The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן רנ"ג סעיף א'

Overview

Siman 253 Seif 1 (d):

Some maintain that if the food is cooked k'ma'achal ben drosai (the name of a person who ate food that was not fully cooked) **or if it was fully cooked even though shriveling would be beneficial, it is permitted to leave the food on a kirah** or even on a tanur **even if it is fueled with olive refuse or wood and even if the coals were not shoveled out of covered with ash. The requirement to shovel out or cover the coals as well as fueling a fire with straw and stubble refers to a food that began to cook but did not reach the level of ben drosai. It also applies when one removed food from a fire and wants to return it. If one forgot and left a food on the fire that began to cook and did not reach ma'achal ben drosai it is prohibited and this is certainly true if one intentionally left food on a fire.** The custom is to be lenient in accordance with the latter opinion. **This discussion relates to shehiyah in a circumstance in which the pot sits on an iron shelf or on stones rather than on the coals but in the event that the pot is insulated on top of coals it is prohibited according to all opinions.** Soma authorities maintain that even when the pot is on the fire as long as it is exposed on top it is not considered hatmanah – insulated, and is permitted. This is the custom but we are careful to detach it somewhat from the fire so that a Jew should be able to remove it on Shabbos. If it was not detached from the fire and rests on the fire on Shabbos, a gentile should remove the pot. If a gentile is not available it is permitted for a Jew to remove it but he must be careful to take it gently so that the coals do not move. If one was gentle but coals moved anyways it is permitted since it was not done intentionally.

- This opinion maintains that once it is minimally edible there is no concern that he will stoke the coals. For this reason it is permitted even if the coals were not shoveled out or covered with ash. These steps are necessary when the food did not reach ma'achal ben drosai or if one wants to return a food on Shabbos since it would appear as one is cooking if the coals were not removed or covered. (M.B. 37)
- There is a dispute whether it is half cooked or one-third cooked and Shulchan Aruch (254:2) follows the opinion that it is when it is half cooked. (M.B. 38)
- The same is true inside a kirah or tanur. (M.B. 40)
- B'dieved one may rely on the opinion that maintains that ma'achal ben drosai is one-third cooked since many authorities subscribe to this opinion. (M.B. 43)
- It is even prohibited for others until after Shabbos and whether one must wait b'k'dei she'ya'aseh is discussed in seif koton 32. (M.B. 44)
- Shulchan Aruch maintains that if the bottom of the pot touches the coals it is considered insulated and consequently prohibited even if the food is fully cooked and shriveling would prove detrimental. (M.B. 46)
- In other words, one did not cover it with a garment on the top. (M.B. 48)
- It is permitted since it involves she'hiyah and in accordance with the latter opinion is permitted if the food reached ma'achal ben drosai. (M.B. 49)
- This applies when the pot is on the coals but if the coals wrap around the pot it is prohibited for a Jew to remove it since the coals will certainly move and the lower ones will ignite and the upper ones will extinguish. Although there are authorities who would not even permit a gentile to move the pot in this circumstance when the food is needed for Shabbos there is room to be lenient. (M.B. 51)

Halacha Highlight

She'hiyah

Shulchan Aruch Siman 253 Seif 1 (d)

ויש אומרים שכל שנתבשל כמאכל בן דרוסאי

Some maintain that if the food was cooked to the degree of ma'achal ben d'rosai

Shulchan Aruch cites the second opinion found in the Rishonim regarding the parameters of the prohibition of she'hiyah. According to this opinion, as long as the food reached the stage of ma'achal ben d'rosai - either half or one-third cooked, it may be left on the kirah or tanur and one is not required to shovel out the coals or cover them with ashes. This leniency applies even if the kirah was fueled with olive refuse or wood that produces coal. The prohibition of she'hiyah is limited to where the food is on the fire but did not reach the stage of ma'achal ben d'rosai. Rema comments that the custom is in accordance with this latter, more lenient opinion. Interestingly, even Sephardim follow the lenient opinion recorded in Rema (כף החיים ס"ק כ"ג ושו"ת אור לציון ח"ב פי"ז תשובה ה').

Biur Halacha (ד"ה ונהגו) references Bais Yosef who cites Rosh who wrote that since the Jewish People closely adhere to the mitzvah of oneg Shabbos and will not listen if we were to adopt the stringent position, they should not be deterred from following the lenient position. Additionally, from the fact that the first opinion was cited without attribution (סתם) and the second opinion was cited in the name of "Some opinions" (יש אומרים) it implies that Shulchan Aruch also subscribes to the first, stringent opinion. Even though we do not protest against those who follow the lenient opinion it is certainly preferred to comply with the first, more stringent opinion that one must remove or cover the coals under all circumstances except where the food is fully cooked and the shriveling of the food caused by additional cooking would be detrimental. Chazon Ish (או"ח סי' ל"ז סק"ג וסק"ו), however, writes that one may leave a food on an open fire even l'chatchila as long as it reached the stage of ma'achal ben d'rosai and offers an alternative explanation of Rosh.