



The Halachic Repercussions of Tu B'shvat

Dayan Yehonoson Hool | Federation Beis Din

Tu B'Shvat is the 'New Year for trees' (Rosh Hashanah, 2a). What does this mean?

There are various customs associated with Tu B'Shvat, such as eating many fruits on this day (Mishnah Brurah, 131:31, quoting Magen Avraham), and singing songs of praise of Hashem whilst doing so (Siddur Yaavetz, page 371). R' Chaim Palaggi (Moed Lekol Chai, 30:7) writes that there is a custom for the father of the house to make brocha on wheat, alluding to the verse, "Fat of wheat shall sate you" (Tehillim, 147:14) and thus the home will not lack for food. The wife follows with grapes, alluding to the verse, "Your wife is like a fruitful vine" (Tehillim, 128:3). Boys are given olives ("Yours sons are like olive saplings around the table" - ibid) and the girls are given pomegranates and nuts ("All of the glory of the king's daughter is internal" - Tehillim 45:14). Little children are given honey and apple (See Shir Hashirim, 8:5 and 4:11). It is also quoted there that some eat fifteen fruits and learn the fifteen perokim of mishnayos Massechtos Pe'ah, Bikkurim and Rosh Hashanah.

However, the principle significance of Tu B'Shvat is the fact that it serves as a date for the determination of which year produce is considered to have grown from, and this has Halachic repercussions, as will be explained.

Fruit and vegetables grown in Eretz Yisroel must have various tithes separated, and in some cases distributed to others. Fruit and vegetables that have not been tithed are called tevel and it is forbidden to eat them before tithing.

TERUMA

Firstly, a small amount must be separated and given to a Kohen. This is called **Teruma**. It may not be consumed by anyone other than a Kohen or his family. Although in Temple times, we were taught to give generously, nowadays as the Kohanim are unfit to eat the *teruma* (until such time that we have a Poroj Adumoh), it must be destroyed, and to minimise the amount destroyed, Chazal said that we should only separate a minimal amount in the first place.

MAASER RISHON

After separating *teruma*, a further ten percent of the produce is separated and given to a Levi. This is called **Maaser Rishon**. This may be eaten by the Levi, or indeed by anyone that the Levi gives it to, even if they are in a state of *tumah* (ritual impurity). (According to the Chazon Ish, as nowadays we cannot be absolutely sure who is a Levi, one need not give the *maaser* to a Levi at all and one can eat it oneself.)

TERUMAS MAASER

The Levi himself tithes the *maaser* that he has received, by separating ten percent of the *maaser*. This ten percent is called **Terumas Maaser**, and must be given to a Kohen, just like *teruma*. As such, it cannot be consumed nowadays, because we are all considered to be *tomei*.

MAASER SHENI

Having separated *maaser*, a further ten percent is separated. What to do with this further ten percent depends on the year from which the produce comes. In the first, second, fourth and fifth year of the *shemitta* cycle, this tithe is called **Maaser Sheni**, and carries a unique status; in the times of the Beis Hamikdash, it must be brought up to Yerushalayim and eaten there by the owner or anyone else with whom he wants to share it. With produce from the third and sixth year, however, this second ten percent is given to the poor, and is called *Maaser Oni*. (Israeli produce in the UK tends to be of a *sofek* (i.e. doubtful) status, because although most exported produce is not tithed, some actually is, and as such although one may not eat the fruit until the *Maaser Oni* has been separated, the *Maaser Oni* itself can then be eaten and one need not actually distribute it to the poor).

Tu B'Shvat is the date at which, in this context, the year begins and ends. Fruit that reaches the stage of growth at which it becomes susceptible to the laws of *terumos* and *maasros* before Tu B'Shvat of the third year of the *shemitta* cycle, will require the separation of *Maaser Sheni*, as if it had grown in the second year. But if it reaches this stage of growth after Tu B'Shvat that year, it requires the separation of *Maaser Oni*, as third year produce.

Maaser Sheni may be eaten by the owner of the produce or anyone he wants to share it with. However, it carries unique *kedusha* (holiness) status which dictates that it may only be eaten in Yerushalayim, in a state of personal *tahara* this is not possible nowadays, since we are all *tomei*.

Not being able to eat the *Maaser Sheni* doesn't condemn it to being left to rot. *Maaser Sheni* is different from *teruma* and *terumas maaser*, in that the Torah allows the *kedusha* of *Maaser Sheni* to be transferred onto money.

In fact, nowadays Chazal permit one to redeem all of one's *Maaser Sheni* - at times worth vast sums of money - onto a coin of minimal value. However, one would then need at a certain stage to destroy the coin, as prevailing circumstances mean that we won't be able buy with it fruit in Yerushalayim to eat in a state of purity.

Additionally, in some cases a special coin, called a *prutah chamurah*, is required.



maasertext

IN PRACTICE the way to separate *terumos* and *maasros* nowadays is to separate a little more than 100th of the produce, say a brief formula to designate the various tithes and to redeem any *maaser sheni* onto a designated coin, and then to dispose of the separated bit. The rest may then be eaten.

In order to enable people to carry out with ease the *mitzvos* of separating *terumos* and *maasros*, and redeeming *maaser sheni*, The Federation's MaaserText service makes available a *prutah chamurah* for use by members of the public. When redeeming *Maaser Sheni*, one can redeem all of the *Maaser Sheni* onto the Federation's *prutah* coin.

To use the coin, you need to text the keyword **MAASER** to **07800 006 913**. You will then receive an automated response which will direct you (either by web link or by sending an email) to read a list of instructions for tithing the produce and redeeming the *Maaser Sheni*.

TEXT MAASER TO 07800 006 913

DO YOU HAVE A SHAILA? ASK THE FEDERATION



SHAILATEXT 07860 017 641

