

Meal Ticket

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Q I am strict not to eat on Purim morning before fulfilling the mitzvah of *mishlo'ach manos* (see Kovetz Halachos 17:1 and Mo'adim Uzmanim 2:186). This Purim, I plan to attend a bris. In order to partake of the meal, may I take some food from the buffet and give it to another guest as *mishlo'ach manos*?



A *Mishlo'ach manos* must be given from one's own property, so the question is who owns the food that a host serves his guests. Can the host be assumed to intend to gift to each guest the portion he takes, or does the host just allow the guest to take the host's food, and possession only passes to the guest when he puts the food in his mouth?

The Rama (Even Ha'ezer 28:17) rules that if a guest would take his food and use it as *kesef kidushin* to marry a woman, the marriage would take effect. *Poskim* debate whether the Rama means that it is certainly valid or that it is possibly valid. It would seem that the same debate would apply to *mishlo'ach manos*, so you shouldn't rely on *mishlo'ach manos* you give with bris food to fulfill the mitzvah. But with regard to the stringency of not eating before *mishlo'ach manos*, you can rely on the opinion that it was your property and the mitzvah was valid so you may now eat.

In addition, it has become common for bris guests, after eating, to take additional food to go, either to eat for lunch or to bring home to their families. Sometimes almost as much food as is consumed at the bris leaves the building in aluminum foil provided by the host. In light of this tacit permission to remove food from the premises, the Shoshanas Yisrael (Purim 11:17) points out that it is reasonable to assume that at such a bris the host means to gift the food to the guest as soon as he lifts it, so you could indeed fulfill the mitzvah of *mishlo'ach manos* with food from the bris.

