והנכון שבעל המסעדה יתלה מודעה רבה שכתוב בה: "מנהג כל ישראל להמנע בימים אלו מאכילת בשר בכל תשעת הימים, ורק לחולה או לחלש מותר". ואז השומע ישמע והחדל יחדל. [חזו"ע עמ' רז בהערה]. וראה לעיל סימן תק"נ סעיף כ"ד.

שתיית יין ב"תשעת הימים"

עג. יש נוהגים שלא לשתות יין בשבוע שחל בו תשעה באב, ויש שמוסיפים מיום ראש חודש עד התענית. [ש"ע סימן תקנ"א סעיף ט-י]. ומכל מקום שכר או בירה ושאר משקאות חריפים מותרים. [קול סיני עמ' קנ] אמנם בכמה קהילות ספרד נהגו להקל בשתיית יין אף בשבוע שחל בו ט' באב, וכן הוא מנהג ירושלים ת"ו להקל. [קול סיני שם. וחזו"ע עמ' קעד בהערה]. ובשאר מקומות מחמירים בשתיית יין כמ"ש מרן בשלחן ערוך.

It is best that the restaurant proprietor hang up a large sign reading, "The custom of all Jews is to abstain from eating meat during the Nine Days. It is permitted only to those who are ill or very weak." Then, the customers can make their own decision about what to order. See above, *Siman* 550:24.

Day 18

Drinking Wine During the "Nine Days"

Custom to abstain from wine

73) Some people have a custom to abstain from drinking wine during the week of Tish'a Be'Av. Others abstain from drinking wine throughout the Nine Days starting from *Rosh Hodesh*. Nevertheless, there is no custom to abstain from other alcoholic beverages.[98]

In many Sefardic communities, there is no custom to abstain from drinking wine even during the week of Tish'a Be'Av. The custom in Yerushalayim is to permit drinking wine throughout this period. In other communities the common custom of Sefardic Jews is to refrain from wine as recorded in the *Shulhan Arukh*.[99]

from the exchange between Harav Yaakov Ben Na'im and the author of *Kenesset Hagedola*, recorded in responsa *Kenesset Hagedola* (#31), regarding someone who recited the blessing of *bore peri hagefen* over a fruit during *ben hametzarim* and then realized that this is a new fruit for him and that one may not recite the blessing of *shehecheyanu* during this period. They ruled that he should go ahead and recite the blessing of *shehecheyanu* and eat the fruit. (This ruling is cited above in halakha 21.) We see from this that a custom cannot override the transgression of reciting a blessing in vain. If so, the same rule would apply in this case and if someone recited a blessing over a piece of meat he must eat a bit of it to avoid the transgression of reciting a blessing in vain. Maran the Rishon Letziyon (*Hazon Ovadya*, page 188) cited a second rationale in the name of the responsa *Shevet Halevi* (Vol. IX, #131; Vol. X, #81:9) that eating a tiny bit of meat is not a joyful act and therefore it does not at all infringe upon the national custom.

98. Maran the Rishon Letziyon (*Kol Sinai* page 150) proved that other alcoholic beverages are permitted by citing the debate of the *Aharonim* about drinking alcoholic beverages during the final meal before the fast of Tish'a Be'Av. Obviously then, these beverages are permitted before that final meal. The *Or Letziyon* (Vol. III, page 247) ruled that although other alcoholic beverages are permitted, cognac is prohibited since it is made from wine. **(Rabbi Y.B.)**

99. The *Peri Ha'adama* (Vol. IV, page 8d) cited Harav Yitzhak Bueno in his unpublished *sefer Shulhan Melakhim* that the custom of Yerushalayim is not to refrain from

עד. כתב מרן בשלחן ערוך [סי' תקנא סעיף י], שמותר לשתות יין של הבדלה וכוס של ברכת המזון. והרמ"א כתב, שאצלם נוהגים להחמיר שלא לשתות יין של הבדלה ושל ברכת המזון, ונותנים לתינוק לשתות. ואנו אין לנו אלא דברי מרן, שיש לשתות יין של הבדלה, [ואפילו יש בכוס יותר משיעור רביעית מותר לשתותו כולו. קול סיני עמ' קנ]. אבל בכוס של ברכת המזון, שברוב השנה אין אנו רגילים לברך ברכת המזון על הכוס, יש להמנע בימים אלו מלברך על הכוס, למחמירים בשתיית יין. [חזו"ע עמ' קעו]. ופשוט שכוס של ברכת המזון בשבת, מצוה לשתותו, שבשבת אוכל בשר ושותה יין. [חזו"ע עמ' קעו בהערה]. ובהלכה הקודמת נתבאר שמנהג ירושלים להקל בשתיית יין בימים אלו בכל אופן.

עה. למחמירים בשתיית יין בימים אלו, אף מיץ ענבים הוי בכלל האיסור. ועוגות ומיני מאפה שנילושו במיץ ענבים, טוב להמנע מכל אותם שנרגש בהם טעם יין. [חזו"ע עמ' קעד בהערה]

Drinking wine for *havdala* or after *Birkat Hamazon*

74) The *Shulḥan Arukh* (551:10) ruled that it is permissible to drink the cup of wine used for *havdala* and the cup over which one recites *Birkat Hamazon*. Rama wrote that the custom of Ashkenazic Jews is not to drink the wine in either of these instances. Instead, the wine is given to a small child to drink.

Sefardic Jews follow the instructions of the *Shulḥan Arukh* and they do drink the wine of *havdala* [even in those communities that abstain from drinking wine during the Nine Days]. Even if the cup holds more than *revi'it*, it is permissible to drink the entire cupful. Regarding the wine used for *Birkat Hamazon*, however, those people who abstain from drinking wine [on weekdays] during the Nine Days should abstain from drinking this cup as well since it is no longer common to recite *Birkat Hamazon* using a cup of wine.[100] If it is on Shabbat, however, it is a mitzvah to drink the cup of wine used for *Birkat Hamazon*. There is no restriction against eating meat or drinking wine on Shabbat. As explained in the previous halakha, the common custom in Yerushalayim is not to abstain from drinking wine during the Nine Days at all.

Grape juice and wine vinegar

75) For those who have the custom to abstain from drinking wine during the Nine Days, it is forbidden to drink grape juice as well.[101] Likewise, it is recommended that they abstain from eating baked goods made with grape juice if the flavor of the juice is prominent.

drinking wine during the Nine Days. See also the *sefer Sha'ar Hamifkad* (*Minhage Yerushalayim* page 95a). The *Shulḥan Gavo'ah* (551:35) testified that this is the custom of Salonika as well. See also the *Mo'ed Lekhol Ḥai* (#10:9) and the *Sede Ḥemed* (treatise on *Ben Hametzarim* #1:2).

We asked Maran the Rishon Letziyon why he appears (in *Ḥazon Ovadya* page 176) to be stringent about drinking wine. He replied that the custom to permit drinking wine is prevalent in Yerushalayim only, but elsewhere the ruling of the *Shulḥan Arukh* should be followed.

100. Maran the Rishon Letziyon pointed out that this halakha is pertinent only to those who have the custom of abstaining from wine during the Nine Days, but as explained in the previous halakha, the custom of the Jews of Yerushalayim is not to abstain from drinking wine at all. As explained in the previous footnote, **Maran the Rishon explained to us that in other localities Sefardic Jews do refrain from drinking wine.** Those people may nevertheless drink the cup of wine used for *havdala*. The *Kaf Haḥayim* Sofer (551:126) added that since in recent times people have moved to Yerushalayim in large numbers from all Jewish communities, each community should maintain its tradition regarding drinking wine during the Nine Days. **(Rabbi Y.B.)**

101. Maran the Rishon Letziyon (*Ḥazon Ovadya*, footnote on page 174) discussed the issue of eating cakes that have grape juice in their batter. It is obvious from his discussion that it is forbidden to drink plain grape juice. This is likewise the ruling of the *Or Letziyon* (Vol. III, page 247) and *Halikhot Shelomo* (*Ta'aniyot*, page 417).

ואולם חומץ שנעשה מיין, שבני אדם נמנעין מלשתותו מפני חמיצותו, מותר אף לנוהגים חומרא ביין, כיון שאין שמחה משתייתו. [רמ"א סי' תקנ"א ס"ט. חזו"ע עמ' קעד בהערה]. וכל שכן שמי בוסר אינם בכלל איסור זה. [שיירי כנה"ג אות לח. חזו"ע שם]

אכילת בשר בשבת

עו. בשבת חזון אוכלים בשר ושותים יין. ואפילו חל תשעה באב בשבת ונדחה לאחר השבת, או שחל באחד בשבת, אוכלים בשר ושותים יין. ואפילו בסעודה שלישית שמסתיימת סמוך לשקיעה החמה אוכלים בשר ושותים יין בסעודה המפסקת, ומעלה על שלחנו כסעודת שלמה המלך בשעת מלכותו [תענית כט ע"א. טוש"ע תקנ"ב ס"י]. ואינו רשאי להמנע מאכילת בשר ושתיית יין בסעודה זו מטעם אבלות. [קול סיני עמ' קמו. חזו"ע עמ' רסג]. ורק מי שאינו רגיל לאכול בשר בסעודה זו בכל שבת מטעמי בריאות וכדומה, יכול להמנע גם בשבת זו. [קול סיני שם]. וראה לקמן סימן תקנ"ב הלכה כ"ה שצריך להפסיק סעודתו כמה דקות קודם שקיעת החמה. וראה עוד לקמן סימן תקנ"ג הלכה ב'.

עז. מותר לטעום בערב שבת תבשילים של בשר, שמבשלים לכבוד שבת. [חזו"ע עמ' קעה]. ולא יטעם יותר מרביעית, ויטעם אחר חצות היום.

Nevertheless, it is permissible to use wine vinegar. Vinegar has too acidic a flavor for anyone to enjoy drinking, and drinking it is not an act of joy. Likewise, there is no restriction against drinking the juice of immature, unripe grapes.

Eating Meat on Shabbat

Meat and wine on *Shabbat Hazon*

76) It is permissible to eat meat and to drink wine on *Shabbat Hazon*. This is true even on those years when 9 Av is Shabbat and the fast is postponed until after Shabbat, or on those years when Tish'a Be'Av is on Sunday. One may eat meat and drink wine on any of the Shabbat meals, even if the third meal is eaten late in the afternoon and it is the final meal before the fast begins. The third Shabbat meal may be, as the Talmud (*Ta'anit* 29a) puts it, as gala as a banquet hosted by King Shelomo at the height of his greatness.

On the contrary, it is forbidden to abstain from eating meat or drinking wine during this meal as an act of mourning. If someone never eats meat during his third Shabbat meal for health reasons or any other reason, however, he may abstain from eating meat during the third meal on this Shabbat as well. See below in *Siman* 552:25 where it is explained that one must cease eating at least a few minutes before sunset. See also below, *Siman* 553:2.

Day 19

Tasting meat foods on Friday

77) On Friday, it is permissible to taste the Shabbat foods as they are being cooked, and even to taste the meat that has been cooked for Shabbat.[102] One may taste the meat only after midday on Friday, and one may not taste more than *revi'it* of the food.[103]

102. Maran the Rishon Letziyon (*Hazon Ovadya* page 175) cited two reasons for this leniency. One is based on the ruling of the *Shulhan Arukh* (210:2) that when someone tastes a food for the sole purpose of testing its flavor, he