The Chicago Center
Mishna Berura Digest
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סימן ש"מ סעיף י"ד

Halacha Highlight

Detaching glue tabs on a diaper

Shulchan Aruch Siman 340 Seif 14

וכן המפרק נירות דבוקים

Similarly, one who separates pages that are attached.

Shulchan Aruch (סעי' י"ד) rules that attaching papers or hides with glue violates the prohibition against sewing. Similarly, separating papers or hides that were attached violates the prohibition of tearing provided that he does not have destructive intent. Mishnah Berurah (ס"ק מ"ג) explains that when tearing items apart, as long as one has intent for some sort of benefit, he is liable since liability for tearing is not dependent upon sewing up the place that was torn; it depends on whether one had constructive intent. Mishnah Berurah (ס"ק מ"ה) explains that when pages become attached with wax or something similar in a manner where there was no intent for the items to remain attached, it is permitted to open them and this is certainly true when the pages became attached without intent for them to become attached.

Poskim debate whether it is permitted to undo a glue tab on a diaper on Shabbos. Some authorities maintain that it is prohibited. The manufacturer closed the tab in order to preserve its strength and to maintain its cleanliness and intended for the tab to remain closed for an extended period of time. Therefore, when someone opens the tab on Shabbos he is detaching attached items with a constructive intent. Before Shabbos one should open the tabs and he may then close them for use on Shabbos since at that point his intent is for the tab to be closed for a short period of time (פסקי תשובות אות ל'). Rav Shlomo Zalman Auerbach (שמירת שבת כהלכתה ח"ג פל"ה הע' ס"ג וראה ששי"כ פ"ט הע' י"ט) rules that separating the tabs does not involve tearing since the manufacturer's intent is to prevent the glue from becoming ruined and do not intend to attach the two sides together. In fact, the opposite is the case; their intent is for the tab to be opened in advance of its use as soon as possible and thus they are not considered attached.

Overview

Siman 340 Seif 14:

One who attaches papers or hides with scribe's glue has performed an act that is a subcategory of sewing and is liable. Similarly, one who separates papers or hides that were attached and did not intend to be destructive has performed an act that is a subcategory of tearing and is liable.

- He had some constructive purpose in mind since liability does not depend on whether one intends to sew a stitch where he tore, rather it depends on whether he has a constructive intent. If his intent is purely destructive it is Rabbinically prohibited. (M.B. 43)
- He is certainly liable if he tears a garment where it was stitched for some constructive purpose. (M.B. 44)
- If the pages became attached by wax or when one was tying them it is permitted to open them since it was not intended to remain that way permanently and certainly when he did not even intend for them to become attached. If they became attached where there are letters they may not be detached. One is liable for tearing apart pages that were not cut apart before Shabbos and one may not even ask a gentile to do so. If one's garment became entangled in thorns one may privately and gently separate them and if it rips there is no concern since he did not intend to tear. (M.B. 45)