The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן קס"ד סעיף ב'

Overview

Siman 164 Seif 2:

If one is in the middle of a meal and realizes that he touched his calf or thigh or other covered parts of the body or if he scratched his head or something similar (e.g., dirty parts of the body where sweat gathers), **he must wash again and repeat the *beracha* of על נטילת ידים.**

- If a person was distracted and lost track of his hands the same *halacha* applies. If one touched a covered part of his body while bread was in his mouth he may not swallow that bread until he washes his hands. (M.B. 8)
- If one touched his head rather than scratch it he is not required to wash. (M.B. 10)
- Certainly if one touched an actual "dirty" part of the body, relieved himself or got some urine on his hand he must wash again. (M.B. 12)
- Maharshal asserts that the *beracha* should not be recited. Biur Halacha concludes that one who relieved himself, touched an actual "dirty" part of the body or walked away from the meal for a period of time must wash and repeat the *beracha*. If he only touched covered parts of the body or even if he got urine on his hands he must wash but he does not repeat the *beracha*. (M.B. 13)

Stories to Share

An Uncomfortable Situation

מ"ב ס' קס"ד, ס"ק ח': "אסור לבלוע עד שיטול ידיו..."

One family was eating a meal in another family's house. When it was time to wash, one of the children touched his father's hands while they were still wet, invalidating his netilah. The father figured that he would wash again after everyone finished washing, but he was so busy trying to manage his kids that he forgot. As he was in the middle of eating a bite of the main dish he suddenly recalled that he had not washed for bread himself.

Having learned today's amud, the man was in a quandary as to what he should do. Was it really forbidden for him to swallow the mouthful until he washed again? He figured that it was a question of kavod habriyos which trumps rabbinic obligations and quickly swallowed. But then he began to have second thoughts. Perhaps he could have just got up and washed without swallowing? He was almost certain that no one would have noticed, and even if they had, he could have easily explained everything. He was certain that his gracious hosts would not have made him feel the least bit uncomfortable.

Since he realized that his rationale had probably been wrong, he wondered if there was any other way around this uncomfortable psak of the Mishnah Berurah. When he asked this question, he was told that Rav Yosef Shalom Eliyashiv, zt"l, had made two important points about this psak that every person should know.

Rav Eliyashiv explained, "Firstly, if one has chewed the food, the Mishnah Berurah would agree that he is permitted to swallow immediately. Secondly, the Mishnah Berurah discusses one who was eating bread. If one has any other food in his mouth and then he discovers that he failed to wash or he definitely needed to wash again, he may swallow before washing."

פסקי הלכות, ע' י"ז

Halacha Highlight

Touching a covered part of the body in the middle of the meal

Shulchan Aruch Siman 164 Seif 2

ונזכר שנגע בשוק וירך

And realizes that he touched his calf or thigh

Shulchan Aruch rules that one who is in the middle of a meal and realizes that he touched a part of his body that is normally covered or if he scratched his head, he must wash his hands and repeat the *beracha*. Mishnah Berurah (סי' ק"ס ס"ק נ"ג) ruled that one is required to wash again only when one is certain that he did something that warrants washing a second time but if one is merely uncertain whether he touched a covered part of his body or scratched his head he is not required to wash again. The requirement to wash again after touching a covered part of the body is so strong that Mishnah Berurah rules (סק"ח) that if one has bread in his mouth and realizes that he touched a covered part of his body he may not swallow that bread until he washes his hands.

Mishnah Berurah (ס"ק י"ג) references Maharshal who disagrees with Shulchan Aruch's ruling that he must repeat the *beracha*. The only time it would be necessary for him to repeat the *beracha* is if he walked away from the meal for an extended period of time. Mishnah Berurah writes that there is a difference of opinion amongst the *Poskim* whether one should follow Mahrshal or not and then relates that in the Biur Halacha he came to the following conclusion. If one relieved himself or touched an actual dirty part of his body he should repeat the *beracha* but id he merely touched a covered part of the body he should not repeat the *beracha*. Chazon Ish(או"ח סי' כ"ה סק"ט) writes that to draw a distinction as Biur Halacha did without precedent from the Rishonim is difficult to do. Therefore, he rules that one who washes and recites the *beracha* does not lose by adopting such a position but there is no reason to protest one who is lenient and does not repeat the *beracha*.