The Kornitzer Edition

שו״ת
חתם סופר

לרבינו הגאון
משה סופר זצוק״ל

אב״ד וריש מתיבתא דק״ק דרעזניץ, מאטערסדארף, ומשם עלה ונתעלה
לעיר ואם בישראל ק״ק פרעסבורג המעטירה, ושם חלקת מחוקק ספון, זי״ע

חלק אורח חיים
כרך ב · תשובות עז–קמא

Orach Chaim — Vol. 2 — Teshuvos 77–141

Phrase-by-Phrase English Translation
Explanations and Summaries
Indexes of Sources & Subjects

Kesser Shem Tov
PUBLISHING

Responsa Chasam Sofer

Orach Chaim · Volume Two



Kesser Shem Tov Publishing

www.kstpublishing.com

The foundational Hebrew text utilized in this Kesser Shem Tov edition is sourced from the Sefaria database, with minor emendations by the editor to ensure textual accuracy.

Copyright © 2026 Kesser Shem Tov Publishing
All rights reserved. No part of this publication may be reproduced, distributed, or transmitted in any form or by any means, including photocopying, recording, or other electronic or mechanical methods, without the prior written permission of the publisher, except in the case of brief quotations embodied in critical reviews and certain other noncommercial uses permitted by copyright law.

First Kesser Shem Tov edition

Version 1.01

ISBN: 9798160824314

For inquiries and permissions: publisher@kstpublishing.com

A NOTE ON METHODOLOGY

The Nature of this Work

This volume presents an original English elucidation and commentary, prepared through a combination of advanced language and translation technology and human editorial oversight. The methods employed were carefully configured to adhere to Orthodox Jewish *hashkafa* and to preserve fidelity to the original Hebrew text. Even so, this edition does not carry the authority of a translation prepared and certified by a full team of rabbinic scholars.

Usage and Limitations

This translation is intended as a tool to help advanced learners access the depth of the original work. It is **not** intended to replace the original Hebrew source, nor to serve as a substitute for study under a qualified teacher.

Because the nuance of Torah study often transcends any single method of preparation, we ask the reader to keep two things in mind:

1. **Verification:** Any novel insight, ruling, or conclusion drawn from this translation should be checked against the original Hebrew.
2. **Consultation:** All practical questions or derived lessons should be discussed with and verified by a qualified rabbinic authority before being relied upon.

The goal of this edition is to make these teachings accessible to a wider audience, but the responsibility for accurate understanding and practical application remains with the reader.



Dedication

This volume is respectfully dedicated to the enduring legacy of Rabbi Moshe Sofer, the Chasam Sofer, whose Torah stands as a pillar of *mesorah*, illuminating the Jewish people with clarity, courage, and unwavering fidelity to *halachah*.



This Kornitzer Edition of the *Shailos u'Teshuvos Chasam Sofer*, presenting the original Hebrew text together with faithful annotation and elucidated English, is offered with humility and gratitude, to broaden access to his sacred teachings while preserving their integrity and sanctity.



It is sponsored by the Kornitzer family, direct descendants of the Chasam Sofer, as an expression of thanksgiving to Hashem for the privilege of transmitting his Torah and ensuring that his voice continues to be studied and lived in every generation.



May the merit of learning this *sefer* bring blessing to all who engage with it, and may we soon merit, with the coming of *Moshiach*, to hear new *chiddushim* in Torah from the Chasam Sofer himself. And may this work serve toward fulfilling the longing so often expressed by the Lubavitcher Rebbe—that through the spread of Torah we hasten the true and complete *Geulah*, and *Moshiach* will come speedily in our days, ממש.



תשובה 77

Roasting Meat on Coals vs. in an Oven Before Shabbos

Laws of the Jewish Calendar > Laws of Cooking on Shabbat

Summary

Correspondent and Context: The Chasam Sofer answers Rabbi Aryeh Leib Stampeh Segal. The question concerns Rashi on Shabbos 18b and the Beis Yosef in Orach Chaim, Siman 254.
The Question (Sha'ila): The Beis Yosef reads Rashi to mean that meat in an uncovered oven is like meat on coals (*bisra agumrei*). This is forbidden even for a kid goat. The correspondent argues that Rashi's words, "not in an oven," imply the opposite. He suggests that the oven itself counts as a cover. He also asks why the Gemara's first version does not use the second version's distinction of "meat on coals."
The Ruling (Teshuvah): The Chasam Sofer rejects that reading. A *tanur* is open on top and has a separate cover. Rashi means that meat outside an oven lacks even the cover normally used with an oven. Thus, only the cover gives an oven an advantage over open coals. This supports the Beis Yosef and Tosfos: an uncovered oven is like meat on coals. The Gemara's first version uses the simpler *barcha* answer. The second version must distinguish meat on coals.
Shulchan Aruch Background: Siman 254 discusses food left near a fire before Shabbos. The concern is that someone may stoke the coals on Shabbos. The Mishnah forbids placing meat, onion, or egg to roast unless it will cook enough before Shabbos. It nevertheless permits lowering the Pesach offering into an oven near nightfall. The Gemara gives two explanations. The first uses a distinction involving a *barcha*, a large uncut piece of meat, and whether the oven is sealed. The second distinguishes meat on coals from meat in an oven.
Key Disputes (Machlokes): The Ra'zah says the Talmudic views dispute whether wind harms a *barcha*. The Chasam Sofer says Rashi instead follows Tosfos: an open oven is like meat on coals. He also uses the Pnei Yehoshua's view that Rav Ashi's leniency applies to meat, not bread. Finally, he discusses a *gedi mekulas*, whose innards hang outside its ribs. The Rambam rules that the Pesach was prepared this way. Therefore, the Mishnah must discuss an open oven, which is like meat on coals. This answers the Lechem Mishneh's question and differs from the Beis Yosef's reading of the Rambam.

שָׁלוֹם וְכָל טוּב לְמַהוֹ' אַרְיֵה לֵיב שְׁטַאמְפָּע סְגַן לְוָיָה נֵרוֹ יָאִיר:

אֲשֶׁר כָּתַב מַעֲלָתוֹ וְנִתְקַשֶּׁה בְּדִבְרֵי הָרַב בֵּית יוֹסֵף סִימָן רנ"ד דְּלְאַחַר שֶׁהֶעְתִּיק פֵּירוּשׁ רַשִׁ"י בְּמַסֶּכֶת שַׁבָּת י"ח עַמּוּד ב' בְּבִשְׂרָא אַגּוּמְרֵי שֶׁאֵינוֹ בְּתַנּוּר דַּאֲפִילּוּ כְּסוּי לֵיכָא וּמוּכָן לַהֲפוֹכֵי וְלַחְתּוֹת עכ"ל וְכָתַב עָלָיו הָרַב בֵּית יוֹסֵף וּמַשְׁמַע דְּהוּא הַדִּין אִם הַבָּשָׂר תּוֹךְ הַתַּנּוּר סָמוּךְ לַגֶּחָלִים וְאֵין פִּי הַתַּנּוּר מְכוּסֶּה כְּלָל חָשִׁיב מוּנָּח אַגּוּמְרֵי וַאֲפִילּוּ בִּגְדָיִים אָסוּר דְּעַל כָּרְחָךְ לָא שָׁרֵי בְּלָא שָׁרִיק אֶלָּא בְּשֶׁפִּי הַתַּנּוּר מְכוּסֶּה מִיהַת דְּלָא מְגַלֵּי לֵיהּ מִשּׁוּם דְּקָשֶׁה לֵיהּ זִיקָא עכ"ל וְהוּקְשָׁה לְמַעֲלָתוֹ לְשׁוֹן רַשִׁ"י דְּמַשְׁמַע בְּהֵיפּוּךְ מִדְּכָתַב שֶׁאֵינוֹ בְּתַנּוּר

Peace and all good to the esteemed Rabbi Aryeh Leib Stampeh, Segal, may his light shine.

Regarding what your honor wrote and found difficult in the words of the Beis Yosef, Siman 254.[1] The question concerns the Beis Yosef's reading of Rashi on roasting before Shabbos. **That after [the Beis Yosef] quoted Rashi's explanation in Masechta Shabbos 18b**[2] **on [the term] "meat on coals."** This is the Gemara's answer to a question about roasting before Shabbos. **"That it is not in an oven, for there is not even a cover," "and one is ready to turn [the meat] and stoke [the coals]," end of quote. And the Beis Yosef wrote regarding this: "It implies that the same applies if the meat is inside the oven near the coals, and the mouth of the oven is not covered at all, it is considered as placed on coals.** The Beis Yosef understands that the oven must be covered. Merely placing the meat inside does not help. **And even kid goats would be forbidden.** Kid goats are usually permitted because opening the oven lets in harmful wind. This leniency does not apply when the oven is uncovered. **For it is necessarily only**

[1] Beis Yosef, Orach Chaim, Siman 254 — which discusses the laws of food preparations left on the fire before Shabbos, including roasting meat near coals and the conditions under which food may remain cooking into Shabbos.

[2] Shabbos 18b — The Gemara there states: "...מַאן תְּנָא לְהָא דְּתָנוּ רַבָּנָן: לֹא תְּמַלֵּא אִשָּׁה קְדֵרָה עֲסָסִיּוֹת וְתוּרְמָסִין וְתַנִּיחַ לְתוֹךְ הַתַּנּוּר עֶרֶב שַׁבָּת עִם חֲשֵׁכָה" The Gemara discusses what type of food may be left to cook before Shabbos. Rashi on *bisra agumrei* explains this refers to meat placed on coals outside an oven, where there is no cover at all.

permitted without sealing [the oven with plaster] when the mouth of the oven is at least covered, so that one won't uncover it because the wind would harm [the meat]," end of quote. A kid goat does not require a plaster seal. But the oven must still be covered. This prevents stoking. **And your honor found Rashi's language difficult, as it seems to imply the opposite, from the fact that [Rashi] wrote "that it is not in an oven."** The correspondent inferred that only meat outside an oven is forbidden. This conflicts with the Beis Yosef. **And your honor wrote that it is apparent that the "oven" [in Rashi's usage] means the cover. And I am amazed—it is obvious that the oven is not the cover! Rather, it is open on top and has a separate cover.** A Talmudic **tanur** was a clay cylinder with an open top and a separate cover. **As is clear from the Gemara's language at the end of [the chapter] Kol HaKeilim,**[3] **where they dispute regarding the cover of an oven, etc.** This shows that the oven and its cover are separate objects. **And regarding what troubled him in Rashi's language, see the Hagahos Ashri on the first chapter of [Masechta] Shabbos, from Maharich, who wrote at the end of Siman 35.**[4] **And this is his language: "Even a barcha [whole piece] that is not sealed [with plaster], but only covered with the oven's cover— even though the wind is not harmful to it—** (a **barcha** is a large, uncut piece of meat) **it is not forbidden except specifically for meat on coals." There too, the implications contradict each other. For he wrote that it is permitted only when covered, implying that when uncovered it is not [permitted]. And then he concludes: "it is forbidden only for meat on coals."** This implies that anything inside the oven is permitted, even without a cover. **Further, there in the gloss from Maharich, Siman 40: "And not a flatbread on coals, outside the oven near the fire, etc." This implies specifically outside the oven, but inside the oven, even uncovered, is permitted.** This suggests that the oven itself helps, even without its cover. **And afterward he writes: "And in an oven it is permitted to roast even raw [meat], such as when the oven is covered." This implies that whenever it is not covered, it is forbidden. And one must necessarily conclude that whenever the oven is not covered, this is [halachically equivalent to] meat on coals. And the reason [the Gemara] uses the term "meat on coals" and doesn't say "uncovered oven," is because it is uncommon to roast in an oven without a cover. As written in the gloss there in the name of R"I:**[5] **And this is the language: "However, to place bread in an oven, they agree it is forbidden unless its surface will have formed a crust** (this must happen before Shabbos) **even though a standard oven is covered," end quote.** This explains why the Gemara speaks of meat on coals, not an uncovered oven. **And this is [precisely] what Rashi wrote: "that it is not in an oven"— "for there is not even a cover." For had it been in an oven, it would normally have been**

וְכָתַב מַעֲלָתוֹ דִּמְבוֹאָר דְּתַנּוּר הַיְינוּ הַכְסוּי וַאֲנִי תָּמַהְתִּי פְּשִׁיטָא דְּהַתַּנּוּר אֵינוֹ הַכְסוּי רַק הוּא לְמַעְלָה פָּתוּחַ וְיֵשׁ לוֹ כְּסוּי אַחֵר כְּמְבוֹאָר בְּלְשׁוֹן הַשּׁ"ס סוֹף פֶּרֶק כָּל הַכֵּלִים כִּי פְלִיגִי בְּכְסוּי תַּנּוּר וְכוּ' וּמַה שֶּׁנִּתְקַשָּׁה לוֹ בְּלְשׁוֹן רַשׁ"י יְעַיֵּי' בְּהַגָּהַת אַשְׁרִי פֶּרֶק קַמָּא דְּשַׁבָּת מִמַּהֲרִי"ח שֶׁכָּתַב ססי' ל"ה וְז"ל אֲפִילוּ דְּבָרְחָא וְלָא שָׁרִיק רַק מְכוּסֶּה בְּכְסוּי הַתַּנּוּר עַ"ג דְּלָא קָשֵׁי לֵיהּ זִיקָא וְלָא אָסוּר אֶלָּא דַּוְקָא בְּשָׁרָא אַגּוּמְרֵי הָתָם נַמִּי קָשֶׁה דִּיוּקָא אַהֲדֵי דְּכָתַב דְּלָא הוּתַּר רַק מְכוּסֶּה מַשְׁמַע אֲבָל מְגוּלֶּה לֹא וְאַחַר כָּךְ מְסַיֵּים וְלָא אָסוּר רַק בְּשָׁרָא אַגּוּמְרֵי עוֹד שָׁם בַּהַגָּהָה מִמַּהֲרִי"ח סי' מ' וְלָא חֲרָרָה עַל גַּבֵּי גֶּחָלִים חוּץ לְתַנּוּר אֵצֶל הָאֵשׁ וְכוּ' מַשְׁמַע דַּוְקָא חוּץ לְתַנּוּר אֲבָל בְּתוֹךְ הַתַּנּוּר אֲפִילוּ מְגוּלֶּה שָׁרֵי וְאַחַר כָּךְ כָּתַב וּבְתַנּוּר מוּתָּר לְצָלוֹת אֲפִילוּ חַי וְכָגוֹן שֶׁהַתַּנּוּר מְכוּסֶּה מַשְׁמַע כָּל שֶׁאֵינוֹ מְכוּסֶּה אָסוּר וְעַל כָּרְחָךְ צָרִיךְ לוֹמַר דְּכָל שֶׁהַתַּנּוּר אֵינוֹ מְכוּסֶּה הַיְינוּ בָּשָׂר עַל גַּבֵּי גֶּחָלִים וְהָא דְּנָקֵט בָּשָׂר עַל גַּבֵּי גֶּחָלִים וְלָא קָאָמַר תַּנּוּר מְגוּלֶּה מִשּׁוּם דְּלָא שְׁכִיחָא שֶׁיְּצָלֶה בְּתַנּוּר בְּלָא כְּסוּי וּכְמוֹ שֶׁכָּתַב בַּהַגָּהָה שָׁם בְּשֵׁם ר"י וַז"ל מִיהוּ לְתֵּן אֶת הַפַּת בְּתַנּוּר מוּדוּ דְּאָסוּר אֶלָּא כְּדֵי שֶׁיְּקָרְמוּ פָּנֶיהָ אַע"ג דְּסָתָם תַּנּוּר מְכוּסֶּה עכ"ל וְהַיְינוּ דְּכָתַב רַשׁ"י שֶׁאֵינוֹ בְּתַנּוּר דַּאֲפִילוּ כְּסוּי לֵיכָא דְּאִלּוּ הָיָה בְּתַנּוּר סְתָמָא הָיָה מְכוּסֶּה וְהַהֶכְרֵחַ שֶׁהִכְרִיחַ לְרַב בֵּית יוֹסֵף לְפָרֵשׁ כֵּן בְּרַשׁ"י מִפְּנֵי שֶׁכָּתַב דַּאֲפִילוּ כְּסוּי לֵיכָא וְהוּא שְׁפַת יֶתֶר אֶלָּא לְהוֹרוֹת לָן שֶׁאֵין שׁוּם מַעֲלָה לְתַנּוּר יוֹתֵר מִגְּחָלִים אֶלָּא הַכְסוּי כָּל זֶה בָּרוּר וְכֵן בַּדִּין דְּאִי לָא תֵּימָא הָכִי מָה יַּעֲנֶה רַשׁ"י אַקּוּשְׁיָא תּוֹסָפוֹת דִּיבּוּר הַמַּתְחִיל הָתָם שֶׁהִקְשׁוּ מִשַּׁלְשְׁלִים הַפֶּסַח וְתֵירֵץ כֵּיוָן דְּהַתַּנּוּר פָּתוּחַ הֲוָה לֵיהּ כְּמוֹ בְּשָׁרָא

[3] Shabbos, end of Perek Kol HaKeilim (Chapter 17, approximately daf 125b–126a) — The Gemara there discusses the status of oven covers (*kisui tanur*) as separate items with their own halachic classification, demonstrating that an oven and its cover are two distinct objects.

[4] Hagahos Ashri, Perek Kamma of Shabbos, from Maharich, end of Siman 35, and subsequently Siman 40 — presenting varying formulations about the permissibility of roasting in covered vs. uncovered ovens.

[5] This R"I (*Rabbeinu Yitzchak* or *Rabbeinu Yeshaya*) is cited in the Hagahos Ashri's gloss on the first chapter of Shabbos, establishing the principle that bread requires a higher threshold of pre-Shabbos cooking than meat even in a covered oven.

אַגּוּמְרֵי הָאֱמֶת דְּהָרַז"ה מְיַיּשֵׁב קוּשְׁיַת תּוֹסָפוֹת בְּאֹפֶן אַחֵר דְּסָבִירָא לֵיהּ דִּפְלִיגִי בִּמְצִיאוּת אִי קַשְׁיָא לֵיהּ וְיקָא לְבַרְחָא אוֹ לֹא אֲבָל אִי לָא הֲוֵי קַשְׁיָא לֵיהּ הֲוָה אָסוּר לְכוּלֵי עָלְמָא וּבְשָׁלֵם לְכוּלֵי עָלְמָא לָא קַשְׁיָא לֵיהּ וְיקָא אֲבָל לֹא מַשְׁמַע מִלְּשׁוֹן רַשִׁ"י דְּסָבִירָא לֵיהּ כְּשִׁיטַת הָרַז"ה דִּפְלִיגִי בִּמְצִיאוּת הַנַּ"ל דְּכָל כִּי כְהַאי גַּוְונָא הֲוָה לֵיהּ לְפָרוּשֵׁי דְּבָרָיו וְאִם כֵּן עַל כָּרְחָךְ סָבִירָא לֵיהּ כְּתֵירוּץ הַתּוֹסָפוֹת

covered. And the compelling reason that forced the Beis Yosef to interpret Rashi this way is because [Rashi] wrote "there is not even a cover." This is seemingly extra language. Without these words, Rashi could simply have said that the meat is outside the oven. **Rather, [the extra language comes] to teach us that there is no advantage to an oven over coals except for the cover. All this is clear, and it is also legally correct, for if you don't say this, what would Rashi answer to the question of Tosfos, s.v. "Hasam,"[6] who raised a difficulty from [the Mishnah's clause] "one lowers the Pesach offering"** Tosfos asks why the Pesach offering is allowed when its oven is open. **And [Tosfos] answered: since the oven is open, it is like meat on coals. The truth is that the Ra'zah resolves Tosfos' question in a different way.[7] For he holds that [the Amoraim] disagree about a factual matter: whether the wind is harmful to a barcha or not. But if [wind] were not harmful to it, it would be forbidden according to all opinions.** If opening the oven does not harm the meat, nothing deters a person from stoking. **And for a whole [animal], according to all, wind is not harmful to it.** The Ra'zah says wind does not harm a whole animal. Its body protects the meat. **But Rashi's language does not imply that he holds like the Ra'zah's approach that they disagree factually as described above. For in such a case, [Rashi] should have explained his words [accordingly]. And if so, [Rashi] must hold like Tosfos' answer**

וּצְרִיכִין אָנוּ לְפָרֵשׁ דְּבָרָיו כַּנַּ"ל וּמַהַתְמִיהָה עַל הָרַב בֵּית יוֹסֵף שֶׁלֹּא הֵבִיא כֵּן מֵהַתּוֹסָפוֹת:

And we must explain his words as [we explained] above. And it is surprising that the Beis Yosef did not cite this [proof] from Tosfos.

וּמַה שֶּׁכָּתַב מַעֲלָתוֹ עוֹד דְּאַמַּאי לָא מְשַׁנֵּי בִּלְשָׁנָא קַמָּא כְּמוֹ בִּלְשָׁנָא בַּתְרָא בִּבְשָׁרָא אַגּוּמְרֵי לֹא הֵבַנְתִּי דְּבָרָיו קִיצֵּר בְּמָקוֹם שֶׁהָיָה לוֹ לְהַאֲרִיךְ דְּעַל דֶּרֶךְ בְּרוּר אָמַר הַשׁ"ס כֵּן דִּלְלִישָׁנָא קַמָּא אִיכָּא לְשַׁנּוֹיֵי וּלְאוֹקְמֵי בִּדְבָרְחָא אֲבָל לַלִּישָׁנָא בַּתְרָא לֵיכָּא לְשַׁנּוֹיֵי אֶלָּא בִּבְשָׁרָא אַגּוּמְרֵי וּכְהַאי גַּוְונָא טוּבֵי בַּש"ס וּלְדוּגְמָא יְעַיֵּן בַּש"ס דַּעֲבוֹדָה זָרָה ל"ה עַמּוּד ב' חָלָב לְמַאי נִיחוּשׁ לֵיהּ אִי מִשּׁוּם אִיחֲלוּפֵי טָהוֹר חִיוָּר טָמֵא יָרוֹק אִי אִיעֲרוּבֵי נִיקּוּם וַהֲוָה מָצֵי לְמֵימַר אִי מִשּׁוּם אֲחוֹלוֹפֵי וְאִיעֲרוּבֵי נִיקּוּם אֶלָּא עַל הַדֶּרֶךְ הַבָּרוּר אָמַר כֵּן:

And regarding what your honor further wrote, [asking] why the first version [of the Gemara] doesn't answer as the second version does, with [the distinction of] "meat on coals." I did not understand his words; he was brief where he should have been expansive. For the Gemara said this in the clearest manner. For according to the first version, there is a simpler answer available: to establish [the Mishnah] as discussing a barcha. But according to the second version, there is no answer except "meat on coals." And there are many similar cases in the Gemara. For example, see the Gemara in Avodah Zarah 35b:[8] "Milk—for what should we suspect it of?" "If because of confusion [with non-kosher milk]—kosher [milk] is white, non-kosher is greenish." "If because of mixing—it would curdle [and be detectable]." And [the Gemara] could have said: "If because of confusion and mixing—it would curdle." Rather, [the Gemara] said it this way following the clearer approach. Likewise, each version in Shabbos uses its clearest answer.

אָמְנָם אָמַרְתִּי לְפָרֵשׁ דְּבָרָיו דְּהָרַי בְּמַה שֶׁתֵּירֵץ הַשׁ"ס בִּלְשָׁנָא קַמָּא הָתָם

However, I tried to interpret his [the correspondent's] words [charitably]. For indeed, with the Gemara's answer in the first version—

[6] Tosfos, Shabbos 18b, s.v. *Hasam* — Tosfos raises the difficulty from the Mishnah's permitting the Pesach offering to be lowered into an oven, and resolves it by equating an open oven with "meat on coals."

[7] The Ra'zah is R. Zerachiah HaLevi of Gerona (12th century), the Ba'al HaMaor, whose commentary on the Rif offers an alternative analysis of the Talmudic dispute about roasting before Shabbos.

[8] Avodah Zarah 35b — The Gemara asks: "חָלָב לְמַאי נִיחוּשׁ לֵיהּ, אִי מִשּׁוּם אִיחֲלוּפֵי — טָהוֹר חִיוָּר, טָמֵא יָרוֹק, אִי אִיעֲרוּבֵי — נִיקּוּם." The Gemara addresses each concern about gentile cheese separately rather than combining them, to maintain maximal clarity—the same Talmudic methodology the Chasam Sofer identifies in Shabbos.

דְּבָרְחָא וְלֹא שָׁרִיק אַכְתִּי לֹא מִתְיַישְׁבָא סֵיפָא דְּמַתְנִיתִין מְשַׁלְשְׁלִים הַפֶּסַח לְתוֹךְ הַתַּנּוּר דְּקָשֶׁה פְּשִׁיטָא כּוּלֵי עָלְמָא נַמִּי שָׁרֵי דְּהָרֵי פֶּסַח דְּגְדִי הוּא וְאִי נַמִּי נִדְחַק דְּהָיָה לוֹ פָּשׁוּט הַתֵּירוּץ כֵּיוָן דְּלֹא מְנַתַּח דּוֹמֶה לִדְבָרְחָא מִלְּבַד שֶׁזֶּהוּ דּוֹחַק עוֹד יוֹתֵר הָיָה נָכוֹן לש"ס לְתָרֵץ דְּרֵישָׁא מַיְירֵי כְּמוֹ הַסֵּיפָא בְּגַוְונֵי חֲדָא בִּשְׁפֵי הַתַּנּוּר פָּתוּחַ דְּהַיְינוּ בָּשָׂר עַל גַּבֵּי גֶּחָלִים דְּמִשַּׁנֵּי לִישָׁנָא בַּתְרָא וְהָיָה לְשׁוֹן הַמִּשְׁנָה מְתוּקָן יוֹתֵר דְּאֵין נוֹתְנִים בָּשָׂר בָּצָל וּבֵיצָה עַל גַּבֵּי גֶּחָלִים אוֹ תַּנּוּר מְגוּלֶּה אֶלָּא הַפֶּסַח מְשַׁלְשְׁלִים עַל זֶה הָאוֹפֶן מִשּׁוּם שֶׁבָּנֵי הַחֲבוּרָה זְרִיזִים הֵם:

“There it is a barcha and not sealed”— the end of the Mishnah is still not resolved, namely: “One lowers the Pesach offering into the oven.” For the difficulty is: this is obvious—everyone would permit it! The Pesach is a kid goat, which the first version already permits. What does this clause add? **Since the Pesach offering is a kid goat. And even if we force [an answer] that the resolution was obvious to [the Gemara]: since [the Pesach] is not cut up and resembles a barcha. Besides this being a forced interpretation, it would have been even more appropriate for the Gemara to answer that the beginning [of the Mishnah] discusses the same case as the end, in a single scenario: where the mouth of the oven is open, which is [equivalent to] meat on coals— as the second version answers. And the Mishnah’s language would be better structured: that one does not place meat, onion, and egg on coals or in an uncovered oven, but the Pesach may be lowered in this manner— because the members of the [Pesach] group are diligent.** Their diligence makes them trusted not to stoke an open oven.

וְהַנִּרְאֶה לַעֲנִיּוּת דַּעְתִּי בָּזֶה לְפִי מַה שֶּׁכָּתַב בְּהַגָּהָה אֲשֶׁרִי בְּשֵׁם ר"י שֶׁכָּתַבְתִּי לְעֵיל דִּלְגַבֵּי פַּת מוֹדֶה דְּאָסוּר אַף עַל גַּב דְּסָתָם תַּנּוּר מְכוּסֶּה וְכֵן כָּתַב פְּנֵי יְהוֹשֻׁעַ דְּרַב אַשִׁי לֹא קָאֵי רַק אַבָּשָׂר אֲבָל בְּפַת מוֹדֶה לְאִיסּוּר וְאִם כֵּן קָשֶׁה קְצָת לְלִישָׁנָא בַּתְרָא דְּמוֹקֵי רֵישָׁא אֵין צוֹלִין בָּשָׂר וְכוּ' בִּבְשָׂרָא אַגּוּמְרֵי הַיְינוּ תַּנּוּר מְגוּלֶּה וְכֵן סֵיפָא פֶּסַח נַמִּי מַיְירֵי בְּהָכִי דַּוְקָא אֲבָל מְכוּסֶּה שָׁרֵי לְכוּלֵי עָלְמָא וּמַפְסִיק בָּאֶמְצַע בְּבָבָא דְּפַת דְּמַיְירֵי אֲפִלּוּ בִּמְכוּסֶּה נַמִּי אָסִיר אֶלָּא אִם כֵּן קָרְמוּ פָּנֶיהָ וְהָיָה לוֹ לִסְמוֹךְ בָּבָא דְּבָשָׂר בָּצָל וּבֵיצָה עִם פֶּסַח אַהֲדֵי אֶלָּא דִּלְלִישָׁנָא בַּתְרָא אֵין לָנוּ תֵּירוּץ אַחֵר לְרַב אַשִׁי הֲצַרְכְנוּ לִדְחוֹק בְּשִׁינּוּיֵי דְּחִיקָא מַה שֶּׁאֵין כֵּן בִּלְישָׁנָא קַמָּא מְרַוַּח טְפֵי לְאוֹקְמֵי מַתְנִיתִין מִדְּבָרְחָא וְכוּלֵיהּ מַתְנִיתִין בְּתַנּוּר סָתוּם וּדְפֶסַח נַמִּי שֶׁהוּא שָׁלֵם כִּדְבָרְחָא דָּמֵי:

And what appears to me in this matter, based on what the Hagahos Ashri wrote in the name of R”I, which I quoted above— that regarding bread, [Rav Ashi] agrees it is forbidden even though a standard oven is covered. Bread follows a stricter rule than meat: its surface must crust before Shabbos. **And so too the Pnei Yehoshua writes that Rav Ashi[‘s leniency] applies only to meat,[9] but regarding bread, [Rav Ashi] concedes it is forbidden. And if so, there is a slight difficulty with the second version. The second version establishes the beginning—“one may not roast meat, etc.”—as referring to meat on coals, that is, an uncovered oven. And similarly the end regarding the Pesach also discusses specifically this case [of an uncovered oven]. But with a covered [oven], it is permitted according to all.** Both the meat and Pesach clauses discuss an uncovered oven. **Yet [the Mishnah] interrupts in the middle with the clause about bread, which discusses even a covered [oven] where it is also forbidden unless its surface has formed a crust. And [the Mishnah] should have placed the clause about meat, onion, and egg together with the Pesach clause,** These clauses share the same case, so the bread clause should not separate them. **But according to the second version, we have no other resolution for Rav Ashi’s ruling, so we are forced to resort to a forced interpretation. Unlike in the first version, which is more spacious, allowing us to establish the Mishnah as discussing a barcha. And the entire Mishnah [would discuss] a sealed oven.** Under the first version, every clause concerns an oven that is covered but not plaster-sealed. **And the Pesach as well, being whole, is comparable to a barcha.** This gives the first version a smoother reading of the Mishnah.

וְיֵשׁ בָּזֶה שִׁיטָה אַחֶרֶת לְהַמְּרְדְּכִי סוֹף פֶּרֶק א' דְּשַׁבָּת סִימָן רנ"א וּבְהַגָּהַת

And there is another approach to this in the Mordechai,[10] at the end of Chapter 1 of Shabbos, Siman 251, and in the Hagahos Mordechai on Chapter 3 of Shabbos,[11] and see there in the Shiltei Giborim,

[9] Pnei Yehoshua on Shabbos — He maintains that Rav Ashi’s leniency permitting food to remain in the oven before Shabbos applies only to meat, not to bread, which requires the stricter standard of having its surface crusted before Shabbos.

[10] Mordechai, end of Chapter 1 of Shabbos, Siman 251.

[11] Hagahos Mordechai, Chapter 3 of Shabbos.

folio 83a, note alef.[12] **And the Beis Yosef did not cite them—this requires investigation.**

And what requires some investigation. It is obvious that just as with a pot— when one throws a raw bone into it, it "saves" everything because then one takes one's mind off stoking. The raw piece will not cook in time, so one stops thinking about stoking. **If so, the same should apply to roasting: if one were roasting a whole kid goat alongside cut-up meat, [the whole kid] should save everything. Because now the wind would be harmful to [the whole kid] and he will not uncover it. And if so, regarding the Pesach offering, which was roasted entirely as one unit— its head upon its legs and upon its innards— Nevertheless, the main reasoning— as the Hagahos Mordechai writes there—**[13] **is that its ribs protect it.** The ribs shield the meat inside the animal from the wind. **And if so, regarding the Pesach where they hung the intestines outside of it— as we rule at the beginning of [the chapter] Keitzad Tzolin: [the Pesach is prepared as] a gedi mekulas**[14] (a **gedi mekulas** is a whole kid roasted with its innards hanging outside its body) **and the wind [can affect] them.** The exposed innards are outside the ribs, so the wind can reach them. **If so, the Gemara's question returns to its place. Now, according to the Rambam's approach, which explains that wind does not harm a kid goat,**[15] **but rather it gets charred through the stoking— which is not so when it is whole—there is some room to resolve [the difficulty].** The Rambam relies on charring from stoking, not harm from wind. **But according to Rashi's explanation, it is certainly difficult.** Rashi relies on wind damage, but a **gedi mekulas** has exposed innards. **Therefore, we must offer a forced answer: that the Gemara says the Mishnah teaches us according to the opinion that one places the innards inside it.** One opinion places the innards inside the animal, where the ribs protect them. **The ribs protect [the entire contents]. Even so, it is permitted for the members of the group to lower [the Pesach offering] close to nightfall.** Even when the ribs protect the meat, the group's diligence permits roasting near nightfall. **And with this, the Lechem Mishneh's question on the Rambam is resolved.**[16] **[The Lechem Mishneh questioned] that [the Rambam] brings the ruling about meat on coals, which we rule following R. Yirmiyah of Difti.**[17] **Nevertheless, the Rambam holds: since we rule that one specifically makes a gedi mekulas therefore the Mishnah cannot be explained that [the Mishnah's teaching of] "one lowers the Pesach"**

מָרְדְּכִי פֶּרֶק ג' דְּשַׁבָּת וְיֵעָיֵין שָׁם בְּשִׁלְטֵי גִּבּוֹרִים דַּף פ"ג עַמּוּד א' אוֹת א' וְהָרַב בֵּית יוֹסֵף לֹא הֵבִיאוּם וְצָרִיךְ עִיּוּן:

וּמַה שֶּׁצָּרִיךְ עִיּוּן קְצָת דְּהָא פְּשִׁיטָא כִּי הֵיכָא דְּבִקְדָרָה כִּי שָׁדָא בֵּיהּ גַּרְמָא חַיָּה מַצִּיל עַל הַכֹּל דְּשׁוּב מֵסִיחַ דַּעְתּוֹ מִלַּחְתּוֹת אִם כֵּן הָכִי נַמִּי בְּצָלִי אִי הָיָה צוֹלֶה גְּדִי שָׁלֵם וּבָשָׂר מְנוּתָּח עִמּוֹ מַצִּיל עַל הַכֹּל דְּהַשְׁתָּא קָשֶׁה לֵיהּ וְיִקָּא וְלֹא מַגְלֵי לֵיהּ וְאִם כֵּן בְּפֶסַח שֶׁהָיָה צוֹלֶהוּ כּוּלּוֹ כְּאֶחָד רֹאשׁוֹ עַל כְּרָעָיו וְעַל קִרְבּוֹ מִכָּל מָקוֹם הָא עִיקַּר הַטַּעַם כְּמוֹ שֶׁכָּתַב הַהַגָּהַת מָרְדְּכִי שָׁם דְּצַלְעֵי' מְגִינוֹת עָלֶיהָ וְאִם כֵּן בְּפֶסַח שֶׁהָיוּ תוֹלִין בְּנֵי מֵעַיִם חוּצָה לוֹ דְּקַיְימָא לַן רֵישׁ פֶּרֶק כֵּיצַד צוֹלִין גְּדִי מְקוּלָּס וְלָהֶם זִיקָא אִם כֵּן הַדָּרָה קוּשְׁיַת הש"ס לְדוּכְתָּא וּלְשִׁיטַת הָרַמְבַּ"ם דְּמְפָרֵשׁ דְּגְדִי לֹא קָשֵׁי לֵיהּ זִיקָא אֶלָּא דְּמִתְחָרֵךְ עַל יְדֵי הַחִיתּוּי מַה שֶּׁאֵין כֵּן כְּשֶׁהוּא שָׁלֵם יֵשׁ לְיַישֵּׁב קְצָת אֲבָל לְפֵירוּשׁ רש"י קָשֶׁה בְּוַדַּאי וְעַל כֵּן צְרִיכִין לְדָחוֹק דְּהש"ס קָאָמַר דְּמַתְנִיתִין קָא מַשְׁמַע לַן לְהָהּ מַאן דְּאָמַר שֶׁנּוֹתְנִין בְּנֵי מֵעָיו לְתוֹכוֹ צַלְעֵי' מְגִינוֹת אֲפִלּוּ הָכִי מוּתָּר לִבְנֵי חֲבוּרָה לְשַׁלְשֵׁל סָמוּךְ לַחֲשֵׁיכָה וּבָזֶה מְיֻשָּׁב קוּשְׁיַת הַלֶּחֶם מִשְׁנֶה עַל הָרַמְבַּ"ם דְּמַיְיתִי הַךְ דְּבָשָׂר עַל גַּבֵּי גֶּחָלִים דְּקַיְימָא לַן כְּרַבִּי יִרְמְיָה מִדְּפָתֵי מִכָּל מָקוֹם סְבִירָא לֵיהּ לְרַמְבַּ"ם דְּלְמַאי דְּקַיְימָא לַן דְּעוֹשִׂין גְּדִי מְקוּלָּס דַּוְקָא אִם כֵּן לֵיכָא לְשַׁנּוֹיֵי מַתְנִיתִין דְּקָא מַשְׁמַע לַן מְשַׁלְשְׁלִים הַפֶּסַח אֶלָּא לְאוֹקְמֵי בְּתַנּוּר פָּתוּחַ וַהֲוָה לֵיהּ כְּמוֹ עַל גַּבֵּי גֶּחָלִים וּמוֹכָח דְּעַל גַּבֵּי גֶּחָלִים אָסוּר וּמַתְנִיתִין בְּהָכִי אַיְירֵי וְזֶהוּ דְּלֹא כְּהֶבְנַת הָרַב בֵּית יוֹסֵף בְּהָרַמְבַּ"ם וְצָרִיךְ עִיּוּן וְזֶהוּ מַה שֶּׁנִּרְאֶה לַעֲנִיּוּת דַּעְתִּי בָּזֶה

[12]Shiltei Giborim, folio 83a, note alef.

[13]This refers to the Hagahos Mordechai on Chapter 3 of Shabbos cited in the previous paragraph, which explains that the mechanism of wind protection for a whole roasted animal is specifically that the rib cage shields the interior meat.

[14]Pesachim, beginning of Chapter 7 (*Keitzad Tzolin*) — This chapter discusses how the Pesach offering was roasted. A *gedi mekulas* is a whole roasted kid with the innards removed from the body cavity and hung on the outside of the animal, as required for the Pesach offering.

[15]Rambam, Hilchos Shabbos 3:16 — The Rambam rules: "אֵין צוֹלִין בָּשָׂר וּבֵצָל וּבֵיצָה עַל גַּבֵּי הָאֵשׁ אֶלָּא כְּדֵי שֶׁיְּצוּלוּ מִבְּעוֹד יוֹם... שֶׁאִם יַחֲתֶה יַחֲרֹךְ אוֹתָן שֶׁעַל גּוּף הָאֵשׁ הֵם" — one may not roast meat, onion, and egg on the fire unless they will be sufficiently cooked before Shabbos, because if one stokes it will *char* them since they are directly on the fire. The Rambam's reasoning is charring, not wind damage.

[16]Lechem Mishneh on Rambam, Hilchos Shabbos 3:16 — The Lechem Mishneh questioned the Rambam's derivation of the prohibition against meat on coals, which the Chasam Sofer now resolves.

[17]Shabbos 20a — The Gemara records R. Yirmiyah of Difti's ruling regarding the threshold of cooking required before Shabbos for food left on the fire: "כְּדֵי שֶׁיְּצוּלוּ מִבְּעוֹד יוֹם כְּמַאֲכַל בֶּן דְּרוֹסַאי" — it must be cooked to the level of *ma'achal Ben Derosai* before Shabbos.

except by establishing it as [referring to] an open oven. Because the innards hang outside, the ribs do not protect them. **And it is [halachically] like [meat] on coals. This proves that [meat] on coals is forbidden.** The Rambam therefore derives this prohibition from the Mishnah. **And the Mishnah discusses this case. And this is unlike the Beis Yosef's understanding of the Rambam. And it requires further investigation. This is what appears to me in this matter. And due to the great urgency, I will be brief. [Written] Monday, the 27th of Menachem [Av], 5566 [1806]. Moshe the humble, Sofer, from Frankfurt am Main.**

וּמֵרוֹב הַנְּחִיצָה אֲקַצֵּר מ"ד יוֹם שֵׁנִי ז"ך מְנַחֵם תקס"ו לִפְרָט קָטָן מֹשֶׁה הַקָּטָן סוֹפֵר מִפפ"דמ:

תשובה 78

Shehiyah on Stove and Shema Yechateh Analysis

Laws of the Jewish Calendar > Laws of Cooking on Shabbat • Laws of the Jewish Calendar > General Rules of Prohibited Work on Shabbat • Laws of the Jewish Calendar > Rabbinic Prohibitions

Summary

Correspondent and Context: The Chasam Sofer replies to R' Yisrael about the Gemara at the start of Perek Kirah (Shabbos 36b–37a). He also discusses a point from another rav and ends with a question of his own.
The Question (Sha'ila): R' Yisrael asks about Tosfos's reading of the Mishnah at the start of Perek Kirah. Tosfos includes partially cooked food in *chammin* and *tavshil*. R' Yisrael argues that its prohibition must therefore be *shema yechateh*, lest one stoke the coals. The Poskim say Jews are not suspected of cooking partially cooked food on Shabbos. But on Shabbos 18b, Tosfos says the Gemara's questioner knew this concern only when food sat directly on the fire, not when a pot intervened. The Kirah Mishnah also concerns food in a pot. R' Yisrael therefore asks why that Mishnah did not teach the questioner that *shema yechateh* applies even with a pot.
The Ruling (Teshuvah): The Chasam Sofer gives several answers. Poskim who limit *tavshil* to fully cooked food can explain the Mishnah as a guard against cooking on Shabbos, so no question arises. Even according to Tosfos, the questioner may have thought *shema yechateh* does not apply to completely raw food in a pot. The cook has given up eating it that day. Directly exposed food is different. He also allows that the questioner may have understood the Kirah Mishnah as a guard against cooking or reheating on Shabbos, not against stoking. Food intended only for after Shabbos would then pose less concern. He notes that Gittin raises a difficulty with this last distinction.
Shulchan Aruch Background: Shulchan Aruch, Orach Chaim 253, governs leaving food on a stove before Shabbos (*shehiyah*) and returning it on Shabbos (*chazarah*). A stove fueled by olive waste or wood generally must be swept or covered with ashes. The concern is that one may stoke the coals. The teshuvah also cites Orach Chaim 308 and 446 when asking whether improperly left food becomes *muktzeh*.
Key Disputes (Machlokes): The teshuvah discusses five disputes. Tosfos and Rashi differ over whether the Kirah Mishnah concerns *shehiyah* or *hatmanah*. The Rif reverses the standard text's reasons for the two *hatmanah* rules. The Rif and Rambam understand *shema yartiah* as boiling over, while the Ra'avad and Rashi understand it as reheating a cooled pot. The Ran and Rema limit strict *chazarah* to food removed before Shabbos and returned on Shabbos. Rashi and Tosfos differ over whether a Rabbinic food prohibition creates *muktzeh*.

Greetings to the brilliant, sharp, and keen young scholar, the honorable R' Yisrael, may his light shine.

שָׁלוֹם לְהָאַבֶּרְךְ הַמּוּפְלָא הֶחָרוּץ וְשַׁנּוּן כְּבוֹד ר' יִשְׂרָאֵל נ"י:

I received the pleasant contents of his letter. And regarding the matter of Torah discussion concerning the beginning of the chapter "Kirah."[1] R' Yisrael's question concerns the Mishnah in Shabbos

קִבַּלְתִּי נֹעַם מִכְתָּבוֹ וְהַנּוֹגֵעַ לָעִנְיָן דִּבְרֵי תוֹרָה רֵישׁ פֶּרֶק כִּירָה שֶׁהַקְשָׁה לְשִׁיטַת

[1]The Mishnah at the beginning of the third chapter of Shabbos (36b) states: "כִּירָה שֶׁהִסִּיקוּהָ בְּקַשׁ וּבִגְבָבָא — נוֹתְנִים עָלֶיהָ תַּבְשִׁיל. בֶּגֶפֶת וּבְעֵצִים — לֹא יִתֵּן עַד שֶׁיְּגָרֵוף, אוֹ עַד שֶׁיִּתֵּן אֵת הָאֵפֶר."

תּוֹסָפוֹת דְּחַמִּין וְתַבְשִׁיל מַשְׁמַע אֲפִלּוּ לֹא בָּשַׁל כָּל צָרְכּוֹ נַמִּי אִם כֵּן עַל כָּרְחָךְ הַטַּעַם מִשּׁוּם שֶׁמָּא יְחַתֶּה דְּלֵיכָּא לְמֵימַר מִשּׁוּם דִּלְמָא אָתֵי לְמֶעְבַּד בְּשַׁבָּת עַצְמוֹ כְּמוֹ שֶׁהִשְׁרִישׁוּ הַפּוֹסְקִים דִּבְלֹא בָּשַׁל כָּל צָרְכּוֹ לֵיכָּא לְמֵימַשׁ שֶׁמָּא יַעֲשֶׂה כֵּן בְּשַׁבָּת דְּלֹא נָחְשְׁדוּ יִשְׂרָאֵל עַל כָּכָה וְאִם כֵּן עַל כָּרְחָךְ הַטַּעַם מִשּׁוּם שֶׁמָּא יְחַתֶּה וְקָשֶׁה קַר הַתּוֹסָפוֹת לְעֵיל י"ח עַמּוּד ב' עַל הַמַּקְשֶׁן שֶׁהִקְשָׁה מַעֲסִיּוֹת וְתוּרְמְסִין וְלֹא יָדַע מִשֶּׁמָּא יְחַתֶּה מָה יַּעֲנֶה מִמַּתְנִיתִין דְּבָשָׂר בָּצָל וּבֵיצָה וְתֵירְצוּ תּוֹסָפוֹת דְּהָתָם יָדַע שֶׁמָּא יְחַתֶּה כֵּיוָן שֶׁאֵין דָּבָר מַפְסִיק בֵּינָם לְבֵין הָאֵשׁ מַה שֶּׁאֵין כֵּן עַסְיּוֹת וְתוּרְמְסִין עַיֵּין שָׁם וְזֶה לֹא שַׁיָּךְ אַמַּתְנִיתִין רֵישׁ פֶּרֶק כִּירָה דְּמַיְירֵי נַמִּי מִקְדֵּירָה מַפְסֶקֶת אִלּוּ דְּבָרָיו

36b. **He raised a difficulty according to the approach of Tosfos regarding "chammin" (hot water) and "tavshil" (cooked food).**[2] **This implies that even [food] not fully cooked is also [included]. If so, the reason must necessarily be "lest one stoke the coals." For one cannot say the reason is "lest one come to do this on Shabbos itself." As the Poskim have established that with [food] not fully cooked, there is no concern that one will do so on Shabbos. For Jews are not suspected of such a thing. And if so, the reason must necessarily be "lest one stoke the coals." And the question of Tosfos above on [Shabbos] 18b is difficult.**[3] R' Yisrael applies his argument to Tosfos on Shabbos 18b. **Regarding the questioner [in the Gemara] who challenged from [the Baraisa of] asisiyos and turmusin.** The Baraisa on Shabbos 18b forbids placing raw lupines and similar foods in an oven before Shabbos. **And [this questioner] did not know about [the concern of] "lest one stoke." What would he answer from the Mishnah about meat, onion, and egg?**[4] Tosfos asks how the questioner could explain this Mishnah. Its food lies directly on coals, so stoking is an obvious concern. **And Tosfos answered that there, [the questioner] knew about "lest one stoke." Since nothing separates between them and the fire.** When food sits directly on the fire, the temptation to stoke the coals is obvious. **Unlike asisiyos and turmusin, see there.** Since those foods are in a pot inside an oven, with the pot intervening, the questioner didn't think **shema yechateh** applied. **But this [distinction] does not apply to the Mishnah at the beginning of the chapter Kirah. Which also deals with a pot that separates [the food from the fire].** The Kirah Mishnah also has food in a pot. Yet its concern is stoking, so the questioner should have known that this concern applies even with a pot. **These are his words.**

וְהִנֵּה לִכְאוֹרָה מַשְׁמַע לְהַפּוֹסְקִים דְּסָבִירָא לְהוּ סְתָם תַּבְשִׁיל הוּא דַּוְקָא בְּשׁוּל כָּל צָרְכּוֹ לֹא קָשֶׁה מִידֵי דְּאֵין לוֹמַר הַטַּעַם מִשּׁוּם דִּלְמָא אָתֵי לְמֶעְבַּד בְּשַׁבָּת כְּמוֹ שֶׁכָּתְבוּ הַפּוֹסְקִים וְלִכְאוֹרָה הֲוָה מָצֵי לְהַקְשׁוֹת קַשְׁיָתוֹ לְכוּלֵי עָלְמָא מִכּוּלְהֵי פִּרְקָא בַּמֶּה טוֹמְנִים כַּמְבֹאָר לְעֵיל ל"ד רֵישׁ עַמּוּד ב' דְּהַטַּעַם מִשּׁוּם שֶׁמָּא יְחַתֶּה וּבֶאֱמֶת כֵּן הִקְשָׁה פְּנֵי יְהוֹשֻׁעַ קַשְׁיָא זוֹ בְּעַצְמָהּ לְעֵיל י"ח עַמּוּד ב' אֶלָּא שֶׁיֵּשׁ לִלְמֹד זְכוּת עַל מַעֲלָתוֹ וְלוֹמַר דַּהֲרֵי הרי"ף גָּרַס שָׁם אִיפְכָּא מֵהַגִּירְסָא שֶׁלְּפָנֵינוּ דְּהַטָּמָנָה דְּעֵרֶב שַׁבָּת מִשּׁוּם שֶׁמָּא יְחַתֶּה וְדִשַּׁבָּת

Now, at first glance, according to the Poskim who hold that "tavshil" in its plain sense refers specifically to [food] cooked fully, there is no difficulty at all, for the reason could be stated as "lest one come to do this on Shabbos," as the Poskim wrote. On this view, the concern is that one may cook on Shabbos. Stoking need not be the Mishnah's reason. **And seemingly, he could have raised his difficulty according to all opinions from the entire chapter "Bameh Tomnin" [With What May One Insulate].** The third chapter of Shabbos deals with the laws of insulation (**hatmanah**) before and on Shabbos. **As is explained above on [Shabbos] 34, the top of side b. That the reason is "lest one stoke the coals."** If **hatmanah** is forbidden because of stoking, the questioner should have learned this concern from that chapter. **And indeed, the Pnei Yehoshua raised this very question on [Shabbos] 18b.**[5] Pnei Yehoshua also asks how the Gemara's questioner could have overlooked **shema yechateh** in the **hatmanah**

[2]Tosfos, Shabbos 36b, s.v. "chammin" — Tosfos explain that the Mishnah's terms "chammin" and "tavshil" include even food not cooked fully (*lo bishel kol tzorko*), extending the prohibition's scope beyond the Poskim who limit "tavshil" to fully cooked food.

[3]The Gemara on Shabbos 18b records a Baraisa: "לֹא תְּמַלֵּא אִשָּׁה קְדֵרָה עֲסָיּוֹת וְתוּרְמְסִין וְתַנִּיחַ לְתוֹךְ הַתַּנּוּר עֶרֶב שַׁבָּת עִם חֲשֵׁכָה." Tosfos there discuss why the Gemara's questioner, who challenged from this Baraisa, was unaware of the concern of *shema yechateh*.

[4]Mishnah, Shabbos 1:10 (circa 20a) — the Mishnah prohibits roasting meat, onion, or egg on coals before Shabbos unless there is sufficient time for them to cook before nightfall. Since the food is placed directly on the coals without a pot intervening, the concern of *shema yechateh* is self-evident.

[5]The Pnei Yehoshua on Shabbos 18b, s.v. "ma'an tana," writes: "לכאורה נראה דכל השקלא וטריא דהכא אדסליק מיניה קאי..." He asks why the questioner did not challenge from the *hatmanah* laws in chapter "Bameh Tomnin," where the reason of *shema yechateh* also appears.

laws. **However, we can find merit in his honor's [approach]. Saying that the Rif has a different reading there, the reverse of the reading before us.**[6] **[According to our reading,] insulation of erev Shabbos is because of "lest one stoke" and [insulation] of Shabbos is because of "lest it boil." But the Rif holds: erev Shabbos is because of "lest it boil," and Shabbos is because of "lest one stoke." It emerges that according to this, we have no compelling reason to say that insulation [of erev Shabbos] is forbidden at all because of "lest one stoke." For one could say that insulation of erev Shabbos is forbidden because of "lest it boil" As explained by the Rif and the Rambam at the beginning of chapter 4 of [Hilchos] Shabbos. That one will find his pot boiling over on Shabbos, and he will uncover it and re-cover it on Shabbos. And this would constitute insulating with a heat-adding material on Shabbos. And this is forbidden because it looks like cooking, not because of stoking. And all the more so according to the Ra'avad, who explains "lest it boil" as [reheating] a pot that has cooled.**[7] **It emerges that for erev Shabbos insulation, the reason is not because of stoking. And similarly, one could say the reason for the prohibition of Shabbos insulation is because of "lest it boil," as explained by Rashi and most Poskim. That he will [re-]boil his pot that cooled down on Shabbos, and not because of stoking.** Under this reading, both types of insulation would be about **yartiah** rather than **yechateh**. **And even though this [suggestion] admittedly cannot be correct for it is explicit in the Talmud that one of the two types of insulation is forbidden because of stoking and not because of boiling — each authority according to his view.** The Rif and the standard text disagree about which type involves stoking. Both agree that one type does. **Nevertheless, the questioner of asisiyos, who did not know the reason of stoking, would have thought the reason for the prohibition of both types of insulation is because of boiling. Therefore, he challenged from asisiyos and not from the chapter "Bameh Tomnin." And this question did not trouble his honor except from the chapter Kirah, since according to Tosfos, [the Kirah Mishnah] does not deal with insulation at all, unlike Rashi.** Rashi reads part of this Mishnah as **hatmanah**. Tosfos does not. **The mufla samuch la'ish, his honor, holds that regarding shehiyah and chazarah, no reason applies other than "lest one stoke."** The title **mufla samuch la'ish** refers to a discerning youth near legal adulthood. **And if so, the question is: what was on the mind of the aforementioned questioner [in the Gemara]?** The Kirah Mishnah would have taught the questioner that stoking applies even when a pot intervenes.

מִשּׁוּם יַרְתִּיחַ וְהרי"ף סָבִירָא לֵיהּ עֵרֶב שַׁבָּת מִשּׁוּם יַרְתִּיחַ וְשַׁבָּת מִשּׁוּם יְחַתֶּה נִמְצָא לְפִי זֶה אֵין לָנוּ שׁוּם הֶכְרֵחַ לוֹמַר דְּהַטְמָנָה אָסוּר כְּלָל מִשּׁוּם שֶׁמָּא יְחַתֶּה דְּאֵיכָא לְמֵימַר דְּהַטְמָנָה דְּעֶרֶב שַׁבָּת אָסוּרָה מִשּׁוּם שֶׁמָּא יַרְתִּיחַ כְּפֵירוּשׁ הרי"ף וְרַמְבַּ"ם רֵישׁ פֶּרֶק ד' דְּשַׁבָּת שֶׁיִּמָּצֵא קְדֵרָתוֹ מַעֲלָה רְתִיחוֹת בְּשַׁבָּת וְיִגַּלֶּנָּה וְיַחֲזוֹר וִיכַסֶּנָּה בְּשַׁבָּת וַהֲוָה לֵיהּ טוֹמֵן בְּמוֹסִיף הֶבֶל בְּשַׁבָּת וְזֶה אָסוּר מִשּׁוּם מָחֲזִי כְּמִבַשֵּׁל וְלֹא מִשּׁוּם יְחַתֶּה וּמִכָּל שֶׁכֵּן לְהָרָאָב"ד דִּמְפָרֵשׁ שֶׁמָּא יַרְתִּיחַ קְדֵרָה שֶׁיִּצְטַנֵּן נִמְצָא בְּהַטְמָנָה דְּעֶרֶב שַׁבָּת אֵין הַטַּעַם מִשּׁוּם חִתּוּי וְכֵן יֵשׁ לוֹמַר טַעַם אִיסּוּר הַטְמָנָה דְּשַׁבָּת מִשּׁוּם שֶׁמָּא יַרְתִּיחַ כְּפֵירוּשׁ רַשְׁ"י וְרֹב הַפּוֹסְקִים שֶׁיַּרְתִּיחַ קְדֵרָתוֹ שֶׁנִּצְטַנֵּן בְּשַׁבָּת וְלֹא מִשּׁוּם חִתּוּי וְאַף עַל גַּב דְּעַל כָּרְחֲךָ זֶה לֵיתָא דַּהֲרֵי מְפוֹרָשׁ בש"ס דְּאֶחָד מִשְּׁנֵי הַטְמָנוֹת אָסוּר מִשּׁוּם חִתּוּי וְלֹא מִשּׁוּם הַרְתָּחָה לְמַר כְּדָאִית לֵיהּ וּלְמַר כְּדָאִית לֵיהּ מִכָּל מָקוֹם הַמַּקְשֶׁן דְּעַסְקִיּוֹת שֶׁלֹּא יָדַע סְבָרַת חִתּוּי הָוָה סָבַר טַעַם אִיסּוּר שְׁנֵי הַטְמָנוֹת מִשּׁוּם הַרְתָּחָה וּמִשּׁוּם הָכִי הִקְשָׁה מֵעַסְקִיּוֹת וְלֹא מִפֶּרֶק בַּמֶּה טוֹמְנִין וְלֹא הוּקְשָׁה לְמַעֲלָתוֹ קְשְׁיָא זוֹ כִּי אִם מִפֶּרֶק כִּירָה דְּלִתּוֹסָפוֹת לֹא מַיְירֵי כְּלָל מֵהַטְמָנָה וְדִלֹּא כְּרַשְׁ"י מוֹס"ל לְמַעֲלָתוֹ דִּלֹּא שַׁיָּךְ בְּשִׁהוּי וַחֲזָרָה שׁוּם טַעַם אֶלָּא שֶׁמָּא יְחַתֶּה וְאִם כֵּן קָשֶׁה מָה עָלָה עַל דַּעַת הַמַּקְשֶׁן הַנָּזְכָּר לְעֵיל

And I say that even according to his words, there is no difficulty. For certainly, with food that is partially cooked — from which one has not given up on eating it that day — we are concerned that one may stoke the coals. Since the cook is eager to finish the cooking

וְאוֹמֵר אֲנִי אֲפִלּוּ לְפִי דְּבָרָיו לֹא קָשֶׁה מִידֵּי דְּוַדַּאי בְּבָשִׁיל וְלֹא בָּשִׁיל דִּלֹּא מְיָאֵשׁ מִינֵּיהּ מִלְּאָכְלוֹ בְּיוֹמוֹ חָיְישִׁינַן שֶׁמָּא יְחַתֶּה אַךְ בְּקִדָּרָא חַיְיתָא כְּמוֹ

[6]Rif on Shabbos — The Rif reads the Gemara's assignment of reasons for the two types of insulation in reverse order from our standard text. According to the Rif, erev Shabbos insulation is forbidden because of *shema yartiah* (lest it boil), while Shabbos insulation is forbidden because of *shema yechateh* (lest one stoke).

[7]Ra'avad, Hassagos on Rambam, Hilchos Shabbos, ch. 4 — The Ra'avad interprets *shema yartiah* as the concern that one will reheat a pot that has cooled down, rather than the Rambam's interpretation that the pot will boil over.

for Shabbos consumption, the temptation to stoke is real. **But with a completely raw pot, such as asisiyos and turmusin,** (these foods require extremely long cooking times and are entirely raw when placed in the oven) **[the Gemara's questioner] held that stoking does not apply. Since in any case one has given up on eating them that day.** The cook knows the food won't be ready until after Shabbos, so there is no urgency to stoke. **And similarly, jugs of water where the fire is weak and [the water] won't reach [boiling] until after Shabbos.** The Baraisa also discusses large jugs of water placed in an oven with a gentle fire. **We are not concerned about "lest one stoke," since in any case it will reach its cooking [without stoking].** The food or water was not meant for Shabbos, so there was no reason to hurry. **Therefore, the questioner raised his challenge there.** The questioner therefore challenged the ban on these foods, where he thought stoking was not a concern. **And Tosfos properly challenged from [the Mishnah about] meat, onion, and egg, which also deals with raw [food].** Raw meat on exposed coals should have presented the same problem. **And they answered: where there is no pot intervening, the questioner knew that stoking applies even to raw [food].** The directness of the contact with the fire makes stoking an obvious concern regardless of the food's state. **But with a pot intervening, he held that for raw food, stoking does not apply. And [the Gemara] concludes that even so, there is concern because [asisiyos and turmusin] are hard to cook.** Although they are not needed that day, their long cooking time may still tempt one to stoke. **And all of this is already explained in the Chiddushei Rashba.**[8] **And some of this in the Pnei Yehoshua there.**[9]

עַסְיוֹת וְתוּרְמְסִין הָוָה סָבִירָא לֵיהּ לֹא שַׁיָּךְ חִתּוּי דַּהֲרֵי בְּלָאוּ הָכִי מְיָאֵשׁ מִינַיְיהוּ מִלְּאָכְלָם בְּיוֹמוֹ וְכֵן חָבִיּוֹת שֶׁל מַיִם שֶׁהָאֵשׁ רָפוּי וְלֹא מָטֵי עַד לְמוֹצָאֵי שַׁבָּת לֹא חָיְישִׁינַן לְשֶׁמָּא יְחַתֶּה דִּבְלָאוּ הָכִי יַגִּיעַ לְבִשּׁוּלוֹ מִשּׁוּם הָכִי הִקְשָׁה הַמַּקְשָׁן קְשָׁיָא שָׁם וְהַתּוֹסָפוֹת יָפֶה הִקְשׁוּ מִבָּשָׂר בָּצָל וּבֵיצָה דְּמַיְירֵי נַמֵּי מֵחַי וְתֵירְצוּ הֵיכָא שֶׁאֵין הַקְּדָרָה מַפְסֶקֶת יָדַע הַמַּקְשָׁן דְּשַׁיָּךְ חִתּוּי אַף בְּחַי אֲבָל בִּקְדָרָה מַפְסֶקֶת הָוָה סָבִירָא לֵיהּ בְּחַי לֹא שַׁיָּךְ חִתּוּי וּמַסִּיק דַּאֲפִילּוּ הָכִי חָיֵישׁ מְשׁוּם שֶׁקָּשִׁים לְהִתְבַּשֵּׁל וּכְבָר בֵּאֵר כָּל זֶה בְּחִדּוּשֵׁי רשב"א וְקָצָת מִזֶּה בִּפְנֵי יְהוֹשֻׁעַ שָׁם

And in any case, I also say that his wisdom served him well in what he wrote. That the questioner [in the Gemara] held the reason of our Mishnah [in Kirah] is "lest one come to do this on Shabbos." And even though the Poskim wrote that for partially-cooked food we are not concerned about this nevertheless, it is possible that the questioner was concerned about it. The questioner may not have accepted or known of this principle. **And all the more so, it is possible he was concerned about "lest it boil" on Shabbos, just as with insulation, where we are concerned about this. And this works well for asisiyos, which one needs for after Shabbos and not for Shabbos, we are not concerned that one will desecrate Shabbos on account of this. And so the Pnei Yehoshua writes explicitly there.**[10] **However, regarding the [implication that Jews] are suspected regarding Shabbosos it implies that even for [food] not needed for Shabbos, we are concerned.** This weakens the distinction between food needed on Shabbos and food needed afterward. **[See] Gittin 53b and 54a, see there regarding one who planted on Shabbos.**[11] The case concerns planting on Shabbos for later benefit. It suggests that

וּבְלָאוּ הָכִי נַמִּי אֲנִי אוֹמֵר אַף חָכְמָתוֹ עָמְדָה לוֹ בְּמַה שֶּׁכָּתַב דַּהֲוָה סְבִירָא לֵיהּ לְהַמַּקְשָׁן טַעֲמוֹ שֶׁל מִשְׁנָתֵינוּ מִשּׁוּם דְּיִלְמָא אָתֵי לְמֶעְבַּד כֵּן בְּשַׁבָּת וְאַף עַל גַּב דִּכְתָבוּ הַפּוֹסְקִים בְּלֹא בִּשּׁוּל כָּל צָרְכּוֹ לֹא חָיְישִׁינַן לְהָא מִכָּל מָקוֹם אֶפְשָׁר דְּהַמַּקְשָׁן הָוָה חָיֵישׁ לֵיהּ וּמִכָּל שֶׁכֵּן דְּאֶפְשָׁר הָוָה חָיֵישׁ לְשֶׁמָּא יַרְתִּיחַ בְּשַׁבָּת כְּמוֹ בְּהַטְמָנָה דְּחָיְישִׁינַן לְהָא וּבִשְׁלָמָא בַּעֲסָיוֹת דְּצָרִיךְ לְמוֹצָאֵי שַׁבָּת וְלֹא לְשַׁבָּת לֹא חָיְישִׁינַן שֶׁיְּחַלֵּל שַׁבָּת מִשּׁוּם זֶה וְכֵן כָּתַב לְהֶדְיָא פְּנֵי יְהוֹשֻׁעַ שָׁם מִיהוּ בְּהָא דְּנֶחְשְׁדוּ עַל הַשַּׁבָּתוֹת מַשְׁמַע אֲפִילּוּ שֶׁלֹּא לְצוֹרֶךְ שַׁבָּת חָיְישִׁינַן בְּגִיטִּין נ"ג עַמּוּד ב' וְנ"ד עַמּוּד א' יְעוּיָין שָׁם גַּבֵּי נָטַע בְּשַׁבָּת וְאֵין לְהַאֲרִיךְ יוֹתֵר בָּזֶה

[8] Chiddushei Rashba on Shabbos, Perek Kirah — The Rashba explains in detail the distinction between completely raw food (where one has given up on eating it that day) and partially cooked food regarding the concern of stoking.

[9] See footnote 5 above.

[10] See footnote 5 above.

[11] Gittin 54a — The Gemara states: "נֶחְשְׁדוּ יִשְׂרָאֵל עַל הַשְּׁבִיעִית, וְלֹא נֶחְשְׁדוּ עַל הַשַּׁבָּתוֹת" (Jews are suspected regarding the sabbatical year but not regarding Shabbosos). However, the Gemara's ensuing discussion — regarding one who planted on Shabbos when it was the thirtieth day — implies that under sufficient motivation, the assumption that Jews would not violate Shabbos may not hold.

concern may remain without immediate Shabbos use. **And there is no need to elaborate further on this.**

עוֹרַרְנִי רַב א' בְּסוּגְיָא זוֹ לְהָרָ"ן דְּלֹא מִקְרֵי חֲזָרָה אֶלָּא כְּשֶׁנּוֹטֵל מֵעֶרֶב שַׁבָּת וּמַחֲזִירוֹ בְּשַׁבָּת וְכֵן הוּא בְּהַגָּהַת רמ"א אֲבָל אִיעָקַר בְּשַׁבָּת וּמַחֲזִירוֹ בְּשַׁבָּת אֲזֵי חֲמִירָא מִשֶּׁהִיוּי אִם כֵּן לֹא בָּעֵינַן לְמִדְחַק כּוּלֵי הַאי בְּפֵירוּשׁ מִשְׁנָתֵינוּ לַחֲנַנְיָה וְכֹה יֹאמַר כֵּירָה שֶׁהִסִּיקוּהוּ וכו' לֹא יִתֵּן דְּהַיְינוּ לֹא יַחֲזִיר מַה שֶּׁעָקַר מֵעֶרֶב שַׁבָּת אֶלָּא אִם כֵּן גָּרַף וְקָטַם אֲבָל לִשְׁהוֹת מַשְׁהִין אַף עַל פִּי שֶׁאֵינוֹ גָּרוּף וּמַה הֵן מַשְׁהִין וכו' וְשׁוּב מַיְירֵי מְחֻזָּרָה הֵיכָא שֶׁנּוֹטֵל בְּשַׁבָּת וּמַחֲזִירוֹ בְּשַׁבָּת עַצְמוֹ כִּדְמַשְׁמַע לְשׁוֹן נוֹטְלִין דְּמַיְירֵי בְּשַׁבָּת כְּמוֹ שֶׁכָּתַב תּוֹסָפוֹת וּסְבִירָא לֵיהּ בֵּית שַׁמַּאי נוֹטְלִין בְּשַׁבָּת וְלֹא מַחֲזִירִין בְּאֵינוֹ גָּרוּף דְּבָהָא מַיְירֵי עַכְשָׁיו הַמְצָעָתָא דְּלִשְׁהוֹת וְגַם הַסִּיפָא וּבֵית הִלֵּל מַתִּירִין וַהֲוָה אוּקְמְתָא רְוִיחָא וְקוּשְׁיָא אַלִּימְתָּא הִיא לְפִי עֲנִיּוּת דַּעְתִּי אֶלָּא לְפִי זֶה לֹא הוּזְכַּר כְּלָל בַּמִּשְׁנָה דִּפְלִיג בֵּית שַׁמַּאי אַחֲזָרָה בְּגָרוּף וְקָטוּם וּבִבְרַיְיתָא דְּרַבִּי מֵאִיר וְרַבִּי יְהוּדָה גַּבֵּי עָקַר דִּיבּוּר הַמַּתְחִיל לֹא יַחֲזִיר מַשְׁמַע בְּוַדַּאי דְּבֵית שַׁמַּאי וּבֵית הִלֵּל פְּלִיגִי גַּם אַהָא

A certain rav raised [a point] to me regarding this sugya. According to the Ran, [an act] is only called "chazarah" (returning [food to the stove])[12] when one removes [food] from erev Shabbos and returns it on Shabbos. This form of **chazarah** requires the stove to be swept or covered with ashes. **And so it is in the gloss of the Rema.[13] But if [the food] was removed on Shabbos and one returns it on Shabbos, this is no stricter than shehiyah (leaving [food on the stove]).** Because it was on the stove when Shabbos began, returning it is treated like leaving it there. **If so, we do not need to strain so much in interpreting our Mishnah according to Chananyah. And thus [the Mishnah] would read: "A kirah that was stoked, etc." "One may not place [food]" — meaning, one may not return what was removed from erev Shabbos unless [the stove] was swept or covered with ashes. But to leave [food], they leave it even though [the stove] is not swept. "And what may they leave?" etc.** Beis Shammai allow only hot water. Beis Hillel allow hot water and cooked food. **And then [the Mishnah] deals with chazarah where one removes [food] on Shabbos and returns it on Shabbos itself. As implied by the language "notelim" (they may remove), which refers to [actions on] Shabbos, as Tosfos writes.[14] And Beis Shammai hold: one may remove [food] on Shabbos but may not return it on a [stove] that is not swept. For this is what is being discussed now. The middle [clause, which is about] shehiyah, and also the end [clause], and Beis Hillel permit [both].** Beis Hillel permit both **shehiyah** and this form of **chazarah**. **This would be a comfortable interpretation. This is a strong question, in my humble opinion. However, according to this [reading], the Mishnah never mentions at all that Beis Shammai dispute [with Beis Hillel] regarding chazarah on a swept and covered [stove].** On this reading, the first clause gives an undisputed rule. The Mishnah never states a dispute about **chazarah** from erev Shabbos. **And in the Baraisa of R. Meir and R. Yehudah regarding removing [food from the stove],[15]** (the Gemara on 37a records Baraisos where these Tannaim interpret the Mishnah) **[where they say] "one may not return"** The Baraisa says all agree that food removed from the stove may not be returned. **It is clear that Beis Shammai and Beis Hillel disagree about this [type of chazarah] too.** This dispute about **chazarah** is missing from the proposed reading of the Mishnah.

עוֹד קָשֶׁה בְּמַה שֶּׁכָּתַב הש"ס שָׁם ל"ז

Another difficulty: regarding what the Gemara states there on [Shabbos] 37a.[16] "And according to your reasoning, 'they may re-

[12] Ran on the Rif, Shabbos, Perek Kirah — The Ran rules that the strict category of *chazarah* (requiring the stove to be swept or covered with ashes) applies only when food was removed *before* Shabbos and returned *on* Shabbos. If removed and returned both on Shabbos, it has the more lenient status of *shehiyah*.

[13] Rema, SA OC 253:2 — The Rema's gloss codifies the Ran's distinction regarding *chazarah*.

[14] Tosfos, Shabbos 36b — Tosfos note that the language "notelim" (present tense, "they remove") implies actions taking place on Shabbos itself, as opposed to actions performed on erev Shabbos.

[15] Shabbos 37a — The Gemara records the Baraisa in the name of R. Meir and R. Yehudah interpreting the Mishnah. In one version, they state "עקר — דיבור המתחיל לא יחזיר" (if one removed [the food], all agree one may not return it), indicating that Beis Shammai and Beis Hillel have a specific dispute about *chazarah* from erev Shabbos.

[16] Shabbos 37a — The Gemara challenges: "וּלְטַעְמָיךְ דְּקָתָנֵי, קְטָמָהּ — אִין, לֹא קְטָמָהּ — לֹא?" (And according to your reasoning, the "notelim" that [the Mishnah] teaches — if [the stove] was covered with ashes, yes; if not, no?) The Gemara finds it implausible that one would be forbidden from even removing food from a stove that was not covered with ashes.

עַמּוּד א' וּלְטַעֲמִיךְ נוֹטְלִים אִי קָטְמָה אֵין אִי לֹא קָטְמָה לֹא וְקָשֶׁה דִּלְמָא הַךְ תַּנָּא סָבַר עָבַר וְשָׁהָה בְּלֹא גָּרַף אָסוּר הַמַּאֲכָל בְּיוֹמָא לְכָל אָדָם וּלְמוֹצָאֵי שַׁבָּת מֻתָּר נִמְצָא אֲפִילּוּ לַכְּלָבִים לֹא חָזְיָא בְּיוֹמָא מִשּׁוּם דְּחָזֵי לְאָדָם לְמוֹצָאֵי שַׁבָּת וַהֲוָה לֵיהּ מוּקְצֶה בְּיוֹמֵיהּ וְאֵין נוֹטְלִים אֶלָּא אִם כֵּן קָטְמָה וְהִשְׁהָה בְּהֶתֵּר וַעֲיֵין מָגֵן אַבְרָהָם סִימָן ש"ח סְעִיף קָטָן כ"ו וְסִימָן תמ"ו סוֹף סְעִיף קָטָן ג' וְאָמְנָם אִי הַמַּאֲכָל נַעֲשָׂה מוּקְצֶה מֵחֲמַת אִיסּוּר דְּרַבָּנָן תַּלְיָא בְּאַשְׁלֵי רַבְרְבֵי בֵּיצָה ל"א עַמּוּד ב' בְּפֵירוּשׁ רש"י וְתוֹסָפוֹת בֵּית שֶׁהָיָה מָלֵא פֵּירוֹת וְנִפְחַת עַיֵּין שָׁם וּמִכָּל מָקוֹם נִרְאֶה לִי דְּעַל כָּל פָּנִים הַכְּלִי לֹא יֵעָשֶׂה בָּסִיס לְזֶה הַמּוּקְצֶה הַקַּל לְכוּלֵי עָלְמָא דְּבָלְאו הָכִי פְּלִיגִי בְּאֵין דַּעְתּוֹ לְהַנִּיחוֹ לְשָׁם כָּל הַיּוֹם וְהָכָא לֹא הָיָה דַּעְתּוֹ לְהַנִּיחוֹ שָׁם כָּל הַיּוֹם וּמִכָּל שֶׁכֵּן בְּשׁוֹכֵחַ וְאֵינוֹ מַנִּיחַ הַמּוּקְצֶה עָלֶיהָ בְּכַוָּנָה וְהָכָא אַף עַל גַּב שֶׁנִּתְכַּוֵּן לְהַנִּיחַ הַמַּאֲכָל לְתוֹךְ הַקְּדֵרָה מִכָּל מָקוֹם בְּמַה שֶׁנַּעֲשָׂה מוּקְצֶה הָיָה שׁוֹכֵחַ שֶׁהִשְׁהָה אוֹתוֹ עַל גַּבֵּי כִּירָה וְנֶאֱסַר וְלֹא נַעֲשָׂה קְדֵרָה בָּסִיס לָזֶה כַּנּוְכָר לְעֵיל וַעֲדַיִן צָרִיךְ עִיּוּן וְתֵן לְחָכָם וְדַי בָּזֶה לְפִי מִסַּת הַפְּנַאי

move' — if [the stove] was covered with ashes, yes; if not, no?" The Gemara objects that this reading would allow removing food only from a stove covered with ashes. Removing food should always be permitted. **And one could ask: perhaps this Tanna holds that if one transgressed and left [food] on [a stove] without sweeping, the food is forbidden that day to everyone.** According to some views, food improperly left on an unswept stove is forbidden as a Rabbinic penalty. **But for after Shabbos, it is permitted. It turns out that even for dogs it is not fit that day.** Because people will eat it after Shabbos, they would not give it to dogs now. **Because it is fit for a person after Shabbos. And it becomes muktzeh for that day.** It is **muktzeh** because people may not eat it on Shabbos, although it still has value afterward. **And one may not remove [the food] unless [the stove] was covered with ashes, and [the food] was left in a permitted manner.** If the stove was not covered, the food is **muktzeh** and may not even be removed. **And see the Magen Avraham, Siman 308, sub-section 26.**[17] **And Siman 446, end of sub-section 3.**[18] These references discuss the status of food that becomes forbidden by Rabbinic decree and whether it constitutes muktzeh. **However, whether food becomes muktzeh because of a Rabbinic prohibition depends on the great authorities. [See] Beitzah 31b, in the commentary of Rashi and Tosfos,**[19] **regarding a house that was full of fruit and collapsed, see there.** Rashi and Tosfos differ over whether fruit that became accessible after a wall collapsed remains **muktzeh**. **Nevertheless, it seems to me that in any case, the vessel should not become a "basis" (base) for this light [category of] muktzeh, according to all opinions. Since even without this, they disagree about [whether a vessel becomes a basis] when one did not intend to leave [the muktzeh item] there all day. And here, one did not intend to leave it there all day.** The cook intended the food to be served on Shabbos, not to remain on the stove indefinitely. **And all the more so in the case of one who forgot, and does not intentionally place the muktzeh upon it.** A vessel does not become a **basis** when the **muktzeh** item was left on it unintentionally. **And here, even though one intended to place the food into the pot, nevertheless, regarding what made it muktzeh he forgot that he left it on the stove and it became forbidden. And the pot does not become a basis for this [muktzeh], as explained above. And it still requires further investigation. "Give to the wise" — and this is sufficient according to the measure of available free time.** This alludes to Mishlei 9:9 and invites further study.

[17]Magen Avraham, Siman 308, s.k. 26 — discusses laws of muktzeh and moving items that have become forbidden.

[18]Magen Avraham, Siman 446, s.k. 3 — The Mechaber rules regarding chametz found on Yom Tov that one covers it with a vessel since it may not be moved. The Magen Avraham discusses the muktzeh status of forbidden food, relevant to whether food forbidden by Rabbinic decree is considered muktzeh.

[19]Beitzah 31b — The Gemara discusses "בית שהיה מלא פירות ונפחת" (a house that was full of fruit and its wall collapsed). Rashi and Tosfos dispute whether fruit that was inaccessible (muktzeh) and then became accessible when the wall collapsed on Yom Tov may be used, which bears on the general question of whether items whose prohibition is lifted on Shabbos or Yom Tov remain muktzeh.