

Ribbis: Matters of Interest

BORROWING FOOD

Neighbors frequently borrow small amounts of food from each other, such as a dozen eggs or a cup of flour. Similarly, classmates borrow cans of soda or danishes from each other.

A class decides to make a late night siyum, and asks the fellow who runs the soda machine if they can borrow twenty cans of soda, which they subsequently repay.

Do any of these cases involve a ribbis issue?

Introduction: Although *mid'oraisa* there is no issue, nevertheless Chazal instituted a *gezeirah* that one should not borrow (even) a fixed measure of food or merchandise and repay with a similar measure. Although they are repaying the same amount; nevertheless, since the market price of merchandise is subject to fluctuation and may increase in the interim, there is a possibility that the item returned will now be more valuable. This is known as *seah beseah*.

This only applies when

returning a different item, such as borrowing a dozen eggs and repaying with a *different* dozen eggs. Borrowing a car or an MP3 player, where one returns the same item borrowed, would not be subject to this prohibition, even if there was a price increase in the interim.

There are two primary

exceptions to the *gezeirah* of *seah beseah* mentioned in the Gemara:

Yatza ha'shaar: When the item borrowed has a fixed market value.

Yesh lo: The borrower has some of that item in his possession at the time of the loan (even if the lender gave him this small amount as a present at the time of the loan).

to be continued...