The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן ל"ט סעיף ח'-י'

Overview

Siman 39 Seif 8:

***Tefillin* should only be purchased from someone who is an expert in which letters should be left out and which letters should be added.**

- One should not purchase *tefillin* from someone who is not an expert even if he intends to examine them since he may become lazy, not wanting to open and then sew them closed again. (M.B. 19)
- Someone who is an established scribe for the public is assumed to be an expert. (M.B. 19)
- It is permitted to purchase *mezuzos* and *parshiyos* for *tefillin* from someone who is not an expert as long as one intends to examine them. (M.B. 19)

Siman 39 Seif 9:

***Tefillin* purchased from someone who is not an expert must be examined. If one purchased a hundred *batim* he must check three of them, either two *shel roshs* and one *shel yad* or vice versa. If they are valid this person has established a reputation of reliability and the others do not have to be examined. If the *tefillin* were in separate bundles it is assumed that each bundle was written by a different scribe, therefore, three *batim* from each bundle must be examined in the manner described. If a *tefillin* seller claims that the *tefillin* belonged to a distinguished person he is believed and the *tefillin* do not have to be examined.**

- Claiming that the *tefillin* were purchased from someone who is an expert is the same as the claim that they belonged to a distinguished person. (M.B. 23)
- The person who makes this claim must be trustworthy and if we saw the seller wear them he is believed that they are valid since he would not wear invalid *tefillin*. (M.B. 24)

Siman 39 Seif 10:

***Tefillin* that have a presumption of validity do not have to ever be examined but if they are worn only occasionally they should be examined twice every seven years.** If there is no one who can examine them and close up the *tefillin* again they may be worn without reciting the *beracha*.

- As long as the outside of the *tefillin* are intact they are assumed to be valid but it is still appropriate to examine them since they could become damaged from perspiration. (M.B. 26)
- If the outside of the *tefillin* rips or if they fall in water they must be immediately examined and when they must be examined but there is no one to examine them they should be worn without reciting the *beracha*. (M.B. 26)
- We are concerned that the *tefillin* may have rotted; therefore they should be examined twice every seven years. (M.B. 27)
- Chaye Adam implies that in the case of Rema one is required to recite the *beracha*. (M.B. 28)
- One who finds *tefillin* in *genizah* without *retzuos* and opened are assumed to be invalid but if it looks as though they were placed there intentionally there is no reason to be concerned that they are invalid. (M.B. 28)

Stories to Share

Checking Tefillin

מ"ב ס' ל"ט, ס"ק כ"ו: "ומ"מ נכון לבדקן מפני שנתקלקלין נפני הזיעה..."

We find on today's amud that it is worthwhile to check tefilin that are worn each day since they can sometimes be ruined through too much exposure to sweat. But when people would ask Rav Shlomo Zalman Auerbach if they should check the tefillin that they wear every day he would advise against this. "Today's tefillin are of much better quality than they used to be. It almost never happens that mehudar tefillin get ruined because of exposure to regular wearing. On the contrary, most cases of mehudar tefilin are only found to be bad the second time they are checked. Once they are opened and exposed to the air, they tend to go bad."

הליכות שלמה, ע' נ"ט

But sometimes it is important to check nevertheless.

A certain person checked his tefillin in accordance with the halachah on today's amud. To his horror, he found that the tefillin he had worn for many years had been invalid. Obviously, he wanted to rectify this blemish, but wondered how to go about this. When he asked Rav Shlomo Zalman Auerbach for a tikun hanefesh, he received practical guidance. "From now on, make sure to wear your tefillin for a longer period each day. I also suggest that you wear them for part of the time that you learn in kollel. If wearing tefillin in public makes you feel self-conscious, at least wear the arm tefillin for as long as you can while you learn."

הליכות שלמה, ע' נ"ט, ארחות הלכה, אות 115

Halacha Highlight

Examining one's *tefillin*

Shulchan Aruch Siman 39 Seif 10

תפלין שהחזקו בכשרות אינם צריכים בדיקה לעולם

Tefillin that have a presumption that they are valid need not ever be examined

The Gemara Menachos (42b) mentions that one could examine *tefillin* to determine whether there are extra or missing letters. Tosafos (תוס' ד"ה תפילין) quotes a Mechilta that cites Bais Hillel who derives from a *gezeirah shavah* using the word ימימה that *tefillin* must be examined every twelve months. Bais Shammai, however, disagrees and asserts that *tefillin* do not have to be examined. Yerushalmi also cites a disagreement whether *tefillin* must be examined. Tosafos rules in favor of those opinions that maintain that one is not required to examine his *tefillin*. Shimusha Rabba rules that *tefillin* must be examined but only twice in seven years. The purpose of this examination is not to see if there are extra or missing letters; rather the purpose of the examination is to make sure that nothing wore out and thus became invalidated.

Shulchan Aruch (שו"ע או"ח סי' ל"ט סע' י) rules like Tosafos that *tefillin* that have a presumption that they are valid do not have to be examined. Knesses Hagedolah (כנסת הגדולה שם הגב"י), however, writes that he has examined many pairs of *tefillin* that were discovered to be invalid primarily because of perspiration that gets into the *tefillin* and causes damage to the letters. Therefore, he advises having one's *tefillin* examined and Mishnah Berurah (מ"ב שם ס"ק ל"ט) cites this ruling.

Sefer Shulchan HaTahor (שלחן הטהור (קאמרנא) סי' ל"ט סע' ב') writes that nowadays that we do not wear our *tefillin* all day our *tefillin* have the status of *tefillin* that are worn only occasionally and must be examined twice every seven years. Rav Shlomo Zalman Auerbach (הליכות שלמה תפילה פ"ד סע' ל"ו) had a different perspective on this matter. He noted that the custom nowadays is that people do not have their *tefillin* examined unless they have a specific reason to be suspicious that they may be invalid. His reasoning is that our *tefillin* are made of high quality and thick leather which makes it unlikely that they would become damaged over the course of time or from perspiration. Furthermore, opening and closing the *tefillin* could be the cause for the *tefillin* to become invalidated and therefore we rely upon the presumption that they remain valid.