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Making Ice

The halachos of Molid

A summary of the weekly shiur by Rabbi Shmuel Stein at the Miami Beach Community Kollel / Reviewed by Rabbi Yitzchok Reichman / To receive a copy send an email to InHilchosShabbos@gmail.com

Filling up a tray of water and placing it in a freezer in order to make ice cubes may involve the rabbinical prohibition of *Molid*. In the following paragraphs we will discuss the *halachos* of *Molid*, and many practical applications that apply to this prohibition, including making ice on Shabbos.



The Prohibition of Molid: Creating a New Entity on Shabbos

One of the rabbinical prohibitions that Chazal instituted is the prohibition of *Molid*, creating a new entity on Shabbos.¹ The Gemara² explains that changing an object from a *solid* form to a *liquid* form is an act of *Molid*, because when an object is transformed into a different form it is as if it has been created anew.³ The Gemara gives an example: It is prohibited to crush snow on Shabbos in order to produce water.

When the snow is crushed it is transformed from a solid form (i.e., snow) into a liquid form (i.e., water). Transforming the snow into water can be viewed as an “act of creation” because it is considered as if the water has been “created.” Therefore, the Gemara rules that crushing snow on Shabbos violates the prohibition of *Molid*.

Why performing an “act of creation” on Shabbos is prohibited

The *Mishna Berura*⁴ explains that Chazal instituted the prohibition of *Molid* because performing an “act of creation” on Shabbos is very similar to performing an actual *melacha*. In essence, every one of the thirty-nine *melachos* of Shabbos is an act of creation.⁵ For example, the *melacha* of *Mav’ir* (kindling) creates a flame, the *melacha* of *Bishul* (cooking) creates a cooked food, and the *melacha* of *Kosheir* (tying) creates a knot. The Torah⁶ states that “Hashem ceased from performing any act of creation on the day of Shabbos; therefore we too must refrain from performing *melacha* (acts of creation) on Shabbos.” Although an act of *Molid* is technically not one of the thirty-nine *melachos* of Shabbos, creating a new entity, in a sense, resembles the thirty-nine *melachos*. Therefore Chazal instituted the prohibition of *Molid*, which proscribes an act that creates a new entity.⁷ For example:

- One may not chop a chunk of frozen concentrate on Shabbos. By chopping or agitating the frozen concentrate the solid chunk is transformed into a liquid, thereby violating the prohibition of *Molid*.⁸
- According to some *poskim*,⁹ one may not discharge pasteurized whip cream from a can on Shabbos, since doing so transforms the liquid contents inside the can into a solid whip.

Leniencies to the prohibition of Molid

There are a number of leniencies that may apply to the prohibition of *Molid*:

1. Changes that are not long lasting

Many *poskim* rule that the prohibition of *Molid* does not apply when the change that occurs is not long lasting. They hold that a change that is not long lasting cannot be considered a significant act of “creation.” For example, one may pour beer into a cup even though a foam (“head”) is formed.¹⁰ Since the foam is not long lasting it does not involve the prohibition of *Molid*. Similarly:

- Using liquid soap on Shabbos does not involve the prohibition of *Molid* even though it produces a lather, since it does not last for a long amount of time.¹¹ (Some *poskim* prohibit using liquid soap on Shabbos based on the prohibition of *Memarei’ach*, smoothing).¹²
- One may use a SodaStream to carbonate water. Although bubbles are created, it is nevertheless permitted because they do not last for a long period of time.¹³ (One must ensure that no LED lights are activated when the Sodastream is used.)
- Many *poskim*¹⁴ permit using foaming soap on Shabbos, even though a foam is created. Since the (solid) foam which is created will revert back to its liquid form if left out for only a short time, it is permitted.
- Some *poskim*¹⁵ permit discharging pasteurized whip cream from a can on Shabbos because the (solid) whip that is formed is not long lasting; it eventually reverts back to its liquid form.

2. Breaking ice when one’s objective is not to produce water

Although one may not crush ice in order to produce water, the *Mishna Berura*¹⁶ writes that one may break or crush ice if he has no intention of or interest in producing the water. For example:

- One may crush ice cubes in order to make ice chips.¹⁶ Since one’s intention when crushing the ice is not to produce the water, it is permitted.
- One may chop ice on a sidewalk on Shabbos in order to prevent people from slipping.¹⁷ Since one’s intention when chopping the ice is not to produce water, it is permitted.¹⁸
- One may pour a drink onto ice cubes even though it may cause some of the ice to melt, since his intention when pouring the drink into the cup is not to produce water.¹⁹ (Nevertheless, in order to avoid this issue, some people first pour the drink into the cup and then add the ice cubes.²⁰)
- One may pour cold water on a tray of ice in order to remove ice cubes that are stuck to the tray. Since one’s intention is to remove the ice cubes and not to melt the ice, it is permitted.²¹



3. Indiscernible Molid (crushing ice in an unnoticeable fashion).

There is a dispute among the *poskim*²² whether it is permissible to crush ice in a manner that produces the water indiscernibly. For example, although chopping a chunk of concentrate is an act of *Molid*, the *poskim* debate whether one may place a chunk of concentrate in a pitcher of water, and chop it in order to help it dissolve quicker. Since the water that is produced immediately mixes into the water and is unnoticeable, perhaps it is permitted. While some *poskim* permit an indiscernible act of *Molid*, the *Mishnah Berura*²³ rules that one should try to follow the stringent opinion and not perform an act of *Molid* even when the liquid is produced in an indiscernible manner. Accordingly, when making orange juice from concentrate it is preferable not to chop or agitate the frozen concentrate in the water; rather, one should only place the concentrate into the water and allow it to dissolve on its own within the water.

Molid versus Nolid

Until this point we have discussed the prohibition of *Molid*, which involves bringing about the creation of new entity, and which is prohibited according to all opinions. However, the prohibition of *Molid* applies only when one brings about the change *manually* or directly. For example, crushing snow with one’s hands in order to create water is an act of *Molid* because one manually crushes the snow in order to produce water. Similarly, according to some *poskim*, discharging pasteurized whip cream from a can involves the prohibition of *Molid* because by discharging the whip one *manually* transforms the liquid inside the can into a solid whip.

Indirectly causing the transformation of an item does not involve the prohibition of *Molid* but falls under the category of *Nolid* (*indirectly* causing the creation of a new entity).²⁴ The following two examples of *Nolid* are given by the *Shulchan Aruch*.²⁵

- Placing ice in the hot sun to cause it to melt is *Nolid*, since doing so indirectly turns the ice into liquid. Since the ice was not crushed manually it does not fall under the category of *Molid*, but is nevertheless subject to the *halachos* of *Nolid* since placing the ice in the sun indirectly causes it to melt.
- Placing food which has a significant amount of congealed fat near a flame is *Nolid*, since doing so indirectly (through the heat of the fire) causes the fat to melt.

Is Nolid Prohibited?

Whether or not *Nolid* is prohibited on Shabbos is a dispute between the *Shulchan Aruch* and the Rema. The *Shulchan Aruch*²⁶ rules that *Nolid* is permitted on Shabbos, and therefore indirectly causing a transformation of a solid into a liquid is permissible. However, the Rema²⁷ rules that even *Nolid* is prohibited on Shabbos, and therefore one may not even indirectly cause a change to an object. Accordingly, Ashkenazim who follow the ruling of the Rema are careful not to perform acts of *Nolid* on Shabbos as well.

1 See Rashi Shabbos 51b d”h K’dai 2 Shabbos 51b 3 Gemara Shabbos ibid, according to the explanation of Rashi 4 Mishna Berura 320:33 quoting Rashi ibid. [The Mishna Berura also cites the Rambam who explains that crushing snow is prohibited because it may lead to someone squeezing out the juices from a fruit on Shabbos.] 5 See Rav S.R. Hirsh Chofetz Chaim pg. 71 commenting on the *Aseres ha’dibros*, where he explains that the thirty-nine *melachos* are “acts of creation”. See chapter on The Making of an *Eiruv* that it is for this reason that the *melacha* of *Hotzah* (Carrying) is considered a *melacha garuah* (a weak *melacha*) because it does not bring about a change in the object. 6 Shemos 20:10-11 7 39 *melachos* pg. 131 note 554. *Shulchan Aruch* *Orach Chaim* 308:1 (melech Dosh) explains this differently: he writes that *Molid* is prohibited because it resembles the *melacha* of *Makeh B’Patish*. 8 39 *melachos* pg. 366 9 Rav Yisroel Belsky [Shulchan Ha’Levi pg.96]; Rav Shmuel Felder, Rav Moshe Stern, Rav Menashe Klein, Rav Chazkel Roth [all quoted in The Shabbos Kitchen pg. 169 note 4] 10 Eretz Tzvi 96 (Kovetz Teshuvos 1:38) 11 Kovetz Teshuvos 1:38 12 See Kovetz Teshuvos 1:38 quoting Maharsham, Shulchan Shlomo 313(7:2). Refilling the machine with a new gas cartridge is also permitted. This is not considered making a new vessel but rather is viewed as the normal mode of usage and is permitted (Shulchan Shlomo 313:5) 13 Rav Heineman [In a conversation with the Star K] Rav D. Zucker and Rav G. Bess [Quoted in Halacha Encounters from the Chicago kollel] 14 The Rivivos Ephraim (8:158:11) quotes that Rav Chaim Pinchas Schienberg, Rav Dovid Feinstein, and Rav Y.Y. Fischer were lenient. Rabbi Ahron Felder (Reshumei Aharon Vol. 2, page 30) writes that this was also the opinion of Rav Moshe Feinstein, Rav Heineman [in a conversation with the Star K] 15 Mishna Berura 320:32,36 16 39 *Melachos* pg. 361 17 see Shulchan Aruch 320:10 18 see Mishna Berura 320:36 where he cites the Magen Avraham who rules that breaking the ice that is attached to the ground involves the *melacha* of *Soser* (Demolishing). However, the Mishna Berura writes that other *poskim* argue and therefore for a Shabbos need (such as preventing people from slipping) it is permitted. 19 39 *Melachos* pg. 364 20 See 39 *Melachos* ibid note 164a 21 See Nishmas Shabbos 4:239 22 cited in Mishna Berura 320:34 23 in Sha’ar Ha’Tzion 318:146 24 See Mishna Berura 318:102; See The Shabbos Kitchen pg. 169 25 Shulchan Aruch 320:9 and 318:16 26 Shulchan Aruch 318:16 27 Rema 318:16 Mishna Berura 318:105

Here are a few more examples of *Nolad*:

- According to many *poskim*²⁸ one may not make Jell-O on Shabbos, since placing the Jell-O in the refrigerator indirectly causes the liquid to turn into a solid form, violating the prohibition of *Nolad*. (Additionally, if hot water is used to make the Jell-O, the *melacha* of *Bishul* may also be involved.²⁹)
- One may not put ice cream on top of a hot piece of cake on Shabbos, since by placing the ice cream on the cake he *indirectly* causes the ice cream to melt and turn into liquid, violating the prohibition of *Nolad*.³⁰ Moreover, if the cake is the temperature of *yad soledes bo*, placing the ice cream directly on the hot cake involves the *melacha* of *Bishul*.³¹
- One may not place a frozen container of milk or orange juice concentrate near a flame in order to cause it to defrost quicker, since doing so indirectly causes the frozen concentrate to turn into liquid.³²



Leniencies to the prohibition of *Nolad*

1. A time of need

The Rema³³ writes that although we are stringent and generally do not perform acts of *Nolad* on Shabbos, in a time of need one may be lenient and perform an act of *Nolad*. For example, one may sprinkle salt on a frozen walkway in order to melt the ice so that people do not slip on it. Although sprinkling the salt indirectly causes the ice to melt, it is still permissible because it is a time of need.³⁴

2. Melting at room temperature

According to some *poskim*,³⁵ one may remove a solid object and allow it to defrost at room temperature. Only placing a solid object in a hot place (e.g., near a flame) that will indirectly cause it to melt is prohibited; merely placing it at room temperature and allowing it to melt on its own is permitted. For example;

- One may place ice cubes in an ice bucket or bowl. Although the ice will begin to melt once it is removed from the freezer, it is nevertheless permissible. Since the ice was not placed next to an active heat source, it will “melt on its own” it is therefore permitted.
- One may remove a bottle of frozen milk or orange juice from the freezer and leave it at room temperature to defrost since it melts on its own.³⁶

3. Indiscernible *Nolad* (dissolving ice in a liquid)

Although we mentioned earlier that with regard to *Molid* there is a dispute among the *poskim* whether an indiscernible act of *Molid* is permitted, when it comes to the more lenient category of *Nolad* all agree that it is permitted. *Nolad* is prohibited only when the change that occurs is noticeable and recognizable.³⁷ For example, one may place ice cubes in a drink on Shabbos.³⁸ Although placing the ice cubes in the drink indirectly causes the ice cubes to melt, it is nevertheless allowed since the ice melts into the drink and is not recognized. Likewise, the *Mishna Berura*³⁹ writes, although one may not place food that has a significant amount of congealed fat near a heat source, if the food has only a little bit of congealed fat it may be placed near the heat source, because as the fat melts it is immediately absorbed into the food and it is not recognizable. Similarly:

- One may add sugar and instant coffee to a cup of hot water. Even though the sugar and coffee will dissolve and turn into a liquid, it is nevertheless permitted because it is immediately absorbed into the water and is unrecognizable. One may even stir the water, as doing so is not considered an act of *Molid* (i.e., manually dissolving the granules). Rather, it is viewed it as merely aiding the granules to dissolve on their own in the hot water, which is an act of *Nolad* that is permitted when indiscernible.⁴⁰
- One may add salt to a bowl of hot soup. Even though the salt will dissolve it is still permitted because it is immediately absorbed into the soup.
- One may place an ice cube into a bowl of hot soup to cool it off. Even though the ice will melt it is permitted because it is immediately absorbed into the soup. (Putting the ice cube into the water does not involve the *melacha* of *Bishul*.⁴¹)

- One may place orange juice concentrate in a pitcher of water in order cause it to defrost quicker.⁴² Since the frozen concentrate immediately mixes into the water and is not recognized, it is permitted. After the concentrate has dissolved and falls to the bottom of the pitcher, the concentrate may then be stirred. If one cannot wait until the concentrate dissolves, he may even *stir* the concentrate in the water.⁴³ However as we mentioned earlier, one should not manually *chop* or *agitate* the concentrate in the water, as this would constitute a form of *Molid*, and as we mentioned earlier, there is a dispute among the *poskim* whether indiscernible *Molid* is permissible.⁴⁴

Making Ice on Shabbos

Based on what we have discussed, some *poskim*⁴⁵ rule that one should not fill an ice tray with water and place it in the freezer on Shabbos. This is because he is *indirectly* causing the liquid in the tray to be transformed into solid ice, violating the prohibition of *Nolad*. However, there are a number of arguments suggested by other *poskim* to permit making ice on Shabbos:

- 1) Rav Moshe Feinstein⁴⁶ is quoted to have permitted making ice on Shabbos. The purpose of making ice is generally to place it into a drink. When the ice is placed into the drink it dissolves and cools the drink. Rav Moshe argues that because the ice is frozen with the intent that it revert back to its original liquid form, it must be considered a temporary and insignificant change and therefore does not qualify as an act of *Nolad*. (Note: According to this reasoning, it would be prohibited to place freeze pops in a freezer on Shabbos, since they are not intended to revert back to their liquid form.⁴⁷)
- 2) Rav Shlomo Zalman Auerbach⁴⁸ ruled that the prohibitions of *Nolad* apply only when the transformation brings about an *upgrade* to the object. For example, when snow is crushed, water, which generally has a greater use than snow, is produced, and therefore this violates the prohibition of *Molid*. On the other hand, changing water into ice is considered a *downgrade* to the object, since ice is generally not as useful as water. Accordingly, making ice on Shabbos cannot be considered an act of *Nolad* and is permitted. [Note: According to this reasoning as well, it would be prohibited to place freeze pops into a freezer on Shabbos. Transforming liquid juice into a freeze pop is regarded as an *upgrade*, and therefore freezing them is considered an act of *Nolad*.⁴⁹]
- 3) The *Tzitz Eliezer*⁵⁰ argues that *oneg Shabbos* (enjoyment of Shabbos) is considered an important need, and as we mentioned earlier, the Rema allows performing an act of *Nolad* in a time of need. Therefore, one may place a tray of water into the freezer on Shabbos, since ice cubes are necessary for *oneg Shabbos*. Other *poskim*⁵¹ seem to disagree with the *Tzitz Eliezer*, and rule that *oneg Shabbos* is not a significant enough need to permit an act of *Nolad*. However, many *poskim*⁵² rule that if someone anticipates having guests on Shabbos and forgot to make ice before Shabbos began, he may place a tray of water in the freezer, since preparing for guests is considered to be enough of a need to permit an act of *Nolad*.

Removing Ice Cubes from an Automatic Ice Maker

Many freezers come equipped with an automatic ice maker. These ice makers are equipped with a plastic or metal arm that senses when the ice cube canister is full. As the ice bucket empties, the arm moves downward and detects that the supply of ice is diminishing; it then begins producing new ice cubes. Accordingly, even manually removing ice cubes from the canister may activate the ice maker, and it is therefore prohibited to do so.⁵³ Before Shabbos begins, one should preferably either shut off the ice maker or lift the arm in a way that it will stay in the Up position all of Shabbos, so that even when ice is manually removed the machine will not be activated.⁵⁴ If one forgot to do this before Shabbos he must be careful to remove the ice in a manner that will not activate the machine. This can be done by removing ice that is not directly under the arm. So long as the arm does not move downward the machine will not be activated, and the ice may be removed on Shabbos.⁵⁵



The intention of this summary is to discuss common practical *shaylos*. One should consult a Rav concerning *p'sak halacha*.

28 Shulchan Ha'Levi Vol.7:414 39 Melachos pg. 370. Making Jell-O may be more questionable than making ice as the arguments of Rav Moshe and Rav Shlomo Zalman Aurbach that are discussed later may not apply. 29 39 Melachos pg. 371 30 OU Kosher- Shabbos Shaylos: Food Preparations [Although we mentioned earlier that if the liquid which is melted is undesired the prohibition of *Molid* does not apply (and certainly not the prohibition of *Nolad*) many people place the ice cream on the hot cake so that some of the ice cream will melt into the cake]. Nevertheless, there may be reason to argue that the prohibition of *Molid* still does not apply in this case based on other rulings of the *Mishna Berura*: Firstly, the *Mishna Berura* writes (318:103) that if the liquid is absorbed directly into a solid the prohibition of *Molid* does not apply; hence, any liquid ice cream absorbed into the cake is not an issue. Secondly, the *Mishna Berura* (318:105) rules that the prohibition of *Molid* does not apply if only a *minimal amount* of liquid is “created”. Here too, even the liquid ice cream which is not absorbed into the cake may still not present an issue because only a minimal amount of liquid is produced 31 *ibid*. Since we must assume that all foods are *kalei haBishul* (easily cooked items) *Bishul* can occur even in a *kli sheini*. Furthermore, the hot cake is a *davar Gush* (a solid food) which according to some *poskim* retains its status as a *kli rishon* which can certainly cook the ice cream. 32 39 Melachos pg. 360 33 318:16 34 Orchos Shabbos 4:56 35 39 Melachos pg. 364 see note 162a from Panim Meiros; The Shabbos Kitchen pg. 175 36 39 Melachos *ibid* 37 Gemara Shabbos 51b and Shulchan Aruch 320:9 38 Shulchan Aruch 320:9 39 *Mishna Berura* 318:105 40 Rav Pesach Eliyahu Falk (Machazeh Eliyahu 2:16). The *Poskim* discuss whether it is pouring hot water *directly* onto the granules of coffee and sugar involves the prohibition of *Molid*. (Aside from the issue of *Molid* one must be careful to avoid all issues of *Bishul*.) Rav Pesach Falk (Machazeh Eliyahu 2:16) rules that this is considered an act of *Molid* and is prohibited. Although the act of *Molid* is indiscernible because the granules are immediately mixed into the water, the *Mishna Berura* already ruled that we are generally stringent in regard to indiscernible *Molid* [see also Nishmas Shabbos 4:242]. However, other *poskim* [Orchos Shabbos 4:49, 39 Melachos pg. 363] rule leniently and permit pouring the hot water directly on the coffee and sugar. They argue that *Molid* can only occur when a solid changes into a liquid, such as ice melting into water. However, in our case, the granules do not *turn into* water, rather they are dissolved into water, and is not considered to be a change to the granules rather they are mixed into the liquid. Even though the logic of this lenient ruling is compelling it is still questionable since the *Shulchan Aruch* (320:12) seems to indicate that even dissolving (salt) into a liquid is considered an act of *Molid* and is prohibited. [See Orchos Shabbos 4: note 85 where he tries to answer this question.] 41 The *Shulchan Aruch* (318:13, see also *Mishna Berura* 318:81) writes that a *kli sheini* does not have the ability to cook water. Accordingly, the ice cube may be placed in the bowl which is at least a *kli sheini* (and perhaps may even be considered a *kli shlishi* when a ladle is used). However, there is an additional issue that must be dealt with, that of *mechzi k'mivshel* (giving off the appearance of cooking). The *Mishna Berura* (318:34) writes that one may not place an uncooked food into a *kli sheini* as doing so “gives off the appearance of cooking”. This seems to contradict the ruling of the *Shulchan Aruch* (*ibid*) that water cannot cook in a *kli sheini*, as there should nevertheless be an additional issue of *mechzi k'mivshel*? The Pri Megadim (318: Eisehel Avraham 32) explains that pouring water into a *kli sheini* does not have this issue because as the water is poured into the *kli sheini* it immediately mixes into the hot liquid and therefore does not give off the appearance of cooking. This is certainly the case when adding in an ice cube into hot soup. Furthermore, even according to the reason of the Pri Megadim that the water immediately gets mixed into the hot liquid, perhaps one may argue that the ice cube does not get cooked in its solid state, only as it melts and turns into a liquid does it get cooked, in which case it immediately gets mixed into the hot and does not give off the appearance of cooking. 42 39 Melachos pg. 366 43 39 Melachos pg. 366 44 39 Melachos pg. 366 45 *Shmiras Shabbos k'hilchaso* 10:4, Shevet Ha'Levi 3:55 The Shabbos Kitchen pg. 176 46 Quoted by Rav Shmion Eider pg. 120 note 333 and in *sefer Ohr HaShabbos* Vol. 4, pg.107 47 *sefer Ohr HaShabbos* *ibid* 48 Quoted in *Shmiras Shabbos k'hilchaso* 10:4 note 14 49 *sefer Ohr HaShabbos* *ibid* 50 *Tzitz Eliezer* Vol. 6 end of 33; see also *The Shabbos Home* page 176 51 Rav Shmion Eider quotes Rav Moshe Feinstein (pg. 120, note 333) “(One may be lenient regarding the prohibition of *Nolad*) in a case of need; for example, when having guests.” Not for every Shabbos need is it considered a time of need, but only when having guests. See 39 Melachos pg. 370 52 Rav Shmion Eider *ibid* quoting Rav Moshe Feinstein 53 39 Melachos pg. 370 54 39 Melachos *ibid* 55 In a conversation with Rav Shmuel Felder from Lakewood, NJ