

# Kashrus Kurrents

VOLUME 28 NO. 3

Autumn 5769-2008

## Charting the Course of Shmitta

**RABBI DOVID STEIN**  
STAR-K REPRESENTATIVE IN ISRAEL

The mitzvah of *shmitta* poses many challenges for those who live in *Eretz Yisrael*. The main challenge, of course, is for the farmers. However, the consumer has his challenges, as well. It is always preferable to purchase produce from stores that have reliable *kosher* certification to ensure that there are no *halachic* problems. If there is no such store available, one must be certain not to transgress the laws of *shmitta* in the purchase, consumption, or interaction with *shmitta* produce. These are the different categories of *halachos* that one has to take into consideration:

1. *Sfichin*
2. *Kedushas shevi'is*
3. *Schora* (doing business) with *shevi'is* produce
4. *Dmei shevi'is* (*shevi'is* money)

The laws of *sfichin* refer to a rabbinic prohibition of eating produce that started to grow during the *shmitta* year,<sup>1</sup> i.e., the plant started to grow from *Rosh Hashanah* תשס"ח until תשס"ט. This is the opinion of the *Chazon Ish*, the most widely accepted custom among *Ashkenazim* in *Eretz Yisrael*. Regarding grains and legumes, there is a different critical date after which *sfichin* are not permitted to be eaten. Obviously, if one wants to buy vegetables he/she must be certain that the vegetables did not start to grow during the *shmitta* year. How can one know when the produce began to grow if it is bought in a store that is not under reliable rabbinic supervision?

In order to overcome this problem, charts were developed with the information needed to ascertain whether the produce started to grow

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## Profiles of *Courage* & *Inspiration*

**RABBI TZVI ROSEN**  
EDITOR, KASHRUS KURRENTS



### PART I

#### A TRIP TO THE OTZER BAIS DIN

*Dateline:* Erev Shabbos Kodesh, Parshas Balak, 8 Tammuz  
*Place:* Geula, Yerushalayim

Anyone who has had the opportunity to visit *Yerushalayim Ir HaKodesh*, as I recently did with my family, will tell you that a must-see experience is a trip to the Geula neighborhood on Friday, *erev Shabbos*. *Rechov Malchai Yisroel* could very well be dubbed the commercial heart of the *Chareidi* community. The stores pulsate with vibrance, energy and electricity while the streets teem with traffic tie-ups, both on and off the sidewalks. It could be termed a businessman's dream or nightmare, depending upon one's ability to handle the sheer masses of consumers. The side streets are a labyrinth of quiet residential apartments, like

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# Insights from the Institute

SHAILOS FROM THE  
INSTITUTE OF HALACHAH



RABBI MORDECHAI FRANKEL  
DIRECTOR OF THE INSTITUTE OF HALACHAH

**Q:** Does *bishul akum* apply to food cooked in a microwave?

**A:** Before answering this question, we must first address whether or not the use of a microwave would be defined by the *Torah* as cooking. Rav Moshe Feinstein, ז"ל,<sup>1</sup> was asked whether the *Torah* prohibition of cooking on *Shabbos* applies to cooking in a microwave. He answered that, although cooking by the heat of the sun is not considered a violation of the *Torah* prohibition of cooking, this is due to the fact that it is not a standard method of cooking. However, nowadays a microwave is an effective and commonplace way of cooking and, therefore, would be considered a *Torah* violation on *Shabbos*. Based on this, it would seem that using a microwave would also be considered cooking in regards to the prohibition of *bishul akum*.

The counterargument is that it is not clear that one should compare the requirements of *bishul akum* to those of cooking on *Shabbos*. *Bishul akum* is a Rabbinic *gezeira*, and the *Remah* tells us that the *Rabbonon* forbade cooking on a flame.<sup>2</sup> It would seem that there is a significant difference between the *gezeira* of *bishul akum* and the prohibition of *bishul* on *Shabbos*. When it comes to *Shabbos*, the *Torah* forbade 'cooking'. Since using a microwave is considered a normal way of cooking, it is included in the prohibition. However concerning *bishul akum*, the *Remah* tells us that the *Rabbonon* forbade 'a flame'. Since the *Rabbonon* specified the parameters of their *gezeira*, and using a microwave falls outside those parameters, it would not be included in the prohibition of *bishul akum*. For this reason, the position of the *Sefer Chelkas Binyomin* is that there is no restriction of *bishul akum* with a microwave.<sup>3</sup>

However, Rav Vosner, *shlita*,<sup>4</sup> feels that it is 'obvious'<sup>5</sup> that *bishul akum* applies to cooking with a microwave. He argues that the *Rabbonon* had specific concerns about an *akum* cooking for a *Yisroel*, which led them to institute the *gezeira* of *bishul akum*. These concerns are equally valid whether the cooking is done by fire or by microwave, and the exact mechanics of the cooking process do not impact the *gezeira* of *bishul akum*.<sup>6</sup>

Rabbi Heinemann, *shlita*, is of the opinion that the *gezeira* of *bishul akum* applies only to cooking over a flame, and that cooking with a microwave does not fall in this category. He argues that since the *Rema* limits *bishul akum* to cooking on a flame, the 'obvious' conclusion is that the restriction of *bishul akum* does not apply to a microwave.<sup>7</sup>

**Q:** Does a bike shed need a *Mezuzah*?

**A:** The *Torah* commands a Jew to affix a *mezuzah* to the doorpost of his house,<sup>8</sup> as well as the doorposts and doorways within the home,<sup>9</sup> with the exception of the bathroom.<sup>10</sup> There is a discussion in the *Gemora* and *Rishonim* concerning whether this obligation extends to the doorpost of a barn, chicken coop or grain silo. The *Shulchan Aruch* *paskens* that these locations do, indeed, require a *mezuzah*.<sup>11</sup> Reb Akiva Eiger

understands that one should make a *bracha* when putting up a *mezuzah* at these locations.<sup>12</sup> Other *Achronim*, however, feel that because this *halacha* is debated in the *Rishonim* it would be preferable to put up the *mezuzah* without a *bracha*.<sup>13</sup> In a case where the grain silo was attached to the house, all agree that the *mezuzah* on the silo door should be put up with a *bracha*.<sup>14</sup>

In general, a *mezuzah* is only required for a house in which a person lives.<sup>15</sup> Even though no one lives in a barn or grain silo, it still requires a *mezuzah* because the owner uses the room and will enter it whenever the need arises.<sup>16</sup> Reb Moshe Feinstein, ז"ל, was of the opinion that even an infrequently accessed storage room still requires a *mezuzah*, since the owner will enter at some point to retrieve an item that is stored there.<sup>17</sup> However, according to Reb Elyashiv, *shlita*, a storage room requires a *mezuzah* only if it is frequented on a regular basis.<sup>18</sup> Rabbi Heinemann feels that a storage room needs a *mezuzah* only if it is accessed at least once every thirty days.<sup>19</sup>

The *Shulchan Aruch* also states that a storefront in a marketplace does not require a *mezuzah*.<sup>20</sup> The reason for this, as offered by the *Taz*, is because the store owner is not there at night.<sup>21</sup> However, this seems difficult to understand. Even though the owner is not there at night, the shop still serves as a storage room for its goods, and a storage room is required to have a *mezuzah*. The *Pischei Teshuva* explains that the store is not required to have a *mezuzah* because it is only used for a few days each year, at the time of the market, and is considered a temporary dwelling.<sup>22</sup> Thus, according to the *Pischei Teshuva*, a shop that is used year-round would require a *mezuzah* because it serves as a storage room, even though the items that are stored are not used by the owner but are sold to the public. This conclusion is accepted by the *Kitzur Shulchan Aruch*<sup>23</sup> and by Rav Chaim Kanievsky, *shlita*.<sup>24</sup>

The *Ben Ish Chai*<sup>25</sup> also suggests this interpretation of the *Shulchan Aruch*. However, he offers an alternative approach, as well. He suggests that a storage room requires a *mezuzah* only when the items within it will be used in the owner's house. Since the storage room is used for the needs of the house, it is considered an adjunct to the house and, therefore, it is required to retain a *mezuzah*. However, the shop in the marketplace is used only to store items for sale and, therefore, is not required to have a *mezuzah*.





# Insights from the Institute

The *Debretziner Rov*<sup>26</sup> also suggests this explanation, thereby addressing the question as to whether a garage needs a *mezuzah*. He argues that since a car is never brought into the house, the garage where the car is stored does not become an adjunct to the house; consequently, the garage does not need a *mezuzah*.

However, it would seem that according to the *Pischei Teshuva*, a garage would require a *mezuzah*. As previously noted, the *Pischei Teshuva* argues that a temporary store is exempt from a *mezuzah*. However, a year-round shop would require a *mezuzah*, even though the items that are stored there will not be brought into the owner's house. So too, even though a person does not bring his car into his house, the garage in which the car is stored would require a *mezuzah*. Furthermore, just as the shop requires a *mezuzah* even though it is not attached to the house, so too would a garage require a *mezuzah* even if it was not attached to the house.<sup>27</sup>

The *Minchas Yitzchok*<sup>28</sup> and the *Az Nidberu*<sup>29</sup> are of the opinion that a garage needs a *mezuzah*, and *Rav Moshe Feinstein* has also been quoted as having *parkened* this way.<sup>30</sup> Rabbi *Heinemann* believes that a garage that is attached to the house, and serves as an entranceway to the house, needs a *mezuzah*.<sup>31</sup> However, he agrees with the viewpoint that a storage room is required to display a *mezuzah* only if it is used to store objects that are brought into the house. Therefore, according to Rabbi *Heinemann* a bike shed does not require a *mezuzah* if it is not attached to the house and does not store objects that are used in the house.<sup>32</sup>

# STAR-K'S 5th ANNUAL Kashrus Training Program is Worth the Trip

by Margie Pensak

What do Plano, Texas; Thornhill, Ontario; and Olney, Maryland have in common? They are just some of the hometowns of STAR-K's fifth annual *Kashrus Training Seminar* participants.

Held in STAR-K's corporate office in Baltimore, Maryland, July 28-31, the seminar's participants included *rabbonim*, *kollel* fellows, and others serving in *klei kodesh*. In the case of Rabbi *Chanoch Oppenheim*, the seminar served to further prepare him for the *kashrus* challenges he will no doubt face as the new *Rav* of the *Charlotte Torah Center* in North Carolina.

Also in attendance was Rabbi *Boruch Hirschfeld*, *Rav* of *Ahavas Yisroel* in *Cleveland Heights, Ohio* and *Rabbinic Administrator* of *Cleveland Kosher*. "The program was excellent," said Rabbi *Hirschfeld*. "It is quite clear that the entire staff is under the stewardship of Rabbi *Heinemann*. They are eminent rabbis in their own right and show tremendous respect for each other."

Rabbi *Hershel Becker*, *Rav* of *Young Israel of Kendall*, and *Rabbinical Board* member of *Kosher Miami*, found the experience invaluable. "To see the extensive, vital operation and how STAR-K is set up and compartmentalized, and the interaction among the staff was so worthwhile," said Rabbi *Becker*. "I personally gained a lot in *halachah* and in practical applications from the superb presentations. I appreciated meeting people I never met, making contacts from all over."

In addition to STAR-K *kashrus* administrators' presentations, *Rabbinic Administrator* Rabbi *Moshe Heinemann* presented a *shiur* entitled, "*Shmitta 5768 and Beyond*," and *President* *Dr. Avrom Pollak* presented, "*A Certifying Agency's Administrative Issues*." Furthermore, Rabbi *Mordechai Frankel* discussed the *shaila*, "If a consumer eats non-kosher bearing a *hechsher*, does he have to do *teshuva*?" STAR-K produced audio-visual presentations about chicken *shechita* and insect recognition, along with hands-on vegetable checking. Field trips to a slaughterhouse, confectionery, restaurant, bakery, and the kosher kitchen of the *Hyatt Regency*, as well as an optional *eruv* tour, rounded out the seminar experience.

"*Kashrus* is all about the *halachah* and its interaction with the *metzius*, practicality, of food production," sums up Rabbi *Zvi Goldberg*, STAR-K *Kashrus Administrator* and coordinator of the seminar.



1 שרית אגרות משה אר"ח סי' נב  
 2 ברמ"א יו"ד סעי' קיג סעי' יג כתב "דלא אסרו אלא בישול של אש"  
 3 ספר חלקת בנימין לר' בנימין כהן שליט"א סי' קיג ס"ק קכו  
 4 שרית שבט הלוי ח"ח סי' קפה וח"י סי' קסב  
 5 "הדבר פשוט כי דבר זה אסור משום בשולי עכרים"  
 6 ועי' מש"כ בזה בספר שבות יצחק ח"ו דף נח, ולבסוף הביא שר' אלישיב שליט"א החמיר בדבר  
 7 ועי' בספר מנחת אשר לר' אשר וייס שליט"א פרשת דברים סי' ו מש"כ בזה  
 8 שר"ע סי' רפה סעי' א  
 9 שם סי' רפו סעי' ט"ז  
 10 שם סעי' ד  
 11 שם סעי' א, ובט"ז שם ס"ק א כתב שהמזוזה ברפת בקר ולול של תרנגולים צריכה להיות מכוסה,  
 ועי' בפתי"ש שם ס"ק ב שאם נפיש וזהמינו פטורין מן המזוזה, ועי' בשדי חמד ח"ד דף 247 אות  
 קכו ובקונטרס המזוזה (נדפס בבית ברוך סוף ח"ב) סי' רפו אות טז מש"כ בזה  
 12 שרית ר"מ קמא סי' סו, וכן פסק ר' חיים קניבסקי שליט"א בפרשה סדורה על מס' מזוזה סוף  
 ס"ק טז ובמזוזה ביתך סי' רפו ס"ק יב  
 13 הערוך השלחן סי' רפו סעי' ט כתב שהיה נראה לו שלא לברך אלא שכבר הורגלו העולם לברך, ובספר  
 מקדש מעט סי' רפו ס"ק ט כתב שלא לברך, וכ"כ בשרית מנחת יצחק ח"ד סי' פט אות ו וח"י סי' צו  
 אות ב ובקונטרס המזוזה סי' רפו אות יא, ועי' בשרית שבט הלוי ח"ב סי' קנו וח"י סי' ד אות ב  
 14 ספר מקדש מעט שם ושרית מנחת יצחק שם  
 15 פסחים דף ד ע"א  
 16 דרישה סי' רפו ס"ק ב הובא בש"ך שם ס"ק ב שחוב מזוזה במקומות הללו הוא כשיוצא ונכנס שם, ובשרית  
 נודע ביהודה תניא אר"ח סי' מז כתב "במזוזה לא ע"י דירת הבהמות מקרי דירה אבל מקרי דירה  
 בשביל בני אדם שנכנסין ויוצאין ב"  
 17 שרית אג"מ יו"ד ח"ב סי' קמא ענף ב, ועי' בשרית שאילת יעב"ץ ח"ב סי' קיט אות א מש"כ בזה  
 18 שרית אבני ישפה ח"א סי' רט ענף ב בשם ר' אלישיב שליט"א, ועי' מה שהביא בזה מבעל שרית מנחת יצחק  
 19 עי' ביה"ל סי' שיג סעי' ג ד"ה שאין  
 20 שר"ע שם סעי' יא  
 21 ט"ז שם ס"ק ה  
 22 פתי"ש שם ס"ק י בשם ספר יד קטנה על הרמב"ם פ"ב מהל' מזוזה אות כא  
 23 קיצור שר"ע סי' יא סעי' יד  
 24 פרשה סדורה ס"ק טז ומזוזה ביתך סי' רפו ס"ק ק  
 25 שרית רב פעלים יו"ד ח"ב סי' לו  
 26 שרית באר משה ח"ב סי' פה, וכיון לדברי הרב פעלים  
 27 עי' בספר בירור הלכה יו"ד עמ' קמז  
 28 שרית מנחת יצחק ח"י סי' צו אות ב  
 29 שרית אז נדברו ח"ג סי' נח  
 30 בשרית אז נדברו שם הביא מכתב מרב אחד שכתב לו שהמנהל של אגודת הרבנים באר"ח' דיבר בזה עם  
 ר' משה פיינשטיין זצ"ל ור' הענקין זצ"ל והם אמרו שבכה"ג חייב במזוזה  
 31 עי' בט"ז סי' רפו ס"ק י ובמקדש מעט שם ס"ק לו  
 32 ועי' סיוע לזה בביה"ל סי' שנח סעי' א ד"ה לדירה

# New Under Star-K Kosher Certification

## Consumer Products

(only when bearing Star-K symbol)

### AHOLD USA

Braintree, MA  
VEGETABLES (CANNED)

### AMERICAN LICORICE

Bend, OR  
CANDY & CONFECTIONERY ITEMS

### BAKER DAN

New York, NY  
COOKIES

### BLUEBERRY BILL FARMS

Hammonton, NJ  
FRUIT (FRESH PACKAGED; FROZEN)

### CHEF'S QUALITY

College Point, NY  
COFFEES

### CHERRYBROOK KITCHEN

Burlington, MA  
BAKING SUPPLIES

### CHOCOLATE PUBLISHING COMPANY

Baltimore, MD  
CHOCOLATE PRODUCTS; COOKIES (SPECIALTY)

### CIAO BELLA GELATO

San Francisco, CA  
SORBET

### E-LADY ENTERPRISES

Los Angeles, CA  
FISH SPREADS/SALADS; PREPARED FOODS;  
SPREADS; TEHINA

### EURO GIDA SANAYI VE TICARET LTD.

TURKEY  
VEGETABLES (CANNED)

### FABULOUS FOODS

UNITED KINGDOM  
PASTA PRODUCTS

### FOOD LION

Salisbury, NC  
RICE; RICE PRODUCTS

### GET HEALTHY AMERICA!

Plainview, NY  
KNISHES

### GORDON FOOD SERVICE

Grand Rapids, MI  
VEGETABLES (CANNED)

### GULDEN GOURMET

Moonachie, NJ  
COFFEES

### IZZY'S PLACE

Loch Sheldrake, NY  
KNISHES

### JANICO, INC.

Lakewood, NJ  
SOAP PADS

### KEEFE SUPPLY COMPANY

St. Louis, MO  
NUTS & SEEDS

### KORCARZ GROUP/NEUHAUSER

FRANCE  
BAKERY

### LAMONT COFFEE AND TEA

West Chester, PA  
COFFEES

### LA PREFERIDA

Chicago, IL  
VEGETABLES (CANNED)

### LEVINE'S, INC. DBA WINNIES

GOOD MOOD FOOD  
Elmont, NY  
SNACK FOODS

### MAPLEHURST BAKERIES

Brownsburg, IN  
CAKE & PASTRY PRODUCTS

### MARKET PANTRY

Houston, TX  
RICE; RICE PRODUCTS

### MILL CREEK FARM

Nacogdoches, TX  
FRUIT (FROZEN)

### OASIS NATURALS, INC.

San Diego, CA  
FISH SPREADS/SALADS; PREPARED FOODS;  
SPREADS; TEHINA

### PLATTER PALACE

Baltimore, MD  
GIFT BASKETS

### RICH COAST COFFEE COMPANY

Lewistown, PA  
COFFEES

### SARA LEE COFFEE & TEA

Moonachie, NJ  
COFFEE BEANS; COFFEES

### SHALOM & SONS

Los Angeles, CA  
FISH SPREADS/SALADS; PREPARED FOODS;  
SPREADS; TEHINA

### STOP & SHOP

Houston, TX  
RICE; RICE PRODUCTS

### SYLVAN BIOPRODUCTS

Kittanning, PA  
VITAMINS, SUPPLEMENTS & NUTRITIONALS

### SYSCO CORP.

Houston, TX  
BREAD PRODUCTS

### TAPEKO NATURAL FLAVORS

CANADA  
OILS/OLIVE OILS

### TEDESCHI FOOD SHOPS

Rockland, MA  
NUTS & SEEDS

### WALT DISNEY WORLD

Lake Buena Vista, FL  
ICE CREAM & NOVELTIES

### WEIS MARKETS

Sunbury, PA  
ICE CREAM CONES

## Industrial/Institutional Products

(see letter of certification)

### AGNEW'S TRUCK WASH

New Castle, DE  
TRUCK WASHING

### ANATECH, INC.

Orland Park, IL  
BAKING MIXES; DRY MIXES

### BIOMAX LIFE SCIENCES LTD.

INDIA  
HERBAL EXTRACTS

### BLUEBERRY BILL FARMS

Hammonton, NJ  
FRUIT (FRESH PACKAGED; FROZEN)

### CHANGZHOU SYNHYPER

BIOTECHNOLOGY  
CHINA  
AMINO ACIDS; FOOD CHEMICALS

### CHEMREZ TECHNOLOGIES

PHILIPPINES  
GLYCERINE

### DALIAN TIANYU HAIBIN PHARM.

CHINA  
INDUSTRIAL CHEMICALS

### EURO GIDA SANAYI VE TICARET LTD.

TURKEY  
VEGETABLES (CANNED)

### FABULOUS FOODS

UNITED KINGDOM  
PASTA PRODUCTS

### FUJIAN PINGHE BAOFENG FOODS

CHINA  
VEGETABLES (CANNED)

### GILAN GABELE KONSERV ZAVODU

AZERBAIJAN  
JUICE & JUICE CONCENTRATES

### HASAT BNO GROUP GIDA YEMEK

Hayvan TURKEY  
VEGETABLES (DRIED)

### JANAK DEHYDRATION

INDIA  
SPICES & SEASONINGS

### KRITI INDUSTRIES

INDIA  
SOY PRODUCTS

### MEMISOGLU TARIM URUNLERI

TURKEY  
BEANS, NUTS & SEEDS, RICE

### MITSUBISHI INTERNATIONAL

FOOD INGREDIENTS  
Dublin, OH  
SWEETENERS

### M/S SURYA PHARMACEUTICAL

INDIA  
ESSENTIAL OILS & OLEORESINS;  
FLAVOR CHEMICALS

### NANNING CHEMICAL

CHINA  
SUGAR

### NANTONG HAIERS PHARMACEUTICAL

CHINA  
NUCLEOTIDES

### OSBORNE ESSENTIAL OILS

INDIA  
ESSENTIAL OILS & OLEORESINS

### POLY FINECHEM, INC.

Edison, NJ  
FLAVOR CHEMICALS

### PRODERNA BIO TECH

INDIA  
ESSENTIAL OILS & OLEORESINS;  
HERBAL EXTRACTS

### QUALITY FLAVOURS EXPORT

INDIA  
ESSENTIAL OILS & OLEORESINS

### RAJ FOODS INTERNATIONAL

INDIA  
SPICES & SEASONINGS

### SHANDONG DONGSHENG

EASTSUN FOODS  
CHINA  
VEGETABLES (FROZEN)

### SONG YUAN YONG JIANG ANTIFOAM

CHINA  
ANTIFOAMS

### SUPREME KOSHER

Bronx, NY  
MEAT/POULTRY PROCESSOR

### UNITED STATES FLAVOR CORPORATION

New City, NY  
FLAVORS & EXTRACTS

### VIRAT EXPORTS

INDIA  
ESSENTIAL OILS & OLEORESINS

### ZHENJIANG GAOPENG

PHARMACEUTICAL  
CHINA  
FOOD CHEMICALS

### ZHIJIANG LONGHUA FOOD

CHINA  
FRUIT (CANNED)

## Establishments

(see letter of certification)

### IZZY'S PLACE

Loch Sheldrake, NY  
RESTAURANT/TAKE-OUT

## New Under Star-D

(only when bearing Star-D symbol)



The Star-D is a kashrus symbol of the National Council of Young Israel (NCYI). The Star-K, in its relationship with the NCYI, administers the kashrus of the Star-D. All Star-D products are dairy – cholov stam (non-cholov Yisroel).

### ADVANCED NUTRACEUTICALS

Moonachie, NJ  
VITAMINS, SUPPLEMENTS & NUTRITIONALS

### ANATECH, INC.

Orland Park, IL  
BAKING MIXES; DRY MIXES

### BAKER DAN

New York, NY  
COOKIES

### CARLYN DAIRY PRODUCTS

Mundelein, IL  
DAIRY PRODUCTS

### CHOCOLATE PUBLISHING COMPANY

Baltimore, MD  
CHOCOLATE PRODUCTS; COOKIES (SPECIALTY)

### MAPLEHURST BAKERIES

Brownsburg, IN  
CAKE & PASTRY PRODUCTS

### RED MANGO, INC.

Culver City, CA  
BAKING MIXES; DRY MIXES

### SY FOOD

Deal, NJ  
CHEESE & CREAM

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# Profiles of *Courage* & *Inspiration*

CONTINUED FROM PAGE 1

Rechov Yonah. For six out of seven years, the Stern family *mirpeset* (balcony) looks like any other *mirpeset*, but this year is not like the others. During this year, *shnas HaShmitta*, this *mirpeset* undergoes an amazing transformation.

Welcome to the *Otzer Bais Din* of Hagaon HaRav Nissim Karelitz, Bnai Brak – Jerusalem Branch. In brief, the *Otzer Bais Din* is the legal entity that the Rabbis have established to serve as the legitimate agent to pick and *halachically* distribute fruit of farmers who are observing *shmitta k'hilchasa*. Farmers cannot engage in normal commercial endeavors such as planting, harvesting and marketing fruit as they normally do. However, the fruit is allowed to be eaten, albeit with strict adherence to the laws of *shmitta*. Furthermore, the land can be maintained so that it will not fall into ruin. Agents of the *Otzer Bais Din* tell the farmer that they will send their community representatives to pick and distribute the fruit. They will establish fixed costs for the fruit and cover the costs of labor, delivery and distribution. The fruits are not to be sold in a typical commercial manner, not by weight or count. There is a fixed container price list posted on the railing of the *mirpeset*.

An American may view the *Otzer Bais Din* as a random selection of fruits provided by a select group of champion farmers who strictly adhere to the laws of *shmitta*. The *Otzer Bais Din* may be the distributor of these fruits, but their beauty and taste are enhanced by their quality, quantity and price.

As we know, fruits cannot be sold in a regular commercial setting; hence, the *Otzer Bais Din* is set up in a home *mirpeset*. Furthermore, the *Otzer Bais Din* pays the workers a set fee for their efforts in the field. These costs include picking and packing the fruit into sturdy corrugated boxes, shipping the fruit to the Stern home, and maintaining the *Otzer Bais Din*. Trucks can transport 1,000 cases of fruit per delivery, sometimes as much as four times a day. At times, fixed prices for containers of plums, pears, apples and mangoes may be less than 50% of the market price. According to the *minhag Yerushalayim* and *minhag Bnei Brak*, the custom is to eat produce grown on land and in orchards owned by non-Jews, *yivul nochri*. According to *minhag Yerushalayim*, these fruits are not vested with *Kedushas Shevi'is* and do not require special handling. The *minhag* in

Bnai Brak, which follows the ruling of the *Chazon Ish*, is to consider *yivul nochri* vested with *Kedushas Shevi'is*. According to both customs, fruits purchased from the *Otzer Bais Din* are vested with *Kedushas Shevi'is* and must be treated with special sanctity. Fruits that are imported from *chutz la'aretz*, outside *Eretz Yisroel*, are regular produce and are not vested with any special sanctity.

When asked why she and her family have undertaken such an unbelievable task, Mrs. Stern provided the following response. "I was born and raised on Komemiyus and my father, z"l, was unbelievably dedicated to the *mitzvah* of *shmitta*. In fact, he was able to convince other farmers to observe *shevi'is k'hilchasa*, and through their adherence to this previous *mitzvah* have



become 100% observant *Yidden*. I am following my father's legacy and that is why I maintain the *Otzer Bais Din*." As previously noted, Mrs. Stern's son confirmed that there can be up to four deliveries of fruit daily.

Walking by the *mirpeset*, there is a view of hundreds of empty cartons piled high to the sky ready to be sent back to the farm to be refilled. Fruits arrive from various destinations, and at this particular time the major shipments of beautiful and tasty fruits are coming from the Golan. According to Mrs. Stern's son, "We get some of the best fruit that you won't see during the other six years of the cycle, because they are generally exported. This year, the fruits must stay within *Eretz Yisroel*."

One must be careful to wait until the fruit rots before disposing of the peels, pits and fruit remains in a special "*pach shmitta*", a *shmitta* garbage pail. In fact, one may purchase ready-made, fully waxed and lined disposable *shmitta* containers that are sold in packs of six, ready for the garbage in a day and a half.



RABBI TZVI ROSEN, EDITOR

"If you really want to see the *Otzer* in action, come back on Thursday," said Mrs. Stern's son. You bet we did, and how true it was!

## PART II THE GRAPES OF GRATITUDE

Dateline: Wednesday, 13 Tammuz

Place: Bais Chilkiya

After we board the EGGED #451, it makes its way down the super highway from *Yerushalayim* to Ashdod. We begin the trek down a dusty side road leading us to a quiet unassuming *moshav* comfortably nestled amidst Rehovot, Ashdod and Yesodot. At the entrance to Bais Chilkiya, a *moshav* that strictly adheres to the laws of *shmitta*, visitors are greeted with an atypical "WELCOME" banner and sign that states, "*Shabbos HaAretz, Shabbos L'Hashem*". It is here that the incredibly special Shachar family treats their guests, usually comprised of school groups, to the Bais Chilkiya experience. This consists of a ride on a camel or mule drawn wagon, a petting farm where one can get up close to the animals, and a water ride as well as a grand tractor tour through the *moshav* led by Mr. Shachar.

Mr. Shachar, a highly intelligent and unique tour guide paints a colorful yet realistic tapestry of life, challenges and pathos of the residents in Bais Chilkiya, especially in a *shmitta* year. Our last stop on the tractor tour was the Bais Chilkiya vineyard. It was here that we had the *z'chus* to meet a real life champion of *shmitta*, who left his "*Kerem*" totally *hefker*, open to all. This was no Larriland Farms (in Baltimore) fruit picking experience! We truly experienced *Kedushas shevi'is* to its fullest. Great care had to be taken when picking the grapes, and we had to make sure to eat all of the good fruit that we picked and to save the inedible fruit for the farm animals. Making the *bracha* on these grapes was a special experience that is never to be forgotten. Of course, we could not pick the fruit in super abundance; the limit is three meals worth of grapes. Since it is a *shmitta* year, there is no obligation to take *terumos* and *ma'asros*. But, the grapes are vested with *Kedushas shevi'is* and cannot be discarded in a normal manner.

The owner of the *Kerem* is a truly inspiring individual. His sole means of support is caring for an assortment of elderly gentlemen. Words cannot adequately describe these champions of *bitachon*, faith.

*Ashreichem Yisroel Mi Kamocha!*





# Charting the Course of Shmitta

CONTINUED FROM PAGE 1



**RABBI DOVID STEIN**  
STAR-K REPRESENTATIVE IN ISRAEL

during *shmitta*. For example, it takes between 58 and 78 days after a tomato seed is planted until it produces its first ripe tomato. It takes a few more weeks until the new tomato crop constitutes a majority of the tomatoes in the market. Until that time, we may be able to say “*kol deparish meruba parish*,” and assume that the fruit in question comes from the prevailing majority in the marketplace, which in this case is a non-*shevi'is* product. The date on the chart is usually when the majority of the vegetable production is *shevi'is* (although there are charts that give the date of the first produce on the market). One should be mindful of the cut-off date for a particular type of produce before buying any fruits or vegetables that might possibly be prohibited for consumption due to *sfichin*.

*Kedushas shevi'is* applies to all vegetables picked during the *shmitta* year. Picking, *lekita*, invests the vegetable with *kedushas shevi'is* when it is picked during the *shmitta* year.<sup>2</sup> Since many vegetables (such as carrots and potatoes) can be stored for relatively long periods of time, most of the produce in the market does not have to be picked during the *shmitta* year until well after *Rosh Hashanah*. The date on the chart for a given vegetable for *kedushas shevi'is* indicates when a particular type of produce was picked during the *shmitta* year.

Besides the *issur* of *sfichin*, there are other issues regarding produce grown during the *shmitta* year without rabbinic supervision. The following are a few examples:

#### SHAMUR V'NEEVAD:

Some authorities prohibit using produce that was “guarded” (*shevi'is*

produce is supposed to be “*hefker*”, ownerless, and permitted to be taken by anyone) or upon which non-permissible work was performed during *shmitta*. Produce without rabbinic supervision can fall under this category. The *Chazon Ish* permitted the use of *shamur veneevad b'shaas hadchak* (in difficult circumstances).

#### SCHORA:

Doing business with *shevi'is* produce. One is not permitted to buy in the usual way produce that has *kedushas shevi'is* (weighing, buying in a regular store, etc.).

this money to a storekeeper who will not observe the laws of *shevi'is*.

There are ways to circumvent the above noted problems. If one uses a credit card, there is no issue of *dmei shevi'is*. If one buys *behavlaa* (two things together, but paying only for the item that does not have *kedushas shevi'is*), there may not be a problem of *schora*.

If one buys produce in stores that have reliable rabbinic supervision, one does not need to refer to the charts. Produce that has *kedushas shevi'is* should be marked (sometimes there are codes). If you do need to use the chart, there is a column indicating when *sfichin* and *kedushas shevi'is* end. Produce that was picked during the *shmitta* year will always have the application of *kedushas shevi'is/sfichin*. Produce picked in the eighth year (תשס"ט) has *kedushas shevi'is/sfichin*, either until the new crop starts or until *Chanukah* (whichever comes first.)

#### BIUR:

Produce that has *kedushas shevi'is* can be kept at home only while there is some of the same produce still in the fields. The column for *biur* indicates when one must dispose of all the produce (take it outside and make it *hefker*), after which time it can be taken back inside the house. If the *z'man biur* elapsed, and *biur* was not performed, the produce is forbidden to be eaten. The times for *biur* are very inexact, and it is not a good idea to store a lot of produce towards the end of *shmitta* (less than three meals for the whole family are exempt from the laws of *biur*).



#### MESIRAS DMEI SHEVI'IS L'AM HAARETZ:

When one buys *shevi'is* produce for immediate use, the money that is used to pay for the item is imbued with *kedushas shevi'is* and may be used only to purchase food. Therefore, it is not permitted to give

<sup>1</sup> מנבי"ם הלכות שמיטה ויובל פרק ד' הל' י"ב מהגמ' ר"ה דף י"ב  
<sup>2</sup> מנבי"ם הלכות שמיטה ויובל פרק ד' הל' ב' י"ד



# LAST DATES OF KEDUSHAS SHEVI'IS, SEFICHIN AND BIUR

The following are ending dates of Kedushas Shevi'is, Sefichin and the dates of Biur.

ITEM	KEDUSHAS SHEVI'IS UNTIL	SEFICHIN UNTIL	BIUR
Almonds	1 Elul 5769	No Sefichin	26 Teves 5769
Apples	18 Iyar 5769	No Sefichin	17 Teves 5769
Apricots	10 Iyar 5769	No Sefichin	19 Tamuz 5768
Artichoke	25 Kislev 5769	No Sefichin <sup>3</sup>	1 Tamuz 5768
Asparagus	25 Kislev 5769	No Sefichin	No Biur <sup>1</sup>
Avocado	1 Tamuz 5769	No Sefichin <sup>3</sup>	1 Av 5769
Banana	25 Kislev 5769	No Sefichin <sup>3</sup>	No Biur <sup>1</sup>
Barley	1 Iyar 5769	1 Iyar 5769	1 Kislev 5769
Basil	3 Tishrei 5769	No Sefichin <sup>3</sup>	No Biur <sup>1</sup>
Beans	No Kedushah <sup>2</sup>	No Sefichin <sup>2</sup>	No Biur <sup>2</sup>
Beets	20 Kislev 5769	20 Kislev 5769	No Biur <sup>1</sup>
Blueberries	No Kedushah <sup>2</sup>	No Sefichin	No Biur <sup>2</sup>
Broccoli	25 Kislev 5769	25 Kislev 5769	15 Iyar 5768
Butternut Squash	15 Sivan 5769	15 Sivan 5769	15 Tishrei 5769
Cabbage	25 Kislev 5769	25 Kislev 5769	No Biur <sup>1</sup>
Cabbage (Red)	25 Kislev 5769	25 Kislev 5769	No Biur <sup>1</sup>
Carob	28 Tishrei 5770	No Sefichin	15 Teves 5769
Carrots	25 Kislev 5769	25 Kislev 5769	No Biur <sup>1</sup>
Cashews	No Kedushah <sup>2</sup>	No Sefichin <sup>2</sup>	No Biur <sup>2</sup>
Cauliflower	25 Kislev 5769	25 Kislev 5769	No Biur <sup>1</sup>
Celery	25 Kislev 5769	25 Kislev 5769	No Biur <sup>1</sup>
Cherries	10 Sivan 5769	No Sefichin	1 Av 5769
Chickpeas	1 Sivan 5769	1 Sivan 5769	11 Kislev 5769
Cinnamon	No Kedushah <sup>2</sup>	No Sefichin	No Biur <sup>2</sup>
Coriander	25 Kislev 5769	25 Kislev 5769	No Biur <sup>1</sup>
Corn (Fresh)	25 Kislev 5769	25 Kislev 5769	No Biur <sup>1</sup>
Cranberries	No Kedushah <sup>2</sup>	No Sefichin	No Biur <sup>2</sup>
Cucumbers	1 Kislev 5769	1 Kislev 5769	No Biur <sup>1</sup>
Cumin	No Kedushah <sup>2</sup>	No Sefichin <sup>2</sup>	No Biur <sup>2</sup>
Dates	20 Av 5769	No Sefichin	14 Adar 5769
Dill	20 Cheshvan 5769	20 Cheshvan 5769	No Biur <sup>1</sup>
Eggplant <sup>4</sup>	25 Kislev 5769	25 Kislev 5769	No Biur <sup>1</sup>
Esrog <sup>7</sup>	18 Iyar 5769	No Sefichin	18 Iyar 5769
Fennel	25 Kislev 5769	25 Kislev 5769	1 Shevat 5768
Figs	20 Iyar 5769	No Sefichin	25 Kislev 5769
Garlic	6 Adar 5769	6 Adar 5769	1 Tamuz 5768
Ginger	No Kedushah <sup>2</sup>	No Sefichin <sup>2</sup>	No Biur <sup>2</sup>
Grapefruit	15 Cheshvan 5770	No Sefichin	20 Sivan 5769
Grapes	15 Nisan 5769	No Sefichin	15 Nisan 5769
Grapes for Wine	15 Tamuz 5769	No Sefichin	15 Nisan 5769
Guava	13 Elul 5769	No Sefichin	16 Kislev 5769
Horseradish	25 Kislev 5769	25 Kislev 5769	No Biur <sup>1</sup>
Hyssop	No Kedushah <sup>2</sup>	No Sefichin <sup>2</sup>	No Biur <sup>2</sup>
Kidney Beans	No Kedushah <sup>2</sup>	No Sefichin <sup>2</sup>	No Biur <sup>2</sup>
Kimmel (caraway seeds)	No Kedushah <sup>2</sup>	No Sefichin <sup>2</sup>	No Biur <sup>2</sup>
Kiwi	15 Elul 5769	No Sefichin	15 Kislev 5769
Kohlrabi	25 Kislev 5769	25 Kislev 5769	No Biur <sup>1</sup>
Lemon	1 Iyar 5769	No Sefichin	1 Tamuz 5769
Lentils	No Kedushah <sup>2</sup>	No Sefichin <sup>2</sup>	No Biur <sup>2</sup>
Lettuce	15 Cheshvan 5769	15 Cheshvan 5769	No Biur <sup>1</sup>
Litchi	10 Sivan 5769	No Sefichin	26 Av 5769
Mango	10 Sivan 5769	No Sefichin	15 Teves 5769
Medlar (Shesek)	7 Adar 5769	No Sefichin	1 Sivan 5768
Melon <sup>9</sup>	25 Kislev 5769	25 Kislev 5769	No Biur <sup>1</sup>
Mint	3 Tishrei 5769	No Sefichin <sup>3</sup>	No Biur <sup>1</sup>
Mushrooms	Laws of Shmittah are not applicable		
Mustard	10 Sivan 5769	10 Sivan 5769	1 Av 5768
Nectarine	1 Adar 5769	No Sefichin	1 Kislev 5769
Oats	No Kedushah <sup>2</sup>	No Sefichin <sup>2</sup>	No Biur <sup>2</sup>
Olives	13 Elul 5769	No Sefichin	6 Sivan 5769
Olive Oil	15 Cheshvan 5770	No Sefichin	6 Sivan 5769
Onions	1 Shevat 5769	1 Shevat 5769	No Biur <sup>1</sup>

ITEM	KEDUSHAS SHEVI'IS UNTIL	SEFICHIN UNTIL	BIUR
Oranges	15 Cheshvan 5770	No Sefichin	4 Sivan 5769
Paprika	3 Elul 5769	3 Elul 5769	1 Kislev 5769
Parsley	15 Kislev 5769	15 Kislev 5769	No Biur <sup>1</sup>
Peaches	1 Adar 5769	No Sefichin	1 Kislev 5769
Peanuts	15 Elul 5770	15 Elul 5769	20 Cheshvan 5769
Pears	24 Sivan 5769	No Sefichin	1 Cheshvan 5769
Peas (Dried)	No Kedushah <sup>2</sup>	No Sefichin	No Biur <sup>2</sup>
Peas in Pod	25 Kislev 5769	25 Cheshvan 5769	1 Sivan 5768
Pecan <sup>11</sup>	15 Cheshvan 5770	No Sefichin	10 Iyar 5769
Pepper (Powder B&W)	No Kedushah <sup>2</sup>	No Sefichin	No Biur <sup>2</sup>
Pepper (Jalapeno)	25 Kislev 5769	25 Kislev 5769	No Biur <sup>1</sup>
Peppers <sup>10</sup>	25 Kislev 5769	25 Kislev 5769	No Biur <sup>1</sup>
Persimmon	15 Elul 5769	No Sefichin	1 Teves 5769
Pineapple	25 Kislev 5768	No Sefichin	No Biur <sup>1</sup>
Pistachio	No Kedushah <sup>2</sup>	No Sefichin	No Biur <sup>2</sup>
Plums (Euro. Longated)	1 Elul 5769	No Sefichin	20 Cheshvan 5769
Plums (Japanese Round)	22 Iyar 5769	No Sefichin	15 Kislev 5769
Pomegranate	15 Av 5769	No Sefichin	20 Shevat 5769
Pomelo	15 Cheshvan 5770	No Sefichin	20 Sivan 5769
Popcorn	1 Tamuz 5769	1 Tamuz 5769	1 Kislev 5769
Poppy Seeds	No Kedushah <sup>2</sup>	No Sefichin <sup>2</sup>	No Biur <sup>2</sup>
Potatoes	25 Kislev 5769	25 Kislev 5769	No Biur <sup>1</sup>
Pumpkin	10 Sivan 5769	10 Sivan 5769	1 Kislev 5769
Pumpkin Seeds	No Kedushah <sup>2</sup>	No Sefichin <sup>2</sup>	No Biur <sup>2</sup>
Radish	27 Cheshvan 5769	27 Cheshvan 5769	No Biur <sup>1</sup>
Radish-Small	8 Cheshvan 5769	8 Cheshvan 5769	No Biur <sup>1</sup>
Rice	No Kedushah <sup>2</sup>	No Sefichin <sup>2</sup>	No Biur <sup>2</sup>
Sabra	1 Tamuz 5769	No Sefichin	1 Cheshvan 5769
Scallion	1 Kislev 5769	1 Kislev 5769	No Biur <sup>1</sup>
Sesame	No Kedushah <sup>1</sup>	No Sefichin <sup>1</sup>	No Biur <sup>1</sup>
Soya	No Kedushah <sup>2</sup>	No Sefichin <sup>2</sup>	No Biur <sup>2</sup>
Spelt	No Kedushah <sup>2</sup>	No Sefichin <sup>2</sup>	No Biur <sup>2</sup>
Spinach	23 Cheshvan 5769	23 Cheshvan 5769	No Biur <sup>1</sup>
Strawberries	25 Kislev 5769	25 Kislev 5769	10 Tamuz 5768
Sugar	No Kedushah <sup>2</sup>	No Sefichin <sup>2</sup>	No Biur <sup>2</sup>
Sunflower Seeds	14 Av 5769	15 Av 5769	11 Kislev 5769
Sweet Potatoes	25 Kislev 5769	25 Kislev 5769	14 Adar II 5768
Tarragon	No Kedushah <sup>2</sup>	No Sefichin <sup>3</sup>	No Biur <sup>2</sup>
Tomatoes	25 Kislev 5769	25 Kislev 5769	No Biur <sup>1</sup>
Turnip	25 Kislev 5769	25 Kislev 5769	No Biur <sup>1</sup>
Walnut	No Kedushah <sup>2</sup>	No Sefichin <sup>2</sup>	No Biur <sup>2</sup>
Watermelon	25 Kislev 5769	25 Kislev 5769	No Biur <sup>1</sup>
Wheat Products <sup>5</sup>	No Kedushah <sup>2</sup>	No Sefichin <sup>2</sup>	No Biur <sup>2</sup>
Zucchini (Squash)	1 Cheshvan 5769	1 Cheshvan 5769	No Biur <sup>1</sup>

Information on this list is based on the Shmittah 5768 Guide published by the Council of Young Israel Rabbis in Israel and the National Council of Young Israel. The Star-K thanks them for permission to republish this list.

## FOOTNOTES FOR CHART

- <sup>1</sup> Gidulei Nochri – in Israel
- <sup>2</sup> Imported
- <sup>3</sup> Multi Year plant
- <sup>4</sup> Available all year
- <sup>5</sup> Intended for Flavor Only
- <sup>6</sup> Most wheat products used in Israel are of imported wheat and not subject to shmittah laws. This must be ascertained from the baker or from the packaging label.
- <sup>7</sup> Most esrogim for Succos 5769 (2008) will be available from the crop harvested through Otzar Beis Din and, therefore, the rules of kedushas shvi'is apply.
- <sup>8</sup> Most eggplant between Cheshvan and Adar Aleph are from the Southern Aravah and gentiles.
- <sup>9</sup> In the winter, most melons are from Southern Aravah.
- <sup>10</sup> From Kislev until Adar Aleph, grown in areas that may not have been inhabited during Shivas Tzion.
- <sup>11</sup> 90% is from Import.





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## Star-K Kosher Certification

A non-profit agency representing the Kosher consumer in promoting Kashrus through Education, Research and Supervision.

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This publication is  
dedicated to the  
memory of  
**M. Leo Storch**,  
of blessed memory,  
through a grant from  
Mrs. M. Leo Storch  
& Family.

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