צריך שיהיה בו ארבעים סאה, ויתחוב ידיו בו. ויש חולקין דסבירא להו אין טבילה מועלת לידים בשלג. על כן אין לסמוך על טבילת השלג, אלא בשעת הדחק שאין לו תיקון אחר לעשות. [באו"ח פי קדושים הלכה טז]

לה. אין ליטול ידיו ביין לכתחילה. ובשעת הדחק כשאין לו מים אלא יין, רשאי ליטול ידיו ממנו. והוא הדין שרשאי בשעת הדחק ליטול ידיו במי פירות כמיץ תפוזים טבעי וכיו"ב, וכן בשכר המבושל עם מים הנקרא "בירה". והרוצה לברך על נטילה זו יש לו על מה שיסמוך.

ובסוגי משקאות קלים למיניהם, כגון מיץ פטל וקוקה קולה, לא יטול ידיו בהם אלא בשעת הדחק כשאין לו מים, ולא יברך על נטילה זו. אמנם אם נוטל ידיו בסודה או ב"ספרייט" שהוא משקה בלא צבע, יכול אף לברך על נטילתו. [ראה אור לציון ח"ב עמ' ש]

there are *Poskim* who ruled that it is not possible in any circumstances to fulfill this mitzvah by immersing one's hands in snow. Therefore, one may rely on this leniency only when one has no other choice.[104]

Wine or fruit juice

35) If someone has any other choice, he should avoid performing *netillat yadayim* with wine. If no water is available, however, he may use wine. In fact, he may use any natural fruit juice or beer in such a case. There is a firm basis to justify reciting the blessing of *al netillat yadayim* when performing the mitzvah in this manner.

Soft drinks

If any of the above beverages are available, one should use it rather than use a colored soft drink such as cola. If cola is the only beverage available, one may use it for the mitzvah but one must not recite the blessing. When using a transparent soft drink such as club soda or lemon-lime soda, reciting the blessing is warranted.[105]

Day 62

104. Maran ruled in the *Shulhan Arukh* (*Y.D.* 201) that it is permissible for a woman to immerse in a mikveh filled with snow. Rama demurred, ruling that it is best to avoid it. Regarding the mitzvah of *netillat yadayim*, Rama (160:12) referred to his ruling in *Yore De'a*, meaning that it is best to avoid immersing one's hands in snow. The *Ture Zahav* ruled that it is permissible to immerse one's hands in snow even if another source of water is available. Several *Aharonim*, including the *Ben Ish Hai*, however, permitted it only if it is the only option available.

The *Sifte Kohen* did not permit a woman to immerse in snow unless it has been melted into water. The *Magen Avraham* (160:16) cited this ruling, apparently applying the stringency to *netillat yadayim* as well. This is the understanding of the *Mahatzit Hashekel*. The *Eliya Rabba* (cited in the *Sha'ar Hatziyun* 160:61) claimed that it is possible that the *Sifte Kohen* would rule leniently regarding *netillat yadayim*, especially in light of the fact that several *Poskim* permitted a woman to immerse in snow. In practice, one may rely on the lenient opinion of the *Ture Zahav* when no liquid water is available.

Reciting the blessing when immersing hands into snow

The *Ben Ish Hai* did not mention whether or not one must recite the blessing when immersing hands in snow for *netillat yadayim*. The *Kaf Hahayim* Sofer (160:64) stipulated that it is possible to recite the blessing only when the snow has been melted into water. Otherwise, one may immerse one's hands in forty *se'a* of snow but without reciting the blessing. The *Halakha Berura* (page 207), however, wrote that since Maran and other *Aharonim* ruled that it is permissible to immerse one's hands in snow when no water is available, one may recite the blessing as well.

105. Maran cited several halakhic opinions [from the *Rishonim*] regarding performing *netillat yadayim* with wine or other fruit juices. In presenting this discussion here, the arguments have been organized in the same manner as in the *Otzerot Yosef* (#7). The debate is based on the passage in the Talmud (*Berakhot* 50b) stating that Ribbi Eliezer ruled that one may perform *netillat yadayim* with wine if no water was added to it. If water was added to the wine it may no longer be used for the mitzvah. The *Ha-*

khamim ruled that in either case the wine may not be used for the mitzvah. The *Rishonim* interpreted this passage in several ways:

a) Rabbenu Avraham ben David, as cited by Rabbenu Asher – this is likewise the second interpretation found in the Tosafot and it appears as the first opinion cited in the *Shulhan Arukh*. According to this interpretation, this passage is not discussing the mitzvah of *netillat yadayim* at all; it is discussing the act of washing one's hands to make them clean. One may not use wine for this purpose since this would be a desecration of the elevated status of wine. Regarding the mitzvah of *netillat yadayim*, no one would suggest that wine may be used since our Sages based this mitzvah on the verse, "his hands were not washed *in water*." The mitzvah can be performed with water only. Several *Rishonim* added that for this reason it is not possible to use any fruit juice for this mitzvah even though they do not have the elevated status of wine, since fruit juices are not considered water. The *Peri Hadash* challenged this ruling since our Sages taught that one may perform this mitzvah with heavy brine even though it is not considered water. The halakha regarding fruit juices should be the same as for heavy brine. Some *Aharonim* reconciled this by explaining that the halakha of heavy brine refers to sea salt, and sea salt has the status of water, not that of fruit juices.

Other *Rishonim* ruled that fruit juices are disqualified for the mitzvah of *netillat yadayim* for different reasons. For example, Rabbenu Menahem Hame'iri (comment to *Berakhot* 50b) cited the Sages of France ruling that fruit juices are disqualified since their consistency does not allow the hands to be washed properly. In this aspect, fruit juices are worse than wine, since the Talmud states that Ribbi Eliezer permitted washing hands in undiluted wine. The *Hakhamim* disagreed because of wine's elevated status but not because wine does not clean well. Since the problem with using wine is that it is considered a disgrace to the honor that wine deserves, if someone did perform *netillat yadayim* with wine he has fulfilled his obligation and he may eat his bread, even though he has sinned by disgracing the wine. In *Kuntras Bet Yad* (Unit 4), Rabbenu Menahem Hame'iri explained in more detail that oil, honey and milk are not suitable for cleaning hands. Other fruit juices such as strawberry or pomegranate are disqualified as well, he added, since they do not have the halakhic status of beverages. This position is stated also by Rabbenu Avraham ben David (responsa *Temim De'im*) and the Rashba. Finally, the Ritba (comment to *Berakhot* 50b) ruled that fruit juices are disqualified for the mitzvah since it is not possible to have a mikveh filled with juice and to immerse in it. Furthermore, the juices do not have the appearance of water.

b) Rabbenu Avraham ben David, as found in responsa *Temim De'im* – this is likewise the opinion of Rashba and it appears as the second opinion cited in the *Shulhan Arukh*. According to this interpretation, wine may be used for the mitzvah of *netillat yadayim*, whether or not it is diluted with water. One should avoid using wine, however, since it is considered a disgrace to wine's elevated status. Our Sages accorded great honor to wine, giving it a distinct blessing all its own. The *Ture Zahav* explained that our Sages forbade using wine for this purpose because it is wasteful. The *Otzerot Yosef* (page 36) cited support for this explanation in *sefer Hashulhan* (by the Rashba's disciples) and the *sefer Tzeror Hahayim*.

The *Mordekhi* (cited by Rama in his gloss) ruled that technically it should be permissible to perform *netillat yadayim* with wine, but with white wine only. Red wine is disqualified altogether since it does not have the appearance of water.

Other *Rishonim* (Rabbenu Asher, commenting on *Berakhot* 7:31; Tosafot to *Berakhot* 50b) ruled that it is permissible to use wine for *netillat yadayim*. They explained that water can become disqualified if its appearance is changed, but wine naturally has a red hue and it remains kosher for this mitzvah. Its appearance has not changed from what it originally had been.

The *Ture Zahav* and the *Magen Avraham* both understood that according to this opinion it is permissible to use fruit juices for *netillat yadayim*. The only problem with using wine is its exalted status, and that is not an issue with other juices. It is not considered wasteful either since it is being put to good use. The *Mishna Berura* (160:60 and 160:62) concurred with this understanding. See his comment in the *Bi'ur Halakha*. The *Erekh Hashulhan* and the *Tehilla leDavid*, however, insisted that according to this opinion one technically may use wine but one may not use other fruit juices at all.

c) Rashi – this is likewise the opinion of Hagahat Asheri and it is the third opinion cited in the *Shulhan Arukh*. Ribbi Eliezer stated that one may use wine for *netillat yadayim* as long as it has not been diluted with water. This is because undiluted wine has the status of a fruit juice, and it is no different than ordinary water. Only once some water has been added is it elevated to the status of wine. Since it becomes wine, it is not considered water anymore and it is disqualified for *netillat yadayim*.

According to Rashi, Ribbi Eliezer definitely permits using fruit juices for *netillat yadayim*. The *Hakhamim*, who ruled that wine is always disqualified for *netillat yadayim* whether or not it is diluted, ruled apparently that all fruit juices are disqualified as well. This is the conclusion of the *Ture Zahav*.

The *Eliya Rabba*, however, contended that the *Hakhamim* agree that fruit juices may be used. Wine alone is disqualified since it qualifies for a special blessing and is no longer considered to be like water. Several *Rishonim* understood Rashi's interpretation this way, writing that according to Rashi one may perform *netillat yadayim* with fruit juices.

The *Shulhan Arukh* states that according to the third opinion fruit juices may be used, but only if no water is available. This does not seem to concur with the *Rishonim*. They explained that according to Rashi one may use fruit juices freely, even if water is available. Nevertheless, the *Divre Hamudot* (cited in the *Sheyare Kenesset Hagedola*) demonstrated that the source for the third opinion in the

Shulhan Arukh is not Rashi but the *Hagahot Asheri* to (*Berakhot* 2:11). In that gloss, the *Or Zaru'a* is cited ruling that one may perform *netillat yadayim* using mead or wine, but only when no water is available.

The *Ture Zahav* and the *Magen Avraham* both asked that the second and third opinions cited in the *Shulhan Arukh* appear to be identical. The *Yad Aharon* pointed out, however, that according to the second opinion wine may be used only when there is no water available, but fruit juices may be used even when one has water. The third opinion is more stringent, permitting the use of fruit juices only when no water is available.

The *Ma'amar Mordekhai* (160:20) suggested another resolution. According to Rashi (the third opinion), it is possible to use fruit juices but not wine, since the halakha follows the opinion of the *Hakhamim* disqualifying wine under all circumstances. According to the second opinion, even wine may be used for *netillat yadayim*.

The difference between the second and third opinions is readily understood according to the *Erekh Hashulhan* and the *Tehilla leDavid*. As stated above, they explained that according to the second opinion one may technically use wine, except that it is a disgrace to the wine's honor. Fruit juices are disqualified altogether. According to the third opinion, the opposite is true – fruit juices may be used but not wine.

In summary

The *Shulhan Arukh* cites three halakhic opinions: **a)** One may use only water for the mitzvah of *netillat yadayim* and no other beverage (Rabbenu Avraham ben David); **b)** Wine may be used technically for *netillat yadayim* whether or not it is diluted with water. One should not use wine for this purpose, however, since it is a disgrace to the elevated status of wine (Rashba). Rama cited an opinion (*Mordekhi*) that this applies to white wine only, but red wine is disqualified completely. Some *Poskim* understood that fruit juices are always permissible according to this opinion, but others understood it quite the opposite, claiming that fruit juices are always forbidden; **c)** Any fruit juices may be used but only when no water is available. Wine, however, may not be used (*Hagahot Asheri*).

Which of these opinions do we follow in practice? Usually, when Maran presents a number of opinions in this manner, it means that the halakha follows the final opinion, which is that it is permissible to perform *netillat yadayim* with fruit juices if no water is available. Wine, however, cannot be used at all, whether or not it is diluted with water.

A closer look at the *Shulhan Arukh* reveals that Maran introduced the second opinion with the words, "there are those who say," but he introduced the first and third opinions with the words, "someone says." The general rule followed by Maran the Rishon Letziyon in such a case is that the halakha follows the opinion introduced in the plural form, which is the second opinion. If this is so, then the halakha is that one must not use wine for *netillat yadayim* since it is a disgrace to the honor that wine deserves, but if someone did use it, he has fulfilled the mitzvah of *netillat yadayim*.

Using fruit juices, according to this, is permissible if no water is available. This is true according to both the second and the third opinions, at least as the *Ture Zahav* and the *Magen Avraham* understood. Even though there are *Aharonim* who understood that according to the second opinion one may not use fruit juices, it is likely that the halakha follows the third opinion, which permits using fruit juices when no water is available.

Reciting the blessing in these cases

The *Ben Ish Hai* (*parashat Kedoshim* halakha 18) ruled that, in deference to the opinion that one may use only water and no other beverage in any circumstances (Rabbenu Avraham ben David in the first opinion), even when there is no water available and one performs *netillat yadayim* with another beverage, he must not recite the blessing. This is likewise the ruling of the *Kaf Hahayim* Sofer (160:69). According to the principles taught by Maran the Rishon Letziyon, however, since in practice it is permissible to use other beverages for *netillat yadayim* one must recite the blessing as well. The *Halakha Berura* (page 209) likewise ruled that when using wine or fruit juices, there is a sound basis to recite the blessing as well.

A choice of wine or fruit juice

The *Otzerot Yosef* (page 43) states that it is preferable to use wine rather than fruit juices. The logic for this ruling is that some *Poskim* ruled that fruit juices may not be used when water is available according to the third opinion, some *Poskim* forbid using fruit juices altogether according to the second opinion, and the first opinion certainly forbids it. Wine, on the other hand, is definitely permitted according to the second opinion.

The *Or Letziyon* (Vol. II, footnote on page 300) ruled that fruit juices are preferable to wine, since both the second (according to some *Aharonim*) and third opinions permit fruit juices whereas only the second opinion permits wine. Furthermore, according to the second opinion fruit juices may be used even when water is available.

Beer, coffee, tea, juice

The Rama stated that beer or mead are fit for use for the mitzvah of *netillat yadayim*. The *Magen Avraham* (cited in *Mishna Berura*) explained that although these beverages do not have the same appearance as the water from which they were originally made, this does not disqualify them. This change in appearance is an improvement to the water's status and cannot disqualify it.

Following this reasoning, all modern beverages such as juices made from concentrate or cola should be fit for the mitzvah as well. In fact, this is the ruling of the responsa *Be'er Moshe* (Vol. V, #40) regarding coffee or tea, based on the *Magen Avraham*. The *Panim Me'irot* and Harav Eliyahu of Vilna, however, ruled that beer is disqualified since its color has been changed. It cannot be compared to natural fruit juices since their colors are original. Based on their

שיעור המים לנטילת ידים

לו. בשעה שבא ליטול ידיו צריך שיהא במים שיעור "רביעית", שמונים ואחד סמ"ק. [ש"ע סי' קס סי"ג]. שכן תיקנו חכמים לנטילת ידים. [משנ"ב שם]. ושיעור זה הוא בין אם נוטל שתי ידיו כאחת, בין אם נוטל ידיו אחת אחת, לעולם סגי ברביעית אחת לשתי ידיו. [משנ"ב ס"ק סז]

וכל זה במקום שאין מים מצויים, אבל במקום שמים מצויים, טוב שיטול ידיו בשפע, וכמבואר לעיל סימן קנ"ח הלכה כ'. [משנ"ב ס"ק סו]

Amount of Water Required

Revi'it

36) Our Sages instituted that, to perform the mitzvah of *netillat yadayim*, one must have a container filled with at least *revi'it* of water (81 cc).[106] Whether one pours the water onto both hands at once or onto one after the other, all that is needed is *revi'it* of water. If more water is available, however, it is commendable to use plenty of water for *netillat yadayim* as explained above in *Siman* 158:20.

argument, the *Or Letziyon* (Vol. II, footnote on page 300) ruled that cola or coffee may be used only when no water is available, and even then one must not recite the blessing.

The *Hamad Moshe* and the *Saba Kadisha* explained the Rama's ruling permitting beer in a different way, unlike that of the *Magen Avraham*. Since the beer is cooked, the water absorbs the substance of the barley and hops, giving it the status of "juice of the grain" rather than colored water. Therefore, it is like all natural fruit juices. A beverage made by soaking fruits in water, on the other hand, would be disqualified for the mitzvah of *netillat yadayim*.

According to this, all soft drinks that are water with added flavorings and colors are disqualified as well. The *Halakha Berura* (page 45) added that according to this opinion, tea and coffee are disqualified likewise. We may assume that he was not discussing brewed coffee or tea, which should have the same status as beer.

The *Halakha Berura* (page 210) concluded that if someone has no other beverage other than these colored soft drinks, he may use them but he must not recite the blessing. If someone performed *netillat yadayim* with these beverages and then water became available to him while he was still eating, he should defile his hands and then perform *netillat yadayim* in the proper manner and recite the blessing.

Club soda and transparent soft drinks

According to the above rules, it would seem that it is permissible to use a lemon-lime soft drink for *netillat yadayim* and recite the blessing over it, since it is as transparent as the original water. The carbonation does not present a problem whatsoever halakhically, nor do the flavorings or sweeteners. This is the ruling of the *Or Letziyon* (page 300).

Oil, milk, honey

Harav Zalman (160:15) ruled that one may not perform *netillat yadayim* with oil or honey since they do not cleanse the hands. The *Kaf Hahayim* Sofer (160:71) cited this and added that the same applies to any liquid that does not cleanse the hands. Even when no water is available, such liquids are not an option. The *Otzerot Yosef* (page 43) ruled that one must not use milk either since Harav Eliyahu of Vilna and the *Tehilla leDavid* ruled that milk is not included in the category of fruit juices.

106. The *Nahalat Tzevi* (160:20) and the *Eliya Rabba* (160:28, cited in the *Kaf Hahayim* Sofer 160:73) explained that our Sages required *revi'it* of water since this amount of rain water can be considered a kosher mikveh to purify small utensils such as pins and needles. This is the halakha as it was given to Moshe Rabbenu at Mount Sinai (*halakha leMoshe miSinai*), but our Sages later instituted a stringency requiring forty *se'a* of water for purifying utensils, as the Tosafot taught in *Pesahim* 17b. Using a container holding *revi'it* of water to purify one's hands is reminiscent of the small mikveh that has the ability to purify that which is *tame*.