

HALOCHOSCOPE

This week's question:

On *Tu B'shevat* it is common to eat a platter of small pieces of fruit. If one eats fruit of the *shivas haminin*, the seven special species of *Eretz Yisroel*, and other fruit, one recites *al haeitz* only. There is no need for *borei nefashos*, since the *brocha acharona* on other fruit of trees is included in *al haeitz*. What if the pieces of the *shivas haminin* do not add up to a full *kezayis*, olive-sized piece, but the other fruits make up a *kezayis*? For example, one eats a grape or a raisin, a small pitted olive, some pomegranate seeds and a small dried fig or date. One also eats segments of citrus fruits, pieces of deciduous fruits, and some berries and nuts. Should one recite *al haeitz* and/or *borei nefashos*?

The issues:

- A) *Me'ain shalosh on the shivas haminin; borei nefashos*
- B) *Shiur kezayis, the amount*
- C) *Biryah, a complete fruit*

A) *Shivas haminin; al haeitz; borei nefashos*

Birchas hamazon, recited after eating a bread meal, comprises three *brochos* that are indicated Scripturally, and a fourth *brocha* added Rabbinically. The first acknowledges Hashem's providing for the needs of every creature. The second thanks Hashem for the Land of Israel and for other great promises He fulfilled for us. The third *brocha* refers to the centrality of *Yerushalayim* and the kingship of the house of David.

After the destruction of the second *Bais Hamikdash*, the Jews rebelled and established a kingdom under *Bar Kochba*. After cruelly suppressing the rebellion, the Romans refused to allow the burial of the bodies of the fallen Jews at *Betar*, location of their last stand. After three years, permission was granted to bury them. During this time the bodies had not decomposed. In gratitude for these great kindnesses, a *brocha* was added to *birchas hamazon*: *Hatov Vehamaitiv*, He who is good and does good.

The verses in the Torah mandating *birchas hamazon* on bread are juxtaposed to verses praising *Eretz Yisroel* for the seven special species: wheat, barley, grapevines, figs, pomegranates, olives and dates. The juxtaposition to *bircas hamazon* is used by some Talmudic opinions as an indication that they deserve *bircas hamazon* in their own right. We do not follow this view, but many poskim maintain that there could be a Scriptural *borcha acharona*. Foods that require *bircas hamazon* are made of the same ingredients as snack foods that also satisfy somewhat. These are known as *mezonos* foods, after their *brocha rishona*. They are a snacking form of breads or of cooked grain-based meals. They should deserve a special *brocha*.

This special *brocha* is a combined and abridged form of the three *brochos* of *bircas hamazon*. The fourth *brocha* is incorporated at the end, but the name, *me'ain shalosh*, reflects the main three Scriptural *brochos*. After eating fruits of the remaining five species,

one recites *al haeitz* (or *al hapairos*) on the fruits. The *brocha acharona* on other foods is *borei nefashos rabos*, modeled on the theme of the first *brocha* of *bircas hamazon*.

Some maintain that foods over which *me'ain shalosh* is recited require a *brocha* Scripturally. However, it is unclear whether they require all three *brochos* that are satisfied with the condensed form. Some suggest that this opinion would only require one *brocha*, Scripturally. Therefore, the concept of a three-in-one *brocha* to reflect *bircas hamazon* is a Rabbinical institution.

Bircas hamazon works on all foods eaten in the meal. This is either because the other foods are secondary to the bread, thus either not requiring any *brocha* or using the *brocha* on the primary bread food, or because *bircas hamazon* is on the meal, applying to each food. *Me'ain shalosh* has a similar characteristic. If one eats the five special species of fruits and other fruits, he recites *al hapairos* and exempts the *borei nefashos* on the other fruits. A minority maintain that *ha'adama* fruits are also exempted.

The Talmud cites an incident in which a sage ate a pickled olive and recited the *brocha acharona*. The Talmud debates whether this was *me'ain shalosh* or *borei nefashos*. The question is raised, the minimum to recite a *brocha acharona* is a *kezayis*, full size of an olive. A real olive is eaten minus its pit! In answer, the Talmud says that a *kezayis* is the volume of a middle-sized olive. This sage ate a very large olive.

The poskim debate the meaning of this passage. In one view, the minimum *kezayis* requirement only applies to *me'ain shalosh*. When eating bread, Scripturally, one must eat enough to be satiated to be obliged in *bircas hamazon*. Rabbinically, it is recited on a smaller amount. The Talmud debates this amount, based on the terminology used in the Scriptural *mitzvah*. Since *me'ain shalosh* is at least based on the Scriptural *mitzvah*, it requires the same minimum. *Borei nefashos* does not require the minimum, and one should recite it on a smaller piece. The other view maintains that all *brochos acharonos* are ultimately modeled on *bircas hamazon*, and require a *kezayis*.

A further debate ensues on eating less than a *kezayis* of the *shivas haminim*. Some say that one must recite *borei nefashos*. This would seem to mean that despite the requirement of a *kezayis* for other foods, *shivas haminim* is special in this respect. Others disagree. The implication is that there would be a view who would require *borei nefashos* on a small piece of apple, but no *brocha acharona* on a small piece of fig. Later authorities maintain that the stringent view would not treat the seven species more leniently than other foods. Rather, one who ate a small olive would recite *borei nefashos*, rather than *al haeitz*. The consensus is not to recite *borei nefashos* on less than a *kezayis*. To avoid the controversy, one should never eat less than a *kezayis* at any one time. [See Brochos 38b-39a 44a 48b, Poskim. Tur Sh Ar OC 187-9 208, 210:1, commentaries.]

B) Kezayis

The aforementioned passage points out a problem with the term *kezayis*. Apples are all of the same general size, with an obvious average. Tomatoes vary greatly based on the different type. Olives have the same issue. The Talmud singles out a particular olive to be used in this measurement, the *aguri* or *abruti*, a strain with high oil content. This is called a middle sized olive. With the dispersal of our people in the Diaspora, the exact memory of this species has been forgotten or fallen into dispute. Furthermore, it has been pointed

out that there were periods when Hashem's blessing caused larger fruits to grow, such as when wheat kernels grew to the size of 'kidneys'. In addition, the Talmudic passage can be interpreted slightly differently. The volume of a *kezayis* is linked to a fruit as a reference point. It happens to be that the minimum amount to be considered meaningful eating is that of a medium-sized olive. The volume is really fixed amount.

The Talmud uses other foods as a measure of volume, such as the date, the fig and the egg, which generally have uniformity. A date is said to be the size of two olives, and smaller than an egg. A fig is said to be a third of an egg, and larger than an olive. This indicates that an olive is less than a third of an egg. However, the *Shulchan Aruch* decides in favor of a view that an olive is half an egg. This view is expressed in a tiny chapter, simply stating that 'some say ..'. This leads many to question the force of the ruling.

Recently, the volume of an egg was also debated. Some *halachic* measurements are given in both linear and volume measures. Linear measurements use the thumb width as the base, while liquid volume uses the egg as the base. In reconciling them, some scholars discovered a discrepancy. Accordingly, the linear measure was assumed to have remained constant, and the volume measure to have grown smaller by half. The problem is that sudden reduction was never noted and recorded, and gradual reduction is philosophically problematic. Therefore, some reject this evolutionary approach. Others take this idea into consideration with regard to stringencies, at least, in certain areas of *halacha*.

In deciding the size of a *kezayis*, many say that it must always be the size of a half-egg, including its shell. This could be half the size of a middle sized egg or a whole egg. Others maintain that it depends on the *halachic* situation. Where a *kezayis* is required to fulfill a Scriptural *mitzvah*, such as *matzo*, one must tend to stringency, and use the half-egg measure, which will then depend on the same controversy. For a Rabbinic *mitzvah*, such as *maror*, one should use the third-egg size. Reciting a *brocha acharona* on a *kezayis* is a Rabbinic requirement, even on bread, since it does not satiate. Since it involves possibly uttering Hashem's Name unnecessarily, one tends to leniency in requiring a *brocha* when there is a doubt or a disputed ruling. Accordingly, one should not recite the *brocha acharona* unless he consumed the half-egg. [See Sh Ar OC 486, commentaries.]

In our case, the total of the amount of fruit might add up to *kedai sevia*, enough to satiate. If *me'ain shalosh* is required because of the *shivas haminim*, and exempts the other fruits, it will, in effect, be recited over *kedai sevia*. We have mentioned that there are views that on the *shivas haminim* one is Scripturally obliged to recite *me'ain shalosh*. If so, our question now takes on Scriptural significance. Does this mean that we should use the smaller, third-egg measure to determine the amount of *shivas haminim* for the apparent Scriptural *brocha acharona* requirement?

C) Birya

In answering the question about the scholar who ate the olive, the Yerushalmi says he said the *brocha* because he ate the whole olive, even though it was too small. Some maintain that the two Talmuds do not argue. The Yerushalmi assumes that he ate the pit. Without the pit, it is not a complete *briyah*, creation. This view requires a *brocha acharona* on a complete grape or pomegranate seed. The consensus is not to follow this view, but to avoid the controversy by never eating a whole seed without eating a *kezayis*.

Pitted olives or dates would not count as a *briyah*. The poskim deliberate on whether dried figs and raisins count, since they have lost their original moisture, albeit due to evaporation. [See Brochos 39a, Poskim. Tur, Sh Ar OC 210, commentaries.]

The poskim debate the following situation: someone ate half a *kezayis* of *shivas haminim* fruit and half *kezayis* of other fruit. Some say he recites no *brocha acharona*. There is the possibility that on less than a *kezayis* of *shivas haminim* there is no *brocha*. There is the view that on *shivas haminim* one may not recite *borei nefashos* at all. There is the consensus that one must eat a *kezayis* to be obliged in the *brocha*. We follow a view that requires *borei nefashos*. Part of the reasoning is that there also exists the view that requires *borei nefashos* on less than a *kezayis*, whether on other foods, or even on *shivas haminim*. While we do not subscribe fully to this view, it may be relied on in this case. [See Knesess Hagedolah, Tur 210, MA etc. Vezos Haberacha p. 45 note 2.]

Our case is similar, in reverse. A whole pomegranate seed or grape requires *al haeitz* according to the Yerushalmi and those who maintain that the Bavli agrees. Thus, according to one view, that is not totally rejected, he should say *al haeitz* anyhow. Furthermore, there is a possibility that the amount of *shivas haminim* consumed would total a *kezayis*. Assuming eggs remained the same and a *kezayis* is less than a third of an egg, a grape, a pitted olive, a pomegranate seed and a slice of date or fig could add up to a third of the volume of an average sized egg. Thus, we have a case where *borei nefashos* might not satisfy the obligation to recite *al haeitz* on the *shivas haminim*. If those fruits add up to a *kezayis*, they require *al haeitz*. If one recites *al haeitz*, he will not need to say *borei nefashos*. However, there remains a question whether he qualifies for *al haeitz*. There are two reasons to qualify, the possibility of a minimal *kezayis* and the *briyah* opinion. In addition, if the total amount of food is *kedai sevia*, *al haeitz* might be a Scriptural obligation. This would mean mandate using the small *kezayis shiur*.

The easy way out of this is to ensure that one eats a larger size *kezayis* of *shivas haminim* fruits. When sharing a platter among many people, this is not always easy. Another option would be to eat other *shehakol* foods or drinks that automatically require their own *borei nefashos*. This will take care of half the problem, but not the other half.

In conclusion, taking into account the various issues, it would appear that one should recite *al haeitz*, and not recite *borei nefashos*.

On the Parsha ... [The mohn] was like a coriander seed.. [16:31] when the mohn came down, Moshe instituted the first *brocha* of *bircas hamazon*, *hazan*, he who sustains .. [Brochos 48b] [See Yuma 52b Sedei Tzofim, on whether there was a *brocha rishona* on mohn. The same issues arise with the fruits that appeared as the jews crossed Yam Suf.] The question is, if they recited *hazan* on a full *shiur* of *mohn*, what about those who ate one 'seed'? Did they recite *hazan*, since it was a *briyah*? From the *passuk*, it appears that they made the *mohn* into loaves by grinding it. [See Beha'alosecha 10:8] Accordingly, it would seem that the institution of *hazan* applied specifically to eating a piece of the bread. Would a whole 'seed' require a *brocha* Rabbinically according to the Yerushalmi if it was not really coriander? [See MB 210:5.]

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