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

עח. האוכל אחר השבת משיורי הבשר שנשאר לו מסעודת שבת [או מסעודת ראש חדש], יש לו על מה שיסמוך, ובפרט אם אוכל זה בסעודה רביעית, והוא רגיל לאכול בשר בסעודה רביעית. [חזו"ע עמ' קעז].

Leftover meat after Shabbat

78) There is a basis to permit people to eat, on weekdays, meat that is left over from the Shabbat meals [or *Rosh Hodesh*[104] meals].[105] This is particularly true if one eats the meat in one's *Melave Malka* meal and one often has meat for that meal. It is forbidden to take advantage of this halakha and purposely cook more than is necessary for the Shabbat meals so

does not have to recite a blessing over that food. Even if he swallows the broth, it is not necessary to recite a blessing unless he tastes more than *revi'it* of the broth. This is because the act of tasting is not considered to be an act of eating. Therefore, tasting meat is not considered an act of eating meat and it does not counter the custom of abstaining from meat during the Nine Days.

The second reason is that it is a great mitzvah to taste the foods being prepared for Shabbat, as is evident from the *Sha'ar Hakavanot* (page 62b): "It is proper to taste the Shabbat foods on Friday to see if they are made well or if they need salt and other spices. When someone prepares a meal for the king, he tastes each one to ascertain whether or not it needs salt or spices, and this shows that he sincerely cares about honoring his guest. This is the secret intent of the words in the *Amida* of *musaf* – those who taste it are rewarded with life." This concept is explained in the *Mahzor Vitri* (*Siman* 191, page 174), citing the Talmud Yerushalmi, and in the *Shibole Haleket* (#82), the *Orhot Hayim* (page 65b) and the *Bet Yosef* (*Siman* 286), among others. The *sefer Leket Yosher* (page 110) cited the *Likute Mahari'a* who heard from the holy Rav Aharon that he believes it is permissible for the women to taste the Shabbat foods on Friday afternoon, but that Rav Anshel Marpuk protested this practice. Maran the Rishon Letziyon decided that since the entire issue here concerns a custom, the lenient ruling prevails. This is likewise the ruling of *sefer Mor Va'aholot* Posek (page 37c).

The responsa *Hit'orerut Teshuva* (Vol. II, #169) wrote that since it is a mitzvah to taste the Shabbat foods on Friday, it is permissible to taste the meat on Friday before *Shabbat Hazon* as well. However, it is forbidden to swallow the meat; one must spit it out after tasting it no matter how small the amount. Maran the Rishon Letziyon ruled that it is permissible technically to swallow the meat as well, just as the *Shulhan Arukh* (*Siman* 210) ruled that when someone tastes food he may swallow it even though he did not recite a blessing over that food.

A detail of this halakha that remains unclear at this time is whether one may taste the meat at any time on Friday before *Shabbat Hazon* or if it is permitted after midday only. The *Leket Yosher* and the *Eliya Rabba* (551:24) mentioned this leniency "after midday." It may be, however, that as long as it is obvious that he is tasting the food for the honor of Shabbat it does not matter what time of the day it is. Maran the Rishon Letziyon (*Kol Sinai* page 149) wrote expressly that "one may taste a food containing meat and fat 'after midday,' since it is a mitzah to taste the foods for the honor of Shabbat. Anyone who refrains from this practice on this Friday will receive a special blessing from Heaven." The original printing of *Yalkut Yosef* (Vol. V, page 571) copied this halakha from the *Kol Sinai*, but the words "after midday" were omitted. This may have been an error. **We asked Maran the Rishon Letziyon about this, and he agreed that the tasting may be done only after midday. (Rabbi Y.B.)**

103. After the discussion in the above footnote, it remains unclear from this discussion whether one is limited on this Friday to taste no more than *revi'it* of the meat, just as one may taste up to *revi'it* of food without reciting a blessing but no more. (This is the amount when referring to broth; when tasting a solid food, one may taste up to *kazayit* without a blessing, as explained in the *Mishna Berura* 210:14 and in responsa *Yabia Omer* [Vol. V, #16:2].) It may be that since it is a mitzvah to taste the Shabbat foods on Friday, one may taste even more than *revi'it* for this mitzvah. **We asked Maran the Rishon Letziyon about this and he replied that one may taste no more than *revi'it*. (Rabbi Y.B.)**

104. These added words are based on the footnote to *Hazon Ovadya*, page 180, in the name of the responsa *Devar Emet*, and on page 182 in the name of the *Kol Eliyahu*. See the *Or Letziyon* (Vol. III, page 246) who added that this applies as well to meat left over from a mitzvah celebration such as a circumcision.

105. Maran the Rishon Letziyon (*Hazon Ovadya* page 177) explained several rationales for this leniency. Harav HIDA (*Birke Yosef* 551:6) wrote that it is based on the principle of *ho'il ve'ishtari ishtari*, that since this meat became permissible during the Nine Days, it remains permissible. The Talmud (*Hullin* 17a) teaches this principle regarding the rule governing eating meat during the forty years that the nation of Yisrael spent in the desert. During

ומכל מקום אין להערים לבשל יותר מדי לשבת בכוונה להותיר לצורך החול, [קול סיני עמ' קמז]. **ואין לבשל** בהערמה אף לסעודה רביעית. [ילקו"י ח"ה עמ' תקע]

אכילת בשר לחולים וקטנים

עט. חולה שאין בו סכנה מותר לאכול בשר בימים אלה, שבמקום חולי לא גזרו חכמים. [קול סיני עמ' קמט. יבי"א ח"ט סו"ס נ. וע"ע חזו"ע עמ' קצג]. ובכלל זה חולה נפש שמתרפא והולך שמותר לאכול בשר בימים אלה [מהרי"ל ואחרונים. קול סיני עמ' קנ]. וכל הבא לשאול בימים אלה שאינו יכול לסבול בלי בשר מפני איזה מיחוש וקצת חולי, מורים לו להיתר בזה. [ילקו"י עמ' תקעג]

that there will be meat left over for the weekdays. Even if one intends to eat the extra food in the *Melave Malka* meal, it is forbidden.[106]

Feeding Meat to Children and to People Who Are Ill

People who are ill

79) Anyone who is moderately ill may eat meat during the Nine Days. Our Sages did not impose their restrictions on people who are ill [and certainly they are exempt from complying with restrictions based on custom]. This includes someone who suffers from emotional illness. In fact, a rabbi should permit meat to anyone who thinks he needs it because of his state of health and comes to ask whether it is permitted to him.

that period, meat was kosher regardless of how the animal was slaughtered; it did not need to be slaughtered on the neck using a flawless knife. As soon as they crossed the Jordan River to enter the Land of Canaan, however, it became necessary to slaughter animals properly as we do today. The Talmud questions whether or not meat that the people brought with them into the Land of Canaan after butchering it in the desert remains permissible just as it had been in the desert. This remains undecided, but the *Poskim* ruled that the principle of *ho'il ve'ishtari ishtari* may be relied upon regarding something that is prohibited by our Sages. If so, then it should certainly apply to the custom of abstaining from meat during these days. Many *Aharonim* discussed this principle and how it can apply to this case, and they are cited in *Hazon Ovadya* (pages 177-186) and in *Or Letziyon* (Vol. III page 246).

Another basis to permit eating the leftover food from Shabbat, suggested by the responsa *Kol Eliyahu* (#45) in the name of Harav A. Yitzhaki, is that it is a mitzvah to eat this food since it was cooked and used for a mitzvah, namely the mitzvah of the Shabbat meals. See *Hazon Ovadya* (page 180).

The *Yafe Lalev* (551:6) cites the *sefer Orhot Yosher* who suggested that it is permissible to eat the meat left over from Shabbat since otherwise it would spoil and would be thrown away, infringing upon the prohibition of being wasteful and that of being disrespectful to foods. See *Hazon Ovadya* (page 187) and *Or Letziyon* (ibid.).

In *Kol Sinai* (page 147), Maran the Rishon Letziyon wrote, "We need not protest those who wish to rely on this leniency since there is a halakhic basis upon which to rely." It appears from this that it is best not to eat the leftover meat from the Shabbat meals. In *Hazon Ovadya* (page 177), however, he wrote, "There is a basis to permit people to eat meat that is left over from the Shabbat meals." According to this later decision, one may eat the leftover meat with confidence.

Even those *Poskim* who are stringent in this matter would agree that it is permissible to eat leftover food that had been cooked with meat (but that contains no meat or fat now) after Shabbat. This is because the *Shulhan Arukh* ruled that such a food can be eaten at any time during the Nine Days. Even though our custom is to refrain from eating it, as explained here in halakha 69, we may certainly permit it during the week if it was left over from the Shabbat meals. This is the ruling of the *Or Letziyon* (Vol. III, page 246) as well.

106. This is the ruling of Harav Hayim Palachi (responsa *Hayim Beyad* #125:66; *Mo'ed Lekhol Hai* #10:20) and the *Yafe Lalev* (Vol. II, *Siman* 551:6) in the name of the *Orhot Yosher*.

אבל בריא שרוצה לילך אחר שרירות ליבו לאכול בשר במקום שנוהגים בו איסור בימים אלה, עוונו גדול מנשוא, והרי הוא פורץ גדר וישכנו נחש (ש"ע סימן תקנ"א סי"א). [קול סיני עמ' קנ]

פ. מי שהיה חולה ונתרפא, אך נשאר חלש, מותר לו לאכול בשר בימים אלו. ואם אפשר לו להסתפק באכילת דגים, שאינם בכלל האיסור, טוב לעשות כן, ואין לו להקל באכילת בשר. ובבתי הבראה שאינו יכול להשיג אלא בשר, יוכל להקל בזה. [יחו"ד ח"א סימן מא. חזו"ע עמ' קצג, ובהערה עמ' קצד].

פא. מעוברת שסובלת הרבה בהריונה יש להתיר לה אכילת בשר בימים אלו. [ילקו"י עמ' תקע"ג]. וכן יולדת בתוך שלשים אחר לידתה מותרת בזה. [חזו"ע עמ' קצג. יבי"א ח"ט סו"ס נ] וכן "מינקת" שאם לא תאכל בשר, ישפיע הדבר על החלב שלה, ושמא יפגע קצת בתינוק, מותר לה לאכול בשר בימים אלו. והוא הדין מינקת הסובלת מחולשה שמותרת בזה. [קול סיני עמ' קמט ועמ' קנ ובהערה נ"ו. חזו"ע עמ' קצג, ושם עמ' קצד בהערה בשם האורחות חיים והשבות יעקב]

פב. החולה שרוצה לאכול בשר בימים אלו בהיתר, אינו צריך לעשות התרת נדרים לפני כן, שמכיון שאינו רוצה לחזור בו ממנהגו שלא לאכול בשר לגמרי, אלא רק בימים אלו שהוא חולה, ובדעתו

Someone who is healthy but decides to ignore the custom of his community and eat meat because he feels like it incurs a terrible sin. He has breached the fences of halakhic behavior and he is liable to be bitten by a snake.

Someone recovering from illness

80) If someone has recently recovered from an illness but he has yet to regain his strength, he may eat meat during the Nine Days. If it is possible for him to gain his needed nourishment through eating fish, that is a better choice since there is no restriction against eating fish. If he is in a convalescent home and only meat is on the menu, he may be lenient and eat it.

Difficult pregnancy

81) A woman who is experiencing a difficult pregnancy may eat meat during the Nine Days. Likewise, a woman may eat meat if it is within thirty days since she gave birth.[107] A nursing mother who fears that the quality of her breast milk will be adversely affected if she abstains from eating meat or one who feels unusually weak may also eat meat during the Nine Days.

***Hatarat nedarim* in these cases**

82) If someone is ill, he does not have to make *hatarat nedarim* in order to eat meat during the Nine Days. It is not his intent to discontinue this custom; he wishes to waive it while he is ill and continue to observe it in the future. Therefore, *hatarat nedarim* is not required in such a case. If he suffers from chronic illness and decides that it is best

Day 20

107. Maran the Rishon Letziyon (responsa *Yehave Da'at* page 116; *Hazon Ovadya Ta'aniyot* page 192) cited the responsa *Shevut Yaakov* (Vol. I, #27) who ruled that during the days that a woman menstruates she has the status of someone ill and therefore she may eat meat during the Nine Days. Since this restriction is only a custom, any degree of illness is sufficient to release one from that restriction. Maran (*Hazon Ovadya*, footnote on page 194) cited the *sefer Leket Yosher* (page 107) who disagreed, ruling that a woman who is menstruating may not eat meat during the Nine Days. Maran concluded that the matter needs further research.