

THE BAIS HAVAAD

HALACHA JOURNAL

Family, Business, and Jewish Life through the Prism of Halacha



A PUBLICATION OF THE
BAIS HAVAAD HALACHA CENTER
105 River Ave. #301, Lakewood NJ 08701
1.888.485.VAAD (8223)
www.baishavaad.org
info@baishavaad.org
Lakewood • Midwest • Brooklyn • South Florida

VOLUME 5783 • ISSUE XXXVI • PARSHAS PINCHAS



PART II—KEEPING UP WITH THE GOLDBERGERS: MAY ONE NEEDLESSLY DESTROY HIS BELONGINGS?

Adapted from the writings of Dayan Yitzhak Grossman

In the previous article, we discussed the question of whether feeding human food to animals is prohibited, either as denigration of food (*bizui ochlin*) or as wastefulness (“the Torah spares the money of the Jewish people”). The question of whether it is wrong to use food for one’s needs other than eating arises in other contexts as well. The Gemara says:

They inquired of Rav Sheishess: May one bruise olives on a rock on Shabbos to use for washing hands? (This is how the question is understood by most *Rishonim*, following the Geonim.) He said to them: And is this permitted even during the week? (The Gemara explains:) Rav Sheishess holds that this is forbidden on account of wasting food.¹

The Magein Avraham and Machatzis Hashekel explain that although the olives are being put to productive use, it is nevertheless prohibited, because washing can be done with soap without destroying food by using olives.² But the Biur Halacha notes that applying food-grade oil to the skin is permitted despite the fact that it is possible to use soap, and he accordingly maintains that the key criterion is not whether a nondestructive alternative is available, but whether the activity in question is “the way of the world” or not. Applying oil is permitted because that is the way of the world, whereas crushing (and thereby ruining) olives in order to wash with their oil is prohibited because it is not.³

A related discussion concerns washing hands
(continued on page 2)

¹ Shabbos 50b.
² Magein Avraham ibid.
³ Biur Halachah ibid. sv. Lo.

לע"נ הרב יוסף ישראל
ב"ר משה גרוסמן זצ"ל

Dedicated in loving memory of
HaRav Yosef Grossman zt"l

The Bais Hava'ad
on the
Parsha
Bring the Parsha to Life!

PARSHAS PINCHAS A BLAST FROM THE PAST

Excerpted and adapted from a shiur by Rav Moshe Yitzchok Weg

In the seventh month, on the first day of the month, there shall be a holy convocation for you; you shall do no work of labor, it shall be a day of shofar sounding for you.

Bemidbar 29:1

The mitzvah *de'Oreisa* of *tekias shofar* requires three series of *tekiah-truah-tekiah* (Rosh Hashanah 33b). But the Gemara says we don't know whether *truah* is medium-length sounds (*shvarim*), very short sounds (what we know as *truah*), or a combination (*shvarim-truah*). Therefore, R' Avahu instituted that we blow a minimum of thirty blasts on Rosh Hashanah: three sets with *shvarim-truah*, three with *shvarim*, and three with *truah*.

The simple meaning of the Gemara, which appears to be adopted by the Rambam and Shulchan Aruch, is that we are uncertain about how to blow the *truah*, and thirty blasts are necessary to ensure we fulfill the mitzvah. But Rav Hai Gaon maintains that there is no uncertainty. Rather, each of the three versions of *truah* is kosher, and different communities used different versions. R' Avahu's *takanah* unified the practice of Klal Yisrael.

According to the Rambam and Shulchan Aruch, it is difficult to understand why a
(continued on page 2)

Q&A from the
BAIS HAVAAD
HALACHA HOTLINE
1.888.485.VAAD(8223)
ask@baishavaad.org

Wait Loss

- Q I ate potatoes from a cholent and was careful to avoid the meat. Must I wait six hours to eat dairy?
- A There are two reasons for waiting between meat and dairy:
- The meat taste lingers in the mouth (Rashi, Chulin 105a).
 - Strands of meat get stuck between the teeth and remain intact for a while. (Rambam Hil. *Ma'achalos Asuros* 9:28).

These reasons don't apply in your case, as actual meat was not consumed (see Igros Moshe
(continued on page 2)

(continued from page 1)

with wine or fruit juice. The Shulchan Aruch cites opinions that it is permitted,⁴ and the Mishnah Brurah explains that there is no problem of *bizui ochlin* because one is attending to a need and not acting in a destructive manner.⁵ But the Biur Halacha notes that other authorities forbid washing with beverages because this involves destroying food,⁶ and he argues that these authorities apparently forbid it even when there is no water available, "for we are not discussing a fool who would wash with other liquids when he has water."⁷ (He explains this based on his abovementioned stance that any destructive use of food other than eating is prohibited if it is not the way of the world.)

It should be noted that all the above discussions concern food, and it is unclear to what extent they are relevant to the utilization of nonfood items in a wasteful manner. But there is a halachic discussion of this broader question as well, which actually involves the (destructive) use of gold in food preparation, if not the actual consumption of gold. The Gemara cites a *breisa*:

If one was walking in the desert and has no earth (with which to perform the mitzvah of covering the blood of a *chayah* or a bird that he slaughtered), he may grind up a golden dinar and cover the blood with its dust. If one was traveling on a ship and has no earth, he may burn his garment and cover the blood with its ashes.⁸

Why is grinding a gold dinar or burning a garment not a violation of the prohibition of *bal tashchis* (the wanton destruction of property)? The Darchei Moshe explains that the bird was worth more than the gold dinar or garment, so *bal tashchis* did not apply.⁹ But the Bais Yosef says that these actions are permitted because there is no other option to cover the blood¹⁰—apparently even if the bird is *not* worth more than the gold dinar or garment. The Torah Lishmah explains that since the Torah prohibition of *bal tashchis* is limited to the destruction of trees, and the extension of the prohibition to other property is *mideRabanan*,¹¹ there is a dispensation to this *issur deRabanan* for the purpose of fulfilling the mitzvah *de'Oreisa* of covering the blood.¹²

4 Shulchan Aruch ibid. 160:12.

5 Mishnah Brurah ibid. s.k. 60.

6 Biur Halachah ibid. sv. Lechat'chilah.

7 Ibid. siman 171 sv. Lo.

8 Chulin 88b.

9 Darchei Moshe Y.D. siman 28.

10 Bais Yosef ibid.

11 Hilchos Melachim Umlchamoseihem 6:10.

12 Torah Lishmah siman 206.

Is the destruction of property justified if the act of destruction is enjoyable? The Gemara says:

For Abayei said, my mother told me: The development of a young child requires... When he grows a bit older, it requires his breaking utensils. This accords with Rabbah's practice of buying cracked clay utensils for his sons, and they would break them.¹³

Based on this passage, the Torah Lishmah permits giving old paper, or new paper that is soiled, to a child to play with by tearing and cutting it into pieces. He implies, however, that the child should not be given new, unsoiled paper to destroy. Similarly, he explains that although the vessels mentioned in the Gemara were obviously still somewhat functional (as they had to be purchased and were not free for the taking), *bal tashchis* does not apply because they were worth very little, which implies that more expensive items should not be given to a child to destroy even if he would enjoy doing so. Perhaps in such a case, the value of the items is presumably greater than the enjoyment experienced by the child, and their destruction is therefore considered wasteful.¹⁴

In the case of the golden hamburgers, it would seem that if the enjoyment the diner receives from consuming the gold is less than its cost, then wasting the gold in this manner would be a problem. Although gold is not a food and thus not subject to *bizui ochlin*, the prohibition of *bal tashchis* and the principle that "the Torah spares the money of the Jewish people" would likely still apply, because there is certainly no *need* to garnish a hamburger with gold, and doing so is hardly the way of the world. But if the enjoyment that someone derives from consuming the gold is equal to or greater than its cost, then doing so might not violate *bal tashchis*.

The quantity of gold involved is almost certainly minute, particularly in light of the fact that the Hard Rock Cafe has offered an apparently similar burger for sale for under \$25, so the gold's market value is almost certainly very low; gold is highly malleable and can be made into *extremely* thin sheets. The enjoyment received from consuming a gold-garnished hamburger, being fundamentally subjective, is harder to quantify.

Note that we have been considering whether the wasteful destruction of *gold* violates *bal tashchis*. Wasting one's *money* on an exorbitantly priced hamburger would not seem to violate

13 Yoma 78b.

14 Torah Lishmah siman 401.

(continued from page 1)

Y.D. 2:26). For this reason, the Mechaber (Y.D. 89:3) allows eating dairy immediately following a meat dish if the meat itself was avoided, provided one washes his hands. Others disagree and treat all parts of a meat dish as meat; the Rama (ibid.) reports this to be the prevailing minhag and strongly supports it, requiring the full waiting period before eating dairy.



RAV ARYEH FINKEL

What about eating the non-milk parts of a dairy dish (like the pastry of a cheese Danish) following the non-meat parts of a meat dish (like potatoes from cholent)? Some *poskim* are lenient (Minchas Yaakov, cited by R' Akiva Eiger ibid.) if one washes his hands and cleanses his mouth. But many others are stringent in this case as well, and this view seems to be the consensus among the *poskim* (see Igros Moshe ibid.).

If a meatless dish is cooked in a fleishige pot, or warmed in the oven along with meat, though it may not be eaten together with milk, one may eat dairy immediately after its consumption (Rama ibid.).

Similarly, if a small amount of meat is accidentally mixed into a pareve recipe, one needn't wait six hours after eating it (Shach ibid. 19). Some say this is so even if the meat was not *batel beshishim* (nullified sixty to one), provided the meat was mixed in unintentionally (Aruch Hashulchan ibid. 13).

that prohibition, because the money is not being destroyed, only transferred from the buyer's pocket to the seller's. But such extreme consumerism might run afoul of other Torah values. As noted in last week's article, the question of whether a \$175 golden hamburger is otherwise appropriate for a Jew is beyond the scope of this article.

(continued from page 1)



shvarim blown within the set of *tara"t* (*tekiah-truah-tekiah*) would constitute a *hefsek*. Within this set, we should view the *shvarim* as not even being a *kol shofar*, because it is not significant (and non-shofar sounds don't constitute a *hefsek*). Moreover, why

does the Rambam write that during each section of *Chazaras Hashatz* we blow only one set (*tashra"t*, *tasha"t*, or *tara"t*), if we don't know which is correct?

R' Yaakov Schneidman (Sefer Derech Hamelech) answers that even the Rambam and Shulchan Aruch agree that all three shofar

blast types are valid, and historically, each community used the type that corresponded to its particular needs that year, but the associations between needs and *kolos* were forgotten over time. Therefore, R' Avahu enacted that every community should blow all of the variants.



BHHJ SPONSORS

Refuah Healthshare

To become a corporate sponsor of the BHHJ or disseminate in memory/zechus of a loved one, email info@baishavaad.org

Elevate your Inbox.

Scan here to receive the weekly email version of the Halacha Journal or sign up at www.baishavaad.org/subscribe

