# YESHIVAT HAR ETZION ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

**Deracheha: Women and Mitzvot** 

Cosmetics & Shabbat II: Scent and Healing

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By Laurie Novick

Rav Ezra Bick, Ilana Elzufon, Rav Mordechai Friedman, Shayna Goldberg, eds.

MAY ONE APPLY SCENTED OR ENRICHED PRODUCTS ON SHABBAT? WHAT ARE THE PARAMETERS OF USING SKINCARE PRODUCTS FOR HEALING ON SHABBAT?

<u>In Part I</u>, we discussed the types of products that can be applied to skin and hair on Shabbat, focusing on the nature and consistency of oils, creams, lotions, sprays, and sticks. Here, we turn to a few significant questions of function. Under what circumstances can we use products that impart a pleasant odor? What about those that serve a healing function – curing an ailment, relieving discomfort, or maintaining health?

## **Scented Products**

According to a midrashic tradition, perfume has long been important to Jewish women, so much so that the forty years of Benei Yisrael wandering in the wilderness were unique in part because women didn't use perfumes there.

#### Sifri Bemidbar Baha'alotecha 89

...All forty years that Israel were in the wilderness, a woman did not require varieties of perfume, rather she adorned herself with the manna...

Ezra enacted that peddlers travel from town to town. Rashi explains that their purpose was to sell perfumes to women:

#### Bava Kamma 82a

Ezra made ten enactments...and that peddlers travel between the cities.

## Rashi Bava Kamma 82a

Peddlers- bringing perfumes to women to adorn themselves with.

In a reflection on a midrash comparing aspects of the Jewish people's relationship to God to the function of perfume in a marital relationship, Dr. Aviva Gottlieb Zornberg

talks of its significant, intangible effects:

## Dr Aviva Gottlieb Zornberg, The Particulars of Rapture, pp. 488-489

...Like perfume, the reunion of God and Israel is irresistibly disseminated in the larger world. Perfume is expressive of all that is "undemonstrable" about the intimacy of a relationship. Private, idiosyncratic, it circulates to unpredictable effect. God's presence among the people has a similarly pervasive and enigmatic effect.

Given the significance of scent, is there a halachic constraint on using products for scent on Shabbat? In the Talmud, Rabba and Rav Yosef agree that applying scent to **fabric** is prohibited on Yom Tov:

## Beitza 23a

Rabba and Rav Yosef both said: Turning over a cup [containing perfume] onto silks on Yom Tov is prohibited. What is the reason? Because it generates a scent.

Rashi explains what is at issue:

#### Rashi ad loc

Because it generates a scent...- and it is rabbinically prohibited, because he generates a new thing, which is close to performing a new *melacha*.

Creating a scent may be considered a form of *molid*, creating a new entity, which is similar to what *melachot* do. According to a number of halachic authorities, creating a new entity in this way is prohibited rabbinically on Shabbat (as well as on Yom Tov).<sup>1</sup> Later halachic authorities debate whether applying scent to one's **body** raises a similar concern.

# On the Body

We might infer that there is no constraint on applying scent to the body, based on a discussion in the mishna of using rose oil, where no such issue is raised. But this proof is not clearcut, since the intention in applying the rose oil may have been for healing. (We'll see this source later when we discuss using oil for healing.)

Another mishna permits a woman who has placed pepper or salt in her mouth in order to refresh her breath to walk in the public domain on Shabbat.

## Mishna Shabbat 6:5

A woman goes out [of the private domain on Shabbat]...with pepper and a salt crystal and anything that she places in her mouth, as long as she does not initially place it on Shabbat...

# Rambam, Commentary on the Mishna Shabbat 6:5

She places in her mouth pepper and a salt crystal and the like to remove the odor if she is someone with mouth odor.

<sup>&</sup>lt;sup>1</sup> Rambam, for example, does not mention this case explicitly in Laws of Yom Tov 4:6. According to a number of commentators there, with the notable exception of Maggid Mishneh, this is because he does not rule this way.

Rav Ya'akov Emden rejects this mishna as grounds for permission for applying scent to the body in general, but does recognize it as a basis for using products that eliminate foul body odor.

## Responsa She'elat Ya'avetz I:42

Similarly, one cannot bring a proof to permit from that which we taught, that she goes out with the pepper that she places in her mouth, [or that] they permitted chewing gum for mouth odor, for these are different, for they did them in order to remove a bad odor, and did not need them to generate a scent.

This discussion provides grounds for using deodorant or mouthwash to resolve unpleasant odors on Shabbat. It leaves unresolved the question of adding a pleasant scent to the body where there is no unpleasant odor.

In a discussion of washing the hands of the *Kohanim* on Yom Tov with water mixed in advance with scented oil, Taz suggests that one may not intentionally transfer scent onto the body:

## Taz OC 511: 8

I have seen that in a few communities they pour scented oil, which is called *spingard*, into the water on Yom Tov for washing the hands of the *Kohanim* to bless the congregation...and even if they pour it in on erev Yom Tov, they are still generating a scent on Yom Tov on the hands of the *Kohanim*, and they are happy with this and intend this. Therefore, one should refrain from doing this.

Others disagree because no new scent has been generated. Rather, the existing scent of the oil simply adheres now to the body:

# Eliya Rabba 128

One also cannot say that it generates a scent on the hands of the *Kohanim*, and according to this even when they pour it in on erev Yom Tov it would be prohibited—and thus wrote Taz there. For it seems to me that since the oil itself adheres to the hands, it is not generating a scent, because it is like smelling the oil [itself].

According to this logic, why should there be a distinction between fabric and the body? Basing himself on a Talmudic passage, Ginat Veradim explains that scents on the body don't have the same staying power as scents on a garment.

## Ginat Veradim OC 3:16

It seems that the reason for this permission is because the scent on the hands does not remain and endure, as we say in *Berachot* 43b: Our rabbis taught in a Baraita: Six things are dishonorable for a Torah scholar: He should not go out to the market perfumed...And Rav Sheshet said about this, we said this only regarding his garment, but regarding his body, he may remove sweat. Rav Pappa said, his hair is similar to his garment, and some said it, it is similar to his body

#### On Hair

The Talmudic passage cited by Ginat Veradim records a disagreement regarding whether hair is like part of the body or like an article of clothing in this regard. The

status of hair remains a matter of dispute. According to some authorities, one may not put a scented product on the hair on Shabbat, because it resembles a garment, on which scent is longer lasting:

## Responsa Be'er Moshe (Stern) VIII:24:22

Know, that I have been asked very many times in the matter of applying scent to a person's body on Shabbat and Yom Tov by spraying, as is the local custom, and I said to them that on a person's body there are many who permit and many who prohibit. One who is stringent merits a blessing, and one who is lenient has something to rely on. But where there is hair—that is, on the hair itself—I have never permitted it because there is a plurality who prohibit. And I was happy to see Kaf Ha-chayyim saying like my words. And thus it is proper to rule not to be lenient with actual hair, because it seems that hair is halachically equivalent to a garment...

Others, including Rav Shlomo Zalman Auerbach, do not distinguish between hair and the rest of the body, permitting one to apply scent to both, but do note that a hairpiece is treated like a garment:

#### Shemirat Shabbat Ke-hilchetah 14:36

It is permitted to place perfume on the hands and on the other parts of the body [Note 97: ...And thus I heard from Rav Shlomo Zalman Auerbach], but to place it on a scarf, on a garment, or on a wig, or into water – is prohibited.

## Shemirat Shabbat Ke-hilchetah 14:57

There is room to be lenient to spray perfume on a person's hair, but one may not spray it on a wig.

Many skincare products on the market today are scented. Based on these sources, a woman may use perfumes and scented products on Shabbat, being careful to apply or spray them directly onto her body and not onto her clothing. According to some opinions, she may also use scented haircare products.

There may be further grounds for leniency in all of these cases when one does not intend to create or benefit from the scent, since the concern of creating a scent was *molid* and thus not of performing a full-fledged *melacha*.<sup>2</sup>

## **Healing on Shabbat**

We saw in Part I that rubbing oil on the body (*sicha*) is permissible on Shabbat for pleasure. What is the halacha regarding *sicha* undertaken for healing damaged skin on Shabbat? To answer this question, let's first understand the general parameters for healing on Shabbat, and then move on to how these rules apply in the specific case

#### Yam Shel Shlomo Beitza 2:34

In the Derashot of Maharii (the laws of etrog) he prohibits placing an etrog upon a *tallit*, or a cloak, on the first day of Yom Tov, since it generates a scent, similar to a cup [of perfume overturned] on silks, in the second chapter of *Beitza*. And it is astounding to me, for placing the cup is prohibited only for the purposes of scenting it [the clothing], as Or Zarua writes. And this is a proof: that this is why it used the example of silks, and did not say simply any clothing, just because it is common to add scent to them [silks]. But where one does not intend to add scent, it seems to be permitted. And it is not relevant here to say this is an inevitable result [for which one would be liable even without intention], except regarding a full-fledged *melacha*.

of using oils or substances considered like oils.

Rabbinic decree restricts many acts of physical healing on Shabbat, lest one come to grind medicinally active materials on Shabbat. (Grinding, *tochen*, is one of the thirty-nine main categories of prohibited labor on Shabbat.<sup>3</sup>)

#### Shabbat 53b

Ulla said: it is a decree on account of crushing herbs.

# Rashi Shabbat 53b s.v. Decree

Our sages decreed against things that heal, for if you were to permit any healing, one would come to permit crushing herbs, which is a Torah-level prohibition of *tochen* [grinding].

This decree is widely understood to remain in force today, even though most people no longer prepare their own medications.<sup>4</sup> It doesn't apply, however, to someone with a dangerous or potentially dangerous health condition (*choleh she-yesh bo sakana*).<sup>5</sup> There is also a widespread consensus<sup>6</sup> that the decree does not apply when a person is bedridden or has a painful condition that impairs functioning (*choleh she-ein bo sakana*),<sup>7</sup> or who has reason to suspect that leaving the symptoms untreated will make her a *chola she-ein ba sakana*.<sup>8</sup>

#### <sup>3</sup> Mishna Shabbat 7:2

The arch-categories of *melacha* are forty, less one: planting and reaping and making sheaves and threshing and winnowing and selecting and grinding....

<sup>4</sup> The practical shift in how we procure medications leads more to leniency than to stringency.

#### Tzitz Eliezer 50:7

Apropos of our discussion regarding taking medicines on Shabbat, one should in my opinion be careful about exaggerating stringencies with this...[There is] room to be more lenient nowadays, when crushing herbs isn't common and we are not expert in this.

<sup>5</sup>For example, the Talmud Yerushalmi makes this point:

#### Talmud Yerushalmi Shabbat 14:3

One person asked Rabbi Shimon bar Karsena: what is the halacha of drinking resin-flavored wine on Shabbat? He said to him: If it is for pleasure, it is permitted. If it is for healing, it is prohibited...with the exception of a matter of danger.

<sup>6</sup> There are dissenting opinions. For example, the Talmud Yerushalmi supra states that the decree applies whenever a person is not in mortal danger. Mordechai also takes this approach:

#### Mordechai Shabbat 380-382

Rabbi Meir was asked by a woman who had a wound on her body...And he responded that with this there is no question that on a weekday it is permissible...but on Shabbat it is prohibited if there is no life-saving aspect, as a decree on account of grinding herbs...

#### <sup>7</sup> Shulchan Aruch OC 328:17

A sick person who has become bedridden due to his illness and is not in danger. Rema: Or who has an ailment and is in distress and his whole body is sick from it, for then even though he walks about, he is like one who has become bedridden [Ha-maggid 82).

8 See Shabbat 140a infra.

## Rambam, Laws of Shabbat 22:7

We do not soak asafoetida [on Shabbat], neither in lukewarm water nor in cold water, but one may soak it in vinegar, and if he drank it on Thursday and Friday, he may soak it on Shabbat in cold water and place it in the sun until it becomes warm and drink it, in order that he not become sick if he ceases to drink.

#### 8 Shemirat Shabbat Ke-hilchetah 34:16

One who has a light pain, it is prohibited for him to take any medicine [on Shabbat]...but if there is a concern that if he not take the medicine the pain will increase and he will become sick, such that

So, for example, sicha with medicinal oil to relieve the pain of a choleh she-ein bo sakana is permissible:

## Shemirat Shabbat Ke-hilchetah 33:13

A choleh she-ein bo sakana may smear (liquid) camphor in order to relieve pain...

What of someone seeking to use oil for its healing effects in less extreme situations, as where the skin is dry or slightly irritated or chapped or peeling?

The Talmud notes that a medical treatment begun prior to Shabbat may be compromised if discontinued on Shabbat.

## Shabbat 140a

Since he drank [the medicine] on Thursday and on erev Shabbat, if he doesn't drink it on Shabbat, he endangers himself.

Therefore, the decree is often understood as inapplicable to ongoing medical treatments, when the treatment's efficacy may be negatively affected by missing a day.<sup>9</sup>

What if treatment is not ongoing? Then the decree against taking medicine on Shabbat would seem to apply to a generally healthy person (*bari*), who can function fairly normally, even in the presence of a minor ailment (*meichush be-alma*).

Let's look more carefully at how these *halachot* apply to skincare products with healing qualities.

#### Shulchan Aruch OC 328:1-2

One who has a minor ailment and holds himself together and goes about like healthy person, it is prohibited to perform any healing for him, even through a non-Jew, a decree on account of grinding herbs...

## **Healing with Oil**

Notwithstanding general restrictions on healing on Shabbat, a few Talmudic passages leave room for *sicha* for healing.

**I. When a healthy person would also apply oil** A mishna indicates that a healing act indistinguishable from an act undertaken by healthy people does **not** fall under the decree restricting healing, and is thus permissible on Shabbat.<sup>10</sup>

his halachic category would shift to that of a *choleh she-ein bo sakana*, like one who has a headache and has a tendency for migraines...it is permissible for him to take medicines.

## Shemirat Shabbat Ke-hilchetah 34:17

One who is obligated according to doctor's orders to take medicines for some days in a row, and Shabbat is among them, there are those who are lenient to take them also on Shabbat.

<sup>10</sup> In cases of ingestible modes of healing, this is often called *ma'achal beri'im* (food of the healthy), as described by the following mishna:

#### Mishna Shabbat 14:3

We don't eat Greek hyssop on Shabbat, because it is not a food of healthy people...A person may eat all foods [that healthy people eat] for healing [purposes], and drink all drinks, aside from palm

## Shabbat 111a-b

Mishna: ... One who has pain in his loins may not apply wine or vinegar, but he may apply oil, and not rose oil. Sons of kings apply rose oil to their wounds, for they normally apply it on a weekday. Rabbi Shimon says, all Israel are sons of kings. Gemara: ... Rabbi Abba bar Zavda said Rav said... the halacha is in accordance with Rabbi Shimon who permits, but not for his reason. For Rabbi Shimon thought that even though it is uncommon, it is permissible. And Rav thought that if it is common yes, and if it is uncommon, no. And in Rav's locale, rose oil was common.

## Rashi ad loc

May not apply wine or vinegar - for a person does not apply them except for healing. But not rose oil - because it is expensive, and is not common, so it is clearly demonstrated that he is doing it for healing. Even though it is uncommon - ... Rav also reasoned in accordance with Rabbi Yehuda [the first opinion cited in the mishna], but permitted it specifically his locale, where people commonly apply rose oil, so it is not clearly demonstrated [that he is doing it for healing].

As Rashi explains it, the mishna permits *sicha* with an oil on Shabbat, even for healing purposes, because that oil is commonly applied for other, non-healing purposes.

The sages disagree as to whether one may apply an expensive oil on Shabbat, since use of such oils is typically limited to when they are needed for healing. Tanna Kamma (the first opinion in the mishna, identified with Rabbi Yehuda) does not permit it. Rabbi Shimon permits it. Rav permits it only where its use is sufficiently common that one's purpose in using it would be ambiguous and not clearly for healing.

**II. Applying oil to a scab** A second passage in the Talmud Bavli permits applying oil to a person's scab in two cases: the first related to healing—when the wound is still unhealed and the oil would relieve discomfort (a healing function)—and the second, after the wound has healed, for pleasure. It limits permission to rub oil on an animal to the case of *refu'a*.

### Shabbat 53b

Come and hear. One may apply [oil] and pick off [scabs] for a person, and one may not apply [oil] and pick off scabs for an animal. Isn't this a case where there is a wound, and [it is permitted] because of pain? No, a healed wound, and for pleasure.

## Rif Shabbat 24b

But with a fresh wound and because of pain, one may also pick off scabs for an animal

**III. Prohibition when mixed with hot water** A third Talmudic passage prohibits placing oil and hot water directly onto a wound on Shabbat, allowing for pouring it on nearby skin so that it can drip in:

#### Shabbat 134b

sap and root drink, because they are for jaundice. But one can drink palm sap for his thirst and apply root oil for non-healing purposes.

...It is taught in a Baraita accordance with Shmuel: One may not place hot water and oil onto a wound on Shabbat, but one may pour [them] outside the wound so that it drips and descends to the wound.

With a view to reconciling the sources, Tosafot explain that this restriction only applies to a mixture of hot water and oil:

## Tosafot Shabbat 134b

And we do not withhold hot water and oil – Rav Yosef Porat explained in the name of Rabbeinu Shmuel that this applies when they are mixed together, for if each one is on its own, what did [the Talmud] come to teach us regarding [rubbing] oil...

#### In Practice

Putting the Talmudic pieces together, it would seem that even someone with a minor ailment can apply oil directly to a wound or damaged skin on Shabbat for healing purposes, on two conditions (beyond those discussed <a href="here">here</a> regarding oil used for pleasure): that the oil not be mixed with hot water, and that it be an oil that is also used by healthy people. Shulchan Aruch rules accordingly:

# Shulchan Aruch OC 328:22

We remove the scab of a wound and rub it with oil but not with [congealed] fat, because it liquifies. And even when the wound is healed...it is permissible. But we do not place oil and hot water mixed together on it...Rather he puts it outside of the wound, and it flows downward into it.

## Shulchan Aruch OC 327:1

One who has pain in his thighs may not apply oil and vinegar, but he applies oil on its own, but not rose oil since it is clearly demonstrated that he does it for healing. But if it is a place where rose oil is commonly found, and the way of people is to apply it even without healing, it is permissible.

Shulchan Aruch specifies that one may only apply those oils that are also normally applied for non-healing purposes. In his Beit Yosef, Rav Karo fleshes out this ruling, adding an important practical caveat for his time:

## Beit Yosef OC 327:1 s.v. Ha-choshesh

It seems to me that since nowadays we are not accustomed to apply any oil when we are healthy, it is prohibited to apply any oil to a wound on Shabbat, for certainly it is evident that he does it for healing.

Here, Rav Karo explains that in his era people would commonly apply oil **only** for healing. Under those circumstances, he leaves room for applying oil for pleasure, but prohibits applying oil to a wound. Although Rav Karo omits this aspect of the ruling from Shulchan Aruch, Rema cites it:

## Rema OC 327:1

In a place where it is not customary to apply oil except for healing, every oil is prohibited (Beit Yosef).

We learn from these rulings that applying oil for pleasure, which was common in Talmudic times, had fallen out of practice by the late sixteenth century. Over three hundred years later, Mishna Berura rules similarly.

### Mishna Berura 327:4

With every oil it is prohibited - And for this reason it is prohibited to apply oil in our provinces to a flaking scalp, and similarly, if he has swelling in any place it is prohibited to apply oil in our provinces.

These rulings leave us with two practical questions: One, is applying oil for pleasure still considered uncommon? Two, for what skin conditions, aside for swelling or flaky scalp, would applying oil be considered an act of *refu'a*, healing?

As recently as the mid-twentieth century, Rav Yehoshua Neuwirth's *Shemirat Shabbat Ke-hilchetah* presumes that people do not generally apply oil for pleasure, a view that remains unrevised in the recent third edition. He also forbids applying oil directly to chapped, peeling or cracked skin, an act that he defines as clearly one of *refua*. Surprisingly, he permits someone with slightly irritated or dry skin to apply oil to it on Shabbat:

# Shemirat Shabbat Ke-hilchetah 34:12-13

One who suffers from mild skin irritation (as on the hands or feet), may apply oil...However, if the skin is peeling because of the irritation, it is also forbidden to apply oil [Note 67: And because nowadays people are not accustomed to apply oil and it is clear that he is doing so for healing, 327:1 in Rema, and 4 in Mishna Berura...], but it is permissible to pour oil on the body not on the area that is peeling, so that the oil flows to the area that is peeling. One who suffers from dry or cracked lips, he is prohibited to spread chapstick or any other substance on them...and one should also not rub oil on them [Note 72: See 327:1 in Rema], and the halacha is the same when the skin of the hands is dry or cracked.

Rav Neuwirth permits applying oil to dry or mildly irritated skin even when oil is not in common use for pleasure, notwithstanding that his teacher Rav Shlomo Zalman Auerbach ruled more stringently when such application would also have preventative effects.

## Shemirat Shabbat Ke-hilchetah 34:12 Note 65

I heard from Rav Shlomo Zalman Auerbach that whenever applying [oil] prevents irritations, it stands to reason that this is considered like healing, which is not the case at the end of a wound['s healing] 328:22, which is solely for pleasure.

The source of Rav Neuwirth's ruling is Rav Avraham Na'eh, who views dryness and minor skin irritation as no worse than the case of applying oil to a healed wound for pleasure, which is clearly permissible:<sup>11</sup>

# Ketzot Ha-shulchan 136 Badei Ha-shulchan 20

Someone who feels in his arms or legs or the rest of his body a need to scratch, and if he applies oil it will relieve the itching, it seems that it is permitted, for it is no

<sup>&</sup>lt;sup>11</sup> Available here: https://hebrewbooks.org/pdfpager.aspx?reg=7726&st=&pgnum=80

worse than the end [stages] of a wound, for also there it is natural to feel itching, and even so it is permissible to apply oil, and also here this is not for healing but for pleasure...

A quick internet search reveals a flourishing, global market for non-medicated body oils and lip oils. If it could be established that such oils are in widespread use by the healthy in one's locale (and not specifically on Shabbat), then these could be applied on Shabbat for more clear healing purposes, even according to the more stringent opinions.

Indeed, in 1984, Rav Ya'akov Yechezkel Posen recognized that some products classified as unmedicated oils may be in common use. For this reason, he rules that such oils can be used freely to heal the hands (e.g., for eczema) on Shabbat:

## Rav Yaakov Posen, Kitzur Hilchot Shabbat 44:4 Choleh Be-miktzat

Similarly, it is permissible to apply oil (for those where there is no prohibition of smearing) that people are accustomed apply it on weekdays, such as those that they apply to their hands to soften them. And this is permissible even for one who has eczema on his hands, and even if he intends it for healing. And the reason here as well, is because it is not recognizable that he is doing it for healing...and in any case, only if there is no medication mixed in....

Rav Posen defines oil here with reference to the *melacha* of spreading, *memarei'ach*. The hand softeners to which he refers are likely runny moisturizers. In other words, products that fit under the halachic category of oils with respect to viscosity (as discussed <u>here</u>) could be included in his ruling.

To summarize, Rav Na'eh and Rav Neuwirth permit using oils for dry, itchy, or irritated skin, even when oils are not in common weekday use for pleasure, though Rav Auerbach expressed reservations about this. Rav Posen notes that some products of his day in weekday use for pleasure fall under the halachic category of oils, opening the door to using them to relieve more severe issues like eczema.

#### **Need for Viscous Products**

We saw in Part I that viscous creams and ointments can raise concerns of *memarei'ach*, spreading, on Shabbat, and that this issue can sometimes be averted by diluting a more viscous substance. What of when diluting such products is impractical, or would compromise their efficacy? In that case, even in situations in which the decree against healing wouldn't apply, is there any way to avoid *memarei'ach*?

According to some opinions, rubbing in a viscous substance to the point of absorption is not considered *memarei'ach*. (See more <u>here</u>.) Another possibility raised in cases of medical need is dabbing, as opposed to spreading. This seems to be the implication of a ruling by Chazon Ish, in which he describes "casting on" ointment as an appropriate way to treat a wound on Shabbat:

## Chazon Ish OC Laws of Shabbat 52:16

When one places ointment on a wound, one should not spread it but rather cast on

the ointment.

Given that it isn't spreading, why isn't dabbing permitted more widely on Shabbat? Rav Shmuel Wosner writes that this has to do with the language of Shulchan Aruch's key ruling on spreading. There, he prohibits "putting" wax on a barrel to plug its hole:

## Shulchan Aruch OC 314:11

It is prohibited to put wax or thick oil in the hole of a barrel to seal it because that is *memarei'ach...* 

Rav Wosner argues that if dabbing is akin to "putting," this ruling may prohibit dabbing rabbinically. Even so, in cases of medical need in which the decree against healing on Shabbat would not apply, (e.g., to prevent infection or to treat a *choleh she-ein bo sakana* or young child), Rav Wosner permits applying a viscous substance by dabbing:

## Responsa Shevet Ha-Levi IV:33

That he [the questioner] heard in my name a ruling to permit placing on an ointment on Shabbat, in a case where there is no decree against healing, in a fashion that does not spread it, such as squeezing it [directly] from the tube...Here he doesn't even perform a rabbinically-prohibited act [of *memarei'ach*] but rather merely placing [it]...and even though in Shulchan Aruch 314:11 regarding putting [a substance] into a hole in a barrel it seems that even placing without spreading is rabbinically prohibited on account of leading to *memarei'ach*, that is in general, but in a case of healing where we don't apply the decree of grinding herbs [prohibiting healing on Shabbat], how do we know that we should apply this decree? And even though for a healthy person it seems that we would decree...in any case, in the case of an ill person we still have not heard [of decreeing].

Permitting dabbing in these types of cases has become widely accepted. Rav Shlomo Zalman Auerbach permits dabbing (ideally with some modifications to prevent inadvertent spreading), and also permits dabbing ointment onto the skin and then placing a bandage on top so that the ointment spreads on its own:

# Shemirat Shabbat Ke-hilchetah 33:14

...It is permissible to remove the ointment from its tube and to place it directly on the body of the sick person, on the wound, or at least on the gauze, and similarly it is permissible to remove it from its container with a stick and to place it where needed. But one should be very careful with all this not to spread the ointment on the person's body or on the gauze. And it is permissible to place a bandage over an ointment that is on a person's body, and we have no halachic concern if indeed the ointment is spread through this. Note 70: And that the ointment is spread through his placing the bandage, one can say that it is indirect spreading and further, that his intent is only that the ointment reach every place, and not to smooth it, and it is also permissible to place a little ointment on one place and a little on another, and to put the bandage on afterwards, for he does not want to smooth the ointment at all or to even it out everywhere... The language of Rav Shlomo Zalman Auerbach...

#### **Enriched Products**

Rav Posen distinguishes between medicinal oils, which could be subject to the decree against healing on Shabbat, and non-medicinal oils. Modern-day marketers often deliberately blur these lines, attaching elaborate medical claims to even the most basic products.

On the whole, when a product is not marketed as a medicine, i.e., it is available over the counter and is used even by healthy people without unique skin conditions, it does not fall under the category of a medicinal oil, and might be more roughly analogous to taking preventative health measures or to taking vitamins on Shabbat.

Shulchan Aruch explicitly permits some types of preventative care, even where an analogous act of healing would be prohibited:

## Shulchan Aruch OC 328:24

One may place a leaf on a wound on Shabbat, because it only protects it, except for grape leaves, which are for healing.

This ruling provides a basis for permitting preventative skincare (such as using sunscreen) on Shabbat.

Taking vitamins on Shabbat is a more complicated question. The halachic discussion typically begins with the question of whether a healthy person may eat food for purely medicinal purposes on Shabbat. Beit Yosef permits this, and Magen Avraham prohibits it.<sup>12</sup> Some halachic authorities invoke Magen Avraham to prohibit a healthy person from taking vitamins on Shabbat.<sup>13</sup> Others, including Rav Moshe Feinstein, permit taking vitamins on Shabbat, introducing distinctions that can be applied to other cases:

## Responsa Iggerot Moshe OC III:54

In the matter of vitamins for those who are healthy and sick...Only when the matter

<sup>12</sup> Beit Yosef and Magen Avraham disagree on how to interpret a statement of Tur:

# Tur OC 328

Whatever is not the food or drink of healthy people, it is prohibited to eat and drink it for healing, but if one eats or drinks it for his hunger and thirst, and he has no illness, it is permissible.

## Beit Yosef OC 328:37 s.v. Kol ochelin

[Tur] implies that anyone who is not at all sick is permitted to eat and drink foods and beverages that are not the food of the healthy, for since he is not sick there is no place to decree anything. Therefore, even if he is neither hungry nor thirsty, it is permissible to eat and drink them, and [Tur] used the terms "for his hunger and thirst" not in a precise way, but only as the regular way of speaking.

#### Magen Avraham 328:43

...[Tur] implies that if one does it for healing it is prohibited even though he is healthy....

# <sup>13</sup> Peri Meggadim OC Eshel Avraham 328:43

Whenever one's intention is that his body be healthy, it is prohibited even to the healthy...

#### Mishna Berura 328:120

But if he does it for healing, i.e., in order to strengthen his overall health, Magen Avraham wrote that even for a totally healthy person it is prohibited.

#### Shemirat Shabbat Ke-hilchetah 34:20

It is prohibited for a person to take vitamins on Shabbat, even when he is accustomed to taking them daily, and the prohibition is also when they are flavored and are made like a candy and the like. Unless he is sick, even if a *choleh she-ein bo sakana* (without mortal danger). But in places where they are accustomed to taking vitamins at every meal, there are those who are lenient to take them also on Shabbat, and there are those who are stringent with this unless the vitamins come as a replacement for a specific food.

of healing is relevant, which is with a healthy person who is naturally weak, and through the healing his body becomes strong and healthy, should one prohibit. And not when he gets a little bit stronger, and not even when they are effective in preventing him from getting sick easily, because this one should permit in practice, as I have written. Therefore, most vitamins, which do not make the healthy person healthy, to transform him from naturally weak to strong and healthy, but strengthen him a little bit, as one is strengthened more by eating meat than by eating vegetables and the like, is permissible to take on Shabbat, even if they make him less likely to become sick easily....

Many enriched skincare products—and scalp or follicle enhancing haircare products—with health claims meet Rav Moshe's standard for permissible vitamins. They strengthen the condition of one's skin only a bit, and prevent skin damage rather than dramatically curing it.

Until now, we have discussed different types of products and ways of applying them, as well as the different functions they can serve. In our third and final installment, we will turn our attention to using cosmetic products to impart color to the skin.

# **Further Reading**

- Rabbi Dovid Heber, "The Kashrus, Shabbos, and Pesach Guide to Cosmetics," available here: https://www.star-k.org/articles/articles/seasonal/353/the-kashrus-shabbos-and-pesach-guide-to-cosmetics/
- Rav Ya'akov Yeshaya Neuwirth. *Shemirat Shabbat Ke-hilchetah*. Jerusalem: Feldheim, 2011.
- Dayyan Ya'akov Yechezkel Posen, Kitzur Hilchot Shabbat. New York: Z Berman Books, 1984.
- Rabbi Dovid Ribiat, The 39 Melochos. New York: Feldheim, 1999.