

HALOCHOSCOPE

Congregation Shaaray Tefillah, Pittsburgh, PA 15217

The questions dealt with in this issue could have been divided into two parts with a separate issue devoted to each. We feel that since the issues are related and a lot of the discussion covers both parts, it is appropriate to combine the two and present a double issue for Shabbos Hagadol and Shabbos Chol Hameod Pesach. We have prepared it in two parts to make it easier to read.

The questions:

Assuming that the gas flame on a stove can be adjusted on YomTov to cook with, is the same true of an electric range?

When the oven is not alight because the thermostat turned it off, may one turn it off completely at the controls?

In a related question: May one add cold water to an electric urn on YomTov?

May one use water from the hot water faucet to wash dishes with on YomTov?

The issues to be discussed:

(A) *Melechos Ochel Nefesh* - The Melachos that are necessary for the preparation of food on YomTov.

(B) *Molid Aish* - starting a fire on YomTov and how this applies to electricity.

(C) *Muktza* - Is there a problem with turning controls even though no Melacha will take place?

(D) *Gramma* - Indirectly causing a Melacha to take place.

PART I

(A) *Melechos Ochel Nefesh*

Unlike on Shabbos, on YomTov it is not forbidden to do all the Melachos all the time. Of the thirty-nine Melachos that are forbidden on Shabbos, a number are needed for the preparation of food, such as kneading dough, cooking and lighting a fire. These few Melachos are permitted on YomTov when they are being done to cook or prepare the food for YomTov. [Parshas Bo 12,16]

One important factor has to be taken into consideration. The Melachos involved in the preparation of food fall into two categories: There are those directly involved in the cooking process such as the actual kneading of the dough and baking and cooking. Then there are *Machshirei Ochel Nefesh* - secondary Melachos needed to help prepare the food such as certain minor repairs on damaged utensils that might be necessary. *Machshirei Ochel Nefesh* are only permitted where the Melacha

could not have been done on Erev YomTov; for example, if the utensil was only damaged on YomTov. [See Megillah 7b, Beitza 28b.] If the utensil was damaged before YomTov, it is Scripturally forbidden to repair it on YomTov, which is true of all Machshirei Ochel Nefesh. [See Mishna Berura 495,6] Melech's Ochel Nefesh themselves may be done on YomTov even if it was possible to have done them before YomTov. However, the prevailing practice is to follow the many Poskim who rule that even direct Melech's Ochel Nefesh may only be done in the usual manner if it was not possible to do them before YomTov; for example, if food is cooked a day earlier, it will spoil or even lose some of its freshness and flavor. Food which will not be harmed in any way by preparing it a day early should not be prepared with a Melacha on YomTov in the usual manner, but the Melacha may be done with a *Shinui*, in an unusual way. [See Megillah 7b Tosafos, Shul. Ar. O.C. 495,1, Rema, Biur Halacha and Shul. Ar. 504,510.]

Accordingly, if one is preparing food that may be cooked on YomTov, one may make the fire to cook this food on YomTov. *Hav'arah*, the Melacha of burning, has an added leniency in that since the Torah permitted it for the preparation of food, the Torah also permits it for any other *Tzorech Ketzas*, a need on YomTov even if it is not a really pressing need, although there is an opinion that there has to be a *Hana'as Haguf*, some direct bodily benefit from it, such as heating a room, water to wash with or lighting candles. [See Beitza 12b. Kesubos 7a Tosafos. Sh. Ar. O.C. 495,1, 511,1 and commentaries.]

Kibuy -extinguishing a fire is also permitted when it is done *Letzorech Ochel Nefesh*. Removing the fuel can also involve *Kibuy*, such as in the case of a gas stove. Although the gas that is being removed has not even been burned and one is merely restricting the amount of gas being fed to the flame, and according to some opinions we shall see this is a lesser type of *Kibuy*, nonetheless it is considered *Kibuy* since the flame is being extinguished. Although, obviously, when a pot of food is burning, it is unnecessary to put out the fire since it is possible to avoid doing the Melacha by simply removing the pot, there are cases where it is necessary to extinguish the flames in order to facilitate cooking. One such case is broiling a steak on coals where the juices coming out of the steak will definitely extinguish the flames; this is nevertheless permitted. Today the question arises when one can regulate the size of the flame, and there are some foods that do not cook well on a higher flame. Here we do not want to remove the pot from the fire because it has not cooked, but cannot leave it on the high flame. In this case it is permissible to lower the flame on a gas stove. [See Igros Moshe O.C. Vol 1 No 115 and Vol 4 No 103.] On an electric stove, it might be forbidden depending on the type of rings on the range, as we shall discuss in the next section.

(B) *Molid Aish*

Although *Hav'arah*, burning, is permitted, it is forbidden to start a new fire on YomTov. There are primarily two reasons given for this prohibition: *Nolad* -creating something new is not allowed on YomTov because it is not *Muchan*, prepared before YomTov and the Torah forbids us from using something prepared on YomTov. The other reason given is that since it is possible to create a fire on Erev YomTov and keep it burning slowly, it is therefore Machshirei Ochel Nefesh that should have been prepared before and therefore the Melacha may not be done on YomTov. It appears that the consensus is to follow the latter view. One difference between the two views is the permissibility of using a fire created on

YomTov, because, if it is *Nolad* it would be forbidden. Another possible difference would be a case where it was absolutely impossible to light this fire on Erev YomTov, it might be allowed according to the second view. [See Beitza 33a-b. Rambam Hil. YomTov 4,1, Raavad and other commentaries. Sh. Ar. O.C. 502,1. commentaries. Biur Halacha there. Tzitz Eliezer Vol 1 No 20 Chap 1, Minchas Yitzchock Vol 4 No 99 Section 1.]

This means that striking a match or turning on an electric light is not permitted because one is creating a new fire. What is allowed is to take a flame from an existing fire and light a fire with it in another place, or to add fuel to an existing fire. Consequently, to light a gas flame from a pilot or by bringing a lit candle to the stove is permitted, but using electric ignition, which is like striking a flint or a match, is forbidden. One can still light the gas manually although, if possible, one should disconnect the electric supply before YomTov. There are some gas ovens that have an electric element that starts glowing when the oven goes off thermostatically and slowly heats up until the gas comes back on. It is impossible to manually light these ovens on YomTov, and if the electricity is disconnected the oven will not function.

Turning on an electric stove is also considered *Molid Aish* by the vast majority of Poskim as with any electric appliance even if there is no actual flame or fire. [See Igros Moshe Vol 1 No 115 and many other authorities who emphatically forbid the use of electric appliances on YomTov as on Shabbos. For a summary see Tzitz Eliezer Vol 1 No 20 Chap 4,6,7.]

However, once the appliance is switched on, regulating the flow of electricity is only a question of *Hav'arah* or *Kibuy* and is permitted *Letzorech Ochel Nefesh*. Unfortunately, various complications arise with the use of an electric range. The most common problem is that there are two types of electric range, one with concentric rings which combine in different ways to cause a higher or lower heat source. Thus, adjusting the heat from the lowest setting up to the next setting involves extinguishing the middle ring and lighting the next ring, which is usually on another circuit, and is considered Halachically as if one has switched on an appliance. On these types of range, it is also forbidden to lower the heat if a different ring will be lit. The other type of range is less problematic but is also more difficult to use than a gas range. It is made up of one continuous spiralling ring which is usually on one circuit. The heat is regulated by increasing or decreasing the current through a variable resistor and, once the ring is lit, there should, theoretically, be no problem turning the heat up or down while cooking. However, these rings do not glow all the time, only at the higher settings. Thus, when adjusting the setting upwards, one is again confronted with the problem of *Molid Aish*, since before it was just a hot piece of metal, and now it is a glowing *Gacheles Shel Matchos* - metal coal. [See Shabbos 134a Pesachim 75a Sh. Ar. O.C. 334 and 510,3.] Just as one may not light a match, which will ignite with heat, by touching it to a hot pot only from a glowing coal (a lit cigarette is considered a glowing coal) so, too, one must consider "lighting" the metal ring from an existing hot ring as *Molid Aish*. [See Mishna Berura 502,4, citing Kesav Sofer].

The solution to this is to check the rings before YomTov and to find at which point they start to glow, even a faint white glow in the dark. The whole kitchen must be darkened since the glow one sees by daylight is not the lowest setting at which it glows and neither can we consider a glow seen in a room with any other lighting as the faintest glow. [*Shraga Betihara Mai Ahani* - "a light in the afternoon does not show"; see Chulin 60b and Rashi.] Then a mark should be made on the

controls at this point. If one wishes to adjust the heat on YomTov for cooking, one may adjust it up to, but not over, the mark on the dial if it was set below the mark at the beginning of YomTov. If it was set above this mark, one may adjust it further above the mark, or lower it even below this mark since it is Kibuy Letzorech Ochel Nefesh, but once it has been lowered below this mark, one may not turn it up past the mark.

PART II

Turning the oven off-

While the oven is on, turning it off is Kibuy. However, ovens are controlled by a thermostat alternating between on and off. When the oven is off, a gas oven still has a pilot light burning. Sometimes this is not the same pilot that burns when the oven is turned off completely. When the oven is turned on, first the small continuous pilot lights a bigger pilot which in turn lights the oven. In this case, when one turns the control down to the off position, even when the fire has been turned off by the thermostat, there will still be Kibuy when the larger pilot is extinguished. However, turning it down to the lowest setting does not involve Kibuy directly, and should therefore be permissible. There are, however, a number of other issues that will be dealt with shortly. Electric ovens are sometimes the same as gas ovens but without the problem of a pilot, meaning that it should be permissible to turn off an electric oven completely when the thermostat has already turned it off. Often there is a red indicator light on the control panel that is off when the oven is off. It is possible that even when the thermostat has turned the oven down, the current is still on. In this case, one could not turn the oven off because of Kibuy (Shelo Letzorech Ochel Nefesh - not for cooking).

(C) Muktzta

Moving the controls of an appliance raises the question of Muktzta. One may not move something on Shabbos which can only be used to do a Melacha. Therefore, even when it will not go on or off, one may not move the switch of an appliance. This is discussed regarding adjusting a time-switch to go on or off at a different time than originally set, or regarding unplugging the appliance while the time-switch has turned it off. Although there is no Melacha, it is considered Muktzta and should only be done in cases of extreme urgency with the left hand (*Kilacher Yad*). On YomTov, however, the controls on the oven may be adjusted for cooking as we have explained, and are therefore not Muktzta. Furthermore, while the time-switch is attached to the power supply it is itself an appliance being powered by electricity whereas the stove, while off is not being powered, and one is only preventing the thermostat from reactivating the current. Nonetheless, since there could be some confusion between the different types of stoves, it is better not to initiate the practice of turning them off totally. [See Minchas Yitzchock Vol 1 No 58, Vol 2 No 110 and Vol 3 No 37, Tzitz Eliezer Vol 1 No 20.]

(D) Grama

There are cases where something done indirectly has a different Halachic status than if it had been done directly. This is called Grama-causing. Regarding Kibuy, the Talmud cites a case where someone places water inside containers in a place where the fire will eventually spread, break open the containers, spill their

water and extinguish the fire. Understandably, the action of the person is very indirect here, but not all cases of indirectly causing a Melacha are permitted outright as Grama. As a rule, when a Melacha is caused indirectly, it can either be considered a P'sik Reisha [see Halochoscope Vol I No 4] or a Grama. If the action will lead immediately to the Melacha, except that the person did not intend to do the Melacha itself, it is a P'sik Reisha, which is forbidden. If, however, the action being done alone does nothing, but combined with other things that are happening, such as the spread of the fire, it leads to a Melacha "happening", it is Grama. In this sense, turning of gas and electricity has been called Grama by some authorities, but outright Kibuy by others since the person is not actually extinguishing the flame, but by shutting off the energy supply is causing it to go out. On the other hand, there is no other element involved besides his own action. [See Tosafos Beitza 22a. See also Achiezer Vol 3 No 60. Tzitz Eliezer Vol 1 No 20. Minchas Yitzchock Vol 3 No 137 and others. See also Tzitz Eliezer Vol 2 No 18 regarding using household water heaters on Shabbos.]

Hot water urns

In our case, there is a hot water urn that has a red light that lights up when the water reaches boiling point. At this time, the element also switches from rigorously heating the water to just maintaining its heat. When more cold water is added, the thermostat senses the drop in temperature and reactivates the heating element, at the same time extinguishing the red light. The question is: may one add cold water on YomTov or should the added water be boiled first, thereby avoiding this problem?

Causing the red light to be extinguished could be seen as Grama, but, as mentioned, there are major authorities who consider this a more direct action, because he is cooling the water directly. It could also be argued that this case is comparable to grilling meat over coals which is permitted despite the fact that the coals will be extinguished by the meat-juices because it is Kibuy Letzorech Ochel Nefesh. In the same way, here it is necessary to extinguish the light in order to boil the water. However the arguments against these claims are, firstly, that Gram Kibuy is only permitted to avoid monetary loss, and, secondly, that Kibuy is only really permitted Letzorech Ochel Nefesh if there is no other way to prepare the food. So if the person is able to boil the water before adding it, extinguishing the light or causing it to be extinguished, would not be permitted.

Lastly, on some of these urns, there are two elements on separate circuits, one to heat the water to boiling point at which point it switches off and the other switches on to maintain the heat. Others have one element which is controlled by the thermostat to raise or lower the current according to the temperature of the water. With the first type, there is an added problem of completing a circuit, which involves Molid Aish. If one knows that by adding a small amount of water nothing will be activated, then, even if it does change later, it can be considered a Davar She'eino Miskaven [see Halochoscope Vol I No 3] and possibly a Grama and is permitted. This question was posed to Rav Shlomo Zalman Auerbach who said that, unless there is no indicator light and it can be ascertained that there is only one circuit, one should not pour in cold water.

There is a third type of urn that is regulated like an oven, alternately switching on and off as the water is heated and cools. With these urns, one may add cold water while it is already reheating since one is not switching a current on, Molid

Aish, nor turning it off.

Household hot water heaters

Here we will discuss briefly the type of hot-water system commonly used in single-family households. The heater is filled to capacity and heats all the water to the pre-set temperature. When some hot water is removed and replaced with cold water, the heater is reactivated to heat up the mixture again. On gas-powered models, there is a pilot, so that Molid Aish is not a problem on YomTov. [On Shabbos, of course, there are a lot of Melochos involved and one cannot use it. See Tzitz Eliezer Vol 2 No 18.] *Bishul*, cooking or boiling the water, is permitted on YomTov for other purposes besides drinking such as washing one's hands. Washing dishes has the added reason to be permitted of being somewhat Tzorech Ochel Nefesh or at least Machshirei Ochel Nefesh. [See Shul. Ar. O.C. 511] However, since some of the water heated on YomTov will invariably be left until after YomTov, (in fact the last bit of cold water that enters the mixture will be heated Shelo Letzorech YomTov) it would appear to be a question of *Hachana*, preparing on YomTov for after YomTov. Since this is anyway a *P'sik Reisha Delo Nicha Lay*, an indirect Melacha that one does not want to do, and it is impossible to boil water needed for YomTov without also causing the extra water to be boiled, it is permissible. This is based on the Talmud which allows one to cook up a whole pot of meat on YomTov even if one needs a Kezayis, because it will cook better if the pot is full. [See Beitza 17a Mishneh Berura 507,32.]

©1993 Rabbi Shimon Silver

ANNOUNCEMENTS

SHABBOS HAGODOL DROSHO:

The Rav will deliver a Shabbos Hagodol Drosho in Shul following Shacharis - B'inyan Shitas Rambam B'issur Mashehu Shel Chometz.

Congregation Shaaray Teffillah joins Congregation Poale Zedek in a shared Shabbos Hagodol program at the Poale Zedek Shul, Shady and Phillips Avenues, beginning at 4:45 PM with a Shiur Halocho by Rabbi Silver. This year's topic: "Is Alcohol really Chometz?" This will be followed by Rabbi Miller's Drosho entitled: "Frumkeit or Foolishness", at 5:15 PM.

SCHEDULE:

SHABBOS MINCHA	6:25 PM
Clock changes 1 hour forward on Motzoei Shabbos.	
SHACHARIS SUNDAY	8:00 AM
MINCHA SUNDAY	7:35 PM
Bedikas Chometz Sunday night	
SHACHARIS MONDAY	7:00 AM
followed by Siyum Bechorim.	
Sof Z'man Achilas Chometz -	Mogen Avrohom 10:50 AM
Last time for eating Chometz	GRO 11:14 AM
Biur Chometz - Chometz must be completely burned by	12:06 PM
Chatzos - end of time for shaving, haircutting, laundry, etc.	1:23 PM
Mincha Ketana	5:08 PM
CANDLELIGHTING- YOMTOV 1ST NIGHT	7:31 PM
MINCHA EREV YOMTOV	7:40 PM
Earliest time to begin Seder:	1st night 8:30 PM
	2nd night 8:31 PM
Chatzos Halaylah - Afikomen should be eaten by	1:22 AM
SHACHARIS YOMTOV	9:00 AM
MINCHA YOMTOV - BOTH DAYS	7:35 PM
There will be a guest speaker between Mincha and Maariv.	
Earliest time for CANDLE-LIGHTING and any Melacha	2nd night 8:31 PM
Second night - Sefiras Haomer	
SHACHARIS THURSDAY & FRIDAY CHOL HAMOED	7:00 AM
MINCHA THURSDAY	7:40 PM

CANDLE-LIGHTING SHABBOS CHOL HAMOED	7:35 PM
MINCHA EREV SHABBOS CHOL HAMOED	7:00 PM
SHABBOS SHACHARIS	9:00 AM
SHABBOS MINCHA	7:30 PM

CANDLE-LIGHTING SHVI'I SHEL PESACH	7:37 PM
MINCHA EREV YOMTOV	7:00 PM
SHACHARIS YOMTOV	9:00 AM
MINCHA BOTH DAYS YOMTOV	7:40 PM

There will be a guest speaker between Mincha & Maariv.

Earliest time for CANDLE-LIGHTING and Melacha

2nd night 8:38 PM

On the last day of Pesach we will have a Seudas Baal Shem Tov after Mincha.

SHACHARIS WED - FRI	7:00 AM
MINCHA WED & THURS	7:50 PM
CANDLE-LIGHTING SHABBOS SHMINI	7:42 PM
MINCHA EREV SHABBOS SHMINI	7:00 PM

Throughout the summer we will be davening MINCHA ERE SHABBOS at 7:00 PM untill Shabbos begins before 6:50PM again.

SHIURIM:

GEMORO MAKOS	SUNDAY 7:15 AM
There will be a Shiur B'inyana Deyoma on YomTov 1 hour before Mincha.	
HILCHOS SHABBOS	SHABBOS 8:15 AM
SHIUR ON SHIR HASHIRIM	
SHABBOS' CHOL HAMOED 6:30 PM	

This issue of HALOCHOSCOPE was sponsored by Dr. and Mrs. Manny Kanal for Parshas Tzav, and by Leroy Harris in memory of Balla Chaya bas Leib Binyomin Leib A"H, whose Yorzite is on the 24th of Nissan, for Shabbos Chol Hamoed.

Any and all comments and suggestions are welcome and can be addressed to
 Rabbi Shimon Silver
 Congregation Shaaray Tefillah
 5741 Bartlett Street
 Pittsburgh, PA 15217

CHAG KOSHER VESAMECH !!