

In Hilchos Shabbos

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Getting rid of Bugs

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

Finding a bug in one's home on Shabbos can cause somewhat of a complication. Some people have a fear of bugs called entomophobia, which, in some cases, can severely overtake a person, and when one finds a bug on Shabbos, he may be tempted to trap it or to kill it. However, trapping and killing bugs on Shabbos involves two of the thirty-nine *melachos*: *Tzod* (Trapping) and *Shocheit* (Killing). In this chapter we will discuss these two *melachos*, and in when it is permissible to trap or kill bugs on Shabbos.

The *melacha* of *Tzod*

One of the thirty-nine *melachos* of Shabbos is the *melacha* of *Tzod* -Trapping,¹ which is defined as trapping or confining an animal or insect.² During the construction of the *Mishkan* the *melacha* of *Tzod* was performed when trapping the animals whose hides were used for the coverings of the *Mishkan*.³ Accordingly, any act that traps an animal or an insect is prohibited on Shabbos. For example:

- The Mishna Berura⁴ writes that it is prohibited to go fishing on Shabbos, as by doing so one traps the fish.
- One may not catch frogs, salamanders on Shabbos.⁵ (These animals are also considered *Muktza* on Shabbos.⁶)
- If a birdcage was left open it may not be closed on Shabbos as is considered trapping.⁷ Similarly, the Mishna Berura⁸ writes that when feeding a bird in a birdcage one must be careful not to open and close the door to feed the bird, since closing the door of the cage now traps the animal. Rather, one should feed the bird by passing food through the wires of the cage or opening the door only slightly when feeding the bird, so that the bird is always considered trapped.⁹
- One may not remove a small fish from a large aquarium to transfer the fish to a smaller aquarium.¹⁰

Setting a trap. The *Mishna Berura*¹¹ writes that it is prohibited to set a trap on Shabbos to catch an animal. However, setting a trap is prohibited only *mid'Rabanan*, because setting the trap only indirectly causes the animal to get trapped and is considered a *Grama*.¹² For example:

- It is prohibited *mid'Rabanan* to put down a mouse trap on Shabbos.¹³
- It is prohibited *mid'Rabanan* set up a bee trap on Shabbos.
- It is prohibited to hang fly paper on Shabbos to catch flies or other insects.¹⁴

However, it is permissible to set up a trap on *erev* Shabbos because the person sets up the trap before Shabbos begins.¹⁵ Thus, even if an animal is trapped on Shabbos, he is not liable, because his involvement was completed before Shabbos began.¹⁶

The Basics of the *Melacha* of *Tzod*

To get an understanding of the *melacha* of *Tzod* and when in which cases it is prohibited to trap and in which cases it is permitted to trap, it is important to review the basics of this *melacha*.

Which animals are included in the *melacha* of *Tzod*?

The *Shulchan Aruch*¹⁷ explains that there are two categories of animals regarding the *melacha* of *Tzod*:

1. **Animals which are commonly trapped – Prohibited *mid'Oraisa*.**
Animals or insects which are commonly trapped are referred to as *b'Mino ni'Tzod* and trapping them on Shabbos is prohibited *mid'Oraisa*. For example, trapping a rabbit on Shabbos is prohibited *mid'Oraisa* since rabbits are commonly trapped for their fur.
2. **Animals which are not commonly trapped – prohibited *mid'Rabanan*.**
Animals which are not commonly trapped are referred to as *Ain b'Mino ni'Tzod* and although trapping them on Shabbos is not prohibited *mid'Oraisa* it is nevertheless prohibited *mid'Rabanan* to trap them on Shabbos. For example, on Shabbos it is prohibited *mid'Rabanan* to trap:
 - Mosquitos
 - Flies
 - Moths
 - Roaches
 - Palmettos
 - Bees¹⁸

Since these insects are not commonly trapped, trapping them on Shabbos is only prohibited *mid'Rabanan*.

Defining "Confinement"

As we explained earlier, the *melacha* of *Tzod* is defined as an act which confines an animal. The *Shulchan Aruch*¹⁹ explains that there are three levels of confinement:

1. **A Narrow confinement - Prohibited *mid'Oraisa***
Confining an animal in a narrow or tight area is prohibited *mid'Oraisa*, because it is completely confined.²⁰ For example, one may not trap a fly in a small jar or bowl.²¹ Similarly, one may not close a window to trap a fly between the window and the screen.²²
2. **A Loose confinement - Prohibited *mid'Rabanan***
Confining an animal in a wide or loose area is prohibited only *mid'Rabanan*, because the animal is not completely confined, and it thus cannot be considered trapped *mid'Oraisa*.²³ For example, if one has a large garbage bin in front of his home which has flies inside it, it is prohibited *mid'Rabanan* to close the bin with intention to trap the flies.²⁴
3. **An area which does not confine the animal at all – Permitted**
Confining an animal in a large area where the animal cannot at all be considered confined at all is permissible on Shabbos.²⁵ For example:
 - If a mosquito or fly enters a room, one may close the door of the room to "trap" the insect inside the room, because the small insect cannot at all be considered confined in the large room.²⁶

Similarly, if the animal or insect is not completely trapped but can escape on its own it is permitted.²⁷ For example,

- One may use a dustpan to remove a roach from one's home by scooping up the roach and carrying it outside. Since the roach can easily escape from the dustpan it is never considered "trapped".²⁸
- One may close a window to trap a fly between the window and the screen if there is a hole in the screen which is big enough for the fly to escape.²⁹

Slow-moving animals. Any animal which is slow moving and cannot protect itself from being captured, may be trapped on Shabbos, because it is in a state of

1 Mishna Shabbos 73a 2 Orchos Shabbos (vol. 1 p. 415) writes that "Tzod is defined as an act which takes away the freedom of an animal." 3 Rashi, Shabbos 73a d'h *hatzod* The Gemara Shabbos 74b also writes that nets were made to trap the *chazal* fish so that its blood could be extracted for use (as *techeiles*) in the *Mishkan*. 4 Mishna Berura 316:33. If one allows the fish to die the *melacha* of *Shocheit* (Slaughtering) is also violated. 5 Practical & Relevant Hilchos Shabbos (Rabbi Shmuel Felder) p. 195 6 *ibid* 7 Biur Halacha d'h d'assur. If the bird will return to its cage on its own if it escapes, one may close the door of the cage (Practical & Relevant Hilchos Shabbos p. 196) 8 Biur Halacha d'h d'assur (see Orchos Shabbos 14:18) 9 Biur Halacha d'h d'assur (39 Melachos p. 881) 10 39 Melachos p. 851 11 Mishna Berura 316:18 12 The Mishna Berura 316:18 writes that the only way one can violate the *melacha* of *Oraisa* of *Tzod* is if at the when one sets the trap, an animal is immediately trapped in the trap. However, if the trap is set and the animal is only caught afterwards, it is only prohibited *mid'Rabanan*. 13 Mishna Berura 316:18; see Kovetz Halachos vol. 2 p. 783, note 24. One may also not add food to a mouse trap which was already set up (Practical & Relevant Hilchos Shabbos p. 195). 14 Kovetz Halachos vol. 2 p. 785 15 Mishna, Shabbos 17b 16 Orchos Shabbos 14:3; The Shabbos Home Vol. 2, p. 351 17 Shulchan Aruch 316:3 18 The Mishna Berura (316:13) cites a dispute amongst the *poskim* whether honeybees are considered "commonly trapped" (*mino nitzod*). Some *poskim* rule that since honeybees are commonly trapped for their honey, trapping them on Shabbos is prohibited *mid'Oraisa*. However, the majority of *poskim* rule that bees are not considered commonly trapped. They argue that since bees need to move around freely for them to produce honey they are never meant to be truly trapped; one merely transfers them to the place where the honey will be produced (as explained by the Avnei Neizer 189:21). 19 Shulchan Aruch 316:1; Mishna Berura 316:4,5 20 Shulchan Aruch 316:1 21 Rema 316:3. The Mishna Berura (316:16) writes that although when the jar or bowl is removed the fly will immediately fly away, nevertheless it is still considered "trapped" in a "confined" area. 22 See Orchos Shabbos (14:19) we he considers trapping a fly in the window to be a "tight confinement". However, others (Kovetz Halachos vol. 2 p. 774; The Shabbos Home Vol. 2 p. 353) writes that trapping a fly inside the window to be a "loose confinement." This would have an important halachic ramification, aside from whether closing the window is prohibited *mid'Oraisa* or *mid'Rabanan*: The Mishna Berura (316:5) explains that there is a leniency which applies trapping an animal or insect in an area which is considered a "loose confinement," when one's intention is not to trap the animal but is an unintentional outcome which occurs (*davar sheaino miskavein*), as well will discuss in the next footnote. According to the Orchos Shabbos (*ibid*), since the window is considered a "tight confinement" one may not close the window even if one's intention for closing the window is only to keep out cold air and not to trap the fly, since it is inevitable (a *psik reisha*) that closing the window will trap the fly. On the other hand, according to the other *poskim* (*ibid*), since the window is considered a "loose confinement" one may close the window if his intention is not to trap the fly but just to keep out the cold. 23 Shulchan Aruch 316:1 (Mishna Berura 316:15) 24 *Aino Miskavein* – One does not have intention to trap the flies. The Rema (316:3) rules that if one does not have intention to trap the animal which is *ain b'mino nitzod*, it is permissible to trap the animal if his intention is not to trap the animal (Mishna Berura 316:5). For example, the Rema rules that one may trap flies in a large bin if his intention is not to trap the flies. Similarly, if one has a large garbage bin in front of his home which has many flies in the bin, and he wishes to throw out the garbage and close the bin, it is permissible to close the cover of the bin on Shabbos so long as there is a lot of space in the bin. Since the bin is considered a "large area" one may close the bin even though it is generally prohibited *mid'Rabanan* to trap the flies in the large bin, since the flies are *ain b'mino nitzod* and one's intention is not to trap the flies, it is permissible. However, if the garbage bin is full of bags, the bin can no longer be considered "large" and closing the bin and trapping the flies would be problematic even if one's intention is not to trap the flies. However, if when one opens the bin, he sees many flies escape and he does not notice any other flies in the bin, he does not need to be concerned that there are flies remaining in the bin and he may close the cover of the bin on Shabbos (Mishna Berura 316:16). 25 Chur Shani 15:2 26 *ibid*. See Shabbos Home Vol. 2 p. 353 27 The Shulchan Aruch (316:4) rules that one may drape a blanket over a beehive to stop the bees from escaping the hive if there is room for the bees to escape from under the blanket. Since it is possible for the bees to escape from under the loosely draped blanket they are not considered "trapped," and the *melacha* of *Tzod* is not violated (Mishna Berura 316:18). 28 Kovetz Halachos vol. 2 p. 785; 39 Melachos p. 860 29 39 Melachos p. 861

confinement and therefore trapping the animal is not considered an act of *Tzod*.³⁰ For example:

- One may trap a snail, earthworm, or caterpillar on Shabbos, because these animals are slow-moving and cannot escape being captured.³¹

Trapping to prevent pain

As we discussed, trapping animals or insects which are *not commonly trapped* is only rabbinically prohibited. Nevertheless, *Chazal* allowed a leniency regarding these animals: if an animal or insect which is not commonly trapped threatens to cause physical pain they may be trapped.³² (This leniency permits only trapping such an animal or insect but does not permit killing it, as we will later discuss.³³) For example:

- If a wasp is threatening to sting one may trap it by covering it with a bowl.³⁴
- If, while sitting in a Sukkah, bees are threatening to sting, one may trap them under a bowl.³⁵
- If, while sitting outside, and mosquitos are threatening to bite, one may cover them with a bowl.³⁶

Since these insects are species which are not commonly trapped,³⁷ one may trap them to prevent physical pain.

However, one may trap insects only in a situation where there is a concern that they may truly cause physical suffering. As Rav Yisroel Belsky³⁸ writes, "One must be careful to trap insects only when there is real threat of pain. One should not imagine or persuade himself to think that there is a possibility of pain to trap any type of insect even ones which do not cause significant pain." For example,

- One may not trap ants, flies, or roaches on Shabbos, because they do not inflict a significant amount of pain.³⁹

Emotional suffering. There is a dispute amongst the *poskim* whether *Chazal* allowed trapping animals which are not commonly trapped to prevent emotional pain. Some *poskim*⁴⁰ rule that *Chazal* were only lenient regarding physical pain but prohibited trapping these animals to prevent emotional pain. While others⁴¹ rule that *Chazal* were lenient even regarding emotional pain, as emotional suffering is no less painful than physical pain, and therefore one may trap these animals to prevent emotional suffering as well. For example, according to these *poskim*:

- Someone who has a fear or phobia of roaches or insects may trap them on Shabbos to prevent emotional suffering.⁴²
- Someone who has a fear or phobia of mosquitos may trap a mosquito on Shabbos.⁴³

However, as we mentioned, this leniency only permits trapping such insects, one may certainly not kill such insects on Shabbos.

To Summarize

Trapping an animal or insect violates the *melacha* of *Tzod*. However, one may trap an animal if:

- a. Trapping it does not truly confine the animal, such as a small insect in a large room or trapping an insect on a dustpan in a way that it can escape on its own.
- b. Trapping an insect which is not commonly trapped (and is prohibited only *mid'Rabbanan*) is permitted if the insect threatens to cause pain. (However, one may not kill the insect even if it will cause pain.)

The *melacha* of *Shocheit*

Another *melacha* which must be clarified when discussing the halachos of getting rid of bugs on Shabbos, is the *melacha* of *Shocheit* (Slaughtering),⁴⁴ which is defined as killing or taking the life of an animal.⁴⁵

In the Mishkan, after the animals were trapped, they were slaughtered and their hides were removed and used for the coverings of the Mishkan.⁴⁶ Accordingly, killing an animal or insect on Shabbos in any manner is prohibited on Shabbos. For example:

- One may not step on an insect while walking with intention to kill it.⁴⁷
- One may not put out poison or insecticides to kill insects.⁴⁸
- One may not flush an insect down the toilet, because this will inevitably cause the insect to die.⁴⁹

- One may not wash an insect down the sink drain by opening the faucet, because doing so will inevitably cause the insect to die.⁵⁰

The *melacha* of *Shocheit* applies to killing any type of animal

The Mishna Berura⁵¹ explains that unlike the *melacha* of *Tzod*, which (on a *d'Oraisa* level) applies only to animals which are commonly trapped, the *melacha* of *Oraisa* of *Shocheit* applies to all animals.

Killing to prevent pain

Therefore, since killing all animals or insects is prohibited *mid'Oraisa*, the Shulchan Aruch⁵² writes that even if an animal threatens to cause physical pain it is prohibited to kill it on Shabbos.

Still, there are some instances where it is permissible to kill a threatening animal or insect on Shabbos:

1. Dangerous insects or animals. The Shulchan Aruch⁵³ rules that an animal or an insect which poses a threat to life may be killed on Shabbos. For example:

- One may kill a poisonous snake or a raccoon which may be rabid.⁵⁴
- One may kill a bee on Shabbos if it threatens to sting someone who is highly allergic to bee stings.⁵⁵
- One may kill a hornet or wasp which is hovering around an infant, because their sting can be dangerous for an infant.⁵⁶

2. Animals or Insects which may cause severe pain (but are not life threatening).

The Shulchan Aruch⁵⁷ rules that an animal or an insect which are not life threatening but may cause severe pain may be killed in an inconspicuous manner. Meaning, that one may kill these animals as he is walking in a way which does not give off the appearance that he is intentionally killing the animal.⁵⁸ For example,

- An adult who may suffer an allergic reaction from a bee or hornet's sting (which is not life-threatening), may step on it while walking. Since these insects can cause him severe pain they may be killed in an inconspicuous manner.⁵⁹

The Mishna Berura⁶⁰ explains that these animals may not be killed outright, because this may cause an onlooker to mistakenly think that it is permissible to kill an animal even when it is not posing a significant threat.⁶¹

3. Animals and insects which are not threatening. All other animals or insects which do not pose a serious threat, may not be killed on Shabbos as killing these animals or insects on Shabbos violates the *melacha* of *Shocheit*.⁶² For example:

- If a bee enters one's Sukkah, one may not kill it even though they are bothersome and can cause physical pain. Since bees will generally not cause severe pain, they may not be killed on Shabbos or Yom Tov.⁶³ (However, as we mentioned earlier, bees may be trapped on Shabbos or Yom Tov.)
- One may not kill a bothersome fly, moth, or caterpillar on Shabbos.⁶⁴
- One may not kill a mosquito or roach on Shabbos.⁶⁵ (However, as we mentioned above, if the insect causes emotional suffering, some *poskim* rule that it may be trapped on Shabbos. One may certainly use a dustpan to scoop up a roach and remove it. Since the roach can escape easily from the dustpan it is not considered "confined".)

Using insect repellents

It is permissible to use insect repellent on Shabbos to keep away mosquitos or other insects, because the repellent does not kill the insects but merely prevents them from coming.⁶⁶

Bug Zappers. One may put out a bug zapper before Shabbos to kill bugs over Shabbos.⁶⁷ Since the bug zapper was set up before Shabbos and the person setting up the zapper finishes his involvement before Shabbos begins, he is not liable even if insects are killed on Shabbos.

³⁰ The Shulchan Aruch (316:2) writes that trapping a sick, lame, or elderly animal is not considered *Tzod mid'Oraisa* since these animals are already considered trapped as they cannot escape, but it is nevertheless prohibited *mid'Rabbanan* (Mishna Berura 316:9). Rav Shlomo Zalman Auerbach (Shulchan Shlomo 316:4; Shmiras Shabbos k'hilchaso 25:45) writes that in our case of a slow-moving animal it is totally permissible since all slow-moving animals may be trapped on Shabbos there is no concern that required the *Rabbanan* to prohibit trapping them. ³¹ 39 Melochos p. 863 ³² Shulchan Aruch 316:9; Mishna Berura 316:37 (39 Melochos p. 872) ³³ Shulchan Aruch 316:9-10 ³⁴ Shabbos Home Vol. 2 p. 349 ³⁵ Shulchan HaLevi p. 91; 39 Melochos pp. 872-873 ³⁶ Kovetz Halachos vol. 2 p. 779. 39 Melochos (p. 875) however writes that in most cases mosquitoes do not cause a significant amount of pain or discomfort to permit trapping them on Shabbos. ³⁷ Even honeybees are not considered commonly trapped, as explained earlier in footnote 18. ³⁸ Shulchan HaLevi p. 92 ³⁹ ibid ⁴⁰ Rav Shlomo Zalman Auerbach quoted in Shmiras Shabbos k'hilchaso 25: ha'arah 21 ⁴¹ Rav Yisroel Belsky (Shulchan HaLevi p. 92); Rav Nissim Karelitz quoted in sefer Toras Hamalachos *Tzod* end of 104. ⁴² See Shulchan HaLevi ibid ⁴³ See Shulchan HaLevi ibid ⁴⁴ Shabbos 73a ⁴⁵ Rambam, Shabbos 11:1,2 ⁴⁶ Rashi on Mishna Shabbos 73a d'h hatzod ⁴⁷ 39 Melochos p. 887; Practical & Relevant Hilchos Shabbos p. 195 ⁴⁸ 39 Melochos, ibid. Kovetz Halachos (vol. 2 p. 796, note 39) writes that when one's intention is to wash his hands (and not to kill the insect) then it is considered only an *aino miskavein* and is permitted based on a combination of factors. ⁴⁹ 39 Melochos, ibid. Kovetz Halachos (vol. 2 p. 796, notes 39-40) writes that when one's intention is to flush the toilet then it is considered only an *aino miskavein* and is permitted based on a combination of factors. ⁵⁰ Orchos Shabbos 14:25 ⁵¹ Biur Halacha 316:9 d'h v'assur l'hargo ⁵² Gemarah Shabbos 107b. See Shulchan Aruch 316: 9,10. Lice. The Gemara (Shabbos 12a) states that because lice do not reproduce in the same manner that other animals or insects do, they are considered a different category of life, and are not included in the prohibition of *Shocheit*. Therefore, someone suffering from head lice may use a spray or powder to kill the lice (39 Melochos p. 889). However, many *poskim* (Toras Shabbos 14:33; Rav Yosef Shalom Elyashiv, cited in Orchos Shabbos 14:30, note 47) rule that because the lice found nowadays do reproduce just as other insects do, lice found nowadays are different than the lice described in the Gemara, and therefore it is preferable, when possible, not to kill lice on Shabbos (Orchos Shabbos 14:30). Nevertheless, if a young child is suffering from lice, one may be lenient and use a spray to kill the lice (Orchos Shabbos ibid, Kovetz Halachos vol. 2, p. 802). ⁵³ Shulchan Aruch 316:10 ⁵⁴ 39 Melochos pp. 890-891 ⁵⁵ ibid p. 872 ⁵⁶ ibid ⁵⁷ 316:10 ⁵⁸ This leniency is based on the principle of *melacha sh'eino tzriecha l'gufa*. Meaning that since the animal is not being killed for itself (i.e., to use the carcass of the animal), killing it is prohibited only *mid'Rabbanan* and may be killed to prevent severe pain (Mishna Berura 316:48). ⁵⁹ 39 Melochos p. 891 ⁶⁰ Mishna Berura 316:48 ⁶¹ However, trapping the insect is certainly permitted, because as we explained earlier, it is permissible to trap an animal (which is not commonly trapped) – even outright, to prevent physical pain. ⁶² The *melacha* d'Oraisa of *Shocheit* is only violated if the purpose of killing the animal is to keep the body or hide of the animal. If the purpose of killing the animal is not to keep the body or hide of the animal, but merely to kill the animal to remove it, then killing the animal is prohibited *mid'Rabbanan*. This is based on the principle of *melacha sh'eino tzriecha l'gufa*. See note 58. ⁶³ Orchos Shabbos 14:33. However, see The Laws of Yom Tov (Rav Simcha Bunim Cohen) p. 140, where he considers bees to be a serious enough threat that it is permissible to kill a bee if it is chasing after a person. **Killing animals on Yom Tov.** Rav Yakov Kamenetzky (cited in Shulchan HaLevi, p. 92) ruled that it is permissible to kill an animal on Yom Tov based on the principle of *Mitach* which states that since it is permissible to slaughter an animal on Yom Tov for *ochel nefesh*, one may slaughter an animal even in cases where it is not necessary for *ochel nefesh*. However, Rav Yisroel Belsky (Shulchan HaLevi, ibid) writes that one should not rely on this leniency; especially since it seems to contradict a ruling given by the Mishna Berura (533:20). The Laws of Yom Tov (Rav Simcha Bunim Cohen) p. 140, note 6, gives a reason why this leniency cannot be relied upon. ⁶⁴ Orchos Shabbos 14:33 ⁶⁵ The Laws of Yom Tov (Rav Simcha Bunim Cohen) p. 140 ⁶⁶ Be'er Moshe (2:23:4); 39 Melochos p. 885; The Shabbos Home Vol. 2, p. 354; see Shmiras Shabbos k'hilchaso 25:6. **Spraying the insect repellent on one's clothing.** Spraying the insect repellent on one's clothing may involve the rabbinical prohibition of *molad reich* (adding a scent), which prohibits adding scent on Shabbos. Since adding a scent gives off the appearance of completing a garment on Shabbos it is similar to the *melacha* of *Makeh b'Patish* and is thus Rabbinically prohibited. [This prohibition applies only to adding a scent to one's clothing but not adding a scent to one's body (see Mishna Berura 128:23; Shmiras Shabbos k'hilchaso (14: 57, note 147); see Nishmas Shabbos 4:345)] Therefore, some *poskim* rule that one may not spray repellent onto one's clothing (39 Melochos p. 885). However, others argue that since the repellent spray gives off an unpleasant scent it cannot be prohibited under the prohibition of *molad reich* because a bad scent would not be viewed as an act that "completes" the item (see Nishmas Shabbos 4:348; Orchos Shabbos 21:44; see also Be'er Moshe 2:23:4 who permits this because the scent of the insect repellent is not truly recognized by people only by the insects). ⁶⁷ ibid