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FEDERATION

WEEK 5: MAASER ONI

5778 is a Maaser Oni year. How will that affect my use of the MaaserText service?

Billed as a refresher, the current series of articles which is relaunched this week has focused on the Federation's MaaserText service and the halachic principles which underpin it. The series also offers the opportunity to highlight the special nature of the current agricultural year.

What is Maaser Oni?

Having separated Teruma Gedola for the Kohen, Maaser Rishon for the Levi, and Terumas Maaser again for the Kohen, a further 10% is now separated. Most years, this will be Maaser Sheni which is to be eaten in Yerushalayim. During the 3rd and 6th year of the shemitta cycle, Maaser Oni is separated instead. The produce which is separated must be distributed to poor people.

Who can receive Maaser Oni?

Maaser Oni is different from the stringent Maaser Sheni – and once donated to a poor person, it may be consumed by anyone anywhere. Maaser Oni does not carry Kedusha status like Maaser Sheni does.

Like Tzedoko, Maaser Oni can be given to anyone who struggles to pay for their basic monthly expenses. In Eretz Yisroel, it is not uncommon to find large storage crates full of agricultural produce in strategic locations in poorer areas. Appropriate signage encourages needy families to help themselves to the produce. Those who receive these gifts are not

limited in their use, and can choose to cook, store or distribute the gifts they receive.

Are there circumstances in which Maaser Oni does not need to be given?

Fruits from Eretz Yisroel from which the relevant Maaser has not been taken are Tevel and may not be eaten. Where there is a doubt as to whether the produce is still Tevel, it is referred to as Sofeik Tevel (opposite of Vadai (certain) Tevel).

Even Sofeik Tevel must be tithed and the full hafroshe procedure must be performed, but the requirement to actually *give* the Maaser Oni gifts to the poor is affected by the sofeik status. As he is not obligated to give Maaser Oni, the owner may eat them and enjoy them himself.

My friend in Eretz Yisroel gave me peppers which she grows in her garden – do I take Maaser Sheni or Maaser Oni?

To answer this question, it will be vital to determine the halachic year to which the produce relates; the halachic factors are complicated and require expert halachic advice.

As this is a very complex area of Halocho, it would be rare to be completely confident of an item's Maaser Sheni/Oni status unless the fruit only budded after the onset of the relevant

Halachah

halachic year. It will often be necessary to treat fruits as sofeik Maaser Oni and not to be obligated in Maaser Oni.

If I use MaaserText do I need to give Maaser Oni?

Fruits whose origins are in Israel which are sold commercially here in the UK have generally been exported by large exporting businesses. Research which the Federation kashrus department have undertaken has shown that exporters do not Maaser fruits which are sold for Chutz Laaretz. Most surprising was the case of an Israeli exporter called Mehadrin who told us that their produce is not Maasered before export! As such, fruits would seemingly be treated as Vadai Tevel.

Nevertheless, it is accepted that there is no obligation to *give* Maaser Oni. Among other factors, we consider the possibility that before reaching the distributor, the farmer himself may have tithed, or that the produce was grown by non-Jewish farmers.

SUMMARY:

In practice, here in the UK, unless you know that produce was certainly grown by a Jewish farmer AND certainty wasn't maasered, you may continue using MaaserText as normal and you do not need to give Maaser Oni.

Look out for next week's article which will examine the need for a special Maaser Sheni coin. In a Maaser Oni year, is this still necessary?

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This week's Shailatext is

לע"נ שמעון בן שרגא ז"ל

QUIZ TIME Living with Mitzvos
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1. When the *shevotim*, are counted their names appear surrounded by two letters of Hashem's Name – the *Hei* and then the *Yud* (see Rashi 26:5). Why use these letters from This Name of Hashem as opposed to another Name of Hashem? Why pick the first two letters of This Name as opposed to the last two letters? Why put these letters in the reverse order and not first the *Yud* and then the *Hei*?