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Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן ש"ה סעיף י"ב-י"ז

Overview

Siman 305 Seif 12:

An animal may not go out with an emblem, whether it is on the animal's neck or whether it is on its garment.

Siman 305 Seif 13:

A camel may not go out with a מטלטלת which is a small pillow placed beneath its tail even if it is tied to its tail unless it is tied to its tail and hump or placenta.

- ❖ When it is tied to both it is firmly in place and will not fall. (M.B. 46)

Siman 305 Seif 14:

No animal may go out עקוד or רגול. עקוד is when one ties a foreleg to its back leg and רגול involves tying one of its legs up so that it can only walk on three legs.

- ❖ These conditions cause the animal pain and thus constitute a burden. It is permitted to tie its two forelegs or back legs together since it prevents the animal from running away and does not constitute a burden. (M.B. 48)

Siman 305 Seif 15:

One may not tie camels in a row in a manner in which one holds the strap connected to the first camel and the others follow after it. It is permitted to hold the strap of many camels but there is an opinion that prohibits this as well and only permits taking out a single animal pulled by a rope.

- ❖ It appears as though one is taking them out to sell them. Elya Rabba contends that the stringent opinion is a minority opinion and one need not be concerned for that position. (M.B. 49)

Siman 305 Seif 16:

If one takes out an animal leading it by a leash he must be careful that no more than a tefach of the leash extend beyond his hand since by doing so one gives the appearance that he is carrying it rather than it appearing as a leash. One must also not allow a long distance between his hands and the animal so that the weight does not leave the leash within a tefach of the ground and if the leash is long the extra should be wrapped around the animal's neck.

- ❖ If a tefach extends beyond one's hand he has not committed a transgression unless two tefachim extend beyond his hand but l'chatchila one should avoid even a single tefach extending beyond his hand. (M.B. 50)
- ❖ If the leash drops that low it does not appear as though the animal is being led by the leash and if it does not protect the animal it constitutes a burden. (M.B. 51)

Siman 305 Seif 17:

A donkey may not go out with a מרדעת if it was not tied on before Shabbos, a bell even though it is plugged, a "ladder" on its neck which are boards tied around its neck so that it does not rub its wound, a strap on its leg which is similar to a thick ring made from straw and is tied to the leg of an animal that takes short strides and bangs one leg into the other and this ring protects the animal from banging its legs against one another. Chickens may not go out with strings that one ties to its foot as identification or with a strap that is tied to its legs so that it doesn't break utensils. Rams may not go out with a wagon beneath its tail which is made to prevent its tail from dragging on the ground. Goats may not go out with wood that one inserts in its nose so that it should sneeze and worms will fall out of its head. A calf may not go out with a small yoke placed on its neck or with a muzzle placed on a calf's nose to prevent it from suckling. A cow may not go out with leather on its udder so that sheratzim do not suckle from it or with a strap between its horns, irrespective of whether it is for protection or as an adornment. Cows and bulls may not go out with a strap around its neck since it is unnecessary to protect the animal. Calves may go out with them since they easily become rebellious. An animal may go out with an amulet confirmed to be effective for animals but not one that is not confirmed even if it was confirmed effective for people.

- ❖ The rationale behind these rulings is the concern that they will fall and the person will transport them home. (M.B. 53)
- ❖ Another explanation is that when the animal's hoof splits one binds it together so that it should properly heal. (M.B. 54)
- ❖ Chaye Adam writes that if one tied on straps so that it should not be able to flee it is permitted. (M.B. 55)
- ❖ A person has mazal and an angel who will advocate for him which may assist the effectiveness of the amulet. (M.B. 60)

Halacha Highlight

Dog tags

Shulchan Aruch Siman 305 Seif 12

לא צמא בחותם

An animal may not go out with an emblem

Shulchan Aruch (סעי' י"ב) rules that an animal may not go out wearing an emblem irrespective of whether it is around the animal's neck or whether it is attached to its garment. Mishnah Berurah (ס"ק מ"ה) explains that even when the emblem is woven into the animal's garment so that there is no concern that it will fall off and the owner will carry it home, nevertheless it is prohibited because Chazal prohibited an animal from going out with an emblem when it is woven into the animal's garment out of concern that one may also think that it is permitted when it is not woven into the animal's garment.

In practical terms this means that an animal may not go out with an ID tag into the public domain or even a karmelis. This is important for dog owners to realize since most municipalities require animal owners to have an ID tag on their animal. Aruch HaShulchan (סעי' ה') rules that even when the tag is necessary so that people know that the dog has an owner because ownerless dogs are put to sleep, nevertheless, it is prohibited for the dog to go out with such a tag. Rav Shlomo Zalman Auerbach (שמירת שבת כהלכתה פכ"ז הע' ל"ד) contends that when the dog needs to go out to relieve itself and the ID tag is necessary so that the animal is not taken and put to sleep it is considered for the protection of the dog that it wear a tag and thus permitted. However, it is not permitted for the dog to wear a tag so that the owner does not incur a fine for allowing his dog to go out without an ID tag.