

Maaser Shenit

Ref: *Sefer Zeraim, Hilchot Maaser Shenit, Chapters 1–8*

Reminder:

Summary of Separations 1. Ref: *Sefer Zeraim*.
Order of *Tzedakah* Allocations of Crops Through 7-year cycle.
Ref: *Sefer Zeraim, Hilchot Matanot Aniim*, Chapter 6.



Growth patterns



You should set aside the *maaser sheni* (second tithe).¹

Amount to set aside is 1/10 of remainder after *trumah* and *maaser rishon* taken.

In the 3rd and 6th year, instead of *maaser sheni*, we separate *maaser ani* (same amount).

Maaser sheni must be eaten by its owners within the walls of *Yerushalayim*.



While the Temple is not standing, we do separate *maaser sheni*, but we do not eat it in *Yerushalayim*. – *Mipi Hashmuah*

One can redeem the *maaser sheni* product for money.

By redeeming *maaser sheni* with a coin, the holiness of the produce is transferred to the coins. The produce then becomes *chulin* (ordinary) and the coins must be taken to *Yerushalayim* and spent there.

Reminder:

Temurah. Ref: *Sefer Korbanot, Hilchot Temurah*, Chapters 1 and 3.
Pack on Consecration.



When a man redeems produce of *maaser sheni* for himself he must add 1/5 i.e. if it was worth 4 he should give 5. If thereafter he also redeems the money, he has to add another 1/5 of the principle i.e. only another 1 i.e. 6.



When a woman redeems produce for *maaser sheni* she does not need to add 1/5.

When a man redeems produce of *maaser sheni* for himself he must add 1/5 i.e. if it was worth 4 he should give 5. If thereafter he also redeems the money, he has to add another 1/5 of the principle i.e. only another 1 i.e. 6.



When a woman redeems produce for *maaser sheni* she does not need to add 1/5.

Vessels of the produce.

VESSELS

When the vessel and the product have an integral relationship, then the holiness of *maaser sheni* does not include the vessel and he does not need to eat fruit as *maaser sheni* to the value of the vessel.

- E.g. wine & vessel (the vessel flavours the wine)
- animal & hide

- crushed dates & container (Container is subservient because the dates could not be sold without the container.)

When the vessel and the product are considered as separate from each other, then the vessel retains its holiness. It would then have to be redeemed by eating an equivalent value of food (as the vessel) in Jerusalem.

- e.g. oil & vessel
- vinegar & vessel
- brine & vessel
- honey & vessel

🕒 Reminder:

Containers. Ref: Sefer Kinyan, Hilchot Mechirah, Chapter 4



CHANGES IN VALUE OF MONEY

A business transaction is completed when purchaser draws it into his possession.

With *maaser sheni*, the transfer of holiness is completed on payment of the money.

🕒 Reminder:

Definition of Sales. Ref: *Sefer Kinyan, Hilchot Mechirah*, Chapters 1–6.
Key Facts *Sefer Kinyan*



HILCHOT MECHIRAH

- Land acquired by 3 methods
 - *Kesef* (money)
 - *Shtar* (contract)
 - *Chazakah* e.g. receives keys and locks and unlocks front door.
- *Eved Cnaani* acquired by
 - *Kesef*
 - *Shtar*
 - *Chazakah*
 - *Hagbahah* (lifting him up)
 - *Meshichah* (pushed or pulled by hand)
- Animals acquired by
 - *Kesef* followed by
 - *Meshichah* (pulling animals on a lead or riding it)

Meshichah does not usually apply to public domain unless one pulled object into one's own domain.

- Movable articles
 - *Kesef* followed by one of the following:
 - ◇ *Hagbahah*

◇ *Meshichah*

◇ *Mesirah* (handing over – when the item is too large to be pulled)

Even if money was paid, deal is not complete until finalised by these actions.

- To acquire an article, first the price must be established. This states that the seller wishes to transfer article and buyer agrees to pay the price. Only thereafter does the act of *hagbahah* etc confirm the acquisition.
- *Kinyan chatzer* and *kinyan agav* are cases where the property acquires movable articles therein.
- A container is like the private domain of the purchaser. But its status will depend on where it is found.
- Transactions can also be carried out by exchange of movable property. Transaction complete once one of the parties does *hagbahah* or *meshichah*.

The value of the coinage is calculated at the time and place that it is transferred.

Since moving the produce from the purchaser to possession of buyer completes a business transaction, this would transfer the holiness of *maaser sheni*, even although the money had not yet been fully paid.