The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן פ"א סעיף א'-ב'

Halacha Highlight

Siman 81 Seif 1:

When a child reaches the age at which other children his age are capable of consuming an olive's volume of grain within the amount of time that an adult could eat a *pras*, it is necessary to distance one's self from his waste or *mei raglayim*.

- Once a child is six or seven one is required to distance himself from the child's waste even if he cannot eat this quantity of grain within the proscribed amount of time. (M.B. 1)
- If we know that the child is weak and he cannot eat an olive's volume within *kdei achilas pras* it is unnecessary to distance one's self from his waste even if he is three or four. (M.B. 2)
- If a child is capable of eating the proscribed amount it is necessary to distance one's self from his waste even if he never actually ate that amount. There are lenient opinions regarding a child who has not eaten the proscribed amount of grain in a long period of time or has never eaten the proscribed amount but *l'chatchila* one should be stringent since the matter is Biblical. *B'dieved* if one *davened* he is not required to repeat that *tefila*. (M.B. 2)
- Although not mandated, it is appropriate for one to distance himself from the waste of even an eight day old child. Magen Avrohom cites authorities who write that one should not *daven* in the presence of children since they play in dirty places and wipe the filth on their clothing. (M.B. 3)
- *Kdei achilas pras* is measured based on the speed at which the average person eats. (M.B. 4)

Siman 81 Seif 2:

If one was reading *shema* and sees waste in front of him he should walk to a place so that the waste will be four *amos* behind him. If that is not possible, for example, there is a river or something else in front of him, he should move so that it is four *amos* to his side and he is only required to resume where he left off. According to Rabbeinu Yonah if this occurred in a place where he should have realized that there could be waste he must start again from the beginning.

- The same *halacha* applies to one who was *davening shemone esrei*. (M.B. 7)
- The same *halacha* applies if one sees *mei raglayim*. (M.B. 8)
- This *halacha* refers to where the waste was discovered more than four *amos* from where the person had been standing. (M.B. 9)
- While reading *shema* one could also turn and face the west so that the waste is behind him. (M.B. 10)
- One must be four *amos* from where the smell dissipates. (M.B. 11)
- *B'dieved* one may rely upon the lenient opinion that one resumes where he left off. (M.B. 13)

Overview

Davening near a dirty diaper

Shulchan Aruch Siman 81 Seif 1
מרחיקין מצואתו או ממימי רגליו
We distance ourselves from their waste and *mei raglayim*

Shulchan Aruch (סע' א') writes that once a child reaches the age that others his age are capable of eating an olive's volume of grain in the time it takes an adult to eat a *pras* one must distance himself from his waste or *mei raglayim*. Rav Yaakov Emden wrote that when a child is one year old one has to avoid *davening* in the vicinity of his waste or *mei raglayim*. Sefer Misgeret HaShulchan notes that nowadays that food is made to make it easier for a child to digest grains one should begin to take precautions from the time a baby is three months old. Others suggest that one should begin to exercise caution from the time a baby is two months old, and yet others write that if a baby is not nursing one must begin to be cautious from the time the baby is four weeks since it may be possible to eat an olive's volume of grain within *k'dei achilas pras* of an adult. Mishnah Berurah (סק"ג) writes in the name of Magen Avrohom that it is good and proper for one to distance himself even from the waste of an eight day old child (ע' פסקי תשובות אות א' והע' 2).

Rav Shlomo Zalman Auerbach (הליכות שלמה פ"כ אות ה') wrote that once it is necessary for one to distance himself from the waste of a child, even if it is contained in a disposable diaper one may not *daven* since the diaper may be considered a *graf shel re'i*. Therefore, a garment should be placed over the diaper or it should be wrapped well in a bag before one recited *devarim she-b'kedusha* near the dirty diaper. If, however, a child is in a diaper and one does not smell anything the custom is to be lenient and recite *devarim she-b'kedusha* in the child's presence and we do not suspect that the child may be dirty (פסקי תשובות אות ב').