The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן תקנ"א סעיף ד'-ז'

Halacha Highlight

Tisha B'Av that falls or is observed on Sunday

Shulchan Aruch Siman 551 Seif 4
ואם חל תשעה באב ביום ראשון
And if Tisha B'Av falls on Sunday

Shulchan Aruch presents two opinions regarding the status of the week before Tisha B'Av when Tisha B'av falls or is observed on Sunday. According to the first opinion, the laws of *shavua she'chal bo* do not apply to the week before or after Tisha B'Av. The second opinion contends that there is a custom to observe the week before as *shavua she'chal bo*. The exception is that on Thursday and Friday the restrictions of *shavua she'chal bo* are suspended to give honor to Shabbos. Rema then notes that regarding haircutting and laundry the issue is academic since for Ashkenazim the restriction against haircutting is observed from *shiva asar b'Tamuz* and the restriction against laundry is observed from Rosh Chodesh Av.

Kaf HaChaim (אות ע"ח) in the name of Ben Ish Chai rules in accordance with the lenient opinion recorded in Shulchan Aruch. This ruling is based on the well known principle that when Shulchan Aruch cites an opinion without an introduction (סתם) and then presents a second opinion in the name of "some authorities" (מחלוקת) the halacha will follow the opinion that was cited without introduction. Kaf HaChaim notes that in the opinion of some authorities the reason Shulchan Aruch cited the second opinion was to indicate that one should *l'chatchila* follow the more stringent opinion but Rav Ovadiah Yosef disagrees and quotes numerous authorities who maintain that the *halacha* follows the first opinion. Ashkenazim, on the other hand, follow Magen Avrohom's position that when Tisha B'Av falls or is observed on Sunday one should treat the week before as *shavua she'chal bo* regarding matters that are mentioned in the Gemara, e.g. laundry and haircutting, but one may be lenient when it comes to customs that are not rooted in the Gemara, e.g. eating meat, drinking wine and listening to music (פסקי תשובות אות כ"ג והע' 132).

Stories to Share

The Laundry Quandary

ש"ע, ס' תקנ"א, ד': "נוהגין להחמיר מתחלת ר"ח לענין כיבוס"

As we find on today's amud, Ashkenazim are careful not to launder from Rosh Chodesh Av. What happens if one wash continues into bein hashemashos. They wondered whether they were obligated to stop the washer. Could they put wash in the dryer during the nine days?

In the summer heat, laundry that remained wet might get moldy if not attended for the entire period of the nine days. Could they wash it? And what about stains? Is cleaning one or several stains by hand the same as washing?

When these questions reached Rav Yosef Shalom Elyashiv, he ruled decisively. "One need not turn off a washing machine which was started before Rosh Chodesh Av, even if it is still running into the night. It is also permitted to put clothing which was washed before the nine days into the dryer.

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Rav Elyashiv then responded to the final question. "It is also permitted to wash anything which will be ruined if left until after the nine days (ישיב משה, ע' ס"ד). One can wash a stain on his clothing by hand. One may clean the stain even with soap, and even three stains or more on the same garment can be washed by hand since he did not clean the entire garment.

"Nevertheless, if one has another garment and he can change into it, he should not clean a stain if doing so requires using water."

Overview

Siman 551 Seif 4:

After the fast it is permitted to get a haircut or launder immediately. If Tisha B'Av falls on Sunday or Shabbos and pushed off until after Shabbos these activities are permitted during both weeks, the week before the fast and the week after the fast. There is an opinion that maintains that the custom is to refrain from these activities the week before the fast other than on Thursday and Friday. Our custom is to be stringent regarding laundering from Rosh Chodesh and regarding haircuts we are accustomed to be stringent from the 17th of Tamuz.

- It is certainly permitted to eat meat and drink wine. (M.B. 36)
- In *siman* 558 the later authorities maintain that there is a custom to refrain from eating meat until *chatzos* of the 10th of Av. (M.B. 37)
- This applies when the 9th of Av falls on Shabbos but if the 9th of Av is on Sunday it is permitted even according to this opinion. (M.B. 38)
- One who is traveling far away during the week in which Tisha B'Av falls he may give his clothing to a gentile launderer to launder linen garments for the many weeks he will be traveling. (M.B. 39)

Siman 551 Seif 5:

A Jewish woman may launder a gentile woman's garments during this week.

- Although technically it is permitted, nevertheless, it raises an issue of *maris ayin*. If one does not have food to eat one may work in order to have money to purchase food. (M.B. 42)
- This restriction does not apply from Rosh Chodesh even according to our custom. (M.B. 43)

Siman 551 Seif 6:

New garments, whether white or colored, whether wool or linen may not be worn during this week (We are stringent about this beginning Rosh Chodesh).

- In a place where garments are pressed they are considered מגוהץ and it is prohibited to wear them even if they are old since the גיהוץ makes it as if the garment is new. (M.B. 44)
- Rema refers to a garment that was ready to wear when it was purchased and one recited *shehechiyanu* when he purchased it before *Shiva Asar B'Tamuz* and for that reason it was permitted to wear before Rosh Chodesh. Those who permit the recitation of *shehechiyanu* on Shabbos during the Three Weeks permit wearing these garments on those *shabasos* but after Rosh Chodesh it is prohibited to wear even on Shabbos. Garments that are not important enough to warrant a *shehechiyanu*, e.g. shoes and socks, may be purchased and worn from *Shiva Asar B'Tamuz* until Rosh Chodesh. (M.B. 45)

Siman 551 Seif 7:

Some maintain that it is prohibited to make new clothing or shoes during this week and one should be stringent about this from Rosh Chodesh. It is also prohibited to purchase them. A Jewish manufacturer may not make them for others regardless of whether he will be paid for his work. The custom is to be lenient about this but when it is evident that it is being made for a gentile it is permitted. It is also permitted to instruct gentile professionals to make new items to be ready for after the fast, however, it is preferred to limit this when possible since it is no different than other business that we diminish during this period.

- In other words it is prohibited to make new garments. It is permitted to make garments for one who is marrying and does not already have a wife or children and one may even have a gentile make a garment on *Tisha B'Av* in such a case. (M.B. 46)
- It is prohibited to purchase the garment even if one does not intend to wear it until after *Tisha B'Av*. (M.B. 49)
- If one does not have food to eat it is permitted. (M.B. 50)
- The implication is that this is permitted even for a Jew and it refers to where he was given the article before Rosh Chodesh. (M.B. 51)
- This is permitted since it does not yet belong to a Jew so that it is not referred to as a Jew's article. (M.B. 53)