

## Brushing Teeth on Shabbos

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### I. Introduction.

Brushing one's teeth on both Shabbos and Yom Tov raises a number of significant Halachik issues, with many misconceptions regarding both their significance and how to deal with them. Surveying the responsa literature one finds no less than eight issues that are addressed by the *poskim*. For the purpose of this essay we will divide the issues into three basic categories: issues relating to the use of toothpaste on Shabbos, issues relating to the use of a toothbrush on Shabbos, and ancillary issues that arise when brushing teeth. We will also outline the practical opinions of a variety of *poskim* and provide practical guidance in this area.

### II. Issues Relating to Toothpaste.

#### A. *Mimarayach*.

The *mishna*<sup>1</sup> lists *mimachaik* as one of the thirty nine *avos melachos* of Shabbos. *Rambam*<sup>2</sup> defines *mimachaik* as the removal of hair or wool from the hides of an animal in order to smooth out the hide. It is clear from the *gemara*<sup>3</sup> that *mimachaik* applies when any surface is smoothed by scraping or sanding. *Rambam*<sup>4</sup> writes that a *toladah* of *mimachaik* is *mimarayach*. *Mimarayach* refers to smoothing soft, pliable substances that may be pressed or molded to a shape. Although the biblical prohibition of *mimarayach* only applies to pliant, solid substances, it is rabbinically forbidden to smooth semisolid substances that have enough density to hold together as a mass<sup>5</sup>.

1. The stringent view. Many *poskim*, most notably Rabbi Moshe Feinstein *zt"l*<sup>6</sup> argue that when one spreads the dense semisolid toothpaste over the surface of his teeth, he violates the rabbinic prohibition of *mimarayach*<sup>7</sup>.

<sup>1</sup> *Shabbos* 73a

<sup>2</sup> *Hilchos Shabbos* 11:5

<sup>3</sup> *Shabbos* 75b

<sup>4</sup> *Hilchos Shabbos* 11:6

<sup>5</sup> *Shabbos* 146b and *Rambam Hilchos Shabbos* 23:11

<sup>6</sup> *Iggeros Moshe Orach Chaim* 1:112. Rabbi Feinstein writes that the prohibition is an "obvious" one.

<sup>7</sup> Although Rabbi Feinstein writes in this responsa that the problem is one of *mimachaik*, it is clear that he really means *mimarayach*. Rav Soloveitchik *zt"l* explained that cleaning the dirt off the teeth, which smoothes out the surface of the teeth would not constitute *mimachaik* because removal of dirt from the

Squeezing the toothpaste out of the tube is not prohibited on *Shabbos* because one does not reshape the toothpaste, he merely pushes it out of the bottle.

2. The lenient view. Rabbi Ovadiah Yosef *Shlit'a*<sup>8</sup> writes that there is no problem of *mimarayach* when one uses toothpaste because the intention is not to keep the toothpaste on the surface over which it is being spread. The intention is merely to use the toothpaste as a means of removing unwanted dirt from the teeth. Since the original intention was only to place the toothpaste on the teeth so that it may be immediately removed along with the unwanted dirt, the spreading of the toothpaste does not constitute a violation of *mimarayach*. Rabbi Yosef marshals two similar cases to support this assertion. First, the *Rema*<sup>9</sup> prohibits washing one's hands with "*boris*" (a soft type of soap) because of a problem of *nolad*<sup>10</sup>. Since the *Rema* only raises the problem of *nolad*, which by all accounts is intrinsically only rabbinic in nature, and does not mention a problem of *mimarayach* that is biblical in nature, Rabbi Yosef suggests, there must not be a problem of *mimarayach* when the intention is to immediately wash away the substance being spread. Second, the *Magen Avraham*<sup>11</sup> writes that one may rub saliva into the ground. This is not a problem of *mimarayach* because *mimarayach* only applies when one rubs the substance on top of something else, but when one's intention is to cause the saliva to disappear into the ground it is permissible. Similarly, Rabbi Yosef argues, one may rub toothpaste on teeth since the ultimate goal is to wash the toothpaste away. Rabbi Eliezer Waldenberg *shlit'a*<sup>12</sup> rejects the applicability of this second proof by distinguishing between

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surface of an item is not categorized as "smoothing". Only smoothing an item by removing part of its own surface is categorized as smoothing. He proved this assertion from the *gemara* in *Maseches Shabbos* 50a. Rabbi Soloveitchik was reported to have said that if brushing teeth were really a problem of *mimachaik*, one who brushes his teeth many times should be left without any teeth. For a similar confusion of this point see Responsa *Eretz Tzvi* 70. See *Nefesh Harav* page 168 for further elaboration of this point.

<sup>8</sup> Responsa *Yabia Omer* 4:Orach Chaim:27-30

<sup>9</sup> 326:10

<sup>10</sup> See later in this essay for further explanation of this concept.

<sup>11</sup> 316:24.

<sup>12</sup> Responsa *Tzitz Eliezer* 7:30:8.

the case of saliva and the case of toothpaste. Whereas the entire act of rubbing saliva into the ground serves no purpose other than merely disposing of it, toothpaste is rubbed onto teeth to serve a valuable function.

Rabbi Joseph B. Soloveitchik *zt"l*<sup>13</sup> also held that one violates *mimarayach* only when the newly smoothed layer remains on the surface. Since toothpaste is immediately washed away, leaving no residue on the surface of the teeth, there can be no issue of *mimarayach*. When Rabbi Soloveitchik was told by a student that toothpaste advertisements claim that the toothpaste provides a protective coating lasting for twenty four hours, he said that he was not convinced that there was any truth in the advertisements. Furthermore he pointed out that even if the advertisements were true, an invisible layer is not substantial enough to be recognized by the *halachah*<sup>14</sup>.

### B. Molid.

The *gemara*<sup>15</sup> states that one may not crush or squeeze ice or snow so that water flows. *Rishonim* approach this prohibition in two<sup>16</sup> ways. *Rashi* explains that the rabbis decreed that one may not perform any creative acts on *Shabbos* because creative activity resembles a *melacha*<sup>17</sup>. Changing the form of a substance is considered sufficiently creative for the Rabbis to prohibit doing so. This is what is commonly referred to as *molid*. *Rambam* and *Rashba*<sup>18</sup>, however, understand the nature of the prohibition of squeezing ice entirely differently. They explain that squeezing ice is rabbinically prohibited because it resembles *sechita*. Squeezing ice to the point that liquid flows from it is

<sup>13</sup> *Nefesh Harav* pages 168-169.

<sup>14</sup> See *Aruch Hashulchan, Yoreh Deah* 83:15.

<sup>15</sup> *Shabbos* 51a

<sup>16</sup> In truth there are three basic approaches to this *gemara*. The *Sefer Hatrumos*, cited by the *rishonim* ad. loc, believes that there is an issue of *nolad* (causing a significant change in an item even indirectly). However, for the purposes of this essay it is not necessary to explain this opinion and how it differs from *Rashi*. For a full discussion of this matter see Responsa *Yabia Omer* 4:28.

<sup>17</sup> In general rabbinic decrees are made because a certain activity is either likely to lead to the violation of a *melacha* or closely resembles a particular *melacha*. The concept of *nolad* is unusual in that it has no connection to any particular *melacha*. *Nolad* is rabbinically prohibited because the very notion of *melacha* is defined as creative activity. Therefore, engaging in very creative activities bears close resemblance to the entire concept of *melacha*. See Responsa *Maharil Diskin* 66.

<sup>18</sup> As explained by *Magid Mishnah, Hilchos Shabbos* 21:13.

prohibited just as squeezing juice from olives and grapes is prohibited because it causes a liquid to flow from a solid. One major practical difference between the two explanations would be whether or not it is permissible to change a liquid into a solid, as this would not resemble *sechita* but would certainly be considered a creative act. The *Mishnah Berurah*<sup>19</sup> quotes both of the opinions of *Rishonim*, seeming to indicate that we must follow the stringencies of both opinions. Therefore, it is forbidden to transform an item from solid to liquid form, or vice versa, for by doing so one produces a new entity.

1. The stringent view. Many *poskim*<sup>20</sup>, including Rabbis Moshe Feinstein and Yitzchak Ya'akov Weiss *zt'l* do not allow the use of toothpaste on *Shabbos* on the grounds of *molid*. When one brushes with toothpaste he changes the paste-like substance into a foamy substance thereby creating a new entity.
2. The lenient view. Rabbis Ovadiah Yosef<sup>21</sup> and Herschel Schachter *Shlit'a* do not believe that the change from a squishy paste-like substance to a squishy foam-like substance is a significant enough change to be classified as *molid*. One only violates *molid* when changing a solid into a liquid or vice versa, but changing a quasi-solid into a quasi-liquid does not violate *molid*. Rabbi Yosef, however, believes that this is the subject of a debate between the *Shulchan Aruch* and the *Rema*<sup>22</sup>. He is therefore only willing to be lenient for Sephardic Jews, but believes that Ashkenazic Jews, in keeping with their own customs, should not use toothpaste on *Shabbos*.

*Obviously, both the problems of mimarayach and molid can easily be avoided by using liquid toothpaste.*

<sup>19</sup> 320:33

<sup>20</sup> Responsa *Iggeros Moshe* 1:112, and *Minchas Yitzchak* 3:50.

<sup>21</sup> Responsa *Yabia Omer* 4:28, and cited in *Yalkut Yosef* 326:13.

<sup>22</sup> 326:10. See *Biur Hagra* ad. loc. Who supports the opinion of the *Shulchan Aruch* based on a *Tosefta*.

### C. Refuah.

One of the thirty nine-avos *melachos* of *Shabbos* is the *melacha* of *tochain*<sup>23</sup>. *Tochain* is defined as grinding a large mass into many tiny particles. Since it was common in Talmudic times to grind up herbs in the preparation of medications, *Chazal*<sup>24</sup> decreed that one may not use any medication on *Shabbos*, lest he come to grind his own medicine and violate *tochein*<sup>25</sup>.

1. The stringent view. *Rambam*<sup>26</sup> writes that one may not rub an ointment on his teeth if his intention in doing so is for medicinal purposes. If, however, the intention is only to gain fresh smelling breath it is permissible. Most brands of toothpaste that can be purchased in stores today contain both fluoride and some sort of desensitizing agent. Fluoride serves to strengthen the teeth and protect them from future decay. The desensitizing agent serves to make the teeth less sensitive to heat and cold. Since there is a medicinal effect to toothpaste, and the purpose of using toothpaste is not to merely freshen the breath, Rabbi Moshe Yonah Zweig *Shlit'a*<sup>27</sup> prohibits the use of toothpaste on the grounds that it is a *refuah*.
2. The lenient view. The overwhelming majority of *poskim* who discuss the issue of brushing teeth on *Shabbos* do not raise the issue of *refuah* at all. It would therefore seem that most *poskim* do not view this as a problem. We can suggest two possible reasons to be lenient in this area.
  - a. In general, preventative therapy is not included in the ban on taking medicine on *Shabbos*<sup>28</sup>. The logic for this exception to the rule is fairly simple. One who is currently healthy generally does not feel a true sense of

<sup>23</sup> *Mishna, Shabbos* 73a.

<sup>24</sup> *Shabbos* 53a, and codified in *Shulchan Aruch* 328:1.

<sup>25</sup> In terms of why this decree should still apply today when people do not commonly grind up their own medications, see *Rambam Hilchos Mamrim* 2:2. See, however, *Ra'avad* ad. loc. See also Responsa *Tzitz Eliezer* 8:15:15:4. Even though the decree clearly remains intact, many *poskim* treat it more leniently due to the fact that the reason for the decree no longer applies. See *Ketzos Hashulchan* 134:7. For possible explanation of this phenomenon see Responsa *Iggeros Moshe, Orach Chaim* 2:100

<sup>26</sup> *Hilchos Shabbos* 21:24.

<sup>27</sup> Responsa *Ohel Moshe* 2:98

<sup>28</sup> See *Shulchan Aruch* 328:27 and Responsa *Iggeros Moshe* 3:54.

urgency when taking preventative treatments. The calmer behavior that he exhibits makes it far less likely that he will act on impulse and do a *melacha* to provide relief<sup>29</sup>. As we described above, the chief function of fluoride is to prevent *future* decay, and the chief function of the desensitizing agent is to allow the teeth a greater tolerance to hot or cold items that it may come into contact with in the *future*. Therefore, there is no problem of *refuah* with the use of toothpaste. In fact, toothpaste has no real current medicinal value. If one has a cavity, the toothpaste cannot provide any relief or help treat the problem<sup>30</sup>.

- b. Even if one would argue that fluoride has a medicinal effect, and is not merely a preventative treatment, there still may be another reason not to consider toothpaste a *refuah*. The *gemara*<sup>31</sup> clearly states that *Chazal* only prohibited forms of therapy that are associated or appear to be associated with medication. To ingest something that is common for healthy people to ingest (known as *ma'achal bri'im*) would be perfectly permissible. For example, if somebody has a cold he may drink hot tea or chicken soup for therapeutic purposes because it is perfectly normal for a healthy person to drink hot tea or chicken soup<sup>32</sup>. Similarly, one may argue, that since even people with perfectly strong and healthy teeth brush regularly with toothpaste, it would be classified as *ma'achal bri'im* (healthy person's food) and would not violate the prohibition of taking medicine on *Shabbos*.

<sup>29</sup> *Magen Avraham* 328:31 and *Mishna Berura* 328:86.

<sup>30</sup> *Ketzos Hashulchan* 7:page 99, Responsa *Yabia Omer* 4:29, *Yalkut Yosef Shabbos*:4:page 73. It should be noted that at various times toothpaste companies have claimed that their products can have minor current medicinal effects. Most dentists that I have spoken to do not believe these effects to be of any substantial significance.

<sup>31</sup> *Shabbos* 109b, codified in *Shulchan Aruch* 328:37.

<sup>32</sup> Rabbi Joseph B. Soloveitchik *zt'l* was reported to have permitted the use of aspirin on *Shabbos* for this reason. Since it is normal for healthy people to take aspirin to prevent heart attacks he categorized aspirin as *ma'achal bri'im*. Rabbi Yonasan Shteif *zt'l* was reported to have allowed aspirin for the same reason. See Responsa *Be'er Moshe* 6:39 and *Sefer V'chai Bahem* page 209. See, however, Responsa *Minchas Yitzchak* 3:35 who does not consider aspirin to be *ma'achal bri'im*. In terms of the permissibility of taking vitamins on *Shabbos* see responsa *Iggeros Moshe* 3:54 and *Shemiras Shabbos Kehilchasa* 34:20.



### III. Issues Relating to the Toothbrush

#### A. *Sechita*.

Squeezing a liquid out of a solid in which it is absorbed is a violation of the prohibition of *sechita*. Most *poskim* understand that *sechita* is related to the *av melacha* of *dosh* (threshing). The *av melacha* of *dosh* entails the removal of an inedible attachment from produce by means of treading. The *gemara*<sup>33</sup> mentions that *mefarek* is a *toladah* of *dosh*. *Rashi*<sup>34</sup> explains that *mefarek* refers to unloading. For example, one who strikes the branch of a tree, thereby causing fruits to fall from the tree violates *mefarek* because he causes the tree to unload the fruit. The *Aruch Hashulchan*<sup>35</sup> explains that any separation of an item from within another item would constitute a *toladah* of *dosh*. Along the same lines, the *Rambam*<sup>36</sup> writes that squeezing fruits in order to extract the juice also constitutes *mefarek*.

The *gemara* states that squeezing absorbed liquids from a wet cloth violates a *melacha*. The leading *Rishonim* differ on precisely which *melachos* are involved. *Tosafos*<sup>37</sup> explains that squeezing liquids absorbed in a fabric is a *toladah* of *dosh*<sup>38</sup>. *Tosafos* also acknowledges that there is an additional prohibition of *melabain* when squeezing liquid from a garment. However, the prohibition of *melabain* would only apply to clear liquid that is useful for cleaning. Squeezing juices and other unclear liquids would not constitute a violation of *melabain*<sup>39</sup>. *Rambam*<sup>40</sup> maintains that squeezing liquid from a wet cloth is not *mefarek* at all (probably because the absorbed liquids are foreign to the

<sup>33</sup> *Shabbos* 73a.

<sup>34</sup> *Ibid*.

<sup>35</sup> *Orach Chaim* 320:3.

<sup>36</sup> *Hilchos shabbos* 8:10.

<sup>37</sup> *Kesubos* 6a.

<sup>38</sup> See *Rambam hilchos shabbos* 9:11 who understands that squeezing liquid from a garment is a problem of *melabain*.

<sup>39</sup> See, however, *Responsa Avnei Nezer* 159:20 who, in the course of explaining the opinion of the *Ramban*, suggests that *sechita* may be a problem of *melabain* because any absorbed liquid is undesirable in a fabric. A wet garment (even with a clear liquid) does not have an acceptable appearance, and expelling the liquid improves the garment.

<sup>40</sup> *Hilchos Shabbos* 9:11. *Rambam* seems to assume that there is no problem of *mefarek* when squeezing liquid out of a garment. This is evidenced by the fact that he does not mention the prohibition of squeezing liquid from a garment in the eighth chapter of *hilchos shabbos* where he talks about the *melacha* of *dosh*.

cloth. According to *Rambam* only the *melacha* of *melabain* is applicable to wet cloths or fabrics.

The *gemara*<sup>41</sup> clearly states that the prohibition of *sechita* does not apply when one squeezes liquid out of hair<sup>42</sup>. The reason for this ruling is that hair is not an absorbent material. The liquid is therefore never really absorbed in the hair. It merely appears to be absorbed because the hair is so tightly packed together that the liquid becomes trapped in between the strands. Most *poskim*<sup>43</sup> explain that the *gemara* does not intend to permit the squeezing of liquid from hair. It merely means that one who squeezes liquid from hair does not violate the biblical prohibition of *sechita* (*mefarek*), but is clearly in violation of the rabbinic prohibition because to the naked eye it appears that he has done *sechita*.

1. The stringent view. The nylon bristles of a toothbrush are made from a non-absorbent material, and are therefore not subject to the biblical prohibition of *sechita*. However, Rabbi Moshe Feinstein *zt'l*<sup>44</sup> rules that one should not use a wet toothbrush on *shabbos*. This ruling is based on the fact that the bristles of the toothbrush are densely packed (similar to hair). When one brushes with a wet toothbrush he pushes the brush against his teeth thereby releasing water that appeared to be absorbed in the brush.
2. The lenient view. Rabbi Yechiel Yakov Weinberg *zt'l*<sup>45</sup> offers a number of reasons that there should not be a problem of *sechita* when using a wet toothbrush.
  - a. First, he argues, since the person using the toothbrush has no intention to squeeze the water out, there is no prohibition to do so. Even though we generally forbid an unintentional action that is

<sup>41</sup> *Shabbos* 128b.

<sup>42</sup> See, however, *Aruch Hashulchan* 320:35 who suggests that perhaps there is reason to rule in accordance with the opinion of *Rav Ashi* in the *gemara* there who maintains that there is a biblical prohibition of *sechita* with hair.

<sup>43</sup> *Rambam Hilchos shabbos* 2:11 and *Kesef Mishnah* *ibid.*, *Hilchos shabbos* 9:11 and *Magid Mishnah* *ibid.*, *Beis Yosef* 330, *Magen Avraham* 320:23, and *Mishna Berura* 330.

<sup>44</sup> *Iggeros Moshe, Orach Chaim* 1:112. This view is shared by Rabbi Yitzchak Yakov Weiss *zt'l* in his responsa *Minchas Yitzchak*, 3:48 and by Rabbi Moshe Stern *zt'l* in his responsa *Be'er Moshe*.

<sup>45</sup> Responsa *Siridei Eish, Orach Chaim* 30.



certain to lead to the violation of a *melacha*<sup>46</sup>, the *Terumas Hadeshen*<sup>47</sup> and the *Magen Avraham*<sup>48</sup> write that when the prohibition in question is only rabbinic in nature one may perform an action that will lead to a definite violation of the prohibition<sup>49</sup>. It is important to point out that the view of the *Terumas Hadeshen* is not accepted by most *poskim*. The *Rema*<sup>50</sup> seems to prohibit violating a *pesik reisha*, even on a rabbinic prohibition<sup>51</sup>

- b. Second, as we have already explained, squeezing liquid out of a garment poses a problem of *mefarek* as well as *melabain*. With regard to the prohibition of *mefarek* if the extracted liquid is immediately rendered useless it is permissible. Thus, *mefarek* does not apply to the water extracted from the bristles of a toothbrush<sup>52</sup>. With regard to the prohibition of *melabein* even if the extracted liquid is

<sup>46</sup> This is the concept known as a *psik reisha*..

<sup>47</sup> Responsa *Terumas Hadeshen* 64.

<sup>48</sup> *Orach Chaim* 253:41.

<sup>49</sup> Rabbi Weinberg does acknowledge that the *Machatzis ha'shekel*<sup>49</sup> limits this leniency to the rabbinic prohibition of *amira l'akum* (asking a non-Jew to perform a *melacha* for you), and does not apply this leniency to other rabbinic prohibitions. However, he still believes that the reasons to be lenient with use of a toothbrush are so overwhelming that one need not be concerned with the opinion of the *Machatzis ha'shekel*. Rabbi Ovadia Yosef in his responsa *Yabia Omer* 4:30:19 gives an additional reason to be lenient. He points out that some *rishonim* (*Rashba*, *Shabbos* 128b, *Ritva* ibid.) the statement of the *gemara* that *sechita* does not apply to hair (or to other non absorbent materials) should be taken at face value, that there is not even a rabbinic prohibition to squeeze liquids from non absorbent materials. Although we would certainly view the opinions that there is a rabbinic prohibition as normative, we can use the opinion of the *Rashba* to create a *sfek sfeika* as follows: Perhaps the *halacha* is in accordance with the *Magen Avraham* who says that a *pesik reisha* is permitted on a rabbinic prohibition, and even if the *halacha* is in accordance with those who maintain that a *pesik reisha* is even prohibited for a rabbinic prohibition, perhaps the *halacha* is in accordance with the *Rashba* who maintains that there is no prohibition of *sechita* with non absorbent substances.

<sup>50</sup> 314:1.

<sup>51</sup> See *Rema* 316:3 and *Sha'ar Ha'tziyun* 316:18 who acknowledge that when there is an action that depends on two rabbinic prohibitions, it would be permissible to perform a *pesik reisha*. See, however, Responsa *Be'er Moshe* 1:34:7, 2:101-103, and 6:133:2 who cites many *rishonim* who permit a *pesik reisha* even with only one rabbinic prohibition, and concludes that we may rely on these *rishonim*.

<sup>52</sup> One may argue that the liquid extracted from a toothbrush is not rendered useless upon extraction because it does actually help in the cleaning of the teeth. One may argue further that squeezing the liquid out is in fact an intended result of the action (and not a *davar she'eino miskavein*) because you wet the toothbrush in the first place so that the water may be extracted and help in the teeth cleaning process. Indeed, Rabbi Shlomo Zalman Auerbach *zt'l* (in a response to Rabbi Weinberg printed both in the *Siridei Eish* and in *Minchas Shlomo* 2:35:3) does argue that these reasons to be lenient are unacceptable.

rendered useless, one still violates the prohibition of cleaning the garment, the toothbrush in this case. If, however, the garment is such that it's main function involves the absorption of liquid, one would not even violate *melabain* when using the garment in the normal fashion because there is no concern that he will come to launder the garment<sup>53</sup>. Clearly a toothbrush is meant to absorb liquid and hence there is no issue of *melabain* with the extraction of that liquid.

- c. Third, another reason to be lenient, is that the *Shulchan Aruch*<sup>54</sup> clearly states that it is permissible to use a sponge connected to the end of a handle. Even if a toothbrush is considered an absorbent material like a sponge, the fact that it has a handle would make it's use permissible. However, this depends on how we understand the basis for why a handle is critical. *Rambam*<sup>55</sup> maintains that the reason for the leniency regarding a sponge on a handle is that it is not inevitable that one will squeeze liquid out of such a sponge (i.e. it is not a *pesik reisha*). If this explanation is accepted it would seem that it should not be permissible to use a wet toothbrush even though it has a handle, because the extraction of some liquid is inevitable. However, *Ra'avad*<sup>56</sup> does not agree with the explanation offered by the *Rambam*. *Ra'avad* suggests that there is no problem of *sechita* when the sponge is on a handle because we view the inevitable extraction of liquid as if it were being poured from a pot (which is obviously not a violation of *sechita*)<sup>57</sup>. According to *Ra'avad's* explanation it would be permissible to use

<sup>53</sup> *Shulchan Aruch* 320:15 and *Magen Avraham* ibid.19.

<sup>54</sup> 320:17.

<sup>55</sup> *Hilchos shabbos* 22:15.

<sup>56</sup> *Ibid*.

<sup>57</sup> See Responsa *Minchas Yitzchak* 3:50:1 who cites the *Chazon Ish*, *Hilchos Shabbos* 56:5 who limits the explanation of the *Ra'avad* to situations where the sponge was originally made for the purpose of soaking and extracting liquids. In such a situation the liquid is never considered to be one unit with the sponge, and the separating of the two entities will therefore not violate *dosh*. It is similar to opening and closing a door on shabbos which is not a violation of *boneh* (building).

a wet toothbrush, as the presence of a handle is sufficient grounds to permit its use.

- d. The fourth reason offered by Rabbi Weinberg to permit the use of a wet toothbrush is perhaps the most creative of all the reasons he suggests. The *gemara*<sup>58</sup> allows one drying himself with a towel. The commentators<sup>59</sup> explain that the rabbis decided not to forbid this practice on the grounds that it may lead to *sechita*, because the standard practice was to dry one's self with a towel after washing<sup>60</sup>. To prohibit drying with a towel would be equivalent to prohibiting washing altogether. It was not considered feasible to prohibit washing altogether because people become extremely uncomfortable when they don't wash. Rabbi Weinberg suggests that the same logic may apply to brushing teeth. Since many people consider it to be an absolute necessity to brush their teeth it would not be feasible to apply the prohibition of *sechita b'se'ar* (squeezing liquid out of a non-absorbent substance) to a toothbrush.

Although Rabbi Shlomo Zalman Auerbach *zt'l* does not agree with all of the reasons offered by Rabbi Weinberg<sup>61</sup>, he does agree to the conclusion that we do not have sufficient grounds to prohibit the use of a wet toothbrush based on a problem of *sechita*. Rabbi Auerbach acknowledges that many God fearing people view this as a terrible prohibition, but he considers it to be amongst the things that are really permissible that people have treated as forbidden.

Any potential *sechita* problem may easily be avoided by simply not wetting the toothbrush before putting using it, and not rubbing the brush as water runs over it after use.

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<sup>58</sup> *Shabbos* 147b.

<sup>59</sup> cited in *Magen Avraham* 301:58.

<sup>60</sup> See *Rashi* to *Eruvin* 88 that this is referring to a case of one who bathed in cold water, as bathing in warm water (even if heated before shabbos) is prohibited. See also *Mishna Berurah* 326:21, *Shulchan Aruch Harav* 326:6, and *Aruch Hashulchan* 326:9 who all cite an ancient custom not to bathe even in cold water on shabbos. Interestingly, Rabbi Moshe Feinstein in *Iggeros Moshe, Orach Chaim* 4:74:Rechitza:3 strongly questions whether this custom applies to showering as well as bathing.

<sup>61</sup> see footnote 51 above.

### B. *Uvdim D'chol*.

*Chazal* prohibited engaging in certain otherwise permissible activities on Shabbos on the grounds that they are labeled “weekday activities”<sup>62</sup>. The exact parameters of “weekday activities” are not clearly delineated by *Chazal* or *Rishonim*. As a result it is difficult to classify which activities would be labeled as “weekday activities”.

In order to figure out the exact parameters of this principle one would have to analyze each case of *uvdin d'chol* found in *Chazal*. Such an analysis is beyond the scope of this essay. Instead we will merely mention some of the theories relevant to brushing one’s teeth mentioned by contemporary *poskim*.

Rabbi Shlomo Zalman Auerbach *zt”l*<sup>63</sup> expressed significant doubt as to exactly how to classify various activities, but offers a general rule that would work for most circumstances. If the normal way of doing a certain activity usually involves something that one may not do on Shabbos, that activity will be classified as a “weekday activity” even when done in a perfectly permissible fashion. If, however, the activity is normally performed without the involvement of any *melacha* it would be permissible to engage in that activity on Shabbos. Based on this explanation of *uvdin d'chol* it would seem that whether or not using a toothbrush is a problem of *uvdin d'chol* is completely dependant upon whether or not any of the other problems that we mention in this essay are valid concerns.

Rabbi Moshe Feinstein *zt”l*<sup>64</sup> defines *uvdin d'chol* as any action that resembles an action that is normally done exclusively on weekdays and is easily recognizable a weekday activity, even if it does not involve any Shabbos prohibitions<sup>65</sup>.

<sup>62</sup> See *Gemara Shabbos* 143b where gathering fruits that have spilled is prohibited on the grounds that it is a weekday activity. See, however, *Rambam Hilchos Shabbos* 21:11 who explains this *halacha* differently.

<sup>63</sup> *Me’or Hashabbos, michtavim* 2:2.

<sup>64</sup> *Responsa Iggeros Moshe, Orach Chaim* 4:74:tochein:4.

<sup>65</sup> See *ibid.* where Rabbi Feinstein explains many applications of *uvdin d'chol* based on this definition. Gathering spilled fruits is clearly prohibited in *Shulchan Aruch* 335:5 on the grounds of *uvdin d'chol* because gathering fruit into a basket is something that is generally done during the picking of the produce from the field on weekdays. *Mishna Berurah* 314:41 prohibits chopping wood with an ax on the grounds of *uvdin d'chol* because chopping wood is normally exclusive to weekday work. *Bach* 337 prohibits cleaning the house with certain cleaning utensils on the grounds of *uvdin d'chol* because cleaning the house is a chore that is always done before Shabbos in preparation of Shabbos. It remains unclear how Rabbi Feinstein deals with the *Mishna Berura* 303:87 (citing *Magen Avraham*) prohibiting the use of a normal hair brush, as use of a hair brush is hardly recognizable as a weekday activity.

1. The stringent view. Some *poskim*<sup>66</sup> view the use of a toothbrush as being a problem of *uvdin d'chol*. We find a precedent for such a ruling in the *Mishna Berurah*<sup>67</sup>. The *Mishna Berurah* rules that one who brushes his hair on Shabbos<sup>68</sup> must be careful to designate a special brush for Shabbos so as not to violate *uvdin d'chol*. Interestingly, Rabbi Ovadia Yosef indicates that *uvdin d'chol* is the only problem with brushing teeth on Shabbos. It seems clear that Rabbi Yosef works with a different definition of *uvdin d'chol* than Rabbi Auerbach does. This is so because according to Rabbi Auerbach, if the way one normally brushes his teeth does not constitute any Shabbos prohibition, we would automatically conclude that there is no issue of *uvdin d'chol*. Because brushing one's teeth is hardly an easily recognizable weekday activity, it would not satisfy Rabbi Feinstein's definition.
2. The lenient view. Most *poskim* do not raise the issue of *uvdin d'chol* in relation to brushing teeth at all. Since the issue is never addressed by these *poskim* we can only speculate as to why there is no problem of *uvdin d'chol*. Rabbi Herschel Schachter said that while he does not have a clear definition of *uvdin d'chol*, he intuitively<sup>69</sup> believes that there is no problem of *uvdin d'chol* with a toothbrush.

*It is important to point out that all of the above-mentioned poskim agree that the problem of uvdin d'chol is easily avoided by designating a special toothbrush specifically for Shabbos use.*

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<sup>66</sup> See *Ketzos Hashulchan* 7:138 in *Badei Hashulchan* 30, Responsa *Minchas Yitzchak* 3:48 and 3:50, and Responsa *Yabia Omer* 4:30.

<sup>67</sup> 303:87. It is interesting to note, however, that the *Mishna Berurah* does not explicitly prohibit the use of a weekday brush. He merely says that many people have the *custom* of using a special Shabbos brush.

<sup>68</sup> Brushing hair on Shabbos is normally a prohibition of *gozez*, but if done with a soft bristle brush in a way that one might not remove hair while brushing it is permissible.

<sup>69</sup> See *The 39 Melachos*, Rabbi Dovid Ribiat, Introduction to Shabbos, endnote 522 who says that the Chazon Ish believed that the specific halachos of *uvdin d'chol* are the province of the *poskim* and qualified *Rabbonim* of each generation.

### C. Removing the bristles.

Some *poskim*<sup>70</sup> raise the issue of accidentally removing the bristles of the toothbrush when brushing. These *poskim* point to the *Rema*<sup>71</sup> who forbids the use of a brush used to clean clothing out of a concern that some of the bristles will be detached. This statement of the *Rema* is the basis for much halachic literature trying to define exactly which prohibition is violated when bristles are pulled off, and understanding why an inadvertent destructive act should be prohibited at all<sup>72</sup>. For the purposes of this essay, it is not necessary to discuss this issue at length because most (if not all) toothbrushes will not lose any bristles in the course of normal brushing. Therefore, even if there once was a concern that the bristles would become detached, in twenty first century America we do not have to be concerned about this issue.

## IV. Ancillary Issues.

### A. Hachono.

The *gemara*<sup>73</sup> forbids one to wash dishes that were used late on Shabbos afternoon if they will not be used again until after Shabbos. *Rashi*<sup>74</sup> explains that this is forbidden because by washing the dishes one is effectively preparing the dishes for weekday use. This rabbinic ordinance was meant to preserve the restful nature of *Shabbos* and *Yom Tov* by refraining from activities that are not necessary for the day itself<sup>75</sup>. For this reason the *Mishna Berurah*<sup>76</sup> forbids one to make a bed on Shabbos if he does not plan on sleeping in it until after Shabbos.

1. The stringent view. Rabbi Moshe Feinstein *zt"l*<sup>77</sup>, Rabbi Ovadia Yosef *Shlit'a*<sup>78</sup>, and Rabbi Benzion Abba Shaul<sup>79</sup>

<sup>70</sup> See *Yalkut Yosef, Hilchos Shabbos* 326:24:4 and Responsa *Minchas Yitzchak* 3:48 and 50.

<sup>71</sup> *Orach Chaim* 337:2.

<sup>72</sup> For further details see *Taz* 337:3, *Mishna Berura* 337:14, *Sha'ar Hatziyun* 337:10, *Biur Halacha* 337 "shelo", Responsa *Minchas Yitzchak* 3:48 and 50, *Minchas Shabbos* 80:117.

<sup>73</sup> *Shabbos* 118a. See *Shulchan Aruch* 323:6 and *Mishna Berurah* 323:28.

<sup>74</sup> *Ibid.*

<sup>75</sup> See *Ra'avad, Hilchos Shabbos* 23:7 and *Magid Mishna* *ibid.*

<sup>76</sup> 302:19 citing *Magen Avraham*.

<sup>77</sup> Responsa *Iggeros Moshe* 1:112.

<sup>78</sup> Responsa *Yabia Omer* 4:30:20.

<sup>79</sup> Responsa *Ohr Li'Tziyon* volume 2 page 253.



point out that even if one devises a permissible way to use a toothbrush on Shabbos, he must be careful not to wash the toothbrush after using it, unless he plans on using it again on Shabbos. This is forbidden because one only washes his toothbrush so that it will be clean for its next use (after Shabbos)<sup>80</sup>.

2. The lenient view. There are two possible reasons for allowing one to wash a toothbrush after its final Shabbos use.
  - a. Rabbi Shlomo Zalman Auerbach *zt'l*<sup>81</sup> states that routine, effortless activities that people do as a matter of course are not a violation of *hachono* even when intended for post-Shabbos needs. For this reason it is permissible to return a *sefer* to the shelf after use<sup>82</sup>, or to return food to the refrigerator after use<sup>83</sup>. One may argue that washing off a toothbrush after use is included in the category of permissible commonplace activities. It is an act that is done subconsciously without any thought to prepare for post-Shabbos use<sup>84</sup>.
  - b. Rabbi Herschel Schachter *Shlit'a* believes that people generally do not wash off their toothbrushes with the intention of having a clean toothbrush for later use. People generally wash their toothbrushes because it is

<sup>80</sup> Interestingly Rabbi Yitzchak Yosef *shlit'a* (Rabbi Ovadia Yosef's son) writes that the problem with washing a toothbrush off after use is not one of *hachonoh*, but one of *sechita*. Although he permits the use of a wet toothbrush to actually brush the teeth, he only does so because the extracting of water while brushing is an undesired automatic result on a material that is only subject to *sechita* on a rabbinic level. This same leniency cannot apply to the extracting of water from the bristles when washing the toothbrush because one certainly desired the extraction of the liquid when attempting to clean his toothbrush. Rabbi Yosef (the son) believes that this was in fact the intention of his father in prohibiting washing the toothbrush after use. However, a thorough reading of Rabbi Ovadia Yosef's responsa reveals that his reasoning for prohibiting washing the toothbrush was in deference to Rabbi Feinstein who clearly prohibited it on the grounds of *hachonoh* alone.

<sup>81</sup> cited in *Shemiras Shabbos Kehilchasa* 28:81. See also *Yalkut Yosef, Dinei Hachonoh B'Shabbos*:12 for a similar idea.

<sup>82</sup> *Shemiras Shabbos Kehilchasa* 28:81.

<sup>83</sup> *Ibid.*

<sup>84</sup> See *Yalkut Yosef* 326:footnote 27 who makes this very point.

considered unappealing to leave a dirty toothbrush lying around<sup>85</sup>.

#### B. *Chavalah*.

One of the thirty nine *avos melachos* of *Shabbos* is *shochait* (slaughtering). The *melacha* of *shochait* is not limited to the act of slaughtering. Any form of *netilas neshama* (taking life), whether it be through poisoning, drowning etc., is a violation of *shochait*<sup>86</sup>. Causing a bleeding wound, even if no life is taken, is also considered to be a violation of *shochait*. This is true because the *Torah* considers blood as a form of life itself. Therefore, drawing blood from a living body is tantamount to taking part of the soul of that living being<sup>87</sup>. *Rambam*<sup>88</sup>, however, understands the prohibition to cause bleeding to be entirely unrelated to the *melacha* of *shochait*. He maintains that one only violates *shochait* when actually killing something. Instead, *Rambam* explains that causing bleeding is considered to be a form of *dosh*, because the blood becomes extracted from the blood vessels.

There are two practical differences relating to the above mentioned *machlokes*. First, according to those who consider it to be a problem of *shochait* there is no minimum amount of blood to be drawn before violating the *melacha*. If, however, the problem is one of *dosh*, one does not violate the *melacha* unless he extracts the amount equivalent to a *grogeres* of blood. Second, if the problem is one of *shochait*, one can violate the

<sup>85</sup> Personal conversation with the author in 1999. *Yalkut Yosef* 326:footnote 27 makes this point as well. Rabbi Schachter pointed out that this would be especially true for someone with a large family where there will be many dirty toothbrushes lying around in close proximity to each other. *Mishna Berurah* 302:19 applies this logic to making beds on *Shabbos* when having unmade beds lends an unseemly appearance to the house. See, however, Responsa *Be'er Moshe* who states that if one does not spend time in his bedroom it would be prohibited to make a bed. It seems that this is not a *machlokes* in *halacha* as everyone would agree that if the action is done for post-*Shabbos* preparation it would be forbidden. Similarly, everyone would agree that something done to enhance *oneg Shabbos* would be permissible. The entire discussion depends on one's personal motivation. In a home that people are always careful to keep every corner neat and clean it would seem to be permissible to wash a toothbrush or make a bed on *Shabbos*. In a home where cleanliness and neatness is not stressed all would agree that it would be forbidden to wash a toothbrush or make a bed.

<sup>86</sup> *Rambam Hilchos Shabbos* 11:1.

<sup>87</sup> See *Yerushalmi Shabbos* 7:2, *Tosafos Kesubos* 5b "dam", *Biur Halacha* 316:8 "hachovel" in the name of *Ramban, Rashba, Ritva, and Meiri*, and see also *Mishna Berura* 316:29.

<sup>88</sup> *Hilchos Shabbos* 8:7

*melacha* even if there is no need for the blood, and it is immediately rendered useless upon extraction. However, if the problem is one of *dosh*, the *melacha* is only violated when the blood itself is needed for some purpose (see *Sechita* 2b above)<sup>89</sup>.

1. The stringent view. When brushing it is very common for people to inadvertently cause themselves to bleed. This is especially true if one uses a dry toothbrush (as many *poskim* require one to do because of problems of *sechita*). In general one is supposed to stay away from activities that will cause him to bleed<sup>90</sup>. A number of *poskim*<sup>91</sup> suggest that one not brush his teeth on *Shabbos* because of the likelihood that he will bleed.
2. The lenient view. There are two basic reasons that one would not be concerned with the possibility of causing bleeding.
  - a. Rabbi Ovadia Yosef *Shlit'a*<sup>92</sup> points out that we need not be concerned unless dealing with a person who will *definitely* bleed when he brushes. This is so because if there is a likelihood that the person will not bleed, the act of brushing is considered a *davar she'eino miskavein* (unintended result<sup>93</sup>), which is permissible. Only one who rarely brushes his teeth, and is therefore very likely (or almost definitely) going to bleed may not brush because even though he may not intend to bleed, this is in the category of *pesik reisha*, which is prohibited. Based on this, only one who does not always bleed may use a toothbrush on *Shabbos*.

<sup>89</sup> *Bi'ur Halacha* 316:8 “*chavalah*”.

<sup>90</sup> See for example *Magen Avraham* 328:33.

<sup>91</sup> Responsa *Minchas Yitzchak* 3:50, Responsa *Ohel Moshe* 2:98.

<sup>92</sup> Responsa *Yabia Omer* 4:29:17.

<sup>93</sup> People used to believe that there was some benefit to the gums when one bled during brushing. If that were the case we would not be able to classify the bleeding as an unintended result, since the overall dental hygiene is clearly the intended result of the brushing. However, I have been assured through conversations with many dentists that there is absolutely no benefit to the teeth or the gums when there is bleeding. That being the case, we can surely classify the bleeding as a *davar she'eino miskavein*.

- b. Even if we are dealing with a person who always bleeds when brushing, there may still be room to be lenient. We mentioned the concept of a *psik reisho d'lo nicha lei* (an act that inevitably leads to a *melacha* that is not desired). Although most *poskim* would view a *psik reisho d'lo nicha lei* as a rabbinic prohibition, the *Aruch*<sup>94</sup> holds that it is entirely permissible. Since bleeding during brushing would be an undesired result, the *Aruch* would clearly permit the brushing even if the bleeding is inevitable. Although we generally do not follow the *Aruch's* opinion<sup>95</sup>, there is an additional lenient consideration in this case. According to *Rambam* (who understands the prohibition of causing one to bleed to be associated with *dosh*) one does not violate any *melacha* if he has no use for the blood. When combining the opinion of *Rambam* with those who permit a *psik reisho d'lo nicha lei* there may be sufficient grounds to be lenient.

**V. The Practical Opinions.** With so many issues involved in the normal act of brushing teeth, there can theoretically be hundreds of different opinions as to which issues we must be wary of. However, leading *poskim* have split into four basic camps. We will list the most prominent practical opinions starting with the most lenient and ending with the most stringent.

- A. The opinion of Rabbi Yosef Dov Halevi Soloveitchik *zt'l* and *yibadel l'chaim tovim* Rabbi Herschel Schachter *shlit'a*. According to these *poskim* it is absolutely permissible to brush teeth on *Shabbos* with a wet toothbrush and toothpaste. It is also permissible to wash the toothbrush after brushing.
- B. The opinion of Rabbi Ovadia Yosef *shlit'a*<sup>96</sup>. Rabbi Yosef holds that one may use a wet toothbrush and toothpaste. However, one must set aside a separate toothbrush specifically for *Shabbos* use due to the concern of *uvda d'chol*. It is also

<sup>94</sup> Cited in *Tosafos Shabbos* 103a "d'ka'avid" and *Tosafos Kesubos* 6a "Hai". See also *Shulchan Aruch Orach Chaim* 320:18 and *Mishna Berura* 336:27.

<sup>95</sup> See *Shulchan Aruch* and *Mishna Berura* *ibid*. See also *Biur Halacha* 320:18 and 277:2.

<sup>96</sup> *Responsa Yabia Omer* 4:30.

preferable not to wash the toothbrush after brushing due to concerns of *hachono*.

- C. The opinion of Rabbis Yechiel Yakov Weinberg and Shlomo Zalman Auerbach *zt"l*<sup>97</sup>. One may not use regular toothpaste on *Shabbos* due to concerns of *mimarayach*. However, it is perfectly permissible to use liquid toothpaste on the toothbrush, and brush normally.
- D. The opinion of Rabbi Moshe Feinstein *zt"l*<sup>98</sup>. One should not use toothpaste due to a problem of *mimarayach*, and should not wet the toothbrush before using it due to a problem of *sechita*. The toothbrush should also not be washed off after brushing due to problems of *hachono*. The best method of brushing according to Rabbi Feinstein is to put mouthwash or liquid toothpaste directly into the mouth. One may then take a dry toothbrush and brush normally (provided that he is not certain to bleed). One must be careful not to turn on the hot water tap (as this is a problem of cooking) and not to wash the toothbrush after brushing.

## VI. Conclusion.

It is not the purpose of this essay to choose the opinions of some *poskim* over others. We have outlined the major issues that pertain to brushing teeth on *Shabbos* and given reasons to be stringent or lenient with each issue. It goes without saying that one should consult his *Rav* or local *halachic* authority to find the most appropriate method of maintaining dental hygiene on *Shabbos*.

<sup>97</sup> Responsa *Seridei Eish*, *Orach Chaim* 30.

<sup>98</sup> Responsa *Iggeros Moshe*, *Orach Chaim* 112.