

Common Mishloach Manos Shailos

Pesakim of Dayan Fuerst shlit"a

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WE WERE THINKING OF GIVING OUT A FRUIT PLATTER FOR MISHLOACH MANOS, CAN THE DIFFERENT ITEMS ON THE PLATTER COUNT AS MULTIPLE MINIM?

In order to fulfill the *mitzvah* of *mishloach manos* one must give a gift that consists of two different *minim* (species or types) of food¹.

There is a common misconception that in order to be considered two different *minim* the items must have different *brochos*. However, the *Shulchan Aruch*² explicitly states that one can fulfill the *mitzvah* by giving two different cuts of meat, clearly implying that having the same *bracha* is not a concern.

Practically, the way we define if two foods are of the same *min* or not is simply by the way in which people perceive them. For example, a person who is given a package containing apples and dates will say they received a package of assorted fruits, whereas someone who received a package of red apples and green apples will say that they got a bunch of apples.

In regard to a fruit platter, it would depend on how the fruit is laid out. If each fruit is laid out individually then it can be considered as multiple *minim*. If, however, all the fruit is mixed and appears as one large fruit salad, it would be considered only one *min* and you would have to add something else to the package³.

ARE CHALLAH & DIPS CONSIDERED TWO MINIM FOR MISHLOACH MANOS?

Some *Poskim* are concerned that since people generally eat dips as a *tafel* – an accessory to the *challah*, they cannot be viewed as a separate item and it would be considered as if the person is receiving only one *min*.

The opinion of Dayan Fuerst shlit"a, however, is that since many people eat dips on their own, even without bread, the dips can be viewed as a standalone

min. Therefore, an additional item is not required.

It is important to note that this is only true if the dip is given in its own container. If one were to give a bagel with cream cheese already spread on the bagel, it would not be considered as two *minim* according to all opinions.

CAN A BOX OF "CAKE MIX" BE CONSIDERED A MIN FOR MISHLOACH MANOS?

The *Magen Avrohom*⁴ writes that one cannot fulfill the *mitzvah* of *mishloach manos* by sending someone a piece of raw meat. Since the *Megillah* specifically uses the term *manos* (literally portion) this implies something that is fully prepared and ready to eat as is. Although the *Mishnah Berurah* cites dissenting opinions, the *Poskim* rule that one should follow the *Magen Avraham*⁵.

Thus, it would seem that a cake mix would have the same issue. Since one can only enjoy it after going through the process of mixing it with eggs and water and then baking it, in its present state it cannot be considered a *manah* (or portion of food). In addition, cake mix is merely one of a number of ingredients of a fully prepared cake, and possibly all opinions would agree that it is not significant enough to be considered its own *min*⁶.

In regard to giving out instant noodles or the like, there is a *machlokes* amongst the modern-day *Poskim*. Some⁷ write that since the effort necessary in preparing them is so minimal they can be considered a *manah*. Others⁸, however, say that since ultimately in their present state they cannot be eaten they cannot be considered a *manah*, regardless of how easy it is to prepare them.

In practice, if one could give out something else instead, that is definitely preferable. If one already purchased them and cannot return them, one can rely on the lenient opinions.

WE ACCIDENTALLY GAVE OUT AN ITEM CONTAINING PEANUT BUTTER IN IT FOR MISHLOACH MANOS, FORGETTING THAT MANY OF OUR FRIENDS HAVE KIDS WITH ALLERGIES AND CAN'T HAVE PEANUTS IN THE HOUSE. DID WE STILL FULFILL THE MITZVAH OF MISHLOACH MANOS?

In order to fulfill the *mitzvah* of *mishloach manos* one only has to give two items to one person. Therefore, as long as one of the people who you gave *mishloach*

manos to was able to eat it, you fulfilled your obligation.

In regard to the people who could not eat it, perhaps it would depend on the underlying concept behind the mitzvah of mishloach manos. The Chasam Sofer⁹ writes that there are two different opinions amongst the Poskim as to what the reason is for the mitzvah of mishloach manos.

The Terumas Hadeshen writes that the goal was to ensure that every Jew has sufficient food with which to celebrate the Purim seudah. According to this reason, if neither the person receiving the mishloach manos nor a family member can actually eat the mishloach manos, then the sender would not have fulfilled their obligation, being that there is no way this could be used for their seudas Purim.

The Manos Halevi, however, writes that the purpose of the mitzvah is to engender ahava v'rayus-love & friendship amongst klal yisroel. According to this opinion, even if the receiver cannot eat the mishloach manos, since ultimately, they understand that sender meant well and a feeling of goodwill was created, the sender will still have fulfilled their obligation.

Another scenario where this machlokes is relevant is when one receives mishloach manos but they have no idea who it came from. According to the opinion of the Terumas Hadeshen, the sender still fulfilled their obligation since they provided another Jew with food for their seudas Purim. The fact that it was done anonymously is irrelevant. According to the Manos Halevi, however, since the receiver has no idea who to thank, the sender did not engender any ahava v'reyus and therefore did not fulfill their obligation¹⁰.

I AM MAKING A LARGE BATCH OF CHALLOS TO GIVE OUT AS MISHLOACH MANOS. SHOULD I TAKE OFF CHALLAH, AND IF YES, DO I MAKE A BRACHA?

In general, if one makes a batch of dough (whether for cookies or for challah) that contains more than 2.5 lbs. of flour, they must take off challah, but without a bracha. If the batch contains at least 5 lbs. of flour, then a bracha is made as well.

The Mishnah in Challah¹¹ states that a person who has a dough that is large enough to require that challah be taken off, yet they intend to divide the dough into smaller portions to give out, is exempt from taking off challah. If, however, the person intends to first bake all the bread and only give it out to others in the form of ready-made bread, there is a machlokes if this exemption still applies.

Some poskim¹² write that the above exemption still applies, yet many poskim disagree. According to these poskim, being that the dough will only be divided after

the baking process, the dough that is presently one full batch will remain obligated in hafrasha challah¹³.

Additionally, specifically in a scenario of mishloach manos, there is a strong likelihood that the person may end up being left with a large portion of the challos for themselves. Therefore since it is likely that the distribution may never even take place, the batch should be obligated in hafrashas challah¹⁴.

In practice, out of concern for the opinion that one is exempt, one should take off challah but not make a bracha¹⁵. If one plans on keeping the number of challos equal to at least five pounds of flour for themselves, then a bracha can be made according to all opinions.

I PLAN ON GIVING OUT MASON JARS FILLED WITH POPCORN FOR MISHLOACH MANOS. DO I NEED TO TOIVEL THEM BEFORE PUTTING THE FOOD INSIDE?

The obligation of tevilas keilim only applies to kli seudah- utensils used in the preparation and eating of food. The Beis Yosef¹⁶ writes that a Jewish storeowner does not have to toivel utensils that he sells in his store. Since he does not plan on cooking with those utensils, they are perceived as merchandise and not kli seudah.

Harav Elyashiv ruled that the same would apply to someone sending a dish filled with food as a gift. Although the dish is being used to contain food, its purpose is to be a gift for the recipient. The giver is not using the dish to cook food and is therefore not considered a kli seudah and is not obligated in tevilah¹⁷. Even if one would want to toivel the jars as a service to those receiving them, the tevilah would not be valid. Since the jars were not obligated in tevilah at the time that they were put in the mikvah, the tevilah cannot take effect.

1. ערוך השולחן תרצה אות י"ד וז"ל ובורר הדבר דצריך לשלוח שני מיני אוכלין, או שני מיני משקין, או מין אוכל ומין משקה. והכי איתא להדיא בגמרא (ו) דאחד שלח לחבירו בשר ויין, עיין שם. אבל שני חתיכות ממין אחד אינו מועיל. די מפני שחתך נחשבם לשנים. והרמב"ם כתב וכן חייב לשלוח שתי מנות בשר, או שני מיני אוכלין, או שני מיני תבשיל, עיי"ש. הרי שכתב שני מינים, ובעל כרחך צריך לומר דזה שכתב "שתי מנות בשר" היינו משני מיני בשר. או אפטר דטעות הדפוס הוא, וכן צריך לומר "שני מיני בשר כמו שני מיני אוכלין" ע"כ.
2. ס' תרצה סע' ד'
3. ע"ע קובץ הלכות פיר' טו' אות ד', וכ"כ שושנת ישראל פרק יא סע' יב בשם הגרש"מ שליט"א
4. ס' תרצה אות יא'
5. הה"ב ס' ק"כ וז"ל ובעיני שיהיה מין אוכל המבושל או בשר חי, דמשלוח מנות הראוי מיד לאכילה משמע וי"א דכיון שהוא שוויט וראוי להתבשל מיד שרי: ובקובץ הלכות הכריע לדינא כדעת המג"א מכיון דכן נקטו הגר"א ועוד אחרונים ע"ש.
6. ד"ע
7. מ"ב מהדורת דרשו בשם הגר"א אלישיב זצ"ל וספר שלמי תודה עמ' שבי' בשם החוט השני, שושנת ישראל שם סע' ט'
8. קובץ הלכות פרק טו' אות יב הערה יז
9. שו"ת או"ח סי' קצ"א
10. כן נקט שו"ת כתב סופר או"ח סי' קמא אות ב, וכן הובא במועדי ישירן בשם רבי משה זצ"ל. רבי משה זצ"ל מוסיף שאם המקבל אינו בבית באותו שעה, ולא ידע שקיבל מנות ממנו אלא אחר פורים, לא יצא מצוה משלוח מנות. אבל אם האשה מקבלת המנות בשביל בעלה, אז מהני אפילו אם לא ידע הבעל ממתנת זו באותו יום. (ספר אדר ופורים פ"ד בשם)
11. פרק א' משנה ז'
12. מנח"י ח"י סי' קב' ע"פ ארץ צבי סי' מט
13. הכמ"א שערי צדק הלכות חלה פרק יד סע' ד' בשם הרשב"א
14. כן כתב בספר שושנת ישראל פרק יא סע' מז. וכ"כ אמרי שפר הל' חלה עמ' כא בשם הגרש"מ שליט"א. וע"ע בקובץ הלכות שחולק עליו מטעם אחר.
15. הכרעת דין פורסט שליט"א. ע"ע במקראי קודש (הגרצ"פ) פורים סי' מא
16. יו"ד סימן קכ"ה
17. אשרי איש וי"ד ח"א פרק ט' סע' ת. אמנם ע"ע קובץ הלכות שם סע' מא, שושנת ישראל שם סע' סג



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