

ליקוטי ופסקי הלכות

# "חוקי חיים"

ותלמוד  
"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

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

## Halochoh of

# Fruits

# Tu' Beshvat

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Halachos of Fruits – Tu B'Shevat

Beshalach 5782

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## Eating Fruits on Tu B'Shevat

### The Minhag to Eat Fruits

1. Ashkenazim have a minhag on Tu B'Shevat to eat various fruits (מג"א סי קל"א סקט"ו, הובא במ"ב שם סקל"א) (כף החיים סקצ"ז).
2. It is a mitzva to eat a bit of each new type of fruit every year to show that Hashem's creations are dear to us (ירושלמי הובא במ"ב סי ר"ה ס"ז) (קרבן העדה ירושלמי קידושין פ"ד הי"ב). Before eating the fruits, one makes a Shehecheyanu and expresses praise and gratitude to Hashem for making pleasing creations for mankind to enjoy (קרבן העדה ירושלמי קידושין פ"ד הי"ב). Some people designate Tu B'Shevat, the Rosh Hashana for trees, for this purpose.
3. **Fruits of Eretz Yisroel.** There is always a preference to eat fruits of Eretz Yisroel, which derive sustenance from the kedusha of the Shechina that is in the land, and thus have kedusha and purify those who eat them. This is why we say in the text of Birchas Me'i'ein Shalosh "ונאכל מפריה ונשבע מטובה" (ב"ח סי ר"ה סק"ח). Thus, on Tu B'Shevat it is also advantageous to try to find fruits of Eretz Yisroel (ש"ת מגדנות אליהו ח"ה העמוד לצאת לאור בקרוב).

### Tefilla for an Esrog

4. The Sefarim Hakedoshim cite a segula to daven on Tu B'Shevat for a beautiful esrog for the coming Sukkos, using the text of a special Yehi Ratzon (בני יששכר מאמר חודש שבט ב, בן איש חי, לשוק חכמים ח"א סי ל"ח).

## Halachos of Shehecheyanu on Fruits

### Seeing a New Fruit

5. One who sees a new annually-growing fruit says, "שהחיינו וקיימנו" (מנהג העולם) ["lazman," with a patach (להגעינו לזמן הזה (ש"ע אור"ח רכה ס"ג) and even on Shabbos, when he cannot detach it (ביה"ל ד"ה און) (ביה"ל ד"ה און). The bracha is made upon seeing a fruit since it was mainly established for the joy one feels in his heart when a new fruit blossoms (מ"ב סק"י).
6. Nevertheless, the minhag is to make the bracha before eating the fruit, not upon merely seeing it (ש"ע שם), since some people do not have the same joy when seeing a fruit as they do when eating it. Thus, the minhag is always to make the bracha of Shehecheyanu when eating the fruit (מ"ב סק"יא).

### Eating a New Fruit

7. When eating the fruit, or even a small amount of it, one makes a Shehecheyanu (ביאה"ל ד"ה פ"ר) (ביאה"ל ד"ה פ"ר). Some say that although it is optional, Chazal decreed that one make a bracha even if eating it does not give him joy (הגר"ח קנייבסקי, וזאת הברכה עמ"ס 158 אות א) (ש"ת שבת הלוי ח"ד סי כ"ה) (ש"ת שבת הלוי ח"ד סי כ"ה).

### Shehecheyanu Before or After Ha'eitz?

8. Some say that lechatchila, one should say Shehecheyanu before Ha'eitz so that Shehecheyanu, which is optional, does not interrupt between Ha'eitz and the eating (מ"ב סק"יא, מנהג) (הח"ס). Nevertheless, if one made Shehecheyanu second, he is yotzei bedieved.
9. Others say that one should say Ha'eitz and then Shehecheyanu before eating since Ha'eitz is tadir [more frequently said]. It is not an interruption since we accepted it upon ourselves as an obligation (באר היטב סק"ו, ש"ת אבני נור אור"ח סי ת"ג, כף החיים סקצ"ד שכן נוהגים) (אחינו בני הספרדים). This is the commonly accepted custom.

### Began to Eat without Saying Shehecheyanu

10. If one began to eat a new fruit without saying Shehecheyanu but is still in the middle of eating it for the first time, he may still make the bracha (מ"ב סק"ג, קצות השלחן סי ס"ג בדה"ש סק"ט). However, once he finishes eating, he should not make a new bracha even if he has not yet digested the fruit, and certainly not if he eats that type of fruit again at a later time (שם).
11. However, some say that one may say Shehecheyanu upon eating the fruit a second time if he forgot the first time, as long as he still has joy in his heart over the fruit's renewal (מהר"ל הובא בשעה"צ סקצ"ו). Thus, one who wishes to also satisfy this opinion may take a different type of fruit to make the bracha on (ש"ת מהר"ם ש"ק אור"ח פ"ט).

### What Is Considered Two Types?

12. **One type, two flavors.** Each separate species of new fruit gets its own Shehecheyanu. The foremost poskim argue whether two different flavors within one type of fruit (מג"א) or two types within one species each get their own bracha or not. Some examples: **white and black figs**, two **types of pears**, two **types of apples** or **nuts** (מ"ב) (ברכת הבית שער כ"ד הע"י א), **purple and green grapes** (סק"ד), **red and black plums** (א"א בוטשאטש), a **clementine and mandarin**, a **peach and nectarine**, a **pomelo and 'pomelit'** [oroblanco grapefruit].
13. Some say these are considered two distinct types regarding Shehecheyanu and would each get a bracha (לבוש, א"ר, ש"ת) (מהר"ל סי קל"ה). Others say they are all considered one species and the second type does not get a new bracha (הכ"ס צ"ב).
14. The Mishna Berura concludes that both options are valid, but it is best for one to take a new fruit which he has not yet made a bracha on and say Shehecheyanu with intent to be motzi this second type (שעה"צ סקצ"י). The Birkei Yosef (סק"ה), however, concludes that the minhag is to make only one bracha per species.
15. Different types of **citrus fruits**, e.g., **oranges, lemons, grapefruits, and pomeles** are each considered a distinct species (ש"ת אור לציון) (ח"ב פ"ד תשובה מ"ו).
16. **Same type, different variety.** Two different varieties of the same fruit that have similar flavors, e.g., two types of sweet red apples, are considered to be one species (ברכת הבית שער כ"א הע"י א).

### Hybrid Fruits

17. Certain fruits are crosses of two species. The poskim discuss whether they receive a Shehecheyanu in different scenarios.
18. **Fruit from a grafted tree.** Some poskim say that fruits grown from a grafted tree do not get a Shehecheyanu since the grafting itself was assur and went against Hashem's will (הלכות קטנות הובא בבאר היטב) (סק"ז). Others say they get a Shehecheyanu just as a bracha is made over a beautiful, albeit illicitly conceived, creation, e.g., a mamzeir (ש"ת שאילת יעב"ץ סי ס"ג).
19. Since the halacha is unclear, the poskim suggest making the bracha on another fruit which definitely gets a Shehecheyanu (אות ד, ש"ת אג"מ אור"ח ח"ב סי נ"ח ד"ה אבל).
20. **Fruit grown from seeds of a hybrid fruit.** If, after a tree was grafted, one took seeds from its fruit and planted them – which is mutar (כמבואר בש"ע י"ד סי רצ"ה ס"ז) – all poskim agree that one may make a Shehecheyanu on the fruits which subsequently grow (הגרש"א, הליכות שלמה פכ"ג אות י"ט, ש"ת שרגא המאר"ח ח"ד סי צ"ג). Most hybrid fruits available today did not grow directly from a grafted tree, and one may make a Shehecheyanu on them (ש"ת מנה"י ח"ג סי) (כ"ה אות ד, ש"ת אג"מ אור"ח ח"ב סי נ"ח ד"ה אבל).
21. All poskim agree that one may make a Shehecheyanu on fruits which were grafted with other fruits from the same species.

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## Fruits that Do Not Grow Annually

22. Fruits that do not grow annually do not get a Shehecheyanu even if one has not eaten them in a long time (ש"רע רכ"ה ס"ז). Fruits which grow twice a year get a Shehecheyanu. Fruits which do not grow at a set time do not get a Shehecheyanu (רמ"א שם).
23. **Refrigerated fruits.** Thus, one does not make Shehecheyanu on fruits that are available all year long, even if they are rare in certain seasons. Also, some seasonal fruits and vegetables are stored in refrigerators and are available all year long. The fresh ones are nearly indistinguishable from the ones stored in the refrigerator; hence, even the fresh ones do not get a Shehecheyanu (עפ"י מ"ב סק"י בשם הש"ח).
24. **Imported fruits from other countries.** One should not make a Shehecheyanu on fruits which are imported from other countries, and thus available all year long. In Europe and the United States, almost all fruits are available all year long. Consequently, it is very difficult to find fruits to say Shehecheyanu on. For this reason, many gedolim refrain from making Shehecheyanu over fruits (זמירות דברי יואל), with the exception of uncommon, exotic fruits.
25. **Dried fruits and nuts** do not get a Shehecheyanu since they are available all year long (ברכת הבית שער כ"ד אות כ"ב). Also, canned fruits do not get the bracha. Not only that, even if one ate dried or canned fruits and then obtained a new, fresh fruit of the same species, he may say Shehecheyanu, as it is like he has not yet eaten that type of fruit (הגר"ש"א, אשרי האישי ח"א פל"ט אות י"ב).

## Esrog

26. One should not say Shehecheyanu upon eating an esrog on Tu B'Shevat for several reasons: 1) We say Shehecheyanu on the esrog on Sukkos, which is when a person first sees it (ש"רע האלף לך); 2) Esrogim remain on their trees for multiple years (שלמה אר"ה סי' צ"ב); 3) After frying or cooking an esrog, there is no clear difference between a new and an old one (הגר"ש"א, אשרי האישי ח"א פל"ט אות י"ב).

## Borei Pri Ho'adama

27. Since most **vegetables** are available all year long, one should not say Shehecheyanu on any vegetable (מ"ב סק"י). Nevertheless, one may make Shehecheyanu on prominent ones, e.g., watermelons or other melons, in places where they are seasonal (זמירות דברי יואל).

## Precedence of Brachos on Fruits

28. When one has several fruits in front of him which are all Ha'eitz, Chazal decreed that the bracha rishona be made on the most important one. To this end, they made an order of precedence dictating which food the bracha is made on (ברכות מ"ג ע"ב). However, after making the bracha on the most important one, there is no specific order to eat them in (הגר"ש"א, אשרי האישי ח"א פל"ט אות י"ב).

## Shivas Haminim

29. If one has several Ha'eitz fruits in front of him and he wishes to eat from all of them (רמ"א סי' ר"א סי' ה'), fruits from the Shivas Haminim are the most important and he should make Ha'eitz on them, even if he prefers a different fruit (ש"רע שם סי' א), and even if it is not whole, e.g., it was opened to check for worms.
30. There is also an order of precedence within the Shivas Haminim based on their arrangement in the posuk: whichever is closer to the word "ארץ" has precedence. The posuk says, "וגפן ותאנה ורמון, ארץ זית שמן ודבש" [refers to dates, which honey is made from] (ש"רע הקדמה לסי' ר"א).
31. For example, olives, which come directly after the second "ארץ," come before grapes, which are third from the first "ארץ." Accordingly, the order of fruits is: **olives; dates; grapes; figs; pomegranates.** Placement in the posuk outweighs the quality of being whole (ש"רע סק"ד).
32. **Within a meal.** When eating these fruits during a bread meal – which is common when Tu B'Shevat falls on Shabbos – one must make Ha'eitz on them since they are not a main part of the meal (ש"רע סי' קע"ז סי' א). Olives, however, accompany bread and do not require a bracha within a meal (כמבואר מ"ב סי' קע"ד סק"ט). Therefore, if one has olives and other species from the Shivas Haminim during a meal, he should not eat the olives first to make a bracha on them, even though they are closer to "ארץ" (היכל הוראה ח"א הוראה נ"ח).
33. **Fruit from Shivas Haminim and a preferred fruit.** If one has one of the Shivas Haminim, e.g., a pomegranate, and a non-Shivas Haminim fruit which he prefers, e.g., an orange, he should not try to be clever and make a bracha on them simultaneously by putting a pomegranate seed together with an orange wedge, as the precedence given to the Shivas Haminim is meant to show their singular importance apart from any other fruit (ס' בנין שלום סי' ר"א סי' א ד"ה מקדים מן שבעה).

## Whole

34. A whole fruit has some precedence for brachos. Therefore, if one has non-Shivas Haminim fruits, he should make a bracha on a whole fruit even if there is a cut-up fruit that he prefers (מ"ב סק"ד).

## Preferred

35. If there is neither a Shivas Haminim fruit nor a whole fruit, one should make a bracha on the fruit he prefers (ש"רע שם סי' א), i.e., the one he usually prefers, even if at the moment he wishes to eat a different fruit first (ש"רע).
36. A Shehecheyanu fruit has the precedence level of a preferred fruit (ש"רע ש"רע המאיר ח"ז סי' ד).
37. If one has two of the same type of fruit but he received one as shirayim from a Rebbe, that one is considered preferred and he should make a bracha on it (הגר"ש"א, אשרי האישי ח"א פל"ה סק"ה).

## Caution for the Issur of Insects

### Chiyuv to Check Fruits

38. All types of fruits and vegetables of which a significant percentage – which many poskim define as 10% – are infested may not be eaten before proper inspection (ש"רע י"ד סי' פ"ד ס"ח). This depends on the place, time, and season; every individual should get guidance from a kashrus body's laboratory or a local expert in checking for bugs [the experts are not machmirim; they are simply aware of the facts]. The following halachos deal with common examples in Eretz Yisroel.
39. **Dried figs** are commonly infested. It is nearly impossible for one to check them if he is not an expert [and it takes about five minutes to check each fig] since the bugs closely resemble the inside of a fig. Therefore, it is proper to refrain from eating dried figs, even those under Eida Chareidis supervision (62 עמ"י).
40. **Fresh strawberries** are commonly infested. The bugs are often behind the small, yellow seeds, and they cannot be removed by rinsing the fruit or soaking it in soapy water. Thus, one should only eat them after peeling them entirely, past all the indentations, removing the leaves with some of the flesh, and rinsing them well under a stream of water (ש"רע עמ"י 57).
41. One may also blend them in a blender, but only after removing the leaves along with some of the flesh, soaking them in soapy water, and rinsing them well with water (ש"רע).
42. **Sunflower seeds** [which are Ho'adama (ש"רע אור לציון ח"ב פ"ד י')] are commonly infested, and, according to halacha, must be checked. Therefore, one should not put the whole seed in his mouth, crack it with his teeth, and removing the seed from the shell. This can potentially transgress the issur of eating bugs [besides for a lack of derech erez when done on the street].
43. **Dates** must be checked closely since the worms closely resemble the inside of a date.

### Who is Qualified to Check?

44. Every Jew above bar/bas mitzva age is trusted to check fruits for bugs, and when obligated to check Min HaTorah, from gadlus status, provided that they know how to check and can recognize the bugs.
45. One may not feed a child food that is forbidden to eat, even if the issur is derabanan (ש"רע אר"ה סי' שמי"ג). Therefore, one may not give commonly infested fruits which, according to halacha, require inspection, to a child who is too young to know that they must be checked. For example, teachers should not distribute pekalach with dried fruits which require inspection to children since they may eat them without first checking them (מכתב שפורסם ע"י הגר"מ בראנדסדארפער).

### Checking on Shabbos

46. One may visually check fruits on Shabbos to see if they are infested. If he finds a large bug, he may remove it since it stands alone and does not involve an issur of boreir. However, a small bug may only be removed along with some of the fruit (ש"רע מהד"ח פ"ג סי' ט).

**"May Klal Yisroel be zocheh to have good, beautiful, sweet fruits"**

