י. כמו כן ההזמנה האוסרת את הכיס (אחר שצר ביה), הוא אפילו בדיבור בלבד שאמר שכיס זה יהיה לתפילין, וכל שכן אם נטל הכיס בידו ואמר "כיס זה יהיה לתפילין", שנחשב הזמנה, ואחר שצר בו התפילין בפועל, יתקדש. [ראה משנ"ב ס"ק י]. אך אם אחר שהזמינו, קודם שבא לצור בו תפילין, חזר בו מתנאי ראשון ואמר "על מנת לפנותו" שרוצה כעת להשתמש בו באופן זמני, אתי דיבור ומבטל דיבור, ורשאי לשנותו להשתמש בו דברי חול. [משנ"ב ס"ק יד, קול יעקב ס"ק טו]

ואם הזמין וייעד את הכיס עבור תפילין, שלא בדיבור אלא במחשבה, נחלקו הפוסקים בזה. [ראה קול יעקב ס"ק יב]. ולהלכה, הקילו בזה שאין הזמנה במחשבה נחשבת להזמנה. וראה בהערה. [ראה ביאור הלכה ריש ד"ה סודר, הלכה ברורה עמ' שב]

Designating a *kuracha* without holding it

10) Whether or not the person holds the pouch in his hands when he declares, "I designate this pouch for tefillin," it is considered a full-fledged designation. Therefore, if he places tefillin in the pouch after this declaration [even without thinking of his previous declaration], it becomes sanctified to be used exclusively for tefillin.

Nullifying a designation

If someone designates a pouch to be used permanently for tefillin, but changes his mind before he uses it even one time and stipulates that he is using it for tefillin only temporarily, his original declaration is cancelled. He can at any time use it for a mundane purpose.

Designating mentally but not verbally

The *Poskim* debated the halakha regarding someone who decided to designate a pouch to be used permanently for tefillin but never verbalized his intentions. In practice, the ruling is to be lenient, and as long as he did not think of those intentions when he placed tefillin in the pouch, it is not considered to be designated. See the discussion in the footnote.[369]

369. The *Kol Yaakov* (42:12) ruled according to the *Levushe Serad's* opinion that even if the person did not verbalize his intentions, the sack is considered to be permanently designated if the person had decided to use it permanently for tefillin and then inserted tefillin in the sack. The *Peri Megadim* remained undecided about this, but the *Mishna Berura* (*Bi'ur Halakha*) cited several *Rishonim* who ruled that the sack is considered permanently designated as long as the person held it in his hands and stated that he wishes to use it for tefillin [although he did not specify that he means to permanently designate it]. If he made such a statement without holding the sack, it is not considered to be permanently designated. Therefore, if he held the sack and did not verbalize any of his intentions, it is not considered to be permanently designated.

The *Bi'ur Halakha* added that if someone decided to use the sack permanently for tefillin and then immediately placed tefillin in it, the act of placing tefillin in the sack demonstrates his thoughts at the time, and it is considered a permanent designation. If he had decided to use it permanently for tefillin but did not place tefillin in it at that time, and when he did place tefillin in it he was not thinking of his previous decision, it is not considered to be designated.

יא. ההזמנה האוסרת את הכיס, הוא דוקא אם בעת ההזמנה היה לו כבר תפלין, אז חלה ההזמנה (ויתקדש אחר שיניח בו תפלין), אבל אם עשה כיס לתפלין שיקנה אחר כך לא חלה בזה ההזמנה, ונחשב כדין צר ביה ולא אזמניה שמותר. [ביאור הלכה סי' מב ס"ג ד"ה למיצר ביה. יביע"א ח"א חיו"ד סי' כד אות יז]

וכן המזמין את התיק לתפילין בשעה שכבר היו התפילין מונחים בתוכו, אין בכח הזמנה זו להתפיסו בקדושה, שצריך לזה מעשה של נטילה ביד. אבל אם בשעה שרואה שמכניסים את התפילין לתוך התיק מזמין את התיק לכך, מועיל להתפיס התיק בקדושה. [הגרשז"א בהליכות שלמה תפלה עמ' נו]

יב. נחלקו באחרונים אם הזמנה של קטן, נחשבת הזמנה לאסור הכיס, ראה בהערה.

Designating a *kuracha* in advance

11) Once someone designates a pouch to be used as a *kuracha* for tefillin, even though he does not place the tefillin inside it until some other time or on another day, the *kuracha* cannot be used for mundane purposes. The designation becomes finalized whenever he places the tefillin in the pouch. If someone designated a pouch for a set of tefillin that he has not yet purchased, however, the designation does not count at all, and it may be used for other purposes even after he places a pair of tefillin in it.

Likewise, if the person, or someone else, first places tefillin into the pouch and only then does he designate it to be used permanently for this purpose, the pouch does not become sanctified. The act of placing tefillin in the pouch must be what confirms a previous act of designating it. If someone designates it to be used for tefillin at the same time that he places tefillin in it, the designation is effective and the pouch has been permanently sanctified for tefillin.

A child's designation

12) The *Aḥaronim* debated whether it is forbidden to place money in a pouch that was designated to be used permanently for tefillin by a child younger than bar mitzvah. See the discussion in the footnote.[370]

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370. The *Peri Megadim* established a general rule that a child's thoughts have no halakhic affect on his property, but if he demonstrates his intentions through his actions, they do have an affect. Therefore, if a child designates a sack for tefillin it does not count at all, and even if he places tefillin in it later on it is considered a case of placing tefillin in the sack without designating it. This is the ruling of the *Kol Yaakov* (42:18). The *Mishna Berura* (*Bi'ur Halakha*) disagreed, and ruled that if a child verbally designates a sack to be used permanently for tefillin, his words are effective. If the child declares this intention and then personally places tefillin in the sack, the sack is sanctified.

The *Peri Megadim* agrees that if an adult designated the sack for tefillin and then his child places tefillin in it, the sack is now sanctified. Furthermore, he agrees that if the child places tefillin in a sack immediately after he declared that it should be designated permanently for tefillin, the sack is sanctified. In this case, the designation is considered a physical act and not just a verbal declaration, and therefore even a child's designation is effective.

יג. דין "אזמניה ולא צר ביה" (אופן ב' הנ"ל) שאמרנו שמותר לתת שם מעות, הוא אפילו כשההזמנה היתה באופן שייצר כיס מיוחד לצורך תפילין, כמו שמצוי היום, שכל זמן שלא נתן בו התפלין בפועל, נחשב להזמנה בלבד, "והזמנה לאו מילתא היא", ומותר לתת בו דברי חול, או לשנותו לדבר חול. [משנ"ב ס"ק ט]

ואם אחר שעשה הכיס לשם תפילין (אזמניה"), כשבא אחר כך להניח בו תפילין, אמר שנותן בו התפילין על דעת לפנותו, שיהיו בו רק באופן זמני, זה עדיין נחשב בגדר "צר ביה", וממילא נחשב "אזמניה וצר ביה", שאסור לתת בו דברי חול. [מג"א, משנ"ב ס"ק יד, קול יעקב ס"ק טז]

יד. דין "צר ביה ולא אזמניה" (אופן ג' הנ"ל) שאמרנו שמותר לתת שם מעות, היינו דוקא שנותן התפלין באופן עראי לפי שעה, ואפילו עשה כן פעמים רבות אך בכל פעם היה לפי שעה דרך עראי, לא נתקדש הכיס על ידי זה. אבל אם נתן בו תפילין אדעתא דקביעותא, לתת בו תפילין לעולם, אפילו שלא הזמינו מעיקרא, גם כן אסור, דהוי כ"אזמניה וצר ביה". [משנ"ב ס"ק כד, קול יעקב ס"ק יז]

Sack made specifically for tefillin

13) Even if the pouch was fashioned specifically to hold tefillin, such as those manufactured today with the word *tefillin* specially embroidered on them, it is still permissible to place money in it, or to use it for some other mundane purpose until someone places tefillin in it. The act of embroidering the word tefillin on the *kuracha* is considered no more than a verbal declaration until tefillin are actually placed in it.

If someone fashioned a *kuracha* specifically for tefillin and then declared before he placed tefillin in it that he does not wish it to be permanently designated for tefillin, it still becomes sanctified when he places tefillin in it, and it is forbidden to ever use it for a mundane purpose. This is because he had already permanently designated it for tefillin through his actions [and actions cannot be cancelled by a simple statement].[371]

Designating temporarily

14) If someone placed tefillin in a sack but decided at that time that he wishes to use this sack for this purpose only temporarily, the sack does not become permanently sanctified no matter how many times it is used for tefillin. He may change it at any time to use it for money or other mundane items. If he placed tefillin in the sack intending to use it permanently for this purpose, it becomes permanently sanctified even though he never verbalized these intentions.

371. Although the *Aharonim* ruled that if someone designated a sack to be used for tefillin but changed his mind before he ever used it for tefillin, it may be used for any other purpose as explained above in halakha 10, this applies to an ordinary sack only. If the sack was fashioned specially to be used for tefillin, such as the *kuracha* of today, then once it is used for tefillin it can no longer be used for any other purpose. The fact that he places tefillin in a *kuracha* that has the word *tefillin* and a religious theme embroidered onto it automatically sanctifies it despite his intention for it not to be permanently sanctified.