YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**LAWS OF SHABBAT: COOKING**

**By Rav Yosef Zvi Rimon**

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Dedicated in memory of
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**Chapter 15 – Roasting after Cooking**

**Chapter 16 - Stirring**

**XV) Roasting after Cooking**

**Mishna Berura**

As we may recall from *shiur* #12, according to the Yere’im, one should be stringent not only about *bishul* after *afiya* or *tzeliya* (cooking after baking or roasting), but about the reverse as well. In light of this, the Mishna Berura (318:41) writes:

Therefore, it is forbidden to put a cooked item next to the fire without sauce. In fact, this is not limited to placing it by the fire, for the same applies in every case that it may end up roasted by the heat of the oven, and therefore one must be careful not to put cooked meat without sauce in the oven in a place that is *yad soledet bo* (scalding), even if one places a pot in between.

In other words, when one heats up cooked meat without sauce, one violates the prohibition of ***tzeliya* *achar* *bishul***. This is also how Rav Neuwirth rules (*Shemirat Shabbat Ke-hilkhata* 1:60):

One may not put cooked meat on a pot lid standing on a flame, because the cooked meat becomes roasted in the heat.

As a result, we have a **great stringency**: we learned in previous weeks that one may heat food on Shabbat itself, as long as one removes the sauce from it, so that one will not cook a cooled liquid. However, according to what we saw now from the Mishna Berura and Rav Neuwirth, one cannot heat food on Shabbat even in this way, because of ***tzeliya* *achar* *bishul***. In their view, it turns out that there is no way to heat cooked food on Shabbat; one may only heat baked items that were initially heated without sauce, such as bourekas and the like.

**Justifying the Custom**

However, it seems that **we may justify the common custom** (as long as it does not violate *mechzi ke-mevashel*, having the appearance of *bishul*, a topic we will discuss more in future weeks). The various allowances for this come from the Acharonim, who struggle with the Shulchan Arukh’s ruling (318:15):

Whatever is fully cooked and is solid — i.e., there is no soup [or gravy] in it — may be put next to the flame, even in a place that is *yad soledet bo*.

The Shulchan Arukh allows putting a dry cooked food by the fire, even though this causes it to be roasted, and this would indicate that **there is no problem of *tzeliya* *achar* *bishul***. The Bei’ur Halakha (ad loc., s.v. *Ve-hu yavesh*) challenges this in the name of the Beit Meir:

This requires analysis, for above in paragraph 5 he cites the view of the Yere’im (that there is a prohibition of *bishul achar tzeliya*). See also the **Magen Avraham** there, who holds the converse (*tzeliya achar bishul*) applies, so how can he allow this unreservedly?

In other words, the Shulchan Arukh originally cites both views about *bishul achar afiya* or *tzeliya*, which makes it sound like he is careful to follow the view of the Yere’im as well. However, here he explicitly writes against his view that there is no problem of *tzeliya achar bishul*!

The simple answer to this question is that the Shulchan Arukh cites both views in paragraph 5; however, he rules like the lenient view (as his language indicates): **there is no problem of *bishul* *achar* *afiya***, and therefore in paragraph 15 he continues with this line of thinking and rules **that there is no problem of** ***tzeliya* *achar* *bishul*.** This is how Rav Ovadya Yosef rules (*Yechaveh Daat*, Vol. II, ch. 44; *Livyat Chen*, no. 49).

However, there are Acharonim who set out other answers to this question, and their words provide other reasons to be lenient about heating cooked food, even according to those who are concerned about *bishul achar afiya*. We will analyze four of those explanations now.

**Minchat Kohen: No Prohibition of *Afiya* or *Tzeliya* *achar* *Bishul***

1. The Minchat Kohen (II, ch. 4) explains that the Shulchan Arukh forbids *bishul achar afiya* or *tzeliya*, but he does not forbid *afiya* or *tzeliya achar bishul*. While the Yere’im explicitly forbids both of these, the Tur and the Shulchan Arukh cite his words only in part.

Know, in the view of the Yere’im, *tzeliya* and *afiya* apply (are forbidden) after *bishul*, and it is forbidden by the Torah to put cooked meat near the fire in a place that is *yad soledet bo*, even though there is no soup in it, because it will become roasted there… However, I see that there is no one who is concerned about this matter at all, and also the Tur does not cite the law in the name of the Yere’im — namely, that there is [a prohibition of] *tzeliya achar bishul*. The Beit Yosef allows it clearly, and writes at the end of ch. 318 that according to everyone, something that is fully cooked and dry, which has no soup in it, may be put by the fire even in a spot that is *yad soledet bo*; this is what he wrote as well in Shulchan Arukh, paragraph 15…

Behold, the master [Yere’im] equates the law of *tzeliya achar bishul* with the law of *bishul achar tzeliya*… Now, in the first part, the Tur and Rav Karo follow the master’s view, but in the second part, they do not pay attention to his words at all; on the contrary, they clearly allow it…

It may be that the logic behind this ruling is that there is nothing stronger than cooking, and therefore after baking or roasting, cooking still has significance; however, after cooking, there is no meaning to baking or roasting.

**Eglei Tal: He Intends Merely to Heat and Not to Cook**

1. Eglei Tal (*Ofeh*, 18) explains otherwise:

Since originally it was cooked and now one roasts it, which is also considered *bishul*, one is not considered to be performing labor unless one makes it better than it was before. For issues of Shabbat, the Torah forbids *melekhet machshevet* (thoughtful labor), and when it is roasted and one wants to make it cooked, since according to his thought, cooking is better than roasting, one is liable… However, one who puts cooked food near the flame in order to heat it does not seek to dry it out, but only to warm it; thus, one is not considered to have performed the labor of *bishul*.

According to this, once a food has been baked or cooked, there is no liability for a further act of cooking or baking, unless this improves the food somehow (comparable to writing on top of existing letters, for which one is not liable unless the second writing is somehow better). The relevant question is one of intent: does the person aim **to prepare the food with a different technique** or merely **to warm it up**? The former is forbidden, while the latter is allowed.

**Chazon Ish: It Won’t End Up Roasted**

1. The Chazon Ish (37:14) explains differently:

You must say that for anything that will not acquire the true taste of roasting but merely dry up a bit, this is not *bishul achar bishul*.

In his view, since the food **will not acquire the taste of roasting** but instead **will only dry out a bit,** this is not considered roasting. According to the Chazon Ish, it appears that this is not dependent on the person’s intent, as the Eglei Talposits; rather, objectively, an act such as this is not considered **roasting** but **heating**. It appears that in his view, the prohibition is violated only **when one puts new flavor in the food**, but if one only heats the food, and the food does not have the status of a roasted dish, there is no prohibition in this.

**Heating Food in a Pot Is Cooking, Not Roasting**

1. The Chazon Ish offers another answer:

It is possible that pot roast has the status of “cooked” for this issue, and specifically roasting over coals or a spit constitutes *tzeliya achar bishul*.

His intent is that since **we do not heat the meat on the fire itself, but in a pot,** this is not roasting. In *Pesachim* 41a, “pot roast” is defined as cooking in a vessel with no other liquids than its own gravy, and for the paschal offering, it is considered *bishul* rather than *tzeliya*. The Chazon Ish suggests to apply those rules for issues of Shabbat as well, and thus only roasting over coals or a spit and the like is forbidden after *bishul*, while making a pot roast is the same as *bishul* and is not forbidden after *bishul*.

**Halakha**

Whether according to Minchat Kohen, Eglei Tal or Chazon Ish, there is no prohibition to heat dry, cooked food on Shabbat, even according to the stringent view forbidding *bishul* *achar* *afiya*, when there is no intent to roast the food and it will not acquire the taste of a roast, particularly when it is situated in a pot. To these Acharonim, we may add the view of Rishonim who believe that there is no prohibition of *bishul* after *afiya* or *tzeliya* and vice versa.

It appears, if so, that **one may be lenient and heat a cooked, dry food** as a matter of practical halakha, particularly if it is situated in a pot.[[1]](#footnote-1)

**Is one allowed to heat meat without sauce on Shabbat?**

Apparently, one should forbid *tzeliya* *achar* *bishul*, and this is the simple meaning of the **Mishna Berura**’s ruling.

Since the meat only dries a bit, this is not considered roasting (**Chazon Ish**).

Only *tzeliya* on a spit or on coals is considered *tzeliya*, but a pot roast belongs in the category of *bishul* (**Chazon Ish**).

Since the food is already cooked, and the person is not interested in the taste of the roasting, there is no prohibition (**Eglei Tal**).

It may be that only *bishul* after *afiya* or *tzeliya* is an issue, but not *afiya* or *tzeliya* after *bishul* (**Minchat Kohen**).

Practical halakha — it seems that one may be lenient (preferably in a pot).

**XVI) Stirring**

May one stir food in a pot on the fire?

May one stir a pot after it has been removed from the fire?

May one remove food from a pot on the fire with a spoon?

**Biblical Prohibition**

The Gemara in *Beitza* (34a) quotes a *beraita*:

It was taught: “If one brings the fire, and another brings the wood, and another puts the pot on the fire, and another brings the water, and another puts in the spices, and another stirs, they are all liable.”

This *beraita* explains that *hagasa* (stirring) of a pot on Shabbat is a biblical prohibition. However, some questions remain:

1. The *beraita* discusses a pot on the fire — what about a pot that has been removed from the fire?
2. Does this prohibition apply to food that has already been cooked?

**Pot Removed from the Fire**

The mishna (17b) deals with the dyer’s cauldron. The Gemara (18b) says that the mishna is discussing a case of a pot removed from the fire. Nonetheless the Gemara asks: “Should we not be concerned that he will stir it (*meigis*)?” From the words of the Gemara it turns out that even after removing the pot from the fire *hagasa* is forbidden.

The Rishonim disagree as to which prohibition is being violated. Rashi (s.v. *Meigis*) explains:

*“Meigis”* — turning it over; because it cooks as a result, this is [a violation of] *bishul*.

In other words, in the action of *hagasa*, one violates the **prohibition of cooking**.**[[2]](#footnote-2)** This is how **the Ramban** explains as well. In a similar vein, the Rashba (ad loc.) explains:

From this that we say, “This refers to a kettle removed and sealed,” this implies that even if it is removed, *meigis* still applies, for *hagasa* in a *keli rishon* (primary vessel) is like *bishul*.

On the other hand, Tosafot (s.v. *Dilma*) explain that the prohibition is “because of dyeing (*tzove’a*),” another one of the forbidden labors of Shabbat. It may be that they write this because, in their view, there is no way to speak of the prohibition of cooking when stirring a pot that isn’t on the fire. This is how the Maharsha explains: “Since this [pot] is removed [from the fire], it appears that cooking is not applicable, but only dyeing.”

The view of the Rambam is also that the prohibition of *bishul* applies only when the pot is on the fire. The Rambam (3:11) writes:

It is forbidden to insert a ladle into a pot to remove food **while it is on a fire** on Shabbat, because while doing so, one stirs it, which is one of the activities necessary for cooking. Thus, it is considered like cooking on Shabbat.

This indicates that *meigis* is a problem only if the pot is sitting on the flame.[[3]](#footnote-3)

**Basis of the Dispute**

The simple approach would suggest that *hagasa* is forbidden because it accelerates the cooking. Those who allow *hagasa* of a vessel removed from the fire believe, apparently, that *hagasa* accelerates the *bishul* by bringing part of the food closer to the fire. Therefore, if the pot is not on the fire, there is no prohibition of *meigis*. On the other hand, those who forbid *meigis* even in a pot off the fire apparently believe that the acceleration of *bishul* occurs by the very mixing (perhaps the upper parts are heated by the lower parts), and therefore the prohibition is applicable even when the pot is not on the fire.

**Fully Cooked Dish**

The Ramban and Rashba (18b) ask **how one may take the food out of the pot after it has been removed from the fire** — why would this not violate the prohibition of *meigis*? One answer they suggest is that the dish has already been adequately cooked. (See note 8 of our first *shiur*, where we explain that for these Rishonim the level need only be that of *ma’akhal ben Derusai* [minimally cooked]. Halakhically, however, we require that the food being removed from the pot be fully cooked.)

The Rashba writes:

Moreover, I would say that anything cooked to the level of *ma’akhal ben Derusai* has no issue of *meigis*, because *meigis* renders one liable because of *bishul*, and once it has reached the level of *ma’akhal ben Derusai*, there is no longer an issue of *bishul*.

The Rashba explains simply that *meigis* is prohibited because it accelerates the cooking, and naturally **if *bishul* no longer applies, there is no prohibition of *meigis*.** Therefore, since once a food is fully cooked, we apply the rule of *ein bishul* *achar* *bishul*, the prohibition of *meigis* is no longer applicable to it.

**Kol Bo**

On the other hand, the Kol Bo (ch. 31, 32a, cited by **Beit Yosef**, ch. 253, s.v. *Katuv Be-Nimukei Yosef*) believes that **even if the food is fully cooked,** *hagasa* is forbidden **as long as the pot is on the fire:**

It is the common custom for women to put boiling water in hot food… but they must be careful not to put the water in while the pot is still on the fire, because they mix and stir the pot in order to blend it well, and we have established that *meigis* is liable because of *bishul* even for a cooked dish, as long as it is on the fire.

**Mahari Weil**

The Mahari Weil (*Dinin Ve-halakhot*, no. 30, cited in *Darkei Moshe*, end ch. 318) expresses a more extreme view that forbids *meigis* even of a fully cooked dish that has been removed from the fire:

When the pot is removed from the fire, and one wants to take the food out, one must not stir it with a spoon, because this is *bishul*… This is what I have found to be the custom in the house of the Mahari of blessed memory.

These approaches are quite perplexing, as the food has been fully cooked and no longer has a prohibition of *bishul*. Why then is there a prohibition of *meigis*? This is the question we find in *Shaar Ha-tziyun* (318:148):

I do not know the reason for this. How could *meigis* be more efficacious than actual *bishul*? All of the authorities concede that once a food is fully cooked, [the prohibition of] *bishul* no longer applies…

Rav Moshe Feinstein (OC, Part 4, ch. 74, *bishul*, 9) offers an explanation of the Kol Bo:

I find some logic in this, in my humble opinion, because even though the dish is fully cooked, he believes that it often happens that there are bits not adequately cooked, albeit edible; this is only because the overwhelming majority of the dish is fully cooked, and *hagasa* while on the fire causes these bits to become cooked as well.

**Root of the Prohibition**

We may take a different tack, explaining that we have **a consistent argument about the basis of the prohibition of *meigis*.** One may understand the fundamental prohibition in one of two ways:

1. **Accelerating cooking** — *hagasa* accelerates the completion of cooking. This is what the Me’iri writes (73a, s.v. *Ha-zoreia*), that “whatever hastens baking or cooking, such as mixing and stirring in a pot… makes one liable for *bishul*.”
2. **New facet of cookin**g — *hagasa* adds to food an unprecedented new facet and quality.[[4]](#footnote-4)

According to the former view, it is clear that the prohibition is applicable only if the cooking process has not been completed. According to the latter, one should forbid *hagasa* of fully cooked dishes as well, since the *hagasa* adds another facet to the *bishul*.[[5]](#footnote-5)

To **summarize**: most authorities (Ramban, Rashba, et al.) believe that there is no prohibition of *hagasa* of an item that has been fully cooked. On the other hand, some (Kol Bo, Mahari Weil) believe that there is a problem of *hagasa* even for fully cooked dishes, and in their view, it appears that this action adds a new facet beyond the result of regular *bishul*.[[6]](#footnote-6)

**REMOVING WITH A SPOON**

Before we see the halakhic ruling concerning *meigis*, we must address an additional question: is it only actual mixing of the dish that is forbidden, or is it forbidden even to remove food with a spoon, as this causes a certain agitation of the food as a byproduct?

**Rambam**

This is what the Rambam (3:11) states:

It is forbidden to insert a ladle into a pot to remove food **while it is on a fire** on Shabbat, because while doing so, one stirs it, which is one of the activities necessary for cooking. Thus, it is considered **like cooking** on Shabbat…

Thus, the Rambam seems to indicate that removing with a spoon is forbidden, but only rabbinically (“**like** cooking”)[[7]](#footnote-7), as the Maggid Mishneh writes:

It appears to me that our master is not speaking of a fully cooked dish, because there, certainly even if it is returned to the fire and cooked, one is not liable… Since this is true, one should not decree against putting in the spoon. But if it is not cooked, one must be concerned about his view… As long as one is not liable for the stirring, putting in the spoon is allowed, but if one is liable, it is forbidden to insert it.

In other words, in a case in which stirring is biblically prohibited, the Sages ban removing with a spoon; when stirring is not biblically prohibited, removing with a spoon is totally permissible. Therefore, if the food is not fully cooked, there is a rabbinical ban of removing with the spoon (while if it is fully cooked, there is no biblical prohibition of *meigis*, so one may take out food with a spoon).

**Beit Yosef**

A more stringent view is expressed by the Beit Yosef (end ch. 318, s.v. *Katav Ha-Ran*) in the words of the Ran (6b, Rif, s.v. *U-mide’amar*):

The Ran writes in the first chapter of *Shabbat*… from here we see that if a boiling pot was removed from the fire, if the food inside is not yet *ma’akhal ben Derusai* it is forbidden to remove food from [the pot] with a spoon, because **one will end up being *meigis* and there is an issue of *bishul***, but regarding a dish that has been cooked to the point of *ma’akhal ben Derusai*, there is no need to be concerned [about *meigis*].

In his view, if one removes food from a dish that has not been fully cooked, “one will end up being *meigis* and there is an issue of *bishul*,” which implies that **removing food with the spoon is *meigis* and biblically prohibited**.

This is also what the Rosh implies (1:34):

Even though it was removed from the fire, as long as it is seething, stirring it is cooking it, and all the more so it is forbidden to put a spoon in a pot when it is still on the stove.

This is also indicated by the Radbaz (*Responsa*, Vol. III, ch. 411).

**Raavad**

The third view comes from the Raavad, who comments on the Rambam’s ruling (ad loc.):

He has gone too far, forbidding even removing from the pot with a ladle.

The Raavad believes, apparently, that there is no prohibition to remove food with a spoon.

**The Dispute**

We may explain this as follows: if stirring **adds a new facet to the food**, one is liable only when the food is indeed stirred, since this adds another quality to the food;[[8]](#footnote-8) however, if *hagasa* **accelerates the cooking,** there is reason to make one liable even for removal with a spoon, because one thereby brings part of the food close to the fire, causing it to cook **more quickly.**

Next week we will see the halakhic ruling and its ramifications.

Translated by Rav Yosef Bloch

**Is there a prohibition of stirring a fully cooked dish on the fire?**

**Is there a prohibition of stirring when the pot((of fully cooked food)) is not on the fire?**

**The simple meaning of Tosafot and Rambam:** No.

**The simple meaning of Rashi and Ramban:** Yes.

**Ramban**, **Rashba**: No.

**Kol Bo, Mahari Weil:** Yes.

**Is removing with the spoon ((while on the fire?)) considered stirring?**

**Rambam according to Maggid Mishneh**: Removing with the spoon is rabbinically forbidden.

**Ran according to Beit Yosef:** Removing with the spoon is biblically forbidden.

The prohibition of *meigis* emanates from the **acceleration of *bishul***, and removing with a spoon accelerates the *bishul*.

The prohibition of *meigis* is based on the addition of a new quality to *bishul*, and removing with a spoon does not add quality. The Rambam forbids this only as a rabbinical decree, or because removal with a spoon causes some acceleration of *bishul* that is rabbinically forbidden.

**Raavad:** There is no prohibition of removing with a spoon; only *hagasa* is forbidden.

Stirring accelerates *bishul*, but for a cooked food there is no prohibition of *bishul*.

Only on the fire is there a prohibition, because stirring brings the uncooked part closer to the fire.

The hot food heats the cool food and accelerates the cooking.

Apparently, stirring adds to the *bishul.* another quality.

1. As we have said, this is allowed only if one manages to overcome the rabbinical prohibition of *mechzi ke-mevashel*, as we shall discuss in the future. [↑](#footnote-ref-1)
2. This is how the Rosh (3:11) explains Rashi’s words, but some understand Rashi’s words differently (see Maharshal, *Chokhmat Shelomo* *ad loc.*). [↑](#footnote-ref-2)
3. This is how the Lechem Mishneh understands the view of the Rambam, while the Kesef Mishneh understands that being “on a fire” is not integral. [↑](#footnote-ref-3)
4. This is implied by what the Rambam (9:11) writes, ruling that one who wrings out a garment from the water in it is liable for laundering and he explains that “Wringing out a garment is one of the activities necessary for laundering, as **stirring is one of the activities necessary for cooking**.” In wringing, it is clear that there is a new act: soaking and scrubbing remove the dirt from the garment, and the wringing removes the water from it, thus adding a new facet to it. We may thus understand that the stirring gives the food something that it did not have previously.

Moreover, we may understand that the basis of the prohibition is that stirring is an integral technique — this is the way of the cooks, as it were. See Ran 6b, Rif, s.v. *U-mide’amar,* concerning the statement “it is the way of the dyers to constantly stir it.” However, this is not the place to elaborate. [↑](#footnote-ref-4)
5. The Rambam’s language (3:11) indicates that there is a prohibition of *meigis* even for a fully cooked food, and this dovetails with what we have derived from his words (see previous note) that the stirring adds another facet to the *bishul*. However, the Maggid Mishneh and Kesef Mishneh understand that the Rambam considers one liable only when the food has not yet been fully cooked. [↑](#footnote-ref-5)
6. The Ritva (18b) writes that to be *meigis* something sitting on the fire that is fully cooked is **rabbinically prohibited,** as the Maggid Mishneh explains in the view of the Rambam (9:4; 3:11). According to this view, it may be that we are talking about a decree lest someone stir that which is not yet fully cooked. The Tiferet Shemuel (Rosh 3:16) writes the following: the Sages forbid being *meigis* even a cooked dish, lest one come to regard a dish as fully cooked mistakenly, incurring a capital liability. On other hand, it may be that to be *meigis* a cooked dish on the fire is a problem of *mechzi ke-mevashel*, as the Eglei Tal (*Ofeh* 17) indicates. [↑](#footnote-ref-6)
7. Aside from this, the Rambam uses the language of “forbidden,” which usually indicates a rabbinical prohibition, unlike his words in the context of actual *meigis* (9:4), where he uses the term “liable” (“and another stirs, they are all liable for cooking”), which relates to a biblical prohibition. [↑](#footnote-ref-7)
8. This is the case unless we say that there is a *pesik reisha* (an inevitable result): one will certainly stir a bit when removing food with a spoon. [↑](#footnote-ref-8)