The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן שפ"ו סעיף ג'-ה'

Overview

Siman 386 Seif 3:

The laws of the *eruv* apply to the *shituf* including its volume, that one's wife could make it for him, they may make the *eruv* for him without his consent if his house does not open to another yard, a child may collect the food and one person may convey ownership to others (and if they are partners there is no need to make the *eruv*). If one formed a partnership with a neighbor in business, with one contributing wine and the other oil, there is no need for a *shituf* provided that the food is contained in a single utensil.

- As long as the foods are in a single utensil it is called a *shituf* even though it was not collected initially for that purpose. (M.B. 15)
- If the food is in two utensils, it is ineffective even if they both contribute the same food. Rema follows Tur's position but most *Poskim* disagree and maintain that since wine and oil do not mix well together, even if they are contained in a single utensil one may not make a *shituf* with it. (M.B. 16)

Siman 386 Seif 4:

A *shituf* could be made with different foods and even four or five different varieties of food combine for the volume of two meals.

- This is the volume necessary even for 1000 people. (M.B. 17)

Siman 386 Seif 5:

All foods can be used for the *shituf* except גדגדניות which hardened as a result of the seeds, dried beans, onion leaves that have not grown a *zeres* in length, truffles, mushrooms, כפניות lentil, wheat, barley, partially cooked vegetables, water or salt. If one combined water and salt it may be used for the *shituf*. Some maintain that one must add oil and others maintain that one must add spices.

- The stalks hardened like wood. (M.B. 18)
- The food must be edible in its current state. (M.B. 20)
- Gra disagrees and maintains that one can make an *eruv* with truffles and mushrooms. (M.B. 23)
- One may not make an *eruv* with rice, millet and legumes that are raw. Rashba rules that if they are roasted they may be used. (M.B. 25)
- Adding oil puts it in the category of food. We follow the first opinion. (M.B. 29)
- In a pressing circumstance one may rely on this opinion. There is a disagreement whether one may make an *eruv* with pepper and according to the opinion that permits it, the volume is half a *revi'is*. (M.B. 30)

Halacha Highlight

Using food and beverage for the *shituf*

Shulchan Aruch Siman 386 Seif 4

משתתפין בכל מיני מאכל

The *shituf* is made from any type of food

Shulchan Aruch (סעי' ד') writes that it is acceptable to make the *shituf* with different types of food and even four or five different types of food may be used to make the *shituf*, provided that altogether one has the volume of two meals. Once one has the volume of two meals, the *shituf* is valid even if one thousand people will be part of the *shituf*. Shulchan Aruch does not mention anything about using multiple beverages for making a *shituf*. Tosafos (עירובין ע"א. ד"ה יין) writes that it is also acceptable to combine different beverages to make a *shituf* provided that they are all contained within a single utensil. He adds that this is effective only when the beverages were combined with the intent to make the *eruv* (*shituf*). Biur Halacha (ד"ה לזה) however, cites Gaon Yaakov who maintains that only foods combine but not beverages and suggests that Tosafos was referring to making an *eruv techumin* rather than a *shituf*.

Rishonim debate whether it is preferred to make a *shituf* with wine or bread. Tosafos (עירובין ע"א. ד"ה משתתפין) implies that it is preferred to use wine than bread. The reason, the Mordechai explains (שם סי' תקי"ז) is that if the bread is used to make the *eruv* and wine is used to make the *shituf* one could easily discern which food serves which purpose. Rashi (ד"ה משתתפין), on the other hand, writes that wine may be used for the *shituf* and certainly one may use bread for the *shituf* since it is a more important food. Interestingly, Rambam (פ"א מהל' עירובין ה"ח) writes that a *shituf* may be made from bread or any other food. This implies that there is no advantage to bread over other foods and one may choose any food or beverage that is convenient.