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

Overview

Siman 645 Seif 3:

The normal manner of growth of the leaves of the lulav is that they grow with two leaves attached to one another in the back and the connection between the two leaves is called the tiyomes. If the tiyomes is split (in the majority of leaves) **it is invalid. If the leaves grew individually without a tiyomes or if the leaves on one side were doubled and the other side is empty without leaves the lulav is invalid.** Some explain that if the uppermost leaf on top of the spine is split down to the spine it is considered a lulav with a split tiyomes and invalid and this is our custom. However, l'chatchila in order to fulfill the mitzvah in the most preferred manner one should take a lulav whose upper leaf is not split at all since there are authorities who are stringent even if it is partially split. If that leaf was not doubled from when it grew it is invalid.

- It is invalid if the majority length of the majority of leaves is split. (M.B. 11)
- According to the first opinion the upper leaf is no different than the others and even if it is split entirely the lulav is valid. (M.B. 12)
- Ritva writes that such a lulav in invalid for all seven days of Sukkos. (M.B. 13)
- If there are two upper leaves on the spine they are both considered the tiyomes and if either one is split the lulav is invalid. (M.B. 15)
- Gra maintains it is not invalid unless it is split the majority of the way down and there is no reason to be stringent if it is partially split. (M.B. 16)
- It is invalid only the first day but for the remaining days it is valid. (M.B. 17)
- One need not recite the beracha on a friend's lulav in this circumstance. (M.B. 18)
- The concern is that the split will increase as a result of the shaking of the lulav. Taz writes that one need not be stringent unless it is split a tefach but according to Chaye Adam one should be stringent even if it is split the slightest amount. One should make an effort to obtain one that is not split at all but there is no halachic concern unless it is split the majority of its length. (M.B. 19)

Siman 645 Seif 4:

If the leaves do not rest upon one another and instead they rest one below the other, if the top of one leaf reaches the bottom of the leaf above it so that the spine is covered by leaves it is valid but if the top of one leaf does not reach the bottom of the leaf above it or if there are not many leaves resting upon one another and on each side there is one leaf that extends from the bottom to the top it is invalid.

- The disqualifications in this seif are that the lulav is not hadar. (M.B. 20)

Siman 645 Seif 5:

If the majority of leaves on a lulav became dry (or the spine) **it is invalid. It is considered dry once the green color goes away and appears white.** Some maintain that it is not considered dry unless it crumbles under one's fingernail due it being so dry and this is the custom in these countries where lulavim are not readily available.

- Such a lulav is not considered hadar. (M.B. 21)
- Ra'avad invalidates a lulav if the tiyomes is dry. (M.B. 22)
- Most Poskim do not agree with this explanation; therefore one should not be lenient if there is a moist lulav in town. (M.B. 25)

Halacha Highlight

One half of the tiyomes is taller than the other

Rema Siman 645 Seif 3
דאם נחלק העלה העליון האמצעי
If the uppermost, middle leaf is split

Shulchan Aruch (סעי' ג') explains that the leaves of a lulav grow folded in half and the spine of each leaf is called the tiyomes. In the event that the tiyomes of the majority of leaves are split, the lulav is invalid. Rema cites authorities who maintain that if the spine of the uppermost middle leaf above the spine of the lulav is split down to the spine of the lulav the lulav is invalid even if the spine of the remaining leaves are intact and he confirms that the custom is to follow this opinion.

Sometimes one examines a lulav and notices that the two halves of the uppermost middle leaf, commonly called the tiyomes, are not the same height. Poskim debate whether such a lulav may be used to fulfill the mitzvah. Shevet HaLevi (קובץ מבית לוי ח"ב עמ' ל"ב) and Rav Nissim Karelitz (חוט השני סוכות פי"ג סק"א) write that such a lulav is valid even l'chatchila. The disqualification of חד הוצא—when the leaves grow on only one side of the lulav or if only half of the leaf grows so that it does not fold over at all, is due to the fact that such a lulav is considered blemished. However, if the leaf grew in the normal manner folded over and remains that way but at the top one side is higher than the other the lulav is not blemished and thus may be used for the mitzvah. Rav Shlomo Zalman Auerbach (מעדני שלמה עמ' פ"ד) agreed that such a lulav is not categorized as חד הוצא, but it should possibly be considered deficient. Since the two leaves of the tiyomes are supposed to be the same height, if one is taller than the other the smaller leaf is deficient. However, this concern is limited to where it is evident that one half is taller than the other but if one cannot easily discern that one half is taller than the other there is no issue.