



Parshas Bamidbar 5770

May 14, '10
Volume IX Issue 17

May one smell a myrtle branch (*hadas*) that is attached to the ground on Shabbos?

One may smell a rose or a *hadas* on Shabbos even though the stalk or shoot is attached or planted in the ground.¹ A *b'racha* must be made when smelling such plants, see your siddur for the correct *b'racha*. The same applies to *hadasim* or roses placed in a vase on the table.

What about smelling a red, rosy apple attached to the tree?

Chazal differentiated between smelling edible fruit and fragrant plants. Plainly there ought not to be a difference between the two. However, *Chazal* were concerned that were one permitted to smell an edible fruit on Shabbos one might easily pick the fruit to eat it and transgress an *issur d'oraisso* of "picking" on Shabbos. Although there is also room for concern that one might pick a fragrant plant when smelling it on Shabbos, but since one can benefit from the plant when it is attached and smell it without picking it, *Chazal* were not concerned that one would pick it on Shabbos.

One may smell a detached apple or etrog on Shabbos; only one should make the *b'racha* "הנותן הריח טוב בפירות".

What about smelling the *hadasim* on *Sukkos* that are used for the mitzvah of netilas lulav?

We've missed the boat this year, but the *halacha* is that on *Sukkos* one may **not** smell the

hadasim that are being used with the *lulav*.² The reason is because *hadasim* are usually designated as fragrant and when used for the mitzvah of *lulav* one designates it for the mitzvah and disassociates it from its regular use.³

The Etrog, on the other hand, is not usually designated as fragrant, being that it is an edible fruit. As such one disassociates it from its regular use, i.e. eating and designates it for the mitzvah, but it is not 'removed' from smelling because it is not intended for smelling. However, the *Shulchan Aruch* says that one should not smell an Etrog on *Sukkos* because there is a dispute as to the correct *b'racha* made when smelling it on *Sukkos*.⁴

Is one permitted to make the *b'racha* over the blossoming of the trees on Shabbos?

It is customary around the month of Nissan to praise *Hashem* with the recital of the *b'racha* of tree blossoming. The *Kaf haChaim*⁵ writes that one should refrain from the recital of this *b'racha* on Shabbos lest one handles a tree or lest one picks from the tree. The question is that we learned that when one merely wishes to smell a branch etc. *Chazal* were not concerned that one will pick the branch. The same logic should apply here as well. Here too one does not smell a fruit and it should be permitted to recite this *b'racha*. For a valid *p'sak* one should refer to a rav.

² *Simon* 653.

³ *M"B* *simon* 653:1.

⁴ See the *M"B* 653:3 who brings one opinion who holds that one must only refrain from smelling the etrog while fulfilling the mitzvah and another opinion who holds that one should refrain from smelling the etrog for the entire *Sukkos*.

⁵ *Kaf haChaim* *Simon* 226:4.

¹ As for handling the flower or plant, see the *M"B* 336:48 and the *SS"K* 26:22.

May one make a picnic lunch in one's garden on Shabbos?

Several problems exist when making a picnic and one must be aware of them. Firstly, one may not wash one's hands over the grass because watering grass on Shabbos is an *issur d'oraisso* of *Zore'ah*. One may argue and say "I am not watering the grass, I am merely washing my hands and *by the way* the grass is being watered". It is a semi-valid argument, and we will explain. We have often mentioned the concept of *p'sik reisha*, which refers to a *melacha* being done by-the-way. The *halacha* is that a *p'sik reisha d'nicha lei*, i.e. one is content and happy with the outcome of the *melacha* done by-the-way, is also a *melacha d'oraisso* and transgressing it on Shabbos is akin to doing a direct *melacha*. Accordingly therefore, washing one's hands over one's own grass, although it is only a *p'sik reisha* and not a direct *melacha*, since one is pleased that one's own grass is watered it is an *issur d'oraisso*.

Would it make a difference if it was not in my own lawn?

It surely would make a difference because you are indifferent as to the outcome of the washing. This kind of action is classified as *p'sik reisha d'lo nicha lei* or *lo ichpas lei*, which means a *p'sik reisha* that one does **not want** the outcome or one is **indifferent** to the outcome. The *halacha* in this case is a *machlokes* as to whether it is prohibited or not. The *Mishna Berura*⁶ says that many *poskim* are of the opinion that it is prohibited.

This case would only hold true in a stranger's garden or in a forest, but in your close friend's garden, since you have his interests at heart, watering his garden would please you as well and it would be called *nicha lei*.⁷

It is unclear whether washing hands in a **public park** is called *nicha lei*, where on the one hand you are not responsible for watering the grass but on the other hand you are extremely pleased when the grass in your local park grows nicely. (It is anyway prohibited on account of *lo nicha lei*).

⁶ M"B Simon 336:27.

⁷ M"B ibid.

There are the obvious problems of carrying when there is no *eiruv* when making a picnic out of one's own garden.

Are there any other problems making a picnic?

The *Rama* says⁸ that it is nearly impossible not to spill liquid when eating and therefore it is correct to be stringent and not have a picnic in one's garden on Shabbos. If one takes care though to wash hands and drink indoors it is no problem.⁹

Is it permitted to transfer a vase of flowers from the table to the sideboard?

It is accepted that flowers in a vase are not *muktzeh* on Shabbos and Yom Tov and thus the vase they are in is not *muktzeh* either.¹⁰ Accordingly one may transfer the vase from one's table and put it on the sideboard.

Orchos Chaim LaRosh

והסכם באמרך "את ד' אלקיך בכל לבבך וגו'" – Have conviction when you recite "with all your heart" to surrender your life and possessions for His holiness.

How is it possible for flesh and blood to surrender one's life for something intangible? Was it possible that in olden time, when people often lived in dire poverty and life was not much that it was easier to be *moser nefesh*?

The answer is that it depends on how one sees this world. It is an attitude. If one knows that one has a purpose to fulfill and use whatever there is in this world to further that cause, one is not so attached and dependent, but if this world is an end and not merely a means, it is very hard to surrender everything for something of "lesser" importance. We must try to focus on our *raison d'être* and love Torah and *Hashem* more than *olam hazeh*.

⁸ Simon 336:3.

⁹ The *Rama* says that it is correct... when water is drunk as part of the meal.

¹⁰ S"K 26:25.

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Note: The purpose of this series is intended solely for the clarification of the topics discussed and not to render halachic decisions. It is intended to heighten everyone's awareness of important practical questions which do arise on this topic. One must consult with a proper halachic authority in order to receive p'sak.