

# HALOCHOSCOPE



Congregation Shaaray Tefillah, Pittsburgh, PA

The question:

May one use ice-cubes in the kiddush wine?

What could the problems be?

- (A) Using and making ice on Shabbos.
- (B) Diluting wine.
- (C) *Revi'is*, the minimum amount of a drink in Halacha.
- (D) Is ice a liquid?
- (E) Filling the *Kos*, Kiddush cup, to the brim.

### (A) Ice on Shabbos

The Talmud forbids melting ice on Shabbos by crushing or rubbing it in one's hands, but if ice is put into water it is permitted. There are basically three opinions on the reason for this prohibition. It could be viewed as creating water from ice, which is comparable to Melacha and is therefore forbidden Rabbinically. A slightly different interpretation of this view considers the water produced to be *Nolad*. This means that, since the water was not in existence at the beginning of Shabbos, it is Muktza. A third opinion considers this prohibition a Rabbinic extension of the Melacha of *Sechitah*, squeezing the juice out of a fruit, since here, too, a liquid is being produced from a solid food.

The reason that ice melted in water is permissible is because it is no longer recognizable and becomes *Batel*, insignificant, in the water. Moreover, the Rabbinic prohibition comparing this to *Sechitah* would not extend to cases where the liquid produced is not collected but spilled directly into another mixture. In addition, there is a difference between purposely melting ice and cooling water with it, where there is no intention to melt the ice. Furthermore, the ice actually melts by itself, so even if one intentionally left it in a warm place, it is not the same as melting it in one's hands. According to the last two reasons, one need not be concerned when using water that came from a melted ice-cube. However, unless absolutely necessary, one should not rely on these reasons, but follow the first reason that only permits ice melted in water. One might even be permitted to crush ice, or melt it into the cup. [See Shabbos 51b, Rashi, commentaries and Poskim. Rambam Hil Shabbos 21:13. Tur, Bais Yosef, Shulchan Aruch, Rema Orach Chaim 318:16, 320:9, 326:10 commentaries. Pri Megadim. Eshel Avraham 318:40. Tzitz Eliezer 6:34, 8:12, 9:28, 12:34]

Making ice or ice-cream on Shabbos is something relatively recent, and has been discussed by the later authorities. Besides for the problem of *Nolad*, when forming a solid food from a liquid, there arises a question of *Boneh*,

building, which is the prohibition involved in making cheese. There are additional problems that could arise, such as *Lash*, kneading a mixture or batter. There appears to be a consensus that forbids making ice-cream, which involves actively forming the solid. However, regarding placing water in the freezer to turn into ice-cubes by themselves, there are authorities who permit, some who forbid, and some who allow it only on very hot days. [See Tzitz Eliezer as above and 9:14. Beer Moshe Vol 2 No 25. Shemiras Shabbos Kehilchasa 1st ed. 7:1-3]

Freezing and melting things like milk or chicken-soup pose less of a problem because it is not considered a new food or liquid but a frozen or melted form of the same food. Nonetheless, this only takes into account *Nolad* or creating water. We must also consider the opinion that forbids melting because of *Sechitah*. Thus, only foods which are in an edible form when solid can be melted, such as fish jelly. [See Shemiras Shabbos Kehilchasa 1st ed 1:25 note 58, 7:2 note 5, 17:9 note 114.]

#### (B) Diluting Wine

When wine is required for a Mitzvah, it need not be full-strength to be considered wine. In Talmudic times, undiluted wine was so strong that it was often considered dangerous and unsuitable for a Mitzvah until it was diluted one part wine to three parts water. Even though a dilution by more than half would normally render something *Batel*, or at least *Tafel*, secondary, regarding wine it was normal, in fact ideal, to use it in dilute form. Although most wines today are not so strong, and can be drunk undiluted, it is generally accepted that one may still add three parts of water to pure wine, without affecting its suitability for Mitzvos. Similarly, the Brocha on wine, *Borei Pri Hagofen*, is appropriate when it is diluted in this proportion. [Note: many wines available today have already had water added, although not in this proportion. Although one may still add water to them, one should be careful not to dilute them to more than a ratio of 3:1] The principle behind this is that the reason wine has its own Brocha is because of its importance. When water is added to wine, the person drinking it still views it as wine, rather than water with a little wine in it. On the contrary, there are times when one prefers to dilute it to improve it. In this way, the wine is not the *Tafel*, but the *Ikar*, the primary element, in the mixture. This is even true when certain other things, such as honey, are added to the wine in large proportions. Understandably, adding an ice-cube, which does not mix with the wine, is not considered a dilution until it melts, since it is not a mixture but two identifiable parts. Nonetheless, it is clear that the ice-cube is *Tafel* to the wine; it is not there to be eaten, only to cool the wine and therefore would not have its own Brocha. [Usually when there are two foods that have different Brochos being eaten at the same time one only recites the Brocha for the main food and not for the secondary one, such as a sauce.] [See Shabbos 76b-77a Baba Basra 96b, 97b. Shulchan Aruch O.C. 272:5, 202:1. commentaries. Biur Halacha 204:5 commentaries, etc.]

#### (C) *Revi'i's*

For a drink, the Torah uses the liquid measure of a *Revi'i's Halog*, a quarter of a Log measure. In today's measuring units, this is somewhere between three and six fluid ounces, depending on which Posek one follows. [E.g. see Shabbos 76b, Pesachim 105b, etc.]

Whereas one is obligated in a *Brocha Acharona*, blessing after foods, after eating a *Kezayis*, an olive-size amount, after a drink it is questionable if this is sufficient. There are opinions that say that only after drinking a *Revi'i's* is one obligated in a *Brocha Acharona*. (A *Kezayis* is a third of a *Revi'i's*.) Consequently, one should drink either less than a *Kezayis* or more than a *Revi'i's*. When eating solid food one need not eat the whole *Kezayis* at one time, but over a period of *Kedai Achilas Pras*, the usual time taken to eat a half-loaf which is eight *Kezaysim*. However, a *Revi'i's*, according to some, must be drunk in the normal time taken to drink it. [E.g., see Sh. Ar. O.C. 190:3, 210:1 Mishnah Berurah 1, Shaar Hatziyun 11.]

All those mitzvos that require drinking a cup of wine require the minimum of a *Revi'i's* in the cup. When water is added it becomes part of the wine. Although not all of the *Revi'i's* need always be drunk, it must nonetheless all be fit to drink. The sediments from the bottom of the wine-barrel are also counted as wine. [See Pesachim 108b, Rashbam, etc. Mishnah Berurah 271:51. Sh. Ar. O.C. 272:3]

#### (D) Is Ice a Liquid?

We find that the Talmud says that dried wine is measured in a *Kezayis*. However, frozen wine has a different Halacha since dried wine has had the liquid removed. Snow is considered by the Talmud neither definitely solid nor liquid, but, in our case is considered liquid by some commentaries. [See Shabbos 77a, 51b Ramban Niddah 17a. Yabia Omer Vol 4 No 28: 9-11.]

In a related question which would shed light on our issue, there is some debate regarding the Brocha recited over wine products. When wine is made into jello or jam, it loses its special significance; nonetheless, there are opinions that even when a wine solidifies into a food, it retains the Brocha *Hagofen*. [See Kaf Hachaim O.C. 202:14,16. Tzitz Eliezer 3:7.] Accordingly, frozen wine could easily be considered wine.

Another question arises when reciting the Brocha after eating ice or ice-cream, or drinking a drink with ice chips. Based on a ruling regarding hot drinks, where one cannot finish a *Revi'i's* of the drink within the normal time, and should, therefore, not recite a *Brocha Acharona* afterwards, a number of Poskim rule that one should not recite *Borei Nefashos* after ice-cream or sorbet. They do not consider them solid food since one does not chew, but "drinks" them. Accordingly, grape juice ice-cubes are a liquid and can combine with the wine. [See Sh. Ar. O.C. 210:1 Yabia Omer Vol 5 No 18:9.]

May ice be used to complete a *Revi'i's*? Let us consider another case: When filling a Mikvah with rain-water, one must be careful not to add any drawn water before the Mikvah has at least forty *Seah* of rainwater. Snow and ice, however may be added. Not only do they not count as drawn water, but they can even be used toward the minimum amount of forty *Seah* of rainwater. As far as drawn water is concerned, they are not considered water, but ice. However, in the Mikvah, they are *Batel* and become part of the Mikvah. In our case, both these qualities would work against counting the ice as part of the wine. Firstly, since ice is not water, it cannot be mixed with wine. Secondly, snow and ice are only considered part of the Mikvah because it is water, not wine. Furthermore, in a Mikvah of water and ice, one can still immerse the whole body, while one cannot drink a whole cup of wine and ice-cubes. [See Mikvaos 7:1 Sh. Ar. Y.D. 201:30,32.]

One could suggest that the ice will eventually melt and so it could be viewed as combining with the wine. This would not help because when diluting wine it is fit to be stirred while the ice in its present state is not. Also, on Shabbos, one reason that ice may be added is that one does not intentionally melt it, while here one intends to dilute the wine with it to complete the Revi'i's.

Adding wine ice-cubes would apparently take care of this problem since it is not being used to dilute but as a part of the wine. The problem remains that not all of the wine is fit to drink. Consequently, one should not add ice, or grape-juice cubes to complete the Revi'i's, but if the cup can hold a Revi'i's besides, the ice-cube is permissible.

### **(E) Filling the Cup**

When using a Kos for a Mitzvah, it should be filled to the top, even overflowing. This means that even if the cup holds much more than a Revi'i's, it must be filled to capacity. If one has enough wine for a Revi'i's but not to fill the cup, one may place a piece of solid food into the wine to displace it. Accordingly, ice-cubes could be used for this purpose. [See Sh. Ar. O.C. 182-183, 271:10 and Magen Avrohom, Mishnah Berurah end 182. Radiance of Shabbos 9, note 10.]

© 1993 Rabbi Shimon Silver

### **ANNOUNCEMENTS**

#### **SCHEDULE:**

SHABBOS SHACHARIS	9:00 AM
SHABBOS MINCHA	8:10 PM
SHACHARIS SUNDAY	8:00 AM
SHACHARIS MONDAY - FRIDAY	7:00 AM
MINCHA SUNDAY - THURSDAY	8:25 PM
CANDLE-LIGHTING EIKEV	8:10 PM
Plag Hamincha-earliest time to light candles	7:08 PM
MINCHA EREV SHABBOS EIKEV	7:00 PM

Kiddush is given by Yermiyeh Yudkovicz in honor of his Aufruf, Mazel Tov.

#### **SHIURIM:**

GEMORO MAKOS	SUNDAY 7:15 AM
HALACHA B'YUN	MONDAY 9:00 PM
HALACHOS OF BUSINESS	THURSDAY 4:30 PM
HILCHOS SHABBOS	SHABBOS 8:15 AM

DAF YOMI: Shabbos 6:00 pm, Sun 8:50 am, Mon-Thurs 7:30 pm

This issue of HALOCHOSCOPE has been sponsored by Dr. and Mrs. Manny Kanal.

Anyone interested in subscribing to Halochoscope may send their name and address, along with a check for \$36 made out to Congregation Shaaray Teffillah, to the address below. Please note in the "memo" of the check that this is for a subscription to Halochoscope.

Comments and suggestions are welcome and can be addressed to :

Rabbi Shimon Silver

Congregation Shaaray Teffillah

5741 Bartlett Street

Pittsburgh, PA 15217 Tel.(412) 521 9911/5419