The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן ת"ט סעיף ז'

Overview

Siman 409 Seif 7:

How does one make an *eruv*? If one wishes to walk to the end of the *techum* or within it and remain there until nightfall, he is fulfilling the *mitzvah* in the best manner. Even if he does not declare his residence there and instead remains there until dark and is silent, it does not matter whether he left his home to remain there until dark or whether he was travelling and it became dark, he acquires 2000 *amos* without a declaration. If he does not wish to remain there until dark he could walk to that location during the day and place food for two meals for each person there. If one is ill or hungry we calculate two average sized meals which contains the volume of six eggs (See above *siman* 368:3) **of bread or anything else that could be used to make a *shituf*. If it is an accompanying food, it is the amount that would be consumed in two meals. He must then declare, "With this *eruv* I will be permitted to walk 2000 *amos*." He may then return and sleep in his home and his *techum* is calculated from the location of his *eruv* since we look at it as though he resides there. Students who eat meals at hosts who live in the field but return to sleep in their teacher's home have their *techum* calculated from their teacher's home which is where they sleep and their primary residence since that is where they prefer to eat if there was enough food.**

- Meaning he must remain there all of *bein hashemashos* until it is dark. (M.B. 26)
- He may make an *eruv* with bread even *l'chatchila* but the primary enactment is to physically be there. (M.B. 28)
- One who leaves his home establishes residence there only when he intends to relocate his residence but if one is merely out of his home when Shabbos begins, his *techum* will be calculated from his home. One who is traveling acquires his residence in the place where he is as it turns dark, even if he is sleeping. (M.B. 29)
- What Shulchan Aruch means (after changing the wording slightly) is that for someone who is ill we calculate his two meals subjectively and the same is true concerning the elderly. (M.B. 30)
- The discussion of someone ravenous begins a new statement. (M.B. 31)
- Shulchan Aruch there cites authorities who maintain that it is the volume of 8 eggs and *l'chatchila* one should follow that opinion. (M.B. 33)
- One who vows not to benefit from bread may use it for the *eruv* since an *eruv* is made for a *mitzvah* which is not for our benefit. (M.B. 35)
- It is necessary to have food for two meals for each of the people who will utilize the *eruv* except for a child who is dependent on his mother. Some authorities recommend using vinegar since one would not require a large volume per person but others maintain that it would be necessary to put out a *revi'is* for each person. (M.B. 36)
- When making an *eruv* with bread the declaration is essential but if he merely declared, "This will be for the *eruv*" it is sufficient. (M.B. 37)
- This is true even if they are there for all of *bein hashemashos* since they wish to be in their teacher's home unless they specifically intend to establish residence by their host. (M.B. 39)

Halacha Highlight

Using a loaf that was prohibited by a vow for an *eruv techumin*

Shulchan Aruch Siman 409 Seif 7

או מכל דבר שמשתתפין בו שתופי מבואות

Or anything that may be used to make a *shitufei mevo'os*

Shulchan Aruch rules teaches that when making an *eruv techumin* one may use bread or any other food which is fit for use for a *shitufei mevo'os*. Mishnah Berurah (סי"ק ל"ה), however, points out that there is a food that may not be used for a *shituf* but remains valid for an *eruv techumin*. That is a loaf of bread concerning which one made a vow prohibiting benefit from that loaf. Although according to one opinion that loaf may not be used for a *shituf*, according to all opinions it may be used for an *eruv techumin*. The reason is that the *eruv* is only made for a *mitzvah* and thus we apply the principle that *mitzvos* do not provide benefit.

Poskim debate whether it is permitted to use a loaf prohibited by a vow to attend a *sheva berachos* where one will not only bring joy to the *chosson* and *kallah* but will also enjoy the food that is served. Tosefes Shabbos (סי' תטי"ו סק"ב) prohibits using a vowed loaf for an *eruv techumin* for such a purpose since the loaf is also the cause of physical pleasure, i.e., the meal served at the *sheva berachos*. He cites as precedence the Gemara in Rosh HaShanah (28a) that rules that one who vowed from using a spring may immerse for a *mitzvah* in that spring only during the winter but not during the summer. The reason is that during the summer in addition to the *mitzvah* he will benefit physically from the water since it provides relief from the heat. Imrei Binah (דיני שבת סי' ל"ו) disagrees and contends that the Gemara in Rosh HaShanah is not precedent for our question. In the Gemara in Rosh HaShanah during the summer time he will benefit directly from the prohibited item and that is the reason it is prohibited. In our case he will not benefit directly from the prohibited loaf. The loaf merely allows him to travel to the *sheva berachos* where he will enjoy the food that is served. Since that benefit is indirect it is not considered a violation of his vow.