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

Overview

Siman 649 Seif 5 (b):

It is permitted even *l'chatchila* to stipulate that it will be used only on the 1st day and that he does not separate from it during *bein hashmashos* of the 2nd night and onwards and then it is permitted, even *l'chatchila* to eat from it on the 2nd day and beyond and fulfill the *mitzvah* with what remains, however, we are not experts at making such stipulations as discussed above at the end of *siman* 638 in the Rema. **Something invalid because it is idolatrous, because the *esrog* is prohibited for consumption, because it is not the correct species or is not the minimum size is invalid for the 1st day as well as the subsequent days.** (A חזזית is invalid for all seven days.) **Those who observe two days of Yom Tov may, on the 2nd day, take items that are invalid on the 1st day but the *beracha* is not recited.** (If a friend has a *lulav* and *esrog* that is valid, one should recite the *beracha* on his set, with his permission.)

- The stipulation is made on *erev* Yom Tov before *bein hashemashos*. (M.B. 39)
- If one designated the *esrog* for the 2nd day it is permitted to eat it even without a stipulation provided that one leave the size needed for the *mitzvah* since only the part needed for the *mitzvah* was set aside. Others maintain that the entire *esrog* was set aside and it is prohibited to eat it unless one made the necessary stipulation. (M.B. 41)
- There is dispute whether one must leave a majority of the *esrog* intact. (M.B. 43)
- The implication is that an *esrog* prohibited for consumption is invalid even though it permitted for benefit. An *esrog* of *orlah* from outside of Eretz Yisroel or *demai* is valid. If an *esrog* absorbed a prohibited taste, e.g. *cheilev*, it should not be used on the 1st day but may be used on the subsequent days. (M.B. 45)
- According to Shulchan Aruch even an *esrog* with a חזזית may be used on the other days. Rema's ruling that dry and speckled is invalid for all seven days is also subject to this debate. (M.B. 48)
- In a pressing circumstance one may be lenient regarding a חזזית on the subsequent days since on those days the *mitzvah* is only Rabbinic. (M.B. 49)
- As opposed to *seif* 6, Shulchan Aruch here refers to where another is available, albeit requiring effort to obtain and he is teaching that it is not necessary to exert that effort on the subsequent days. (M.B. 50)
- Magen Avrohom in the name of Darkei Moshe maintains that one should recite the *beracha* on a friend's and then use his blemished one for *hallel* and the *hoshanos*. (M.B. 51)

Halacha Highlight

An *esrog* left under a bed

Shulchan Aruch Siman 649 Seif 5 (b)

או מפני שאותו אתרוג אסור באכילה

Or that the *esrog* is prohibited for consumption

Shulchan Aruch notes that although many of the conditions that invalidate an *esrog* from use on the 1st day of Sukkos do not invalidate an *esrog* on the subsequent days, but there are certain conditions which invalidate an *esrog* for all of Sukkos. One of those conditions is an *esrog* that is prohibited for consumption. Mishnah Berurah (ס"ק מ"ה) notes that Shulchan Aruch's wording implies that even if an *esrog* is permitted for benefit it is invalid for use for all of Sukkos if it is prohibited for consumption. Thus an *esrog* that is *tevel*, *orlah* or *terumah temea'ah* is invalid for use for all of Sukkos. Mishnah Berurah then rules that if an *esrog* absorbed a prohibited taste, for example, it fell into boiling *cheilev*, it may not be used on the 1st day of Sukkos but it may be used on the subsequent days of Sukkos. His reasoning is that what invalidates the *esrog* in that case is not an actual part of the *esrog*, it is a foreign substance that entered the *esrog*.

Poskim discuss the status of an *esrog* that was stored under one's bed overnight. Teshuvas Binyan Olam (או"ח סי' ל"ג אות ט"ז) is uncertain whether it becomes invalid for use since it is prohibited for consumption as a result of the *ru'ach ra'ah* that attaches to it by being left under a bed. In his conclusion he writes that if one has no other *esrog* he may use it for the *mitzvah*. Teshuvas Ein Yitzchok (מהדו"ק או"ח ח"א סי כ"ד) cites Pischei Teshuvah (יו"ד סי' קט"ז סק"ד) who references authorities who rule that food left under a bed are, *b'dieved*, permitted and thus the *esrog* may be used for the *mitzvah*. Chaye Adam (קונ' בינת אדם שער איסור והיתר סי ס"ג) also rules leniently for two reasons. The first is that since people are not careful about this matter the principle, "Hashem protects the fools applies" and the *esrog* is considered edible enough that it is not invalidated. Secondly, he contends that the *ru'ach ra'ah* only settles on cooked foods and thus the *esrog* remains fit for use for the *mitzvah*.