The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן קצ"ה סעיף ד'

Overview

Siman 495 Seif 4:

Regarding *muktza,* even though it is permitted on Shabbos, *Chazal* were more stringent on Yom Tov and prohibited it. There are those who lenient regarding *muktza* even on Yom Tov but *nolad* is prohibited according to this opinion, even on Shabbos. Any *muktza* which is not an animal, for example, a storehouse of fruit or wood, it is sufficient to declare that one will take from that place on Yom Tov and it is not necessary to mark it. This type of preparation may be done on the first day of Yom Tov for the second day of Yom Tov.

- In *siman* 310 we learned that there are categories of *muktza* that are permitted on Shabbos since there is not a fear that it will lead to a breakdown of Shabbos observance but if it were permitted on Yom Tov there is a fear that it would lead to a breakdown of Yom Tov observance. *Nolad* is certainly prohibited on Yom Tov. (M.B. 15)
- Later authorities write that although we are lenient concerning *nolad* on Shabbos we are stringent with regards to Yom Tov. Therefore, one may move bones that came off of meat on Shabbos since they are *nolad*. (M.B. 17)
- According to the lenient position a declaration is necessary only for dry figs and raisins since they are assumed to be outside of one's intent once they were placed on the roof to dry. (M.B. 18)
- Regarding animals one must specify which animal he intends to take to use on Yom Tov. (M.B. 19)
- There are Poskim who maintain that an oral declaration is not sufficient and one must mark the place where he intends to eat. One should follow the stringent opinion at least as far as dry figs and raisins that were laid out on the roof to dry and one may follow the lenient opinion concerning fruit that was placed in storage. (M.B. 22)
- Preparation by declaring that one will eat from the fruit in this location is permitted on one day for the next day. The type of preparation that is prohibited is one that involves an action. (M.B. 23)

Stories to Share

Muktzeh on Yom Tov

ש"ע סי' תצ"ה, ד': "מוקצה אע"פ שמותר בשבת החמירו בו ביום טוב ..."

A certain man had cooked a large amount of potatoes for Yom Tov. He had taken out a twenty pound bag and used most of its contents. Shortly before the end of Yom Tov, he wished to use the space of the remaining potatoes and was on the verge of doing so when he realized that they might constitute muktzeh. "Since it is so close to the end of Yom Tov it is prohibited to cook the potatoes since this would be preparing for after the festival. So maybe they revert to muktzeh and may not be moved merely because I need their space, just like the halachah on Shabbos?"

When this question reached Rav Nissan Karelitz, zt"l, he ruled that the potatoes were indeed muktzeh. "From the moment that it is too close to sunset to cook the raw potatoes, they are muktzeh. As the Rambam writes, everything forbidden to carry on Shabbos is forbidden on Yom Tov unless he carries it for the sake of אוכל נפש."

חוט שני, הל' יו"ט, ע' צ"ג

But Rav Shlomo Zalman Auerbach disagreed, however. "Why should we assume these potatoes are muktzeh? If they were to be muktzeh we would find an unusual phenomenon: that some things become muktzeh at the end of the day. If this was true we would surely have found this in the earlier poskim. It is also unlikely since potatoes may then be permitted in one home with a stronger fire, where they can be cooked quicker and prohibited in another with a small supply of wood which would cook the potatoes too slowly to be eaten on Yom Tov! Since the rule is that our sages did not differentiate in their decrees it seems clear raw potatoes are not muktzeh on Yom Tov."

שלחן שלמה, הל' יו"ט, ע' ז'

Halacha Highlight

Nolad

Shulchan Aruch Siman 495 Seif 4

מוקצה אף על פי שמותר בשבת החמירו בו ביו"ט ואסרוהו

Although [certain types of] *muktza* are permitted on Shabbos Chazal were stringent and prohibited it on Yom Tov

Shulchan Aruch mentions that some categories of *muktza* that do not apply on Shabbos are in force on Yom Tov. Rema adds that according to some opinions these categories of *muktza* do not apply to Yom Tov either with the one exception of *nolad* that is prohibited even on Shabbos. Mishnah Berurah (ס"ק י"ז) relates that later authorities maintain that one may be lenient with regards to *nolad* on Shabbos but on Yom Tov one must be stringent. The reason Yom Tov is treated more stringently than Shabbos is that on Shabbos there is no concern that a lenient approach to *muktza* would lead to violations of Shabbos, but on Yom Tov there is such a concern because Yom Tov is anyways more lenient since many *melachos* are permitted. Therefore, there is a concern that leniency with regards to *muktza* could lead people to be less scrupulous in their overall Yom Tov observance.

Although the Poskim here refer to *nolad,* there are actually two types of *nolad*. One type is absolute *nolad* which is something that did not exist before Yom Tov, for example ashes of wood that was burned that day. This category of *muktza* is prohibited even on Shabbos (שעה"צ ס"ק כ"ו). The type of *muktza* that is discusses here is the less stringent form of *nolad*. In this category the object existed before Yom Tov but over the course of Yom Tov it took on a new status. An example of this would be bones from a piece of chicken. As long as the bone is attached to the meat it is categorized as meat and is not *muktza*. Once the all the meat is eaten or removed from the bone the status of the bone changes to animal food. This change of status is the *nolad* discussed by the Poskim here. Since we are stringent regarding this type of *nolad* one should avoid moving a bone directly if it has no meat left on it. If the bone, however, is on a plate that contains other food it is permissible to clear the plate in the normal manner. If the bones are on the table and one needs their place they should be brushed onto a plate that contains food and then the plate may be cleared in the normal manner.