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Practical Guide to Chol HaMoed

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Preface

With Hakadosh Baruch Hu's kindness we succeeded in compiling an interesting and extensive collection of articles on the halachos of Chol Hamoed. In an effort to spread Torah and understand the complex topic of Chol HaMoed in a new light, we have chosen to share this packet with you. As we reach this milestone, it is without doubt due to certain individuals who deserve proper recognition. Firstly, we would like to thank Rosh Yeshiva, Rabbi Mordechai Willig for reviewing the Halachos of this packet. We would like to thank the editors who spent a lot of time researching the topics and working on the articles. Our editors include: Tzvi Benoff, Dubbin Hanon, Ariel Schreier, Russell Spiewak, Ike Sultan, and Jeremy Perlow. Ben Sultan designed the cover. The printing was thanks to SOY and its prestigious board members including: Jacob Bernstein, Natan Bienstock, Tuvya Miller, Ari Marks, and David Weiss.

Introduction of Hilchos Chol HaMoed

What is the basis for the prohibition of working on Chol HaMoed? Why are there significant leniencies under which it is permitted to do melacha on Chol HaMoed?

Because of the leniencies of Chol HaMoed, numerous rishonim assume that the melachot on Chol HaMoed are only forbidden miderabanan. However, many rishonim argue that the melachot are forbidden on Chol HaMoed on a Torah level.¹

The Ramban (Moed Katan 2a s.v. od ani) and Rashba (cited by Maggid Mishna Yom Tov 7:1) arbitrate between these two positions and consider melacha on Chol HaMoed from the Torah's perspective to be dependent solely on whether the melacha is necessary for the holiday.

¹ Tosfot (Chagiga 18a s.v. cholo) and Rosh (Moed Katan 1:1) hold that the entirety of work on Chol HaMoed is derabanan. Such is the opinion of the Rambam (Yom Tov 7:1), Mordechai (Moed Katan n. 835), and Nemukey Yosef (Moed Katan 1a s.v. Gemara). On the other extreme, the Rashbam (Pesachim 118a s.v. kol) and Yereyim (Mitzvah no. 304) hold that melacha on Chol HaMoed is forbidden by the Torah. Several statements of Chazal indicate this position including Chagiga 18a and Moed Katan 11b. However, Tosfot answer that these Gemaras mean that there is an allusion in the pasuk to the prohibition.

If it is necessary for the holiday, then the melacha is permitted from the Torah and, if not, it is forbidden.² In a similar vein, Rav Sobolofsky (“[Issur Melacha on Chol HaMoed](#),” min 12-15) explained based on the Ritva (Moed Katan 13a s.v. elah) that the primary principle underlying the laws of Chol HaMoed is that one should enjoy the holiday. Thus, activities that further this purpose are permitted, while those which hinder this goal, especially ones that involve excessive effort, are forbidden.

This is in stark contrast, says the Ritva (*ibid.*), to the prohibition to do melacha on Erev Pesach (see the concluding article of this packet). The basis for that prohibition is to give people a chance to prepare for the korban Pesach or for the holiday. While many halachos align, the essence of each day is divergent.

The Sefer HaChinuch (n. 323) explains that the determination of which melachot are biblically forbidden is left in the hands of the rabbis.

In a nutshell, all of the melachos of Yom Tov apply to Chol HaMoed; however, there are 5 major leniencies which would permit melacha on Chol HaMoed (Tur 530, Biur HaGra *ad loc.*, Mishna Brurah *ad loc.*). Work is permitted if one is performing the work for any of the following 5 reasons:

- 1) for the holiday (*tzorech hamoed*)
- 2) to prepare food (*ochel nefesh*)
- 3) to take care of a communal need (*tzorchei harabbim*)
- 4) to avoid a loss (*dvar ha'aved*)
- 5) to make money to be able to buy food to eat (*poel she'ain lo mah le'echol*)

Excursions and Trips on Chol HaMoed (Josh Blau)

1. Taking a trip for pleasure is considered a legitimate festival need and thus may be done on Chol HaMoed,³ regardless of the mode of transportation used.
2. Modes of transportation that are forbidden on a Torah level on Yom Tov (e.g. a car) may not be used on Chol HaMoed without need,⁴ while other modes of transportation (e.g. a bicycle) may even be used without need.⁵
3. Purely preparatory actions are allowed, provided that they are necessary for the moed.⁶ Thus, washing a car's windows⁷ or getting gas are permitted. However, preparatory actions that are purposely delayed until Chol HaMoed may not be done on Chol HaMoed.⁸

² The Bach 530:1 supports such an explanation based on the pesukim. On Yom Tov, the Torah forbids “*melechet avoda*” (Vayikra 23:8) and Rashi explains this to mean that one is prohibited to perform even work that will cause one to experience a loss if not done today. The Torat Kohanim (Emor 12:5) states that the prohibition of “*melechet avoda*” does not apply to Chol HaMoed; therefore, concludes the Bach, it is biblically permitted to do a melacha for the need of the holiday.

³ S.A. 536:1. It is problematic, however, to constantly engage in pleasure trips without enjoying the moed through festive meals and Torah (see Kol Bo and M.B. 530:2).

⁴ This is a basic extension of the general rule that any melacha that is a maase hedyot is permitted le'tzorch ha'moed. R' Moshe Feinstein (Piskei Halachos 6) permits the use of a car even for walkable distances.

⁵ Mo'adei Hashem 34. See Rama 536:1 for the parallel case of riding an animal.

⁶ This is an extension of the rule that it is permissible to drive le'tzorech ha'moed.

⁷ Provided that the entire car is not washed for the purpose of looking nice, as this does not constitute as a need.

⁸ S.A. 536:1. M.A. there quotes the Maharik that if this was done, the use of the item is forbidden.

4. When it comes to vehicle repairs, whether the action is allowed and to what extent it is allowed depends on the expertise required. If the problem requires a *maaseh uman*, the work of a professional (e.g. patching a tire from the inside), it may not be performed on Chol HaMoed, even if the vehicle is needed.⁹ If it only requires a *maaseh hedyot*, the work of an average person (e.g. jumpstarting a car), it may be done on Chol HaMoed.¹⁰
5. If a mechanic is hired, he may be either non-Jewish or Jewish, but he must not take payment. Additionally, if he is Jewish, he must also do the work in private.¹¹
6. All of the above is only the case if there is no monetary loss, *davar ha'aved*, involved. If there is a potential loss if the repairs are not done, such as if a car breaks down in the middle of a trip, then any repairs not involving excessive exertion¹² may be performed.¹³
7. If the loss will only be experienced after the moed, in order for an expert repair to be allowed, there must be further damage incurred if it is not fixed specifically on Chol HaMoed.¹⁴
8. Renting a vehicle on Chol HaMoed in order to travel is permitted.¹⁵

Writing on Chol HaMoed

1. One may write on Chol HaMoed if one is writing for a holiday need.¹⁶ It is customary when writing for this purpose to alter the way in which one writes.¹⁷
2. Some consider typing on a computer as non-professional writing and so it's permissible if there's a 'need of the holiday.' However, some consider typing as professional writing which is only permissible if there's a public need, a loss of money, or a passing mitzvah.¹⁸

⁹ S.A. 543:1. According to M.A. and Pri Megadim there, if one is traveling for a mitzvah, the repair may be made by a non-Jew. According to the Behag and those who think that work on Chol HaMoed is only a rabbinic prohibition, this may also apply to a case in which one will be prevented from enjoying the holiday if the repair does not take place.

¹⁰ S.A. 536:1.

¹¹ S.A. 533:5.

¹² See S.A. 537:2.

¹³ See Shemiras Shabbas Kehilchesa 66:59 note 230.

¹⁴ There is a combination of factors involved here. For further analysis see R' Nebenzahl's *Yerushalayim BeMoadeha* pp. 279-282.

¹⁵ See S.A. 536:1.

¹⁶ The Mishna (Moed Katan 18b) establishes that in general one may not write on Chol HaMoed. Rambam (Chol HaMoed 7:13) and S"A 545:1 codify this. Just like other melachos on Chol HaMoed, there are two categories of writing. The Rama 545:1 quotes two opinions about whether ordinary writing is considered professional and says that the minhag is to be lenient. Based on this and other reasons, Hilchot Chol HaMoed Zichron Shlomo (p. 87) writes that ordinary writing is *maaseh hedyot*. S"A 540:1 and Mishna Brurah 540:1 clarify that *maaseh hedyot* is muter for a tzorech hamoed. Mishna Brurah 545:4 writes that writing of a sofer is considered professional and would not be permitted even for a holiday need.

¹⁷ M.B 545:5

¹⁸ Rav Ovadia Yosef (Sh"t Yabia Omer 8:48:5) writes that typing on a computer is considered non-professional writing and would permit typing up divrei torah one might forget or sending greetings for a holiday need. Similarly, Igrot Moshe EH 4:73(4) implies that typing on a computer is not considered a melacha. Shemirat Shabbat KeHilchata Ch. 66 n. 211 adds that typing is permitted because it is not permanent, however, saving the information to the hard-drive is problematic because of boneh as the disk

Haircuts and Shaving on Chol HaMoed (Dubbin Hanon)

1. Although the Gemara prohibits shaving or getting a haircut on Chol HaMoed, some authorities permit shaving on Chol HaMoed for someone who both shaves regularly and shaved on Erev Yom Tov.¹⁹

is improved when information is saved. See Sh"t Shevet Halevi 6:37 s.v. VeAf as to whether typing is considered like writing for the purpose of Chol HaMoed.

¹⁹ The Mishna in Moed Katan 13b lists the people who are permitted to shave on Chol HaMoed. The list includes those who were unable to do so before Yom Tov such as someone who just arrived from his travels abroad. The Gemara on 14a explains that the reason that the Rabbis forbade shaving on Chol HaMoed is to encourage people to shave in honor of Yom Tov before Yom Tov. If one were allowed to shave on Chol HaMoed, we are concerned that he would not shave on erev Yom Tov and he would enter Yom Tov unkempt. S" A 531:1 writes that it is a mitzvah to shave before Yom Tov and in 531:2 records the prohibition to shave on Chol HaMoed.

Rabbenu Tam (cited in Tur 531) held that since that is the reason for the rabbinic enactment, if one shaved before Yom Tov, he can shave on Chol HaMoed and the enactment would not apply. The Tur himself rejects this logic for two reasons: 1. If someone who shaved before Yom Tov could shave on Chol HaMoed, why is he not listed in the Mishna among the people who can shave on Chol HaMoed? 2. It should be forbidden because nobody can tell that he shaved before Yom Tov. This second reason is based on a question raised in the Gemara there about someone who was too busy to shave on Erev Yom Tov because he was looking for something that he lost. Though the Gemara leaves this question unresolved, the Tur here rules strictly, saying that since nobody can tell why he did not shave before Yom Tov, it is forbidden to do so. Thus he applies the same logic to one who already shaved before Yom Tov and forbids him from shaving on Chol HaMoed itself.

S" A 531:2 rules explicitly against Rabbenu Tam and says that even one who shaved before Yom Tov cannot shave on Chol HaMoed. Though most rishonim and acharonim rejected the idea of the Rabbenu Tam, the Noda Biyehuda Mahadura Kamma 13 writes that one may rely on Rabbenu Tam on condition that the one cutting his hair is a poor person who does not have what to eat. When asked why he printed such a novel idea, in Nodah Biyehuda Mahadura Tinyana 99-101 he explains that if he didn't print it, people would go to non-Jewish barbers who use razors and he had another secret reason. The Chatam Sofer 154 writes that the Nodah Biyehuda's hidden reason was that there were some who shaved daily with a razor and by allowing them to shave on Chol HaMoed he would save them from a Biblical prohibition of shaving with a razor as long as their hair stayed below some minimal level. In conclusion, the Chatam Sofer disagrees with the Nodah Biyehuda's leniency as did most other acharonim (see Chida in Yosef Ometz Siman 7)

Rav Moshe Feinstein (Sh"t Igrot Moshe OC 1:163) writes that technically it should be permissible for someone who shaved on Erev Yom Tov and regularly shaves at least once every 3 days, but adds that one should only rely on this if he's pained by not shaving or has a great need to shave. His logic is that even the Tur who disagreed with the Rabbenu Tam would agree nowadays since most people shave regularly, and it is well known that one who shaved on Erev Yom Tov will still have to shave on Chol HaMoed.

Rav Hershel Schachter (Hilchos Chol HaMoed (min 50-53) and Nefesh Harav pg. 189-190) quotes Rav Soloveitchik who, similar to Rav Moshe, felt that since one could not shave the hairs that had not grown yet before Yom Tov and since everybody knows that even if he shaved on Erev Yom Tov he will need to shave again on Chol HaMoed one would be permitted to shave even according to those who disagree Rabbenu Tam. He adds that anyone who is permitted to shave, actually must shave in order to look presentable for Chol HaMoed and not enter the last day of Yom Tov looking not presentable. Rav Aharon Lichtenstein (cited in Techumin 2:133 note 37) agrees with this ruling of Rav Soloveitchik.

2. The prohibition to cut hair applies equally to men and women.²⁰ A man may trim his mustache even if it does not interfere with his eating²¹ and a woman may remove other hair on her body in addition to the hair on her head.²²
3. It's permissible to comb or wash one's hair even if hairs will inevitably be pulled out.²³

Cutting One's Nails on Chol HaMoed (Ari Zucker)

1. Ashkenazim hold that it's forbidden to cut one's nails on Chol HaMoed; Sephardim hold that it is permissible.²⁴
2. If one cut his nails on Erev Yom Tov then he may cut them on Chol HaMoed as well.²⁵
3. If one was unable to cut one's nails before Yom Tov because they were not long enough, but grew long enough over Yom Tov, then it is permissible to cut them on Chol HaMoed.²⁶
4. If one was unable to cut one's nails before Yom Tov because of extenuating circumstances, he may cut them on Chol HaMoed.²⁷
5. It is permissible to cut one's nails with one's hands or teeth.²⁸
6. It is permissible for a woman to cut her nails before going to the mikveh.²⁹
7. Whenever it is permissible to cut one's hair, it is also permissible to cut one's nails.³⁰
8. It is permissible to cut one's nails for medical reasons.³¹

Rav Chaim David Halevi (Aseh Lecha Rav 1:39) notes that most contemporary poskim reject Rav Moshe's leniency. Shemirat Shabbat Kehilchita (Vol. 2 66:23) is also strict. Rav Avigdor Neventzal (Yerushalayim Bimoadaha Chol HaMoed pg. 237) is strict even for a date or a business meeting. According to Chacham Ovadia Yosef (Chazon Ovadia pg. 190. see also Yalkut Yosef Moadim pg. 516) and Rabbi Shalom Mesas (Tevuot Shemesh OC 55-56), Sephardim do not accept this leniency of shaving on Chol HaMoed if you shaved before Yom Tov.

²⁰ Hilchot Chol HaMoed Zichron Shlomo (pg 26), M"B 546:16 based on Pri Megadim 546:9 and Gra 546:5, Kaf Hachaim 546:28, Shemirat Shabbat Kehilchita vol. 2 66:23. Rav Moshe Feinstein (quoted in Dirshu M"B 531:note 4) is strict regarding fixing a wig on Chol HaMoed, while Beer Moshe 7:5 is lenient.) but not to children if it causes them discomfort. (S"A 531:6 permits haircutting for a child. M"B 531:15 says that this is specifically if the hair is causing discomfort. Aruch Hashulchan 531:6 agrees. Magen Avraham 531:9 writes that if the child looks like he is older than bar/bat mitzvah one should not give them a haircut publicly. Piskei Teshuvot 531:3 allows performing an Upsherin for a baby whose 3rd birthday falls out on one of the days of Sukkot/Pesach based on Shaare Teshuva 531:2. He even quotes poskim who allow delaying it until Chol HaMoed if the birthday falls out earlier.

²¹ S"A 531:8, M"B 531:21

²² S"A 546:5, Aruch Hashulchan 531:8

²³ Rama 531:8, Shemirat Shabbat Kehilchita vol 2. 66:32, Aruch Hashulchan 531:8, Yalkut Yosef Moadim pg. 517

²⁴ S"A 532:1 holds it's permissible, while the Rama 532:1 writes that the Ashkenazic minhag is to refrain from cutting one's nails on Chol HaMoed. Yalkut Yosef 531:10 writes that Sephardim follow S"A, while Hilchot Chol HaMoed Zichron Shlomo (pg 29) writes that the Ashkenazic minhag is like the Rama.

²⁵ MB 532:2

²⁶ MG"A 532:1, Aruch HaShulchan 532:2. This does not violate the gezeira not to enter the holiday looking disgusting because one couldn't cut one's nails beforehand.

²⁷ Aruch HaShulchan 532:2

²⁸ MB 532:3

²⁹ Rama 532:1

³⁰ MB 532:2, Aruch HaShulchan 532:2

³¹ S"A 532:2

9. It is permissible to cut one's nails if they are making it difficult to put on shoes.³²
10. If one usually cuts one's nails on Erev Shabbat, it's permissible to cut them on Chol HaMoed Erev Shabbat.³³
11. If one has the custom to go to the mikveh before every Shabbos then some authorities permit him to cut his nails before entering the mikveh.³⁴

Photography on Chol HaMoed (Josh Blau)

1. Taking pictures with a Polaroid camera (one that prints the photo immediately after taking it) is permitted on Chol HaMoed according to some authorities, provided it is necessary for the moed.³⁵
2. Many permit taking pictures with digital cameras or camcorders.³⁶
3. The files from cameras or camcorders may be transferred to a computer.³⁷
4. According to some authorities, photographs may be printed if needed for the moed. Other authorities argue that they may only be printed to avoid monetary loss.³⁸
5. Burning pictures onto a disk is permitted by many authorities. Others say it is only allowed in cases of necessity for the moed or monetary loss.³⁹
6. Many permit the use of a film camera unconditionally;⁴⁰ others permit only for a rare photo opportunity.⁴¹

³² Rav Nissim Karelitz - *Chut Hashani Chol HaMoed* pg.227. Because he writes that the gezeira against cutting nails was so that one does not plan to cut them after the holiday starts and enter the holiday looking disgusting/unkempt. But in this case the cutting is in order to fix the nails, and one can therefore rely on the opinions that allow cutting nails on Chol HaMoed.

³³ Hilchos Chol HaMoed Zichron Shlomo (pg 30) quoting B'eir Heitev 532:1

³⁴ Shu"t Nachalat Shivah (Chelek 1, Siman 57). Shevut Yaakov disagrees (Chelek 1, siman 17 cited by Shaarei Teshuva siman 468:1).

³⁵ Following the ruling of R' Moshe Feinstein (Piskei Halachos 30,31), based on the fact that it is a *ma'aseh hedyot*, an action that does not require expertise. R' Shlomo Zalman Auerbach (Shemiras Shabbos Kehilchesa 66 note 209) agrees. Others, such as R' Yaakov Kamenetsky, argue that it is a *ma'aseh uman*, regardless of the fact that anyone can do it, and thus is not allowed except in a case of monetary loss.

³⁶ This follows from the idea that "writing" on an electronic screen is not considered writing at a Torah level and there is no effort involved. See the responsa of R' Moshe Stern (siman 56), which discusses using a calculator. See Shemiras Shabbos Kehilchesa 66:55, which permits such activities because the writing is not at all permanent. R' Yosef Shalom Elyashiv is also quoted (Mevakshei Torah p. 473 note 85) as permitting writing on a computer screen, if necessary for the moed, because it is not considered writing.

³⁷ See previous note.

³⁸ See first note in this section.

³⁹ While R' Moshe Feinstein allows this (Piskei Halachos 32), R' Shlomo Zalman Auerbach (Shemiras Shabbos Kehilchesa 66 note 211) contends that this poses a problem of *boneh*, building. There is some contention, however, whether this would still be the case for a memory storage device that already has data on it, or can be rewritten (see Shulchan Shlomo Hilchos Yom Tov veChol HaMoed 545:5 in the margins, and also Nishmas Avraham 340).

⁴⁰ R' Moshe Feinstein (Piskei Halachos 31,32) allows using a film camera, since the "writing" which occurs before the film is developed is not considered substantive. However, R' Chaim Kanievsky writes in the name of the Chazon Ish that it is forbidden. See Shemiras Shabbos Kehilchesa 67:19 and note 105 in the name of R' Shlomo Zalman Auerbach.

⁴¹ See the responsa of R' Moshe Stern 55.

7. Developing film is forbidden except to avoid a loss.⁴²

Laundry on Chol HaMoed

1. It is forbidden to launder clothing, towels, linens, or tablecloths on Chol HaMoed even if one is using a washing machine. The rabbis prohibited this so that people would prepare properly before the holiday.⁴³
2. If a child's clothing are insufficient because they are soiled frequently, it is permissible to launder them on Chol HaMoed. If one is laundering them in a machine, one may wash a full load of children's clothing but adult's clothing may not be added.⁴⁴
3. One may launder guests' sheets and towels on Chol HaMoed.⁴⁵
4. If one's only suit was stained, it's permitted to remove the stain.⁴⁶

Physical Needs on Chol HaMoed

1. While in general melacha is forbidden, melacha which is done for a physical need is permitted even if it involves skilled work or requires a great deal of effort.⁴⁷
 - a. For example, if one's only pair of glasses breaks one may fix the glasses or have a professional optician fix the glasses.⁴⁸

⁴² Because it is a *ma'aseh uman*.

⁴³ The Mishna (13b) states that it is forbidden to launder clothing on Chol HaMoed. Even though it should have been considered a need of the holiday and permitted, Chazal (Gemara Moed Katan 14a) made a specific gezeirah not to do laundry on Chol HaMoed lest one neglect to prepare properly for the holiday and not launder his clothing until the holiday comes. S" A 534:1 codifies this as halacha.

Rav Ovadia Yosef (Yabia Omer 7:48:1) writes that it is forbidden to do laundry with a laundry machine on Chol HaMoed since the reason of Chazal, to prevent a person from being unprepared for the holiday, still applies regardless of whether or not the melacha takes a lot of effort. Shemirat Shabbat KeHilchata 66:63 agrees.

⁴⁴ M.B 534:11 and Aruch HaShulchan 534:8. Rav Shlomo Zalman Auerbach in Shulchan Shlomo 534:3 says that this age is until at most 6 or 7 years old.

⁴⁵ M.B 534:6 explains that it is permitted to launder clothing that get dirty all the time since it is evident that even if one were to clean them in advance of the holiday, they would need to be cleaned again on the holiday. Similarly, the Chaye Adam adds that it is permitted to clean a handkerchief that gets dirty frequently. Shemirat Shabbat KeHilchata (66 no. 263) writes that as an application of this Mishna Brurah one is permitted to launder towels and guest sheets on the holiday since those are frequently cleaned on a regular basis. However, Shevet HaLevi 8:124 is hesitant to permit laundering undergarments which become dirty frequently on Chol HaMoed if one can wear them again without great discomfort.

⁴⁶ Rav Moshe Feinstein (Igrot Moshe 5:36:1) writes that cleaning a stain is considered a simple task (*melechet hedyot*) and does not constitute actual laundry which Chazal forbade. However, giving clothing to a laundromat is forbidden even if it is a simple task. Shemirat Shabbat Kehilchata 66:72 and Hilchot Chol HaMoed Zichron Shlomo (pg. 33) also allow one to clean a stain if one does not have other suitable clean clothing. Rav Nissim Karelitz in Chut HaShani (Chol HaMoed p. 238) however, does not allow one to wash out a stain unless one is wearing the clothes and one does not have other clothes to wear.

⁴⁷ Hilchot Chol HaMoed Zichron Shlomo (pg 57). The Ritva (Moed Katan 9a s.v. oseh, 14a s.v. veshaar) explains that attending to one's physical needs is considered *ochel nefesh*. See also Pirush Mishnayot of Rambam (Beitzah 2:4).

⁴⁸ Igrot Moshe 3:78 writes that it is permitted to fix one's glasses on Chol HaMoed. He adds that one could fix sunglasses if one needs them to see outdoors. Shevet HaLevi 4:214 adds that one could even have a professional fix one's regular glasses if one needs them to see.

- b. Similarly, it is permissible to have a heater fixed if it's very cold, and an air conditioner fixed if it's very hot, on Chol HaMoed.⁴⁹
2. A person who is already sick can go to the doctor for treatment because treating the sickness is a physical need.⁵⁰
3. Some permit a regular medical checkup, whereas others advise avoiding it on Chol HaMoed.⁵¹

Hired Workers on Chol HaMoed (Jonah Sieger)

1. It is prohibited to hire workers to do melacha on Chol HaMoed. This prohibition applies even if the the action one is hiring another to do would be permitted if one was doing this activity for oneself or for another free of charge.⁵²
2. However, if one does not give the worker a set salary and pays him with food that he eats with the owner, then paying a worker on Chol HaMoed would be allowed.⁵³
3. If the work is a pressing need to the point that it would cause a substantial loss if not performed (*davar ha'aveid*), then it would be permitted to hire a worker to perform the work, even if the work is not necessary for the holiday (*litzorech hamoed*) and involves skilled labor (*maaseh uman*). In such a case, one may even pay the worker.⁵⁴
4. One may hire a worker who has nothing to eat in order that he will be able to sustain himself.⁵⁵

⁴⁹ Hilchot Chol HaMoed Zichron Shlomo (pg 43)

⁵⁰ S"A 532:2 writes that it is permitted to treat a sick patient on Chol HaMoed. Mishna Brurah 532:5 adds that even melachot can be performed in order to heal a person on Chol HaMoed.

⁵¹ Igrot Moshe 3:78 writes that the leniency of doing melacha for a physical need on Chol HaMoed only applies if a person is in pain or is afraid that not going to the doctor will make the condition worse. However, a healthy person should not make a dentist appointment on Chol HaMoed since it involves melachot and can be done afterwards. Hilchot Chol HaMoed Zichron Shlomo (pg 62) follows the opinion of Rav Moshe and extends it to any routine medical checkup. Furthermore, Chol HaMoed Zichron Shlomo (*ibid.*) quotes Rav Moshe as saying that in order not to degrade the sanctity of the holiday one should not go for a checkup even if no melacha is involved.

Rav Hershel Schachter ("Hilchos Chol HaMoed", minute 29-30) holds that it's permissible to schedule a doctor's appointment even lechatchila and even if you planned to go on Chol HaMoed. Similarly, Hilchot Chol HaMoed Zichron Shlomo (*ibid.*) quotes Rav Chaim Pinchas Scheinberg and Rav Elyashiv concur and explain that just like it is permitted to do Ochel Nefesh on Chol HaMoed even if it is planned for then, it is similarly permitted to go for a checkup even if it is scheduled for Chol HaMoed. He assumes that a checkup is considered in the category of medical attention.

⁵² S.A. 542:1. M.B 542:2 explains that the prohibition is uvda dichol. The M.B notes that some poskim permit one to pay a worker to do work if 1) the person cannot perform the work himself, 2) the workers will not do the work unless they are paid, and 3) it is litzorech hamoed.

⁵³ *ibid.*

⁵⁴ Rama 542:1 and M.B 542:5. The Biur Halacha explains that is preferable for one to hire a non-Jew in this situation. M.B 540:2 states that if it would only be a minor loss, one may only do non-skilled labor (*maaseh hedyot*) to prevent the loss.

⁵⁵ S.A. 542:2. The M.B there cites the Magen Avraham as saying that if the poor person has bread and water, then it is prohibited to employ him. Magen Avraham 534:7 writes that ideally one should only employ such a person in a private setting because other people may not know that this poor person has a special exemption to do melacha on Chol HaMoed.

5. Someone who has no food at all, or one who has food but does not have his needs for the holiday (*tzorchei hamoed*), is considered someone who has no food and is allowed to work on Chol HaMoed.⁵⁶
6. If one stipulates with a non-Jew that the non-Jew should do work for him after Chol HaMoed, but the non-Jew starts the work immediately during Chol HaMoed, one need not stop the non-Jew because he instructed the non-Jew that he should perform the work after the moed.⁵⁷

Shopping on Chol HaMoed (Shmuel Garber)

1. One is not permitted to purchase or sell an item that will not be needed for the festival.⁵⁸
2. One is permitted to buy or sell if by not undergoing the transaction he would experience a loss.⁵⁹ Accordingly, if there is an opportunity such as a sale that is passing and the sale will not happen again, one may purchase the object at the discounted price.⁶⁰
3. One may purchase or sell something that is generally bought or sold for the festival even in public.⁶¹
4. One may not return an item unless one would not be able to return the item after the festival.⁶²
5. One should not shop online during Chol HaMoed unless there is no money transferred.⁶³
6. One should not pick up an item from a store even if one ordered it before the moed.⁶⁴
7. If one traveled during the moed and found a unique object that he will not be able to find when he returns from his trip, he may purchase such an item.⁶⁵

⁵⁶ M.B. 542:7. See the Magen Avraham cited by the M.B who holds more stringently and says that if one has bread and water, one may not work on Chol HaMoed.

⁵⁷ Rama 543:3 as explained by M.B 543:11

⁵⁸ M.B 539:1 writes that buying and selling is forbidden on Chol HaMoed because it is burdensome. The Levush 539:1 writes that if a sale or purchase comes his way that will provide him great gains he can undergo the transaction in private, as long as he ensures to spend more than he would have otherwise from the funds he receives from the transaction to add to the joy of the holiday. The Aruch Hashulchan 539:3 explains that it is because the atmosphere of the day is supposed to be one of joy and involved with Torah and one may get caught up in doing business and shopping that it will become like a normal day. S.A 539:12 forbids transactions not needed for the moed; however, the Rama writes that one may purchase items which are not needed for the Yom Tov in private. M.B 539:43 limits this leniency to items one will not be able to acquire at a discounted price after the festival because, as explained by M.B 539:18, this is similar to dvar heaved.

⁵⁹ SA 539:1. An example would be if a lock broke you would be able to replace it so that the items inside will not be stolen. A dvar heaved is something that is already considered yours and there is a fear that you will lose it if you do not act.

⁶⁰ *Chol HaMoed* pg 101. However, it is better for one to wait if the sale will happen again.

⁶¹ S.A 539:10. *Chol HaMoed* by Rabbi Dovid Zucker and Rabbi Moshe Francis p105 quotes a machloket regarding whether one is allowed to buy more than is necessary for the festival.

⁶² *Chol HaMoed* p108 cites Rav Moshe Feinstein who says that one may not return for a refund. However, if by waiting one will no longer be able to return the object this is considered a dvar heaved and may be returned.

⁶³ *Chol HaMoed* p108

⁶⁴ *Chol HaMoed* p107. This is because of the tircha involved in picking something up from the store; however, if the item is needed for the moed one is allowed to pick up the item.

⁶⁵ *Chol Hameod* p 106-107 Rav Moshe Feinstein says that this is considered a dvar heaved because it will save him the trip in the future. However, Rav Moshe says that it is better for one to extend his trip until

8. One is permitted to undergo a sale if he is poor and the sale will provide him with more money that he will spend for the moed.⁶⁶

Issur Melacha on Erev Pesach (Robby Schrier)

1. It is prohibited to perform *melacha gemurah* (more intense forms of *melacha*) or to work for profit⁶⁷ from *chatzos* of *erev Pesach* and onward.⁶⁸
2. If one's community is accustomed to beginning the *issur melacha* from the beginning of the day, *melacha* is prohibited for the entire day.⁶⁹ Rav Shlomo Zalman Auerbach paskens that, in Yerushalyim, the *issur melacha* only begins from midday.⁷⁰

after the Chag. This leniency only applies if he will not be returning to this city after the festival. Similarly, if a child is visiting a parent during Chol HaMoed and the parent will buy the item for the child, whereas if the parent does not purchase the item, the child will have to buy it himself this is considered a *dvar heaved* and one may allow his parents to buy it for him on Chol HaMoed.

⁶⁶ S.A 539:4. Here the S.A is discussing someone who does not have enough money to spend for Yom Tov, not merely someone who has stingy, but would spend more if he had more money.

⁶⁷ S.A. 468:2. M.B. 468:6-7 explains that it is even prohibited to perform *melacha* that is not considered *gemurah* for the sake of profit. Additionally, it is prohibited to perform *melacha gemurah* even if it is for the purposes of the upcoming *Yom Tov*.

⁶⁸ Mishna *Pesachim* 50a. The nature of this prohibition is subject to a debate amongst the *rishonim*. *Rashi* (*Pesachim* 50a s.v. *shelo la'asos*) and the *Meiri* (*Pesachim* 50a) believe that this *issur melacha* will ensure that people prepare properly for the *Pesach seder* and dispense of *chametz* appropriately. It is clear that this prohibition is rabbinic in origin according to these *rishonim*. Others however, such as *Tosafos* (50a s.v. *makom*), cite the reasoning of the *Yerushalmi* (*Pesachim* 4:1). The *Yerushalmi* explains that it is improper for one to perform work while his *korbon* is being brought. Hence, the obligation of *korbon Pesach* which begins at midday facilitates an *issur melacha*. While *Tosafos* claim that this would be a *deoraysa* prohibition, others such as the *Ramban* (*Pesachim* 16b in the *dapei HaRif*) claim that this is still a rabbinic prohibition.

Many commentators wonder what the nature of this prohibition is today, considering the fact that we lack the opportunity to bring the *korbon Pesach*. The *Ba'al Ha'maor* (*Pesachim* 16b in the *dapei HaRif*) contends that the prohibition is solely based on *minhag* and the *mitzvah* of “*sha'al avicha veyageidcha*” (*Devarim* 32:7). Others, such as the *Ramban* (*ibid*), contend that the prohibition still applies because it was established by the *rabanan* and was not uprooted with the loss of the *Beis Hamikdash*.

A close analysis of the *Rambam* indicates a different understanding of this prohibition. Initially, one may be confused as to whether the *Rambam* thinks this prohibition is due to the *korban Pesach* or more general *Yom Tov* concerns. On one hand, the *Rambam* places this prohibition in *Hilchos Yom Tov* (8:17-18) and not in *Hilchos Korbon Pesach*. He places the *issur* alongside the *issur* to perform *melacha* (from *zman mincha* and on) by other *Yomim Tovim*. Additionally, the *Rambam* compares this *issur* to that of *Chol HaMoed* and refers to both prohibitions as *meidivrei sofrim*. On the other hand, however, the *Rambam* explains that the prohibition on *erev pesach* is more pronounced because of the *shechitas hapesach* and *chagiga*. This seems to be highlighting the prohibition's connection to the *korbon Pesach*. To answer this question, we may be able to suggest that the *Rambam* thinks that the *hakrava* of the *korbon Pesach* generates a quasi-*yom tov* with its own unique *issur melacha*. The practical impossibility of bringing the *korbon Pesach* does not cause the “*Yom Tov*” of *korbon Pesach* to cease to exist. (See the *Shulchan Aruch HaRav* (*Orach Chayim* 468:1) for a variation of this approach. The *Ba'al HaTanya* claims that the general prohibition to perform *melacha* on the day that one brings a *korbon* is rabbinic in nature. The *issur melacha* on *erev pesach* is an extension of this general principle. Hence, *erev Pesach* is a rabbinic *yom tov* that was placed on all of *am Yisroel*.)

⁶⁹ S.A. 468:3

⁷⁰ *Halichot Shlomo, Pesach*, 8:5

3. If one travels to another community in which the *minhag* is different, he should always keep the more stringent standard. If he is visiting a place whose standards are more lenient, he should not be seen doing nothing.⁷¹
4. Any melacha that is permitted on *Chol HaMoed* is permitted on *erev Pesach*.⁷² It is therefore permitted to cut one's nails after *chatzos* if he forgot to do so beforehand.⁷³
5. There is a debate as to whether it is permitted to have a non-Jew give a haircut to a Jew after *chatzos* on *erev pesach*. *We pasken* leniently.⁷⁴ However, it is prohibited for a Jew to give another Jew a haircut.⁷⁵

⁷¹ S.A. 468:4

⁷² M.B. 468:7

⁷³ *Sha'ar HaTzion* 468:7

⁷⁴ S.A. 468:1, M.B. 468:5

⁷⁵ There is a discussion in the *poskim* as to whether it is prohibited for a Jew to give *himself* a haircut. The implication of the *Rama* in *Yoreh Deah* 399:3 is that it is permitted for one to give himself a haircut. However, later *poskim* dispute the issue. For example, see *Shulchan Aruch HaRav* 468:4 who rules that this is prohibited.