
עזרה

TIME 4 MISHNA

mikra

ערלה

וְכִי־תָבֹאוּ אֶל־הָאָרֶץ וּנְטַעְתֶּם כָּל־עֵץ מֵאֲכָל וְעֵרְלֹתֶם עֵרְלֹתוֹ אֶת־פְּרִיָּו שְׁלֹשׁ שָׁנִים
יְהִיָּה לָכֶם עֵרְלִים לֹא יֵאָכֵל:

(ויקרא יט:בג)

“And when you will come to the land and plant every tree for food, you shall treat its fruit as ערלה for three years; it shall not be eaten.”

Overview

עֵרְלָה

What is
obligated in
עֵרְלָה
(1)

- ✓ **Which trees**
 - Purpose of planting - Uprooted
 - Not planted by the owner of the land
- ✓ **Which parts of the fruit**
 - Leaves, shoots & buds - Pits & shells
 - Sap

תַּעְרוּבוֹת
(2-3)

- ✓ **Mixtures containing תְּרוּמָה**
- ✓ **Mixtures containing עֵרְלָה or כֶּלְאֵי הַפָּרָם**
- ✓ **Different components of a mixture combining**
 - A forbidden substance combining with חוֹלִין to nullify
 - A substance permitted only for כֹּהֲנִים combining with something forbidden
- ✓ **When עֵרְלָה is in the mixture**
 - Must be burnt
 - When בִּיטוּל doesn't work, e.g. דָּבָר דָּבָר שֵׁישׁ לוֹ מִתִּירִין, חָשׁוּב

Key Terms

ערלה

Rules:

אין ריבוי אחר ריבוי אלא למעט - If there are 2 inclusive words in a פסוק then it comes to exclude something

אין מבטלין איסור לכתחלה - One may not bring about nullification intentionally

זה וזה גורם אסור - If a permitted thing and a forbidden thing together cause a result then the result is forbidden

יש שנבח עצים בפת חדש - Cooked food is considered to have benefitted from that which cooked it, even though nothing was added to the food

ספיקא דאורייתא לחומרא - A Torah law is ruled stringently in a case of doubt

Concepts and Terms:

הברכה - Bending the tip of a branch into the ground, bringing it back up at a different spot in the field and cutting it from the original tree

אשידה - A tree which was worshipped as **עבודה זרה**; it's forbidden to benefit from it

- **לח בלח** - A mixture of a forbidden liquid with a permitted liquid
- **יבש ביבש** - A mixture of a forbidden solid food with a permitted solid food
- **מין במינו** - When 2 of the same type of food are mixed together
- **מין בשאינו מינו** - When 2 different types of food are mixed together

נותן טעם - When a substance gives off its taste to another substance

ביטול - When a forbidden substance is nullified in a mixture and takes on the status of the other component in the mixture

שני שמות - When 2 things are prohibited for 2 different reasons

נותן טעם לפגם - When a taste which is detrimental to the permitted substance in a mixture is given off

- **קדשי קדשים** - Higher level קרבנות which may only be eaten by male כהנים
- **קדשים קלים** - Lower level קרבנות which may be eaten by non-כהנים
- **פגול** - A קרבן which is processed with the intention of eating it after its set time period for eating it
- **נותר** - A קרבן which is left-over past its set time period

Key terms

ערלה

- **דְּבַר חֶשׁוֹב** - Item which cannot be nullified because of the significance of each one
- **דְּבַר שְׁבִמְנֵינָן** - Something sold by exact number and not by approximation; possibly a form of a **דְּבַר חֶשׁוֹב**

סיט - Maximum distance between one's index finger and middle finger when stretched apart

דְּבַר שֵׁישׁ לוֹ מִתִּירִין - Something which can become permitted in the future; **בִּיטוּל** doesn't work on such an item

חֲדָשׁ - The prohibition to harvest or eat grain which took root after the last **פְּסַח** until the **קֶרְבַּן הָעֹמֵק** is offered up on the 2nd day of **פְּסַח**

Summaries

ערלה

• Which fruit and which parts of fruit are obligated in ערלה:

- If a tree is **planted to be used as a fence, or for its wood**, it's **exempt** from ערלה since the תורה states that the obligation is upon "a tree for food".
 - **ר' יוסי**: If one **intends that one side of the tree will function as a fence and the other side will be used for its fruit**, only the **fruit which grow on that side are forbidden**.
- Trees which were **planted before the ישראל entered** in the times of יהושע were **exempt** from ערלה, but those which were planted after they entered were obligated, even before they'd conquered the land.
- **חכמים**: A tree **planted for the public** is **obligated**, since the תורה uses the word "לכם" – "for you" in the plural form.
 - ר' יוסי**: It's **exempt**, since the תורה also uses the word "ונטעתם" – "and you will plant" in the plural form, and 'אין ריבוי אחר ריבוי אלא למעט' – if there are 2 inclusive words in a פסוק then it comes to exclude something.
- If one plants a **tree in a public domain** for his own sake, it's **obligated**.
- A tree **planted by a non-Jew or one who stole the land**, and a tree which **grows by itself** on somebody's land, is **obligated** since the תורה says the obligation applies to "every fruit tree".
- A tree **planted in a ship** with holes at the bottom or with a clay floor is **obligated**, since it gains nourishment from the seabed.
- If a tree is **uprooted together with the earth** in which it's planted, or if the **earth surrounding a tree is removed**, such that the tree can still survive in its remaining earth alone, then it's **3 year count doesn't begin again** even if he replants it in the ground or adds earth to it.
 - **רבן גמליאל משום רבי אליעזר בן יהודה איש ברתותא**: If it's uprooted but at least **one root the size of a needle remains attached**, its **3 year count doesn't begin again**.
- If one **plants a tree using the method of 'הברכה'** – bending the tip of a branch into the ground, bringing it back up at a different spot in the field and cutting it from the original tree, the **new tree ('בריכה')** shares the original tree's ערלה count until its connection is cut, at which point its own 3 year count begins.
 - If the **original tree is uprooted while it's still connected to the בריכה**, the **בריכה's 3 year count begins** and the original tree shares that ערלה count since it's dependent on the בריכה.
 - If **fruit are left on the בריכה** after it's detached from the original tree which had completed its ערלה count, for enough time for it to grow 1/200 more, it's considered an ערלה fruit and is **forbidden**.
 - If **another בריכה is produced from the first בריכה**, then they both **share the ערלה count of the original tree**; once the connection between the original tree and the first בריכה is cut, the second בריכה **shares the first בריכה's count**.

Summaries

ערלה

- חֲכָמִים**: If one extends and **ties a branch from Vine A to Vine B** and then ties a branch from Vine B to Vine A, even if he then does הַבְּרָכָה with them, **the 2 branches are exempt from ערלה** if even one of the vines is exempt.

ר' מאיר: They're **only exempt if their main source of nourishment is from the vine which is exempt from ערלה**.
- If ערלה or 'כְּלָאֵי הַכֶּרֶם' – a different species which is planted in a vineyard illegally and is therefore forbidden – are **mixed with 200 times more חולין** (unsanctified, permitted produce), it's nullified and **permitted**, but if they are **still attached to the ground** then each tree is considered significant and not part of a mixture so **cannot be nullified**.

→ **חֲכָמִים**: If one unintentionally harvests all of the fruit and **mixes them together**, then the ערלה or כְּלָאֵי הַכֶּרֶם fruit are **nullified**, but 'אִין מְבַטְלִין אִיסוּר לְכַתְחֵלָה' – one may not bring about nullification intentionally.

ר' יוסי: One **may do so intentionally**, since this is an uncommon case so the חֲכָמִים didn't forbid it.
- חֲכָמִים**: The prohibition of ערלה, the obligation of 'נֹטֵעַ רְבָעִי' – bringing up **4th year produce** to eat in יְרוּשָׁלַיִם, the prohibition upon a נְזִיר of eating grape products, **only applies to the fruit of a tree**, but not to the leaves, shoots, liquid which emerges from vines, or buds.

ר' יוסי: The prohibition **does apply to the buds**, since it's a young fruit.

→ Therefore, although in general one may plant an ערלה branch, it's **forbidden to graft branches containing date buds**.

→ It's **forbidden to benefit from the entire tree if it's an 'אֲשִׁירָה'** – tree which was worshipped as זָרָה עֲבוּדָה זָרָה.
- ר' אליעזר**: If the **sap of an ערלה tree** is added to milk in order to turn it into cheese, the cheese is **forbidden** since the sap is considered like the fruit.

ר' יהושע: It's **only forbidden if the sap comes from an actual fruit** of the tree.
- Grapes which are damaged before reaching 1/3 of their growth, grape skins, pits of fruit, a mixture of water and leftover wine/grape residue, pomegranate shells and flowers, walnut shells and other **secondary parts of fruit** are **forbidden like the fruit themselves**, for the prohibitions of ערלה, אֲשִׁירָה and a נְזִיר.

→ The obligation of **נֹטֵעַ רְבָעִי** **doesn't apply to these parts**, just like מַעֲשֵׂר שְׁנִי.

 - **Fruit which fall off a tree after growing to 1/3 of its growth** are even **obligated in נֹטֵעַ רְבָעִי**.

Summaries

ערלה

- **Mixtures of forbidden food with permitted food:**

- A mixture of 'לח בלח' – a **forbidden liquid with a permitted liquid** – is **permitted** if the forbidden liquid doesn't 'נותן טעם' – give off its taste to the rest of the mixture, which generally occurs if it makes up at least $1/60$ of the mixture.
- A mixture of 'יבש ביבש' – a **forbidden solid food with a permitted solid food** – is **permitted** in a case where the forbidden substance is one of the **כהנים** ('תרומה', 'גדולה' – a portion of one's produce, 'תרומת מעשר' – $1/10$ of the **ראשון** which a **לוי** receives, 'חלה' – a portion of one's dough, or 'בכורים' – first fruits which ripen,) only if it makes up less than $1/100$ of the mixture. This is because it's learnt from **פסוקים** that if **מעשר תרומת מעשר** falls back into its original produce, it's forbidden, and **תרומת מעשר** is $1/100$ of the original produce. This applies to the other gifts too, since the **תורה** calls all of them 'תרומה'.
 - The different gifts **combine** with each other, so only if there is enough permitted food to nullify all of the forbidden food is the forbidden food 'בטול' – nullified.
 - Even if it is **בטול**, one **must remove the amount of forbidden substance** which fell in and give it to a **כהן**.
 - If the **forbidden food is a different type of food to the permitted food** ('מין' 'בשאינו מינו'), the mixture is **permitted only if the forbidden food isn't טעם**.
- A mixture of **יבש ביבש** is **permitted** in a case where the forbidden substance is **ערלה** or **כלאי הכרם**, only if it makes up less than $1/200$ of the mixture, since it's not only forbidden to eat it but also to benefit from it.
 - **חכמים**: They **combine** with each other, since they're equally forbidden.
 - ר' שמעון**: They **don't combine**, as they're 'שני שמות' – 2 different prohibitions.
 - ר' אליעזר**: They **combine in a mixture of לח בלח** if they have the same taste.
 - **חכמים**: Spices which share either the **same prohibition or type** combine.
 - ר' שמעון**: They only combine if they share the **same prohibition and type**.
- If 1 סאה of תרומה falls into 99 סאה of חולין and then $1/2$ סאה of ערלה or כלאי הכרם falls into the mixture, **the תרומה combines with the חולין to nullify the ערלה or כלאי הכרם**, and **כהנים** may eat the mixture (since the תרומה isn't nullified).
- If 1 סאה of ערלה or כלאי הכרם falls into 200 סאה of חולין and is nullified, and then the amount of תרומה, ערלה or כלאי הכרם which would be nullified by 201 סאה but not by 200 סאה falls into the mixture, **the original ערלה or כלאי הכרם combines with the חולין to nullify the תרומה, ערלה or כלאי הכרם** and anybody may eat the mixture, since as soon as the original ערלה or כלאי הכרם falls into the חולין it's considered חולין itself.
- If a **forbidden substance is mixed with חולין of the same substance** ('מין במינו') and causes it to rise or is a spice, it **cannot be nullified** since it visibly effects the mixture.
 - **בית שמאי**: If it's **טמא**, then the **whole mixture becomes טמא**, even though generally only a 'כביצה' – size of an egg – of **טמא** food makes other food **טמא**.
 - בית הלל**: They **don't make the mixture טמא** if they're less than a **כביצה**.

Summaries

ערלה

- **דוסתאי איש כפר יתמה**, a student of **בית שמואי**, testified that he heard from **שמואי** himself that it only a **כביצה** makes the mixture **טמא**.
- If **חולין sourdough falls into חולין dough and then forbidden sourdough falls into it**, the dough is **forbidden** if each sourdough is enough to cause it to rise by itself.
 - **ר' שמעון**: If it **rises before the forbidden sourdough is added**, it's **permitted** since the extra sourdough is '**נותן טעם לפגם**' – negatively affects the mixture's taste.
 - חכמים**: It's **forbidden**, since the extra sourdough gives the dough the ability to make other dough rise.
 - **ר' אליעזר**: If **חולין sourdough and forbidden sourdough fall into dough and only when combined can they cause the dough to rise**, the dough is **forbidden** since '**זה וזה גורם אסור**' – if a permitted thing and a forbidden thing together cause a result then the result is forbidden.
 - חכמים**: It's **permitted**, since the forbidden thing couldn't cause the result by itself.
 - If the **forbidden sourdough is removed before the dough rises**, it's **permitted** even according to **ר' אליעזר**.
 - **יועזר איש הבירה**, a student of **בית שמואי**, testified that he heard from **רבן גמליאל הזקן** that **זה וזה גורם מותר**.
 - **ר' אליעזר**: If **shoes were smeared with טמא oil**, left to dry, purified in a **מקוה** and then smeared with **טהור oil**, or vice versa and they were purified in a **מקוה** after being smeared a second time, the oil which seeps out of the shoe when they are worn are assumed to contain both the **טמא** and **טהור oil**, so the **shoes are טמא**.
 - חכמים**: It's **assumed that the oil which was smeared last is the one which seeps out**, so only if that was the **טמא oil** are the shoes **טמא**.
 - If **חולין sourdough and הפרים כלאי sourdough fall into dough and only when combined do they cause it to rise**, the dough is **permitted only for כהנים**, since **שני** do combine and **זה וזה גורם מותר** (according to the **חכמים**).
 - ר' שמעון**: It's **permitted even for non-כהנים**, since **שני** don't combine.
 - The same applies to **תרומה** and **כלאי הפרים** spices which are added to food.
 - The same applies to '**קדשי קדשים**' – highest level **קרבנות** – which may be eaten by **כהנים**, and a **קרבן** that is forbidden to eat, (e.g. '**פגול**' – a **קרבן** which is processed with the intention of eating it after its set time period for eating it, or '**נותר**' – a **קרבן** which is left-over past its set time period) which are cooked with **חולין** meat.
 - If '**קדשי קדשים**' and '**קדשי קלים**' – lower level **קרבנות** which may be eaten by **כהנים** – are cooked with **חולין** meat, it's **permitted even for non-כהנים** but even **ר' שמעון** agrees that it's **forbidden for טמא people** since they are both types of **קרבנות** so do combine.

Summaries

ערלה

- An item of **clothing which is died with ערלה** shells **must be burnt**, even though the benefit is just of appearance.
 - **ר' מאיר**: If this item of clothing is **mixed among other items of clothing**, they're **all forbidden** since **ביטול** doesn't occur with a 'דבר חשוב' – significant item, and a 'דבר שבמנין' – something sold by exact number and not by approximation – is considered a **דבר חשוב**.
 - חכמים**: It's **בטול** in 200 times more permitted items of clothing.
 - **ר' מאיר**: If one **weaves a thread** at least the size of a 'סיט' – maximum distance between one's index finger and middle finger when stretched apart – which is died with ערלה shells into an item of clothing and doesn't know which thread it is, the item of clothing **must be burnt**.
 - חכמים**: It's **בטול** in the rest of the threads of the garment.
 - If the thread is made from (1) the **wool of a בכור** (firstborn animal) which was wounded and is kept by a **כהן** and whose wool may not be sheared, (2) a **נזיר's hair**, or (3) **fur of a donkey which was killed for not being redeemed**, then the item of clothing **must be burnt**.
 - If the thread is made from 'הקדש' – something which is **designated to the בית המקדש**, then the item of clothing **must be burnt even if it's smaller than a סיט**, since a 'דבר שיש לו מתירין' – something which can become permitted in the future – cannot be nullified in a mixture, and **הקדש** can be redeemed.
- If **ערלה shells are used to fuel the fire to cook food**, the food **must be burnt** since 'יש שבח' – cooked food is considered to have benefitted from that which cooked it, even though nothing was added to the food.
 - The food can be **בטול** in 200 times more permitted food, since it's not a **דבר חשוב**.
 - The same applies even if it's **cooked in an oven** whose heat also cooks the food, even though **זה וזה גורם מותר**.
- **ר' מאיר**: **Bundles of at least 25 stalks of כלאי הפרם must be burnt** and **can't be בטול**, since it's a **דבר שבמנין**, which is considered a **דבר חשוב**.
 - חכמים**: They **can be בטול** in 200 times more **דבר שבמנין**, since a **דבר שבמנין** isn't considered a **דבר חשוב**.
 - According to the **חכמים**, only the **best quality type of a particular food** is considered a **דבר חשוב**, e.g. walnuts from **פרך**.
 - ר' עקיבא**: **Loaves which one bakes for personal use** and are relatively large are an example of a **דבר חשוב**.
 - These items are only considered a **דבר חשוב** as long as they are whole.
- If there is a **doubt as to whether something in ארץ ישראל is ערלה**, it's **forbidden** to benefit from it since 'ספיקא דאורייתא לחומרא' – a doubt in a Torah law is ruled stringently; in 'סוריא' – the lands conquered by **דוד המלך** before he conquered the entire land of **ארץ ישראל** itself, and which are treated as **ארץ ישראל מדרבנן** in some regards – it's **permitted**; in **other countries**, one may **buy fruit from a field which also contains ערלה fruit**, as long as he doesn't definitively know that the seller is giving him the **ערלה fruit**, since there's a **משה מסיני** הלכה למשה מסיני that a doubtful case of **ערלה** is ruled leniently outside of **ארץ ישראל**.

Summaries

ערלה

- If a **non-Jew is selling vegetables outside a vineyard containing vegetables (כלאי הפקום)**, it's **forbidden** to buy from him if it's in **ארץ ישראל**, but **permitted** if it's in **סוריא**. In **other countries**, one **may buy definite כלאי הפקום** as long as the non-Jew harvests it.
- The law of 'חדש' – that one may not harvest or eat grain which took root after the last **פסח** until the **קרבן העומר** is offered up on the 2nd day of **פסח** – **applies outside of ארץ ישראל** equally as much as inside **ארץ ישראל**.

TIME 4 MISHNA TEST

מסכת ערלה

1. Explain the rule of 'אין ריבוי אחר ריבוי אלא למעט'.
2. Under what condition is a tree which is planted on a ship obligated in ערלה?
3. What is הברכה?
4. Explain the rule of 'אין מבטלין איסור לכתחלה', and what is the scenario mentioned in the משנה which follows this rule?
5. a. What does 'לח בלח' mean?
b. What does 'יבש ביבש' mean?
6. How many times more חולין than ערלה is needed to be מבטל it, and why is it more stringent than for תרומה?
7. What is the meaning of 'שני שמות'?
8. Explain what 'זה וזה גורם' refers to.
9. What is a 'דבר שבמנין' and what is it an example of?
10. Define a 'דבר שיש לו מתירין' and what is its relevance to the laws of ביטול?