

ליקוטי ופסקי הלכות

"חוקי חיים"

ותלמודם
"חוקי חיים"
לעשות רצונך
בלבב שלם



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

Halochohs compiled by HaRav Chaim Bleier – Translated from the Hebrew edition by R' Zerachya Shicker

Halochohs of

Mishloach

Manos

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לוקוטי ופסקי הלכות "חוקי חיים"



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Mishloach Manos

Parshas Terumah 5780

169

Mitzvah of Mishloach Manos

1. One must send his friend two portions of meat or other food on Purim, as the posuk says, "ומשלוח מנות איש לרעהו". The more one sends to others, the more praiseworthy it is (שו"ע סי' תרצ"ה ס"ד). There are two main reasons given for mishloach manos. The acharonim discuss the various ramifications of the different reasons, as will be explained below. Lechatchilah, one should send mishloach manos that satisfies both opinions to at least one person (שו"ת כת"ס סי' קמ"א).
2. **Reason 1.** The first reason is to ensure that every Jewish family has its Purim seudah's needs met with abundance, enabling them to rejoice fully and properly (תרומת הדשן סי' ק"א). Chazal did not distinguish between the poor and those who already have what they need or the wealthy so as not to embarrass the needy (שו"ת אח"ט אור"ח סי' קצ"ו).
3. **Reason 2.** The second reason is to increase peace, friendship, love, and brotherhood in Klal Yisroel, in contrast with what our enemy, Haman, said, that the Jews were "מפוזר ומפורד בין העמים". We were saved when we came together with friendship and brotherhood, not division (מנות הלוי אסתר פ"ט).

Who is Obligated in Mishloach Manos?

4. **To one person.** The main chiyuv of mishloach manos is to send two portions to one person. If one sends to more friends, it is praiseworthy (שו"ע ס"ד).
5. **Women.** Women must send mishloach manos just like men (מ"א שם) since they also must rejoice and gladden others (מ"ב סק"ה). Strictly speaking, though, a married woman's husband may send on her behalf to several people (מ"ג סק"ד). In other words, a family may send mishloach manos to at least as many people as are in the family with intent that each recipient corresponds to one family member.
6. Nevertheless, women should be machmir to fulfill the mitzvah themselves (מ"ב שם, מ"ב סק"ה). In other words, each husband should inform his wife that he is sending on her behalf and specify to the recipient that the mishloach manos is fulfilling his wife's mitzvah (הגרשו"א, הליכות שלמה פורים פ"ט דה"ל אות כ"ז). Some are more machmir and have the wife make a kinyan before her husband sends it on her behalf (יב"ק מפיהו פורים פ"א אות כ').
7. A woman who lives alone must send mishloach manos to at least one family (מ"ב שם).
8. **Child.** A chinuch-aged child – i.e., six and up – should be trained in the mitzvah of mishloach manos (פמ"ג א"א סק"ד). His father should do this by giving him food portions with which to fulfill the mitzvah (מ"ד הגר"י בלויא, חנוך לנער פכ"ז הע"ד).

The Recipients

9. **To a child.** A gadol who sends mishloach manos to a katan does not fulfill his chiyuv (שו"ת שאילת יעב"ץ ח"א סי' ק"ב, כ"ה החיים סי' תרצ"ד סק"ב).
10. **To a drunkard.** The actions of one who is drunk like Lot, i.e., who is not aware of his conduct, are meaningless (רמב"ם פכ"ט מכירה ה"ח). Thus, one who sends him mishloach manos is not yotzei. However, if there is enough time left in the day for him to sober up and see the mishloach manos, the sender is yotzei (שו"ת משנה הלכות ח"ד סי' צ').

11. **To a lender.** One should not send mishloach manos to someone who lent him money if he would not have done so otherwise, due to the issur of ribbis. If, however, he had sent to him in years prior to the loan, he may continue to send to him.

With a Shliach

12. Some are unsure if one is yotzei if he personally gives mishloach manos without a shliach since the posuk says, "משלוח מנות" (שו"ת בנ"ן צ"ח סי' מ"ד הובא במ"ב סי' תרצ"ה סק"ה).
13. The poskim imply that one may personally give out mishloach manos and does not specifically need a shliach (שו"ת ארוחת רבינו שם, ח"ג עמ' נ"ג, הגר"י הלוי עובדות והנהגות ח"ב עמ' ק"ב). However, several poskim write that it is called 'mishloach manos', which connotes shlichus, because it is better to send with a shliach, as the purpose of the mitzvah is to promote closeness [Reason 2] and it is a bigger honor to send something with a third party; still, one who personally gives is certainly yotzei (מקור החיים סי' א"א בוטשאטש סי' ג, מקור החיים סי' י, שו"ת מהר"י אסאד ח"א סי' ר"ז ד"ה וזה ימים, כ"ה החיים סקמ"א).
14. **With a child.** Since it is possible that it is better to use a shliach than to deliver personally, the usual conditions of shlichus are unnecessary. If so, one would also be allowed to send with a child (כ"ב:); he should just verify that the child completed his task since with a child shliach, there is no assumption that he carried out his mission (שו"ת חלקת יעקב ח"א סי' ק"ג).

Know Who Sent It

15. **The sender.** One who receives mishloach manos from a shliach should know who sent it in order to strengthen their friendship [Reason 2]. Therefore, he should ask the shliach who sent it or he should check the attached note to identify the sender (שו"ת כת"ס (אור"ח סי' קמ"א אות ב').
16. **The contents.** Also, it is customary to check the contents of the mishloach manos and appreciate the sender's efforts in order to build up love and unity [Reason 2]. This was the minhag of the Brisker Rov (קס"ד ח"א, עמ' י"א, ח"א פורים).
17. **An organization.** An organization which sends mishloach manos to its supporters and friends should write the director's or chairman's name on behalf of the organization, to increase unity and friendship toward a person [Reason 2]; if they would only write the organization's name, it would not cause closeness with a person, just with a general body.

Recipient's Knowledge

18. The recipient must know that someone sent him mishloach manos in order to increase friendship [Reason 2]. If he did not get it, the sender was not yotzei (תשו"נ פורים עמ' קס"ח). However, his wife's or children's knowledge suffices since the sender presumably had them in mind as well.
19. **Leaving it by the door.** If the recipient is not home but will return on Purim day and see the mishloach manos, the sender is yotzei. If, however, he is out of town or, for some reason, will not find out about it on Purim, the sender is not yotzei (ערוה"ש סי' תרצ"ה ס"ז).
20. Therefore, if one knows he will not get home until after Purim, he should ask a neighbor to bring his mishloach manos in and inform him by phone who sent them to him in order to help the senders fulfill their mitzvah.

Sending, Receiving Specifically on Purim

21. Some say that the main thing is that the giver gives mishloach manos on Purim day, even if the recipient only gets it later [Reason 2]; others say that the main thing is that the recipient receives it on Purim day, even if the giver sent it earlier [Reason 1]. Therefore, one should ideally fulfill both by making sure to give at least one mishloach manos on Purim day that will also be received on Purim day, not at night (רמ"א סי"ד).
22. Also, one who keeps the 14th should give to someone who keeps the 14th, while one who keeps the 15th should give to someone who keeps the 15th so that both the giver and recipient are chayav in the mitzvos of Purim on that day.
23. **Companies that distribute mishloach manos.** Companies which receive orders for mishloach manos and deliver throughout the city are often unable to deliver everything on Purim day due to the heavy Purim traffic in chareidi neighborhoods, and they often bring them the day before or at night. Unless it was expressly stipulated that they would be delivered on Purim day, this is not misleading the client since it is assumed that they can also deliver beforehand.

Two Portions

Two Different Brochos

24. Many people think that the two portions must have different brochos, e.g., a shehakol food, and a mezonos food. There is no source for this. The two portions may have the same brochah as long as they are different types, as will be explained.

Two Types of Food

25. **Two pieces of one food.** The two portions must be from different foods. Two identical pieces of one type of food are considered one portion, not two (ערה"ש סי"ד).
26. **Two different-tasting pieces of chicken.** Two different-tasting pieces of chicken, e.g., one piece from the top and one from the bottom, are considered two portions (הליכות שלמה פ"ט דה"ל אות), as are a schnitzel and a drumstick, or a fried piece and a cooked piece (הגר"ש"א, יבקש מפיהו פורים עמי ל"א). Two distinct types of meat which are seasoned differently are also considered two portions, as implied by the Mechaber's words: 'Two portions of meat' (ש"ע סי"ד).
27. **Two types of rugelach.** Someone asked about two types of rugelach, some chocolate-flavored and some lemon-flavored. The halachah is that they are considered two portions.
28. **Salad made with two foods.** A vegetable or fruit salad containing two or more types of vegetables/fruits cut into small pieces is considered a single portion of salad since the salad as a whole, not the individual small pieces, is viewed as the portion.

Non-Food Item

29. Most poskim hold that one is not yotzei mishloach manos with non-food items since the pasuk says, "משלוח מנות," which, without further specification, implies food or drink (רש"י ביצה י"ד: ד"ה אלא). Also, mishloach manos are for the seudah (מנות, ביאור הגר"א סק"ד [Reason 1] תרומת הדשן סי' ק"א).
30. **Seforim and divrei Torah.** However, some poskim hold that one also can fulfill the mitzvah with non-food items, e.g., seforim [Reason 2]. In fact, some gedolim sent divrei Torah as mishloach manos (הפירוש מנות הלוי על אסתר נכתב ע"י הגר"ש אלקבץ בעל לכה דודי) (לכבוד חותנו וניתן לו ביום הפורים כמשלוח מנות).
31. **Nice dishes.** Therefore, if one wants to send nice dishes, he should try to add two portions of food, or at least only do so after fulfilling the mitzvah by sending someone portions of food. Many people have this practice.

Ready-to-Eat Food

32. At least two of the types of food sent in mishloach manos must be ready-to-eat [Reason 1], e.g., something cooked or baked. One is not yotzei with raw meat or something else which requires cooking or baking (מ"ב סק"ט).
33. However, some say that one may send something that can be cooked right away, e.g., shechted meat (פר"ח, הובא במ"ב שם).
34. **Coffee, tea.** One is not yotzei mishloach manos with instant coffee granules or tea bags, as they are not considered "portions" (הגר"נ) (קרליץ שלמי תודה פורים סי' כ"ט אות ה'). However, one may fulfill the mitzvah with ready-to-drink coffee or tea, e.g., iced coffee or iced tea (see next number).

Beverages

35. One may fulfill mishloach manos with drinks since drinking is also called "achilah" (מ"ב סק"ט). However, they must have some flavor. Seltzer and mineral water are not considered "portions" for these purposes (הגר"ש"א, יבקש מפיהו פורים עמי ל"ג).

Sweets

36. Ideally, one should send types of food that can be enjoyed during a seudah, e.g., meat, fish, wine, or mezonos foods eaten in a meal. Nevertheless, it is common custom to also send sweets, e.g., chocolate, candies, and all sorts of nosh. There is a basis for this, as the children in the home also need food suitable for them. It is not appropriate, however, to send sweets to elderly people, who have no use for them [Reason 1].

Aveil, Lo Aleinu

Aveilim are Chayav in Mishloach Manos

37. An aveil, even one in shivah, is chayav in mishloach manos (ש"ע סי' מ"ב סק"ז), as he is chayav in all mitzvos (תרצ"ו סי' מ"ג). He should send food, not delicacies which bring joy (מ"ב סק"ח). He should only send to one person (מ"ב סק"ח אות י"ח, הגר"ש"א), (אשרי האיש ח"ג פמ"ז אות ג' דברי סופרים אבלות), or at most, two or three (י"ד סי' שפ"ה עמ"ד סק"ג).

Sending to an aveil

38. **To the aveil himself.** One should not send mishloach manos to an aveil within twelve months of the passing of a parent or thirty days for other relatives (רמ"א שם), since that is similar to asking how he is doing, which is ossur for all twelve months (מ"ב סק"כ). If, bedieved, one sent to an aveil, the aveil may accept it since the sender has already "asked how he is doing," and the aveil's acceptance does not add to that (ש"ת כתב סופר או"ח סי' קמ"א). Also, if one asks an aveil how he is doing, the aveil may respond, and accepting the mishloach manos is like responding (ש"ת שבת הלוי ח"י סי' ק"ז אות ג').
39. **To the aveil's family.** One may send mishloach manos to an aveil's family if his intent is for the family and not the aveil personally (מ"ד סי' שפ"ה), even if the reason he is sending it to the family is because of the aveil himself, since he is not asking the aveil himself how he is doing (תורת המועדים סק"ב אות ב').
40. **Rav in aveilus.** One may send an envelope to a rav when he is in aveilus as usual since that is like paying a debt and hakaras hatov, not asking how he is doing (ש"ת דברי מלכאל ח"ה סי' רל"ז). He may also include some food or a bottle of wine as a way of giving respectfully (כף החיים סק"ה, פסקי תשובות תרצ"ו אות י').
41. **Parent in aveilus.** Children may send mishloach manos to their father or mother in their aveilus since that is like paying a debt and hakaras hatov, as above (40). Also, there is no issur to ask a parent who is an aveil how they are doing (ש"ת שבת הקהתי ח"ד סי' קפ"ח).

Hafrashas Challah, Tevilas Keilim

Hafrashas Challah

42. **Giving out to others.** A woman who bakes pastries or challoos to give out to others in mishloach manos should not make a brochah upon taking off challah – even if she bakes the minimum amount of dough – since she is baking to give out to others (ש"ת מנח"י ח"י סי' ק"ב), unless she keeps the minimum amount for hafrashas challah for herself (עי' מש"כ באריכות גליון חוקי חיים 67).
43. **Receiving baked goods.** One who receives baked goods from others should make sure not to put all the same types of products together in one container or in the freezer, as this is like combining things which add up to the minimum amount for hafrashah in one basket. This creates a question if he needs to take off challah, which can in turn lead to him separating from food which is patur for food which is chayav, in such a way that some get challah separated and some do not.

Tevilas Keilim

44. One may send food to his friend in a non-toiveled dish since, for him, it is considered a "commercial dish," not a dish for eating. However, he should make a note to the recipient that the dish requires tevilah (אהל יעקב דיני טבילת כלים אות ע"ז).
45. Not all poskim agree that the giver can toivel the dish for the recipient even if he wants to, since for him, the dish is will be used as a gift, not for eating, and perhaps there is not a chiyuv tevilah on the dish yet. This is especially true of a valuable dish, where his whole intention is to give it as a gift (מקור חיים סי' י"ד עמ" 40, ש"ת תשוה"נ ח"א סי' תנ"ב).

