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לעילוי נשמת ר' יצחק מאיר בן אליהו ובריינא בת אברהם ע"ה ור' גדליה בן אברהם מנחם הכהן ומרים בת ישראל ע"ה

The Laws of *Challah* Part 4

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May a minor separate challah?

May one challah be separated for multiple doughs?

This article is the fourth and final in a series on the laws of *challah*. This article will discuss the process of separating *challah* – who may separate, separating from one dough for another, the procedure for separating, and the proper text for the *bracha*.

Who may separate *challah*: The Shulchan Aruch (Yoreh De'ah 323) rules that anyone who is unable to separate *teruma* (due to a halachic exclusion) is also unable to separate *challah*. This is because the Torah refers to *challah* as *teruma* (Bamidbar 15:19-21), and so many laws regarding separating *challah* are identical to those of *teruma* (see Rambam Hilchos Bikkurim 5:13).

The Mishna (Terumos 1:1) states that a *katan* (minor) may not separate *teruma*. However, a later Mishna (Ibid.:3) states that a child who has reached the age of making *nedarim* (vows) can separate *teruma*. What is this age? The Gemara (Nazir 29b; Niddah 46b) teaches that a child within one year of reaching adulthood (11 for a girl, 12 for a boy) and has a certain level of intelligence has a status known as *musfeh samuch li'ish*¹; a child of this age is able to make a *neder* if he/she understands to Whom the vow is being made. Such a child can also separate *teruma* and, by extension, *challah* (see Shulchan Aruch Yoreh De'ah 331:31, 33).

This halacha is quite relevant, as it is quite common for a *katan* (minor) who is unqualified to make a *neder* to bake bread or other items that require *challah* separation. Even if the dough is owned by the *katan*, it is obligated in *challah* (Derech Emunah Hilchos Bikkurim 6:63). One must be careful that a *gadol* separates the *challah*².

The Mishna (Terumos 1:1) teaches that one cannot separate *teruma* from produce that is not his own. This halacha is codified by the Shulchan Aruch (ibid.:30). However, the Gemara (Kiddushin 41b) learns from a verse in the Torah that a person may appoint a *shliach* (agent) to separate *teruma*; this is codified by the Shulchan Aruch (ibid.:29). The Gemara (ibid.) further learns from the verse that a non-Jew cannot be made a *shliach*. A *katan* cannot be made a *shliach*, either (Gittin 23a; see Rashi ad loc. s.v. *dilav*). These laws of *shliach* apply to *challah* separation, as well³. Therefore, says the Shulchan Aruch (ibid. 328:3), one may not

¹ Lit., “one who is able to vow and is close to being a man.” This halacha is inferred from a verse in Bamidbar (6:2), “*Ish ki yafli lindor*,” “A man who will explicate to vow.” The word *yafli* is thus associated with making a vow, and is the source for the word *musfeh* in the descriptive name of this child (see Rashi Erachin 2a s.v. *musfeh*). There is a Talmudic dispute (Niddah 46b) whether this halacha is of Scriptural or Rabbinic origin.

² If a *katan* is the owner of the dough, it would appear impossible for *challah* to be separated, since the *katan* cannot do it, and a *gadol* can do it only if appointed as a *shliach* (agent) (see main article further), but a *katan* is unable to appoint a *shliach*! See Sefer Chanoch Lana'ar 37:fn. 1 for discussion. One possible approach offered by Rosh Kollel Rabbi Shachne Sommers is that a *gadol* can separate the *challah* using a halachic principle known as *zechiya*, which allows a person to act as another's agent without appointment where the action being done is a *zechus* (beneficial) for the one on whose behalf the action is being done. (Defining a *zechus* is a complex matter, but a classic case is where Mr. A finds money on the street and acquires it on behalf of Mr. B.) The Rema (ibid. 328:3) rules that one may separate *challah* without permission from the owner in a case where it is to the benefit of the owner. It stands to reason that since a *katan* has no way to permit his dough through *challah* separation, it is to his benefit for a *gadol* to separate *challah* through the principle of *zechiya*.

³ There is a unique and much-discussed situation of one who separates *teruma* without permission from the owner and then gets some sort of approval from the

owner after the fact. See Shulchan Aruch (ibid.:31) for more details.

separate *challah* from another's dough without the owner's permission. The Rema (ibid.) adds that a maid who is regularly granted permission by the woman of the house to separate *challah* from the dough may do so without seeking permission. It would seem that this halacha can be applied to other household members such as adult children⁴.

Chazal teach (Shabbos 31b) that *challah* is primarily a woman's mitzvah. The Kaf Hachaim (242:24) mentions that a husband must ask his wife's permission before separating *challah* from dough. (However, the *challah* separation is valid even if the husband did not receive permission.)

Separating one *challah* for multiple doughs: The Rosh (Hilchos Challah 4) states that if one has multiple batches of dough, all of which meet the requisite *shiur* (amount) to be obligated in *challah*, one may separate from one on behalf of all the doughs without combining them or even touching them, provided they are near each other. This is in contradistinction to one who wishes to combine small doughs to reach the required *shiur*, where the doughs must touch to the point of *neshicha* (lit., biting) or be placed in one vessel (see part 2 of this series for full details). This halacha is codified in Shulchan Aruch (ibid. 325:2). The Shach (ad loc.:2) adds that if one has one batch of dough that meets the requisite *shiur* for *challah* and one that falls short, he may separate from the larger dough for the smaller one, as well⁵.

The requirement that the doughs be next to each other is based on a halacha in the laws of *teruma* separation known as *min hamukaf* (lit., from next to it); here, again, this law extends to *challah* separation (Shulchan Aruch ibid. 323). *Min hamukaf* requires that when *teruma* is separated from one batch of grain for another, the batches be near each other.

What qualifies as *min hamukaf*? The Bi'ur Hagra (Yoreh De'ah 325:8), in a lengthy discussion, lays down the following criteria: If the doughs are not in a container, it is sufficient if they are in the same *bayis* (house); this actually means in the same room (Derech Emunah Hilchos Terumos 3:153). If the doughs are in containers, they must be uncovered and the containers must touch.

If one failed to separate *min hamukaf*, the *teruma* separation is nonetheless valid (Shulchan Aruch ibid. 331:25), and the same is true for *challah* separation (Sha'ar Hatziyun 457:13).

If a single batch of dough that is obligated in *challah* separation was divided into separate pieces, *challah* may be separated from one part of the dough for the entire dough. In Eretz Yisrael, the parts must be *min hamukaf*. Outside of Eretz Yisrael, where the *challah* obligation is more lenient (see part 1 of this series for

owner after the fact. See Shulchan Aruch (ibid.:31) for more details.

⁴ A *katan* cannot make or become a *shliach*. However, the Maharsha (Gittin 65a Tosafos s.v. *upadu*) and the Ketzos Hachoshen (188:3) say that a *musfeh samuch li'ish* is able to make and become a *shliach*. The Minchas Chinuch (507:4), however, says that a *musfeh samuch li'ish* cannot make or become a *shliach*.

⁵ Lest one wonder what purpose this serves, as the smaller one is exempt regardless, there are several possible gains. One case is where the smaller dough is large enough to require *challah* but without a *bracha*; including it in the larger dough's separation means it will be included in the *bracha*, as well. Another situation is where one anticipates that the smaller dough may later combine with other small doughs and become obligated; by separating now, it will not combine with the other smaller doughs later for *challah* obligation purposes.

full details), *min hamukaf* is not required (Rema Yoreh De'ah 323; see also Mishna Berura 457:6).

If one has different types of dough, with at least one containing the *shiur* to require *challah* separation, one may separate from the one dough on behalf of all the doughs (Rema ibid. 326:1). The Rema's language indicates that the halacha in this case is the same as in the previous case of similar-type doughs. However, the Taz (ad loc. 1) says that in such a case, the doughs must touch to the point of *neshicha* (lit., biting), meaning that if one dough is pulled from the other, some of the other dough will remain attached (see part 2 of this series for full discussion). (See Taz ibid. for resolution of the Rema's wording.) The Shach in his Nekudas Hakesef commentary to the Taz disagrees, however, and says that different types of doughs have the same halacha as similar doughs, and *min hamukaf* suffices. For a practical ruling, a halachic authority should be consulted.

Separating the *challah*: Normally, one recites a *bracha* on a mitzvah act before performing the mitzvah (Pesachim 7b). In line with this rule, the Rambam (Hilchos Bikkurim 5:11) states that the *bracha* is recited before the *challah* is separated. Many other halachic authorities concur with this ruling (Shibalei Haleket 212; Kitzur Shulchan Aruch 35:1; Chochmas Adam Sha'arei Tzedek 14:32). However, the Ramban (Hilchos Challah) states that one separates the dough, then recites the *bracha*, then declares "This is *challah*." If, says the Ramban, one does not plan on making this declaration, the *bracha* is recited first and the dough separated subsequently.

The novel former approach of the Ramban of first making the *bracha* and then separating and declaring, is also stated by the Bais Yosef (Yoreh De'ah 328:1) in the name of the Ra'avad (Hilchos Bikkurim 5:11). Rabi Akiva Eiger in his glosses to Shulchan Aruch (Yoreh De'ah 328:1) cites this Bais Yosef and continues that the Rashba (Chullin 94a s.v. *hashole'ach*) seems to agree with this approach, as well.

The reasoning for delaying the separation until after the *bracha* is recited seems to be at odds with the aforementioned rule of reciting the *bracha* before the mitzvah performance. The Shevet Halevi (4:146) explains that while a *bracha* is to be made before the mitzvah is performed, the mitzvah act must be done immediately after the *bracha*; if two actions are needed, this poses a problem of a *hefsek* (interruption) and the first step should be done prior to the *bracha* being recited. When separating *challah*, if one is consecrating the *challah* via declaration, two steps are needed: the act of separation and the declaration. Therefore, the act of separation is performed before the recitation of the *bracha*.

A second approach (see Rabbi Shlomo Zalman Auerbach in Maadanei Eretz Terumos II: Minchas Shlomo Terumos 13:10) may be that there is concern lest one separate the *challah* and then inadvertently mix it back into the dough. Once the *bracha* is recited, the act of separating itself bestows the status of *challah* upon the separated piece, which can easily partially reattach to the dough while being separated. If the *challah* becomes mixed back into the dough, the entire dough may become forbidden (see part 1 of this series for full details). By separating the piece before reciting the *bracha*, the status of *challah* is not conferred until after the *bracha* is recited with the declaration "This is *challah*."⁶

The aforementioned declaration "This is *challah*" (usually expressed in Hebrew as "*Harei zu challah*") is required when one separates first and then recites the *bracha*, as this declaration confers the status of *challah* upon the separated piece; a part of the mitzvah is thus done after reciting the *bracha* to fulfill the

⁶ It would seem that if a *bracha* is not being recited (such as where the dough is large enough to require *challah* but not large enough to require a *bracha*), one must make the declaration regardless. See, however, Derech Emunah Hilchos Bikkurim 5:100 that the actual separation with intent for *challah* may suffice. Derech Emunah adds that if one intends to make the declaration, the *challah* status is not conferred until that point regardless of when the *bracha* is recited.

requirement that before the *bracha* is recited before the mitzvah performance (Rabbi Shlomo Zalman Auerbach in Maadanei Eretz ibid.). Derech Emunah (Hilchos Bikkurim 5:98) adds that if one separated the dough and made the declaration before reciting the *bracha*, the *bracha* can no longer be said.

As discussed by the Ramban, if one is reciting the *bracha* first and then separating, it would seem unnecessary to make this declaration. However, the Mahari Kurkus (Hilchos Bikkurim 5:11) states that perhaps one must make the declaration even when reciting the *bracha* first, since it is this declaration that confers the status of *challah* upon the separated piece of dough. On the other hand, says the Mahari Kurkus, it can be argued that the *bracha* (and subsequent separation) serves as a de facto declaration. Derech Emunah (ibid.) indicates that no declaration is necessary if the *bracha* is recited first.

After the dough is separated, while reciting the *bracha* and/or making the declaration, the custom is to hold the separated piece next to (but not touching) the dough (see Kovetz Mibais Levi Yoreh De'ah 361:3).

Ultimately, there are different customs regarding these questions, and one should follow his family custom. One who does not have a custom should seek guidance from a competent halachic authority.

As with all mitzvos, one uses the right hand to separate the *challah*. However, a left-handed person uses the left hand (Mishna Berura 206:18).

Normally, one is supposed to recite the *bracha* upon a mitzvah while standing. However, the Magen Avraham (Orach Chaim 8:2) says that when separating *challah*, one needn't stand for the *bracha*, explaining that separating *challah* is not exclusively a mitzvah, but also serves to permit the dough, and so standing in honor of the *bracha* recitation is not required. The Aruch Hashulchan (Yoreh De'ah 328:5) concurs. However, the Bi'ur Hagra (8:3) disagrees with the Magen Avraham's proof and says that here, too, one must stand. The Pischei Teshuva (328:2) cites the Yeshuos Yaakov that one should preferably stand.

The text of the *bracha*: The Shulchan Aruch (ibid. 328:1) says that one should say "*asher kidishanu bimitzvosav vitzivanu lihafrish teruma*" (to separate *teruma*). However, the Rema (ibid.) disagrees, saying that one should conclude "*lihafrish challah*" (to separate *challah*). The Taz (ad loc.) cites the Smak that one may use either version, and then cites the Maharshal that one says both *teruma* and *challah*. The Taz disagrees with the Maharshal, questioning the logic of using both terms, but the Shach in his Nekudas Hakesef commentary to the Taz resolves the Taz's difficulty. Common custom among Ashkenazic Jewry (who generally follow the rulings of the Rema) is to say *challah*, not *teruma*.

The Rash (Challah 2:3) adds two more words to the end of the blessing, *min ha'isa* (from the dough). The Taz (ibid.) explains that this is meant to exclude separating *challah* from flour (as one may not do so), but he disagrees with the addition, wondering why it is necessary to state additional details in a *bracha*. However, the Magen Avraham (457:1) cites the addition in the name of the Drisha. If one has the custom⁷ to add these two words, the *bracha* would conclude "*lihafrish challah min ha'isa*."

There are situations where one separates *challah* from already-baked goods (see previous articles in this series for various scenarios); would one still say *min ha'isa* in such a case, where the item is no longer in dough form? Leket Ha'omer (10:19) rules that one does not add these two words, but Derech Emunah (Hilchos Bikkurim Tziyun Hahalacha 172) says that since *challah* is usually separated from dough, this is the standard text of the *bracha* (for those who add these words) and is to be used even when the item is no longer in dough form.

This concludes the fourth and final installment of a series of articles on the halachos of *challah*. Hopefully, these articles have brought greater clarity and meaning to the proper performance of this very important mitzvah.

⁷ Derech Emunah (ibid.:100) says the custom is to say just *lihafrish challah*.

Points to Ponder

Can a minor separate challah from dough that only he or other minors are eating?

Would a single blessing suffice when separating multiple pieces of challah from multiple doughs?

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