



# KOF-K

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בס"ד

## Uncovered Beverages

In the time of *Chazal* there was a concern that one should not drink water,<sup>1</sup> wine, milk,<sup>2</sup> and honey<sup>3</sup> that was left uncovered because of a snake whose venom might have gotten into the drink and it will cause the person danger. Today, snakes are not commonly found and therefore, most of *klal yisroel* are not concerned for this *halacha* (except for *Kiddush*, see below).<sup>4</sup> However, there are some *poskim* who says that even today one should be careful with this.<sup>5</sup> Some say even for those who are lenient, if the beverage was left uncovered all night one should be stringent.<sup>6</sup> The *Gr'a*<sup>7</sup> and the *Chazon Ish*,<sup>8</sup> among other *gedolim*, were stringent with this. It is said that the *Chazon Ish* was concerned about leaving yogurt uncovered as well.<sup>9</sup> Some say if one is careful with uncovered beverages he will not have foreign thoughts while *davening*.<sup>10</sup> If the beverage

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<sup>1</sup> The Stiepler zt"l said uncovered beverages applies to beer (Orchos Rabbeinu 1:page 206:1). One should dry the droplets that are left on a glass after drinking (Orchos Rabbeinu 1:page 208:7). The Stiepler was not concerned with this *inyun* in regard to coffee and tea (Orchos Rabbeinu 5:page 129:5, see 1:page 206:17).

<sup>2</sup> It is not applicable to cheese (Orchos Rabbeinu 1:page 207:2, *ibid*:3, 5:pages 127-129, see *Shemiras Hanefesh* page 43:47).

<sup>3</sup> *Mesechtas Chullin* 49b. see *ibid* 10a, see Orchos Rabbeinu 1:page 207:3 who is lenient.

<sup>4</sup> Horav Yisroel Belsky Shlita, see Tur Y.D. 116, Shulchan Aruch 116:1, Taz 115:10, Levush 1, Pri Chadash 1, Darchei Teshuva 8, Aruch Ha'shulchan 2, Pe'as Sudcha 86, see Prisha 22, Ben Ish Chai Bereishis 2:25, Kaf Ha'chaim 6, see *Minchas Yitzchok* 9:85. The *Matei Yehonoson* 116:1 says the reason why there is a *heter* if no snakes are around and one is lenient is because at the time of the *halacha* it was only made in a place where there are snakes, so if there are no snakes then one does not have to adhere to the *halacha* since it is not relevant anymore. If such a clause was not made at the time of the *halacha* then even if the reason does not apply the *halacha* would still be applicable.

<sup>5</sup> Elya Rabbah 170:24, Pri Megadim M.Z. O.C. 170:10, Pischei Teshuva Y.D. 116:1, Nishmas Kol Chai Y.D. 40, *Kitzur Shulchan Aruch* 33:5, Darchei Teshuva 6, Kaf Ha'chaim 170:82, *Lekutei Maharich* 1:page 225 (new), *Me'am Loez* *ibid*: page 237, *Oz Nedberu* 5:45, Orchos Rabbeinu 1page 206:17, 5:page 130:7 says the Steipler zt"l was very careful in this *inyun*. Refer to *Rivevos Ephraim* 5:11. This applies by day and by night (Rambam Hilchos Rotzeach V'shemiras Hanefesh 11:11). (If one is *makpid* there is no *heter* even for one's *parnasa* (*Shemiras Hanefesh* page 38:10 quoting the opinion of Horav Chaim Kanievesky Shlita). Some are careful with fruits that have moisture as well (Rambam Hilchos Rotzeach V'shemiras Hanefesh 12:2, Tur Y.D. 116). Some say one should dry the water off a washed fruit (*Shemiras Hanefesh* page 42:35 quoting the opinion of Horav Chaim Kanievesky Shlita).

<sup>6</sup> Darchei Teshuva 10, *Shevet Ha'kehusi* 1:230, see Kaf Ha'chaim O.C. 272:7.

<sup>7</sup> Pischei Teshuva *ibid*, *Massei Rav* 95. Some say the concern is even by a dead snake, but the *halacha* does not follow this opinion (Darchei Teshuva 2).

<sup>8</sup> *Taamei D'kra hanhugos* of the Chazon Ish 27, 47, *Shemiras Haguf V'hanefesh* page 122:footnote 1.

<sup>9</sup> *Taamei D'kra hanhugos* of the Chazon Ish 27.

<sup>10</sup> *Massei Rav* page 123:footnote 4, *Shemiras Hanefesh* (*Lekutei M'HaGra*) page 7.



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is put on a plate too high for a snake to reach it is permitted.<sup>11</sup> Some say that within a one floor house which is near a field one should be careful with uncovered beverages.<sup>12</sup>

Even though beverages left are not prohibited because of *gilu*, one should not keep them uncovered because some bugs or dirt might get into the drink.<sup>13</sup>

According to those who are stringent it is noteworthy to mention some of the pertinent *halachos* in this *inyun*.

A way to avoid drinks being considered "revealed" is if a person is watching the drink to make sure that no snake drinks from the beverage. The reason why this helps is because snakes are scared to go near a living person.<sup>14</sup> One who slept near the drink has not prevented the drink from coming to danger.<sup>15</sup> The *shiur* that the drink may not be left varies. Some say 5-6 hours,<sup>16</sup> others say twenty minutes<sup>17</sup> and some say one or two minutes.<sup>18</sup> Some say one should not leave a dish with food uncovered for the above period of time, but the custom is not like this opinion.<sup>19</sup>

Those who are stringent with this *halacha* may not drink the beverage even if the uncovered water etc is *butel b'shishim*.<sup>20</sup>

### Using the Water for *Netiylas Yudayim*

Water that was left uncovered may be used for *netiylas yudayim* for a *seuda*.<sup>21</sup>

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<sup>11</sup> Poskim.

<sup>12</sup> Opinion of Horav Ben-zion Abba Shaul zt"l quoted in Hechseiros page 430:footnote 61.

<sup>13</sup> Kaf Ha'chaim Y.D. 116:9. Refer to Rivevos Ephraim 4:217 who speaks about an urn left uncovered on a fire, see Shemiras Hanefesh page 38:14-15.

<sup>14</sup> Gemorah Avoda Zara 30a, Rambam Hilchos Rotzeach V'shemiras Nefesh 11:11, Tur Y.D 116, Chelkes Binyonim 3, Oz Nedberu 1:7, Orchos Rabbeinu 1:page 206:17.

<sup>15</sup> Aruch Ha'shulchan 116:3. Some say this is even if one was awake and then fell asleep (Shemiras Hanefesh page 47:77 quoting the opinion of Horav Chaim Kanivesky Shlita).

<sup>16</sup> Refer to Divrei Malkiel 4:1.

<sup>17</sup> Oz Nedberu 1:7.

<sup>18</sup> Refer to Ben Ish Chai Ibid. The Chazzon Ish was concerned even if the beverage etc was uncovered for a split second (Orchos Rabbeinu 1:page 207:6).

<sup>19</sup> Kaf Ha'chaim 3.

<sup>20</sup> Darchei Teshuva 12.

<sup>21</sup> Tur 160, Bais Yosef, Levush 5, Sharei Teshuva 4:7, Mishnah Berurah 160:23, Kaf Ha'chaim Y.D.116:8, V'haish Mordechai pages 436-437. Some say one should be careful with this *inyun* if possible (Kaf Ha'chaim O.C. 160:2).



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## A Water Dispenser

Many homes contain a water dispenser in their house. The question arises whether one has to be concerned for it being uncovered since there is a small hole that the water comes out of. One may keep the water in the dispenser without covering it because the snake will not get there.<sup>22</sup>

## Potatoes in Water

Some people peel a potato and place it in water and leave it over night and drink the water the next morning. It is said to be helpful for fatigue. One should be careful when doing this to cover the water before going to sleep.<sup>23</sup>

## Uncovered Oil

The *din* of uncovered beverages does not apply to oil. Therefore, one is permitted to use oil that was left uncovered for lighting *Chanukah neiros*.<sup>24</sup>

## In The Fridge

If one places uncovered water etc. in the fridge one can leave it that way and one does not have to be concerned for *gilu*. Since it is in a closed place, the snake does not get there.<sup>25</sup> The same would apply to leaving water etc. in a room that is locked.<sup>26</sup>

## Covering the Beverages

Some hold that one should not leave any of the beverages uncovered today. However, if one places something over the beverage even a piece of paper, then one may drink the beverage.<sup>27</sup>

## Uncovered Water for *Netyilas Yudayim* (*Shacharis*)

Some people are *makpid* not to use water for *netiyas yudayim* of the morning which was not covered all night.<sup>28</sup> The *minhag* of most people is to be lenient in this issue.<sup>29</sup> One

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<sup>22</sup> Rivevos Ephraim 8:287.

<sup>23</sup> Rivevos Ephraim *ibid*.

<sup>24</sup> Shevet Ha'kehusi 3:200, Shiurei Halacha (Chanukah) page 17.

<sup>25</sup> Opinion of Horav Elyashiv Shlita quoted in Hechsheiros page 432:footnote 75, Shemiras Haguf V'hanefesh page 126:footnote 4 quoting the opinion of the Chazon Ish, Tzohar 7:page 149:10 quoting the opinion of Horav Chaim Kanievesky Shlita.

<sup>26</sup> Rivevos Ephraim 8:578:23.

<sup>27</sup> Shemiras Haguf V'hanefesh page 126:footnote 4 quoting the opinion of the Chazon Ish, Orchos Rabbeinu 1:page 208:10, Shemiras Hanefesh (Hanhugos of the Chazon Ish) page 9, Orchos Rabbeinu 1:page 206:17.



should not put the water for *netiylas yudayim* under his bed.<sup>30</sup> If the water was placed there it may be used.<sup>31</sup> Others say the water should not be used in this situation.<sup>32</sup>

### Miscellaneous *Halachos*

A cup of water etc which was mixed with other non-covered beverages may not be used.<sup>33</sup>

If one is sitting in one room and he can see the water etc that is uncovered from the second room it would help to make the beverage be considered uncovered.<sup>34</sup>

A child may help to watch out for any snake, and make sure that it does not do any damage.<sup>35</sup>

There is an uncertainty if one has to be concerned about ice in regard to uncovered beverages.<sup>36</sup>

If one is unsure if a certain drink was left uncovered he can be lenient.<sup>37</sup>

There is no concern of *ba'al tashchis* if one throws out a beverage that was left uncovered.<sup>38</sup>

### Uncovered Wine for *Kiddush*

*Kiddush* wine has restrictions aside from the issue of snakes (which many people aren't concerned about nowadays). One is not allowed to make *kiddush* on wine which was left

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<sup>28</sup> Horav Yisroel Belsky Shlita, see, Hameir L'aretz (Malbim) 4:17, Massei Rav 95, Kaf Ha'chaim Palagi 8:11, Lev Chaim 1:62, Masef Lechul Hamachanus 4:13, Shemiras Haguf V'hanefesh 44:6:footnote 6 quoting the opinion of the Chazon Ish.

<sup>29</sup> Sharei Teshuva 4:7, Birchei Yosef Y.D. 116:4, Shiurei Beracha 116:4, Lev Chaim 1:7, Aruch Ha'shulchan 4:16, Rivevos Ephraim 4:4, 6:70, 8:491:1, Shevet Ha'kehusi 3:224, Halacha Berurah 4:15, Tzitz Eliezer 14:2:3.

<sup>30</sup> Chinah D'chaya 59, Aver Orech 4:2, see Minchas Gidiyon page 92.

<sup>31</sup> Shraga Hameir 7:72:7, see 3:26:10.

<sup>32</sup> Teshuvos V'hanugos 2:1, see Minchas Gidiyon ibid, Orchos Rabbeinu 1:page 206:17 quoting the opinion of the Chazon Ish.

<sup>33</sup> Refer to Shemiras Hanefesh page 42:38 quoting the opinion of Horav Chaim Kanievesky Shlita.

<sup>34</sup> Shemiras Hanefesh page 39:17 quoting the opinion of Horav Chaim Kanievesky Shlita.

<sup>35</sup> Shemiras Hanefesh pages 39- 40:20-21 quoting the opinion of Horav Chaim Kanievesky Shlita.

<sup>36</sup> Shemiras Hanefesh page 40:22 quoting the opinion of Horav Chaim Kanievesky Shlita.

<sup>37</sup> Orchos Rabbeinu 1:page 208:11.

<sup>38</sup> Shemiras Hanefesh page 41:31: quoting the opinion of Horav Chaim Kanievesky Shlita.



uncovered.<sup>39</sup> The reason is not because of any concern of a snake, but it is not honorable for the wine if left uncovered.<sup>40</sup> One may not use this wine even *b'dieved*.<sup>41</sup> The same *din* applies to *havdala*,<sup>42</sup> and *birchos hamozon*.<sup>43</sup> If one left the wine uncovered for a "small amount of time" it is permitted.<sup>44</sup>

### Left in Fridge

If one left wine or grape juice in the fridge, and the taste does not taste like the "fridge" then one may use the wine. This is very common when one has a bottle of wine that has a cork and the cork popped off while in the fridge.<sup>45</sup>

### The Night of the *Seder*

A question arises why at the *seder* it is possible to leave the wine uncovered on the table for so long.

Some say since the cup of wine is there for *maggid* it is considered part of the meal and there is no concern.<sup>46</sup> Some say since one is watching it the wine is not considered uncovered even in regard to wine for *kiddush*.<sup>47</sup> Others derive from the fact that the *seder* goes for so long and the wine is uncovered that the time that the wine may be left uncovered is 2-3 hours.<sup>48</sup> However, many disagree with this premise.<sup>49</sup>

If one fills up the cup of *Eliyahu* and wishes to make *kiddush* on it the next morning he should cover it before going to sleep.<sup>50</sup>

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<sup>39</sup> Shulchan Aruch O.C. 272:1, Levush 1, Shulchan Aruch Harav 272:1, Nishmas Kol Chai Y.D. 12, Ben Ish Chai Bereishis 2:25, Kitzur Shulchan Aruch 77:5, Mishnah Berurah 3, Minhag Yisroel Torah 272:1, Orchos Rabbeinu 1:page 209.

<sup>40</sup> Magen Avraham 1, Taz 2, Levush 1, see Pri Megadim M.Z. 1, Da'as Torah 272:1. Refer to Madanei Osher Y.D. 150.

<sup>41</sup> Mishnah Berurah 1, see Biur Halacha "ein m'kadshin." The Kaf Ha'chaim 10 says one should not make *kiddush* again if one used wine which was uncovered. (Refer to Nishmas Kol Chai Y.D. 14).

<sup>42</sup> Birchei Yosef 272:1, Kaf Ha'chaim 272:7, Yalkut Yosef 272:1-2.

<sup>43</sup> Nishmas Kol Chai Y.D. 13.

<sup>44</sup> Mishnah Berurah 3, Shar Ha'tzyion 4, Kaf Ha'chaim 7, Bris Olom page 23:32, see Magen Avraham 1 who says it may be good.

<sup>45</sup> Shevet Ha'kehusi 1:112, Nishmas Shabbos 2:94. Refer to Shar Ha'tzyion 272:3.

<sup>46</sup> Ketzos Ha'shulchan 46:badi 2, Shemiras Shabbos K'hilchoso 47:footnote 90, Mivakshei Torah (Hilchos Pesach) page 546:10, Shalmei Moed page 374.

<sup>47</sup> Oz Nedberu 1:7, Shalmei Moed page 374:footnote 194.

<sup>48</sup> Ketzos Ha'shulchan *ibid*.

<sup>49</sup> Shalmei Moed page 374.

<sup>50</sup> Refer to Hechsheiros 18:footnote 67, Shulchan Shlomo 272:11, Shalmei Moed page 374, Natei Gavriel Pesach 2:71:footnote 13.