחד) and the requirements of בורר do not apply. On

the other hand, the (פ"ג-סקק"ו) **ארחות שבת** (31) writes that Rav Moshe's *passak* applies only in America where everyone eats the skin with the chicken and the skin and chicken are considered "מין אחד". But in ארץ ישראל, where many people do not eat the skin, the skin is considered a peel where you are only allowed to remove it right before the meal. The (ג-לד) **שש"כ** *passkins* that even in ארץ ישראל the skin is considered מין אחד since most people eat it with the chicken and the rules of בורר do not apply. The (שיט-מ') **ילקוט יוסף** also permits.

Peeling a cucumber: As mentioned, removing peels that are usually not eaten may only be done right before the meal and without a כלי (such as the removal of a cooked potato or banana peel by hand). However, the removal of a peel that is usually eaten with the fruit/vegetable may be removed even with a כלי in advance of a meal since the food and peel are considered "מין אחד", concerning which the prohibition of בורר does not apply. The (פ"ג-צה) **ארחות שבת** (32) *passkins* that since most people do not eat a cucumber with its peel or a carrot with its peel, you are only allowed to remove the peel before the meal and without using a peeler, which is a כלי used for בורר. The (פ"ג-לד) **שש"כ** writes it could be that today people do eat the cucumber with its peel. The (שיט-סא) **ילקוט יוסף** (33) quoting his father, Rav Ovadya Yosef, *passkins* that a peeler may always be used right before the meal. He explains in the footnote that since the act of peeling is permitted (before the meal), a peeler is not considered a כלי for ברירה. Rather, it is considered a convenient knife. Rabbi Ribiat in (בורר הע' 125) writes that he heard in the name of **Rav Moshe** that a peeler is considered a knife and not a ברירה כלי. See also (עמ' שג) **תשובות אביגדור הלוי** where Rav Neventzal quotes **RSZA** that a peeler may be used right before the meal or on items that are eaten with the peel. *Le'masse* you should ask your LOR.

Sticker on challah or on a fruit: The (פ"ג-לה) **שש"כ** (34) *passkins* that a sticker on the challah or a fruit is considered a peel (since it is stuck onto the challah/fruit), and you are only allowed to remove it close to the meal. He adds that it is best to remove it with some challah so you do not rip the letters and to only remove the sticker after "המוציא" so your challah is whole for משנה.

Candy wrapper: The (פ"ג-קז) **ארחות שבת** *passkins* that a wrapper is not considered connected to the candy and removing it well in advance of the meal is permitted. If the wrapper is stuck to the candy, as is the case with many lollipops, then it is considered a mixture and it has the same *halachic* ruling as a sticker stuck on a challah where removing it right before eating is allowed (see also (שש"כ ג-מג)).

Removing seeds from melon: The (פ"ג-לז) **שש"כ** (35) *passkins* that you are allowed to remove the seeds from inside the melon right before the meal. The reason is because the seeds prevent you from eating the melon and they have the same status as a peel. (Bez"ח, in the next section we will discuss the issue of removing pits from food.)

E. Sorting While Eating

The S"A in **ט"ז סעיף ט"ז** *passkins* based on the **רא"ש** that sorting the bad from the good while placing the mixture in your mouth is permitted since this is called "דרך אכילה" and sorting is only forbidden when performed *before* eating. Therefore, you are allowed to drink water mixed with bugs

(which everyone agrees is considered a mixture) by placing a towel on your mouth even though the bugs are filtered with the cloth.⁶ It is clear from the S”A that sorting while the food is entering your mouth (and certainly after it is already in your mouth) is permitted since it is considered "דרך אכילה". Therefore, you are allowed to remove pits and bones from your mouth even though you are removing the פסולת from the אוכל since it is considered "דרך אכילה".

The question is how far can we extend this leniency? Is sorting permitted only when the food is entering/already in your mouth or even if it is sorted on the plate right before entering your mouth? Are you allowed to remove the bones from a fish right before you eat it? Are you allowed to remove pits of a watermelon right before you eat it? Are these situations also considered "דרך אכילה"?

The ביה"ל ד"ה הבורר writes that sorting right before placing the food in your mouth is subject to a מחלוקת ראשונים. The רמב"ן permits removing the פסולת right before eating when the mixture is in your hand, for this too is considered "דרך אכילה". However, the ביה"ל concludes that it is משמע from the S”A in ט"ז that he *passkins* like the רא"ש against the רמב"ן since the S”A only allows sorting while the food is entering your mouth, as is the case with drinking the water mixed with bugs. Therefore, removing bones from a fish before eating it is forbidden since you are removing the פסולת from the אוכל.

It would seem that according to the ביה"ל, the *halacha* is that you are only allowed to remove pits from fruits after the pit enters your mouth. Removing the pit before eating is prohibited since it is considered a standard case of פסולת מתוך אוכל. However, in סימן שכא, the סקפ"ד *משנ"ב* *passkins* like the פמ"ג that you are allowed to remove a pit right before eating when the fruit is in your hand (and he adds that perhaps even removing it right before the meal is also permitted). The (36) שש"כ (ג-סקכ"ח) asks that the *משנ"ב* seems to be contradicting himself! On one hand, the חפץ חיים writes in the ביה"ל that we do not rely on the רמב"ן and removing the bones of the fish on your plate is forbidden. Yet, the *משנ"ב* in סימן שכא allows you to remove the pits of a fruit while it is still in your hand! The שש"כ explains that the answer lies in the סקצ"ט, שער הציון סקצ"ט, where the חפץ חיים explains that with regard to pits of fruits and vegetables, the *משנ"ב* allows removing them before eating because "אי אפשר בענין אחר" – there is no other way to consume the fruit without removing the pit; thus, the removal of the pit is considered "דרך אכילה" and permitted. (See RSZA (39) below who explains that "אי אפשר בענין אחר" means there is no other convenient way to eat the fruit.) In contrast, with regards to eating fish, there are many convenient ways to remove the bones in a permissible manner (as will be discussed below) and it is best not to remove the bones while the fish is on your plate.

The (או"ח -נד:ה) חזון איש argues on the *משנ"ב* that you are not allowed to remove the pits from a fruit before eating. Rather, you should hold the pit in your hand and pull the fruit towards you because only in such a fashion is it considered "אוכל מתוך פסולות". The (37) ארחות שבת (ג-סקקי"ב) explains that the חזון איש felt that since you can pull the fruit towards you or eat around the pit, we do not consider it as if "there is no other way to eat the fruit," as the שעה"צ writes.

⁶ Based on this *halacha* the שש"כ (פ"ג-ו) above allows placing your mouth on the sink's faucet and drinking water directly from it in places such as NYC where you would never drink unfiltered water due to the bugs.

Practical examples:

Removing pits from fruit: Removing pits from peaches, plums, apples, avocados, etc. is subject to the מחלוקת between the משנ"ב and the חזון איש. The משנ"ב permits right before eating (or the meal), while the חזון איש only permits if you remove the fruit from the pit (i.e., אוכל מתוך פסולת) right before the eating/meal.

Removing the stem from an apple, tomato, pepper: There are three opinions concerning this question. Some say (ארחות שבת ג-ק) that it is subject to the מחלוקת between the משנ"ב and חזון איש, where the משנ"ב permits right before eating and the חזון איש only permits if you are pulling the fruit towards you (i.e., אוכל מתוך פסולת). This is how the ילקוט יוסף (שיט-נה) learns and passkins that you are allowed to remove the stem before eating, but "המחמיר תבוא עליו ברכה" those who are stringent like the חזון איש should be blessed. A second approach (איל משולש פ"ו סקק"ס) is that even the משנ"ב would only permit when following the recommendation of the חזון איש (i.e., pulling the fruit towards you, but not pulling the stem out) because the משנ"ב relies on the פמ"ג who permits removing the pits only because "אי" – there is no other convenient way of eating the fruit (see RSZA (39) who explains the פמ"ג in this fashion). Therefore, since you can easily eat the apple with the stem on it, you are only allowed to remove it like the חזון איש (i.e., by holding the stem and pulling the apple towards you). The third opinion is offered by RSZA (quoted in (ג-סקק"ט) (שש"כ), according to which even the חזון איש would allow removing the stem since it is not considered mixed with the apple. *Lema'ase*, everyone agrees that pulling the fruit towards you when removing the stem circumvents any possibility of violating בורר.

Fish bones: The ביה"ל ד"ה מתוך אוכל writes that you should not remove the bones from the fish right before you are about to eat even when the fish is on your plate because you are removing the פסולת from the אוכל. Rather, there are three convenient alternatives:

- 1) Place the fish with the bones in your mouth and then spit out the bone or take out the bone with your fingers. This is permitted since it is considered "דרך אכילה" (based on the S"A in סעיף ט"ז).
- 2) Remove the meat from the bone by pulling the meat towards you, which is considered אוכל מתוך פסולת.
- 3) Remove the entire skeleton of the fish and then suck the meat/juices off of the bones. This is permitted because you are removing the food with some of the פסולת (see next section where we elaborate on this idea).

If none of these options is feasible, those who remove the bones right before eating have upon whom to rely (i.e., the רמב"ן mentioned above). The ילקוט יוסף (שיט-לז) (38) allows removing the bones from a fish during the meal and holds that it is not considered removing אוכל מתוך פסולת. In the footnote, he quotes from his father, the צמח צדק and many others that permit (mainly because they rely on the רמב"ן in conjunction with other opinions that hold that the bones are not considered mixed with the fish, see inside for more details).

Seeds from watermelon: The passkins (ג-יז) שש"כ writes that it is best to take a bite of the watermelon and then spit out the seeds. If this is not possible, he writes that you may shake out the seeds right before eating the watermelon since this is not the normal דרך ברירה. He concludes that those who remove the

seeds by hand right before eating nevertheless have a basis upon which to rely. In the footnote (סקל"ד), he quotes **RSZA** (39) who explains that this case is even more lenient than the case of the fish bones because when eating fish, it is easy to hold the bone and pull the meat towards you, but with a watermelon it is very impractical to hold on to the pit and pull the watermelon towards you. Therefore, since you are removing the pits right before eating and there is no way of removing the fruit from the pits (i.e., אוכל מתוך פסולת), your action is considered "דרך אכילה" and is permitted. RSZA explains that even though there are situations where you could theoretically remove the אוכל from the פסולת, if that is not the normal/convenient way of eating the fruit, you are allowed to remove the פסולת from the אוכל. For example, peeling a banana, an orange or an egg is permitted (right before the meal) even though you could theoretically cut them in half and then remove the food from the outer peel. This is because the removal of the peel is the normal way to eat them and is considered דרך אכילה. So too, in the case of the watermelon, removing the pits before eating is permitted (when you can't spit them out) because it is considered "דרך אכילה" even though you could, with much effort, remove the fruit from the pits.

Rav Moshe (40) in (עד:בורר-ז) – (או"ח ח"ד) *passkins* like RSZA that with regards to fish bones and watermelon, it is best to place the whole thing in your mouth and then remove the bones/pits. However, if this is not possible, such as when serving children, where you are especially worried that they might swallow the bones/pits, you are allowed to remove them right before eating (or possibly the meal), because we may rely on the פמ"ג quoted by the (שכא סקפ"ד) משנ"ב (mentioned above) that removing the pits/bones right before the meal is permitted when there is no other convenient way to eat the food.

To summarize, when removing the bones from fish or pits from fruits, it is best to remove the bone/pits after they enter your mouth. If this is too difficult and there is no way to remove the fish/fruit from the bones/pits (i.e., אוכל מתוך פסולת), or if you are preparing the food for children, you are allowed to remove the bones/pits from the fish/fruit right before eating. It should be noted that the (ג-טו) שש"כ writes that the custom to eat *gefilte* fish on Shabbos originated because holy Jews wanted to avoid the serious בורר questions and possible biblical prohibitions that arise when deboning a fish on Shabbos.

F. Removing the פסולת With Some Food

The *passkins* ט"ז סק"ג that if a fly falls into your drink you are allowed to remove it from the cup using a large spoon, whereby you remove the fly together with some of your drink. The משנ"ב סקס"א understands that the ט"ז permits this because you are not removing the bad from the good. Rather, you are removing the entire mixture. Therefore, anytime you remove a little bit of the food together with the פסולת, there is no prohibition of בורר. The (או"ח-נג) חזון איש argues on the משנ"ב's understanding of the ט"ז and writes that the ט"ז really holds that removing a little bit of food with the פסולת is forbidden. He explains that בורר is forbidden because when removing the "פסולת" you are fixing the rest of the food. Therefore, when you only remove a little bit of food with the פסולת, it is still viewed as fixing the remaining food and is forbidden. It is only permitted when you remove a large chunk of the

food together with the פסולת because in that case, your action is considered as splitting the food in half (and not fixing the remaining food). The חזון איש explains that the ט"ז allows removing the fly with some liquid because the fly is not considered mixed with the liquid that is around it (just like large cubes of ice or pickles in pickle juice are not considered mixed with the liquid). Rather, the mixture is defined as the fly and the liquid that is stuck in between its wings and small nooks. Therefore, if you were to remove the fly alone, some of the drops in the crevasses of the fly would slide off and remain in the cup when the fly is removed, thereby transgressing the prohibition of בורר by removing the פסולת (fly) from the אוכל (the liquid in the fly's crevasses). However, removing the fly with some liquid is permitted because you are not fixing the remaining liquid since it was never mixed with the fly in the first place. All of this is clearly explained in the (עמ' קנג) **ארחות שבת** (41).

The (ה-ה) **שש"כ** (42) *passkins* that if a lemon pit falls into sugar or salad when squeezing lemon juice into them, you are allowed to remove a small amount of the sugar/salad with the pit, but it is better to remove a larger amount with the pit. He explains in the footnote (סקכ"ה) that **RSZA** מחמיר to make sure that when removing some of the good with the bad, you are removing a substantial amount of the good. Similarly, and as mentioned above, according to the משנ"ב you are allowed to remove a bone from fish or meat if the bone will be removed with some meat on it, but according to the חזו"א it is forbidden unless you remove a big piece of meat with the bone. [Some raise the possibility that using a peeler on Shabbos should be permitted because whenever you peel you are also removing some of the food. However, based on the חזו"א and RSZA, this logic will not allow you to use the peeler since they only permit when you remove a large amount of the food with the פסולת. Furthermore, even the משנ"ב would not permit based on this logic (that a peeler is considered removing some of the food with the פסולות), since, on the contrary, it was specifically created to minimize the amount of food that comes off with the peel. (As mentioned in section D, there are other reasons to permit the use of a peeler, specifically for foods that are eaten with a peel.)]

Another נפקא מינא between the משנ"ב and חזו"א is if part of an apple is spoiled and inedible. In this case, the (ג-ג) **שש"כ** *passkins* that carefully cutting the good part off is only permitted if you cut the good from the bad and do so right before the meal. However, if you cut a piece of the good together with the spoiled part, it is also permitted. According to the משנ"ב, you only need to cut a small section of the good part, but according to the חזון איש, you need to cut a big section of the good part. *Lema'ase*, removing an entire mixture with a large section of the אוכל is permitted according to all, and there is also certainly a basis upon which to rely if you wish to remove only a small part of the אוכל with the פסולת.

G. Washing Fruits and Vegetables

[We skipped ה-ז] The *S"A* in **סעיף ח'** *passkins* based on the (קמ.) גמרא שבת that you are not allowed to soak beans (or potatoes) on Shabbos in order to have the dirt that is on them rise to the top or fall to the bottom. You are also not allowed to scrub them with water because in both cases you are removing the פסולת from the אוכל. The **ביה"ל ד"ה דהוה** writes that soaking and scrubbing the beans is in fact an בורר of איסור דאורייתא.

According to this, it would seem that washing fruits and vegetables is forbidden. If so, why is it that everyone washes their fruits and vegetables on Shabbos? Rav Moshe in **אגרו"מ** (או"ח ח"א -קכה) (43) offers a few reasons to be מקיל. Firstly, the S"A only forbids soaking and scrubbing well in advance of the meal, but washing the fruit/vegetables right before the meal is permitted, just like peeling them. Secondly, our fruits are clean even before we wash them and many people would eat them in such a fashion. Therefore, washing is permitted just like you are allowed to filter water and wine that most people will drink without filtering. Lastly, only soaking fruit in water is forbidden because the act of soaking that causes the dirt to rise to the top is considered "דרך ברירה", but washing them under a stream of water is considered "washing" and not sorting.

The (ג-כב) **שש"כ** (44) differentiates between cleaning dirt off the outside of a fruit and cleaning many fruits clustered together where dirt is mixed in between them. In the latter case (such as grapes with a lot of dirt in between them), where the average person would not eat the fruit in this state, you are not allowed to soak them or place them under a stream of water because you are sorting the bad from the good. Rather, you should make sure to wash these fruits before Shabbos. However, washing dirt that is stuck to the outside of the fruit is permitted before the meal because it is similar to removing a peel. Additionally, you are also allowed to clean an apple from pesticide spray and even soak it in disinfecting solution. The reason why soaking is permitted in such a situation (even though it is considered דרך ברירה) is because the pesticide is not visible.

H. Filtered Coffee – French Press

In the olden days, the variety of drinks was very limited and included mainly water, wine, beer and maybe some tea. In order to utilize every last drop of wine in the barrel, the owners would remove the remaining sediment (at the bottom of the barrel) and place it all in a filter. The droplets of wine mixed with the sediment would slowly drip out, granting the owners a few additional cups of wine. The (קלז:) **משנה שבת** (45) teaches that according to the חכמים, placing the sediment/wine mixture on the **משמרת** – filter - is forbidden on Shabbos. **Rashi** explains that the filter was a cloth stretched over the opening of a cup and the sediment/wine mixture was placed on top of it. The **רמב"ם** (46) in פירוש **משניות** explains that a **משמרת** was a filtering sack that would be filled with the wine/sediment mixture, allowing the wine to slowly drip out over time. The **רמב"ם** (quoting the **גמרא**) explains that placing sediment/wine mixture on top of the filter is forbidden because of **בורר** or because of **מרקד**.

The (קלט:) **משנה שבת** (47) teaches another ruling regarding the use of a sediment filter on Shabbos. The Mishna states that if the sediment was placed on the filter before Shabbos, you may pour water on the sediment in order for the water to absorb the flavor of the wine as it passes through the filter. The **פסקי הרי"ד** (48) explains that there is no prohibition of **בורר** when adding water to the filter filled with sediment, since nothing is being sorted out of the water. Rather, the same amount of water that enters the filter leaves it, and the water only changes colors and absorbs some taste.

The S"A in **סעיף ט'** *passkins* like the above two **משניות** that placing sediment in a filter on Shabbos is prohibited, but adding water to sediment that is already on the filter from before Shabbos is

permitted. The **משנ"ב סקל"ג** explains (based on the **לבוש** and **פסקי הרי"ד**) that the water entering the filter is clean and nothing needs to be sorted from it. Rather, the water is only absorbing some of the flavor of the sediment.

Based on this, what is the *halacha* with regard to the use of pour over coffee or a French Press coffee maker on Shabbos? See video: bit.ly/SCPcoffeemaking on the differences between them.

We will first address the question of making coffee using the pour over method on Shabbos. The **משנה** and **S"A** clearly state that pouring water over sediment that was preplaced on a filter before Shabbos is permitted, but placing sediment on the filter on Shabbos is forbidden. If so, it would seem that placing coffee grounds on the filter on Shabbos is prohibited. However, the **פסקי תשובות (שיט הע' 274 (49))** explains that when the **משנה** forbade placing sediment on the filter on Shabbos, it was only if the sediment is moist (i.e., the sediment was mixed with wine). Placing moist sediment on a filter is prohibited because you are causing the absorbed wine to slowly drip out of the sediment. This act of placing the moist sediment/wine mixture on the filter constitutes an act of **בורר**. However, if the sediment/wine mixture is dry, placing it on the filter on Shabbos is permitted because you are not causing anything to be sorted; thus, there is no **מעשה ברירה**. Therefore, placing dry coffee ground in a pour over filter is permitted and subsequently pouring water over it is also permitted, as explained by the **פסקי הרי"ד** (see **שש"כ ג-סד**). There is a separate issue of **בישול** – cooking when you pour hot water on the coffee ground, but **Rav Moshe** in **או"ח ח"ד סימן עד-ה- בישול:טו**) famously *passkim* that a **כלי שלישי** does not cook. According to Rav Moshe, then, you are allowed to pour hot water from a **כלי שלישי** onto the ground coffee to avoid the issue of **בישול** (there are *posskim* who argue on Rav Moshe and forbid the use of **כלי שלישי**).

What is the *halacha* concerning preparing coffee in a French Press on Shabbos? Coffee in a French Press is created by adding hot water to ground black coffee. The ground coffee mixes with the water, but does not melt as with instant coffee. After a few minutes of steeping, a filter is placed in the mixture that “presses” or pushes the ground coffee to the bottom, leaving the top part of the cup with filtered coffee. Is this allowed on Shabbos?

We learned in the **משנה** and **S"A** that simply placing a sediment/wine mixture on a filter is considered an act of **ברירה** since you are causing the wine to be filtered out. Certainly, pressing down the French Press filter on a mixture of coffee grounds and water is an act of **ברירה** and forbidden. If the coffee steeped for a significant amount of time and the coffee grounds settled to the bottom of the glass, you are allowed to push the filter over the clear water because you are not filtering anything. However, if you accidentally push the plunger a bit further down, pushing some of the coffee ground to the bottom, you are in violation of **בורר**. Therefore, the use of a French Press on Shabbos is forbidden when the coffee ground is mixed throughout the water. Even if the coffee settled to the bottom, it is still not recommended to push the filter down for two reasons, one practical and one *halachic*. Practically, pushing the filter down does not achieve anything since the coffee grounds has already settled, and halachically, you may push too far and filter some of the coffee grounds that has not yet reached the bottom. (See amazing article on this topic written by Rav Tsvi Heber of the COR and SCP – Toronto: bit.ly/SCPfrenchpress.)

If placing a mixture of liquid and sediment on top of a filter in order for the liquid to drip out is forbidden, why are you allowed to wash your dishes on Shabbos? When washing dishes, doesn't the water mix with the leftover food and the sink filter then allows only the water to pass through, thereby sorting the larger food particles? Despite this seeming similarity between the cases, the **שש"כ** (יב-יז) (50) *passkins* that washing your dishes is permitted even if the larger pieces are held back in the sink's filter. In the footnote, he quotes RSZA who explains that your only intention when using the filter is to ensure that your drain does not clog. In addition, separating the large pieces from the liquid is not considered **בורר**, as the *Rama* in ג' **סעיף** taught that with one **מין** there is no prohibition of **ברירה** when separating the large pieces from the small ones. Here too, since you will also throw out the large pieces of waste caught in the sink's filter, all the waste is considered one **מין** of **פסולת**, where separating the small pieces (the dirty water passing through the filter) from the larger ones (the food remnants that were stopped in the filter) is permitted. Additionally, **בורר** is only forbidden when the sorting fixes the mixture and enables you to better eat the food or item that was sorted, but here everything is being thrown out.

Similarly, the **ח"ו-יב:ח**) **צין אליעזר** also allows pouring left over chicken soup into the sink even though the liquid passes through to the drain while the chicken and vegetables are filtered out. He explains that since everything will eventually be thrown out the bowl of soup considered one **מין** where **בורר** does not apply. Based on this, if your child leaves over some cereal and milk in the bowl you are allowed to place a spoon at the edge of the bowl and pour out the milk into the sink and then empty the cereal in the garbage. This is permitted because the cereal and the milk are considered waste i.e., one **מין**, where the prohibition of **בורר** does not apply.

I. Pouring Excess Liquid from Cans/Soup

[We learned the beginning of **סעיף** י' in section D and we will be skipping the second half of **סעיף** י' through **יג סעיף**.] The **גמרא שבת** (קלט:) (51) teaches that when **רב פפא** wanted to have beer without the sediment on the bottom of the glass, he would slowly pour the beer from the glass into another cup, making sure that the sediment stayed in the original glass. The **גמרא** asks that this is **בורר** because he is sorting the beer from the sediment. The Gemara (as explained by Rashi) says that since the top half of the beer is clear (without any floating sediment) it is not considered a mixture and you are allowed to pour it out. Only the sediment mixed with the remaining beer at the bottom of the glass constitutes a mixture, and removing the beer from that sediment would violate **בורר**. However, since **רב פפא** was a beer merchant, he did not care about losing the small droplets of beer mixed with the sediment and when he reached the sediment, he would throw out the entire beer/sediment mixture.

The *S"A* in **סעיף** יד *passkins* based on the above Gemara that you are allowed to slowly pour wine with **פסולת** from one glass to another as long as the **פסולת** is at the bottom of the glass and you stop pouring when only a little wine is left, and allow it to remain mixed with the **פסולת**. The **משנ"ב** **סקנ"ד** explains that the wine on top of the sediment is not considered mixed with the **פסולת** and removing it is permitted. The *passkins* based on the **מג"א** that the *S"A* rules that you must stop pouring the wine when you reach the **פסולת** only if you do not plan to drink the wine right away.

But if you plan on drinking the wine right away, it is permitted because you are separating the אוכל – the wine, from the פסולת, for immediate consumption (מיד), by hand (ביד).

The מג"א also teaches that in a case where the פסולת is on top of the mixture, such as where unwanted oil is sitting on top of a salad dressing, you are not allowed to pour out the excess oil from the dressing because that is considered removing the פסולת (the oil) from the אוכל (the dressing). In other words, according to the מג"א, the item that leaves your hand is the item that is sorted. If what leaves your hand is edible and you want to eat it right away, then it is considered as if you sorted out the אוכל (as is the case with the wine and פסולת), but if you do not want to eat the item that was sorted out, then it is considered as if you sorted out the פסולת (i.e., you removed the פסולת from the אוכל, as is the case with the salad dressing).

The שו"ע הרב (52) in his (הלכתא רבתא לשבתא-א) סידור argues on the מג"א that whatever is left in your hand is the item that was sorted. Therefore, if you spill out the part that you do not want to drink and the item you do want to drink remains in your hand, it is considered as if you sorted out the אוכל from the פסולת. However, if you pour out the food and are left with the פסולת, then it is as if you sorted the פסולת from the אוכל. Therefore, when there is a little bit of wine mixed with some פסולת at the bottom of the wine glass, the שו"ע הרב forbids pouring out the wine (even if you plan on drinking it right away) because you are left with the פסולת in your hand and the item that is left in your hand is the item that was sorted. In the flip case, the שו"ע הרב would permit pouring out the excess oil from a salad dressing since the item that was sorted was the item left in your hand and you are left with dressing.

It emerges that according to the מג"א, slowly pouring out wine from a mixture of wine and פסולת (for immediate consumption) is permitted since the item that is being poured out is considered the item that was sorted, while the שו"ע הרב would forbid. Additionally, pouring out excess oil from a salad dressing is forbidden according to the מג"א (even for immediate consumption), but the שו"ע הרב would permit in such a case since the item sorted is what is left in your hand, and the dressing (i.e., the אוכל) is left in your hand.

Lema'ase, most *posskim* follow the מג"א quoted by the משנ"ב that the item leaving your hand is the sorted item. Furthermore, many Chabad *posskim* understand the שו"ע הרב as not arguing on the מג"א, but adding a חומרא to his position, see עמ' 7 רמ"ב.

Practical examples:

Removing excess juice from yogurt or oil from tuna can: The excess juice that is well above the tuna/yogurt is not considered mixed with the food, but the liquid that is right above the tuna/yogurt is considered mixed with the food (see שש"כ פרק ג סקמ"ג). Therefore, according to the מג"א/ב/משנ"ב pouring out the excess juice mixed from the food is forbidden since you are removing the פסולת from the food.⁷ However, if you pour out a little bit of yogurt/tuna with the juice it is permitted based on the משנ"ב's understanding of the ט"ז quoted in section F. The (פ"ג-כ) שש"כ (53) *passkins* like the משנ"ב/מג"א. The same *halacha* applies to removing the excess liquid on top of canned beans, corn or

⁷ Rav Ovadya in (ח"ד-עמ' רכט-רלא) argues saying that pouring out excess water from a yogurt is always permitted because the water is easily distinguishable from the yogurt and they are not considered a mixture.

olives mixed with water, which is permitted, but removing the water lower down that is mixed with the beans/corn/olives⁸ is forbidden since you are removing the פסולת (water) from the אוכל. The פ"ג- (פ"ג-ג) adds what we mentioned in section D that pickles are not considered to be mixed with the water and completely pouring out the water is permitted.

Pouring excess soup out of the ladle: If your ladle is filled with chicken and soup, but you only want to add the chicken to your bowl, the permissibility of pouring out the soup back into the pot depends upon the size of the chicken. If the chicken pieces are big and not considered to be mixed with the soup (like the pickles in the juice), then pouring the soup back into the pot is permitted. The same would apply to large matzah balls in soup – it is permitted to pour out excess soup from the ladle with matzah balls because the matzah balls and soup are not considered a mixture. However, if the chicken pieces are small (or the pieces of matzah ball are cut up or have dissolved into the soup) and are halachically considered mixed with the soup, then pouring out the soup from the ladle is forbidden because you are removing the פסולת (the excess soup) from the אוכל (the chicken). In such a situation you have two options: 1) Pour out the contents of the entire ladle and try once more to only remove the chicken/matzah ball. 2) If there is someone else who only wants soup, you may pour the excess soup into his bowl and then take the remaining pieces of chicken/matzah ball in the ladle for yourself. This is permitted because if someone else is wants the soup, for him it is considered אוכל (and not פסולת).

It should be noted that the (ג-מה) ארחות שבת (54) *passkins* that the prohibition of בורר applies only if you remove the פסולת from the mixture, but pushing the פסולת to one side of the pot is permitted if it still remains part of the mixture (since the prohibition of בורר is only to remove the פסולת). Therefore, if your soup pot is filled with small pieces of chicken and vegetables and you only want the chicken, you are allowed to push the vegetables to one side of the pot and then remove the chicken. The reason is because the פסולת was never sorted from the mixture, but only moved to a different part of the mixture. This application is very relevant concerning a cholent if you only want to take the meat or concerning clothes in a dryer where you are looking for a sock. In both of these situations, you are allowed to move the items that you do not want out of your way if they are still part of the mixture.⁹ Similarly, if you are looking for a key in a key chain, you may push aside the keys you do not want in order to get to the key you want, since the other keys remain part of the mixture.

RSZA in (פסח - פרק י' הע' 36) (55) *הליכות שלמה* goes one step further. He writes that if you are looking for a certain item in a mixture, you are allowed to pick up the items you do not want and temporarily remove them from the mixture in order to find the item you wish to take. For example, if you are looking for a whole *matzah* to be used for לחם משנה in a box of *matzos*, you are allowed to lift the broken top ones in order to find a whole one underneath.¹⁰ Even though you are removing the

⁸ See (ג-כו) ארחות שבת, who writes that a lot of olives in water is considered a mixture, but a few olives in water is not considered a mixture.

⁹ Using a French Press will still be prohibited because the filter prevents the coffee grinds on the bottom of the glass from being remixed with the water on top of the filter. Thus, the coffee grind is considered sorted from the water. In contrast, in the cholent or socks case the other items that were moved to the side are still considered part of the mixture.

¹⁰ The (פ"ג-ג) (פרק י' הע' יא) explains that some hold that a mixture of מותר and אסור of the same מין is considered a mixture with regards to בורר. Similarly, if you want the full matzah for לחם משנה, the mixture of

broken matzah from the mixture (and not just pushing it to the side), it is not considered sorting the פסולת from the mixture since the pieces are still in your hands and you plan to immediately return them to the box. This is similar to the *halacha* of חזרה that as long as the pot is still in your hand, you may return it to the heat source from which it was taken, and we do not view it as if it was completely removed. Therefore, if your coat was placed in a pile of other coats, you are allowed to lift the ones on top while looking for yours since you are still holding them and plan to return them to the pile (see מאור השבת, ח"ג מכתב מ:א).

J. Benefiting from בורר

The S"A in the beginning of שיחן סימן *passkins* that if someone purposely transgresses a מלאכה on Shabbos, he may never benefit from the מלאכה and others may benefit from the מלאכה only on *Motzaei-Shabbos*. If he accidentally transgresses a מלאכה, no one may benefit from the מלאכה on Shabbos, but on *Motzaei-Shabbos* everyone (including the transgressor) may benefit from it. The *passkins* there משנ"ב סק"ז that "במקום הצורך" you can follow the opinion of the א"ג who *passkins* that when someone accidentally transgresses a מלאכה on Shabbos, everyone is allowed to benefit from it even on Shabbos itself.

In the beginning of our סימן, the ה"ד"ה הבורר quotes the פמ"ג who *passkins* that if someone transgressed the prohibition of בורר on Shabbos, he may not benefit from the food. The ביה"ל adds that בדיעבד, you may rely upon the opinion of the א"ג, who *passkins* that if you accidentally transgressed the prohibition of בורר, everyone may benefit from it on Shabbos. Therefore, if you are preparing a salad and accidentally transgress the prohibition of בורר by removing the פסולת from the אוכל, you are not allowed to eat the salad on Shabbos unless you feel it is an important part of the meal. The קצות השולחן (קכה - סקמ"ז) *passkins* that even if you were to return the פסולת to the mixture and re-sort it in a permissible way, you still may not eat from the food since the food becomes intrinsically forbidden when you sort it in a prohibited fashion.

The (גו) שש"כ (57) adds and *passkins* that the prohibition of בורר applies only if you had intended to sort (see משנ"ב סק"ל). Therefore, if you meant to remove אוכל from פסולת but accidentally removed the פסולת from the אוכל, you have not transgressed the prohibition of בורר. For example, if you accidentally pick up a rotten grape from a mixture of grapes, you have not transgressed בורר. In the footnote, RSZA is quoted as saying that you are even allowed to throw away the פסולת and do not need to return it to the mixture.

To conclude this topic, we can suggest that these *halachos* of בורר convey a very powerful message for our day-to-day life: Life is a mixture of good and bad experiences, and our goal is to remove the אוכל from the פסולת – to be able to focus on and benefit from the good in our life, rather than the bad. Additionally, we should immediately focus on that good in our life (מיד); let us not wait around for

broken matzah and full matzah is considered a *halachic* mixture with regards to בורר (and not מין אחד of large pieces and small pieces).



things to improve. Rather, we should focus on all the good we have right now. Lastly, we should personally find and identify the good in our life (ביד); we should not try to figure out the good based on some other intermediary that does not accurately reflect what we should be feeling (the *kli*). May we be *zoche* to implement these *halachos* conceptually and practically!