



Planting in Pots during Shemittah

One of the four biblical prohibitions during *shemittah* is planting. The prohibition to plant includes all types of produce, whether grains, fruit trees or vegetables. (Additionally, all other types of planting, such as flowers and ornamentals, are rabbinically prohibited.) This prohibition includes planting in the ground, as well as in an outdoor pot, whether it is sealed on the bottom or not (see *Ma'adnei Eretz* 4). Additionally, there are other actions that are considered halachically equivalent to planting that will be explained in the current article.

Changing the status of an outdoor potted plant

As discussed in previous articles, there is a halachic difference between a perforated pot (*atzitz nakuv*) and a non-perforated pot (*atzitz sh'eino nakuv*). According to halacha, a perforated pot is considered as if it is connected to the ground (according to some, biblically, and according to others, rabbinically). A non-perforated pot is not considered connected to the ground. As such, plants in non-perforated pots are only obligated in the laws of *shemittah* on a

minimal level (see *Sefer Hashemittah* p.15). Initially, it would seem that such plants should be completely exempt from the laws of *shemittah*, as they are in no way connected to the ground. However, since people might confuse the two types of plants, our Sages decreed that we treat a non-perforated pot like a perforated one regarding certain laws of *shemittah* (see *Ridbaz Kilaim* 5:9).

Due to the fact that a perforated pot is considered connected to the earth, it is strictly prohibited to turn a non-perforated planter into a perforated one. Such an action would be considered planting on *shemittah* (*Mishpitei Eretz* 8:9). Note, however, that this halacha pertains to plants that are outside on soil. Changing the status of a potted plant on cement or indoors will be discussed in future articles.

Changing the status of a plant from *eino nakuv* to *atzitz nakuv* can take various forms. For example, making a small hole the size that a small root can creep through is prohibited. Moving a plant with or without its soil from a sealed pot to a non-sealed pot is also prohibited.

Putting a perforated pot over a plate renders the pot halachically non-perforated, as it severs the connection between the holes and the ground. Thus, removing the plate and putting the pot on the soil is also prohibited, since the pot reverts back to its original status of *nakuv* and it is as if



its contents are being planted during *shem-itah* (*Minchat Shlomo* 1:41).

Moving or dragging a perforated pot

Rav Menachem Meiri (an early authority from the 13th century) rules that picking up a plant in a perforated pot and then moving it to another area of the soil is prohibited, since it is considered replanting. His ruling appears in the context of laws of Shabbat, although he adds that this would obviously apply to *shem-itah*, as well. Rav Shlomo Zalman Auerbach was lenient regarding the movement of perforated pots from one location on the soil to another. He cites several reasons why this should be permitted. One reason is that when one is moving the potted plant, there is no real **intent** of replanting and as such, one may be lenient. He also adds that since the action is not taking place in the soil, but rather on the plant in a pot, which itself is only a rabbinic decree of planting, such movement of the pot from place to place does not look like a form of prohibited labor (see *Shulchan Shlomo* p.96-97).

A similar question arises regarding dragging a perforated pot from one place to another in the garden. Rav Nissim Karelitz (*Chut Shani* 1:6) and others (see *Mishpiti Eretz* 8:10) prove that even according to the opinions that lifting and then putting down a potted plant is prohibited, dragging is certainly permitted. Rav Karelitz explains that since the ground is always directly

in contact with the pot while it is being dragged, it is not considered replanting.

Note that we have just discussed the moving or dragging of perforated pots over soil. Non-perforated pots that are sealed on the bottom have no issue of being moved from place to place on soil.

In summary:

- Planting produce or any other plants in an outdoor perforated or non-perforated container is strictly prohibited during *shem-itah*.
- Making a hole in the sealed pot of an outdoor plant changes its status and is prohibited during *shem-itah*.
- It is prohibited to remove a plate from under a perforated pot, thereby connecting it with the soil.
- Moving a garden plant from a non-perforated pot to a perforated one is prohibited during *shem-itah*.
- Moving or dragging a perforated pot from one place to another, even on soil, is permitted. ■

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