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Introduction to Ma'asrot

“The following is a general rule regarding *ma'asrot*: anything that is (i) food, (ii) stored (*nishmar*) (iii) grows from the ground must have *ma'asrot* separated” (Ma'asrot 1:1)

The *Mishnah* at the beginning of this *messechet* deals with the definition of food that must have *ma'asrot* removed. The *Mishnah* simply lists the three above stated characteristics. The *Gemarah* explains the requirement that food be “stored” comes to exclude ownerless fruit (*hefker*). Throughout the *messechet* however, more essential characteristics are reveal, eg, the food must be owned by a Jew and not be *hekdesh*.

It appears that the source of this additional exemptions stems from an understanding of the obligation separating *trumot* and *ma'asrot*. In general there are two types of obligations presented by *mitzvot* that are connected to the land. The first is that the *mitzvah* is connected to the produce itself, eg, *kilayim* or *orlah*. The second is that the obligation rests on the owner. This *messechet* appears to follow the second way. Consequently in the case where the produce is owned by a non-Jew or it is *hekdesh*, it makes sense that *ma'asrot* need not be separated as there is no “owner” to obligate.

One may ask, why was only the exemption of *hefker* listed in our *Mishnah*? How is this different from the other exceptions?

To answer this question, a further law must be discussed in order to highlight the differences between the exemption of *hefker* and the other exemptions.

The *Mishnayot* in the beginning of the *messechet* discusses the time in the fruit's development when the obligation to remove *ma'asrot* begin. It mentions three stages:

1. A third of it growth – from this point onwards one can separate *ma'asrot*, yet on a biblical level it is not considered *tevel*.
2. Smoothing of the pile (End of work) – After the completion of work, there is a rabbinic obligation to separate *trumot* and *ma'asrot*. Even a light snack is prohibited. (There is a debate about its status on a biblical level – see *Bava Metzia* 88b).
3. Entering the house – According to most opinions, this stage is where the biblical obligation of separating *ma'asrot* begins.

One may ask, what happens if the ownership changes between any of these periods? The *Gemarah* (*Bava Kama* 94a) rules that the obligation to separate *trumot* and *ma'asrot* remains, as long as in the end they belong to a Jew. If however, they become ownerless at any point the *Gemarah* explains they are exempt - even if they were owned by a Jew at all of the points in time mentioned above.

How does one explain the different rulings? If the produce is owned by a non-Jew or is *hekdesh* there is only one problem – one does not have anyone to obligate to separate the *trumot* and *ma'asrot*. Conversely, with *hekdesh* there is not only a problem of lack of ownership, there is also a problem with the produce itself. Perhaps one of the requirements, that the produce be “stored”, is a requirement on the produce itself that it can never be ownerless.

Returning to the *Mishnah*, one can now understand why *hefker* is included while *hekdesh* or non-Jewish ownership is not. The *Mishnah* is not dealing with the laws of ownership, which is discussed later in the *messechet*. It is rather dealing with which objects are obligated. *Hefker*, as has been explained, is not simply an ownership issue rather it is a flaw in the produce itself.

Aharon Novogrodski

Revision Questions

תרומות י"א:ה' – י"א:ג'

- What indicates whether a seed for a *trumah* fruit is permissible for a non-*kohen*? (י"א:ה')
- What *kohen*-specific food other than *trumah* shares the above described law? (י"א:ה')
- Does one need to take special precautions when cleaning out a store room that contained *trumah* produce with the intention of replacing it with *chulin*? (י"א:ו')
- Does one need to take special precautions when cleaning out a barrel that contained *trumah* oil with the intention of replacing it with *chulin*? (י"א:ז')
- What is the minimum size of *trumat ma'aser* of *demai* that one has give to a *kohen*? (י"א:ח')
- What is the law regarding *trumat ma'aser* of *demai* that is smaller than this amount? (י"א:י')
- Which *trumah* food can a *kohen* feed to his animals? (י"א:ט')
- When can a *yisrael* who rents a *kohen's* animal feed it *trumah* and when can a *kohen* that rents a *yisrael's* animal feed it *trumah*? (י"א:ט')
- Explain the debate regarding lighting *shemen sreifa* at a mourner's house or at a *simcha*? (י"א:י')
- In which other cases can a non-*kohen* light *shemen sreifa*? (י"א:י')

מעשרות א' – א':ח'

- What are the three defining characteristic of produces from which *ma'asrot* must be separated? (א':א')
- What is the second general rule that is mentioned in this *Mishnah*? (א':א')
- At what point in time in the growth of the following products is one obligated to separate *ma'asrot*:
 - Figs and grapes?
 - Dates?
 - Pomegranates? (א':ב')
 - Carobs?
 - Olives? (א':ג')
 - Pumpkins and watermelons?
 - Apples? (א':ד')
- To what does the *Mishnah* refer when it asks for the definition of the "goren" for *ma'asrot*? (א':ה')
- When is the *goren* for:
 - Pumpkins?
 - Vegetables? (א':ה')
 - Grain? (א':ו')
 - Oil?
 - Wine? (א':ז')
 - Pressed figs? (א':ח')

Local Shiurim

Sunday
Between mincha and ma'ariv
Mizrachi Shul
David Bankier

Monday -Thursday
Between mincha & ma'ariv
Mizrachi Shul
Ben-zion Hain

9:45pm
Beit Midrash:
Naftali Herc
David Bankier

Friday & Shabbat
10 minutes before mincha
Mizrachi Shul
David Bankier

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Next Week's Mishnahyot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
22 nd May י"ג אייר	23 rd May י"ד אייר	24 th May ט"ו אייר	25 th May ט"ז אייר	26 th May י"ז אייר	27 th May י"ח אייר	28 th May י"ט אייר
Ma'asrot 2: 1-2	Ma'asrot 2: 3-4	Ma'asrot 2: 5-6	Ma'asrot 2: 7-8	Ma'asrot 3: 1-2	Ma'asrot 3: 3-4	Ma'asrot 3: 5-6

