



# Consuming Produce Without Terumot and Ma'asrot Part 2

## INTRODUCTION

Last week, we learned about different situations in which one may consume produce without *terumot* and *ma'asrot*. Biblically, one may consume unlimited amounts of produce prior to the action of *gmar malacha*. *Gmar Malacha* refers to the actions performed after the harvest that indicate the produce is ready for consumption, such as piling

the produce into baskets or bringing it into one's home. Our Sages limited the forms and amounts of produce one may consume prior to *Gmar Malacha*. They differentiated between two forms of consumption: *Achilat Keva* and *Achilat Arai'iy*. While *Achilat Arai'iy* is permitted, *Achilat Keva* is prohibited until *terumot* and *maasrot* are removed from the produce.

## QUALIFICATION OF ACHILAT KEVA/ARAIY

In general, the term *Achilat Keva* is associated with the idea of eating a set meal with a minimum quantity, while *Achilat Arai'iy* refers to "eating on the go" or consuming smaller amounts outside of regular meals. These concepts exist in areas such as *Bishul Akum* and the laws of *Berachot*; however, regarding *terumot* and *maasrot*, our sages used different qualifications for this concept.

The *Chazon Ish* (*Ma'asrot* 4:10) writes that *Achilat Arai'iy* is not defined solely by quantity, but also by the mindset of consumption. He bases this on proofs from earlier authorities concerning situations that qualify as *Achilat Keva*. The following examples illustrate which type of consumption is considered *Achilat Keva* or *Arai'iy*.

Eating any fruit or vegetable in the field one by one, regardless of size, is considered

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*Achilat Araiy* and is permitted. Technically, there is no limit on the amount of produce that may be consumed in this manner (see *Derech Emuna, Ma'aser* 3:191). However, if one decides psychologically that their entire meal will consist of produce eaten in the field, this transforms into *Achilat Keva* from the first bite and becomes prohibited without *gmar malacha* and *terumot* and *ma'asrot* (see *Ra'aved, Sehcirut* 12:10). This rule includes verbally acknowledging the consumption of produce as a full meal, even if the individual later retracts that intention (See *Eretz Ve'hilchoteia* 11:4)

If the owner picks fruits with the plan to eat them later, this

produce is also considered *Achilat Keva* and is prohibited prior to *terumot* and *maasrot*. Any preparation done with produce, even when in the field, is classified as *Achilat Keva*. This includes cooking, such as making a salad or frying the produce. Consuming the produce during a meal, such as going into a garden to eat while in the middle of a meal, is also prohibited as it is classified as *Achilat Keva* (*Derech Emuna, ibid*)

### LOCATION OF CONSUMPTION

Our sages outlined six actions or areas related to *gmar malacha* for the private consumer. This subject is extensive and detailed; however, we will highlight places where *Achilat Araiy* is permitted. Once produce has been brought into someone's home, the action itself is considered *gmar malacha*, and thus, even *Achilat Araiy* is prohibited until *terumot* and

*maasrot* are taken. The halacha regarding *Achilat Araiy* and *Keva* primarily pertains to fields dedicated to growing produce, such as orange groves, melon plantations, and cornfields. These areas are meant for growing produce and not for other purposes. A garden on private property falls under a different category and will be discussed in future articles.

### IN SUMMARY:

- Eating produce in a field without intention to save it is permitted without *terumot* and *ma'asrot*.
- Planning to consume the produce as part of a meal or during a meal defines the consumption as *Achilat Keva* and is prohibited without *terumot* and *ma'asrot*.
- Preparations such as cooking or frying the produce automatically classify the consumption as *Achilat Keva*. ■

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