סימן קסט

דין השמש בסעודה

א. כל דבר שמביאין לפני האדם שיש לו ריח והאדם תאב לו, צריך ליתן ממנו לשמש מיד. [ש"ע סי' קסט ס"א], ואפילו הביאו לו כמה מינים צריך ליתן לו מכל מין ומין. [ביאור הלכה ר"ס קסט]. מפני שדבר שיש לו ריח, מזיק לאדם כשאוכלים בפניו, והוא תאב לו ואין נותנין לו מיד. [משנ"ב ס"ק ב]. ומספיק ליתן לו דבר מועט, כי בזה מתיישבת דעתו. [שם ס"ק ג]

ומידת חסידות ליתן לו מיד, אפילו מדבר שאין לו ריח, דעכ"פ גם מזה מצטער הוא כשרואה שארי אנשים אוכלים והוא אינו אוכל. [ש"ע שם, משנ"ב ס"ק ד]

Siman 169

The Steward

Day 22

Offering a portion to the steward

1) Whenever someone is served a tantalizingly savory food, he must immediately offer some of it to the steward who served it. If he serves several such foods, the recipient must give him some of each one. Since the food has a mouthwatering aroma, it could be physically harmful to someone who watches others eating it without receiving at least a taste for himself. Once he has sampled it, it is no longer harmful.

As an act of piety, the person being served should give the steward a bit of his food even if it does not have that much of an aroma. In any case it is painful to watch others eating when one is incapable of joining them.[263]

263. Our Sages taught this in *Ketubot* 61a. The *Shulhan Arukh* (170:3) explained that each person who is eating is obligated to leave over a bit of his food in his plate as the steward's portion. That halakha, however, applies to food that does not have an aroma and therefore it is not necessary to give the steward his portion immediately. It is necessary only to set aside a portion of each food for him at the end of the meal. If a food has a tantalizing aroma, it is necessary to give some to the steward immediately.

The Talmud relates that Avuha bar Ihi and Minyamin bar Ihi ate together, and one brother gave the steward a sample of each food served while the other gave him a sample of only one of the foods served. As a consequence, Eliyahu the Prophet spoke to the first brother but not to the other. What happened was that one brother gave the steward a sample of every food immediately at the beginning of the meal, even from those foods that had no particular aroma. This act of piety earned him the right to communicate with the Prophet Eliyahu. The other brother gave the steward a sample of one food at the beginning of the meal since that food had a savory aroma. He did not give a sample of the other foods to the steward until the end of meal. This was alright according to the halakha, but it lacked the element of piety displayed by his brother. The slight pinge of discomfort felt by the steward because he had to wait to receive his portion was enough to prevent the Prophet Eliyahu from communicating with that brother.

Non-Jewish steward

The *Halakha Berura* (page 1) stated that this halakha applies to a Jewish steward only, but he did not cite any source for this ruling. The *Peri Megadim* (*Eshel Avraham* 169:1) cited Maran in the *Kesef Mishne* stating that this halakha applies to a steward who is an *eved kena'ani*.

ב. מי ששכר משרת לשנה, ובתחילת שכירותו אמר לו שכל זמן שתביא לי דבר מאכל שיש לו ריח אני מרשה לך שתטעום מתחילה, סגי בזה, ואין צריך להקדימו. [ביאור הלכה ד"ה צריך]

ג. דין זה דקדימת השמש, שייך רק בשמש שעומד ומשמש ואינו אוכל עמהם ביחד, אבל אם גם הוא מסב על השלחן עמהם, אין צריך להקדימו [ראה מג"א סק"א]. ולכן במקומות שהמנהג שגם המשרת אוכל מאותן אכילות שמביא לבעל הבית, אע"פ שעדיין לא אכל מזה, אין צריך להקדימו, כיון שעתיד לאכול מהם. [ראה ביאור הלכה ד"ה מיד]

ד. חיוב זה דקדימת התבשיל, שייך אף לאדם שאינו משמש בסעודה אלא רק מבשל המאכל. ואפילו אם אירע שהוא עומד שם בשעה שמביאין תבשיל שיש לו ריח, צריך ליתן לו מעט לטעום, כדי שלא יבא לידי סכנה. ואפשר שמטעם זה המנהג בכל ישראל, כשאדם נכנס לבית חבירו בשעה שאוכלין, שמזמינים אותו לאכול עמהם. [ביאור הלכה ד"ה לשמש]

ה. מי שהריח ריח מאכל והוא מתאווה לו ואינו יכול להשיגו, כל רוק שיבוא לפיו מחמת תאוות האוכל לא יבלע, כי אותו הרוק יכול להביאו לידי סכנה, אלא ישליך הרוק מפיו. [כתובות סא ע"א, משנ"ב ס"ק ג, באר"ח פ' פנחס הלכה ט"ז]

Advance permission

2) If someone hires a steward, he can tell him from the beginning, "Whenever you serve me an aromatic food, you have my permission to taste it before serving me." Once he has given this blanket permission to the steward, it is not necessary to actually offer him a taste of the food when he serves it.

When the steward has a chance to eat

3) These halakhot apply to a steward whose job is to remain standing in service of those eating, without eating along with everyone else. If the steward is invited to sit at the table and eat with everyone else, it is not necessary to give him any sample of the food he serves. Accordingly, in those establishments where the practice is to permit the steward to eat a portion of the foods he serves, it is not necessary for those to whom he serves to give him any portion. The steward will come to no harm since he is aware that he will be able to eat his portion soon enough.

The cook

4) The halakha requiring one to allow the steward to sample the foods he serves applies to the cook as well, even though he does not serve the food. In fact, this applies even to someone who is neither a cook or a steward, but who happens to be present while the aromatic food is being served. Those who are eating must offer him a taste of that food to spare him the danger inherent in being denied it. This might be the source for the practice common in Jewish homes that if someone enters a home while the people are eating they invite him to join them.

Saliva of cravings

5) If someone smells an aromatic food and craves it, but he is incapable of getting any of it to eat, he must make sure not to swallow the saliva that gathers in his mouth because of that craving. Swallowing that saliva could be a health hazard. He must therefore spit it out instead.