

Shmitah – Sabbatical Year

Ref: *Sefer Zeraim, Hilchot Shmitah, Chapters 1–7*

 To allow the land to rest in the 7th year – shmitah¹. Not to do any agricultural work on the land in shmitah.²

PRINCIPLES

According to Scriptural Law, the activities prohibited in the *shmitah* year are

- Sowing
- Trimming (top of tree and not ends of branches)
- Harvesting (in this case to prevent improving the land)
 - Grain
 - Fruit (both from vine and other fruit trees)

Punishment is *malkot*.

 *Derabanan* – Derivative works of above and other major categories of labour, are forbidden. Punishment is *makat mardut* (stripes for rebellious conduct) e.g. ploughing, removing stones to improve field, fertilizing, etc.

Reminder:

Pack on Punishment for *Sefer Zeraim*



Trees

 Not to cultivate trees in *shmitah year*³

End of 6th year i.e. Transition between end of cycle (6th year) and beginning of *shmitah* (7th year).

Reminder:

Pack on Weights and Measures



 *Mosheh Misinai* – not to work the Land in the last 30 days of 6th year. Applies to Temple era alone.

 *Rabanan* extended

- Temple era
 - Not to plough orchard after *Shavuot* (+3 months)
 - Not to plough field after *Pesach* (+5 ½ months)
- No Temple
 - Can perform agricultural work till *Rosh Hashanah* (start of New Year)

It takes trees two weeks (**14 days**) to take root. **30 days** have to remain between taking root and *Rosh Hashanah* if one plants in the 6th year i.e. **44 days minimum before *Rosh Hashanah***. (This applies even when Temple not standing.)

 Not to reap the after growth in the normal way⁴.

Safiach = aftergrowth. i.e. grasses or vegetables that grew on their own in the Sabbatical year. According to Scripture these can be eaten. The statement ‘not to reap the aftergrowth’ means that one should not do this in the normal manner that one does every year.

 | But *Rabanan* forbade the consumption of all *sefichim*.

This was to prevent transgressing i.e. planting seeds in *shmitah* and claiming that it was *safiach*.

Therefore the only produce allowed in *shmitah* are fruit from fruit trees, some rare herbs which most people do not sow, and some other rare situations where people would not sow. *Sefichim* (of the 7th year) are forbidden in the 8th year from *Rosh Hashanah* until *Chanukah*. After that they may be eaten. (*Tishrei* is *Rosh Hashanah* for *shmitah* and *yovel*.)

 | Not to harvest the vines in the normal manner⁵

This applies to all fruit.

With all fruit processing, one should deviate as much as possible from the norm. E.g. crush grapes in a kneading trough. Dry the figs in a place where they are not normally placed.

 | Leave ownerless all the land that everyone can eat.⁶

With regard to one’s own usage, one is only allowed to take into the home as much as one needs for immediate use. One cannot store.

Shmitah is observed only in *Eretz Yisrael*, both when Temple standing or not.

 | *Derabanan shmitah* is kept in Syria, but *sefichim* allowed.

In Ammon, Moab, Egypt and Babylon – even although tithes are separated, *shmitah* is not kept.

 | *Derabanan shmitah* kept in Transjordan, but *sefichim* permitted.

Gentiles are allowed to do agriculture if they purchase land in *Eretz Yisrael*.

Permitted activities

Because *shmitah* is a holy year, one has to be careful how we use its products.

Shmitah produce may be used for food, drink, anointing,

 | kindling, dyeing – *Mipi Hashmuah*.

Commercial use of *shmitah* products.

One is basically not allowed to do business with *shmitah* products.

However one may do business with small quantities of produce i.e. **enough for 3 meals**.

Factors

- Money received acquires same holy status as the products.
 - The sold product retains its holiness.
 - Money received acquires holiness.
 - New food bought with money acquires the holiness.
 - If many transactions take place with the same product only the first, and last product retain the holiness.
- When selling the produce one should just estimate the weights, costs, etc.

One may not package goods that are generally packaged only for business, and not for use at

home.

- Holiness is transferred only through a sale, or transfer.
- Holiness may not be transferred to live domesticated animals (lest he grows herds of them and doesn't get rid of them all by the cut-off-date ie the time of *biur*).
- Money received may not be used to pay debts, or purchase servants or property, or a non-kosher animal.
- Wages may be given to a worker dealing with *shmitah* produce only if it is small amounts. i.e. 1 *issar* to gather vegetables for example.

BIUR (DESTRUCTION OF SHMITA PRODUCE)

We may only partake of *shmitah* produce at home, so long as that produce is still found in the fields. When the product no longer exists in the field, and the time of *biur* has arrived, we need to remove that product from our home by either:

- Distributing the amount of up to 3 meals to as many people as possible.
- Burn
- Throw produce into the sea.
- Destroy through other means

Applies to human and animal food

Similarly we must remove the money received for that product.

For the purposes of *biur*, *Eretz Yisrael* is divided into 3 regions:

- Land of *Yehuda*
- West Bank of Jordan
- Galilee

This means that we assess whether *biur* of our products is needed according to the region we are located.

These three regions are considered as one with regard to

- Carobs
- Olives
- Dates

When transporting products from one region to another, the stringencies of both places take effect i.e. the stricter law will always apply.

PRINCIPLE (MIXTURES)

When *shmitah* produce becomes mixed with regular produce (of the same species), even the slightest amount causes the mixture to be *shmitah* produce. When it becomes mixed with other species, it depends whether its flavour has been imparted or not.