



When to count sefira

1. According to most poskim, it is correct to wait until Tzet Hakochavim in order to count sefirat haomer; however, one fulfills his obligation by counting after sunset.¹
2. If one is praying in a minyan that finishes maariv after sunset and one wants to count after Tzet Hakochavim, he should count then without a Bracha and mentally stipulate, "If I remember later to count, then I have intent not to fulfill my obligation with this counting." If one in fact remembers, he should count after Tzet Hakochavim with a Bracha.²
3. If one is going to pray maariv with a minyan that is late at night, some poskim hold that one should wait to count with the minyan, while others say that one should count at Tzet Hakochavim.³
4. From a half hour before the time for sefira (according to some poskim, this refers to sunset, while others maintain that it refers to Tzet Hakochavim), one shouldn't eat a meal until he counts sefira. (See note for what is considered a meal). Nonetheless, many poskim defend the minhag to eat before sefira if one regularly attends a later minyan.⁴
5. Learning is permitted before sefira if one usually goes to a later minyan.⁵

1. Tosfot (Menachot 66a) has one opinion who says that one may count sefira during Bein HaShemashot since sefira is only derabbanan. Rosh (Pesachim 10:40) and Tur 489:1 agree. However, the Ran (Pesachim 28a) argues that it's not proper to enter a safek initially. Similarly, Rambam (Temidin UMusafin 7:22) rules that sefira should be counted at night.

Bet Yosef 489:1 quotes this dispute, and his ruling in S" A is unclear. Mishna Brurah 489:14 understands that S" A holds that the halacha follows Tosfot but that it is proper to wait until Tzet Hakochavim. Chazon Ovadyah (p. 232) agrees.

After the fact, if one counted during Bein HaShemashot, Magan Avraham 489:6 writes that he has fulfilled his obligation. Beir HaGra 489:3 and Mishna Brurah 489:15 agree. However, Eliyah Rabba 489:10 argues that one should count again after Tzet Hakochavim without a Bracha.

2. The Avudraham (Tefillot HaPesach) writes that if one prays with an early minyan, he should count without a Bracha, and if he remembers later, he should count with a Bracha. S" A 489:3 codifies this as the halacha. Taz 489:6 and Beir HaGra 489:3 explain that the case is where the minyan finished during Bein HaShemashot.

Mishnah Brurah 489:17 writes that if one wants to count after Tzet Hakochavim, he should count with the minyan without a Bracha and have in mind that if he remembers later to count with a Bracha, this original counting shouldn't fulfill his obligation. Hagahot Rabbi Akiva Eiger 46:16, Aruch HaShulchan 489:8, and Chazon Ovadyah (Yom Tov p. 233-4) agree. However, the Taz writes that making such a condition doesn't work.

See, however, the Levush 489:3, who explains that the case is where the minyan finished before sunset, and the reason they counted was for Amei HaAretz who wouldn't count later at night.

3. S" A 489:1 writes that on the second night of Pesach, one should count sefira after maariv. The Chok Yaakov 489:16 explains that this is based on the halacha of giving precedence to the more common activity (Tadir). However, Mor UKetziah 489:1 argues that Tadir doesn't apply here since sefira is deoritta, or at least the mitzvah is explicit in the pasuk even though nowadays it's derabbanan, while tefillah is entirely derabbanan. Thus, he

explains that sefira must be said in the beginning of the night (Tzet Hakochavim) because one shouldn't delay a mitzvah.

Sh" t Igrot Moshe 4:99(1) defends the Chok Yaakov and writes that one must wait to count sefira after maariv even if he prays later in the night. Rav Elyashiv (quoted by Piskei Shemuot p. 18) agrees. On the other hand, Shevet HaLevi 6:53(3) agrees with the Mor UKetziah and says that if one is going to daven in a late minyan, he should count by himself earlier, but he defends the minhag to wait to count with the minyan because otherwise many people would forget to count.

4. Rama 489:4 writes that from the time of sefira, it is forbidden to eat until one counts. Mishna Brurah 489:23 writes that really the prohibition begins from a half hour before Tzet Hakochavim, while the S" A HaRav 489:17 and Kaf HaChaim 489:64 hold that the prohibition begins from a half hour before sunset.

Kaf HaChaim 489:66 clarifies that it is forbidden only to eat a meal that fits the criteria given by S" A 232:3, meaning more than a KeBeitzah of bread; fruit, even in large quantities, is not considered a meal. Yalkut Yosef 489:43 and Hilchot Chag BeChag (p. 16) write that Pat HaBah Bekisnin is the same as bread for this halacha; Nitai Gavriel 26:5 disagrees.

Sh" t Igrot Moshe 4:99 writes that the logic permitting a person to eat before maariv - namely, that if one usually prays in a minyan he won't forget to pray - should also permit eating before sefira, even after Tzet Hakochavim. Az Nidbaru 6:52, Rav Elyashiv (quoted by Piskei Shemuot p. 47), and Nitai Gavriel 26:4 agree. See Aruch HaShulchan 232:16, who records this leniency regarding mincha.

5. Regarding shacharit, Rashi Brachot 5b understands that Abba Binyamin wouldn't learn before Davening, however, Tosfot disagrees. Rosh 1:7 explains that Rashi meant only that a person who doesn't usually pray with a minyan shouldn't learn before praying. Someone who usually prays with a minyan, on the other hand, is unlikely to forget to pray and thus may learn before praying. Tur and S" A 89:6 codify the Rosh as halacha. Mishna Brurah 232:11 writes that the same is true of mincha. Therefore, when Mishna Brurah 489:24 writes that doing any activity before counting sefira is the same as by mincha, he means that it's permitted if one usually davens with a minyan.