

Overview

Siman 612 Seif 8:

If one chews pepper or ginger and they were dry he is exempt since they are not fit for consumption but if they were moist he is liable.

- ❖ Shulchan Aruch refers to one who swallowed it. When it says one is "exempt" it means that one is exempt from punishment but it is nonetheless prohibited. (M.B. 22)

Siman 612 Seif 9:

One who drinks "cheeks-full" (meaning a mouthful) on Yom Kippur is liable. This quantity is measured by the person, for a large person it is a large amount and for a small person it will be a small amount. This quantity is not the amount that literally fills both cheeks; rather it refers to the quantity that one could push into one side of his mouth and appear as if his cheeks are full and this is less than a revi'is for the average person. All beverages combine for this quantity. If one drank liquids that are not fit for consumption, for example, fish brine, fish oil or undiluted vinegar he is exempt but if one drinks diluted vinegar he is liable.

- ❖ The quantity is not objective since Chazal determined that a person's mind becomes settled when he drinks a quantity of liquid that fills one cheek – m'lo lugmav. (M.B. 24)
- ❖ It is not necessary for both of his cheeks to be full of liquid, it is sufficient for one to be full and protruding which will appear as though both are full. (M.B. 25)
- ❖ The wording implies that it is close to a revi'is but in siman 271 the implication is that it is the majority of a revi'is. (M.B. 26)
- ❖ Brine is what comes out of a fish that was soaked in salt and oil refers to the oil the drips out of fish. (M.B. 28)
- ❖ This applies if the vinegar is so strong that it bubbles when it pours on the ground so that it is unfit for consumption. Some maintain that one who drinks a large quantity of this vinegar is liable since he will no longer be hungry but all opinions agree that it is prohibited to consume even a small amount. (M.B. 29)

Siman 612 Seif 10:

If one drank a small amount and then drank another small amount, if from the beginning of the first drink to the end of the second drink was less than the amount of time it takes to drink a revi'is they combine for liability but if not they do not combine. Some maintain that the time in which the two drinks will combine is within k'dei achilas pras similar to the timeframe for eating. It is permitted to touch food and bev-

Halacha Highlight

Resolving contradictions in Shulchan Aruch

Shulchan Aruch Siman 612 Seif 10

כדי שתית רביעית

The amount of time it takes to drink a revi'is

Shulchan Aruch (סעי' י) cites two opinions concerning the period of time in which one must drink a m'lo lugmav to be in violation of the Torah prohibition against drinking on Yom Kippur. The first opinion he cites maintains that one must drink a m'lo lugmav within the amount of time it takes to drink a revi'is and the second opinion contends that one violates the Torah prohibition even if he drinks a m'lo lugmav within k'dei achilas pras. Since the first opinion was stated as the halacha (סתם) and the second opinion in the name of some authorities (יש אומרים) it implies that he follows the first, more lenient, opinion (מייב סייק לייא).

Interestingly, when discussing one who is ill and how he should drink so that he is not liable to punishment, Shulchan Aruch seems to follow the second opinion that is more stringent and writes that one should pause the amount of time it takes to consume a pras before taking a second drink. Teshuvot Or L'Tzion (ח' אות ענף א' אות ח') explains that Shulchan Aruch maintains that the first, more lenient opinion is correct, however, whenever one could accommodate a more stringent opinion one should make an effort to do so. Therefore, when discussing one who is ill and will be drinking on Yom Kippur he should make an effort to comply with both opinions and pause between drinking the amount of time of it takes to eat a pras. This approach also resolves another contradiction. In our siman Shulchan Aruch indicates that the volume of a pras is equal to the volume of three eggs, but when addressing someone who is ill and will be eating he follows the view that a pras is equal to the volume of four eggs. Once again, one can explain that Shulchan Aruch maintains that technically it is the volume of three eggs but when one can accommodate all opinions, one should do so and thus when possible, one who is eating on Yom Kippur in small quantities should pause the amount of time it takes to eat the volume of four eggs before eating again.

verages to feed children on Yom Kippur and we are not concerned that one will eat or drink it if he touches it.

- ❖ There is no reason to be stringent even if the child can take it for himself. (M.B. 32)