



Flowers During *Shemittah*, Part 2

The subject of flowers on *shemittah* has numerous halachic applications. The *halachah* regarding flowers also differs based on numerous factors, such as the type of flower and when it was planted. The following article will elaborate on how to relate to flowers during *shemittah*.

In previous articles, the issue of *kedushat shevi'it* (the holiness of *shemittah*) of flowers was raised. The accepted ruling is that if the flowers are meant for eating or used for their fragrance, they have *kedushat shevi'it* and should not be sold or used inappropriately (*Dinei Kedushat Shevi'it* p.30). However, flowers with no smell (or where the scent is of no significance) that are used only for their nice appearance do not have *kedushat shevi'it*.

Sefichin

Can flowers that have no significant smell or flavor be used as ornaments? Would there be a concern of *sefichin*? Our Sages decreed that annual plants, whether they

grew on their own or were intentionally planted during *shemittah*, are prohibited for eating and must be uprooted and discarded (*Kedushat Ha'aretz* 26:5). The decree was originally on vegetables and grains, although herbs are also included in *sefichin*. Would there be a prohibition to use non-scented flowers grown in one's garden as an ornament for one's home or event? Rav Binyamin Zilber (*Brit Olam, Shevi'it*, p.29-30) points out that since a flower market exists, there is a concern that people might deliberately plant flowers during *shemittah* for profit. Based on this, Rav Zilber maintains that flowers should be included in the decree of *sefichin*, since the original decree was out of concern that people would plant crops during *shemittah* and then claim that they grew on their own. Rav Zilber adds that since according to some *poskim* there is a prohibition to benefit from *sefichin*, it is prohibited to use flowers that grew in one's garden for any type of benefit, including using them for decoration.

Many authorities disagree with Rav Zilber, based on a number of halachic arguments. Firstly, if a plant does not have *kedushat shevi'it*, according to many there is no concern of *sefichin* (*Sefer HaYireim* 186; *Ma'adnei Eretz, Shevi'it* 9:9). As previously discussed, there is a dispute amongst *poskim* whether a definitive *halachah* exists prohibiting benefit from *sefichin*



(*Ohr LeTziyon, Shevi'it* 5:3). Secondly, using flowers as a centerpiece might not be considered benefit in a halachic sense. The fact that someone enjoys looking at the flowers, or that the flowers make the Shabbat table look more elegant may not be considered actual benefit from the flowers themselves (see *Shemita Kehilchatah*, p.33).

Accordingly, ornamental flowers are not part of the decree of *sefichin*, and thus one may pick such flowers from one's garden and use them as ornaments, even if they grew on their own. In addition, since the decree of *sefichin* does not apply, one may plant ornamental flowers up until erev *Rosh Hashanah* of *shemita* and pick them during *shemita* (*Chazon Ish* 17:25).

Flowers on fruit trees are not *sefichin*, since the decree does not apply to trees. It also seems that there is no *kedushat shevi'it* on these flowers, since even if they could be eaten or used for fragrance, the primary purpose of the tree is for the fruit (*Mavo Lashevi'it*, pp.93-95).

Purchasing flowers during *shemita*

Ornamental flowers are normally purchased from designated stores. As discussed above, although ornamental flowers are not part of the decree of *sefichin* and the benefit of decoration may not be significant, purchasing flowers from a

store may have other concerns. Planting flowers during *shemita* is strictly prohibited, even if the flowers are not edible. As such, it is also prohibited to purchase such illicitly-planted flowers. Although there is no actual transgression in using the flowers, our Sages prohibited any action that would assist those who blatantly desecrate *shemita* (*Rambam, Shemita VeYovel* 8:1, based on *Mishnah Shevi'it* 5:6). Thus, when purchasing flowers, one should ascertain that they were not planted during *shemita*. In past years, some flower shops have received certification for their flowers during *shemita*. It is recommended to purchase from establishments that either have certification, or whose owners can be trusted that the flowers were not planted during the *shemita* year (see *Kedushat Haaretz* 24:21)..

Receiving flowers as a gift

As opposed to buying in a store, if one receives flowers as a gift from someone who does not keep *shemita*, there is room to be lenient. This is especially true if refusing the gift would cause ill will. There is ample precedent for this position, as our Sages are lenient regarding certain halachic decrees when there is an issue of potential enmity (see *Aruch Hashulchan* YD 112:23). There are additional reasons for leniency, such as the halachic doubt whether these flowers

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were actually planted during *shemita*. Furthermore, in this situation when the flowers were already purchased, receiving them is not considered supporting the store but merely being polite to the giver, who is not actively or consciously purchasing in order to assist the desecrators of *shemita* (*Chut Shani*, pp.246-247). Thus, one may be lenient and receive flowers as a gift from someone who does not keep *shemita*.

In summary:

- Ornamental flowers from one's garden may be used as a centerpiece during *shemita* and are not considered *sefichin*.
- One may plant flowers up until *Erev Rosh Hashanah* and pick them during *shemita*.
- Flowers on fruit trees may be picked and used during *shemita*.
- It is strictly prohibited to plant flowers during the *shemita* year.
- It is prohibited to purchase flowers that were planted during *shemita*.
- One should only purchase flowers from flower shops with *shemita* certification or whose owners are trustworthy in this realm.
- One may accept flowers as a gift from someone who does not keep *shemita*. ■

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