

THE NEW PESAH GUIDE 5779

The Committee on Jewish Law & Standards (CJLS) Kashrut Subcommittee

This Guide, prepared by the Kashrut Subcommittee and approved by the Committee on Jewish Law and Standards, explains in detail the laws and customs regarding the dietary restrictions of Passover, the rules that remind us each time we eat of Passover's messages for us. Some of these guidelines are, frankly, quite technical and even complicated; that is the result of the special stringency of the Passover rules in Jewish law and the complex, new ways in which foods are processed in our time. We hope that this Guide will enable Jews to understand what they may eat on Passover and how to prepare their kitchens for the holiday in ways that are clear and understandable. We do not intend this Guide to replace your rabbi's guidance on these matters; on the contrary, any question you have about what is written here or what is missing you should address to your rabbi.

There is a process for *kashering* many, but not all, kitchen items thus making them kosher for Pesah:

The general principle used in *kashering* is that the way the utensil absorbs food is the way it can be purged of that food, ועלובבך (Ke-volo kach pol'to). This principle operates on the basis of the quality or intensity of how the items absorb food. Things used for cold food can be *kashered* by rinsing since no substance has been absorbed by the dish or glass. Items used on a stove absorb the food and thus need a stronger level of action namely expelling the food into boiling water, called הלעגה (*bag'alab*). The most intense form of usage is directly on a fire or in an oven and these utensils require the most intense method of *kashering*, namely לובביל (*libbun*), which burns away absorbed food.

Prohibited foods

Since the Torah prohibits the eating of אֵימָה (*hameitz*) during Pesah, and since many common foods contain some אֵימָה (*hameitz*), guidance is necessary when shopping and preparing for Pesah.

Prohibited foods (אֵימָה – *hameitz*) include the following:

- biscuits
- cakes
- coffees containing cereal derivatives
- crackers
- leavened bread
- pasta

These are foods that are generally made with **wheat, barley, oats, spelt** or **rye** (grains that can become אֵימָה (*hameitz*)). Any food containing these grains or derivatives of these grains must be certified kosher for Pesah. Flavorings in foodstuffs are often derived from alcohol produced from one of these grains which would render that food אֵימָה (*hameitz*). Such products also need Pesah supervision.

Technically one of the prohibited grains becomes אֵימָה (*hameitz*) when, during processing, it comes in contact with a leavening agent for more than 18 minutes. Thus, matzah, while made from wheat, is not אֵימָה (*hameitz*), for in the processing no leavening agent comes in contact with it for more than the specified time before it is baked. *Matzah sh'murah* is made from wheat that has not come in contact with a leavening agent (this could include water) from the time it is harvested, not simply from the time it is processed. (The additional care taken to keep the wheat free from leavening agents from the farm is, in part, the reason for its higher price.) It has become the custom of some Hasidic Jews not to cook matzah or matzah meal in any way that might cause the matzah to be in contact with a leavening agent even in the cooking process. They do not for example eat matzah balls, for those consist of matzah meal cooking in water for more than 18 minutes. They consider matzah balls and all such creations to be *gebracht* and forbidden on Pesach, except for the 8th day which is only celebrated outside of Israel.

תוינטק – Kitniyot

Until recently, the CJLS position on *kitniyot* (for Ashkenazim) has followed that of the longstanding Ashkenazi *minhag* of refraining from eating them. These foods included: beans, corn, millet, peas, rice, soy, and some other plant based foods like mustard, buckwheat and sesame seeds. The one exception was an approved permission of peanuts and peanut oil, provided said items have proper year-round kosher certification and do not contain *hameitz* ingredients.

In the fall of 2015 the CJLS passed two responsa which permit the consumption of *kitniyot* for Ashkenazim. To fully understand their positions, which differ in their argumentation, please see:

- David Golinkin, "[Rice, beans and kitniyot on Pesah - are they really forbidden?](#)" OH 453:1.2015a
- Amy Levin and Avram Israel Reisner, "[A Teshuvah Permitting Ashkenazim to Eat Kitniyot on Pesah](#)" 453:1.2015b

This permission does not come without a few caveats that do appear in the body of the papers. The first is that the CJLS affirms that this new position does not constitute an instruction to consume *kitniyot* during Pesah, but rather a halakhic basis and guideline for those who choose to do so. We recognize that while some individuals, communities, and institutions will utilize this new ruling, others may choose not to do so. Both are equally legitimate and *derekh eretz* should be the guiding value with which we hold our communal and interpersonal conversations around this topic. We encourage all decision-making parties to be transparent in their policies and menus, as well as sensitive to the spiritual and dietary needs of others. For those who do avail themselves of this ruling, it is important to note the following **specific guidance, cited in the *p'sak halakhah* of the responsum by Rabbis Amy Levin and Avram Reisner**:

1. Fresh corn on the cob and fresh beans (like lima beans in their pods) may be purchased before and during Pesah, that is, treated like any other fresh vegetable.
2. Dried *kitniyot* (legumes, rice and corn) can be purchased bagged or in boxes and then sifted or sorted before Pesah. These should ideally not be purchased in bulk from bins because of the concern that the bin might previously have been used for *hameitz*, and a few grains of *hameitz* might be mixed in. In any case, one should inspect these before Pesah and discard any pieces of *hameitz*. If one did not inspect the rice or dried beans before Pesah, one should remove pieces of *hameitz* found in the package on Pesah, discarding those, and the *kitniyot* themselves remain permissible.
3. *Kitniyot* in cans may only be purchased with Pesah certification since the canning process has certain related *hameitz* concerns, and may be purchased on Pesah.
4. Frozen raw *kitniyot* (corn, edamame [soy beans], etc.): One may purchase bags of frozen non-hekhshered *kitniyot* before Pesah provided that one can either absolutely determine that no shared equipment was used or one is careful to inspect the contents before Pesah and discard any pieces of *חמץ hameitz*). Even if one did not inspect the vegetables before Pesah, if one can remove pieces of (*hameitz*) found in the package on Pesah, the vegetables themselves are permissible.
5. Processed foods, including tofu, although containing no listed *hameitz*, continue to require Pesah certification due to the possibility of admixtures of *hameitz* during production.
6. Even those who continue to observe the Ashkenazic custom of eschewing *kitniyot* during Pesah may eat from Pesah dishes, utensils and cooking vessels that have come into contact with *kitniyot* (תרינטק יג) may consume *kitniyot* derivatives like oil that have a **KP hekhsher**.

Permitted Foods

An item that is kosher all year round, that is made with no *חמץ (hameitz)*, and is processed on machines used only for that item and nothing else (such as ground coffee) may be used with no special Pesah supervision. As we learn more about the processing of foods and the ingredients they contain, relying on the kashrut of a product for Pesah without a Passover *רשכה (bekhsber)* may be problematic. Wherever possible, processed foods ought to have a “הספל רשכ” (“*kasher l’Pesah*”) *רשכה (bekhsber)* from a reliable source. Since that is not always possible, however, our guidelines reflect some alternatives that are acceptable.

Any food that you purchase with a “הספל רשכ” (“*kasher l’Pesah*”) *רשכה (bekhsber)* must have a label that is integral to the package and it should have the name of a recognizable, living supervising Rabbi or creditable kosher supervision agency if possible. If the label is not integral to the package or if there are questions regarding the labeling, the item should not be used without consulting a Rabbi.

NO PESAH HEKHSHER REQUIRED

Products which may be purchased without a Pesah *רשכה (bekhsber)* before or during Pesah:

- baking soda
- bicarbonate of soda
- eggs
- fresh fruits and vegetables
- fresh or frozen kosher meat (other than chopped meat)
- Nestea (regular and decaffeinated)
- pure black, green, or white tea leaves
- unflavored tea bags
- unflavored regular coffee
- olive oil (extra-virgin only)
- whole or gutted fresh fish

- whole or half pecans (not pieces)
- whole (unground) spices and nuts

NO PESAH HEKHSHER REQUIRED IF PURCHASED BEFORE PESAH

Products which may only be purchased without a Pesah רשכה (*hekhsber*) before Pesah. If bought during Pesah they require a Pesah רשכה (*hekhsber*):

- all pure fruit juices
- filleted fish
- frozen fruit (no additives)
- non-iodized salt
- pure white sugar (no additives)
- quinoa (with nothing mixed in)*
- white milk
- Some products sold by Equal Exchange Fair Trade Chocolate

Frozen, uncooked vegetables may be processed on shared equipment that uses חמץ (*hameitz*). It is preferable to purchase those with a “הספל רשכ” (*“kasher l’Pesah”*) label. One may, however buy bags of frozen non-*hekhsbered* vegetables before Pesah provided that one can either absolutely determine that no shared equipment was used or one is careful to inspect the contents before Pesah and discard any pieces of חמץ (*hameitz*). Even if one did not inspect the vegetables before Pesah, if one can remove pieces of חמץ (*hameitz*) found in the package on Pesah, the vegetables themselves are permissible.

*It has come to our attention that there is a possibility of grains being mixed with **quinoa** if it is not under Pesach supervision. The best option is to purchase quinoa with a Pesach רשכה (*hekhsber*), if it is available. Where that is not available, purchase Bolivian or Peruvian quinoa, marked “gluten free” before *Pesah*. Please make certain that quinoa is the sole ingredient in the final packaging.

PESAH HEKHSHER ALWAYS REQUIRED

Products which require reliable הספל רשכ (*kasher l’Pesah*) certification (regular kosher supervision being not sufficient) whether bought before or during Pesah:

- all baked goods
 - farfel
 - matzah
 - any product containing matzah
 - matzah flour
 - matzah meal
 - Pesah cakes
- all frozen processed foods
- candy
- canned tuna
- cheeses
- chocolate milk
- decaf coffee
- decaf tea
- dried fruits
- herbal tea
- ice cream
- liquor
- Grade AA butter
- oils
- soda
- vinegar
- wine
- yogurt

Regarding cheeses and non Grade AA butter, an inspection by a rabbi of a local dairy may suffice to resolve potential questions in some cases.

BABY FOOD

Baby food with a Passover רשכה (*bekhsber*) is sometimes available. Of course, home preparation of baby food, using חספל רשכ (*kasher l'Pesah*) utensils and kitchen items is always possible. Pure vegetable prepared baby food that is רשכ (*kasher*) the year round is acceptable for Pesah. The use of תוינטק (*kitniyot*) for babies is also acceptable with care taken that this baby food does not mix with food from the rest of the family. Separate dishes and utensils are recommended. Most infant formulas are made from soy and the use of תוינטק (*kitniyot*) does not apply to infants. Thus infant formula products, רשכ (*kasher*) the year round, are acceptable for Pesah. Here as in baby foods, the bottles, nipples and formula should be kept away from the general kitchen area and clean up should be done out of the kitchen area (e.g. a bathroom sink).

MEDICINES

Prescription medicines are permitted. Non-prescription pills and capsules are permitted; for liquids, check with your rabbi.

PET FOOD

The issue of pets on Pesah is a complicated one. There are several options:

1. The pet is given, for the week of Pesah, to a gentile who can feed it whatever food is available.
2. Since no חמץ (*hameitz*) is allowed in our possession on Pesah, one could feed the pet either חספל רשכ (*kasher l'Pesah*) pet food, pet foods with no grain, or food off your own table which is already חספל רשכ (*kasher l'Pesah*). Incidentally תוינטק (*kitniyot*) would be permissible.
3. Some authorities allow for the pet to be sold along with the חמץ (*hameitz*) and, since the pet does not belong to the Jewish owner, regular pet food would be fed. Note that the document of sale would have to include the pet as well as חמץ (*hameitz*). If you have these pet foods in your home be careful to keep them away from the general kitchen area. Washing of pet utensils should be done out of the kitchen area (e.g. a bathroom sink).

NON FOOD ITEMS

Any detergents, cleaners, etc. which are not a food stuff and which are not eaten, may be used for Pesah with no *bekhsbered* supervision. This would include:

- aluminum products
- ammonia
- baby oil
- bleach
- candles
- contact paper
- charcoal
- coffee filters
- fabric softener
- isopropyl alcohol
- laundry and dish detergent
- oven cleaner
- paper bags
- paper plates (with no starch coating)
- plastic cutlery
- plastic wrap
- polish
- powder and ointment
- sanitizers
- scouring pads
- stain remover
- water with no additives
- wax paper