**Everything you wanted to know about pets and halacha brief outline**

**Helpful general articles & books:**

1. Rabbi Jachter: Halachic Perspective on Pets

<http://www.daat.ac.il/daat/english/halacha/jachter_1.htm>

1. R.Melamed *Peninei Halacha*:

<http://ph.yhb.org.il/09-10-18/> [this is just one section, there are many others relevant to the questions below—search the website for the rest of them]

1. Rabbi Natan Slifkin: Man & Beast (especially the last 2 chapters)
2. Star-K summary of some halakhic issues related to pets (mainly food and Pesach questions): <http://www.star-k.org/articles/articles/seasonal/375/feeding-your-pet-barking-up-the-right-tree/>

**General owning & damage responsibility:**

1. **Question:** Is it permitted to own a pet/dog? **Answer:** 
   1. Most poskim hold yes unless it is a dog that is dangerous or injures people (see Bava Kamma 15a, Shulchan Aruch C.M. 409:2 & Rama concerning an evil dog). In that case, the only way it is ok is if it is kept on a leash.
   2. According to many, if it could scare people with its barking it also must be kept on a leash (based on Bava Kamma 83a and Rashi Bava Kamma 79b).
   3. Some frown on Jews owning pets, particularly dogs (Maharshal, Shulchan Aruch HaRav)
   4. If it is for protection, everyone agrees it is permitted (Bava Kamma 83a, Shulchan Aruch cited above)
   5. See R.Jachter’s article, *Sefer Pitchei Choshen* (Nezikin 5:42), and R.Melamed’s *Peninei Halacha* for more information (R.Jachter and R.Melamed both claim that the *minhag Yisrael* is to allow having pets).
   6. Some in the *chassidic* world suggest not even looking at non-kosher animals (Lubavitcher Rebbe and others) though this does not have strong halakhic basis and is not widely accepted. See R’Slifkin’s book (ch.1) for some background on this custom.
2. **Question:** What happens if the pet causes damage? **Answer:** 
   1. Usually you are at least partially responsible for any damage caused by property or animals (though it may not be enforced in a *beit din*). It is worthwhile to ask an individual question since the rules may be complex (see Shulchan Aruch C.M. 395 regarding the status of dogs biting as being similar to a cow goring, as opposed to other types of damage).
   2. If the dog escaped after proper supervision, the owner is *patur* (see Shulchan Aruch C.M. 396).
3. **Question:** What happens if my neighbors think my pet is a nuisance (e.g. barks all night long or children are afraid to walk down the street alone)? Are there circumstances where halacha would require me to get rid of my dog? **Answer:** 
   1. As above, if your dog is scaring people (even if doesn’t bite) by its barking then you may need to keep it on a leash.
   2. If it’s only a nuisance (such as barking at night), need to deal with it in context of Hilchos Shechenim, the laws of neighborly relations, not a simple answer.
4. **Question:** If the entire responsibility and ownership of the pet is by my child who is not yet Bar/Bat mitzvah, am I (the parent) responsible for it (including feeding on time, making sure it is behaving itself, etc.)? **Answer: No**
   1. If the child acquired it him/herself and the parents clearly say they do not want ownership of it, then it remains the property of the child, assuming they are old enough to be responsible for it (based on *Shulchan Aruch, Choshen Mishpat* 235:1). Therefore, all the obligations involved devolve on the child only (though of course the parent should discuss it occasionally with the child and try to guide them to do the right thing).
   2. However, be aware that the child is often ultimately incapable of caring for the pet on their own and the parents are forced to take responsibility themselves.

**Shabbat questions:**

1. **Question:** Are pets mukzeh? **Answer: It’s a machloket**:
   1. Shulchan Aruch (OC 308:39)- All animals are muktzeh
   2. Contemporary Poskim: Machloket if pets are different
      1. Rav Ovadia Yosef & many others (Yabia Omer 5:32, Yalkut Yosef on the above halacha)—still muktzeh
      2. Igros Moshe (OC 5:22), Az Nidberu (8:36), & possibly Rav Shlomo Zalman Auerbach (see Shulchan Shlomo Siman 308:75, also cited in Shemirat Shabbat K’hilchatah) —not muktzeh b/c we designate them as having a use.
      3. Possible Middle opinion (heard orally from a few *poskim*)—Most pets are Muktzeh but *dogs* are not, since they get upset if their owners don’t play with them, which is similar to Tzaar Baalei Chaim, for which some allow moving Muktzeh.
      4. Other sources: Most of the books rule it is Muktzeh (R.Ribiat, Shemirat Shabbat K’halachata, R.Bodner’s “Laws of Muktzeh”, etc.), but some others are lenient: See R.Melamed (<http://ph.yhb.org.il/01-20-05/> ), and http://tvunah.org/2014/06/23/%D7%9C%D7%99%D7%98%D7%95%D7%A3-%D7%95%D7%98%D7%99%D7%9C%D7%98%D7%95%D7%9C-%D7%91%D7%A2%D7%9C%D7%99-%D7%97%D7%99%D7%99%D7%9D-%D7%91%D7%A9%D7%91%D7%AA/ (a *beit medrash* associated with R.Asher Weiss)
      5. Bottom line: There is room to be lenient at least for pets that are held and played with on a regular basis if it is necessary
2. **Question:** Can I pet my dog? **Answer: Machloket** 
   1. Same Machloket as above is relevant: If you hold pets are not muktzeh, then you can pet them;
   2. if pets are Muktzeh then maybe not:
      1. You may definitely not move a limb (Shulchan Aruch OC 308:40)
      2. If you just pet (or move) the fur, it’s a machloket
         1. Most of the books cited above say it is assur
         2. but some *poskim* are lenient (see for example the link above) based on Shulchan Aruch (OC 302:9) who allows wiping one’s hands on a horse’s tail.
      3. Just touching the animal without moving the fur
         1. Should be mutar because Muktzeh only prohibits moving, not touching (Rama 308:2).
         2. However, since touching items that easily move is forbidden, this may be problematic, as often touching the dog will cause it to move slightly. If you just tap lightly though, should be ok.
      4. Detaching fur (*tolesh*) is not a problem here since if it sheds, the hair was already not  attached to the dog: It had already separated from the hair follicle previously (from Tmima Alon).
3. **Question:** Trapping: Can I lock my dog in a room if we have guests that don't like dogs? **Answer: Usually yes**
   1. If animal willingly goes with you when you want it to and generally follows you around, the *melacha* of *tzad*/trapping does not apply (Mishna Berura 316:#59). Therefore, for most dogs you can put in a room, a cage, put on a leash, etc.
   2. If it runs away when you let it go and does not follow you, but it would come back to the house at night on its own after roaming, it’s a machloket *acharonim* if *tzad* applies (see *Mishna* Berura 316:#59 and Beur *Halacha* 316:12 s.v. *chaya*). One should be machmir on this question if possible, but if you are stuck, room to be lenient.
   3. Category b) is relevant sometimes right after purchasing a new pet who is not yet comfortable in its new home, as well as certain kinds of pets like birds who may fly away if given the chance.
   4. For category b), *lechatchilah* when opening a door or cage that they could potentially leave, make sure to block it first with your body so they can’t get out. Also, can’t put on a leash if it wasn’t on already before Shabbat.
4. **Question:** Is it permitted to walk one’s dog on Shabbat? **Answer:** **Yes**
   1. Even those who hold pets are muktzeh allow this, since you are not moving the dog directly, just holding the leash.
   2. According to the machmir opinion, if the dog stops walking, you can slightly push it to keep moving but cannot pick it up.
   3. In places without an Eruv, there are more issues to deal with regarding leashes.
5. **Question:** Can I pull something out of the dog's fur, such as a burr, leaf, or twig? **Answer: Only indirectly**.
   1. All of those items are muktzeh so can’t move them normally.
   2. Perhaps can move them *Klachar Yad*, indirectly using another part of your body (e.g. elbow or foot) or use another item to push them off (known as *tiltul min hatzad*).
6. **Question:** What if my pet gets hurt or sick on Shabbat? Can I clean a wound? Bring him to the vet? Give him medicine? **Answer: Can ask a non-Jew, can give medicine, no melacha** 
   1. If you hold that pets are muktzeh, can’t move it unless animal is in a lot of pain.
   2. It is permitted to:
      * 1. Give medication to an animal (Mishna Berura OC 332:#5) and certain types of injections (that don’t cause a wound).
        2. Ask a Goy to do any melacha for it (both Deoraisa and Derabanan) (based on *Shulchan Aruch* 332:4). This is allowed due to *tzaar baalei chayim*.
        3. Move *muktzeh* items for it
      1. It is not permitted for a Jew to do *melacha* to help the pet, and there is no issue of *pikuach Nefesh* for pets that would permit violating *melacha* like there is for humans.
      2. If it is difficult to find a non-Jew to help, then one should try to minimize the suffering until Motzai Shabbat and then do what is necessary to have it treated.
      3. See *Shemirat Shabbat K’hilchata* 27:56-59 (new edition) for a good summary.
7. **Question:** Are dog droppings mukzeh? **Answer: May move them out of the house and other frequented areas**
   1. They are muktzeh, but a special leniency exists for disgusting things to move them out of house, known as גרף של רעי. (Shulchan Aruch 308:34)
   2. This applies to anywhere that people use in the house or property, but one may not remove them from areas that will definitely not be used on Shabbos.
   3. Can also remove them in public areas where a lot of people walk e.g. kids’ park, sidewalk, etc. (based on *Shemirat Shabbat K’hilchata* 22:46)
   4. If it’s in a house or an area that is used for residence, including backyard, patio, etc. then the heter applies and can move it (*Mishna Berura* 308:#131).
8. **Question:** In an area where I am not allowed to move the droppings, Can I bag the poop, moving it minimally, and leave it where it is? **Answer:** **Yes** 
   1. Can bag it and leave it as long as you don’t touch it directly
   2. Can also carry it indirectly by picking it up using some other device or moving it with another part of your body other than your hand (*Tiltul B’gufo* or *Tiltul Min Hatzad*).
9. **Question:** Can I feed my pet on Shabbat? Can I feed someone else’s pet if I am just visiting their house? **Answer: Yes** 
   1. It’s forbidden to feed animals on Shabbat that you are not responsible for, but for most animals that you own it is permitted. (*Shulchan Aruch* OC 324:9)
   2. As long as the animal is a pet that a Jew takes care of, most poskim (though not all) hold anyone may feed it (*Beur Halacha* 324:11 s.v. *v’yonei* & *Shemirat Shabbat K’hilchata* 27:21, though).

**Feeding Pets**

1. **Question:** Do I need to feed my dog (or other pet) before I eat? **Answer: Yes with exceptions**
   1. It is a machloket if it is *Midat Chasidut* (see Rambam Hilchot Avadim 9:8) or a real obligation (Magen Avraham 167:18).
   2. Most poskim say it is a real obligation (Mishna Berura 167:40, Aruch HaShulchan 167:13), at least *MiDerabanan*.
   3. Exceptions:
      1. Many say this only applies to eating, not drinking (see M.B. & A.H.S. above)
      2. If the animal is not hungry, you are not required to feed it (Rav Yaakov Emden, *Sheilas Yaavetz* 1:17). Therefore, if the animal eats 3 hrs after your normal dinner time, it does not apply.
      3. If you leave food and drink out in a bowl all the time, that also should solve the problem.
   4. For more information, see *Sefer Tzaar Baalei Chaim* (pp.436-502) and R.Slifkin’s book “Man and Beast” (p.232).
2. **Question:** Are there any limitations on what types of food I can feed my dog? **Answer: Yes**
   1. Cooked milk and meat mixture- Can’t get benefit from this, so can’t give it to your dog either.
      1. Only applies to *Basar B’chalav De’oraita:*
         1. meat with milk, not poultry;
         2. only applies to meat from a kosher animal, like a cow, but not a horse
      2. Practically:
         1. You can look at the ingredients on the package to determine this (legally they must be listed unless in minute amounts that are not halakhically significant)
         2. Look out for products with Beef and dairy (usually casein & whey) in them. However, it does not always specify what type of meat it contains, therefore one would have to assume it is cow’s meat or other kosher meat unless otherwise stated.
         3. Often treats are more of an issue in this regard than base foods. Ask Tmima Alon ([drtmima@hotmail.com](mailto:drtmima@hotmail.com)) for more information.
   2. Other non-kosher food— Permitted to benefit from and use for dog food
   3. Pesach
      1. Can’t benefit from chametz either, so can’t give dogs chametz
      2. There are some dog foods certified Kosher L’Pesach, speak to Tmima Alon for more details or to purchase some
   4. Giving a pet *Kedushat shvi'it* produce
      1. Cannot give human food with *Kedushat Shvi’it* to animals (Rambam, *Hilchot Shemita* 5:5).
      2. This usually only is an issue for fruits and vegetables (which dogs don’t eat much of), but could also be an issue for a soup or cholent that became *Kedushat Shvi’it* due to vegetables inside.
      3. If you have leftovers on your plate that you ate from and plan to throw out, since no one else would ever eat it off your plate, some hold you can put the food down and they come eat it by themselves, since it is better that they eat it than it go to waste (Rav Rimon p.372 in the new Hebrew edition).

**Other**

1. **Question:** Are there any kosher ways to do Spaying/neutering? **Answer: Only in certain cases**… Best to ask a personal *shaila* if this is relevant, but here are some guidelines:
   * 1. It is forbidden to neuter humans or animals (Shulchan Aruch E.H. end of Siman 5)
     2. Neutering males is Deoraita, neutering females may be only Derabanan according to many (see the link to R.Jachter’s article above for an overview of the basic sources on this; see also a summary at <http://www.jpost.com/Jewish-World/Judaism/Ask-the-Rabbi-Neutering-animals> ).
     3. Can’t ask a non-Jew to do it for you (Shulchan Aruch above)
     4. Possible cases it’s permitted:
        1. “Heter Mechira”-
           1. Sell the animal to a Goy and have him ask someone else to do it (Chatam Sofer and others).
           2. This is usually allowed only for females, not for males
           3. Possibly allowed for males in specific situations, such as if the male is in a lot of pain, according to some poskim, if its life is in danger, if it is dangerous to others and neutering may help change that.
           4. This is easier done in chu”l, but Tmima Alon has some non-Jewish colleagues who can help even in Israel.
        2. Hormonal neutering
           1. This is ok because the *issur* involves cutting the reproductive organs, not rendering infertile. Many rabbanim recommend this (Rav Melamed, Peninei Halacha; Rav Yaakov Ariel, *B’mareh Habazak* 6:77).
           2. However, this type of neutering is not healthy for the animal and not so effective either (Tmima Alon and many other vets); better to try the Heter Mechira.
           3. It is permitted to have a non-Jew give a pet contraceptives, which are only *assur DErabanan* (see Shulchan Aruch E.H. 5:13), but they are hard to obtain in Israel at this time (see R.Slifkin, p.242-243).
           4. Chemical neutering is also probably permitted halakhically via a non-Jew, but is not well developed medically or widely practiced yet.
        3. Rav Aviner—Is *makeil* to neuter a female even by a Jew due to combination of factors (*Sheilat Shlomo v.6*). However, this is a minority opinion and most *poskim* do not share it.
     5. Best to get an animal that is already neutered!
2. **Question:** Can I put a sick/old/suffering dog to sleep? **Answer: Sometimes** 
   1. Bottom Line Answer:
      1. If one is doing so because the dog suffers from a painful condition, was seriously injured, etc. and treatment is not a ***reasonable*** option (due to extreme cost, low probability it will be effective, or other circumstances) it is permitted (Rav Melamed & other poskim).
      2. In other cases, most poskim are *machmir* practically.
   2. Background:
      1. *Tzaar Baalei Chaim*, causing distress to animals, is forbidden. There is also an *issur* of *Bal Tashchit*, not destroying property, which may apply to killing an animal.
      2. There is a machloket whether killing the animal is included in the prohibition of causing it to suffer
         1. *Noda B’yehudah*- not included
         2. *Shoel Umeshiv*- is included.
      3. We try to be machmir if possible not to kill animals. In addition, many *poskim* hold there is a mitzva to help alleviate an animal’s suffering if possible (see R.Slifkin, p.234), which would mean if it is possible to treat the animal, that is preferable.
      4. However, treatment at your own financial expense may not be required, (*Rav Shlomo Zalman Auerbach, Shulchan Shlomo* Siman 305; *Sefer Tzaar Baalei Chaim* p.307-315), especially if it is expensive.
      5. In addition, if it will probably will die anyway, more reason to allow.
3. **Question:** Can you say brachot in front of your dog? **Answer: Yes** 
   1. The feces of dogs is definitely not considered disgusting halachically and *berachot* may be recited nearby (*Beur Halacha* 79:4 s.v. *v’im yesh* based on *Berachot* 25a).
   2. The feces of other animals are also assumed to not smell or be dirty and *berachot* may be recited nearby (*Shulchan Aruch* 79:4 & *Mishna Berura* 22).
   3. If the droppings of animals other than dogs do smell, then keep a distance.
   4. See <http://www.yeshiva.co/midrash/shiur.asp?id=10573> by Rabbi Yirmiyahu Kaganoff for a summary of some of this.
4. **Question:** Can I bring my dog into shul if needed (e.g. seeing eye dog) or to minyan in the park? **Answer: Yes but keep it a short distance away** 
   1. Seeing eye dog
      1. Machloket if can bring seeing eye dog into shul (See R.Jachter’s article for discussion of this):
         1. Rav Soloveitchik and Rav Moshe Feinstein permit
         2. Chelkat Yaakov forbids (due to the *kedusha* of the shul).
         3. The halachah is like the more lenient opinion.
   2. Dogs in park when davening is taking place
      1. All the issues about a dog in the shul have to do with the kedusha of beit knesset, so in the park should be ok.
      2. Due to concern for disruption, best to put it on the side, not right where everyone is davening, especially if the dog might bark.