

Using Baby Wipes on Shabbat

Aryeh Lebowitz

- I. Introduction.** Developments of recent decades have allowed for a tremendous enhancement of our quality of life. For parents of young children, few advances have been more convenient than the “baby-wipe”. Of course, any new product must be analyzed from a halachic perspective to determine the permissibility of its use on Shabbat. The use of baby wipes may pose serious halachic problems, as squeezing liquid from a solid usually involves a prohibition of *sechita*. Due to the frequency of use of baby wipes, it is imperative that we thoroughly analyze all of the issues involved in order to arrive at an accurate halachic conclusion regarding the status of baby wipes on Shabbat.
- II. Background Information.** Before discussing the specifics of the issue of baby wipes, it is important to gain a working knowledge of the issue of *sechita* in general. Squeezing a liquid out of a solid in which it is absorbed is a violation of the prohibition of *sechita*. Most *poskim* understand that *sechita* is related to the *av melacha* of *dash* (threshing). The *av melacha* of *dosh* entails the removal of an inedible attachment from produce by means of treading. The *gemara* (*Shabbat* 73a) mentions that *mefarek* is a *toladah* of *dosh*. *Rashi* explains that *mefarek* refers to unloading. For example, one who strikes the branch of a tree, thereby causing fruits to fall from the tree violates *mefarek* because he causes the tree to unload the fruit. The *Aruch Hashulchan* (*Orach Chaim* 320:3) explains that any separation of an item from within another item would constitute a *toladah* of *dosh*. Along the same lines, the *Rambam* (*Hilchot Shabbat* 8:10) writes that squeezing fruits in order to extract the juice also constitutes *mefarek*.
- The *gemara* (*Ketubot* 6a) states that squeezing absorbed liquids from a wet cloth violates a *melacha*. The leading *Rishonim* differ on precisely which *melachos* are involved. *Tosafot* explains that squeezing liquids absorbed in a fabric is a *toladah* of *dosh*. *Tosafot* also acknowledges that there is an additional prohibition of *melabain* (laundering) when squeezing liquid from a garment. However, the prohibition of *melabain* would only apply to clear liquid that is useful for cleaning. Squeezing juices and other unclear liquids would not constitute a violation of *melabain*. *Rambam* maintains that squeezing liquid from a wet cloth is not *mefarek* at all (probably because the absorbed liquids are foreign to the cloth). According to *Rambam* only the *melacha* of *melabain* is applicable to wet cloths or fabrics.
- In summation, it seems that when dealing with the issue of *sechita* there are two *melachot* in question, each with its own limitations. First, there is a problem of *melabein*, but only if the expelled liquid is a viable cleaning agent. Second, there is a problem of *mefarek*, but only if the expelled liquid is usable after being expelled.
- III. The Issue of Melabein.** Rav Moshe Feinstein (*Responsa Iggerot Moshe, Orach Chaim II* #70) was asked about the permissibility of using a wet paper towel to clean a countertop on *Shabbat*. Rav Feinstein begins his response with a brief discussion of the *melacha* of *melabain* as it applies to paper towels. He argues that there is no concern of *melabein* in this case for two reasons. First, there is no concern of that one will launder a disposable cloth (see also *Responsa Har Tzvi Orach Chaim* I, 190 who presents a similar argument). Second, the liquid absorbed in the paper towel doesn’t clean the paper towel. To the contrary, it dirties the paper towel (even though the water is clear).

It would seem clear that Rav Feinstein's first lenient argument is equally applicable to a baby-wipe as they are also disposable. While the second lenient argument may not apply to baby wipes (because the liquid absorbed in them can hardly be said to have dirtied them), there may be an additional leniency to apply to the case of the baby wipe that does not apply to the wet paper towel. We have already mentioned that *sechita* based in laundering is only problematic if the absorbed liquid is water. When, however, oil or other liquids are absorbed in the garment, squeezing the liquid out does not involve laundering. Most baby wipes have some sort of aloe base and are not saturated with water.

IV. The Issue of Mefarek.

- A. The stringent view. Rabbi Yitzchak Yakov Weiss (Responsa *Minchat Yitzchak* X:25) points out that the purpose of the moisture in the baby wipes is to make the cleaning of the baby easier by being squeezed from the cloth on to the baby. As we mentioned previously squeezing based in *mefarek* is only problematic if one intends on using the extracted liquid. In the case of baby wipes the extracted liquid is certainly being used to aid in the cleaning of the baby. (For further details of this approach see Rabbi Simcha Bunim Cohen's Children in Halacha who discusses this issue at length in a Hebrew footnote, page 205.)
- B. The lenient view. The overwhelming majority of torah observant Jews in America do not refrain from using baby wipes on Shabbat. Indeed, Rav Ovadia Yosef (*Yalkut Yosef Kitzur Shulchan Aruch* 320:38) rules that using baby wipes gently is permissible, but he does not offer any logic to back up this contention. The leading *poskim* have offered several reasons for leniency in this area. We will briefly outline each lenient argument.
 1. Rabbi Yechiel Yakov Weinberg (Responsa *Siridei Eish, Orach Chaim* 30) discusses the issue of *sechita* as it applies to a toothbrush. He points out that since the water is immediately rendered useless upon being extracted from the toothbrush, there is no problem of *mefarek*. Evidently, Rabbi Weinberg does not view the fact that the water actually aides in the cleaning prior to being discarded as significant enough to be considered real use of the water. (See *Iggerot Moshe* *ibid.* who says that the water squeezed from a wet paper towel is also considered to have been discarded immediately upon its extraction.) The logic for such a view is probably that the water on the toothbrush is not being used for cleaning the teeth, but for softening the toothbrush, as a wet toothbrush is easier in the teeth than a dry one. Similarly, one may argue that the liquid in the baby wipe is only valuable in making the wipe softer, and allowing it to clean up the mess more easily. Once the liquid is expelled from the wipe it is already deemed useless. (See there for Rav Shlomo Zalman Auerbach's comments on this argument. Also, see Responsa *Har Tzvi* *ibid.* who develops a similar approach to Rabbi Weinberg's.)
 2. Second, Rabbi Weinberg argues (regarding the toothbrush) that since the person using the toothbrush has no intention to squeeze the water out, there is no prohibition to do so. Even though we generally forbid an unintentional action that is certain to lead to the violation of a *melacha* (*pesik reisha*), the *Terumat Hadeshen* (64) and the *Magen Avraham* (*Orach Chaim* 253:41) write that when the prohibition in question is only rabbinic in nature one may perform an action

that will lead to a definite violation of the prohibition. It is important to point out that the view of the *Terumat Hadeshen* is not accepted by most *poskim*. The *Rema* (314:1) seems to prohibit violating a *pesik reisha*, even on a rabbinic prohibition (see *Rema* 316:3 and *Shar Hatziyun* 316:18).

3. Sefer 39 Melachos (Dosh page 352-353) says that he heard in the name of Rav Moshe Feinstein that the wipes are made in such a way that the liquid remains in the surface of the wipe without being truly absorbed. The companies make the wipes in this way in order to minimize the pressure applied to the baby in transferring the liquid. When one uses the wipe, he is not squeezing liquid from the cloth, but merely transferring the liquid already on the surface of the wipe to the baby. Indeed, Rabbi Ribiat (ibid.) reports that extensive interviews with a baby wipe company corroborate this contention. (See there where he reports that interviews with a different company contradict this contention.) I have heard that those wipes with an oil base are more likely to have the liquid droplets on the surface of the wipe, while water based wipes are more likely to have the liquid absorbed in the wipe itself. Clearly, this leniency is limited to wipes that are very saturated with liquid.
4. Some *poskim* permit the use of baby wipes that are only slightly moist and are not capable of wetting another surface to the point that the wet surface can transfer moisture to something else. The source of this ruling is somewhat ambiguous as the *Shulchan Aruch* does not seem to distinguish between various levels of moisture. Rabbi Ribiat (ibid. footnote 146) points out that the *Rema* only mentions this distinction in relation to the issue of *muktza* but not in relation to the issue of *sechita*.

V. Conclusion. While those who prohibit the use of baby wipes on Shabbat seem to have strong halachic arguments, many *poskim* have taken a more lenient approach to this issue. It is important to note that the preceding discussion was limited to the prohibition of *sechita*. If the wipes are stuck together it would be forbidden to detach them for other reasons. Due to the considerable debate about this topic, it is advisable to consult a community Rav for guidance in this area.

Comments of Rav Silver Shlit"a

In your article on baby wipes you write:

1)The av melacha of dosh entails the removal of etc. I think it is more correct to define dosh as the separation of etc. The Rabbeinu Chananel in Shabbos 74a writes that dash is the preparation for borer. This can also be found in the Aruch on the word Dosh. As to why there is no dosh when peeling an orange see Shmiras Shabbas Kehilchasa 3, footnote 92.

2)You quote a gemara Shabbat 73a that mefarek is a tolda of dosh. I assume you meant 73b. If I am not mistaken, the gemara never says what av is mefarek a tolda of. See Rashi 95a d.h. mefarek where there are two opinions as to whether mefarek is a tolda of dosh or kotzer. It is clear that Rashi clearly is of the opinion that it is a tolda of dash both there and on 73b. This is the opinion of the Rambam as well in Shabbat 8,7. See Tosfos 73b dh mefarek in the name of Rabbenu Tam that it is a tolda of memachek.

3) You define mefarek as unloading. This is based on Rashi 73b. This is a very problematic Rashi. See the Ritva there that according to this, every time one violates kotzer one also violates dosh. See the Ran (31b in the dapei haRif dh amar) who asks on Rashi why the gemara says this just by dates and no other fruit. The other rishonim explain the case differently. The Rashbam (in Tos. dh veahas) says that one knocks off the outer peel of the date with the piece of dirt. (As far as the existence of such a peel see the Eglai Tal dash os 1 seif katan 3.) The Rav shulchan aruch 319, 9-quoted by Rav Eider shlita p. 90 footnote 32 says that dah is with a kli and mefarek is beyad. The Ran explains the case a third way- that the cluster falls off the tree and then hits the ground and the dates separate from the cluster. This case as explained by the Ran is interesting for two reasons. A) We see that dash is separating the ochel from the pesoles not only when it is inside the pesolus, but even when it is attached from the side. This is the opinion of the Eglai Tal dash seif 2. This is disputed by the Pri Megadim in Misbetzos Zahav 336,8. B) It appears that one is chayav on a melacha done via koach sheni as mefarek is just done when the dates hit the ground. See the Sefer- Maase Ugrama Beshabbat on pages 161, 186-7 regarding this. As far as Rashi is concerned - a) Our text in Rashi is that one is mefarek the dates from the mechabdos and not from the tree as the other rishonim quote Rashi. b) Rashi, as quoted by the other rishonim, is of the opinion that whenever you separate the ochel from the pesoles, it is dosh even if it is from on the tree. One would have kotzer alone without dash when you pull the whole thing out of the ground (vedochek). The other rishonim are of the opinion that dosh is only after it has been picked (kotzer which is oker davar migidolo see 107b-108a).

As I am typing this letter myself (my wife is making Shabbos) and I don't want to lose it, I am sending this part first.
Bezras Hasem there will be more to come.

Kol tuv,

Ahron Silver

Dear Aryeh,

4) You state that squeezing juices and other clear liquids is not a problem of melaben (at least according to Tos). Tos in Kesubos 6a has two opinions on this point and the Ri is of the opinion that there is always melabein by all liquids, just that by unclear liquids we are not choshesh that he will squeeze. (I assume the explanation is that it does clean somewhat, or we say it both cleans and dirties simultaneously and it is assur because of the cleaning aspect.) The Ri is quoted in the Beur Halacha 320, 18 dh yesh-see there that even according to the Ri it is only melaben midrabanan.

5) The Ran shabbos (41a in the dapei haRif dh ulefichach) says that even according to Rabbeinu Tam that one needs a cleaning liquid for melaben, still white wine might be ossur to squeeze from a cloth. This is quoted by the MB 320,55. Also see MB 319, 38 and Shaar Hatziyun 29. Therefore the fact that the liquid in baby wipes is not water does not in itself rule out melaben.

6) You quote the Rambam 9,11 that there is only melabein. You explain that this is probably because the liquids are foreign to the cloth. However the Rambam does forbid squeezing pickles etc. for their juices midrabanan-see 21,13. This might be because the pickle juice becomes part of the ochel and hence there is dosh midrabanan. On the other hand the water does not fuse to become part of the shirts and hence there is

no dosh at all there even midrabanan acc. to the Rambam. One can find this svara in the Eglei Tal dash 7,17.

7) You quote the Igros Moshe's teshuva on cleaning with niyar and indicate he is talking about paper towels. However part of heter there is based on the fact that the water does not get absorbed in the niyar. This would seem to indicate that the teshuva is talking about regular paper as paper towels absorb very well.

8) I once asked Rav Schachter shlita about baby wipes and he said it was muttar as they are so wet one does not have to squeeze. I didn't understand this as a) Are all brands so wet? b) Can one wash dishes with a sponge or rag under water where one clearly doesn't need to squeeze - see Shmiras Shabbos 12, 11 and footnote 37 on this. Perhaps the fact that they are so wet is only part of the heter.

9) I find it hard to believe that the water doesn't help in brushing ones teeth and cleaning the baby as sometimes the dirt is stuck on. The issue is lechora if the water is used and immediately discarded is it called leibud. See Orchos Shaabos siman 7 (in the back of the sefer on this.) The notes Harrei Sada on the teshuva in Har Zvi (by the author of Har Zvi's grandson who was also a big talmud chacham) brings a proof that this is leibud. The Orchos Shabbas is machmir. I don't have the teshuva of the Har Zvi at home but I seem to remember that it was just notes he wrote for himself on the topic and one has to be careful relying on this alone lehalacha. Also see Shemras Sabbos vol 3 - the meluim on 14, footnote 94.

It is getting close to Shabbos here, so I will continue bli neder next week (regarding the tea). Did you ever write an article on putting soft lenses in cleaning solution on shabbos? The Orchos Shabbos Shabbos says it is ossur and only permissible in soaking solution (based on Rav Elyashiv shlita) (if they were cleaned on erev Shabbos. Rav Vosner shlita and Rav Karelitz shlita are meikil to put in soaking solution even if they weren't cleaned on Fri.). They claim they absorb and even if they are like leather where one does not say shriyassan zo he kibussan, still it is ossur to soak leather in water with detergent. Rav Willg shlita told me it is muttar even to put them in cleaning solution on shabbos.

Have a good Shabbos,

Ahron Silver

Dear Aryeh,

Three more points re. dash: 1) The Rabbeinu Chananel 74a says that it is the separation of pesoles mechubar to the ochel. The Oruch also says this - uses the lashon mechubar. Rasi 95a dh mefarek seems to argue and says that it is not mechubar. Mechubar acc. to Rashi seems to be fused together and with milk this is not so. Acc. to Rashi dash - mefarek is to take apart something which is contained in something else. Rashi would then be saying that it is to "remove" which is what you wrote, but would still agree that

the pesoles is still mixed with the ochel after dash and would still need borer as the Rach said. (Agav, this would be the lashon mefarek acc. to Rashi as the massui on the donkey is not fused together with the donkey. At best, it is tied on.) 2) Rashi here 95a says that in dash - mefarek the ochel is covered by the pesoles and this would be like our text in Rashi 73b min hamechados and not as the other rishonim quote Rashi - min hailan. 3) Tos. 73b dh veachas (at the end of tos.) has dash-the av- as separating the ochel from the pesles and the tolda as being mefarek the pesoles from the ochel. The Rach 74a and the Oruch have the opposite by dash.

Heard from Mori V'rabi Harav Dovid Weinberger

R' Weinberger asked Rav Moshe zt"l about baby wipes and Rav Moshe was meikil on the grounds that the wipes have a lot of liquid on the outer surface and that is what goes on the baby. Once that liquid is removed the liquid absorbed inside the wipe is not so easy to squeeze out and is therefore not a p'sik reisha. R' Weinberger says that he brought many different brands of wipes to Rav Moshe, he tried all of them out and was meikil in all cases.