

# The Laws of Daled Minim

Dedicated Anonymously לעילוי נשמת רחל לאה בת מרדכי צבי

Dedicated by Beth & Josh Kalter לעילוי נשמת צבי הירש בן יהושע הכהן

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#### **COVID Considerations with Daled Minim**

#### Rabbi Dr. Aaron Glatt

#### Is it safe to purchase daled minim (Lulav and Esrog)?

I am concerned that having multiple people congregating in and around an *daled minim* store (especially having multiple unmasked people touching the species), presents a very risky enterprise. Each shul needs to work out methodologies whereby full kosher four species sets can be purchased that are pre-checked by the Rav or a *mumcheh* (expert) and sold as is without individual examination by multiple people in close proximity. There can be several standards for different prices, but a system needs to be set up to minimize group exposures.

#### What about sharing daled minim?

People living together within the same family unit can share their *daled minim* with no concern for transmission. If someone from a different family unit needs to shake your *lulav* and *esrog*, they should wash their hands first, fulfill the mitzvah, return the set, and wash again afterwards. I would not recommend doing this with multiple people unless there was absolutely no other option.

#### How should we do hoshanos?

Walking around in a large space with appropriate distancing between the "hoshana walkers" poses little risk. Outdoors in general again is usually safer, but distancing (with masking of course) is the critical factor. Such spacing may not be available though in many facilities, and it may be necessary to alternate who "walks" the hoshanos while others recite them standing by their seats. This will be especially important for Hoshana Rabbah. I dare say that davening the hoshanos is far more important than walking.

#### What about hakafos?

The rules for *hakafos* are essentially identical as for *hoshanos*. Vigorous unmasked prolonged *sim-chas Torah* dancing in close proximity can be a super-spreader event and must be avoided. Again, appropriately masked and spaced slow dancing and singing is doable – depending on each facility's physical constraints and crowds. Maybe this year we celebrate and demonstrate our love of Torah with a special shiur from the Rav, with the congregation masked and distanced instead of dancing wildly.

#### The Mitzvah of Daled Minim

#### The Meaning of the Daled Minim

One of the beloved mitzvot of the month of *Tishrei* season is that of the *daled minim*, the four species that the Torah commanded us to take on Sukkos. The *daled minim*, are a sign of thanksgiving to Hashem as well as a symbol in the teshuva process. At the time of our happiness we are commanded to take the *daled minim*, whose beauty naturally inspires joy, to attribute that happiness to Hashem. On the other hand, the *lulav* resembles a spear that we have emerged victorious in battle against the claims of the prosecutors on Yom Kippur. Lastly, the variety in the *daled minim*, some having taste and smell while others have neither, epitomizes the unity of the Jewish nation.<sup>1</sup>

#### Women

Women are exempt from taking the *daled minim* because it is a time-bound positive mitzvah. Ashkenazic women are permitted and encouraged to perform the mitzvah with a *bracha*.<sup>2</sup>

Although some say that women shouldn't do the shaking of the lulav in the six directions, most *poskim* disagree and hold that woman may and should shake the lulav in all of the directions.<sup>3</sup>

#### Children

The obligation for training (*chinuch*) children begins at the age when they can shake the *lulav* on their own. When a child reaches that age, his father has an obligation to buy him a kosher set of *daled minim* that will be his own.<sup>4</sup> This year the first day falls out on Shabbos and so technically it isn't necessary to buy a child his own since it is possible to give his set to the child after fulfilling his obligation on the second day. Nonetheless, ideally the father should buy one for his child so that he could shake it during the *hallel* when the congregation is reciting it.<sup>5</sup> One who follows the minhag to just let the child one's child borrow his *lulav* has what to rely upon.<sup>6</sup>

### **How to Arrange the Daled Minim**

#### Arrangement

The minhag is to place the *hadasim* to the right of the *lu-lav* and the *aravos* to the left. This is also true for a lefty. The *hadasim* should be tied so that the *hadasim* are higher than the *aravot*. The spine of the *lu-lav* should be facing towards the person shaking it.

#### **Tying the Minim**

There is a mitzvah to tie up the *daled minim* together. The minhag is to use the woven holder (*keishikel*) made of *lulav* leaves that has holes for

the three minim, in addition to the three ties. <sup>10</sup> If one forgot to tie the three minim before Yom Tov it is permitted to bind them with a pre-made *lulav* ring. However, it is forbidden to tie a *lulav* ring on Yom Tov. <sup>11</sup> If one doesn't have any pre-made *lulav* rings or the woven holder one should wrap them up with a string and tuck in the end of the string at the end. <sup>12</sup>

<sup>1</sup> Vayikra Rabba 30:2, 12, Sefer Hachinuch n. 324

<sup>2</sup> Bikurei Yakov 657:5

<sup>3</sup> Teshuvot Vehanhagot 1:385 unlike Ben Ish Chai in Rav Pealim 1:12.

<sup>4</sup> Shulchan Aruch 657:1, Mishna Brurah 657:1, Biur Halacha, Igrot Moshe OC 3:95

<sup>5</sup> Mishna Brurah 657:4

<sup>6</sup> Halichot Shlomo 11:11

<sup>7</sup> Mishna Brurah 651:12

<sup>8</sup> Rama 651:1

<sup>9</sup> Mishna Brurah 651:47

<sup>10</sup> Mishna Brurah 651:8. Rav Hershel Schachter (oral communication) reported that Rav Soloveitchik's practice was to tie a double knot and not use the keishikel because of a concern that the keishikel was not a proper binding since it is pre-made, taseh vlo min haasuy. See Nefesh Harav p. 217.

<sup>11</sup> Bikurei Yakov 651:8, Piskei Teshuvot 651:3

<sup>12</sup> Rama 651:1

#### **Holding the Daled Minim**

The *lulav*, *hadasim*, and *aravos* are bound up and held in the right hand, while the *Esrog* is not tied together and held in the left hand.<sup>13</sup> A lefty should switch and hold the *lulav* in his left hand and *esrog* in his right.<sup>14</sup> Based on Kabbalah it is proper to hold the *daled minim* 

13 Shulchan Aruch 651:2

14 Rama 651:3

touching one another with one's two hands together.<sup>15</sup>

A person should make sure that he is holding the *daled minim* directly without anything in between his hands and the *daled minim*. Therefore, it is important to remove one's ring before shaking the lulay. One can leave on a bandage that can't be removed.<sup>16</sup>

15 Shulchan Aruch 651:11

16 Mishna Brurah 651:37, Halichot Shlomo p. 224

#### How to Take the Lulav and Recite the Bracha

## Seize the Moment: Get the Bracha in Before the Mitzvah

On the first day of Sukkos prior to shaking the *lulav*, we recite the *bracha* of the *lulav* and add *shehechiyanu*. On the remaining days we don't say *shehechiyanu* unless the first day was Shabbos like this year, in which case we would say it on the second day.<sup>17</sup>

Since we are supposed to make the *bracha* before doing the mitzva (*over liasiyatan*) and since we fulfill the mitzva of *daled minim* by simply lifting them together, it is preferable to follow one of these methods:

- 1. The minhag is to take the *lulav* in one's right hand, and *esrog* in one's left hand while the *esrog* is upside down. After reciting the *bracha*, one should flip the *esrog* and shake all four together.
- 2. Alternatively, one could take the *lulav*, *hadasim*, and *aravot* in one's right hand, leave the *esrog* on the table out of the box. After reciting the *bracha*, one would lift the *esrog* and shake all four together.
- 3. Take the *lulav* and *esrog* in their upright positions and have in mind not to fulfill the mitzvah until one made the *bracha*. After the fact if one took all four species before making the *bracha*, one may still make the *bracha* as long as one didn't shake it yet. 19

#### Shaking the Lulav

Ideally, the *bracha* and mitzvah of holding and shaking the *lulav* should be done while standing.<sup>20</sup>

Ashkenazim shake the *lulav* in the order of east, south, west, north, up, and then down. Face forward and shake clockwise. One does not have to turn one's body



to face that direction.<sup>21</sup>

Chasidim and those of Chasidic descent follow the order of the Arizal to shake in the order of south, north, east, up, down, west.<sup>22</sup> If in the same shul there is a mix of *minhagim*, many *poskim* recommend that everyone follow the *minhag* of the shul to avoid *lo titgodedu*, not deviating from a communal practice.<sup>23</sup> Some *poskim* aren't as concerned

- 20 Mahari Vayil 191, Lehorot Natan 11:69
- 21 Mishna Brurah 651:37, 47
- 22 Bear Heitiv 651:20
- 23 Orchot Rabbenu 3:91. Rav Hershel Schachter (oral communication) said that it is an issue if there's a clear minhag in the shul.

<sup>17</sup> Shulchan Aruch 662:1-2

<sup>18</sup> Shulchan Aruch 651:6. Rav Shlomo Zalman Auerbach's (Halichot Shlomo 11:18) practice was like the first option. Rav Moshe Soloveitchik and his father, Rav Chaim Soloveitchik, followed the second option (Reshimot Sukkah 39a). Gra preferred the third option (Mishna Brurah 651:25).

<sup>19</sup> Mishna Brurah 651:27

for lo titgodedu in this scenario.<sup>24</sup>



One should refrain from shaking while mentioning the name of Hashem lest he become distracted while saying His name.<sup>25</sup>

#### **Benching Lulav in the Sukkah**

Based on Kabbalah, some have the minhag to shake

the *lulav* with the *bracha* in the sukkah before going to shul. Others prefer that the *bracha* be made right before the *hallel* so that there isn't an interruption between the *bracha* and the shaking the *lulav* in the *hallel*, one of the primary mitzvot of the *lulav*. Alternatively, some argue that based on the principle of *tadir kodem*, giving precedence to the common mitzvah, one must daven Shacharit before shaking the *lulav*. Therefore, many do not shake the *lulav* in the sukkah. In some communities they try to accommodate both concerns and take a break before *hallel* for people to shake the *lulav* in the sukkah and return.

## Acquiring and Discarding the Daled Minim

#### **Borrowing the Daled Minim**

As Rabbi Dr. Aaron Glatt noted in order to ensure safety this year, anytime one must borrow a *lulav* and *esrog* from someone outside their family unit they should wash their hands before and after shaking the *lulav* and *esrog*.

One may borrow a *lulav* and *esrog* without asking permission. Since it is a *mitzvah* and the risk of damage is low, we can assume that the owner would allow it. However, if one knows that the owner is meticulous about his, or circumstances dictate that he probably is such as if it is meticulously wrapped or put away in a private locker, one should not use it without permission. This refers to the later days of Sukkos. However, on the first two days one does not fulfill his obligation with a borrowed *lulav*, even if it is with permission.<sup>30</sup> One can "borrow" a *lulav* to fulfill the mitzvah on the first two days if the person gives it as a gift on condi-

30Rama  $649{:}5,$  Shulchan Aruch  $649{:}2,$  Halachos of Other People's Money p. 67

tion that it be returned. Even if the lender specifies that it should be a gift, it can be assumed that it was given with thes intention that it is a gift so that the borrower can fulfill the mitzvah.<sup>31</sup>

#### **Discarding the Daled Minim**

The *daled minim* don't retain their holiness after Sukkos and can be thrown out within a separate bag or a clean gdaledge, but it still should not be treated disrespectfully by being thrown into the gdaledge with everything else.<sup>32</sup> Some have the minhag to save the *lulav* to burn it with the chametz before Pesach.<sup>33</sup>

#### Is it Better to Check Oneself for Quality Daled Minim or Buy the Pre-Inspected Ones?

While it is praiseworthy to learn the laws of the

- 31 Shulchan Aruch 658:3-5
- 32 Mishna Brurah 21:6-7
- 33 Rama 664:9

<sup>24</sup> Aruch Hashulchan 651:22 25 Mishna Brurah 651:37

<sup>26</sup> Mishna Brurah 652:4. This was the practice of Rav Chaim Volozhin (Keter Rosh 109) and Rav Shlomo Zalman Auerbach (Halichot Shlomo ch. 11 fnt. 73).

<sup>27</sup> Nefesh Harav p. 217, Rav Tzvi Pesach Frank in Mikraei Kodesh 2:16

<sup>28</sup> Igrot Moshe OC 4:99. Teshuvot Vehanagot 5:216 notes that this was the practice of the Rav Velve Soloveitchik.

<sup>29</sup> Rav Soloveitchik's practice (oral report from Rav Hershel Schachter)

daled minim and pick them out oneself to ensure that they are top quality and look nice, it is perfectly acceptable to buy a package of hadasim or any of the daled minim that were already inspected by rabbinic authorities. On the one hand, selecting the daled minim oneself enables more personal involvement and inspires learning the halachos. Addition-

ally, certain aspects of the beauty of the *daled minim* depends on personal preferences. However, due to the intricacies of the laws it is preferable to rely on the pre-inspected and get a more preferable result.<sup>34</sup> This year in particular for safety Rabbi Glatt is recommending buying a set that is pre-examined and not go-

34 Rav Chaim Jachter (Parshat Ki Tavo Vol.13 Num. 2)

#### Lulav

ing to the daled minim stores.

#### **Authentic**

One should buy a *lulav* with a hechsher in order to be sure that it came from a date palm tree and not a Canary palm. <sup>35</sup>

#### Bent Lulav

Ideally, one should have a completely straight *lulav*. If the spine of the *lulav* is bent it is still acceptable unless it is as bent as a sickle. One should avoid using a *lulav* 

where most of the top leaves are bent like a reed. <sup>36</sup>

#### **Middle Leaf Split**

If most of the middle leaf is split the *lulav* is invalid.<sup>37</sup> It is preferable to get a *lulav* that is completely closed.<sup>38</sup>

35 Rav Moshe Feinstein (Igrot Moshe O.C. 4:123) invalidates it, while Rav Shlomo Zalman Auerbach (cited in Halichot Shlomo 10:9), allows it. Rav Hershel Schachter ("<u>Halachos of Daled Minim</u>," min. 15) favors the former approach.

36 Shulchan Aruch 645:8-9. Mishna Brurah 645:40 37 Mishna Brurah 6454:16. Rav Shlomo Zalman Auerbach (Halichot Shlomo 10:1) allows a double tiyomet, where there are two equally tallest leaves. The Maamar Mordechai 645:4 writes that one should not check the middle leaf too forcefully, as it may split in the process; if it does not look split upon glancing at it, it

38 Rama 645:3 writes that it is preferable to get a lulav that is completely closed. Mishna Brurah 645:16 cites the Gra that one doesn't need to be strict at all if only the minority of the middle

## **Leaves Separated from Spine**

The *lulav* must have leaves that cover the spine.<sup>39</sup> It is preferable to buy a *lulav* with leaves that are not separated from the spine. If the leaves are somewhat separated from the spine the *lulav* is acceptable as long as the leaves are not drooping downwards.<sup>40</sup>



#### Length

The *lulav's* spine must be at least 4 *tefachim* (14.2 inches).<sup>41</sup>

leaf is split.

39 Shulchan Aruch 645:4. After the fact, see Beiur Halacha 645:1 s.v. v'adayin Chazon Ish 146:21.

40 Rama 645:1, Mishna Brurah 645:3

41 Rama 650:1. The length of the etzbah is a great dispute: Rav Avraham Chaim Na'eh holds it is 0.8 inches, Rav Moshe Feinstein holds it is 0.9 inches, and the Chazon Ish holds it is 1 inch. Generally, Rav Hershel Schachter uses the measurements of Rav Moshe.

#### **Esrog**

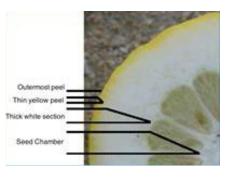
#### **Qualities**

Ideal qualities to look for in an *esrog* include: bumpy, symmetrical, thick on bottom and thin on top<sup>42</sup> and not spherical<sup>43</sup> or cylindrical.<sup>44</sup>

Besides for the qualities that the *poskim* specified, the niceness of an *esrog* includes its subjective beauty. 45

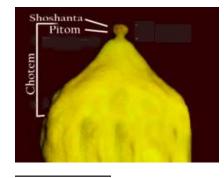
#### Hole

A hole of any size invalidates the *es-rog*. Many *poskim* hold that it is not an issue if only a piece of the outermost peel is removed, while



some say that it is acceptable even if a piece of the thin yellow peel is removed.<sup>46</sup>

#### **Pitom Fell Off**



If the *pitom* falls off or the stem on the bottom of the *esrog* is completely removed, the *esrog* is invalid on the first two days. If just the *shoshanta*, the

- 42 Tiferet Yisrael (Mishnayot Sukka 3:6)
- 43 Shulchan Aruch 648:18
- 44 Kaf Hachaim 648:113
- 45 Rabbi Mordechai Willig (quoted by Rabbi Eliakim Koenigsberg "<u>A Practical Guide to Purchasing Daled Minim</u>". min. 44-6) would ask his wife to pick the nicest-looking esrog from amongst the valid esrogim.
- 46 Shulchan Aruch 648:2, Mishna Brurah 648:24 is lenient only if part of the outermost peel is removed. Chazon Ish 147:1 is lenient even if some of the think yellow peel. The Rama is lenient if a hole was made while the esrog was growing but the flesh and peel subsequently grew over it.

flower-shaped protrusion off the stem on top, falls off it is better not to use it if one has another option.<sup>47</sup> An *esrog* that grew without a *pitom* is perfectly kosher.<sup>48</sup> Starting *Chol Hamoed* if just the *shoshanta* or even the *pitom* fell off and the body of the *esrog* is intact it is valid unless a better option is available.<sup>49</sup>

#### **Black Dot**

Some *poskim* invalidate an *esrog* that has black dots found on the part that begins to slope towards the top (*chotam*), while others deem it valid.<sup>50</sup>

#### Green

An *esrog* that is completely green is invalid. If, however, if it started to become yellow, it is valid.<sup>51</sup>

#### Size

An esrog must be at least the size of an egg.52

#### **Grafted**

It is important to buy an *esrog* that has a reliable *hechsher* to ensure that it is not grafted.<sup>53</sup>

<sup>47</sup> Shulchan Aruch and 648:7-8, Mishna Brurah 648:31

<sup>48</sup> Rama 648:7, Mishna Brurah 648:32

<sup>49</sup> Mishna Brurah 648:30-1, 649:36

<sup>50</sup> Shulchan Aruch 648:12 invalidates an esrog with a discoloration of any size on the chotam, the area of where the esrog begins to slope to the top. Therefore, Halachos of the Four Species (p. 22) writes that a black dot on the upper part of the esrog invalidates it. Rabbi Zvi Sobolofsky ("The Laws of the Daled Minim," min 4-5), however, explained that most of the esrogim we have do not have any issue with discoloration; the little black dots are just specks of dirt. Similarly, Rabbi Eliakim Koenigsberg ("A Practical Guide to Purchasing Daled Minim," min. 32-3) quotes Rav Hershel Schachter as saying that black dots invalidate the esrog only if they develop because of rotting, which is not usually the case.

<sup>51</sup> Shulchan Aruch 648:21. Rabbi Hershel Schachter ("<u>The Halachos of the Daled Minim</u>," min. 33-5) cited the Mishkenot Yaakov's opinion that the esrog is invalid even if it started to yellow.

<sup>52</sup> Shulchan Aruch 648:22

<sup>53</sup> Rama (Responsa 226), Mishna Brurah 648:65

#### **Hadasim**

#### Size

One should use three *hadasim* for the mitzvah. Each *hadas* should be at least 3 *tefachim* (10.7 inches) in length.<sup>54</sup>

#### **Three Per Row**

leaves (meshulashim) spanning the length of the branch. One can check whether the leaves are aligned with three in each row at arm's length. Even if they the leaves in a row aren't at the same exact same height it

The hadas should have rows of three

54 Shulchan Aruch 650:1, 651:1

55 The Gemara understands that the Torah's description of *hadas* demands that it have rows of three leaves (*meshulashim*). The Gemara Sukkah 32b considers a *hadas* with rows of two leaves and one leaf on top to be an abnormal *hadas* (*hadas shoteh*).

is acceptable.55

Rav Shlomo Zalman Auerbach (Halichot Shlomo p. 198) rules that the determining factor for *meshulashim* is the location of the stems of the leaves. Additionally, he explains that a row of leaves is considered *meshulash* if the three stems are in proximity such that it would be possible to draw a horizontal circumference of the branch that would intersect with all three stems (see diagram above). Rav Yigal Ariel (Techumin 11:177) understands that it is enough if the leaves are roughly in rows of three and do not blatantly deviate from rows. Rav Chaim Jachter (Parshat Ki Tavo Vol.13 Num. 2) notes that the common practice of some gedolim was to analyze the *hadas* at arm's length to make this determination.

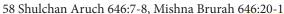
#### **Leaves Fell Off**

If leaves fell off such that rows of three leaves cover only 1.6 *tefachim* (5.3 inches) of the branch, the *hadas* is acceptable.<sup>56</sup> In an extenuating circumstance if only two leaves remain in each row for a majority of the *hadas* it is nonetheless kosher.<sup>57</sup>

#### **Leaves Dried**

If the leaves become dry to the point where they easily wither away when one presses a fingernail to them and they lose their green color, the *hadas* is invalid. If, however, three moist green leaves in a row at the top of the *hadas* remain, the *hadas* is still valid.<sup>58</sup>

<sup>57</sup> Mishna Brurah 646:18





<sup>56</sup> Shulchan Aruch 646:5 rules that one ideally should have the leaves be in rows of three for the entire length of the *hadas*; nevertheless, one fulfills his obligation if the leaves are in rows of three for the majority of the branch. Mishna Brurah 646:18 states that this majority refers to a majority of the minimum size of a *hadas* branch. Thus, since the *hadas* should be 12 etzbaot, a majority would only require no more than 6 etzbaot, even if the *hadas* is larger than its necessary 12 etzbaot.

#### Length

One should use two *aravos* branches for the mitzvah. Each *aravah* should be at least 3 *tefachim* in length.<sup>50</sup>

#### **Qualities**

The leaves of the *aravah* should preferably be long and narrow with smooth edges. If the edges of the leaves have small serrations, the *aravah* is nonetheless valid. If, however, the stem is white, the leaves are rounded, or the edges of the leaves have large serrations, the *aravah* is invalid.<sup>59</sup>

#### **Leaves Dried**

If most of the leaves of an *aravah* dried out to the extent that they lost their green color, the *aravah* is invalid. If, however, the leaves only withered and did not completely dry out, the *aravah* may still be used.<sup>60</sup>

#### **Leaves Fell Off**

If the majority of the leaves fall off the *aravah* within the 3 minimum *tefachim* it is invalid.<sup>61</sup>

#### **Grew Near Water**

Although most *aravos* grow by the water, an *aravah* is valid no matter where it grew. Some say that it is preferable to use *aravos* that grew by a river, whereas others say that there is no such preference.<sup>62</sup>

#### **Case to Ponder**

In a certain out of town community, there was a family whose grandfather would visit every year and purchase the *daled minim* for each member of the family. The issue was that although the grandfather was observant, he was not familiar with the complexities of the *halachos* of the *daled minim* and bought them himself not through a shul. The question was whether the grandchildren were obligated to check the *daled minim*. If the grandchildren would be discovered checking the *daled minim* and certainly if the *daled minim* were found to be invalid, a huge fight would erupt. Rav Dovid Cohen of Gvul Yavetz in Brooklyn answered that to avoid any familial discord it wasn't necessary considering that the majority of *daled minim* sold are kosher.<sup>63</sup>

<sup>62</sup> Shulchan Aruch 647:1, Mishna Brurah 647:3



63 Rabbi Chaim Jachter

<sup>59</sup> Shulchan Aruch 647:1, Mishna Brurah 647:2, Aruch Hashulchan 647:4

<sup>60</sup> Shulchan Aruch 647:2, Mishna Brurah 647:7, Shaar Hatziyun 647:6

<sup>61</sup> Shulchan Aruch 647:2, Mishna Brurah 647:9

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