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

Overview

Siman 508 Seif 1:

It is prohibited to heat stones to use for roasting or baking since it hardens it. It is also prohibited to break earthenware or cut paper to use for roasting. It is prohibited to split a reed to make it into a spit to use for roasting.

- Authorities write that the correct wording should be tiles rather than stones. (M.B. 1)
- Heating them hardens them and is considered making a utensil. Shulchan Aruch indicates that there is no difference between old and new but there are other authorities who maintain that the restriction is limited to new ones that must be hardened rather than old ones. (M.B. 2)
- When roasting fish on a grill people break earthenware or cut paper and soak it in water before placing it on the grill so that the fish does not burn. (M.B. 3)
- It is also prohibited to split it in two and place it under the fish on the grill. (M.B. 4)

Siman 508 Seif 2:

It is permitted to crack nuts in a cloth without concern for tearing the cloth.

- Even if it tears it is of no significance since one is liable only when he tears with the intent to sew. Additionally, the tearing is done unintentionally. (M.B. 6)

Siman 509 Seif 1:

A spit that bent may not be straightened even if one could straighten it by hand. This applies when one could roast with it without straightening it but if one cannot roast with it in its current state and it broke on Yom Tov, it is permitted to straighten it but one may not issue this ruling for others so that they should not repair ones that broke before Yom Tov. The same is true regarding any other preparatory action which could not have been performed before Yom Tov.

- Rabanan prohibit any preparatory activity whereas R' Yehudah permits those preparations that could not have been done before Yom Tov but if they could have been done but one forgot, it is Biblically prohibited to repair it. Most authorities subscribe to R' Yehudah's position. However, even R' Yehudah prohibits making a utensil. Even authorities that subscribe to R' Yehudah's position limit it one who acts on his own but one may not rule leniently for others out of concern that they will improperly extend the *halacha*. (M.B. Intro)
- Meaning, it bent on Yom Tov. Shulchan Aruch does not differentiate between a small bend and a pronounced bend and in all cases prohibits repairing it on Yom Tov. (M.B. 1)
- It could be used with difficulty so that repairing it involves unnecessary exertion. (M.B. 3)
- If it was bent or broken before Yom Tov so that it could have been repaired at that time, it is prohibited to repair it on Yom Tov. Magen Avrohom cites Maharil who maintains that a spit that broke on the first day of Yom Tov may not be repaired on the second day of Yom Tov, however, Bigdei Yesha writes that if it was not needed on the first day it may be repaired on the second day. (M.B. 5)
- Biur Halacha writes that one should be stringent in accordance with the authorities who maintain that this is a full-fledged repair and is prohibited according to all opinions. If one could borrow one from others all opinions agree that it is prohibited to repair it. (M.B. 6)
- Pri Megadim writes that one may only repair it slightly so that one could insert it in the meat. Rema's position is limited to a spit since it is needed to prepare food but one may not repair a needle that became bent. (M.B. 7)

Halacha Highlight

Making a one-use item

Shulchan Aruch Siman 508 Seif 1

ואין חותכין את הניר

And we do not cut the paper

Shulchan Aruch (סי' תק"ח סע' א') rules that it is prohibited to cut a piece of paper so that one could roast upon it. Mishnah Berurah (סק"ג) explains that when they would roast fish on a grill they would break a piece of earthenware or tear a piece of paper and soak it in water before placing it on the grill. This would effectively prevent the fish from burning. Accordingly, Shulchan Aruch teaches that on Yom Tov it is prohibited to do so since it involves making a utensil – מתקן מנא. The implication of this is that even though the item is disposable and will only be used once, nevertheless, it is considered as though one is making a utensil and consequently prohibited.

Rav Shlomo Zalman Auerbach (שמירת שבת כהלכתה פכ"ח הע' ס"ה) questions this ruling from another ruling in Shulchan Aruch. Shulchan Aruch rules that when the leg of a couch comes out it is permitted to put it back into its place if it is normally in place loosely [so that there is no concern that when putting it back in place he will attach it firmly]. In that case as well one makes a temporary repair to render an object functional but since the repair is temporary, it is permitted. Why then in the case of tearing paper is making a temporary object prohibited? He answers that in the case of the couch, since the leg was already attached, returning it in place in a temporary manner is not considered a true repair. In contrast, when one tears a piece of paper to size for use when roasting fish he has made something usable that did not previously exist and thus it is prohibited. Accordingly, he writes that it is prohibited to set a mechanical alarm clock to go off on Shabbos or Yom Tov. Although it will be used only once, nevertheless, the act of setting it when it was off is considered an act of making something that did not previously exist and thus prohibited.