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Digest
Mishna Berura
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סימן תקי"ג סעיף א'-ב'

Halacha Highlight

Moving an egg that was laid on Yom Tov

Shulchan Aruch Siman 513 Seif 1

ביצה שנולדה ביום טוב

An egg that was laid before Yom Tov

Shulchan Aruch (סע' א') rules that an egg that is laid on Yom Tov is prohibited to touch and certainly prohibited to eat. Mishnah Berurah (סק"ב) wonders why Shulchan Aruch rules that one may not touch an egg that was laid on Yom Tov. The injunction against *muktzah* prohibits moving a *muktzah* item, not merely touching it. Why then does Shulchan Aruch prohibit touching the *muktzah* item? He answers that since eggs are round the concern is that as soon as one touches the egg it will move. Mishnah Berurah (סק"ג) also notes that Rema's comment that the prohibition is to move the egg implies that Rema disagrees with Shulchan Aruch and prohibits moving the egg. However, he acknowledges that many authorities explain that Rema agrees that merely touching the egg is prohibited since it is so probable that touching the egg will cause it to move.

Shulchan Aruch concludes his comments by writing that if the prohibited egg becomes intermingled with other eggs, the entire mixture is prohibited. Mishnah Berurah (סק"ד) explains that this is based on the principle that when a prohibited item becomes intermingled with other items and the prohibited item will become permitted, the entire mixture is prohibited until the time that the prohibited item becomes permitted – דבר שיש לו מתירין אפילו באלף לא בטל. This seemingly raises a difficulty for the Tzlach (ביצה כ"ד: ד"ה והרי"ף) who writes that the principle of דבר שיש לו מתירין is limited to food that one will eat rather than utensils that one merely intends to move. Seemingly, according to the Tzlach it should not be prohibited to move eggs that contain an egg that was laid on Yom Tov. Rav Shlomo Zalman Auerbach (שמירת שבת כהלכתה פ"כ הע' ז') answers that the prohibition against moving the eggs is not rooted in the principle of דבר שיש לו מתירין rather it is because the collection of eggs are prohibited for consumption and foods prohibited for consumption may not be moved.

Overview

Siman 513 Seif 1:

It is prohibited to touch an egg that was laid on Yom Tov (meaning to move it) **and it is certainly prohibited to eat it. If it becomes intermingled with even 1000 other eggs they are all prohibited.**

- This applies even if the chicken was designated for eating so that it is not *muktzah*. It is a Rabbinic decree on all Yomim Tovim because of Yom Tov and Shabbos that run one after the other since it is prohibited for one of those days to prepare for the other. (M.B. 1)
- Although touching *muktzah* is generally permitted, since an egg rolls easily it is prohibited even to touch it. (M.B. 2)
- The implication is that Rema disagrees with Shulchan Aruch and contends that the prohibition is to move it rather than merely touch it. However, many authorities contend that even according to Rema it is prohibited to touch it since it is likely that it will roll. (M.B. 3)
- Anything that will eventually become permitted is not nullified even in a ratio of 1000:1. (M.B. 4)

Siman 513 Seif 2:

If one is uncertain whether the egg was laid on Yom Tov or during the week, it is prohibited.

- If that egg became intermingled with others there is a debate amongst the *Poskim* whether the mixture is prohibited and in a circumstance of loss one may follow the lenient opinion. (M.B. 5)