The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן שי"ט סעיף א'-ב'

Overview

Siman 319 Seif 1:

If one selects food from refuse or if there are two foods before him and he selects one from the other, if he uses a נפה or a כברה (types of sieve. GES) **he is liable, if he uses a קנון or תמחוי he is exempt although it is Rabbinically prohibited. If one selected by hand for immediate use it is permitted.** Whatever one selects for the meal that one will sit down to eat is considered for immediate use. It is permitted to select even for others who will eat with him. Therefore, it is permitted to separate leaves called שלאטי"ן from the rotten leaves for the needs of that meal.

- קנון is a funnel shaped utensil used for separating refuse from beans. A תמחוי is a large plate and the reason it is only Rabbinically prohibited is that it is an unusual manner of selecting since it is usually done with a נפה or כברה. (M.B. 2)
- Even if the meal extends for a long period of time it is considered for immediate use since the selection is done before the meal. (M.B. 4)
- If he intends for there to be leftovers after the meal he is liable to offer a Chatas. However, if there just happens to be leftovers there is no problem since the selection was done in a permitted manner. (M.B. 5)
- One is permitted to select on behalf of all the people who will eat at the meal even if the one doing the selecting will not eat with them. (M.B. 6)
- It is only permitted if one selects the food from the refuse but it is Biblically prohibited to select the refuse from the good leaves. Even if the bad leaves could be eaten with difficulty it is Rabbinically prohibited to select them since it appears as though one is selecting refuse from food. (M.B. 7)

Siman 319 Seif 2:

If one selects food from refuse by hand for use later that day it is as if he selected for storage purposes and he is Biblically liable.

- Therefore, one should be careful when preparing onions in vinegar which are commonly eaten during *seudah shlishis* to prepare immediately before the meal and one must also be mindful not to separate the withered leaves from the good ones. Shiltei Giborim would prepare the food before Shabbos but one need not protest those who prepare it on Shabbos. (M.B. 11)

Halacha Highlight

Selecting before the meal

Shulchan Aruch Siman 319 Seif 1

כדי לאכל לאלתר מתר

In order to eat immediately is permitted

Shulchan Aruch (סע' א') rules that selecting by hand for immediate use is permitted. *Poskim* discuss the precise definition of "immediate use." There are *Poskim* who maintain that it is permitted for a host to select foods to serve to guests even though one knows that they will not eat all of the food that is served if it is necessary to select that quantity of food to properly honor those guests. Furthermore, Rav Shlomo Zalman Auerbach maintains that it is permitted even if one knows that the guests won't eat any of the food that is served since honoring guests with prepared food is considered an immediate use. However, it is not permitted for one to select some food to take with him to another location or to give to guests who will be walking to another location. Since the food will not be eaten until later it is considered selecting for future use rather than immediate use (פסקי תשובות אות ב' והע' 8).

Mishnah Berurah (סק"ד) writes that when the selection is done before the meal it is permitted even if the meal will take a long time and one will not eat the food until the end of the meal. Pri Megadim expresses uncertainty regarding the precise definition of "before the meal." Some *Poskim* suggest that within half an hour of the meal is considered close to the meal and preparation done for the meal at that time is permitted. Others are lenient even an hour in advance of the meal. In the event that one is preparing for a very large meal and the preparations for the meal will take a number of hours, it is permitted to make all of the necessary preparations even well in advance of the meal as long as one calculates that the preparations will continue until the start of the meal. Others adopt a more stringent approach and do not permit preparing more than half an hour before the meal even if this will require many people to help prepare in that short period of time (פסקי תשובות אות ג').