



- ▶ **Compiled by Moishe Dovid Lebovits**
- ▶ Reviewed by Rabbi Benzion Schiffenbauer Shlita
- ▶ All Piskei Horav Yisroel Belsky Shlita  
are reviewed by Horav Yisroel Belsky Shlita

## Summer Halachos (1)

As the summer approaches, we will discuss many *halachos* which frequently arise during the summer months. The *Satmer Rebbe zt"l* used to say one who goes to the country should remember that although one may be leaving his home, one cannot leave *Hashem*.<sup>1</sup>

### Preparing for *Davening*

One should prepare himself properly before *davening* to *Hashem*.<sup>2</sup> Therefore, one who has played ball etc. must make sure to wash up and change his clothing before *davening* so that it does not look like one just came out of the gym to *daven* to *Hashem* which is not *kovod* for *davening*. Additionally, one should not *daven* with his shirt un-tucked (hanging out of his pants).

### “The *Mezonos* Roll”\*

When traveling in the summer months it is very common for one to want to buy *mezonos* rolls to avoid washing. However, as will be explained below, these rolls are not *mezonos*.

The *Shulchan Aruch*<sup>3</sup> says, (based on the opinion of the *Rambam*),<sup>4</sup> if dough is kneaded with honey, milk or fruit juice, and the fruit juice is recognizable in the bread, the *beracha* on the bread is *mezonos*. The *Rama*<sup>5</sup> disagrees, and says such bread is still called “bread” (and the *beracha* is *hamotzei*) unless there is a lot of fruit juice or spices, in which case the *beracha* would be *mezonos*. The *Mishnah Berurah*,<sup>6</sup> as well as many other *poskim*, maintain that the fruit juice, etc has to be most of the mixture, and one has to actually taste it in the bread in order for the *beracha* to be a *mezonos*.<sup>7</sup> Others say that although it does not have to be most of the mixture, it needs to be a lot.<sup>8</sup>

There is an opinion (that of the *Da’as Torah*)<sup>9</sup> who maintains that if a mixture has mostly fruit juice then one does not need to taste it in the mixture. However, all other *poskim* disagree and one should not rely on this.<sup>10</sup> Furthermore, the *Da’as Torah* is only going according to the opinion of the *Shulchan*

<sup>3</sup> 168:7, see Bais Yosef, Bach, Elya Rabbah 14.

<sup>4</sup> Hilchos Berochos 3:9.

<sup>5</sup> 168:7, see Darchei Moshe 20, Levush 6.

<sup>6</sup> 168:33, 34, see Mishnah Berurah 168:29-31, Taz 7, Be’er Heitiv 11, Aruch Ha’shulchan 23.

<sup>7</sup> Shulchan Aruch Harav 11, Yalkut Yosef 168:12, Chai Moshe page 77.

<sup>8</sup> Aruch Ha’shulchan 22, Orchos Rabbeinu 1:59:page 79, see Piskei Teshuvos 168:10 in depth.

<sup>9</sup> 168:page 90, see Mekor Ha’Beracha 2:11, Shevet Ha’Levi 9:44.

<sup>10</sup> Refer to Mesora 1:pages 32-33.

<sup>1</sup> Halachos Of The Country page 58.

<sup>2</sup> Refer to Mesechtas Shabbos 10a, see Rashi Berochos 25a “avol,” Rambam Hilchos Tefilla 5:5, Bal Haturim Bereishis 25:1-2, Shulchan Aruch O.C. 91:2, 5, 98:4, see Pela Yoetz “levisha” page 365. \* The issue of *Mezonos* Rolls was discussed in a previous issue of *Halachically Speaking* and is repeated here with additional footnotes since it is very applicable in the summer months. This is also true for *Berachos*, Playing Ball on *Shabbos* and Photo chromic lenses.

*Aruch* and not the *Rama*.<sup>11</sup> Moreover the *Da'as Torah* explicitly states that his *chiddush* applies only to specific kinds of juice none of which are currently used in baking. Thus one who uses the *Da'as Torah* as the source for his leniency in *mezonos* bread is actually following only one part of that opinion while arbitrarily rejecting the other. That is an amazing feat more probably the province of jugglers and circus performers than *Rabbonim*.<sup>12</sup>

Some claim that the aforementioned reasoning can be extended to *mezonos* rolls causing their *beracha* to be a *mezonos*.<sup>13</sup> However such reasoning is fallacious and causes thousands of people on a daily basis not to wash and *bentch* properly,<sup>14</sup> since the taste of most items with fruit juice is not significantly different than that of regular bread. Additionally, people eat the roll in order to have the same experience as eating regular bread. It is strange to say that it can be called cake and one can avoid washing by eating this *mezonos* bread,<sup>15</sup>

especially since one is being *kovea seuda* on it.<sup>16</sup> Even *Sefardim* who follow the opinion of the *Mechaber*<sup>17</sup> should wash and *bentch* in this situation since one cannot tell the difference between this bread and other breads.<sup>18</sup>

Additionally, most apple juice is made from concentrate which does not have the same status as complete fruit juice, since water is added to reconstitute the juice.<sup>19</sup> Accordingly, the rolls from a bakery that use apple juice from concentrate, are mostly made with water, and one would be required to wash and *bentch* according to everyone.<sup>20</sup>

In conclusion, the practice of giving out *mezonos* rolls on airplanes and at *simchas* is misleading and improper.<sup>21</sup> “*Mezonos* rolls” are an oxymoron, since *mezonos* and rolls cannot co-exist.<sup>22</sup> This is even if it says on the wrapper that the *beracha* is *mezonos*.

Fortunate are those *hechsherim* which do not allow bakeries to make *mezonos* rolls. Many people think that a *mezonos* roll is a loophole to avoid washing

<sup>11</sup> Mesora ibid, see Binyan Sholom 168:page 225, V'lechticha B'derech page 47:footnote 80.

<sup>12</sup> Horav Yisroel Belsky Shlita.

<sup>13</sup> Refer to Pnei Ha'shulchan pages 31-35, V'sein Beracha page 498.

<sup>14</sup> Horav Yisroel Belsky Shlita as expressed in Mesora 1:page 35, see ibid pages 29-43 for a detailed discussion on this topic, Be'er Moshe 8:36:6, Avnei Yushfei 3:16:5, Vezos Ha'beracha page 20, and pages 208-212 in depth, Natei Gavriel Nesuin 2:26:7:footnote 7, Rivevos Ephraim 1:146:1, 3:109, 8:285:page 164, Chut Shuni Shabbos 1:page 213:2, Zera Yaakov 10:pages 34-39 in depth, Birchos Haneinin (Mezonos) pages 89-90, V'lechticha B'derech page 47:footnote 80, Pischei Halacha (Michtavim) 28:pages 278-279 quoting the opinion of Horav Chaim Kanievesky Shlita, Mekor Ha'Beracha 2:11, Shevet Ha'Levi 8:32, Bais Avi 5:7, Orchos Rabbeinu 1:60:page 80, Kovetz Bais Aaron V'Yisroel 81:pages 93-101, also see 79:pages 106-112, 81:pages 93-101, Madanei Osher 2:17, Binyan Sholom 168:pages 228-229, Toras Haderech 12:15, Shila D'kaita page 343:7, Mekadesh Yisroel (Shevuos) 99 (new). The author of V'ezos Ha'beracha told this author that Horav Elyashiv Shlita holds the *beracha* on these rolls are *hamotzei* in all situations. The Sdei Chemed berachos 1:10:page 246 says if bread is made not to be *kovea seuda* on then one would recite a *mezonos* (Refer to Chai Moshe page 78, Teshuvos V'hanhugas 4:50). However, this is never the case since one always eats the roll as a *seuda* (Horav Yisroel Belsky Shlita, see Mesora 1:page 36). Furthermore, virtually all *poskim* disagree with the Sdei Chemed (Kaf Ha'chaim 168:120).

<sup>15</sup> Refer to V'sein Beracha ibid:footnote 45, see footnote 42.

<sup>16</sup> Horav Yisroel Belsky Shlita, refer to Magen Avraham 168:13, Shulchan Aruch Harav 8, Mishnah Berurah 24, Aruch Ha'shulchan 16, 18, Noam 12:page 364, Igros Moshe O.C. 1:56, 3:32, 4:41, Pischei Halacha (Berochos) michtav 15, see michtav 28, Vezos Ha'beracha page 216:3, Binyan Sholom 168:page 201-203, Sharei Ha'beracha 16:62, V'sein Beracha 2:page 499:footnote 45.

<sup>17</sup> Kaf Ha'chaim 58.

<sup>18</sup> See Vezos Ha'beracha page 19, V'haish Mordechai pages 22-224.

<sup>19</sup> Minchas Yitzchok 9:17, Mesora 1:page 34, Pischei Halacha (Berochos) 8:footnote 22, Vezos Ha'beracha page 19, ibid: Teshuvos 7, Piskei Teshuvos 168:footnote 70, Chai Moshe ibid, Shevet Ha'Levi 8:32, 9:44, V'sein Beracha page 9 (Teshuvos From Horav Shlomo Zalman Aurbach zt"l), Binyan Sholom 168:page 223-224. For a detailed discussion on this topic refer to Kovetz Bais Aaron V'Yisroel 79:page 106-112. Also see Kovetz ibid 85:pages 71-73, Kovetz ibid 87:pages 83-101.

<sup>20</sup> Refer to Journal of Halacha and Contemporary Society Spring 1990:page 39:footnote 19.

<sup>21</sup> Laws Of Berochos page 256, Peshat V'iyun Berochos page 7:footnote 3, Rivevos Ephraim 8:page 164, see 3:109, Journal of Halacha and Contemporary Society ibid:pages 35-45 in depth.

<sup>22</sup> Article from Horav Luban from The OU on this topic.

one's hands and *bentching*. However, in reality this is not the *din* and one must wash and *bentch*.<sup>23</sup>

Many *poskim* say that such rolls should only be eaten during a meal where one has washed on regular bread.<sup>24</sup>

### **Berachos**

Since the following foods are often offered for sale in summer camps, we will review the proper *berachos* one should recite before eating them.

**Regular knishes** – regular knishes which have a thick potato filling surrounded by a thin covering of dough require two *berachos* (*mezonos* and *hadama*). However, **Mom's knishes** which have a much thinner potato filling and are completely surrounded by a thick covering require only a *mezonos*.<sup>25</sup> **Soft pretzel**- If a soft pretzel tastes like bread it requires a *hamotzei* even though it contains mostly fruit juice. Only if the pretzel tastes like cake is the proper *beracha mezonos*. However, this kind we have not been successful in locating.<sup>26</sup>

### **Eating Ices/Ice Cream**

There is a big discussion in the *poskim* whether to consider ices a liquid or a food item.<sup>27</sup> The difference is that a *shiur* of liquid must be consumed quickly in order to make a *beracha*

*achrona* (within about a minute),<sup>28</sup> and if it is a food item one may take up to three-four minutes (according to some *poskim*).<sup>29</sup> *L'maseh*, one should

avoid the uncertainty by eating ices quickly and then recite a *beracha achrona*, or he should eat a different food which is also obligated in a *beracha achrona* and have the ices in mind.<sup>30</sup> Ice cream has the *din* of a food item rather than a liquid.<sup>31</sup> However, one who licks the ice cream does not recite a *beracha achrona* since the correct *shiur* was not eaten in the proper amount of time.<sup>32</sup>

### **Wearing Sunglasses in a Place that Has No Eiruv**

The *Chai Adom*<sup>33</sup> is of the opinion that it is forbidden to walk outside on *Shabbos* with regular corrective glasses in a place that does not have a *eiruv*. The reason is because the glasses might fall off and one will come to carry them in *reshus harabim*. Today this is not the case since glasses are made to fit around the ear and are not susceptible to falling off.<sup>34</sup> Accordingly, one may wear regular corrective glasses on *Shabbos* even in a place that has no *eiruv*.

One who wears sunglasses because the sun hurts his eyes may also wear them on *Shabbos*, even in a place which has no *eiruv*.<sup>35</sup> One who wishes to wear

<sup>23</sup> Refer to Mesora 1:pages 42-43.

<sup>24</sup> Elya Rabbah 14, Ohr L'tzyion 2:12:4. Some say if one wants to be able to taste the bread to see if it is sweet, he should have in mind that he is only tasting it, and not for any benefit. In this situation a *beracha* would not be recited (Refer to V'haish Mordechai pages 226-227).

<sup>25</sup> Horav Yisroel Belsky Shlita, see Be'er Moshe 5:61, V'sein Beracha page 79:footnote 62, Binyan Sholom 168:7:page 222, Pischei Halacha (Berachos) pages 127 and 269.

<sup>26</sup> Horav Yisroel Belsky Shlita, see Laws Of B'rachos page 238:footnote 34, V'sein Beracha page 468. Refer to Vezos Ha'beracha page 468 who maintains it is always a *mezonos*.

<sup>27</sup> Refer to Pri Megadim introduction to *hilchos berachos* page 5 (new), Kaf Ha'chaim 202:14, Be'er Moshe 1:11:2, V'sein Beracha pge 381:footnote 20, Vezos Ha'beracha page 353, see Shar Ha'tzyion 158:16, Aruch Ha'shulchan 202:9, Igros Moshe O.C. 1:75, Horav Shteiff 286:page 295, Nishmas Avraham 612:page 302, Ohr L'tzyion 2:14:18, Yabea Omer 8:25:2, Lehoros Nosson 10:22, Sharei Ha'beracha 14:6:footnote 10 quoting the opinion of Horav Wosner Shlita. Refer to Pnei Ha'shulchan pages 289-295 on this *inyun*.

<sup>28</sup> Horav Yisroel Belsky Shlita, see Shar Ha'tzyion 210:11, Aruch Ha'shulchan 202:8.

<sup>29</sup> Refer to Igros Moshe O.C. 4:41, V'sein Beracha page 247.

<sup>30</sup> Horav Yisroel Belsky Shlita.

<sup>31</sup> Be'er Moshe *ibid*, also 5:65:43:12, Betzel Hachuchma 3:114:6, V'sein Beracha page 381:footnotes 21-22, quoting the opinion of Horav Shlomo Zalman Aurbach zt"l, Piskei Teshuvos 210:2, see Ohr L'tzyion *ibid*.

<sup>32</sup> Be'er Moshe 3:39:18:5, see Mekor Ha'Beracha 7.

<sup>33</sup> Klal Shabbos 56:3, see Keren L'Dovid 91, Mishnah Berurah 301:44, Aruch Ha'shulchan 61, Kaf Ha'chaim 65.

<sup>34</sup> Rav Poalim O.C. 2:48, Minchas Shabbos 84:6, Ketzos Ha'shulchan 115:badi 27, Rivevos Ephraim 2:115:115, 6:215:19, 8:436:23, 521:2, Divrei Chachumim 22:268, see Aruch Ha'shulchan 61. The Shulchan Shlomo 301:7 is of the opinion that maybe one should not walk out with glasses in the rain since one might take them off when they get too wet and dry them, and he will end up carrying them on *Shabbos*. One is permitted to go outside on *Shabbos* with glasses that are tied to a string in a place that does not have an *eiruv* (Rivevos Ephraim 1:227).

<sup>35</sup> Refer to Har Tzvi 1:173, Be'er Moshe 1:17:6, Shemiras Shabbos K'hilchoso 18:18, Oz Nedberu 1:64, Betzel

sunglasses for other reasons (style, etc) may wear clip-on sunglasses which are attached to regular glasses.<sup>36</sup> Other types of sunglasses should not be worn outside without consulting ones *Rav*.

### Walking with a Jacket over one's Shoulders on Shabbos

Since wearing a jacket over one's shoulders is not the *derech* to wear a jacket one may not walk outside in such a manner on *Shabbos* in a place that does not have an *eiruv*.<sup>37</sup> Additionally, there is the possibility that the wind will blow the jacket off his shoulders and he will come to carry the jacket in *reshus harabim*. Although others are lenient in this regard,<sup>38</sup> one should follow the first view stated.

One may not walk outside with a garment wrapped around his waist in a place that does not have an *eiruv*.<sup>39</sup>

### Rolled up Sleeves on Shabbos

There is a basis to permit wearing a shirt with the sleeves rolled up in a place that does not have an *eiruv*.<sup>40</sup> A person who is rolling up his sleeves because he is not interested in wearing a long sleeve shirt may not walk outside with his sleeves rolled up on *Shabbos* because the sleeve is regarded by him as a burden and not part of the garment. However, one who would not wear a short sleeve

shirt for reasons of modesty or the like, and rolls up the sleeves because he feels it is more proper to wear it that way, may walk outside like that on *Shabbos*.<sup>41</sup>

### Muktzah

**A Bathing Suit**- a bathing suit is not *muktzah* since it can be worn even though one is not going to use it for swimming.<sup>42</sup> **Flippers**- Are a *kli sh'melachtu l'issur* and may only be moved if one needs them or their place.<sup>43</sup> **Goggles** and **Snorkels** are also *kli sh'melachtu l'issur*.<sup>44</sup> **Golashes**- are a *kli sh'malchtu l'heter*.<sup>45</sup> **Sunglasses**- are not *muktzah*. The reason is because even according to those who prohibit wearing them in a place that has no *eiruv* agree that they can be worn while indoors.<sup>46</sup> **Fly Swatters** are a *kli sh'melachtu l'issur*.<sup>47</sup> **Fan**- A fan that is operating is a *kli sh'melachtu l'issur* according to many *poskim*.<sup>48</sup> One is permitted to move the mechanical lever on a fan which controls whether or not the fan oscillates, and there is no a problem of *maveir* on *Shabbos* since no electrical current is being switched on or off.<sup>49</sup> One should

<sup>41</sup> Horav Yisroel Belsky Shlita who heard this directly from Horav Moshe Feinstein zt"l. Refer to Migdal Dovid 4:page 1014:528a, The Shabbos Home 1:page 166:footnote 15.

<sup>42</sup> Shalmei Yehuda 13:8:footnote 17 quoting the opinion of Horav Elyashiv Shlita, Rivevos Ephraim 4:97:55. Refer to Ketzos Hashabbos page 159.

<sup>43</sup> Shalmei Yehuda 13:footnote 18.

<sup>44</sup> Ibid.

<sup>45</sup> Shalmei Yehuda 4:footnote 20.

<sup>46</sup> Shalmei Yehuda, Ketzos Ha'shabbos page 180.

<sup>47</sup> Shalmei Yehuda 3:18, Shevet Ha'Levi 3:34, see Shulchan Aruch 308:48, Mishnah Berurah 308:162, Oz Nedberu 9:22, Laws Of Muktzah page 91:footnote 11. One must make sure not to kill the fly in the process (Mishnah Berurah 308:99, Shemiras Shabbos K'hilchoso 25:1, V'Ein Lumo Michshal 5:page 92:14).

<sup>48</sup> Igros Moshe O.C. 3:49, 4:91:5, Shulchan Shlomo 308:footnote 14, Rivevos Ephraim 1:235, 3:261, 5:250, 6:206, 7:292:4, Ketzos Ha'shabbos page 147, Shalmei Yehuda 2:footnote 49, see Ketzos Hashabbos page 147 quoting the opinion of Horav Ben-zion Abba Shaul zt"l.

<sup>49</sup> Horav Yisroel Belsky Shlita, see Shulchan Shlomo 308:footnote 34, Halichos Chaim 2:shabbos 9, Thirty Nine Melochos 4:page 1235. Some say the knob in which one can adjust the speed should be taped down before *Shabbos* (Horav Yisroel Belsky Shlita, see Migdal Dovid maveir footnote 166). Some say it is permitted to place a covering on the fan in order for it not to blow on you on *Shabbos* (Divrei Shalom 4:page 254:38).

Hachuchma 4:4:5, Rivevos Ephraim 2:115:115, 3:226, Yalkut Yosef 301:35.

<sup>36</sup> Yalkut Yosef 301:36, Rivevos Ephraim 3:221, Divrei Chachumim page 96:footnote 268. Refer to Hilchosa Rabbsu L'Shabbos page 74, Vihiy B'nsoa page 154:4.

<sup>37</sup> Horav Yisroel Belsky Shlita, see Shemiras Shabbos K'hilchoso 18:4:footnote 24, Yalkut Yosef 4:page 29:19, Rivevos Ephraim 1:123:14, 6:215:18, 8:436:22, Divrei Chachumim 22:262, The Shabbos Home 1:page 107:footnote 18 quoting this as being the opinion of Horav Moshe Feinstein zt"l, Sharei Ish 1:page 25:18 quoting this as the opinion of the Chazzon Ish. Refer to Shulchan Aruch 301:34, Shulchan Aruch Harav 36, Mishnah Berurah 127, Shar Ha'tzyion 160.

<sup>38</sup> Oz Nedberu 14:14, Tzitz Eliezer 13:33, Bais Avi 2:33, Ohr L'tzyion 2:23:7, Orchos Rabbeinu 1:page 137 quoting the opinion of the Chazzon Ish, Hanhugos of The Chazzon Ish 14:8.

<sup>39</sup> Be'er Moshe 3:62:4, see Shemiras Shabbos K'hilchoso 18:9.

<sup>40</sup> Emes L'Yaakov 301:footnote 337, Be'er Moshe 3:62, Shemiras Shabbos K'hilchoso 18:4.

make sure when moving the fan not to pull out the plug afterwards.<sup>50</sup> One may turn the fan in any direction so that it will blow on him.<sup>51</sup> Some say one who is too cold may turn the fan away.<sup>52</sup> **Sandbox-** A sandbox is not *muktzah* because it has been designated for children to play with. However, water should not be used in a sandbox as this would be a problem of *Losh*.<sup>53</sup>

### Playing Ball on Shabbos

There is a discussion in the *poskim* whether a ball is *muktzah*.<sup>54</sup> Many *poskim* say since today balls are made to be played with they are not *muktzah*.<sup>55</sup> The *Yerushalmi*<sup>56</sup> says that a town was destroyed because of ball playing. The commentaries say it was referring to ball playing on *Shabbos*.<sup>57</sup> Additionally, playing ball takes away from the time that a person is supposed to be learning *Torah*,<sup>58</sup> as

the *Yerushalmi*<sup>59</sup> says “*Shabbos* and *Yom Tov* were given to us to learn *Torah*.” It has become widespread to play all types of ball games on *Shabbos* especially in camps and bungalow colonies. However, doing so is only permitted for young children.<sup>60</sup> Boys over *bar-mitzvah* and girls over *bas-mitzvah* should not play ball on *Shabbos*.<sup>61</sup> Even one who will not be spending his time learning should not play ball on *Shabbos*.<sup>62</sup> The *Kaf Ha’chaim* says anyone who fears *Hashem* will not waste his precious time with ball playing.<sup>63</sup> Some *poskim* permit young children to play Ping Pong on *Shabbos*.<sup>64</sup> Those who do play ball on *Shabbos* must be careful not to play in an area where the ball can roll out of the *eiruv* into a *reshus harabim*.<sup>65</sup>

### Photo Chromic Lenses

Glasses with photo chromic lenses that change colors when exposed to the sun may be worn on *Shabbos* and there is no problem of *tzoveah* (coloring).<sup>66</sup>

<sup>50</sup> Igros Moshe ibid.

<sup>51</sup> Oz Nedberu 8:33:2, Shulchan Shlomo 308:footnote 34, 314:11, Rivevos Ephraim 6:206, Shemiras Shabbos K’hilchoso 13:35, Be’er Moshe 8:31:11, Tiltulei Shabbos page 52:footnote 58.

<sup>52</sup> Rivevos Ephraim 6:206, Laws Of Muktzah page 123, Shulchan Shlomo 308:13.

<sup>53</sup> Horav Yisroel Belsky Shlita, see Shalmei Yehuda 5:13:footnote 19, Be’er Moshe 6:31, Shevet Ha’Levi 9:78:page 539, Birur Halacha 308:38, see Mishnah Berurah 308:143-144.

<sup>54</sup> Refer to Tosfas Beisa 12b “huchi garsinan,” Bais Yosef 308, Shulchan Aruch 308:45, Rama 45, Levush 45, Magen Avraham 72-73, Pri Megadim Eishel Avaraham 72, Elya Rabbah 88, Shulchan Aruch Harav 83, Tosfas Shabbos 308:109, Mishnah Berurah 157-158, Aruch Ha’shulchan 70, Kaf Ha’chaim 257, Ketzos Ha’shulchan 110:10:badi 16, Shemiras Shabbos K’hilchoso 16:8, Yalkut Yosef 4:page 387, Zera Yaakov 28:pages 541-546.

<sup>55</sup> Horav Yisroel Belsky Shlita, see Tiltulei Shabbos page 26:footnote 27, Shevus Yitzchok muktzah page 79 quoting this as being the opinion of Horav Elyashiv Shlita, Shalmei Yehuda 5:8, Shevet Ha’Levi 9:78. Refer to Ohr L’tzyion 2:26:8. In regard to blowing up ball on *Shabbos* refer to Shulchan Aruch 340:8, Mishnah Berurah 33, Piskei Teshuvos 55, Shemiras Shabbos K’hilchoso 34:24, Shulchan Shlomo 313:6:5, 313:7:3:page 168:footnote 17, Nishmas Shabbos 7:328-329, Machzei Eliyahu 69:2, Shalmei Yehuda 5:9:footnote 14.

<sup>56</sup> Mesechtas Taanis 4:5. Refer to Medrash Koheles Parsha 12, Medrash Rabbah Bamidbar parsha 14.

<sup>57</sup> Korbon Eida, Pnei Moshe.

<sup>58</sup> Refer to Torah L’shma 110, Machzik Beracha 290:6, Kaf Ha’chaim 256, Meir L’nefesh pages 2-5.

<sup>59</sup> Shabbos 15:3, see Bais Yosef O.C 288.

<sup>60</sup> Yam Shel Shlomo Beisa 1:34, Elya Rabbah 87, Machtzis Ha’shekel 73, Shulchan Aruch Harav 83, Mishnah Berurah 158, Kaf Ha’chaim 259, Ohr L’tzyion 2:26:8, see Medrash Rabbah Bamidbar 14:4, Rama 518:1, Aruch Ha’shulchan 8. Refer to Matei Moshe 477.

<sup>61</sup> Horav Yisroel Belsky Shlita, see Salmas Chaim 179 (old), Shemiras Shabbos K’hilchoso 16:6, Oz Nedberu 2:4, Nishmas Shabbos 6:417.

<sup>62</sup> Horav Yisroel Belsky Shlita.

<sup>63</sup> 308:259, see Mishnah Berurah 338:21, Ketzos Ha’shulchan 110:16.

<sup>64</sup> Horav Yisroel Belsky Shlita, see Shemiras Shabbos K’hilchoso 16:6, Nishmas Shabbos 6:418, Shalmei Yehuda 5:8, Be’er Moshe 2:27.

<sup>65</sup> Mishnah Berurah 158, Kaf Ha’chaim 258.

<sup>66</sup> Igros Moshe O.C. 3:45, Be’er Moshe 6:46, Betzel Hachuchma 4:4, Yechaveh Da’as 2:47, Machzei Eliyahu 65:24, Shemiras Shabbos K’hilchoso 18:footnote 70, Shulchan Shlomo 320:footnote 29, Rivevos Ephraim 3:221, 3:226, Yalkut Yosef 301:34, 320:15, Orchos Shabbos 1:15:66, Chut Shuni Shabbos 1:pages 149 and 157, Nishmas Shabbos 4:292, Avnei Yushfei 2:39, Tzitz Eliezer 14:31 Betzel Hachuchma 4:4, Yechaveh Da’as 2:47, Machzei Eliyahu 65:24, Zochor V’Shomer page 15, Contemporary Halachic Problems 2:pages 14-15, see Nishmas Shabbos 4:292, Avnei Yushfei 2:39, Klalim Tzoveah pages 360-361. For a explanation on how the lenses change colors refer to Klalim ibid:pages 593-594.

### Asking a Goy to Turn On the Air Conditioning

Since today, many people are accustomed to air conditioning; one who is very hot on *Shabbos* may ask a *goy* to turn on the air conditioning. The reason for this is because doing so involves two *shevusim* (*Amira L'nuchri* and turning on electricity)<sup>67</sup> in a case of *tzar*.<sup>68</sup> One who is too cold may ask a *goy* to turn off the air conditioning.<sup>69</sup> *Horav Moshe Feinstein zt"l* did not allow the use of a timer to make an air conditioner or other electric devices turn on during *Shabbos*, although he did permit using a timer to turn on lighting.<sup>70</sup> However, it has become customary to set a timer before *Shabbos* to make his air conditioner turn on during *Shabbos*.<sup>71</sup>

<sup>67</sup> Refer to Keren L'Dovid O.C. 80, Be'er Moshe kuntres electric 6:4:4. The Chazon Ish holds completing an electrical current is *boneh (d'oraisa)* (O.C. 50:9, Minchas Shlomo pages 93-94).

<sup>68</sup> Horav Yisroel Belsky Shlita, see Lev Chaim 2:68, Chelkes Yaakov 3:139, Be'er Moshe 6 kuntres electric 43, Melachim Amuneich 5:page 121, Minchas Yitzchok 3:23, Shearim Metzuyanim B'halacha 90:20:pages 166-167, Divrei Chachumim page 104:290, Teshuvos V'hanhugos 1:277, Nishmas Shabbos 5:88, 91, Emes L'Yaakov 328:footnote 375. One may turn the vents of the air conditioner to go in the desired direction on *Shabbos* (Bais Avi 3:34, Rivevos Ephraim 3:221, Be'er Moshe 7 kuntres electric 19, Shalmei Yehuda 2:9, Shemiras Shabbos K'hilchoso 13:35, see Divrei Shalom 4:page 254:39 who is stringent). Many *poskim* hold that one may not touch the moveable pieces on a timer on *Shabbos* for any reason (Refer to Igros Moshe Y.D. 3:47:4, O.C. 4:91:5, Shemiras Shabbos K'hilchoso 13:28, Be'er Moshe kuntres electric 6:39, 7:35, 36, Yesodo Yeshurin 4:pages 303-305, Rivevos Ephraim 1:234, 4:246:page 404, Yabea Omer O.C. 3:18, see Encyclopedia Talmudis 18:pages 677-681). Horav Shlomo Zalman Aurbach zt"l was lenient in regard to moving the pieces on a timer to make an air-conditioner remain on for a longer period of time (Minchas Shlomo 2:23). As far as the *muktzah* status refer to Shalmei Yehuda 2:6:footnotes 30-35, Rivevos Ephraim 1:240, Be'er Moshe kuntres electric 6:36, Nishmas Shabbos Electric 77, 6:398.

<sup>69</sup> Igros Moshe O.C. 3:52, Nishmas Shabbos 5:92, Halachos Of The Country page 75.

<sup>70</sup> Am Hatorah 1:9:pages 8-10, Igros Moshe O.C. 4:60, Divrei Chachumim ibid. Refer to Rivevos Ephraim 3:248. See Chai Ha'Levi 4:8:2, Zera Yaakov 25:pages 146-164 in depth on the topic of *Shabbos* timers.

<sup>71</sup> Zekan Aaron 2:15, Chazon Ish O.C. 38:2, Pri Hasadeh 1:81, Be'er Moshe 6:128:5, 7 K.A. 71, Minchas Osher 2:88-89, Divrei Shalom 6:62:page 85, Nishmas Shabbos 6:396-397, Shulchan Shlomo 313:7:4, Migdal Dovid 1:page 83:footnote 586 says this is the *minhag haolam*.

### Using a Water Cooler/Water Fountain on Shabbos

One may use a water cooler or water fountain<sup>72</sup> (even when it is plugged in) on *Shabbos* if he is lenient in regard to opening a refrigerator on *Shabbos* (even if the motor is off).<sup>73</sup> The same would apply to changing the water bottle on top of a water cooler on *Shabbos*.<sup>74</sup>

### Tevilas Keilim

Below is a short list of items that one tends to use more often in the summer and how they apply to *tevilas keilim*.

- ◆ The grates of a **Disposable Grill** which are made from hard metal should be *toveled* without a *beracha*.<sup>75</sup>
- ◆ **Can openers** do not require *tevilla*.<sup>76</sup>
- ◆ **Tongs** should be *toveled* without a *beracha*.<sup>77</sup>

<sup>72</sup> Horav Yisroel Belsky Shlita, see Be'er Moshe 6:58, Rivevos Ephraim 3:248:page 145, 5:534:1, Nishmas Shabbos Electric page 85.

<sup>73</sup> Those who permit the opening of a refrigerator even if the motor is off are the Minchas Shlomo 1:10, Shulchan Shlomo 1:277:1, Tzitz Eliezer 8:12, 12:92, Yalkut Yosef Shabbos 5:pages 201-202, Nishmas Shabbos Electric 36 in depth. Rivevos Ephraim 3:590:24, this is the opinion of Horav Moshe Feinstein zt"l quoted in The Shabbos Home 2:page 482 (although in the teshuva he says the opposite). The following *poskim* maintain opening a refrigerator is not allowed if the motor is off, Edos L'Yisroel pages 122, 151-153, Igros Moshe O.C. 2:68, Mishnas Rav Aron 4, Har Tzvi 1:151, Chelkes Yaakov 1:54, 2:47, 3:179, Shemiras Shabbos K'hilchoso 10:12, Minchas Yitzchok 2:16, 4:64:2, Bris Olom page 78, Oz Nedberu 1:59, 2:36:3, Be'er Moshe kuntres electric 6:4-6, Yaskil Avdi O.C. 5:36, Yabea Omer O.C. 1:21, Shalmei Yehuda page 55:footnote 66 quoting the opinion of Horav Elyashiv Shlita, Kovetz Bais Aron V'Yisroel 87:pages 102-107, see Rivevos Ephraim 3:248 in depth. The Chazon Ish holds a refrigerator may not be opened on *Shabbos* if it runs on a thermostat (Chut Shuni Shabbos 1:pages 199-201). Some say one should open a refrigerator with a *shinu* (Teshuvos V'hanhugos 1:222, see Teshuvos Horav Shteiff 66:page 66).

<sup>74</sup> Horav Yisroel Belsky Shlita, see Nishmas Shabbos Electric pages 85-87.

<sup>75</sup> Horav Yisroel Belsky Shlita. Refer to Tevillas Keilim 11:34.

<sup>76</sup> Horav Yisroel Belsky Shlita, see OU document A-66, Avnei Yushfei 1:147:2.

<sup>77</sup> Refer to Article from the OU on this *inyun* from Horav Forst Shlita.

- ◆ **Aluminum pans** which are thrown out after use do not require *tevilla*.<sup>78</sup> Although some say one should *tovel* aluminum pans without a *beracha*,<sup>79</sup> it is not the *minhag* to do so. One who wants to use an aluminum pan more than once does not need to *tovel* it because the *Yid* is the one who is making the pan into a permanent utensil.<sup>80</sup> Others say one should *tovel* it without a *beracha*.<sup>81</sup>
- ◆ **Potato Peelers-** potato peelers should be *toveled*, without a *beracha*.<sup>82</sup>

### Calling a Woman by Her First Name

In bungalow colonies men tend to be in the presence of women more frequently than during the rest of the year. One should not call other peoples wives by their first name. One can be lenient in regard to relatives such as his aunts or cousins. Unfortunately, many people are not careful with this and it leads to an excess of familiarity. *Tznius* is something that is learned, and the best way to promote an elevated level of *tznius* is to be extra stringent in a summer related setting such as bungalow colonies etc. One should use *chuchmah* and *seichel* to avoid putting himself into potentially harmful situations. Tiny breaches, if not controlled, can be openings for dangerous situations. Therefore, one should talk in a manner that reflects *tznius* and self control.<sup>83</sup>

### Tzar Baley Chaim – Paining Animals

During the summer, insects often make their way into homes and bungalows where they can be very annoying. Many *poskim* say there is no *issur* to kill insects or flies (during the week) which are bothersome to a person.<sup>84</sup> One is permitted to hang up sticky paper on the wall,<sup>85</sup> or to use an electric fly killer.<sup>86</sup> On *Shabbos* one is permitted to put insect repellent on his hands before going outside on *Shabbos* to avoid being injured by insects.<sup>87</sup>

One should teach his children not to pain animals.<sup>88</sup> This is very common in the summer when children play near ponds etc or with insects and small animals.

### Buying From a Jewish Store vs. a Non-Jew

There is a *mitzvah* for a person to help support his fellow Jew.<sup>89</sup> Included in this *inyun* is buying from a Jewish owned store instead of a non-Jewish owned one. If the Jew charges 1/6 more for his products then there is no obligation to buy at the Jewish store over the non-Jew.<sup>90</sup> However, if there is only a small difference in price then there is a *mitzvah* to buy from the Jew.<sup>91</sup> Some say even if the

---

The custom is to be lenient in regard to calling a non-Jewish woman by her first name (Horav Yisroel Belsky Shlita). Refer to Yisroel Kedoshim pages 165-169. Refer to Sdei Chemed chof:120:page 203, Darchei Chaim V'sholom page 372:1063, Minchas Elazar 3:13, Bais Avi 2:121, Betzel Hachuchma 4:70 Yismach Lev 1:pages 255-256, if a man can call his wife by her name.

<sup>84</sup> Refer to Sefer Chassidim 831:page 480, Sheilas Yaavetz 110:page 58, Chaim V'sholom 1080, Igros Moshe C.M. 2:47:1, Shevus Yaakov 2:45, Nodeh B'yehuda Y.D. 2:10, Teshuvos V'hanugos 2:726, Nefesh Kol Chai 3:footnote 5, see Toldos Yaakov Y.D. 33 in depth.

<sup>85</sup> Horav Yisroel Belsky Shlita, see Halachos Of The Country page 13:footnote 23, V'ein Lumo Michshal 5:page 93, Vihiy B'nsoa page 238:1. Refer to Ezer Mekodesh E.H. 5:14, Yad Ha'Levi C.M. 10:page 395.

<sup>86</sup> Horav Yisroel Belsky Shlita, see Avnei Yushfei 1:80:1.

<sup>87</sup> Horav Yisroel Belsky Shlita, see Ketzos Ha'shulchan 138:page 199 "ney," Be'er Moshe 2:23:4, Avnei Yushfei 1:80:1, 2, Horav Eider Shlita (Dosh) page 107:footnote 219.

<sup>88</sup> Nefesh Kol Chai 2:17.

<sup>89</sup> Refer to Rashi Parsha Behar 25:14, Rabbeinu B'Chai 25:14, Chinuch mitzvah 337, Rama Y.D. 249:6, Ahavas Chesed 5:6.

<sup>90</sup> Horav Yisroel Belsky Shlita, Nisiv Hachessed 12, see Maharam Shik C.M. 31, Minchas Yitzchok 3:129.

<sup>91</sup> Horav Yisroel Belsky Shlita, Nisiv Hachessed 7, Be'er Moshe 2:120, Minchas Yitzchok ibid.

<sup>78</sup> Horav Yisroel Belsky Shlita, see L'Torah V'horah 2:page 41, Igros Moshe Y.D. 3:23, Kinyan Torah 1:51:1, Oz Nedberu 7:71, Minchas Yitzchok 5:32, Yeishiv Moshe 1:111, Teshuvos V'hanugos 3:259, Shraga Hameir 2:83, Minchas Osher Y.D. 2:5, Divrei Chachumim page 189:37, Shalmei Moed page 515, Pischei Halacha Kashrus (Hebrew) page 60:20, Tevilas Keilim 1:7:footnote 10, 11:148, Chelkes Binyomin Y.D. 120:69.

<sup>79</sup> Pischei Halchos Kashrus (Hebrew) page 109 quoting the opinion of the Be'er Moshe, Tevilas Keilim pages 243-244 teshuva from Horav Yaakov Kamenetsky zt"l, Emes L'Yaakov Y.D. 220:footnote 51, see Teshuvos V'hanugos 4:192.

<sup>80</sup> Horav Yisroel Belsky Shlita, see Chelkes Binyomin ibid.

<sup>81</sup> Refer to Tevilas Keilim 1:7:footnote 10 in depth. The Star-K holds an aluminum pan used more than once requires *tevilla* with a *beracha*.

<sup>82</sup> Horav Yisroel Belsky Shlita, see OU document A-66, Avnei Yushfei 146:1.

<sup>83</sup> Horav Yisroel Belsky Shlita, see Bach E.H. 21, Taz 21:1, Ben Yehuyoda Sotah 2a:page 109 (new), Divrei Chachumim page 256, Rivevos Ephraim 6:402:page 440, Sharei Halacha U'minhag E.H. page 147, Teharas Hamisphacha page 240.

non-Jews prices are a lot cheaper one should still buy from the Jew.<sup>92</sup>

This *inyun* is very common in the summer where there are small Jewish stores competing with big non-Jewish owned stores such as Wal-Mart®. Since Wal-Mart® is much cheaper on products one may buy at their store. One should try to buy a few products at the Jewish store as well, if the store owner is counting on the money he makes over the summer to be his *parnasa* for the whole year.<sup>93</sup>

### Copyright Issues

During the summer months it is very common to listen to more music than usual while walking, driving, or doing any other activities. Therefore, it is proper to discuss what one is and what is not permitted to copy as far as music CDs and tapes are concerned. One should not say that copying is permitted. That which many people justify copying by saying “everyone does it” is not an excuse for stealing from music producers and artists. Many people are accustomed to copying music from a friend’s iPod®. This is 100% stealing and against *halacha*.<sup>94</sup> Every CD that is copied steals at least five dollars from the producers. If all the money lost on the CDs that are copied would be added up the producers etc. are losing a lot of *parnasa*, despite their investing a lot of time and money to create something that the public is interested in. One wonders why some people who are very stringent to keep every custom even when it may have little backing in *halacha* are so lenient with this *halacha* which is based on the *posuk* in the *Torah* of “לֹא תִגְנוֹב.”<sup>95</sup>

A CD or tape which is no longer sold in stores and is not possible to buy may be copied from a

friend.<sup>96</sup> However, one must make sure that the item is really not available for purchase. Many old tapes are still being sold online (by the original producer or someone who bought the rights to them). One who owns a CD or tape and is scared it may get lost is permitted to copy it. One who had a CD or tape which broke may make a copy of it from a friend. One who owns a CD or tape may make a copy of it for personal use. For example, he may make a copy for his car, since it can be assumed that the one would not buy another copy of the CD or tape for his car, so no loss is being caused by the copying.<sup>97</sup> A CD or tape may be copied for all the people in one’s house, as long as they actually live at home. However, once a child gets married a copy may not be made for that child. It is permitted to copy a song off the radio since the quality is not as good as it would be if one were to buy the CD or tape. Music that is offered on the internet may not be copied since it is only put there for one to listen to.<sup>98</sup> Some producers maintain that the forty-five second clips that are offered on the internet may be copied. Copying a CD or tape is forbidden even if one would never buy the CD or tape.<sup>99</sup>

### Car Safety

Based on the *posuk* “וּנְשַׁמְרֶתֶם מְאֹד לְנַפְשֵׁיכֶם”<sup>100</sup> one is required to drive safely.<sup>101</sup> Before the summer, when one tends to drive a lot more than during the year, it is a good time to review this *halacha*.

Some say going much faster than the speed limit is included in the aforementioned *issur*.<sup>102</sup> Since one who speaks on a telephone while driving is putting himself in grave danger, doing so is also included in this *issur*. One who has a speaker phone or blue-

<sup>96</sup> Refer to Igros Moshe O.C. 4:40:19.

<sup>97</sup> Refer to Rivevos Ephraim 4:248, 3:596.

<sup>98</sup> All the above *halachos* are the *pesakim* of Horav Yisroel Belsky Shlita. Refer to Pischei Choshen Geneva/V’onah 9:footnotes 26-27.

<sup>99</sup> Horav Yisroel Belsky Shlita. One is not allowed to copy even one song from many CDs or tapes to make a mix (Horav Yisroel Belsky Shlita). If one who copied a CD or tape despite not being allowed to do so may listen to it in any case refer to Rivevos Ephraim 8:158:9. See V’Yan Dovid 2:226.

<sup>100</sup> Devarim 4:15, Yehoshua 23:11.

<sup>101</sup> Meir Nisivim page 20.

<sup>102</sup> Shevet Ha’Levi 6:112:1:4, Meir Nisivim page 211.

<sup>92</sup> Teshuvos Rama 10, see Tashbatz 3:151 pages 26-26b (old). Refer to Teshuvos V’hanugos 1:805, see 2:724. There is an uncertainty whether or not a Jew has to buy from a Jew whose store is further than the non-Jewish store. (Halachos Of The Country page 24:footnote 18).

<sup>93</sup> Teshuvos V’hanugos 1:805.

<sup>94</sup> Horav Yisroel Belsky Shlita. Refer to Igros Moshe O.C. 4:40:19, Yabea Omer C.M. 7:9, Mishnas Zechuyos Hayotzer pages 81-86, Nezer Ha’chaim page 220:171, Journal of Halacha and Contemporary Society Spring 91 (number 21).

<sup>95</sup> Parshas Yisro 20:13.



## Halachically Speaking

tooth headset, etc may talk on his cell phone.<sup>103</sup> One should not have his inside light on during the night since it is bothersome for drivers who are passing by.<sup>104</sup> Any time one is in a car whether as a driver or a passenger he has an obligation to wear a seatbelt at all times.<sup>105</sup> One should also insist that his passengers wear seatbelts.<sup>106</sup> Those who wear seatbelts are three times more likely to survive a car crash than those who are not wearing them. One should make sure that he is awake and alert before driving, and if not one should sleep before going on the road.

---

<sup>103</sup> Meir Nisivim pages 54, 211.

<sup>104</sup> Meir Nisivim page 55. Refer to Shevet Ha'kehusi 5:241.

<sup>105</sup> Meir Nisivim pages 67, 136, 138, Rivevos Ephraim 8:128:7, Madanei Shlomo (Moadim) page 145.

<sup>106</sup> Meir Nisivim page 69.

**-Sponsored-**

רפואה שלמה  
חנה חיה  
בת  
מזל  
פנחס

**-Sponsored-**

רפואה שלמה  
רחל  
בת  
פעסיל  
פנחס

**-Sponsored-**

לזכר נשמת  
מרת יענטא בת ישראל חיים  
הרב משה בן יששכר בעריש  
הרב יעקב אריה בן שבתי  
פנחס

**-Sponsored-**

לזכר נשמת  
הרב נתן אליהו  
בן  
הרב מרדכי זצ"ל  
פנחס

**-Sponsored-**

לרפו"ש  
שרה  
בת גיטל  
פנחס

**-Sponsored-**

לע"נ  
יוסף אריה ע"ה  
בן  
יבלחט"א אליעזר אהרן הלוי  
פנחס

**Halachically Speaking**

► *Halachically Speaking* is a weekly publication compiled by Moishe Dovid Lebovits, *chaver kollel* of *Kollel Nachlas Dovid* in *Yeshiva Torah Voda'as*.

► In each issue a different area of contemporary *halacha* is reviewed with an emphasis on practical applications of the principles discussed. Significant time is spent ensuring the inclusion of all relevant *shittos* on each topic, as well as the *psak* of *Horav Yisroel Belsky, shlita* on current issues. Detailed footnotes are provided for further study.

**Subscriptions**

► For a weekly email subscription to *Halachically Speaking*, please send your email address to [mdl@thehalacha.com](mailto:mdl@thehalacha.com). A nominal fee will be charged.

**Sponsorship Opportunities**

► *Halachically Speaking* is distributed to over 40 *shuls* in Brooklyn reaching over 1000 readers on a weekly basis. Your generous sponsorship will enable us to expand the scope of this project. For more information on sponsorship opportunities please call: 718.744.4360.

© Copyright 2007  
Moishe Dovid Lebovits.  
All rights reserved.