The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן תצ"ז סעיף ט"ז-י"ז

Overview

Siman 497 Seif 16:

One who slaughters on Yom Tov should not examine it until after it is skinned because if it turns out to be a tereifah it will not be permitted to skin it.

- It is permitted to skin it before examining it since we are not concerned that it will be a tereifah since most animals are kosher. (M.B. 49)
- One may not remove feathers from a bird that is a tereifah. (M.B. 50)

Siman 497 Seif 17:

If the animal is a tereifah it may not be moved but it is permitted to sell it to a gentile in the same manner that one sells items to a Jew, i.e. it may not be weighed and the price may not be discussed. If one does not trust the gentile he may take from him collateral for the money.

- Even if the hide is in the sun and will rot it is prohibited to move it to the shade. (M.B. 51)
- Some authorities write that since nowadays we are stringent regarding tereifos there is a concern that someone may not slaughter an animal out of fear that the animal will be a tereifah and he won't be able to salvage the hide. Therefore it is permitted to move the hide to a safe place. This leniency would not apply to birds. (M.B. 51)
- According to Rema who maintains that there is no muktzah on Yom Tov the hide is not muktzah anyways. Some authorities, however, maintain that an animal that is discovered to be a tereifah is categorized as nolad even according to Rema it is prohibited. (M.B. 51)
- Later authorities write that in places where they do not use the hind-quarters of an animal it may be sold to a gentile. This leniency applies when there is a concern that it will spoil by the time Yom Tov is over but if it is possible to store it, it may not be sold on Yom Tov. If one slaughtered before Yom Tov and had time to sell it before Yom Tov it may not be sold on Yom Tov. (M.B. 52)

Halacha Highlight

Skinning an animal on Yom Tov

Shulchan Aruch Siman 497 Seif 16

השוחט בהמה ביום טוב

One who slaughters an animal on Yom Tov

Shulchan Aruch (סע' ט"ז) rules that it is a good idea for one who slaughters an animal on Yom Tov to skin the animal before checking to see if it is a tereifah. The reason is that if the animal turns out to be a tereifah he will not be permitted to skin the animal. Shulchan Aruch (סע' י"ז) further explains that once an animal is discovered to be a tereifah it is muktzah and one may not even move it to salvage it from spoiling in the sun. In such a case the only alternative would be to sell it to a gentile while observing the restrictions for making transactions on Yom Tov. Aruch HaShulchan (סע' כ"ה) explains that when an animal is not a tereifah it may be skinned on Yom Tov because it is a necessary step to be able to access the meat. In that regard it is included in the allowance of performing melachah for food preparation on Yom Tov. For that reason Mishnah Berurah (סק"נ) writes that when the bird is a tereifah it may not be skinned on Yom Tov since it would then involve a melachah that is not necessary for food preparation.

Rav Akiva Eiger (הגהות למג"א ס"ק י"ח) wonders why it is permitted to skin an animal before it was examined to confirm that it is not a tereifah. Since there are a minority of animals that are tereifos, it is prohibited to eat the meat of an animal without examining it. Seemingly, it should also be prohibited to skin an animal before examining it to confirm that it will be edible and thus skinning it would be permitted. He answers that Biblically one may rely on the fact that the majority of animals are not tereifos. It is only Rabbinically that one must examine an animal to confirm that it is not part of the minority of animals. Whenever there is a concern that a Rabbinic injunction would cause people to refrain from fully celebrating Yom Tov the Rabbinic injunction is put aside.

Stories to Share

Rav Ovadiyah and the Shochet

סי' תצ"ז, ט"ז: "השוחט בהמה ביום טוב..."

Today's amud discusses shechting on Yom Tov.

A certain man was an expert shochet of birds, yet he lacked yiras shamayim. This man lived in a city in Egypt where Rav Ovadiyah Yosef, zt"l, was av beis din. After midday of the second day of Pesach someone rushed into Rav Ovadiyah's home to recount what he claimed to have seen at this shochet's shop. "He is slaughtering birds for whoever wishes. I was shocked to see that his customers are bringing money which they leave in his shop although this is obviously forbidden."

Rav Ovadiyah sent two trustworthy witnesses to check this claim. Sadly, they found it to be true. After Yom Tov, Rav Ovadiyah summoned this man and forbade him to shecht, duly recording this psak in the records of the beis din.

In Egypt the custom was to shecht geese on the night of Shavuos. This was seen as a kind of kaparos before receiving the Torah, similar to the kaparos done on Erev Yom Kippur. Rav Ovadiyah chose this night to visit the various shochtim of the city and check their knives. Among those he visited was the deposed shochet who was not supposed to shecht. "Where is your chalaf?"

When he saw that the chalaf had blood on it, he immediately asked if the shochet had used it but the shochet denied this. "I am warning you to speak the truth!"

The shochet then admitted that he had shechted with the knife despite the prohibition. "Come to beis din after Yom Tov and we shall see what measures to take for this violation..."

Shockingly, this shochet brought a few non-Jewish friends and tried to break Rav Ovadiyah's door down. It was fortuitous that the door did not break. The shochet's neighbor later testified that he hired one of the non-Jews to kill Rav Ovadiyah!

הליכות מוסר, ע' תצ"ב-תצ"ג