



The Institute for Torah and the Land of Israel

בס"ד

Shemitah in the Garden and the House

Emunah

Av 5781, August 2021



TORAH VEHA'ARETZ INSTITUTE

BY RABBI MOSHE BLOOM
en.toraland.org.il



Public Preparations For The *Shemitah* Year 5782

While there is a little more than a year left before *shemitah*, we nevertheless need to start preparing for it now—especially on the public level: municipalities, local and regional councils, large corporations, educational institutions, factories, etc. The 2021 annual budget is being drawn up now, and the second half of it falls out during the *shemitah* year.

With enough advanced preparations, it won't be too difficult to convince our institutions/councils/corporations to observe *shemitah* laws—and with hardly any conflicts with those who are not-yet Torah observant.

Annual budgets generally include planting ornamental flowers, fixing up gardens, salaries to gardeners for annual maintenance, and irrigation, among other components.

It has been our experience at Torah VeHa'aretz Institute, over many *shemitah* years, that even the so-called secular are not against *shemitah* as a value. Furthermore, they are not opposed to observing *shemitah* laws

when provided with appropriate, practical solutions for maintaining gardens and taking care of the appearance of their institutions.

Here's a small example: We can suggest to decision makers at a local council to “cram” all the plantings of flowers, bushes, and trees into the first half of the year 2020 (instead of spreading it out over the entire fiscal year). During the second half of the year they can make repairs to playgrounds, pavement, lighting, and fences—all which do not involve violating *shemitah* prohibitions.

If you work at such places and have access to decision makers, we advise you to ask the gardening manager **now** about preparations for the upcoming *shemitah* year. The rabbis and agronomists at Torah VeHa'aretz Institute are available to answer questions, provide solutions, and even meet with relevant decision-makers, if necessary.

Next week we will look at a few more tips on public *shemitah* preparations. ■



The Consumer's Guide to Shemitah includes all of the laws pertaining to private individuals during the shemitah year: caring for the home garden, growing plants at home, purchasing fruits and vegetables during the shemitah year, kedushat shevi'it, bi'ur, remitting loans, and more.

This book is the fruit of the efforts of the rabbis and agronomists of Torah VeHa'aretz Institute, headed by Rabbi Yaakov Ariel. It was written following the practical experience of guiding the Israeli public through the past five shemitah years.

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The Consumer's Guide to Shemitah



The Consumer's Guide to Shemitah



A concise halachic guide on the laws of shemitah
for the home and private garden in Israel



Man and Land

Exodus 34,21

Six days shall you work and on the seventh day you shall desist; you shall **desist from plowing and harvesting**

Leviticus 25, 1-2

Hashem spoke to Moses on Mount Sinai, saying:

Speak to the Children of Israel and say to them: When you come into the land that I give you, **the land shall observe a Sabbath rest for Hashem**

Leviticus 25,3-5

For six years you may sow your field and for six years you may prune your vineyard; and you may gather in its crop.

But the seventh year shall be a complete rest for the land, a Sabbath for Hashem; your field **you shall not sow** and your vineyard **you shall not prune**.

The aftergrowth of your harvest **you shall not reap** and the grapes you had set aside for yourself **you shall not pick**; it shall be a year of rest for the land.

Man and Land

Types of working the land that are forbidden D'oreitah - from the Torah: Sowing, Pruning, Reaping and Picking (Plowing).

Man and the produce

Leviticus 25, 6-7

The Sabbath produce of the land shall be yours to eat, for you, for your slave, and your maidservant; and for your laborer and for your resident who dwell with you. And for your animal and for the beast that is in your land shall all its crop be to eat.

Man and the produce

**Permissible for all to eat
the crops that grow,
must be abandoned.**

Exodus 23, 10-11

Six years shall you sow your land and gather in its produce.

And in the seventh, you shall leave it untended and unharvested (*tishmetena unetashta*), and the destitute of your people shall eat, and the wildlife of the field shall eat what is left; so shall you do to your vineyard and your olive grove.

Man and Fellow Man

Cancellation of loans

Deuteronomy 15, 1-3

At the end of seven years you shall institute a remission:

This is the matter of the remission:

Every creditor shall remit his authority over what he has lent his fellow; **he shall not press his fellow** or his brother, for He has proclaimed a remission for Hashem.

You may press the gentile; but over what you have with your brother, you shall remit your authority.

Man and Fellow Man

Gathering the people together (Hakhel)

Deuteronomy 31, 1-12

(1) And Moses commanded them, saying, “At the end of seven years, at the time of the Sabbatical year, during the Succot festival;

(11) When all Israel comes to appear before Hashem, your God, in the place that He will choose, you shall read this Torah before all Israel, in their ears.

(12) **Gather** (*hakhel*)
together the people...



Land

Produce

Man

What is permitted and what is forbidden in my garden in the Shemitah year?



It is important that Israel's cities and their gardens be beautiful!

Sefer Hachinuch (342, land plots of the Levi'im)

- The Torah also commanded us that those cities, consisting of a thousand amah ...some available spot that is set aside for the welfare and **beauty of the city**, and two thousand amah crossing it for fields and vineyards...
must be beautiful, so that all of Am Yisrael praises it.
- In other words: The more “religious” the city, the more it must look beautiful all year, and also in the Shemitah year!



There is no need for a *heter
mechira* in a private garden!

Melachot (specific actions) forbidden by the Torah

Sowing



Planting

Watering to cause sprouting



Pruning – Trimming
(to make the plants grow better)



Harvesting (for commercial purposes)



Plowing –

It is forbidden to work the land and turn the soil in any way



***Melachot* forbidden by rabbinic law**

**All other activities, for example:
watering, spraying or crop-dusting, fertilizing, pollinating, weeding**

לאברויי אילנא,
To increase yield
or growth -
forbidden

- לאוקמי אילנא,
To maintain the status quo
(of the plant) - permissible
- To avoid a loss of the plant or
its produce/crop.
- Permissible to
sustain/maintain the garden

• Rabbi Kook permitted only לאוקמי אילנא. The Chazon Ish also permitted אוקמי פירא. In general, we are lenient according to the Chazon Ish ruling.

***Melachot* forbidden by rabbinic law**

Irrigation is permitted to prevent the plants from dying, but not enough to cause them to grow more than usual



***Melachot* forbidden by rabbinic law**

Trimming, when the goal is not agricultural, for example: to prune a hedge to maintain its form or alignment, or when the bush interferes pedestrian's walk - allowed



***Melachot* forbidden by rabbinic law**

Weeding – best to avoid



***Melachot* forbidden by rabbinic law**

Mowing the lawn—
permissible when the
grass is full
(the purpose of mowing is not
for the grass to grow faster, but
to make it look nice).



Fertilization—best to avoid



What should we do now, in the pre-Shemita months?

- Planting
- Trimming trees and shrubs
- Fertilizing
- Weeding
- Taking care of the grass

See [here](#) link to booklet:

Professional Guide, Preparing Ornamental Gardens for the Shemita Year


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Categories

Professional Guide, Preparing Ornamental Gardens for the Shemita Year

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How should professional and private gardeners prepare for Shemita?

Dr. Mordechai Shomron, Agronomist (Tevet 5781)

See [here](#) for the PDF version, which includes pictures.

Introduction

Engaging in the beautification of Israel's landscape is an integral part of the *mitzvah* of settling the Land of Israel. Gardening in Israel is substantively different than gardening abroad. In any other country, the purpose of ornamental gardens is simply to give people a sense of calm and expansiveness and to allow them to enjoy beautiful sites. In Israel, in contrast, the engagement in the beautification of the landscape, which endears the

Sefichin

- According to our sages it is forbidden to eat all the *sefichin* . . . but with regard to the vegetables that people tend to grow in their gardens, and all kinds of grains and legumes – anything that grows from them is forbidden, from what they say (Rambam Shemitah 4,1-3).
- Thus we have learned that the only produce of the Sabbatical year of which one may partake are fruit from trees and herbs that are not sown by most people, e.g., rue, amaranth, and the like (ibid.).

Sefichin

- Why was a decree established concerning them?

Because of the transgressors, so that they could not go and sow grain, beans, and garden vegetables in one's field discretely and when they grow, partake of them, saying that they are *sifichim*. Therefore the Sages prohibited all the *sifichim* that grow in the Sabbatical year.

Sefichin

- According to Rav Shimshon miShantz: with regards to vegetables, it is enough to see some of the leaves of the vegetable poking up above the dirt (*hatzatza*) **before** the start of the Shemitah year, to determine that the vegetable(s) does **not** receive the status of “*sefichin*” and it will be permissible to eat them.



- There is no *sefichin* with regards to perennial plants.

Sefichin

- There is no *sefichin* with regards to perennial plants.
- One can pick peppers that grow on existing plants (red/green/yellow) on shemitah – if they were sown before Shemitah. Pepper plants can last more than one year, so the same plant lives through winter and grows peppers the next year. They might last two or three years.



Planting

Principles of Planting

- Plants must be connected to the soil under them in the sixth year (*klita*).
- Planting something together with a clod of earth – means that the plant is already connected to the soil.
- *Kelita* for trees -- 15 days, for vegetables -- 3 days.
- Fruit trees: First Orlah year need to be the sixth and not seventh year.
- Vegetables – because of *sefichin*, first small leaves should be seen before shemitah.

Planting Trees

- **Fruit trees without a clod of earth (bare)** – until 15 of Av.
- **Fruit trees with a clod of earth** [on a detached platform] – until 29 Av [on the condition that the clod of earth does not fall apart].
- [Transferring fruit trees that were on the ground – until 29 Elul].
- **Fruitless trees without a clod of earth** – until 15 Elul.
- **Fruitless trees with a clod of earth** – until 29 Elul.

Planting vegetables and legumes

- Vegetables – *l'chatchila* until 15 Elul.
B'dieved (after the fact) until 26 Elul
- [Vegetables in a clod of earth until 29 Elul]
- Grains and legumes – a few months before Shemitah
[Must reach a third of its full size before Shemitah]

Planting flowers

- Annual ornamental flowers – until 26 Elul; then water them immediately
- Bare perennial ornamental flowers – until 15 Elul
- Perennial ornamental flowers in a clod of earth – until 29 Elul

Tips for planting flowers

- Instead of seasonal flowers, it is recommended to cultivate perennials before the Shemitah, because these will sprout and grow throughout the entire Shemitah year. Some examples: geraniums, snapdragons, chrysanthemums, gazania.
- It is possible to plant flower bulbs without watering them. The first rains will cause them to put down roots, and then they will bloom during the winter.

Tips for planting flowers

- It is recommended to combine: seasonal flowers with perennials
- No *Kilayim* (hybrid) problem when the two plants are not for human consumption.

Tips for planting vegetables

- Plant the vegetables by 15 Elul.
- Plant vegetables appropriate for the fall-winter seasons (onion, kohlrabi etc.)
- Plant strains that take a long time to grow (potatoes, carrots).
- Beware of *Kilayim* when mixing the seeds!
- Detached platform

Pruning trees, bushes and roses

- All the vegetation in the garden should be pruned properly, at the highest possible level, in order to avoid having to prune in the Shemitah year.
- Prune roses lower than you usually do



Pruning trees, bushes and roses

- Prune young trees
- Passion fruit – shorten it before the Shemitah year, so that it won't “take over” the neighboring plants during Shemitah



Fertilization

- High-quality Fertilization before Shemitah, to avoid having to fertilize during Shemitah.
- Bury the compost in the earth, or close to the plant's root system
- It is best to use slow-release fertilizer (6 or even 12 months).
- Fertilizer through irrigation system

Weeding

- Treat all types of weeds before Shemitah using a variety of methods (motorized scythe, spraying, uprooting by hand etc.).
- Best to do it before blooming and spreading seeds



Weeding

- It is recommended to cover the ground with sheeting and cover materials such as: tree cuttings, gravel pebbles etc. in order to minimize the need to weed on Shemitah.
- Another suggestion: to use anti-germination sprays, pre-emergence weed killers, etc.



Grass

- Planting bulk grass seeds – Plant your grass a few weeks before Shemitah and make sure to leave yourself enough time for the following: the grass must take root, then you must water it, mow it, and have full grass before Shemitah starts.



Grass

- Grass mats – Here, too, we recommend that you start several weeks before Shemitah because the actions of watering the layers and mowing for the first time, should be completed before Shemitah starts.



Plowing

- We recommend turning the soil before Shemitah.



During Shemittah

Irrigation

- We recommend computerized irrigation during the Shemitah year.
- We recommend adopting the more stringent practice of watering less frequently (i.e., increasing the time-span between irrigations), and/or watering for a little less time during each session.
- Many Halakhic experts permit using regular irrigation, like all other years: It is forbidden to irrigate more during Shemitah, but no obligation to irrigate less.

Weeding

- It is best NOT to weed.
- Should the weeds compete with the garden's plants, or there is concern that harmful pests will hide in the overgrown garden, or the weeds significantly detract from the appearance of the garden – following the order below:
 - Cover the area (weeds) with black plastic sheets
 - Spray pesticides
 - Mow, but **above the surface**.

However: Do NOT pull out the weeds with their roots.

Spraying the fruit to protect it

- If fruits have sprouted already – It is permissible to spray them against pests, or kill any pests that arrive.
- Best solution without spraying: To place nets (or screens) on trees, to keep away the pests.

Mowing or cutting the grass

- You may mow the grass as usual, but be careful to do so on time and not late [because then, the mowing causes the grass to sprout more].
- Directions for irrigation – see above.

Pruning, trimming

- If trimming is done to maintain the status quo of the plant – it is permissible. Example: trimming a full hedge.
- Trimming a bush in order to fill in a hole in the hedge – is forbidden.
- Trimming dead, damaged or diseased sections of trees – permitted *Beshinuy*.

Pruning, trimming

- Picking flowers – *b'shinui* (doing it a bit differently than usual), such as cutting off the flower at an unusual height or breaking the branch with your hands instead of hedge clippers or shears.
- Trimming roses – forbidden, since trimming causes the roses to grow.

It is permissible to pick roses from the garden to place them in a vase in the house, but they should be cut at a different length than usual, and better by hand and not by pruning shears.

Plowing

- Actions that are clearly not agricultural in nature, are permitted during the Shemitah; for example, installing an irrigation system.
- It is permissible to use a rake to clear off the leaves; it is clear that the rake is used for cleaning purposes, and not for plowing.
- It is permissible to lay synthetic grass during Shemita (but forbidden to straighten and/or prepare the ground beforehand).

Kilaim

- No Kilaim prohibition on Shemitah – no kilaim in hefker land.

So, if they grow by themselves on Shemitah – no need to uproot, until the 8th year.

Apartment house or condominium

- In advance of the Shemitah year, speak to the House Association members directly and ask them to limit themselves to projects permitted during the Shemitah year. Especially: not to plant or prune during the year.
- If they refuse – tell them that your payments (to the Association) for the year will not include gardening expenses, but that you will pay more for cleaning expenses (so that the total sum will remain the same).
- Note: Some opinions hold that you should halachically “*mafkir*” the joint portion of the garden.

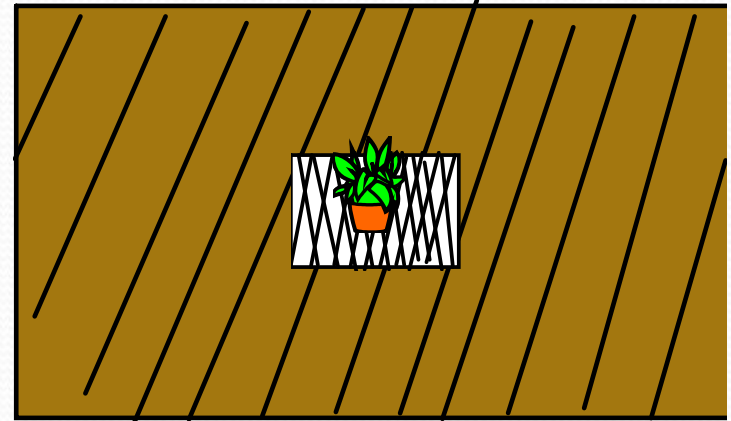
The fruits of the seventh year – are *hefker* [anyone can take them]

- It is recommended to hang up a sign saying “Hefker,” and leave the yard open.
- One can write a note saying that people are invited but only during specific hours.
- If necessary, when a fence surrounds the plants, you can leave a note with your phone number. Then, people can contact you for the key to fence.
- It is not acceptable for people to pick and take large, commercial quantities of fruit.

Growing items on a detached platform in the seventh year



- Cultivation on the ground – inside a house – *safek* (doubt) D'Oraita

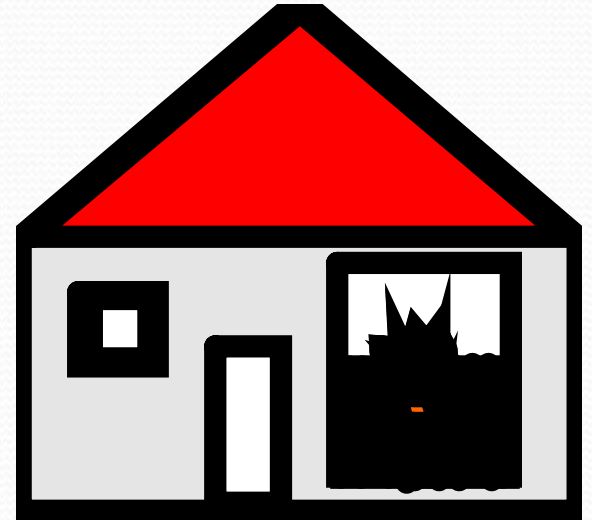


- Cultivation on a detached platform – open space – Forbidden D'rabanana



Growing items on a detached platform in the seventh year

- Cultivation on detached platform –
inside a house –
Permitted



Growing potted plants at home

- A buffer (*chatziza*) between the plant and the earth and between the plant and the sky:

A. Within a stationery structure with a roof
[or a hothouse with a double-50 mesh screen].

Growing potted plants at home

B. A potted plant must rest on something disconnected from the soil or dirt:

If it's on the second floor, a potted plant can be placed directly on the floor tiles in the house.

If it's on the ground floor: a potted plant should be placed on another, detached platform, since the tiles are connected to the ground and not viewed as a partition.

Growing potted plants at home

C. A potted plant, under 330-liter size [40 se'ah], preferably under 70 liters [carryable]

- The potted plant is *einu nakuv*:

Without holes on the bottom

Or, with holes, but sits on a plate/ coaster that is not made of earthenware

- When there are holes of diameters under $\frac{1}{3}$ cm², for a total of holes that do not exceed 1 cm² – this is viewed as NOT having holes

Growing potted plants at home

- Make sure that the leaves do not spread out beyond the plant itself [in the ground floor]; if they do, make sure that there is a coaster or something on the bottom.
- As well, if in the windowsill, make sure the plant doesn't “stretch” out and is not under the roof

Growing potted plants at home

- If grows in house – Does not have Kedushat Shvi'it, one must set aside Terumot and Ma'aserot *misafek* (doubt) without a blessing.
Set aside both Ma'aser Sheni and Ma'aser ani.
- **However, it is recommended not to sow/plant in the house during Shemitah**
(since some authorities prohibit this).

Miscellaneous

- Water crops – doubtful if it is detached platform category. Usually, fertilizer is added, so water crops are treated as regular crops.
- A water crop, and detached platform within a building – permissible.
- It is permitted to sprout plants at home on cotton wool, on a screen or inside water.

Which plants

DO have Kedushat Shevi'it?

- Those grown on the land of Eretz Yisrael
(and are not on a detached platform or in Chutz La'aretz)
- Intended for human or animal consumption,
including spices
- Designated for cosmetics
- Etrogim grown for *arba minim*
- Plants designated for their scents; mushrooms
(both are holy, due to doubt)

Which plants

DO NOT have Kedushat Shevi'it?

- Flowers that are not grown for their scent.
- Hadasim (myrtles) for use on Sukkot
- Wild grasses (even though animals eat them, or some people eat them).
- Grass.
- Plants designated only to the medical world.

Which plants

DO NOT have Kedushat Shevi'it?

- Wild grasses (even though animals eat them, or some people eat them) – wild lettuces , wild musterd, Lambs-quarter, Mallow, etc – doesn't have Kedushat Shevi'it or Sefichin [even though it is a wild type of the same *min.*]

Laws of Kedushat Shevi'it – continued

- **Fruits-** *Chanata* between Rosh Hashana of Shemitah and Rosh Hashana of the eighth year.
Fruit that their Chanata is at the end of the summer, we must be careful to remember what year are they from. Typical fruits: lemons and figs.
- **Vegetables** –sprouted in the sixth year, gathered in the seventh.

Laws of Kedushat Shevi'it – continued

- [Legumes and grains – reached a third of their growth in the seventh year (but are then forbidden, as they are *sefichin*).
- Etrogim that Chanata was in the sixth year, and picked in the seventh [similar to vegetables].

Kedushat Shevi'it

- Garden
- Otzar Beit Din

<https://otzar-haretz.co.il/>


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The Laws of Orlah for the Backyard includes a translation of the laws of orlah from the book Hilchos Ha'anetz plus short, practical articles on the topic.

Orlah is a unique mitzvah dependent on the Land of Israel—but also applies abroad. The rulings in this book are based on articles written by the rabbis of Torah VeHa'arteiz institute and on the rulings of Rabbi Yaakov Ariel, the institute's president.

This book is dedicated to the exceptional Jews who made Aliya from the Diaspora, and who want to make the Torah of the Land of Israel an integral part of their lives.



The Laws of Orlah for the Backyard

A concise halachic guide on the laws of orlah
for the home and private garden in Israel and abroad



Torah VeHa'aretz Institute

The Laws of Orlah for the Backyard



The Grapevine

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The Institute for Torah and the Land of Israel



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בס"ד

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