

Kashrut Subcommittee Recommendations for Pesah 5781

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Update for 5781:

Dear Friends,

Last year we experienced a truly different Passover, from the preparations & purchases, to the Seders, and beyond. As Passover approached, the CJLS provided updated guidelines for the moment in which we found ourselves--so many uncertainties about food supplies, financial difficulties, and the loss of family & community gatherings as we once knew them.

While much has changed, we mustn't forget we continue to be in the midst of a devastating pandemic. So many of our community members are still experiencing hardship--physically, financially, and emotionally. Public health restrictions remain in place, distancing and masks still necessary, and indoor gatherings of multiple households remain dangerous (please see our CJLS pandemic guidance [here](#)). While we may have a much better sense of supply lines, we also know that normative shopping in public spaces continues to be a challenge--a potentially dangerous environment that many of us avoid.

The individual and communal *Agmat Nefesh* (anxiety) weighs heavily, thus still a relevant indicator for when ease normative stringencies. For these reasons, the leniencies we provided last year will largely remain in place (they are all well within the boundaries of keeping a kosher Passover), and available to those who need them. We will also provide a copy of [our typical CJLS Passover guide](#), as many will also prefer aspiring to something closer to what existed before pandemic times.

We also remain aware and sensitive to--as we were last year--how emotionally significant Seder can be with family members, special friends, guests, and with as many people as possible at the physical table. God willing, this will be the last year for which private small immediate family & individual seders will be necessary in the future. But they are in fact necessary this year, so please stay home.

And, most importantly, we want to remind you of that which we reminded you last year: *"As different practices emerge in different communities, let's all remember to treat one another as kindly as possible, reserving judgement for the One imbued with the amount of compassion with which to do it lovingly, always."*

Some additions to the mix since last year's guide was published:

- [Teshuvah on Streaming on Shabbat and Yom Tov](#) by Joshua Heller
- Additionally, you may find some [resources on this page](#) helpful.

A few tips to keep in mind when purchasing food for the seder:

Matzah - One is obligated to avoid hametz throughout Passover, but the obligation to eat matzah is limited to fulfilling the rituals of the first/second night seder alone. Therefore, communities should ensure that each home has at least enough matzah for each person to fulfill the obligation of אכילת מצה, eating matzah, for [each] seder. Think, basically, about one piece of matzah per person, per seder.

Karpas - Can be any vegetable. [In Israel, boiled potato is a common food for karpas]

Maror - Horseradish and Romaine Lettuce are most commonly used. If either is not available (though they should be), people are encouraged to find other bitter, earth-grown, vegetables.

Egg and Roasted Shankbone on Seder Plate - A roasted beet and rice (if consuming kitniyot) in place of the shankbone and egg.(Pesachim 114b)

Kashering/Cleaning:

This may be one area in which not much has to change, for many households. The directions are laid out in the [CJLS Pesah Guide](#). Cleaning this year, again, may actually be a bit more difficult as many of us have been in our homes living differently than normal. But the general rule is, places must be well-searched and specifically cleaned for *hametz* only if it's a place for which and in which hametz is normally consumed and cooked. Furthermore, the prohibition of owning & seeing hametz applies specifically to amounts of pure hametz that is at least the size of an olive (*k'zayyit*). This is your yearly reminder that dirt is not hametz.

Destruction of Hametz/Bi'ur Hametz and Bittul Hametz/Renouncing of Hametz:

It is a mitzvah to search for and destroy Hametz. If cleaning is unusually difficult this year due to conditions of isolation, it is well to remember that at the end of that process we renounce "all hametz whether I am aware of it or not." If cleaning is sufficient to protect against obvious contact with hametz, we can rely on the formula of bittul (renunciation).

Sale of Hametz:

We have set-up an [online form](#) for those in North America to appoint Rabbi Mordy Schwartz as the agent for sale of hametz. Grocery store owners and other businesses that will be open over Pesah should not fill out the form, but should [email Rabbi Schwartz](#) to arrange for the sale.

Cleaning/Kashering for elderly/infirm:

In these households, if there is an already living-in-home caretaker in place, cleaning and kashering should be carried out, to the extent possible, [according to the guidelines](#) which apply to all. In a household where there is no able-bodied caretaker in place, the residents of the household should do their best to remove hametz from every surface that will be used for the preparation or consumption of foods during Passover. These surfaces should be wiped down with all-purpose cleaning materials. If possible, refrigerator shelves should also be wiped down. If the oven will be used during Passover, the walls of the oven should be wiped down and aluminum foil placed between the rack and the baking dish. The self-cleaning function is of course also an option, though some general wiping down should be done first, especially of any grease build up, which is known to be a potential fire-hazard.

For homes in which vessels will not be able to be kashered in the normative manner (due to physical capability or general concerns of danger with heating elements), we recommend designating a few cooking vessels to be used for passover cooking before and during the holiday, to clean them well, and let them sit for 24 hours (or at least overnight). So long as they don't have visible foodstuff caked on, they are acceptable for preparing Passover food. This technique can also be used for cutlery and non-porous dishes as well.

Purchasing of Food:

Hierarchy of purchasing: The CJLS [formally permitted](#) Ashkenazim to consume kitniyot in 2015.

As Passover 5780 (2020) approached, due to the unprecedented disruptions in the food supply, the CJLS encouraged everyone to consider putting aside the Ashkenazic custom of eschewing legumes (beans and lentils) corn and rice. Although the state of food supplies and other logistic issues differ from locale to locale as of this writing, the CJLS renews the suggestion that anyone facing continued

challenges finding foods appropriate for Passover again consider adopting the guidance of the 2015 teshuvah.

Below are guidelines for following “best practice” under trying circumstances:

Note: Last year some folks noticed what looked like categorical discrepancies between the typical yearly guide and the covid-era guide. Items that would typically be listed as only KP marked, or non-KP-marked but okay for pre-Passover purchase, moved into a more lenient category. And some of you asked why, if we were willing to move it into a more lenient category for the Covid-era--and still consider it safe for Passover--why wouldn't we always keep it in a more lenient category? Those are good questions and we appreciate them. Here's the short answer—there are a number of products for which we are generally confident they are fine for Passover (either no *hametz*, or *1/60 nullified*), but can't be absolutely sure. In normal times we have typically erred on the side of extra caution in the absence of more sufficient knowledge about a particular item. But in times of distress--current times--our confidence is enough to treat the items more expansively, giving more people (if they so choose) the option of purchase.

It is important to note that many products that are plain, unflavored dairy products (like milk, yogurt, cottage cheese, and hard cheeses), frozen fruits and vegetables, packaged legumes, and rice can be purchased with a year-round hechsher before Passover as a matter of course. This is not latitude granted during difficult circumstances, this is normative halakhah. It is only if they are purchased during Passover itself that many of these items need to carry a Kosher for Passover certification.

In general, we tend to be strict on our Passover lists due to the overall complexity of certifying individual items. This year, as with last, we continue to rely on our most current knowledge of key food items to lessen the burden we are all feeling, and most importantly, continue to mitigate sending people into potentially dangerous situations--while still being within the normative constructs of Passover Kashrut.

This year, due to overall Covid limitations]and in order to limit individuals having to check multiple stores, if you are unable to find an item below with a Kosher for Passover certification due to COVID-19 then here's what you can do:

1. Food requiring no Kosher for Passover certification no matter when purchased (they are certainly hametz-free):

Baking soda
Pure bicarbonate of soda, without additives
Eggs
Fresh fruits and vegetables (including pre-washed bagged)
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 oils (and other pure oils)
Whole or gutted fresh kosher fish
Whole or half pecans (not pieces)
Whole (unground) spices and nuts
OU/Star-K Raisins
Kosher wine
Plain butter, either salted or unsalted
Unflavored Seltzer Water, Sparkling Water (without additives)

2. The following list of basic foods should be purchased before Passover. The reason for this is that these products present the consumer with a slightly lesser level of certainty

(unlike the category #1, for which there is certainty) as to whether an unintentional trace amount of hametz may have found its way into the product. However, if the food item is crucial and one cannot procure a marked KP version of food during the holiday itself, one could purchase said item on Hol-HaMo'ed.

All pure fruit juices
Filleted fish
Frozen fruit (no additives)
Plain cheeses (without added flavor morsels)
Non-iodized salt
Pure white sugar (no additives)
Quinoa (with nothing mixed in)* GF ideal
White milk
Some products sold by Equal Exchange Fair Trade Chocolate (See available options [here](#))
Frozen Vegetables (needs to be checked for possible hametz before cooking)
Chopped meat
Plain, non-flavored almond milk, rice milk, soy milk, cashew milk.
Non-flavored Cream Cheese with ingredients of milk and cream, salt, stabilizers (xanthan and/or carob bean and/or guar gums)
Non-flavored Yogurt with milk and bacteria, only (which are Lactobacillus bulgaricus and Streptococcus thermopiles).
Canned Tuna with just tuna, water or oil, salt, and pyrophosphates
100% maple syrup
100% Agave
Ground Salt and Peppers
Plain (non-Flavored) Decaf Coffee
Year-round supervised plain margarine
Pure Honey
Dried fruit, prunes only without potassium sorbate
Club Soda

Notes: This situational & provisional leniency is being provided based on a reasonable assumption by the purchaser that the product was produced before Passover began (production and supply lines generally affirm this in typical supermarket shopping), coupled with any potential *hametz* being in trace amounts, only. The temporary ruling relies on the principle of a double doubt, *s'feik sfeika*, which asserts that since there is a doubt as to the date of actual production--very likely before Passover but still a bit of uncertainty--as well as a doubt among poskim concerning the principle of nullification's (1/60) application on Passover, a lenient ruling can be made (see first Darkhei Moshe to OH 447, and Mishnah Berurah, 447:2). Needless to say, this is a minority opinion and only in effect from the CJLS is these extenuating circumstances, under the provisions above.

We recognize there could be some ambiguity around words like "necessary" and "crucial" and "important". Should individuals have questions as to whether their particular need justifies this leniency, please first be in touch with your local rabbi. More generally, this category of foods is being provided for those who may run out of something essential after Passover begins, or may have been unable to procure it beforehand for whatever reason, and deem it necessary to have on hand for ongoing important food preparation for the holiday.

3. **Kitniyot:**

Fresh kitniyot: Corn on the cob and fresh beans (like green beans or lima beans in their pods) may be purchased before and during Passover, that is, treated like any other fresh vegetable. Many do not consider green beans to be "kitniyot", fresh or otherwise. This is certainly an accepted & longstanding practice among communities. This particular addition would be even for those who do treat green beans as kitniyot--i.e., when fresh they should be treated like any other fresh vegetable.

Dried kitniyot (legumes, rice and corn) can be purchased bagged or in boxes and then sifted or sorted before or on Passover. 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 to the extent possible before Passover and discard any pieces of hametz. If one could not inspect the rice or dried beans before Passover, one should remove pieces of hametz found in the package on Passover, discarding those, and the kitniyot themselves remain permissible.

Frozen raw kitniyot (corn, edamame [soy beans], etc.): One may purchase bags of frozen non-hekhshered kitniyot before or during (if necessary) Passover provided that one can either absolutely determine that no shared equipment was used or one is careful to inspect the contents before Passover) and discard any pieces of חמץ hameitz). Even if one did not inspect the vegetables before Passover, if one can remove pieces of (hameitz) found in the package on Passover, the vegetables themselves are permissible.

4. **Requires Kosher for Passover label at any time:**

All baked goods
Farfel
Matzah
Any product containing matzah
Matazah flour
Matazah meal
Pesah cakes
All frozen processed foods
Candy
Chocolate milk
Herbal tea
Ice cream
Liquor
Soda
Vinegar
Margarine

Another way to potentially find acceptable foods without a specific Kosher for Passover designation during **pre-Passover shopping**, when the situation demands, is to prefer certified Gluten Free (**and oat free**) products.

Note: Products that are certified gluten-free may be consumed on Passover based on checking for specific ingredients on the product label.

- In an effort to definitively alert consumers to the presence of wheat gluten in packaged foods, the FDA mandates that any product including the words "gluten-free," "no gluten," "free of gluten," or "without gluten" must contain less than 20 parts per million of glutinous wheat, spelt, barley, or rye. This eliminates the possibility of a gluten-free packaged food containing 4 of the 5 חמץ-derived grains in any quantity that would be viable according to Jewish law.
- Furthermore, this eliminates concern over any shared equipment that may have imparted חמץ, since the amount of 20 parts per million is much more stringent than the halakhic principle of batel b'shishim, nullifying חמץ in trace amounts (1 part in 60, about 1.6% or less of the total volume).

Oats are the only hametz-derived grain not necessarily absent in a gluten-free food. Check for oats if you shop GF. (Thanks to Jarod Skoff, ZSRS, for this brief write-up.)

It has become quite common for many folks to use food-shopping services in which individuals shop on behalf of others and drop products off at the door. While not inherently problematic for Passover, it is not uncommon for shoppers to substitute similar items for others, grocery stores often mismark products with their own signage, and Kosher sections can be confusing for the inexperienced Passover shopper. This is potentially challenging, such that those who utilize these services specify precisely what it is they prefer in the days before Passover, and certainly during the holiday itself. Some services provide options for flagging "no substitutions", which should be utilized whenever possible. We also strongly recommend those who use those services to be extra judicious in checking their orders for accuracy at delivery.

Lastly, many of us have already opened products in our homes that are *Hametz*-free, but used in the course of normal year-round cooking. If one is able to ascertain with a high level of certainty that no hametz contaminated the opened product (or at worst a negligible amount), it would be reasonable to set it aside for Passover use for this year (especially if procuring a new package presents a potentially dangerous situation one typically avoids, or is financially prohibitive).

***A Note on Medications:** Though COVID has disrupted our lives in many ways, it has not affected any questions of the permissibility of medications on Pesach, or during the year. The following is a general guide; however, any specific questions should be directed to your rabbi. Special thanks to Rabbi Steve Kane, who is writing a longer responsum on this topic, for this explanation and expansion from previous Passover guides.

All medications that are needed for illnesses and medical conditions that involve possible life threatening situations are permitted.

Medications that do not involve life threatening situations are divided into two categories. Those medications, in particular pills which are known remedies in the medical community and are made to be swallowed whole, are permitted, since they are to be considered like a "burnt item" that has lost its relationship to its possible non-kosher origin. Although swallowed, they are considered to be neither food nor (edible) *chametz*.

However medications for illnesses or medical conditions that do not involve a life threatening situation (including vitamins and supplements) that have been formulated to be edible or semi-pleasant to drink can be problematic. This includes soft gelcaps which often contain porcine gelatin and liquid medicines that often contain glycerin and other additives (which can be made from animals). It is recommended that all such over the counter items be purchased with *hashgacha* (Kosher certification) before Pesach and state on their packaging that they contain no starch. If this is not possible, then it is preferable to purchase unflavored liquids and hard capsules, also prior to Pesach. If none of these are available, consult your rabbi.

A note on Passover that begins on a Saturday night:

When Passover starts on a Saturday night, "Erev Pesach" is stretched over three days.

- The **fast/feast of the firstborn**, which would normally be on Passover eve, is pushed two days earlier, so that we do not have to fast on Shabbat or Friday. So, the traditional **Siyyum for the firstborn will be held on Thursday morning**.
- Then, **Thursday night** is when we search for Hametz by candlelight.
- Kitchens should be completely switched over to kosher for Passover and we get rid of almost all our hametz by burning or selling it by the sixth hour of the day on **Friday**.

But what about challah on Shabbat? For Shabbat meals, there are two solutions:

1. Eat hametz, but very carefully. The hametz sale document, and the way that we dispose of hametz, has a loophole for any hametz that we are planning to eat on the rest of Friday evening or Shabbat morning. We can therefore hold back enough challah for Shabbat dinner and Shabbat lunch (this is a great time for paper plates or outdoor dining). We finish eating the hametz by the fifth hour, and dispose of any leftovers by the sixth. Leftovers can be discarded--rendered inedible. At that time, we recite the "Kol Chamira" formula (normally recited when burning the hametz) that cancels any remaining hametz.

2. "Egg Matzah" is not technically considered Matzah, but is also not hametz, as it is similar to bread. So, it's possible to use two sheets of it in the place of challah, and thus be totally kosher-for-Passover.

For those interested in timing vis-a-vis the ending of Shabbat and Seder, as well as options for how to begin Seder early, [click here](#).

Thanks to Rabbi Josh Heller for contributing to this last piece of guidance.