כג. מותר להניח מזוודה שיש בה תפילין על הרצפה. [ראה ביאור הלכה סי' מג ס"ו ד"ה ומניחן]. אך מכל מקום לכתחילה שלא יהיו התפילין בתחתית השקית או המזוודה, אלא יהיה תחתיהם איזה דבר המפריד בינם לקרקע, ועדיף שיהיו התפילין בגובה טפח מהקרקע. [ראה פסקי תשובות אות ו]

כד. אסור לישב בשוה על ספסל שמונח עליו תפילין, כשם שאסור בספר תורה. **ובשאר** ספרי קודש. מן הדין יש להתיר כדעת מרן, שדוקא בספר תורה שקדושתו חמורה יש להחמיר בזה, מה שאין כן בשאר ספרי קודש. ולאשכנזים יש להחמיר גם בשאר ספרי קודש (כדעת הרמ"א). ואם הוא ספסל ארוך מחולק בנסרים שבין איש לרעהו, חשיב הפסקה, אף על פי שהשטח שוה, וגם לבני אשכנז יש להתיר. [ראה יבי"א חיו"ד סי' כא]

Day 91

Tefillin in a suitcase on the floor

23) It is permissible to place a suitcase containing tefillin on the floor,[341] but the tefillin should not be placed on the very bottom of the suitcase. Some other item should be placed on the bottom in order to interrupt between the floor and the tefillin. It is recommended to make sure that the tefillin are at least a *tefah* higher than the floor.

Tefillin on a bench or seat

24) It is forbidden to sit on a bench if tefillin are placed on it, just as it is forbidden to sit on a bench on which a Torah scroll has been placed. According to the *Shulhan Arukh*, it is permissible to sit on a bench while other books of Torah content are lying on the bench, and it is forbidden only to sit on a bench with a Torah scroll because of its extreme sanctity. Ashkenazic Jews follow the stringent opinion regarding other Torah books as well. Even for Ashkenazic Jews, it is permissible to sit on the same level as tefillin if the bench is partitioned with boards into separate seats.

341. The *Mishna Berura* (*Bi'ur Halakha* on 43:6) cited the *Magen Avraham* explaining that according to Rashi, as long as the container is a *tefah* wide it is considered a separation between the floor and the tefillin, and therefore the tefillin container may be placed directly on the floor. If the container is not designated for tefillin, then it is permissible even if it is not a *tefah* wide.

The *Piske Teshuvot* (40:6) ruled that it is technically permissible to place the suitcase directly on the floor since the tefillin are encased in two containers. According to the *Mishna Berura*, however, it is permissible even if the tefillin are encased in a single container since the suitcase itself is a separation from the floor.

אכילה ושתיה כשהתפילין עליו

כה. אסור לאכול סעודת קבע בעוד התפילין בראשו ובזרועו. משום שיש לחוש שמא ישתכר בסעודה ויתגנה בתפיליו. [ראה ברכות כג ע"ב ורש"י שם]. ולכן הנכנס לסעודת קבע, יש לו לחלוץ התפילין, ומניחן על השלחן עד זמן ברכת המזון, ואז חוזר ומניחן. [ש"ע סי' מ ס"ח]

וכשחוזר להניח התפילין קודם ברכת המזון, יש לו לברך עליהם, וכמבואר לעיל בסימן כ"ה הלכה ס"ב ובהערה שם.

Eating or Drinking While Wearing Tefillin

Forbidden to eat a meal

25) It is forbidden to eat an entire meal while wearing tefillin on one's arm and head, since it is possible that one will become drunk and behave in an unseemly manner while wearing tefillin. Before starting the meal, one must take off the tefillin and leave them on the side of the table[342] until it is time to recite *Birkat Hamazon*. Then, one puts the tefillin on again.[343] One must recite the blessing of *lehani'ah* again when putting them on in this case, as explained above in the footnote to *Siman* 25:62.[344]

342. These are the instructions of the *Shulhan Arukh* (40:8), taken from the Talmud (*Berakhot* 23b). Rashi explained that the person places the tefillin on the table so that they will be readily available to put on again before the person recites *Birkat Hamazon*.

343. Rambam wrote (*Hilkhot Tefillin* 4:16): "He places them on the table until he washes his hands, and then he puts them on and recites *Birkat Hamazon*." According to this, the correct time to put on the tefillin is after *mayim aharonim*. The *Mishna Berura* (*Bi'ur Halakha*) explained that the reason is to make sure that one's fingers are clean before one puts on the tefillin. He then noted that the *Aharonim* did not mention this point, and he suggested that since the *Shulhan Arukh* (*Siman* 179) ruled that it is forbidden to interrupt with any activity or speech after *mayim aharonim*, it must be forbidden to interrupt by putting on tefillin. Therefore, he ruled that one must put on the tefillin before *mayim aharonim*.

Nevertheless, a number of *Rishonim* (Rabbenu Menahem Hame'iri, Rashba"tz, *Orhot Hayim*, Ri'a"z) cited Rambam's opinion as the halakha. The *Sefer Hamikhtam* explained that the mitzvah of tefillin is more important than the rule forbidding interruptions after *mayim aharonim*. On the other hand, the *Itur* ruled that one puts on the tefillin before *mayim aharonim*. The *Kaf Hahayim* Sofer (40:32) cites both opinions.

In light of all this, it seems that it is best to follow Rambam's opinion and put on the tefillin after *mayim aharonim*. The *Halakha Berura* (page 288) concurred with this.

344. According to the *Shulhan Arukh*, whenever someone takes off tefillin he must recite the blessing again when putting them back on, even if he meant to take them off only for a moment. The Rama, however, ruled that if he intended to put them back on within half an hour he must not repeat the blessing. Based on the principle of *safek berakhot lehakel*, we follow the opinion of Rama. The *Mishna Berura* (*Bi'ur Halakha*) added that if someone took off tefillin in order to go to a restroom, he definitely must recite the blessing when putting them on again, since it is forbidden to wear tefillin while in a restroom. Since our Sages forbade us from wearing tefillin while eating a meal, the meal is an interruption no less than using a restroom, and another blessing is required when putting the tefillin on again. Above, in *Siman* 25:62, it was explained that there is a *safek sefeka* to support this ruling.

כו. מותר לאכול עם התפילין אכילת עראי, ואין צריך לחולצם [ראה ש"ע סו"ס מ], משום שאין שכרות שכיח שם. [כה"ח ס"ק לג]

ומכל מקום צריך ליזהר מאד שלא יסיח דעתו מהן. [כה"ח ס"ק לח]. ולכן אם סיים תפילתו ואינו מתכוין עתה לשבת ולעסוק בתורה, נכון יותר שיחלוץ התפילין קודם שיאכל אכילת עראי. [הלכה ברורה עמ' רפו]

כז. שיעור אכילת קבע ועראי לגבי תפילין, הוא כשיעור אכילת קבע ועראי שנאמר לגבי חיוב סוכה. [משנ"ב ס"ק כ, כה"ח ס"ק לד]. ולכן, פת, או עוגות, או תבשיל מחמשת מיני דגן, כגון אטריות, בשיעור "כביצה" (שהם חמשים וארבעה גרם), נחשב אכילת קבע שאסור לאכול כשמונח עליו התפילין. אבל בפחות משיעור "כביצה" נחשב אכילת עראי ומותר לאכול עם התפילין.

ואכילת שאר מיני מאכלים (כגון: בשר ודגים פרות וירקות), נחשב אכילת עראי, אפילו אוכל מהם שיעור מרובה. ומותר לאכול מהם כשהתפילין עליו.

Eating a snack

26) It is permissible to eat a snack while wearing tefillin, since it is unlikely that people will become drunk while enjoying a snack.[345] It is essential, however, that one remain conscious of the fact that one is wearing tefillin. Therefore, if someone does not plan to sit and study Torah at this time, it is best that he take off his tefillin before eating a snack.

Meaning of "meal" or "snack"

27) The definitions of "meal" and "snack" regarding this halakha are identical to those regarding the mitzvah of sukkah.[346] Therefore, if someone plans to eat *kabetza* (54 grams / 2 oz.) of bread, cake, or cooked grain such as pasta, it is considered a meal and he must not eat it while wearing tefillin. If he plans to eat less than this amount, it is considered a snack. Likewise, any amount of other foods, such as meat, fish, fruit, or vegetables, is considered a snack even if one plans to eat a large amount, and he may wear tefillin while eating it.

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345. This is the ruling of the *Shulhan Arukh* (40:8). The *Mishna Berura* (40:19) cited the *Shulhan Shelomo* suggesting that only someone who wears tefillin all day long is permitted to snack while wearing them, but not someone who wears tefillin only during *shaharit*. The *Rishonim* and *Aharonim*, however, did not make any such distinction. The *Shulhan Arukh* testified (37:2) that our custom is not to wear tefillin all day long, and yet he ruled here that it is permissible to snack while wearing tefillin. The responsa *Tzitz Eliezer* (Vol. VII, #27:1) and the *Halakha Berura* (page 287) likewise refuted the position of the *Shulhan Shelomo*, arguing that the reason snacks are permitted while wearing tefillin is that there is no suspicion of the person becoming drunk. If so, there is no basis to distinguish between someone who wears tefillin for an hour a day or all day long. See above in the footnote to *Siman* 39:28.

The *Minhage HeHatam Sofer* testifies that Harav Moshe Sofer often drank a cup of coffee while wearing his tefillin. The *Dinim Vehanhagot mehaHazon Ish* (chapter 3, #15) states in his name that it is permissible to snack in our times while wearing tefillin even though we do not wear them all day long. Likewise, the *Leket Hakemah Hehadash* (40:34) testified that Harav Meir Shick was accustomed to eat food served in honor of a *yahrtzeit* while wearing his tefillin "of Rabbenu Tam."

The *Kuntras Over Orah* states that if someone wishes to spend some time after *shaharit* studying Torah, he may eat a snack so that can he can study without interruption.

346. This definition is laid down by the *Matte Yehuda*, and the *Mishna Berura* and *Kaf Hahayim* Sofer concurred with it. See the *Yalkut Yosef Sukkot English Edition* (639:14) for more details.