

SHE'AILOS U'TESHUVOS

by Rabbi Doniel Neustadt

QUESTION: On Shabbos or Yom Tov, is it permitted to flush a toilet which contains a disinfectant tablet that colors the water?

DISCUSSION: There are a number of different types of toilet disinfectants and deodorizers on the market which color the water blue when the toilet is flushed. L'chatchilah, none of them may be used on Shabbos or Yom Tov, as flushing a toilet and thereby coloring the water in the toilet bowl may be prohibited min ha-Torah as a violation of the Shabbos Labor of Coloring. The blue color gives the water in the bowl a more "hygienic" look, so the coloring of the water is beneficial and hence forbidden on Shabbos.(1) It is important, therefore, that the disinfectant unit be removed from the tank or bowl before the onset of Shabbos or Yom Tov. What should one do if he forgot to remove it or if he is a guest in a home where there is such a disinfectant tablet in the toilet? It depends on the type of tablet that has been inserted in the toilet: If the disinfectant unit is inserted near the top of the rim of the tank, then he may flush the toilet. This is permitted because the direct act of flushing will not color the water since the water will not turn blue until it has risen to the top of the tank; the Coloring is merely an indirect result of the flushing, a gerama, which is permitted under these circumstances.(2) However, if the disinfectant unit is in the bottom of the tank or is suspended from the rim of the bowl, then the toilet may not be flushed. Flushing such a toilet will directly color the new water coming in and gerama will not apply. One should make every effort to remove the disinfectant tablet from inside the tank or the bowl, preferably through "indirect movement."(3) If this is impossible or impractical, and one will be embarrassed to leave the toilet unflushed (kavod ha-beriyos), he may rely on the view of some poskim who argue(4) that flushing such a toilet is not a violation of Coloring(5) and he should flush the toilet in an unusual way, e.g. by using one's elbow or foot.

QUESTION: What may be done if one realizes on Shabbos or Yom Tov that his car lights - either the headlights or the dome lights - were mistakenly left on?

DISCUSSION: In order of halachic preference, the following may be done:

* If a non-Jew who sees the lights on offers to shut them off, it is permitted to accept his offer. Although generally it is forbidden to directly benefit from an action of a non-Jew on Shabbos even if he offers to do a forbidden Labor on his own, shutting off lights is considered an indirect benefit - a preventive action, which is permitted.(6)

* If there is no non-Jew who offers to shut off the lights, it is permitted to hint to a non-Jew that the lights should be turned off, e.g., it is a pity that the battery is going to die.

* If the hint will not be understood, and if the battery will in all probability die and cause a substantial loss to the owner of the vehicle, it is permitted to ask the non-Jew directly to extinguish the lights. This is permitted because most poskim hold that extinguishing a light on Shabbos is merely a Rabbinical prohibition,(7) and the basic Halachah(8) is that it is permitted to ask a non-Jew to perform a rabbinical prohibition on one's behalf in order to prevent a substantial loss.(9)

QUESTION: Does one need to wait six hours after tasting - but not swallowing - meat or chicken soup before eating dairy?

DISCUSSION: It depends on what, exactly, took place: Tasting: Merely tasting - not swallowing or chewing - solid or liquid meaty foods does not render one fleishig.(10) As long as one cleans and rinses his mouth he may eat dairy food immediately.(11) "Cleaning" the mouth is accomplished by eating a bulky parve food and chewing it thoroughly. "Rinsing" the mouth means washing out the mouth with water or taking a drink of water or any other beverage.(12) Chewing: One who chewed meat or chicken but did not swallow any, should clean and rinse his mouth and teeth, and wait at least one hour before eating dairy.(13) Swallowing: One who swallowed - even without chewing - any solid or liquid meaty food, should wait six hours before eating dairy.(14)

QUESTION: Within the same meal, may one eat cheese or other dairy food and then eat meat immediately thereafter?

DISCUSSION: According to the basic Halachah it is permitted to eat meat or chicken immediately after eating cheese or any other dairy food, even during the same meal; there is no requirement to recite Birkas ha-Mazon or a berachah acharonah between the dairy and the meat. The only separation required is to clean and rinse the mouth and teeth, wash the hands and clean the table [or change the tablecloth] to make sure that no dairy residue or crumbs remain. While there are scrupulous individuals who wait at least an hour(15) between eating dairy and meat in addition to reciting Birkas ha-Mazon or a berachah acharonah between them - and their custom is based on the Zohar and quoted by several poskim(16) - it is not required by the Halachah.(17) When "hard" cheese is eaten, however, the Halachah is different. Shulchan Aruch quotes an opinion that requires one to wait a full six hours before eating meat after eating hard cheese. This view maintains that the taste and oily residue of hard cheese lingers in the mouth long after the cheese has been consumed, just as the taste and residue of meat lingers long after consumption.(18) In addition, other poskim hold that hard cheese can get stuck between the teeth just as pieces of meat do.(19) While other poskim do not consider either of these issues to be a problem with hard cheese and permit eating meat immediately after eating hard cheese, Rama and the later poskim(20) recommend that one be stringent and wait six hours between consuming hard(21) cheese, and meat or poultry. Exactly how to define "hard" cheese is another controversial subject. All poskim agree that cheese which has

been cured for at least six months before being packaged and refrigerated is considered hard cheese.⁽²²⁾ While many of the hard cheeses sold in the U.S. [or used in the making of pizza] are not aged for six months, there are several brands of cheese that advertise that they have been cured for 10 months or longer and those are surely considered hard cheeses. Parmesan cheese, for instance, is aged for at least a year, if not longer. The poskim are also in agreement that cheeses which are not aged six months but are cured long enough to become wormy,⁽²³⁾ are considered as hard cheese.⁽²⁴⁾ There are, however, some poskim who maintain that all hard cheeses, including all kinds of American (yellow) cheese, etc., are considered hard cheese and one who eats them should wait six hours before eating meat.⁽²⁵⁾ While some individuals follow this opinion, the widespread custom follows the more lenient view.⁽²⁶⁾ It is appropriate, though, to wait at least one hour between eating any hard cheese and meat.

FOOTNOTES:

1 Shulchan Shelomo 320:31-3.

2 For two reasons: 1. Because of kavod ha-beriyos; 2. Because at this point, the person flushing the toilet certainly has no intention of coloring the water. While it is still inevitable that it will happen (pesik reisha), when gerama is combined with pesik reisha it is permitted according to many poskim; see Eglei Tal Zorea 21; Har Tzvi O.C. 188; Halachos of Shabbos, Zorea, pg. 59, quoting Harav M. Feinstein.

3 "Indirect movement" is explained in The Monthly Halachah Discussion, pg. 112.

4 1. The main purpose of the tablet is to disinfect the toilet; the color of the water is merely incidental and unintentional; 2. Coloring water is permitted as Coloring does not apply to foods or beverages.

5 See Tzitz Eliezer 14:47; Be'er Moshe 2:28; Az Nidberu 12:13.

6 Based on O.C. 307:2 and Mishnah Berurah 11 and O.C. 334:25 and Mishnah Berurah 61. See The Weekly Halachah Discussion, pgs. 124-128 for an in-depth explanation of this issue.

7 See Mishnah Berurah 278:3.

8 See Mishnah Berurah 307:22 and Sha'ar ha-Tziyun 334:57.

9 Melachim Omnayich 4:8 and 6, note 4. See Shemiras Shabbos K'hilchasah 30, note 14.

10 Darkei Teshuvah 89:22, quoting Rav Shelomo Kluger.

11 Badei ha-Shulchan 89:16.

12 Y.D. 89:2. Brushing the teeth well is the equivalent of both rinsing and cleaning; Debreciner Rav, Pischei Halachah, pg. 112.

13 Rav Akiva Eiger Y.D. 89:1; Yad Yehudah 89:1; Darkei Teshuvah 89:22; Badei ha-Shulchan 89:38.

Other poskim are more stringent and require a six hour wait in this case; see Pischei Teshuvah Y.D. 89:1 quoting Peri Megadim MZ 89:1.

14 Badei ha-Shulchan 89:17, based on Igros Moshe Y.D. 2:26.

15 Some wait an half an hour; see Peri Hadar on Peri Megadim Y.D. 89:16.

16 See Minchas Yaakov 76:5 and Beiur ha-Gra Y.D. 89:2. See Darkei Teshuvah 89:14 who rules like these poskim.

17 Mishnah Berurah 494:16; Aruch ha-Shulchan Y.D. 89:9.

18 Taz Y.D. 89:4.

19 Peri Chadash Y.D. 89:2.

20 Chochmas Adam 40:13; Aruch ha-Shulchan Y.D. 89: and Mishnah Berurah 494:16 and Sha'ar ha-Tziyun 15. Sefaradim, however, do not follow this stringency; see Yabia Omer Y.D. 6:7.

21 If the hard cheese is softened through boiling or cooking, it is no longer considered hard cheese; Darkei Teshuvah 89:43. But if it is merely fried or baked [as in pizza], it is still considered hard cheese; Harav Y.S. Elyashiv (Sefer ha-Kashrus, pg. 280; Meor ha-Shabbos, vol. 3, pg. 426).

22 Shach Y.D. 89:

23 These "worms" are kosher and are permitted to be eaten as long as they remain within the cheese; see Rama Y.D. 84:16.

24 Taz Y.D. 89:4; Chochmas Adam 40:13.

25 Harav Y.Y. Weiss, quoted in Teshvos V'hanhagos Y.D. 1:388; Harav S.Z. Auerbach, quoted in Meor ha-Shabbos, vol. 3, pg. 427; Harav Y.S. Elyashiv, quoted in Sefer ha-Kashrus, pg. 280; Shevet ha-Levi 2:35.

26 See Kitzur Shulchan Aruch (Feiffer), pg. 138, quoting Harav A. Kotler; Deberciner Rav in Pischei Halachah, pg. 108; Mibeis Levi 6

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