The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן שס״ח סעיף א׳-ב׳

Overview

Siman 368 Seif 1:

If an *eruv* was made and it became ruined and a member of the yard wants to rectify the situation and he takes the same type of food originally used he does not have to inform anyone and may even make the *eruv* with their food. If he will use another food and the first food no longer exists, he must inform them if he will use their food but if he will use his own food he does not have to inform them. If the first food did not become completely diminished, even if he will use their food, he is not required to inform them.

- The *seif* refers to where the *eruv* was ruined before the first Shabbos because if it became ruined on Shabbos, the *eruv* remains valid for that Shabbos. Regarding the following Shabbos, if nothing remained they must make a new *eruv* and if a small amount remained no remedy is necessary. (M.B. 1)
- It is assumed that everyone would agree to use the same food. (M.B. 2)
- Once the first food is gone they are making a new *eruv*. Ma'amar Mordechai maintains that this is true for a house that opens to two yards so we don't know which yard he prefers but if it opens to one yard it is to his benefit and it is not necessary to consult with them. (M.B. 4)

Siman 368 Seif 2:

If new residents move into the yard and the house opens to two yards they must be informed since they may not want to join the *eruv* in that yard.

- There is a disagreement whether the consent of the new residents is necessary even if one will use his own food. There is also a disagreement concerning the principle that we can make an *eruv chatzeiros* even without the consent of others. Some assert that this is true when the person making the *eruv* uses his own food while others contend that it is true even when using their food since an *eruv* is for their benefit. (M.B. 9)

Halacha Highlight

Replacing spoiled food

Shulchan Aruch Siman 368 Seif 1
ואחר כך נתקלקל הערוב
And afterwards the *eruv* spoiled

Shulchan Aruch (סע׳ א׳) discusses the consequence of an *eruv* that becomes spoiled and one of the residents of the yard seeks to replace the spoiled *eruv*. He rules that if he intends to replace the spoiled *eruv* with the same food it is not necessary to inform the other residents even if he will take their food to replace the spoiled food. However, if he will use other food and the original food spoiled entirely, he must inform them if he intends to use their food but if he will replace the spoiled food with his own, he need not inform them. Mishnah Berurah (סק״א) explains that Shulchan Aruch refers to where food was collected to make an *eruv* and before the first Shabbos the food spoiled. The reason Shulchan Aruch must be referring to such a case is that if the food spoiled after Shabbos began there is no need to replace the food. Even as far as the subsequent Shabbosos are concerned, although it is true that if the food was entirely spoiled it must be replaced but if some of it remains intact no further action is required.

Bach explains that the Mishnah (עירובין פ׃) that is the source of this *halacha* refers to where the food became spoiled after the first Shabbos. Although it is not necessary to add more food since *halacha* subscribes to the opinion that maintains that it is not necessary to maintain the original volume of food, nevertheless, if one wishes to replace the spoiled food he must follow the above stated rules. Chazon Ish (או״ח סי׳ ק״א סק״א) offers a third explanation of the case. The Mishnah refers to a case in which each resident gave the minimum amount necessary for the *eruv* to be valid but one person's food spoiled. In such a situation although it is necessary to replace the missing food, it is not necessary to inform that resident that his food spoiled and was replaced since the food that belongs to the others remains intact.