

Selecting waste from waste

A sink strainer

Ostensibly, use of a sink strainer should be prohibited, as the strainer is a utensil that selects waste, and Selecting with a utensil is prohibited on Shabbat. Through analysis of this case, an important principle regarding the labor of Selecting will be formulated.



It is permitted to use a sink strainer.

The **mishna** (139b) states:

It is permitted to place an egg in a mustard strainer

The leniency to strain an egg in a mustard strainer

This mishna permits placing an egg in a mustard strainer, despite the fact that the strainer causes separation of the yolk and the egg white.

The **Gemara** (139b–140a) explains this leniency:

Yaakov Korha taught: Because one does so only for color.

In other words, since the selecting is performed to add color with the yolk, it is not prohibited. This statement of the Gemara is difficult: What difference is there whether the yolk is selected for color or for another purpose? Provided that there is interest in using the yolk for any purpose, the action should constitute prohibited Selecting.

Rashi (140a) explains:

Because one does so only for color – for appearance, as the yolk, not the egg white, is effective for coloring. Therefore, both are food, and there is no selection of waste from food.

According to Rashi, since both the yolk and the egg white are edible, this is not selecting waste from food, but rather selecting food from food. Rashi's explanation is consistent with his opinion that there is no prohibition of Selecting with two types of food (see pp. 785–786). However, ostensibly this is difficult: If it is not prohibited

to select food from food, why was it necessary for the Gemara to explain that it is permitted because “one does so only for color”?

Beur Halakha: It is permitted because both items are not designated for eating

Aharonim disagree regarding the understanding of Rashi’s explanation. Not all the opinions will be reviewed here,³⁵ only the

35. The *Bah* (319, s.v. *mesanenet*) explains that selecting food from waste is prohibited whether one is selecting for the sake of food or for some other purpose, while selecting food from food is prohibited only if one selects for the purpose of eating. The leniency here is based on these two factors: (1) the two types are both food; (2) the one selecting wants the yolk not for eating, but for coloring (see *Tur* ad loc.).

The *Peri Megadim* (*Mishbetzot Zahav* 319:2, 12, based on his understanding of the *Taz* 12) explains that the Gemara means that it is permitted to **sort** two types of foods, to separate them from one another so that it will be more convenient to eat them separately later. The prohibition of selecting two types of foods applies only when the person selecting seeks to eat one of them now, which defines the type he does not want to eat at present as waste, and therefore the person is separating food from waste. When the one selecting is equally interested in both kinds for later, one of the kinds cannot be characterized as food and the other as waste; therefore, the prohibition of Selecting does not apply here (see more on pp. 790–792). That is why the Gemara emphasizes that although the yolk passes through the strainer and the egg white remains, the yolk is not designated for consumption at this point but only for coloring the mustard. Therefore, both the yolk and the egg white will be eaten later and are both considered food; therefore, it is not prohibited to separate them.

The *Magen Avraham* (16) states that the yolk and the egg white are considered the same type, and therefore it is permitted to separate them. If so, why does the Gemara explain: “Because one does so only for color”? The *Magen Avraham* explains (see the *Mahatzit HaShekel*) that this sentence does not explain why it is permitted; rather, it seeks to prove that the yolk and the egg white are both considered food. One might have thought that the yolk and the egg white of a raw egg are not fit for consumption and not considered food, and that only the yolk mixed with mustard is considered food, as it can be eaten together with the mustard. According to this interpretation, it is prohibited to strain an egg with mustard, as that will render the yolk food while the egg white remains waste, which means that one is removing food from waste. This is why the Gemara states that the yolk and the egg white are both fit for consumption and are considered food in any case. The yolk is not placed in the mustard to render it food, but only for coloring. This explanation is problematic: If the main novelty introduced in

explanation of the *Beur Halakha* (319:3, s.v. *hayu lefanav*), which has significant ramifications for the matter of Selecting:

Since there, neither of them, the yoke or the egg white, is designated for eating at all, as the egg white is mixed with the mustard waste and, therefore, the person does not wish to eat it, and the yolk is strained for coloring, not for eating. Therefore, characterizing this as Selecting is not appropriate, as the person does not thereby prepare it for eventual consumption. However, when Selecting two types of food, each from the other, to eat each separately at a later stage, each is improved by this selecting, and it is Selecting in every sense.

According to the *Beur Halakha*, the egg white that remains in the strainer is discarded and not eaten, and likewise the yolk is not for eating but for coloring. Since neither component is designated as food, but as waste, no significant preparation is accomplished in their separation, and the prohibition of Selecting is not violated. This is not comparable to sorting (see above, pp. 790–792), because one who sorts is interested in both kinds for later use; therefore, separating them is an act of preparation. Here, in contrast, the person is not interested in either component and consequently, separating them is not a significant preparation.

It is not entirely clear how the *Beur Halakha* explains the phrase “only for color,” or why he maintains that an item separated for color is considered waste rather than food, but in any case, an important principle emerges: **It is permitted to separate two types that are both designated as waste**, since this separation is not significant.

The *Hazon Ish* (53, s.v. *ulinyan barza*) likewise holds that it is permitted to select when the item will be discarded immediately

It is permitted to separate two items designated for waste

the mishna is that it is permitted to separate the two parts of the egg, why does it refer specifically to a mustard strainer, rather than simply teach that one may separate the parts of an egg? Similarly, it is unlikely that the reason cited by the Gemara does not address the justification for the practice itself, but focuses merely on a peripheral matter.

after selecting. He arrives at this conclusion based on the fact that one who squeezes fruit for the juice to be discarded does not violate the prohibition of Squeezing.³⁶ The *Hazon Ish* is apparently saying that Selecting is prohibited only as preparation for eating or some other use; however, when everything goes to waste, or if the selected portion goes to waste and the other portion is insignificant, there is no prohibition of Selecting at all.

Different waste items mixed together are considered a single type

Moreover, two kinds of waste are considered a single type, as both items will be discarded. Although the person is interested in separating them, this is analogous to separating large and small pieces of the same kind: Despite the fact that one seeks to separate them, it is not prohibited, as they are considered one type, and the desire to separate them is a mere preference.

On this basis, it is understandable why it is customary to be lenient and pour items into a sink with a strainer, with no concern for the prohibition of Selecting. Since both the waste descending into the sewer and the waste remaining in the strainer are to be discarded, it is permitted to separate them.

Indeed, contemporary authorities permit the use of a sink strainer. For example, *Tzitz Eliezer* (vol. 7, 12:8) writes:

I have seen some who are punctilious and remove the strainer that is on the drain before Shabbat, as they are concerned due to Selecting, since the thick waste is separated from the rest and remains above the drain... But in my humble opinion, there is no need to be cautious and stringent in this regard, as it seems clear that in every case where each of the two kinds selected goes to waste, the prohibition of Selecting does not apply at all. In order to remove any doubt in this regard, I will also cite a proof from the *Mishna Berura*... that when neither is designated for eating at any point, there is no issue of Selecting. I have also seen that the *Hazon Ish* says the same... and my beloved son... showed me that

36. However, some maintain that squeezing of this kind is prohibited by rabbinic law (see pp. 730–731).

the *Peri Megadim* says... that separating waste from waste is not Selecting (see ad loc.), and in this case it is also waste from waste.

Therefore, it is clear that there need not be concern about Selecting when pouring into the drain of the sink via the strainer on Shabbat, and one need not remove the strainer for Shabbat.

Iggerot Moshe (*Orah Hayim* 4:74, *Borer* 4) rules likewise, and maintained by Rav Eliashiv and Rav Zilber (cited by the *Ayil Me-shulash* 7, note 111), and *Shemirat Shabbat KeHilkhata* (12:16) agree. This is the halakhic consensus.

In conclusion, it is permitted to use a sink strainer, as there is no prohibition of Selecting in separating waste from waste. The reason is that it is not significant preparation, and perhaps also because the two items might be considered the same type.

Practical halakha

Separating trash

Is it permitted to separate trash into its component parts for recycling, e.g., food into an organic trash can and inedible items into a different trash can?

In light of the principle introduced above, it stands to reason that this should be permitted, as it is separation of waste from waste. Admittedly, the objective of the separation is for certain kinds of trash to be used for a certain purpose or recycled; however, this is typically not important to the person discarding the trash. The person merely seeks to avoid harming the environment, and, therefore, seeks to discard each kind of trash into a different container. Even if, for example, the organic waste will be used as fertilizer, that will in no way benefit the person who discarded it, who views it merely as another kind of trash.

It is permitted to separate trash into different kinds

Therefore, it appears that there is room for leniency and one may separate trash into different kinds. However, if that person himself utilizes one of the kinds of trash, e.g., to fertilize his garden with organic waste, then separating it might indeed be problematic. If, however, the organic residue was initially placed separately, it is not defined as part of a mixture and may certainly be separated.