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

Halacha Highlight

Cake with writing on it

Rema Siman 340 Seif 3 (b)
אסור לשבר עוגה שכתב עליה כמין אותיות
It is prohibited to break a cake that has what appears as letters upon it

Rema that it is prohibited to break a cake that has letters written on it. Although the person's intent is to eat it rather than erase those letters. it is prohibited. Mishnah Berurah (ס"ק י"ז) notes that even though the person does not intend to write any letters in the place of the erased letters, nevertheless, it is Rabbinically prohibited since it is inevitable that the letters will be erased. Mishnah Berurah then relates that Dagul Mervavah maintains that it is permitted to cut through letters on cake and his opinion is cited by Sha'arei Teshuvah and one may rely on his position when one eats the letters rather than cuts through them with a utensil. The rationale behind his position is that there are authorities who are lenient with regards to an inevitable outcome of a Rabbinic prohibition (פסיק רישא באיסור דרבנן). Furthermore, even those authorities that are stringent agree that when the action involves two Rabbinic injunctions, it is permitted. Therefore, since erasing letters from a cake is done without the intent to write two letters in the space, is destructive and is performed in an unusual manner, there are enough Rabbinic factors that it is permitted.

Although Rema rules that it is prohibited to cut a cake with letters, Mishnah Berurah (ס"ק י"ד) rules that it is permitted to give the cake to a child even though he will cut it. Mordechai (שבת סי' שס"ט) explains that since the prohibition is only Rabbinic, there is no obligation to restrain a child from performing this action. However, it seems that a father who is obligated to educate his son would be obligated to restrain his son from cutting letters on a cake (ע' סי' שמ"ג סק"ג). Shulchan Aruch HaRav (סי' שמ"ג סע' י'), however, writes that the prohibition against giving something that is prohibited to a child is limited to giving him something that is prohibited for consumption but there is no restriction against giving him something that he will use to desecrate Shabbos. Kaf HaChaim (אות כ"ט) writes that one may not hand a child any item that will be used to violate a prohibition even those that are not food related. Therefore, he contends that Mordechai refers to where the child already has possession of the cake with writing and is teaching that one need not take it from him to prevent him from eating it.

Overview

Siman 340 Seif 3 (b):

It is prohibited to break a cake that has what appears as letters written upon it, even though his intention is to eat it since doing so involves erasing.

- It is permitted to give the cake to a child. (M.B. 14)
- This applies when one wrote with some material on the cake but if the letter was formed in the cake itself, either with a mold or by hand, so that the formation of the letter did not constitute writing, destroying it does not involve erasing. Similarly, if one wrote with honey or fruit juice mixed with water there is no reason to be stringent. (M.B. 15)
- Some are stringent even regarding images. (M.B. 16)
- Even though one does not intend to write letters in their place, nevertheless, it is Rabbinically prohibited. Furthermore, even though that is not his intent, since it is inevitable it is Rabbinically prohibited. Dagul Marivavah adopts a lenient position and one may rely on his position if the letters are destroyed in the process of eating. If there are letters or words written on the sides of the pages of a book so that opening the book "erases" the letters and closing the book "writes" letters, nevertheless, Rema is lenient since that is the way it is used and it is comparable to opening and closing a door which is permitted and this is the custom, however, one should be stringent if he has another book to use. (M.B. 17)