

Halachically Speaking

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

Avoiding Danger

Sponsored

לרפואה שלמה חנה חיה בת מזל
לז"נ יענטא בת ישראל חיים לז"נ משה בן יששכר בעריש לז"נ יעקב אריה בן שבת
לרפו"ש אפרים בן מרים רות לז"נ אברהם בן אשר זעליג

Many people do dangerous activities thinking that it is permitted even though it is dangerous. However, as will be discussed below this is not so.

If something is dangerous a person has a *mitzvah* to remove himself from it.¹ Many *poskim* say that if one does not guard himself from danger, he has transgressed a *mitzvah d'oraisa*,² while other *poskim* say it is a *d'rabbonon*.³ The *Mesillas Yeshorim*⁴ writes that if one does not treat his body with the appropriate respect he is a *shotah*. The *Sefer Chassidim*⁵ says one who places himself in a dangerous situation will have to give a *din* and *chesbon* to *Hashem* why he did so. The *Ritvah*⁶ says one should not eat any food that is bad for him. The *Chinuch*⁷ says the reason why one may not bring danger to himself is because *Hashem* gave you a *nefesh* which resides within your body. To protect your *nefesh* you are commanded to protect your body. The *Be'er Hagolah*⁸ says *Hashem* created the world with kindness for the purpose of doing good to his creations. If one puts himself in danger he is implying that he does not want the good that *Hashem* gave him. There is no greater *apikores* than such a person. Many people will not do something which is *ossur*, but *Chazal* tell us that something which involves danger is greater than something which is *ossur*.⁹ Whoever does dangerous things to himself and destroys himself has no *olom haba*.¹⁰ A person may not say "I will go to a place or do something dangerous and

¹ Rambam Hilchos Rotzeach V'shemiras Nefesh 11:4-5, Sefer Sharei Teshuva 3:82, Shulchan Aruch C.M. 427:8, Levush C.M. 116:57, Ben Ish Chai Pinchus 2:10, Shulchan Aruch Harav Shemiras Haguf 4, Aruch Ha'shulchan Y.D. 116:1, Pela Yoetz Shemirah:pages 577-579 (new), Kovetz Igeres (Chazzon Ish) 1:136:page 140, Shevet Ha'Levi 6:111:1.

² Based on the *posuk* in Devarim 4:9. Refer to Levush C.M. 116:57, Pri Megadim M.Z. 84:2, Tevuas Shor 13:2, Shulchan Hatohar C.M. 427:9, Aruch Ha'shulchan C.M. 427:8, Bais Yehuda Y.D. 25, Shem Aryeh Y.D. 27, see Yabea Omer Y.D. 1:8:4, Al Pi Hatorah (Shemos) page 343.

³ Be'er Hagolah C.M. 427:70, Chinuch mitzvah 546, Chai Adom 16:24, Divrei Malkiel 4:62, see Levush Y.D. 116:1, Me'am Loez Devarim pages 1:232-240. The Betzel Hachuchma 4:118 differentiates between what type of danger it is.

⁴ 11:page 58.

⁵ 675.

⁶ Mesechtas Shavuos 27a.

⁷ mitzvah 73.

⁸ C.M. 427:10.

⁹ Mesechtas Chullin 10a, Rama Y.D. 116:5, see Shulchan Aruch 173:2, Imrei Eish Y.D. 60, Shemiras Haguf V'hanefesh page 63. Chaim L'lo Ishan pages 74-76.

¹⁰ Mesechtas Gittin 57b.

a miracle will happen,” because maybe a miracle will not happen to him.¹¹ Although many dangers mentioned in *Shas* are not brought in *halacha* the *Stiepler zt”l* was careful with all of them.¹²

Fish and Meat

One who eats fish and meat that were cooked together is putting himself in danger.¹³ Some say that one should not roast the two together either.¹⁴ There is no difference if the meat is of chicken or of an animal.¹⁵ *B’dieved* if the food only has *reich* (one of the pots were covered) it is permitted,¹⁶ but even *b’dieved* the food is forbidden if they were cooked or roasted together in the same pot.¹⁷ One should not deep fry chicken and fish in the same oil.¹⁸

Sixty Times

There is a big dispute in the *poskim* if *bitel b’shishim* in other foods. Some *poskim* say *bitel b’shishim* does not help by things which are dangerous,¹⁹ while most say it does help.²⁰ The custom seems to be like the second opinion.²¹ This has ramifications in Worcestershire sauce. Therefore, when placing this barbeque sauce over meat one should be stringent, however when placing it on chicken one may be lenient. (The OU gives a *hechsher* on this sauce because it can be used for many things, and not exclusively for meat. If it is not *butel* in 60 then they require the word “fish” to be on the bottle, if there is 60 then they just leave anchovies on the ingredient panel because of the *poskim* who are *machmir*).²² The same applies to Marshmallows which are fish based that is put onto meat which has a *hechsher* from the OU.²³ One who is preparing the fish for *Shabbos*, and a piece of meat falls into the pot, if one takes out the meat right away and there is *shishim* it may help to permit the fish.²⁴

Two People eating Meat and Fish on the Same Table

A *heker* must be placed between two people when one eats meat and the other dairy in situations where there would be a tendency to share food.²⁵ No such *heker* is required by meat and fish.²⁶

¹¹ Mesechtas Shabbos 32b.

¹² Shemiras Haguf V’hanefesh 265:page 756.

¹³ Mesechtas Pesachim 76b, Shulchan Aruch Y.D. 116:2, Chuchmas Adom 68:1, Tov Yehoshua page 109:82, Kaf Ha’chaim O.C. 173:9, Y.D. 116:15, The Magen Avraham O.C. 173:1 says today maybe it is different (see Darchei Teshuva Y.D. 116:16, Mishnah Berurah O.C. 173:3, Aruch Ha’schulchan Y.D. 116:10, V’ein Lumo Michshal 4:page 96:6).

¹⁴ Rama Y.D. 116:2, Shach 1, Taz 3,

¹⁵ Pischei Teshuva 2, Darchei Teshuva 116:25, Ben Ish Chai Pinchus 2:8, Kaf Ha’chaim 116:11, Rivevos Ephraim 3:493, Chelkes Binyomin 116:9. Some are lenient if it is chicken (Birchei Yosef in Shiurei Beracha Y.D. 116:8).

¹⁶ Rama ibid, Darchei Teshuva 19, Aruch Ha’schulchan 10, see Shach 1, Taz 3, Chuchmas Adom 68:1, Ben Ish Chai Pinchus 2:8, refer to Kaf Ha’chaim Y.D. 116:21-23.

¹⁷ Taz 2, Pri Megadim Eishel Avraham O.C. 173:1, Darchei Teshuva ibid.

¹⁸ Divrei Shalom 4:piskei halachos (end of sefer) 112:page 262, Daver Charif 15:footnote 3.

¹⁹ Refer to Taz 2, Darchei Teshuva 21, Elef Lecha Shlomo Y.D. 137.

²⁰ Nekudas Hakesef on Taz 2, Pischei Teshuva 3, Pri Megadim O.C. M.Z. 513:2, Chuchmas Adom 68:1, Chasam Sofer Y.D. 101, Aruch Ha’schulchan Y.D. 116:10, Kaf Ha’chaim 12, Pe’as Sudcha 1:86:3, Shevet Ha’Levi 6:111:3:2, Yalkut Yosef 87:90, Daver Charif 15:footnote 8, Shemiras Haguf V’hanefesh page 5 in the footnote, Yabea Omer Y.D. 1:7, Chelkes Binyomin 116:18.

²¹ Horav Yisroel Belsky Shlita.

²² Horav Yisroel Belsky Shlita. Refer to OU Documents F-41 and F-42.

²³ OU Document H-41.

²⁴ Divrei Malkiel 2:53, Shevet Ha’Levi 6:111:3:5.

²⁵ Shulchan Aruch Y.D. 88.

²⁶ Shevet Ha’Levi 6:111:3:1, Yalkut Yosef 87:84, Hechsheiros 18:footnote 40, Chelkes Binyomin biurim “sh’lo.” See Darchei Teshuva Y.D. 116:13, and Kaf Ha’chaim O.C. 173:6, Y.D. 116:35 who are stringent.

Fish cooked with Meat

Many women do not have separate pots for fish and meat. Sometimes one cooks fish in a meat pot or meat in a fish pot that was used with heat within twenty-four hours. The question arises what the *din* is with the pot. Most *poskim* say that the food is permitted if the pot was washed out well.²⁷ Some *poskim* say a *minhag* of some women to have a separate fish pot, obviates this question.²⁸ One does not have to keep separate utensils for both meat and fish.²⁹ Some say if one used a fork for fish and wants to use it for meat he should wash off the fork beforehand.³⁰

Cooked Fish and Meat in a Pot

If one cooked fish and meat together in one pot and one *min* was not *butel* in the other you should *kasher* the pot.³¹ Some say that no *kashering* is needed, but one should wait twenty-four hours before using the pot again.³² One should be careful and not place fish and meat in a grinder (at separate times) if a sharp food was used in the grinder.³³ One is permitted to eat fish with something else cooked in a *fleshig* pot if that food itself is considered *pareve*.³⁴

Cutting a Sharp Food with a Meat Knife

Some say one may cut a sharp food with a meat knife and place that sharp food in a pot of fish.³⁵ Others are stringent with this.³⁶ Ideally, one should keep separate knives.

Washing Hands/Mouth

One who wants to eat fish after eating meat should wash his hands and clean out his mouth.³⁷ In order to be considered “cleaning one’s mouth” (*kenuach*) he should eat and drink something.³⁸ A person can do whichever one he wants first.³⁹ If one eats fish first like is common today then one should still do the above.⁴⁰ One should remove any meat that might be between his teeth as well.⁴¹

Some say there is no need to wash one’s hands today, because one does not eat with his hands, rather with a fork. This seems to be the custom.⁴²

²⁷ Refer to Issur V’heter 39:26:page 102, Taz Y.D. 95:3, Yad Yehuda 95 (aruch and kitzur) 4, Darchei Teshuva 116:27, Mor V’ohelos (Ohel Berochos) 43:page 41, Kaf Ha’chaim 116:20, Mishmeres Shalom 116:page 7, Maharsham 3:288, 4:124, Yalkut Yosef 87:85, Madanei Osher Y.D. 151, Shemiras Haguf V’hanefesh 1:1:9.

²⁸ Horav Yisroel Belsky Shlita, see Tur Y.D. 116, Chuchmas Adom 68:1 in brackets, Kaf Ha’chaim 116:20, Shevet Ha’Levi 6:111:4, Daver Charif 15:2, Avnei Yushfei 4:87:1.

²⁹ Avnei Yushfei 4:87:2.

³⁰ Avnei Yushfei 4:87:5.

³¹ Pischei Teshuva 116:3, Darchei Teshuva 28, Shevet Ha’Levi 6:111:3:6, see Teshuvos V’hanugos 4:189.

³² Kaf Ha’chaim 116:13, Divrei Malkiel 2:53:page 37, Shevet Ha’Levi ibid, Shevet Ha’kehusi 3:223, Divrei Shalom ibid.

³³ Daver Charif 15:6, Shevet Ha’Levi 6:111:4:page 110, Hechsheiros 1:66. If the grinder was used for cold meat without an onion then one may use it for fish if it was cleaned out before hand.

³⁴ Horav Yisroel Belsky Shlita.

³⁵ Horav Yisroel Belsky Shlita, see Daver Charif 15:6.

³⁶ Darchei Teshuva 116:27, Daver Charif 15:footnote 25 quoting the opinion of Horav Chaim Kanievesky Shlita, Hechsheiros 18:3.

³⁷ Rama Y.D. 116:3, Levush O.C. 173:2, Magen Avraham O.C. 173:2, Ben Ish Chai Pinchus 2:8, Mishnah Berurah 4, Me’am Loez ibid:page 236, Chai Ha’Levi 4:48. A utensil is required for this washing (Sharei Teshuva O.C. 173:1).

³⁸ Shulchan Aruch Y.D. 89:2.

³⁹ Shach Y.D. 89:11, see Pischei Teshuva 5.

⁴⁰ Kitzur Shulchan Aruch 33:2. The reason we eat fish first is because we should start off with the lightest food first (Kitzur Shulchan Aruch 32:12).

⁴¹ Darchei Teshuva 116:26.

⁴² Refer to Rama ibid, Pri Megadim Sisfei Da’as 89:20, Chuchmas Adom 68:1, Darchei Teshuva 116:24, 32, Shar Ha’tzyion O.C. 173:2, Kaf Ha’chaim 173:8, Shulchan Hatohar 173:1, V’ein Lumo Michshal 4:pages 96-97:7, Avnei Yushfei 4:87:4. Others are stringent (Shiurei Beracha 89:15, Ben Ish Chai Shlach 2:14, Badi Ha’s hulchan 89:39). If one sees some fish on his hand he should

If one wants to eat and drink something at the same time he may do so. Some have the custom to soak the bread in wine and eat both, and this is considered *kenuach* (cleaning out the mouth) and *hadacha*.⁴³ One has to swallow the food used for *kenuach* spitting it out is not good enough.⁴⁴

Drinking Water after Fish

Some say it is a danger to drink water after eating fish;⁴⁵ therefore, one must be careful with this. Soda is not considered like water whereas coffee and tea are.⁴⁶ Many people have the custom to drink schnapps between fish and meat.⁴⁷

Those who have the custom to wash their hands after eating fish (before the meat) should only do so after drinking whiskey. The reason is because the *yud* and *shin* of the name of *Shakay* (name of *Hashem*) is represented by the name of whiskey in Hebrew which is *yayin saref*, and the *Daled* of *Shakay* is represented by the *daled* of fish (*dagim*). In order not to separate the name of *Hashem* one should drink the whiskey immediately after the fish.⁴⁸

Fish and Milk

Some say that just as one has to be concerned about eating fish with meat one should not eat fish with milk,⁴⁹ or cheese.⁵⁰ This is the custom of some *Sefardim*.⁵¹ However, the custom amongst the *Ashkenazim* is that one may indeed eat fish with milk.⁵² The *Sefardim* are lenient with eating fish and butter.⁵³ According to the *Sefardim* they would not be able to eat a lox and cream cheese sandwich. *B'dieved* if one ate milk with fish it was fine.⁵⁴

wash it off before eating meat (Horav Yisroel Belsky Shlita). The Pri Megadim ibid says if it is not a bother one should wash his hands even if he ate the fish with a fork. The *Sefardim* clean out their mouth and wash their hands (Hechsheiros 18:9).

⁴³ Pri Megadim Sisfei Da'as 89:11, Rivevos Ephraim 8:172:2, Chelkes Binyomin 116:23, see Darchei Moshe Y.D. 116.

⁴⁴ Horav Yisroel Belsky Shlita, see Pri Megadim Sisfei Da'as 89:12.

⁴⁵ Kesef Mishnah Hilchos De'os 4:18, Rav Akiva Eiger Y.D. 116:5, Tov Yehoshua page 109:84, Darchei Teshuva Y.D. 116:17, Aruch Ha'shulchan 10, Kaf Ha'chaim O.C. 170:79, Lekutei Maharich 1:page 225 (new), Minhag Yisroel Torah O.C. 173. There are many reasons why fish is eaten on *Shabbos*. Some say just like fish have their eyes opened, Hashem has his eyes opened at those who fear him and have compassion on us (Otzer Hayidios Shabbos page 82:11). Water is the source of live for fish, and *Torah* is the source of live for *Klal Yisroel* which is comparable to water eating fish reminds us that we should devote *Shabbos* for learning of the *Torah* (Sefer Matamim page 28:2 new). The *daled* and *gimel* of *dagim* represent the four forefathers and the three *emuho*s. Also the *mon* is called *gud* which did not fall on *Shabbos* and are the letters of *Dag* (Fish) (Sefer Matamim page 28:7 new). *Hashem* blessed three things at their creation. The fish on the fifth day, man on the sixth day, and *Shabbos*. When people eat fish on *Shabbos* it brings together these three blessings together in "a three-stranded" cord that does not break easily (Sefer Matamim page 27:1 (new), Bnei Yissochor Shabbos 3:16:pages 11b-12 new). *Noach's* descendants were not allowed to eat fish until the *Torah* was given to *Klal Yisroel* on *Shabbos* (Hamodia Magazine 26 Shevat page 10). Fish never sleep. This reminds us to utilize every moment of *Shabbos* and not to waste time by sleeping excessively (Hamodia Magazine 26 Shevat page 10). The *gematria* of *dagim* is *zayin nun* spelling *zayin*, alluding to the seventh day of the week (Hamodia Magazine 26 Shevat page 10).

⁴⁶ Chut Shuni Shabbos 4:page 399.

⁴⁷ Refer to Darchei Chaim V'Sholom 396, Taamei Haminhagim 496, see Da'as Zekanim Vayikra 10:9, Medrash Tanchuma Pekudei 2, Mesechtas Shabbos 67b, Kaf Ha'chiam 167:108, Divrei Torah 4:38, Nemukey Orach Chaim O.C. 289, and Noheg Sh'beolam pages 126-144 in great depth about the *inyun* of drinking schnapps and the *inyun* of *l'chaim*. A *beracha* is not recited on the schnapps in this situation (Shar Ha'tzyion 174:46, Aruch Ha'shulchan 174:12, Opinion of Horav Elyashiv Shlita quoted in V'sein Beracha page 94, Vezos Ha'beracha page 73:footnote 10).

⁴⁸ Darchei Chaim V'sholom 396.

⁴⁹ Rabbeinu B'chai Mishpatim 23:19, Bais Yosef Y.D. 87, Knesses Gedolah 87:19, Levush 87:3, Ben Ish Chai Behalosecha 2:15, Kaf Ha'chaim 87:24, Shulchan Hatohar 173:5. The Me'or V'ketzia 173:page 184 says this danger is not from *chachmei Yisroel* but from doctors.

⁵⁰ Ben Ish Chai ibid, Rav Poalim Y.D. 2:10.

⁵¹ Yechaveh Da'as 6:48, V'ein Lumo Michshal 4:page 98:8.

⁵² Magen Avraham O.C. 173, Darchei Moshe Y.D. 87:4, Shach 87:5, Taz 3, Pri Megadim Sisfei Da'as 87:5, Pischei Teshuva 9, Aruch Ha'shulchan 15, Badi Ha'shulchan 87:35, Chelkes Binyomin 116:8, V'eim Lumo Michshal 4:page 98:8, see Yad Yehuda (kitzur) 87:10.

Talking With Food in Your Mouth

Many people think that they may talk while eating. However, it is a danger to do so. If one talks when he eats then the windpipe may open and the food may enter causing him to choke.⁵⁵ This applies even to words of *Torah*.⁵⁶ Some say that this is only relevant in the olden days when people ate reclining. However, today when we eat sitting up it is permitted.⁵⁷ Nonetheless, one should be concerned with this even today.⁵⁸ In between dishes talking is permitted.⁵⁹ If one sees someone being *o'ver* an *issur* then one may talk even while eating.⁶⁰ Some say the *minhag* is to be lenient with this *halacha*.⁶¹ Some say if one moves the food to the other side of one's mouth then one may talk.⁶² During the night of the *seder* one should be careful with this according to all opinions since one reclines.⁶³ This *halacha* applies when drinking as well.⁶⁴ Besides for the *halacha* that one should not speak with his mouth full because he may choke one should not do so because it is disgusted for other people to see someone talking with food in his mouth.⁶⁵

Learning *Inyunei Aveilus*

Many people are skeptical about learning *mesechtas Moed Kotton* because it talks about *inyunei aveilus* and one is scared because he does not want to make an *ayin hara* that any bad thing will come onto him. The *Sefer Chassidim*⁶⁶ comments that before learning this *mesechta* one should *daven* to *Hashem* that nothing bad will happen to him. He continues and maintains that *mesechtas Moed Kotton* is a *meis mitzvah* since some people don't learn it for fear that something bad will happen, so if one wishes to learn it he is doing a great *mitzvah*. The *K'nesses Hagedolah*⁶⁷ says the whole concern is if one learns it with a group of people, but if one learns it by himself it is permitted. This *mesechta* is included in the *daf yomi* cycle so it would seem that one may learn it. Furthermore, most *rishonim* have a *pirush* on this *mesechta*.⁶⁸ When one learns this *mesechta* he should not go so deeply into it like he does with other *mesechtas*, but he should learn it quickly.⁶⁹

⁵³ Bais Lechem Yehuda 87:3, Ben Ish Chai ibid, Kaf Ha'chaim O.C. 173:3, Y.D. 87:24,

⁵⁴ Yalkut Yosef 87:82.

⁵⁵ Refer to *Mesechtas Taanis* 5b, Rashi "sh'ma," Rambam Hilchos Berochos 7:6, Tur 170, Rokeach pages 225,227, Shulchan Aruch 170:1, 175:5, Prisha 1, Levush 1, Tov Yehoshua (Derech Eretz) 3:3, Pardes Yosef Bereishis 18:1, 49:33, Shemos 12:26, Mishnah Berurah 170:2, 174:41-42, Levushei Mordechai 1:29, see Torah Temimah Bereishis 49:33:footnote 46 for a novel approach to why eating with food in ones mouth is a danger. Refer to Maharal (Nesivos Olom Nesiv Avodah 17:page 131) for a deeper understanding of this *halacha*.

⁵⁶ Magen Avraham 1, Be'er Heitiv 1, Kitzur Shulchan Aruch 42:5, Mishnah Berurah 1.

⁵⁷ Sharei Teshuva 1, Birchei Yosef 170:1, Mamer Mordechai 170:1.

⁵⁸ Pri Megadim Eishel Avraham 1, Elya Rabbah 1, Kaf Ha'chaim (Palagi) 24:51, Kaf Ha'chaim 1, Shulchan Hatohar 1, Misgeres Hashulchan 42:5, Chaim Briyim K'halacha pages 96-99, V'eim Lumo Michshal 3:page 93-94:1.

⁵⁹ Elya Rabbah 1, Mishnah Berurah 1, see Kaf Ha'chaim 1 who says if one wants to eat more he should not talk even in between dishes.

⁶⁰ Pri Megadim Eishel Avraham 1, Kaf Ha'chaim 1.

⁶¹ Refer to Birchei Yosef 170:1, Ben Ish Chai Behar/Bechukosai 1:5, Minhag Yisroel Torah 170:1.

⁶² Ketzos Ha'shulchan 39:badi 3.

⁶³ Sharei Teshuva ibid, Birchei Yosef 170:1, Ben Ish Chai ibid, Kaf Ha'chaim ibid.

⁶⁴ Chaim Briyim K'halacha pages 96-99, see Ba'al Haturim Bereishis 18:8, Seforno Bereishis 24:19.

⁶⁵ V'ein Lumo Michshal ibid.

⁶⁶ 261:pages 225-226, see Yosef Ometz page 270, Minhag Yisroel Torah Y.D. 246:29, Asei Lecha Rav 8:66, Refer to Yehdua Yaleh 2:248 on why some do not to learn it. Refer to Kovetz Zera Yaakov 14:page 190:33-34, page 191:37. The Yalkut Yosef intro to vol 7 pages 2-3 says if one is learning *inyunei aveilus* for the needs of the *tzibur* he has nothing to worry about. (Quoting the opinion of Horav Bem-zion Abba Shaul zt"l).

⁶⁷ Y.D. 245:3.

⁶⁸ Shearim Metzuyananim B'halacha beginning of Moed Kotton.

⁶⁹ Sefer Chassidim ibid, Kaf Ha'chaim 116:189, Tov Yehoshua 2:18:4, Shemiras Haguf V'hanevush 89:1.

Drinking Foam

The *Gemora* in *Chullin*⁷⁰ says that one should not drink the foam on top of a drink because it brings to stomach ailments. Accordingly, it would seem that one should not drink the fizz or soda or the foam on top of beer.⁷¹ However, this is not what the *Gemora* was referring to and therefore, drinking the fizz and foam on the above drinks are permitted.⁷²

Swallowing Spit

Many times one is eating next to his friend who is eating something that smells great. He smells it but he is not offered any. The saliva that he has in his mouth at that time should not be swallowed because it is a danger. Rather he should spit out the saliva⁷³ (obviously one should not spit in a place where there are people around as this is not the way that a *Ben Torah* should act. Those who do spit should stop this disgusting practice).⁷⁴ If the person would give him a little food then one would be permitted to swallow the saliva.⁷⁵ It could be this is where the custom came to give someone who comes into your house some food etc.⁷⁶ Some *poskim* suggest that one should not eat any food that has a strong smell while other people are around if one does not intend to give the other person some of the food he is eating.⁷⁷ A pregnant woman should be especially careful about this *halacha*.⁷⁸

Going for a Blood Test/Giving Blood on *Erev Yom Tov*

In previous generations going to give blood was not as easy as it is today.⁷⁹ Then it was done for health reasons and it made a person very weak afterwards.⁸⁰

On *Erev Shavuos* one is not allowed to do *hakazas dam* (“blood-letting”) because of a *sakana*.⁸¹ The danger is because of *Erev Shavuos* a wind comes to the world and if not for the fact that *Yisroel* accepted the *Torah* it would do damage. Therefore, we do not want to “start up” on *Erev Shavuos*.⁸² All other *Erev Yom Tovim* are forbidden because of *Erev Shavuos*.⁸³ Included in this are *Erev Rosh Hashanah* and *Erev Yom Kippur*.⁸⁴ Some say the same applies for *Erev Shabbos*.⁸⁵ If a person is a sick person and he has to do it then it is permitted.⁸⁶ The night before *Erev Yom Tov* is permitted.⁸⁷ The night of *Hashanah Rabbah* is forbidden.⁸⁸

⁷⁰ 105b, see Elya Rabbah 170:24, Shulchan Aruch Harav Shemiras Haguf V’hanefesh 9, Chasam Sofer Y.D. 346, Lekutei Maharich 1:page 225 (new), Kaf Ha’chaim O.C. 170:82, Y.D. 116:204.

⁷¹ Shulchan Aruch Hamikutzar 139:7:footnote 20.

⁷² Horav Yisroel Belsky Shlita, see Shulchan Aruch Hamikutzar 139:7:footnote 20.

⁷³ Mesechtas Kesubos 61b, Kitzur Shulchan Aruch 33:4, Mishnah Berurah 169:3, 617:8, Aruch Ha’s hulchan Y.D. 116:21,

⁷⁴ Biur Halacha 169 “I’ shamesh.”

⁷⁵ V’ ein Lumo Michshal 3:page 26:footnote 2.

⁷⁶ Biur Halacha 169 “I’ shamesh.”

⁷⁷ V’ ein Lumo Michshal 3:page 25.

⁷⁸ Refer to Mesechtas Yoma 82b.

⁷⁹ Refer to Elya Rabbah 493:19, Chai Adom 79:2.

⁸⁰ Refer to Nishmas Avraham 468:2. For the same reason some say one should not do any surgery on Erev Yom Tov (ibid, Tzitz Eliezer 12:46).

⁸¹ Refer to Mesechtas Shabbos 129b, Chok Yaakov 468:15. Some are lenient with this (Pri Chadash 10, Kaf Ha’chaim 468:99). One should not stand during *hakazas dam* (Chupas Eliyahu Rabbah 3:45). One should not stand up immediately after *hakazas dam* as it is a danger (Refer to Mesechtas Shabbos 129b, Gittin 7b, Pri Chadash Y.D. 116:9, Shulchan Aruch Harav Shemiras Haguf V’ nefesh 5, Darchei Teshuva Y.D. 116:78, Aruch Ha’ shulchan O.C. 179:9, Y.D. 116:15, Kaf Ha’chaim O.C. 170:72, Y.D. 116:78).

⁸² Taz 7, Levush 10, Mishnah Berurah 38, Aruch Ha’ shulchan 3.

⁸³ Rama 468:10, Magen Avraham 15, Levush 10, Shulchan Aruch Harav 22, Chai Adom 79:2, Aruch Ha’ shulchan ibid.

⁸⁴ Rivevos Ephraim 1:340.

⁸⁵ Da’ as Torah 468:10, Tzitz Eliezer 12:46.

⁸⁶ Machtzis Ha’shekel 1, Pri Megadim Eishel Avraham 15, Elya Rabbah ibid, Darchei Teshuva Y.D. 116:80, Mishnah Berurah 468:38, Kaf Ha’chaim 468:100.

⁸⁷ Magen Avraham ibid, Shulchan Aruch Harav ibid,

When one gives blood it is not what *chazal* said is forbidden. Therefore, if there is a *tzorech* one is permitted to give blood or take a blood test on *Erev Yom Tov*.⁸⁹ Others are stringent.⁹⁰ If a doctor says you have to give blood today then you must listen to him.⁹¹

Based on this although after “*hakazas dam*” one is required to wash his hands,⁹² one who goes for a blood test or to give blood is not required to wash his hands. The requirement to wash one’s hands was only if one is taking out blood for health reasons, but checking one’s blood does not fall into this category.⁹³

Uncovered Beverages

In the time of *Chazal* there was a concern that one should not drink water,⁹⁴ wine, milk,⁹⁵ and honey⁹⁶ that was left uncovered because of a snake whose venom might have gotten into the drink and it will cause the person danger. Today, snakes are not commonly found and therefore, most of *klal yisroel* are not concerned for this *halacha* (except for *Kiddush*, see below).⁹⁷ However, there are some *poskim* who says that even today one should be careful with this.⁹⁸ Some say even for those who are lenient, if the beverage was left uncovered all night one should be stringent.⁹⁹ The *Gr’a*¹⁰⁰ and the *Chazzon Ish*,¹⁰¹ among other *gedolim*, were stringent with this. It is said that the *Chazzon Ish* was concerned about leaving yogurt uncovered as well.¹⁰² Some say if one is careful with uncovered beverages he will not have foreign thoughts while *davening*.¹⁰³ If the beverage is put on a plate too high for a snake to reach it is permitted.¹⁰⁴ Some say that within a one floor house which is near a field one should be careful with uncovered beverages.¹⁰⁵

⁸⁸ Magen Avraham ibid, Chok Yaakov 16, Shulchan Aruch Harav ibid.

⁸⁹ Horav Yisroel Belsky Shlita, see Rivevos Ephraim 1:340.

⁹⁰ Toras Hayoledes 46:4, see Tzitz Eliezer 12:46.

⁹¹ Toras Hayoledes 46:footnote 5.

⁹² Shulchan Aruch 4:18, Chai Adom 2:5, Kitzur Shulchan Aruch 2:9, Chesed L’alafim 4:12, Mishnah Berurah 48, Masef Lechul Hamachanus 125, Kaf Ha’chaim 4:61, Bais Boruch 1:2:footnote 52.

⁹³ Halichos Shlomo Tefilla 20:9:footnote 31, Nishmas Avraham page 3:footnote 4, Ishei Yisroel 2:footnote 149. See Shemiras Haguf V’hanefesh 54:footnote 41.

⁹⁴ The Stiepler zt”l said uncovered beverages applies to beer (Orchos Rabbeinu 1:page 206:1). One should dry the droplets that are left on a glass after drinking (Orchos Rabbeinu 1:page 208:7). The Stiepler was not concerned with this *inyun* in regard to coffee and tea (Orchos Rabbeinu 5:page 129:5, see 1:page 206:17).

⁹⁵ It is not applicable to cheese (Orchos Rabbeinu 1:page 207:2, ibid:3, 5:pages 127-129, see Shemiras Hanefesh page 43:47).

⁹⁶ Mesechtas Chullin 49b. see ibid 10a, see Orchos Rabbeinu 1:page 207:3 who is lenient.

⁹⁷ Horav Yisroel Belsky Shlita, see Tur Y.D. 116, Shulchan Aruch 116:1, Taz 115:10, Levush 1, Pri Chadash 1, Darchei Teshuva 8, Aruch Ha’shulchan 2, Pe’as Sudcha 86, see Prisha 22, Ben Ish Chai Bereishis 2:25, Kaf Ha’chaim 6, see Minchas Yitzchok 9:85. The Matei Yehonoson 116:1 says the reason why there is a *heter* if no snakes are around and one is lenient is because at the time of the *halacha* it was only made in a place where there are snakes, so if there are no snakes then one does not have to adhere to the *halacha* since it is not relevant anymore. If such a clause was not made at the time of the *halacha* then even if the reason does not apply the *halacha* would still be applicable.

⁹⁸ Elya Rabbah 170:24, Pri Megadim M.Z. O.C. 170:10, Pischei Teshuva Y.D. 116:1, Nishmas Kol Chai Y.D. 40, Kitzur Shulchan Aruch 33:5, Darchei Teshuva 6, Kaf Ha’chaim 170:82, Lekutei Maharich 1:page 225 (new), Me’am Loez ibid: page 237, Oz Nedberu 5:45, Orchos Rabbeinu 1:page 206:17, 5:page 130:7 says the Steipler zt”l was very careful in this *inyun*. Refer to Rivevos Ephraim 5:11. This applies by day and by night (Rambam Hilchos Rotzeach V’shemiras Hanefesh 11:11). (If one is *makpid* there is no *heter* even for one’s *parnasa* (Shemiras Hanefesh page 38:10 quoting the opinion of Horav Chaim Kanievesky Shlita). Some are careful with fruits that have moisture as well (Rambam Hilchos Rotzeach V’shemiras Hanefesh 12:2, Tur Y.D. 116). Some say one should dry the water off a washed fruit (Shemiras Hanefesh page 42:35 quoting the opinion of Horav Chaim Kanievesky Shlita).

⁹⁹ Darchei Teshuva 10, Shevet Ha’kehusi 1:230, see Kaf Ha’chaim O.C. 272:7.

¹⁰⁰ Pischei Teshuva ibid, Massei Rav 95. Some say the concern is even by a dead snake, but the *halacha* does not follow this opinion (Darchei Teshuva 2).

¹⁰¹ Taamei D’kra hanhugos of the Chazzon Ish 27, 47, Shemiras Haguf V’hanefesh page 122:footnote 1.

¹⁰² Taamei D’kra hanhugos of the Chazzon Ish 27.

¹⁰³ Massei Rav page 123:footnote 4, Shemiras Hanefesh (Lekutei M’HaGra) page 7.

¹⁰⁴ Poskim.

¹⁰⁵ Opinion of Horav Ben-zion Abba Shaul zt”l quoted in Hechseiros page 430:footnote 61.

Even though beverages left are not prohibited because of *gilu*, one should not keep them uncovered because some bugs or dirt might get into the drink.¹⁰⁶

According to those who are stringent it is noteworthy to mention some of the pertinent *halachos* in this *inyun*.

A way to avoid drinks being considered “revealed” is if a person is watching the drink to make sure that no snake drinks from the beverage. The reason why this helps is because snakes are scared to go near a living person.¹⁰⁷ One who slept near the drink has not prevented the drink from coming to danger.¹⁰⁸ The *shiur* that the drink may not be left varies. Some say 5-6 hours,¹⁰⁹ others say twenty minutes¹¹⁰ and some say one or two minutes.¹¹¹ Some say one should not leave a dish with food uncovered for the above period of time, but the custom is not like this opinion.¹¹²

Those who are stringent with this *halacha* may not drink the beverage even if the uncovered water etc is *butel b’shishim*.¹¹³

Using the Water for *Netiylas Yudayim*

Water that was left uncovered may be used for *netiylas yudayim* for a *seuda*.¹¹⁴

A Water Dispenser

Many homes contain a water dispenser in their house. The question arises whether one has to be concerned for it being uncovered since there is a small hole that the water comes out of. One may keep the water in the dispenser without covering it because the snake will not get there.¹¹⁵

Potatoes in Water

Some people peel a potato and place it in water and leave it over night and drink the water the next morning. It is said to be helpful for fatigue. One should be careful when doing this to cover the water before going to sleep.¹¹⁶

Uncovered Oil

The *din* of uncovered beverages does not apply to oil. Therefore, one is permitted to use oil that was left uncovered for lighting *Chanukah neiros*.¹¹⁷

¹⁰⁶ Kaf Ha’chaim Y.D. 116:9. Refer to Rivevos Ephraim 4:217 who speaks about an urn left uncovered on a fire, see Shemiras Hanefesh page 38:14-15.

¹⁰⁷ Gemorah Avoda Zara 30a, Rambam Hilchos Rotzeach V’shemiras Nefesh 11:11, Tur Y.D 116, Chelkes Binyonim 3, Oz Nedberu 1:7, Orchos Rabbeinu 1:page 206:17.

¹⁰⁸ Aruch Ha’shulchan 116:3. Some say this is even if one was awake and then fell asleep (Shemiras Hanfesh page 47:77 quoting the opinion of Horav Chaim Kanivesky Shlita).

¹⁰⁹ Refer to Divrei Malkiel 4:1.

¹¹⁰ Oz Nedberu 1:7.

¹¹¹ Refer to Ben Ish Chai Ibid. The Chazzon Ish was concerned even if the beverage etc was uncovered for a split second (Orchos Rabbeinu 1:page 207:6).

¹¹² Kaf Ha’chaim 3.

¹¹³ Darchei Teshuva 12.

¹¹⁴ Tur 160, Bais Yosef, Levush 5, Sharei Teshuva 4:7, Mishnah Berurah 160:23, Kaf Ha’chaim Y.D.116:8, V’haish Mordechai pages 436-437. Some say one should be careful with this *inyun* if possible (Kaf Ha’chaim O.C. 160:2).

¹¹⁵ Rivevos Ephraim 8:287.

¹¹⁶ Rivevos Ephraim ibid.

¹¹⁷ Shevet Ha’kehusi 3:200, Shiurei Halacha (Chanukah) page 17.

In The Fridge

If one places uncovered water etc. in the fridge one can leave it that way and one does not have to be concerned for *gilu*. Since it is in a closed place, the snake does not get there.¹¹⁸ The same would apply to leaving water etc. in a room that is locked.¹¹⁹

Covering the Beverages

Some hold that one should not leave any of the beverages uncovered today. However, if one places something over the beverage even a piece of paper, then one may drink the beverage.¹²⁰

Uncovered Water for *Netyilas Yudayim* (*Shacharis*)

Some people are *makpid* not to use water for *netiyilas yudayim* of the morning which was not covered all night.¹²¹ The *minhag* of most people is to be lenient in this issue.¹²² One should not put the water for *netiyilas yudayim* under his bed.¹²³ If the water was placed there it may be used.¹²⁴ Others say the water should not be used in this situation.¹²⁵

Miscellaneous *Halachos*

A cup of water etc which was mixed with other non-covered beverages may not be used.¹²⁶

If one is sitting in one room and he can see the water etc that is uncovered from the second room it would help to make the beverage be considered uncovered.¹²⁷

A child may help to watch out for any snake, and make sure that it does not do any damage.¹²⁸

There is an uncertainty if one has to be concerned about ice in regard to uncovered beverages.¹²⁹

If one is unsure if a certain drink was left uncovered he can be lenient.¹³⁰

There is no concern of *ba'al tashchis* if one throws out a beverage that was left uncovered.¹³¹

Uncovered Wine for *Kiddush*

Kiddush wine has restrictions aside from the issue of snakes (which many people aren't concerned about nowadays). One is not allowed to make *kiddush* on wine which was left uncovered.¹³² The reason is not because

¹¹⁸ Opinion of Horav Elyashiv Shlita quoted in Hechsheiros page 432:footnote 75, Shemiras Haguf V'hanefesh page 126:footnote 4 quoting the opinion of the Chazon Ish, Tzohar 7:page 149:10 quoting the opinion of Horav Chaim Kanievesky Shlita.

¹¹⁹ Rivevos Ephraim 8:578:23.

¹²⁰ Shemiras Haguf V'hanefesh page 126:footnote 4 quoting the opinion of the Chazon Ish, Orchos Rabbeinu 1:page 208:10, Shemiras Hanefesh (Hanhugos of the Chazon Ish) page 9, Orchos Rabbeinu 1:page 206:17.

¹²¹ Horav Yisroel Belsky Shlita, see, Hameir L'aretz (Malbim) 4:17, Massei Rav 95, Kaf Ha'chaim Palagi 8:11, Lev Chaim 1:62, Masef Lechul Hamachanus 4:13, Shemiras Haguf V'hanefesh 44:6:footnote 6 quoting the opinion of the Chazon Ish.

¹²² Sharei Teshuva 4:7, Birchei Yosef Y.D. 116:4, Shiurei Beracha 116:4, Lev Chaim 1:7, Aruch Ha'shulchan 4:16, Rivevos Ephraim 4:4, 6:70, 8:491:1, Shevet Ha'kehusi 3:224, Halacha Berurah 4:15, Tzitz Eliezer 14:2:3.

¹²³ Chinah D'chaya 59, Aver Orech 4:2, see Minchas Gidiyon page 92.

¹²⁴ Shraga Hameir 7:72:7, see 3:26:10.

¹²⁵ Teshuvos V'hanugos 2:1, see Minchas Gidiyon ibid, Orchos Rabbeinu 1:page 206:17 quoting the opinion of the Chazon Ish.

¹²⁶ Refer to Shemiras Hanefesh page 42:38 quoting the opinion of Horav Chaim Kanievesky Shlita.

¹²⁷ Shemiras Hanefesh page 39:17 quoting the opinion of Horav Chaim Kanievesky Shlita.

¹²⁸ Shemiras Hanefesh pages 39- 40:20-21 quoting the opinion of Horav Chaim Kanievesky Shlita.

¹²⁹ Shemiras Hanefesh page 40:22 quoting the opinion of Horav Chaim Kanievesky Shlita.

¹³⁰ Orchos Rabbeinu 1:page 208:11.

¹³¹ Shemiras Hanefesh page 41:31: quoting the opinion of Horav Chaim Kanievesky Shlita.

of any concern of a snake, but it is not honorable for the wine if left uncovered.¹³³ One may not use this wine even *b'dieved*.¹³⁴ The same *din* applies to *havdala*,¹³⁵ and *birchos hamozon*.¹³⁶ If one left the wine uncovered for a “small amount of time” it is permitted.¹³⁷

Left in Fridge

If one left wine or grape juice in the fridge, and the taste does not taste like the “fridge” then one may use the wine. This is very common when one has a bottle of wine that has a cork and the cork popped off while in the fridge.¹³⁸

The Night of the Seder

A question arises why at the *seder* it is possible to leave the wine uncovered on the table for so long.

Some say since the cup of wine is there for *maggid* it is considered part of the meal and there is no concern.¹³⁹ Some say since one is watching it the wine is not considered uncovered even in regard to wine for *kiddush*.¹⁴⁰ Others derive from the fact that the *seder* goes for so long and the wine is uncovered that the time that the wine may be left uncovered is 2-3 hours.¹⁴¹ However, many disagree with this premise.¹⁴²

If one fills up the cup of *Eliyahu* and wishes to make *kiddush* on it the next morning he should cover it before going to sleep.¹⁴³

Smoking- Some facts and figures

Many studies by the Government, on millions of people, show that the following sicknesses can occur from those who smoke: Heart murmur, shortness of breath, *yena machla* in the lungs, asthma, arthritis, nervousness, *yena machla* on the lip, and high blood pressure. It is stated that for each puff one takes he losses thirteen seconds of his life. A smoker needs much more sleep because the nicotine makes his body work harder and less efficiently. More than 400,000 deaths a year are attributed to smoking related illnesses. A cigarette contains 4800 chemicals and 69 of them cause *yena machlu*. About 8.6 million people have at least one sickness from smoking. The amount of money spent on ones cigarettes is astronomical and can be spent on *chessed* instead. Smoking is responsible for six out of ten premature deaths in people over 40 years old. A smoker has a 70% greater risk of death in any given year than a non-smoker. Smoking poses a major heart attack risk in both men and women.¹⁴⁴

These figures should frighten anyone who reads them. We have a life to live, a family to take care of and children to raise. How can one give up his life to an addiction.

¹³² Shulchan Aruch O.C. 272:1, Levush 1, Shulchan Aruch Harav 272:1, Nishmas Kol Chai Y.D. 12, Ben Ish Chai Bereishis 2:25, Kitzur Shulchan Aruch 77:5, Mishnah Berurah 3, Minhag Yisroel Torah 272:1, Orchos Rabbeinu 1:page 209.

¹³³ Magen Avraham 1, Taz 2, Levush 1, see Pri Megadim M.Z. 1, Da'as Torah 272:1.Refer to Madanei Osher Y.D. 150.

¹³⁴ Mishnah Berurah 1, see Biur Halacha “ein m'kadshin.” The Kaf Ha'chaim 10 says one should not make *kiddush* again if one used wine which was uncovered. (Refer to Nishmas Kol Chai Y.D. 14).

¹³⁵ Birchei Yosef 272:1, Kaf Ha'chaim 272:7, Yalkut Yosef 272:1-2.

¹³⁶ Nishmas Kol Chai Y.D. 13.

¹³⁷ Mishnah Berurah 3, Shar Ha'tzyion 4, Kaf Ha'chaim 7, Bris Olom page 23:32, see Magen Avraham 1 who says it may be good.

¹³⁸ Shevet Ha'kehusi 1:112, Nishmas Shabbos 2:94. Refer to Shar Ha'tzyion 272:3.

¹³⁹ Ketzos Ha'shulchan 46:badi 2, Shemiras Shabbos K'hilchoso 47:footnote 90, Mivakshei Torah (Hilchos Pesach) page 546:10, Shalmei Moed page 374.

¹⁴⁰ Oz Nedberu 1:7, Shalmei Moed page 374:footnote 194.

¹⁴¹ Ketzos Ha'shulchan ibid.

¹⁴² Shalmei Moed page 374.

¹⁴³ Refer to Hechsheiros 18:footnote 67, Shulchan Shlomo 272:11, Shalmei Moed page 374, Natei Gavriel Pesach 2:71:footnote 13.

¹⁴⁴ This data was compiled from various sources.

Smoking-Halacha

The *Torah* tells us not to intentionally place ourselves in danger.¹⁴⁵ Smoking is putting oneself in grave danger. *Al pi halacha* it would be *ossur* to smoke.¹⁴⁶ Many *gedolim* smoked.¹⁴⁷ However, it could be that in those days they did not know how detrimental smoking was to a person's health.¹⁴⁸ If a *tzadik* smokes today it could be that he is so addicted that it is hard to stop and if he would be able to stop smoking he would indeed do so.¹⁴⁹

Many times in *Yeshivas* people smoke in public. However, many *poskim* say that one may not do so since people are bothered by the smoke.¹⁵⁰

Some *poskim* say if one sells cigarettes to someone else he is *o'ver* "on putting a stumbling block before a blind person."¹⁵¹ Others say since they can get it anyway they are not *o'ver* the *issur*, but one should not sell something to someone which is bad for him.¹⁵²

The custom for *bochurim* to give out cigarettes when they get engaged is a bad custom and should be stopped.¹⁵³

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¹⁴⁵ Sefer Devarim 4:9, see 4:15. Refer to Rambam Hilchos Rotzeach 11:4, Chovel U'mazik 5:1, Shulchan Aruch C.M. 420:31, 427:8.

¹⁴⁶ Horav Yisroel Belsky Shita, see Zecher L'Miriam 23:page 50, Igros Moshe Y.D. 2:49, O.C. 5:34:page 111, Rivevos Ephraim 3:487, 8:586, Nishmas Avrohom 503:page 279, Teshuvos V'hanhugos 1:159, 3:354, Vayitzvar Yosef page 134, Tzitz Eliezer 15:39, Yechaveh Da'as 5:page 181, Oz Nedberu 9:65, Be'er Moshe 6:160, Shevet Ha'Levi 10:295, Divrei Chachumim page 282:38, Pe'er Tachas Eifer page 23, Chaim L'Lon Ishan page 28, Derech Sichah page 474, Sheilas Rav page 92:13. Refer to Journal of Halacha and Contemporary Society Fall 1982:pages 3-45. Some say a lady who smokes is not *o'ver* on *lo yilbash* Rivevos Ephraim 3:487, see Teshuvos V'hanhugos 1:456 who argues.

¹⁴⁷ Refer to Divrei Chachumim page 282:38 .

¹⁴⁸ Refer to Igros Moshe Y.D. 2:49, Be'er Moshe 6:160, Shevet Ha'kehusi 1:332, Teshuvos V'hanhugos ibid, Yeshiv Moshe Y.D. page 158:1, Pe'er Tachas Eifer page 49. See Igros Moshe Y.D. 3:35 who speaks about taking drugs.

¹⁴⁹ Refer to Be'er Moshe 6:160.

¹⁵⁰ Igros Moshe C.M. 2:18, Tzitz Eliezer 17:22, Shevet Ha'Levi 10:295, Shevet Ha'kehusi 1:332, Miyum Hahalacha 2:97, Pe'er Tachanus Eifer page 25.

¹⁵¹ V'Ein Lumo Michshal 1:page 74:1, see Pe'er Tachas Eifer pages 148-156 in depth.

¹⁵² Horav Yisroel Belsky Shlita, see Igros Moshe Y.D. 2:49, Divrei Chachumim page 282, Kovetz Teshuvos 1:219.

¹⁵³ Be'er Moshe 6:160, Doleh U'mashka page 355.

In regard to smoking before *tefilla* refer to Rivevos Ephraim 1:11, 2:13:3, 55, 7:1:4, Be'er Moshe 4:1:1. Some say one may give a person who collects money some money even if he smokes (Rivevos Ephraim 4:207:22, see Asei Lech Rav 5:77). In regard to smoking in a *Bais Medrash* refer to Sharei Teshuva 154:8, Melamed L'huyil O.C. 15, Maharshag 2:116, Sdei Chemed marches bais hachnesses 7:pages 229-230, Aruch Ha'shulchan 151:5, Kaf Ha'chaim 145:10,13,21, Yechaveh Da'as 2:17, Rivevos Ephraim 1:121, Yaskil Avdi 4:7:3, Piskei Teshuvos 151:footnote 49. In regard to smoking on a fast day refer to Yechaveh Da'as 5:39, Yabea Omer 1:33. In regard to smoking after the *afikomen* see Be'er Heitiv 481:1. A woman who is a *niddah* should not light her husband's cigarette for him since it is a sign of *chibah* (Shiurei Shevet Ha'Levi page 253, see Chut Shuni Niddah page 217:19, refer to Pischei Teshuva Y.D. 195:6, Suga B'shoshanim 6:4, 18:7, Be'er Moshe 4:75). In regard to smoking on *Yom Tov* refer to Teshuvos V'hanhugos 1:316, Shulchan Shlomo 501:1:4:2, Yechaveh Da'as 5:39:page 177, Orchos Rabbeinu 2:page 106, Yeshiv Moshe Y.D. page 158:1, Mevakshei Torah Yom Tov page 554:13, 18, Rivevos Ephraim 2:146, 5:355:1, Pe'er Tachas Eifer pages 95-146 in depth. Horav Yisroel Belsky Shlita holds it is *ossur*. No *beracha* is recited on the smell of a cigarette (Aruch Ha'shulchan O.C. 216:4, Sharei Ha'beracha 19:25:footnote 51).

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