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.

טו. דין "צר ביה ולא אזמניה", שמותר להשתמש בו שימוש חול, היינו לגבי הכיס עצמו שהוא לא נתקדש בזה שצר בו התפלין, אבל בשעה שהתפילין בתוכו אין דרך כבוד לתת בכיס מעות או שאר דברי חול. [משנ"ב ס"ק כח]

טז. כיס שהתנה עליו מתחלה להשתמש בו אחר כך לדבר חול, אפילו עשה הכיס לשם תפלין וגם הניח בתוכו תפילין בקביעות ("אזמניה וצר ביה"), אפילו הכי מותר לשנותו אחר כך לדבר חול, וכן מועיל התנאי לתת בו מעות אפילו בעודו בקדושתו. אולם אין התנאי מועיל להשתמש בו תשמיש מגונה שיש בו משום בזיון לתפילין. [ראה רמ"א סי' מב ס"ג, ומשנ"ב ס"ק יז]

יז. יש שכתבו ללמד זכות על אותם אנשים ההולכים בדרך ומשתמשים בתיק של התפילין להניח בהם דברי חול, שכיון שרגילים בכך, נחשב כאילו התנו בתחילה על הכיס להניח בו דברי חול. [ט"ז]. ויש

A sack that was not designated

15) If someone never designated the sack to be used permanently for tefillin, it is permissible to change its purpose, as stated above. This means that he can stop using it for tefillin and place money or other mundane items in the sack. As long as he is still using it for tefillin however, it is disrespectful to place any mundane items in the sack together with the tefillin.

As above

16) If someone decided, before ever placing tefillin in the sack, that he will one day stop using it for tefillin and use it for mundane purposes, it does not become permanently sanctified. This applies even if the sack was manufactured to be a *kuracha* and he then used it for an extended period to hold tefillin. In fact, he may even place money in the sack while he still intends to use it again for tefillin afterward.

Once a sack has been designated to be used for tefillin even temporarily, it may never be used for a purpose that belittles the honor of the tefillin for which it was previously used. Even if the person stipulated that he should be allowed to use the sack in such a manner, it is nevertheless forbidden.[372]

Adding items to the *kuracha* for a trip

17) According to some *Poskim*, the practice that some people have of placing mundane items in the tefillin *kuracha* when making overnight trips is acceptable. Since this is their habit, it is as if they had stipulated from the beginning that they wish to use the *kuracha* in this manner. Other *Poskim* ruled that one may not rely on this leniency unless one actually stipulated this before beginning to use

372. The *Bet Yosef* and Rama (gloss to 42:3) both cited the halakha that someone may limit his declaration by stipulating, citing Rabbenu Yeruḥam. This may seem obvious, for one may even stipulate that one wishes at some point to change *tefillin shel rosh* into *tefillin shel yad*, as explained above in halakha 6, based on the *Shulḥan Arukh* (42:2). Nevertheless, the halakha must be repeated here since we are now permitting a change from a sacred use to a mundane use, whereas in the above halakha the person wishes only to lower the item's level of sanctity and not to discard its sanctity altogether.

חולקים וסוברים שאין לסמוך להקל, אם לא בתנאי מפורש שיתנה בעת שנותן בו התפילין שיהא לו רשות ליתן בו דברי חול כשיצטרך לו. [קול יעקב ס״ק כ]. ועל כל פנים לכתחילה אין לעשות כן. [משנ״ב סוף ס״ק יא] ולכן אין לתת אפילו סידור בתוך כיס שהיה מיוחד לתפילין בלבד. ולסברת המקילים הנ״ל גם בזה יש להקל ואין למחות בזה, שכיון שרגילים בכך נחשב כאילו התנו מעיקרא. [ראה משנ״ב ס״ק טז]. אולם לסברת החולקים, אין להקל בזה, אלא אם כן התנה על כך מתחילה.

יח. תיק של טלית אינו נחשב ״תשמיש קדושה״, אלא ״תשמיש מצוה״, ולכן מותר להניח בו שאר דברים של חול. [משנ״ב ס״ק יא]

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the *kuracha*. It is recommended to follow the stringent opinion, and therefore one should not place a prayer book into one's tefillin *kuracha* unless one stipulated that one wishes to use the *kuracha* in this way before one began using it. This would be permissible according to the first opinion even if one had not stipulated.[373]

A *kuracha* for a tallit

18) A tallit *kuracha* does not have the status of *tashmish kedusha* (an accessory for sacred items). Its status is that of *tashmish mitzvah* (an accessory to an item used for a mitzvah). Therefore, it is permissible to place mundane items in a tallit *kuracha*.

Tashmish detashmish

19) An item used as a *tashmish detashmish* (an accessory of an accessory) has no inherent sanctity. Nowadays, our practice is to insert the tefillin into plastic cases before placing them into the *kuracha*. Therefore, the *kuracha* has the

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373. The *Ture Zahav* defended the practice of those who place mundane items in their tefillin *kuracha* when they are traveling, suggesting that we view it as if they had stipulated to allow this since that is their common practice. The *Mishna Berura* (42:11) added that this practice is not recommended despite the lenient ruling. The *Mishna Berura* (42:15) ruled, moreover, that it is forbidden to place a prayer book inside a *kuracha* designated for tefillin. Here as well, we cannot protest those who have this practice, since it is as if they stipulated to permit it.

The *Matte Yehuda*, however, disagreed with the *Ture Zahav*, arguing that we cannot consider it as if the person had automatically stipulated to permit these practices. They cannot be permitted unless the person actually stipulated that he wishes to use the sack in this manner. The *Kol Yaakov* (42:20) and *Bet Oved* ruled that we should follow the opinion of the *Matte Yehuda*, and the *Halakha Berura* (page 301) concurred with this.

Tefillin marker and mirror

Harav Shelomo Zalman Auerbach (*Halikhot Shelomo Tefilla* page 58) ruled that it is permissible to keep a small mirror in the tefillin *kuracha* so that the wearer can check to see that he has positioned his *tefillin shel rosh* correctly, and it is not necessary to stipulate at first to permit this. We may automatically assume that the original designation of the *kuracha* was for "tefillin and all tefillin needs." The stringent ruling of the *Mishna Berura* and *Kol Yaakov* applies to using the *kuracha* for things unrelated to the mitzvah of tefillin such as a prayer book, but we can be more lenient regarding items needed to enhance the mitzvah of tefillin itself. The same should apply to a black marker used to touch up the *battim* or straps where the black color has worn away. Even so, the *Halikhot Shelomo* recommended keeping the mirror in the tallit's *kuracha*.

Nowadays, we enclose our tefillin in plastic cases that cover them on all sides. Therefore, there is more room to be lenient and permit keeping these items in the *tefillin kuracha*, as explained in the following halakha.