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Digest
Mishna Berura
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סימן ר"ג סעיף א'-ב'

Halacha Highlight

Defining a tree

Rema Siman 203 Seif 2
דלא מקרי עץ אלא שמוציא עליו מעצו
It is not called a tree unless the leaves emerge from the wood

Rema (סעי' ב') offers the defining characteristics of a tree. He writes that a tree by definition produces leaves from the branches of the tree. The beracha recited on fruit that grows on such a tree is העץ. If the leaves emerge from roots and the branches die and fall off during the winter, it is not a tree and the correct beracha on the fruit that grows on such a "tree" is האדמה. Sefer Piskei Teshuvos (אות ג) further elaborates on the defining characteristics and presents the following guidelines:

1. If a plant must be replanted each year with new seeds, it is not a tree and the correct beracha is האדמה.
2. If the root remains intact underground but the trunk and branches grow again out of that root the correct beracha is האדמה.
3. If the roots are visible above the ground but the trunk and branches grow from that root the correct beracha is האדמה but b'dieved if one recited העץ he has fulfilled his obligation.
4. If the trunk remains year after year but the branches fall off in the winter and then regrow in the spring, e.g. papaya, the correct beracha is האדמה but if one recited העץ he has fulfilled his obligation.
5. If the branches also remain year after year according to all opinions it is a tree and the correct beracha is העץ.

If a tree is no taller than three tefachim it would seem that one should recite העץ since the size of the tree is not a factor in the definition of a tree, but Mishnah Berurah (סק"ג) mentions that the custom is to recite האדמה. He suggests as the justification that the fruit are not significant enough to warrant the special beracha of העץ.

Overview

Siman 203 Seif 1:

On fruit that grows from the ground one recites בורא פרי האדמה.

Siman 203 Seif 2:

On berries that grow from a bush one recites בורא פרי האדמה. Something is considered a tree when it produces leaves from the branches but when the leaves are produced from the roots it is not considered a tree. Since the branches of berry bushes die altogether during the winter months and then grow again from the roots, the beracha is בורא פרי האדמה.

- Shulchan Aruch refers to mulberries and raspberries. Concerning berries that grow on trees that exist from year to year one recites בורא פרי העץ. (M.B. 1)
- As long as the leaves grow from the branch the fruit is considered the fruit of a tree even if the "tree" is a thin stem. (M.B. 2)
- On blackberries and ערפער"ט Magen Avrohom and Elya Rabba maintain one recites בורא פרי העץ. On strawberries that grow in the forest one recites האדמה but b'dieved if one recited העץ he should eat a little so that the beracha should not have been recited in vain. Fruit that grows on trees that are smaller than three tefachim one should recite העץ but the common custom is to recite האדמה. Fruit that one sucks out the juice and then throws away the peel there is a dispute whether one should recite האדמה or שהכל. (M.B. 3)