



Do We Need To Separate Terumot And Ma'aserot From Seeds Before Planting Them?

The Tosefta states (*Demai* 1:13): “We may not sow *tevel* (untithed produce) or cover sowed *tevel* with earth.”

Yet the Mishnah states (*Terumah* 9:6): “*Tevel* crops are permissible if they grow from a seed that disintegrates.” The Mishnah implies that *lechatchilah* we should not sow *tevel*, but *bedi'avad* the crops are permitted (only for seeds that disintegrate – we will expand on this point in the coming weeks).

In *Derech Emunah* (Rambam, Ma'aser 6:6), Rabbi Chaim Kanievsky (who has recently contracted corona; may this *devar* Torah be for his speedy recovery) offers two possible explanations for the prohibition to sow *tevel*: (1) It destroys the *terumot* and *ma'aserot* contained in the *tevel*, and it is a loss for the *kohanim*, *leviim* and poor people; or (2) sowing such seeds is considered deriving benefit from their consumption, and such benefit is prohibited: when I sow these seeds, I seem to be benefiting from their decomposition (despite the fact that

they then sprout new plants with fruits thereafter), and this is perhaps prohibited.

Two explanations appear among the Rishonim for the expression: “*tevel* crops are permissible.”

Rabbi Ovadia of Bartenura maintains that this refers to snacking on crops before *gemar melacha* (acts of final processing, including bringing them indoors). It is permissible to snack on crops before they are tithed outside, where they grow. One might think that since in this case I planted *tevel* seeds, their ensuing crops might be *tevel* too, and thus such snacking would be prohibited. Here the Mishnah informs us that it is permissible nevertheless to snack on such produce. Even though the seeds were *tevel*, once they produce fruit, they assume the status of regular crops.

Next week we will look at the Rambam's explanation to this phrase. He is much more stringent and seems to require uprooting *tevel* seeds that were planted. ■