

ליקוטי ופסקי הלכות "חוקי היום"

ותלמד
"תקפי תנים"
לעשות רצונך
בלבב שלם



שע"י "חדר הוראה" שבונת מנחת יצחק פעיה"ק ירושלם תובב"א - בראשות הרב חיים אהרן בלייער שליט"א

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Mitzvah objects after Succos and Shemita | Breishis 5783

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Mitzvah objects after Succos

Schach after Succos

- 1. Throwing Schach out.** Schach that is being used for the mitzvah of Succah may not be used for any other use. But after Succos one may use it for anything that is not degrading. Thus, one may not throw it directly into the garbage, as this is disrespectful for something used for a mitzvah, (מ"ב סי' כ"א סק"ו). One may place it near the bins even though the sanitary workers will through it in ש"ת (ע"פ מ"ב שם סק"ז, ש"ת) . מקדש ישראל סי' צ"ח) (מ"ב סי' תר"ח סק"ד) .
- 2. Walking on Schach.** One may not walk on Schach after Succos as they still have the status of objects of kedushah and must not be treated disrespectfully. Thus, one may not put it in a place where people will come to walk on it. (מ"ב סי' תר"ח סק"ד) .
- 3. Schach that is wrapped.** If Schach is in its bag or wrapping and one is disposing of it because it is wormy or moldy, one may throw it into the garbage in a way that it will not become exposed while in the bin (הגר"נ קרליץ, חוט שני סכות עמ' ר"ד) .
- 4. Using Schach mats as fencing.** After Succos one may use one's Schach mats from one's succah as fencing around his yard or balcony, as this is not a disrespectful use.

Wrapping up one's schach for next year

- 5.** When wrapping up one's Schach mats for next year, it is advisable to do so when they are completely dry to avoid mold. If they are moist, they will probably become moldy. Dew falls early morning, so it is advisable to delay taking it off the succah until the sun has had a chance to dry it. And certainly when it has rained, delay wrapping it up until it is dry.
- 6.** It is advisable to wrap the schach mats hermetically with cling-film/wrap to avoid infestation by bugs. One should store it in a dry place. Some advise to spray it with insecticide before storage.

Succah decorations after Succos

- 7.** One should not use succah decorations after Succos degradingly. If one hung fruit such as pomegranates as decoration, if they are still edible they should be eaten. Otherwise, one should dispose of them respectfully by wrapping them beforehand.

The Daled Minim after Succos

- 8. Esrog.** After Succos one may benefit from the esrog that one used for the mitzvah of arba minim and even eat it, but not use it degradingly. Some have the custom to make jam from it and eat it on Tu B'Shevat (ליקוטי מהר"ח, כף החיים סי' תרס"ד ס"ק ס') and some give it to as a segulah to a woman to facilitate an easy birth.
- 9. Lulav.** some have the custom to burn their lulav on Erev Pesach with the chametz to use it for another mitzvah. Some keep it at home as a segulah for protection (סדר היום) , סדר היום) . It does not have the sanctity of Shevi'is (ש"ת מנחת יצחק ח"ה סי' ק', ש"ת) . שבת הקהתי ח"ג ועוד) . שבט הלוי ח"א סי' קפ"א, דרך אמונה פ"א סק"ו)

Hosha'anos

- 10. On the Aron Hakodesh.** Some have the custom to place their used hosha'anos on top of the Aron Hakodesh in shul (בעל תוס' י"ט, מלבושי י"ט על הלבוש, ש"ת מהרש"ם ח"ד סי' נ"ג) . This is not considered disrespectful for the Aron Hakodesh since the Chachomim made a condition to allow this custom.

- 11. As a protection.** Some take the used hosha'anos and use as a protection for their home (התניא הקדמון סי' פ"ו) or when going on a journey (מנורת המאור נר ג' כלל ד') .

After the Shemita year

Lulav, Hadasim and Aravos

- 12. Lulav.** most Poskim hold that a lulav does not have kedushas shevi'is, and so there are no limitations what one can do with it after Succos at the end of shemita. He may use it like any year for anything except for a degrading use (note 9) and may burn it on Erev Pesach.
- 13. Hadasim.** Some Poskim are concerned that they might have kedushas shevi'is because of their fragrance (ש"ת, א, ש"ת) (ספק בירושלמי פ"ו, א, ש"ת) , however most Poskim hold that since nowadays hadasim are not grown for their fragrance but to fulfill the mitzvah of arba minim, they do not have kedushas shevi'is, (חז"א). Thus, they do not have any special laws after Succos of shemita.
- 14. Aravos.** All agree that aravos have no kedushas shevi'is.

Schach

- 15.** Even those who used branches from a date palm for schach, the branches have no kedushas shevi'is and one may treat them like in any year. Thus one may place them next to the bins even though they will be thrown in, as long as he does not do directly, which would be degrading (note 1) .

Esrogim after Shemita

Putting away one's esrog after Succos

- 16.** One is not required to eat the fruits of shevi'is. The prohibition is not to directly spoil them or cause them to go off quickly. Thus, esrogim of shemita, if one wants one may eat them or cook them, treating it as shemita produce. But one is not required to eat them.
- 17.** After Succos one could put one's esrog in a place when it can contract and go hard, thereby becoming unfit to eat by itself, roughly, by the end of the winter, after which one may dispose of it in a bag. One may not place it where the sun's heat will cause it to spoil, as this is direct damage. Similarly, one may not place it somewhere it will go moldy quicker.
- 18.** Even esrogim that were hung in the succah as decorations and have kedushas shevi'is should be placed in a guarded place or be prepared as food and treated as shemita produce.

Esrog jam/jelly

- 19.** Produce of shemita may only be prepared and eaten in a way that is usual for that type, as mentioned (Chukei Chaim 264, note 28) . So, one may prepare jam from esrogim of shemita since many are accustomed to prepare them and eat them that way (מור"ר בשו"ת) . שבת הקהתי ח"ג ועוד) .
- 20. The water it is cooked in.** The way to prepare esrog jam is to cook the esrogim in water, pour out the water, and then cook them in fresh water and pour it out again, repeating this procedure about six times until the esrog is soft. Then, one boils it in water with sugar until the water evaporates. When cooking esrogim of shemita, one need not treat the water as having kedushas shevi'is. It may be poured down the sink, since it is bitter and completely inedible (בעל משנת יוסף) .

21. **Brachah.** When eating the esrog jam by itself, one says "boreh pri ha'etz" (שורית שבט הלוי ח"א סי' נ"ד).
22. **Shehechyanu.** One does not recite the brachah of shehechyanu when eating esrog jam, even though one has not eaten it for a while, since one already said shehechyanu when taking it on the first day of Succos for the Mitzva (שורית אלף לך שלמה אר"ה סי' צ"ב).
23. Additionally, since the esrog is a fruit that may remain on the tree from one year to the next, it does not qualify as a new fruit.

Biting off the pitom

24. There is an old custom on Hoshana Rabbah that a pregnant woman bit off the pitom of an esrog that was used for the mitzvah, give money to tzedakah and say the tefillah, "Ribono Shel Olam..." brought in the sefer Chayim Uberachah. This is a segulah to have an easy pregnancy and birth (אות רכ"ה בשם הנייר שמשון). The implication of the tefillah is that they should also swallow the pitom.
25. **Set aside for the mitzvah.** There are some Poskim who objected to this since one may not benefit from an esrog that is used for the mitzvah for the entire seven days of Succos (שורית סי' תרס"ה סי' א"א), even after the mitzvah was performed with it. They therefore forbade one to do the above (דרכי חיים ושלום אות תשצ"ו).
26. **How to keep the custom.** There are those who advise to keep the custom by merely biting off the pitom but not swallowing it, as that is not considered deriving benefit from the esrog (הגרה קנייבסקי שורית סי' תרס"ד סק"ג אות ה').
27. Another idea is to do so after Simchas Torah, as then everyone agrees that one may swallow the pitom. It does not imply anywhere that it can be done only on Hoshana Rabbah.
28. **Esrog of Shmitah.** The Poskim discuss if one may perform this custom with an esrog of shmitah since biting off the pitom is not the way one eats it. Additionally, if one does not eat the rest of the esrog, this will cause the rest to spoil quicker than had it remained whole.
29. Those esrogim whose pitom is like wood, the Poskim agree that the wood part does not have any kedushah and one may bit off the pitom like normal (היכל הוראה ח"ג הוראה ק"ט). However, an esrog whose pitom is fleshy similar to the main esrog, like the Moroccan species (עיי' כף החיים סי' תרמ"ח סקמ"ח שעשה חילוק זה לגבי ניטל הפיטם), one may not bite off the pitom as this is not the way of eating it. And even if one did not swallow it, he is still causing the rest of the fruit to spoil quicker if he does not eat or cook it.

The obligation to do biur with esrogim of shemitah

The law of biur

30. Anyone who has produce of shemitah in his house or property must remove them and disown them when that type of produce is no longer found in the fields or shops (שביעית פ"ט ב'). The time for this depends on each species. Biur must be done when it is no longer found in the fields.
31. **Produce may be eaten after biur.** Most Poskim hold that after the produce is made hefker, one may repossess it and eat it. So, everyone must take their shemitah produce out to the public domain and make them hefker in front of three people who are fitting to give testimony in Beis Din. But the person who takes the produce must treat it with the kedushah of shmitah, even after the time of biur. The owner of the produce may also repossess it after taking it out to the public domain and declaring it hefker. He may then take it home and eat it whenever he wishes.
32. **Produce that was not removed.** Produce that was not removed and made hefker as required at the time of biur is forbidden to benefit from forever. It does not help to make it hefker after the time of biur (רמב"ן שם, חזו"א סי' כ"ו סדר השביעית אות א').

The amount of produce that requires biur

33. One who only has enough produce for three meals or less does not need to do biur (חזו"א הובא בס' שנת השבע פ"ט, ה', הגרי"ש). The amount of three meals is reckoned according to each of the members of one's household (משנה פ"ט מ"ח). Someone who has one esrog of shmitah does not need to do biur, and the same applies to other members of his household.

Produce of Otzar Beis Din

34. **In otzar beis din warehouses.** The esrogim that remained in the otzar beis din warehouses until biur are exempt from biur since that are considered already removed and in the property of all Jews. Similarly, the closed boxes of esrogim still in the possession of those that were giving them out and only charged handling fees, are also considered as being with the emissaries of beis din and are exempt from biur.

35. **By private individuals.** But esrogim of otzar beis din which are already in the possession of individuals are required to have biur when the time comes, as they are not hefker. (שורית משנת יוסף ח"ב סי' ט).

The time of biur for different species

36. The exact time of biur depends on each species. There are some whose time is fixed by Chazal, such as figs on the first day of Chanukah, dates on Purim deprazim, grapes and wine on the first day of Pesach, and olives and their oil on Shavuos (גמ' פסחים דף נ"ג ע"א, רמב"ם פ"ז ה"א).
37. **Most produce.** With most produce, it is difficult to ascertain the exact date of biur as the facts are not clear. Also, we are not clear where the three sections of Eretz Yisrael are exactly. But most species have a time when we are doubtful, before which it is certainly not the time, and after which it certainly is the time.
38. **How to perform biur with species whose time is doubtful.** Some say one must take out his produce every day, make it hefker and then repossess it, since every day might be the time of biur (חזו"א סי' כ"ו סדר השביעית אות ה'). Others say that one should make them hefker on the first day of the period of doubt, and have the intention not to repossess them until the end of the period of doubt (חזו"א שם, דרך אמונה פ"ז צה"ל סק"ט). Others still say that one may be lenient to make them hefker only on the last day of the period as he does not intend to leave them to eat them himself, but rather to do biur when there is definitely none of it left in the fields (שמיטה כהלכתה פ"ג ס"א מגדולי ירושלים).

Time of biur for an esrog

39. **Time of biur is uncommon.** The Poskim argue when is the time of biur for an esrog. Some say that a time of biur does not exist since it can stay on the tree for two to three years, and even though the orchard owners remove all the remaining esrogim after Succos, since they could be left on the tree for two to three years, we say that it has not finished for the animals (רידב"ז פ"ח סי' ג).

40. **Shvat.** Many Poskim hold that the time of biur for an esrog is Shvat (ספר דיני שביעית כ"א, י"ג). Some take this to mean Tu BeShvat, and some, after Shvat (בית דוד ח"ב פ"ג אות ג').

41. **Before Succos.** Some say that it is before Succos of the eighth year (אג"מ ח"ט סי' נ"ג).

42. **Due to the doubt.** Some say one should eat them immediately after Succos and not wait around due to the doubt when their time of biur is (שורית זכר שמחה סי' ר"ז), so that one will not have to make it hefker every day (אות ל"ח).

Esrogim that were taken out of Eretz Yisrael

43. We have written about the reasons to prohibit or allow taking an esrog of shmitah out of Eretz Yisrael (See sheet 273 note 39). The reason to prohibit is so that it will not be mixed up with local produce, because of its elevated status, or the obligation to do biur. The reasons to allow it are to propagate the performance of daled minim, but certainly the laws of biur must be kept, e.g., if a person has several esrogim. There are those who say that it is preferable that those esrogim be returned to Eretz Yisrael so that the mitzvah of biur be fulfilled here. But when each member of the family only has one esrog they do not have to do biur (note 23).

Biur with esrog jam

44. When esrog jam is made from produce of shmitah (לעיל אות ט'), one needs to be particular about the laws of biur. So, if there is jam more than the stipulated amount for each house member, one must give out less than the amount to others or do biur properly before the time of biur and then repossess it. And since the time of biur is doubtful, one should use one of the above mentioned suggestion (אות ל"ח).



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