The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Sun, Dec 3 2023 ■ כ' כסלו תשפ"ד
סימן ש"ח סעיף ל"א-ל"ה

Overview

Siman 308 Seif 31:

Raw meat, even if tasteless because it was not even salted may be moved since it is fit for people to chew. Similarly, one may move swollen meat (spoiled) **since it is fit for dogs.**

- There are people who chew raw meat. Magen Avrohom asserts that this applies to fowl but not animal meat but Taz and others disagree and in a pressing circumstance one may rely upon the lenient position. (M.B. 125)

Siman 308 Seif 32:

It is permitted to move salted fish but prohibited to move unsalted fish since it is not fit.

- Since it is salted it can be eaten with difficulty and the same is true for smoked fish. (M.B. 126)
- Taz maintains that the unsalted fish referenced here isn't even fit for dogs whereas Magen Avrohom contends that if it can be eventually eaten by humans one would not feed it to a dog and thus it is muktzah. (M.B. 127)

Siman 308 Seif 33:

An unconfirmed amulet may be moved even though one may not go out wearing it.

- One may not go out to the public domain wearing it but it is permitted to go out to a karmelis. If the amulet was proven unreliable (rather than just unconfirmed) one may not even go out to a karmelis. (M.B. 129)

Siman 308 Seif 34:

Anything that is filthy, e.g., waste, vomit or discharge, whether from a person, a chicken or something else, if it is in a courtyard where people sit, it is permitted to take it out to the garbage heap or the bathroom even without it in a utensil. If it is in a courtyard where people do not live it is prohibited to remove it but if one fears that his child will become soiled it is permitted to cover it with a utensil.

- A dead mouse may also be removed since it is repulsive. (M.B. 130)
- If it is in an alleyway where people walk it may be pushed to the side. (M.B. 131)
- A chamber pot may also not be removed if it does not contain waste when it is in a place that people do not walk. If it is full and unusable for further waste it may be removed to protect human dignity. (M.B. 134)

Siman 308 Seif 35:

Even though it is permitted to remove a chamber pot containing solid or liquid waste it is prohibited to return it unless it contains water.

- Although a chamber pot is a utensil, since it is so repulsive it is muktzah and may be removed to retain one's honor but to return it requires the presence of water. (M.B. 136)
- Magen Avrohom maintains that as long as it remains in one's hands he may move it to another location but other authorities question this ruling. (M.B. 137)
- The water must be fit for animal consumption. Shulchan Aruch implies that one may return the chamber pot that contains water even if one does not need to use it but other authorities are strict and Elya Rabba concludes that if its present location is protected it should not be returned if it is not needed. (M.B. 138)

Halacha Highlight

Raw and frozen meat

Shulchan Aruch Siman 308 Seif 31

בשר חי

Raw meat

Shulchan Aruch (סעי' ל"א) rules that it is permitted to move raw meat even if it is unsalted since meat is fit to be eaten raw. Mishnah Berurah (ס"ק קכ"ה) presents a disagreement concerning the scope of this leniency. Magen Avrohom maintains that it is limited to fowl since its meat when raw is soft but animal meat that is tough is not considered edible raw and thus is muktzah. Taz and others contend that it is permitted to move even raw animal meat. Mishnah Berurah's conclusion is that although many authorities cite Magen Avrohom's position without any further qualification, nevertheless, in a circumstance of need one may rely upon Taz's lenient position. Rav Nissim Karelitz (חוט השני ח"ג פס"ג סק"א) writes that raw meat is not muktzah nowadays even though it is uncommon for people to eat raw meat since the meat is considered to be an edible item and if a person had a compelling reason, even nowadays, he would eat raw meat. Rav Moshe Feinstein (או"ח ח"ה סי' כ"ב אות ט') disagrees and maintains that nowadays that people no longer eat raw meat it is considered inedible and therefore muktzah.

Shevet HaLevi (ח"ג סי' כ"ט אות ג') rules that when it is not necessary to move raw meat one should adopt a stringent approach and adds that this applies even to fowl meat that is soft since people generally do not eat raw fowl meat either. With regards to frozen meat, Shevet HaLevi (שם) writes that it is muktzah since in its present condition it cannot be eaten even if one wanted to eat it. In this regard it would be comparable to flour and raw rice that is muktzah since in its current condition it is considered inedible. Rav Yosef Shalom Elyashiv (שלמי יהודה פ"ח סק"ב) maintains that if it is possible to thaw the meat on Shabbos, for example, placing it on a pot of food or in warm water, the frozen meat is not muktzah.