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Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן שי"ד סעיף ב'-ו'

Overview

Siman 314 Seif 2:

If there was a hole that was plugged that was below the sediment, it is prohibited to open it. Since the hole was at the bottom and it would have to support the weight of the wine it was necessary to make a strong plug and therefore it is as if one is making a new opening. If the hole is above the sediment, it is permitted to open it.

- Therefore, it is prohibited to make a hole even if it is not large enough to put things in and take things out. (M.B. 14)
- It is permitted to open it even if the hole is large. (M.B. 15)

Siman 314 Seif 3:

It is permitted to drill a hole even with a drill into an old hole, for example, if the spigot broke. Some maintain that it is only permitted to puncture an old hole in a barrel of earthenware since the plug does not hold very well but regarding a wooden barrel where the wood used to plug the hole is attached firmly and the top is cut off with the intent to not remove the plug, it appears as if one is making a new hole and thus it is prohibited.

- It is not considered a plug since it is above the sediment. (M.B. 17)
- Elya Rabba claims that other *Poskim* disagree and he follows their position but others indicate that one should adopt a stringent position in accordance with the יש אומרים. (M.B. 19)

Siman 314 Seif 4:

If there is a spigot in a barrel that no one can remove, it is permitted to take another spigot and hammer it into the old spigot so that one could drink the wine on Shabbos as long as the first spigot is not parallel to the sediment as was mentioned in *seif* 2.

Siman 314 Seif 5:

It is permitted to insert a hollow tube in a barrel or spigot **in order to remove the wine even though it was never there before. One may not place a myrtle leaf in a hole in a barrel since the leaf is shaped like a gutter and the wine will flow through it to prevent one from making a gutter for the wine so that the wine will flow through it to a far distance because when one takes the leaf and folds it like a gutter it appears as though she is making a gutter, and it is not similar to a spigot or a tube that do not have to be adjusted.** Some permit using a myrtle leaf when it has many folds and there is no concern that one will fold it.

- That is what it is there to do and it does not involve making a utensil, however, it seems that it is prohibited to insert it firmly and with pegs. (M.B. 20)
- Bais Yosef wrote that it appears from Rambam that even if the tube was not repaired fully and still needs to be fixed, nevertheless it is permitted to insert it without concern that he will adjust it. (M.B. 21)
- The disagreement between Shulchan Aruch and Rema is rooted in a disagreement in the Gemara. (M.B. 22)

Siman 314 Seif 6:

It is permitted to remove the top of a barrel with a sword since the intent is not to form an opening being that he is removing the top.

It is prohibited to puncture a hole in the side, irrespective of whether it is the side of the barrel or the cover. Even if one makes the hole with a spear which creates a large hole that is dissimilar to an opening, it is prohibited since it is on the side and appears as though one intended to make an opening. It is permitted to puncture a hole on the top of the cover being that his intent is not to fashion an opening, since people remove the entire cover rather than make an opening on top.

- Construction and demolition do not apply to utensils and Shulchan Aruch refers to an inferior barrel held together with pitch. If one wants to cut off the top it is permitted even if the barrel is complete since it is not considered "breaking" being that it is not attached to the barrel. (M.B. 23)
- One merely intends to widen the mouth so that he could easily remove it contents but only when it is done for guests. (M.B. 25)
- Puncturing a hole is comparable to fashioning an opening and is at least Rabbinically prohibited even if it is not large enough to put things in and take things out. Regarding the cover one is liable only when the hole is on the side of the cover but one is liable for making a hole in a barrel even when it is on the top. (M.B. 26)
- It is logical that it is permitted according to all opinions even if it is not for guests. (M.B. 28)

Halacha Highlight

Attaching a needle to a disposable syringe

Shulchan Aruch Siman 314 Seif 5
מתר לתן קנה חלול להוציא יין
It is permitted to insert a hollow tube in order to take out wine

Shulchan Aruch (סע' ה') rules that it is permitted for one to place a hollow reed into a barrel or spigot in order to remove the wine that is inside even though the hollow reed had never before been inserted. Mishnah Berurah (סק"כ) explains that it is permitted since it is fit and designed for this purpose and thus does not constitute an act of fashioning a utensil. He adds, however, that it is prohibited for one to attach it firmly with pegs since that would violate the prohibition against completing a *melacha*.

Rav Shlomo Zalman Auerbach (מנחת שלמה מהדו"ת סי' י"ט) ruled that it is permitted to attach a needle to a disposable syringe even though the parts attach firmly together. The reason this is not similar to Mishnah Berurah's ruling that one may not attach a hollow reed to a barrel firmly is that attaching a reed firmly to a barrel gives the impression that one is fashioning a permanent spout for the barrel and thus is prohibited since it seemingly completes the construction of the barrel. In contrast, when one attaches the needle to a disposable syringe, since the intent is for it to be used only once it is not considered as though one finished the construction of a syringe. Instead the attachment of the needle is the manner of its use and thus is permitted. However, he notes that according to Chazon Ish who maintains that it is prohibited to construct a utensil that must be put together in order to be functional, even if one's intent is to dismantle it after its use, it would be prohibited to attach a needle to a syringe.