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Kitniyos

We are all familiar with the custom of *kitniyos* on *Pesach*, but who does it apply to, what is included in the custom, and what about derivatives or extracts from *kitniyos*?

The Custom

The custom to refrain from eating *kitniyos* emerged after the time of the *Gemorah*,¹ at about the time of the *Maharil* (approx 1427)² and has become the accepted custom³ among *Ashkenazik* circles.⁴ *Kitniyos*⁵ includes rice,⁶

buckwheat,⁷ millet, beans,⁸ lentils,⁹ peas, and mustard.¹⁰ Although refraining from eating *kitniyos* is a *chumra*, which is not required according to the letter of the law,¹¹ an *Ashkenazi* Jew should not be lenient¹² with regard to eating *kitniyos*.¹³

The *Aruch Ha'shulchan*¹⁴ says "being lenient in this is testimony that he has no fear of *Hashem*

¹ In fact the *Gemorah* (*Pesachim* 114b) mentions that *Rabbah* ate rice in front of *Rav Huna*.

² Some say it was in the year 1300 that the custom started (See *Yesodo Yeshurin* 6:page 397).

³ *Chai Adom* 127:1, *Aruch Ha'shulchan* 4, *Yesodo Yeshurin* 6:pages 401-406 in great depth who lists the opinions on this matter.

⁴ *Mordechai Mesechtas Pesachim* 2:588, *Darhei Moshe* 453:2, *Rama O.C.* 453:1, 464:1, *Levush* 453:1, *Elya Rabbah* 3, *Prisha* 3, *Gr'a* 453, *Shulchan Aruch Harav* 3, *Chai Adom* 127:1, *Kitzur Shulchan Aruch* 117:4, *Aruch Ha'shulchan* 4, *Da'as Torah* page 119, *Shemiras Shabbos K'hilchoso* 40:80, *Yechaveh Da'as* 1:9, 5:32, *Bais Avi* 2:11, 4:54, see *Kaf Ha'chaim* 11. On mustard see *Taz* 453:1, *Minhag Yisroel Torah* 2:page 409). The *Shulchan Aruch Harav* 5 says the custom is only if the *kitniyos* fell into water.

⁵ Refer to *Rambam Hilchos Kelayim* 1:8 who lists which grains are called *kitniyos*. (See *Shulchan Aruch Y.D.* 297:3, see *Tzohar* 2:page 190). Some say *kitniyos* which do not come in contact with water are permitted (See *Shulchan Aruch Harav* 453:5). However, this is not the

accepted custom (See *Chai Adom* 127:1, *Tzohar* 2:pages 194-195).

⁶ *Elya Rabbah* 2, *Chok Yaakov* 453:3, *Chai Adom* 127:1, see *Minhag Yisroel Torah* 2:page 205. Refer to *Yesodo Yeshurin* 6:pages 406-408. Those who are lenient hold the reason is because one can only be *yotzei* his obligation of *matzah* with something which becomes *chometz* (*Magen Avraham* 1). One should be more stringent with rice than other *kitniyos* (*Chok Yaakov* 453:5).

⁷ *Mishnah Berurah* 3.

⁸ *Rambam Hilchos Chometz U'matzah* 5:1, *Sidur Pesach K'hilchoso* 16:3.

⁹ *Shulchan Aruch Y.D.* 297:7, see *Minhag Yisroel Torah* 2:page 212.

¹⁰ *Rama* 466:1, See *Taz* 453:1, *Mekroeh Kodosh Pesach* 2:60:3:page 207, *Minhag Yisroel Torah* 2:page 409.

¹¹ *Chok Yaakov* 453:5, 9, *Shulchan Aruch Harav* 5, *Mishnah Berurah* 453:6.

¹² The last day of *Pesach* if one does not have anything else to eat then one can be lenient (*Mishnah Berurah* 453:7, see *Shulchan Aruch Harav* 3 who says even on the last day of *Pesach*).

¹³ Refer to *Sharei Teshuva* 453:1.

¹⁴ 453:4, see *Chasam Sofer O.C.* 1:122.

or fear of sin, and he is not an expert in the ways of *Torah*." In addition he says "this custom is followed by all of Germany, France, Russia, Poland, and all of their descendants, and a snake should bite the one who deviates from it."¹⁵

The custom among the *Sefardim* is that *kitniyos* may be eaten.¹⁶ Although some *poskim* say that even *Sefardim* should not eat rice,¹⁷ the *minhag* of most *Sefardim* is to eat rice on *Pesach*.¹⁸

Reasons

Some say the reason to refrain from eating *kitniyos* is because it grows in fields adjacent to where *chometz* is grown, and some *chometz* may have been mixed into the *kitniyos*.¹⁹ In addition, many times one grinds *kitniyos* into a powder which resembles flour, and an unlearned person will think that it is wheat flour and may come to use regular wheat flour on *Yom Tov*.²⁰ Furthermore, according to the stringent opinion even if the *kitniyos* are whole it may

not be eaten because of a *lo plug*.²¹ *Rabbeinu M'noach* writes that when one eats *kitniyos* one does not have true *simchas Yom Tov*.²²

From When?

According to some *poskim*, the custom is that those who refrain from eating *kitniyos* do so from *Erev Pesach* at the time when *chometz* is forbidden.²³

Which Additional Items are Included

Aside from items listed above, additional *kitniyos* items are: Bean sprouts, Black eye peas, Canola Oil (see below), Caraway, Chickpeas²⁴ Corn,²⁵ Corn Syrup (see below), Cumin,²⁶ Dextrose, Emulsifiers, Fennel,²⁷ Fenugreek,²⁸ Flax Seeds, Green beans,²⁹ Guar Gum, Kimmel,³⁰ Lechitin,³¹ Lentils, Licorice, Lucerne, Lupine, Millet,³² Mustard,³³ Popcorn, Poppy Seeds,³⁴ Saffron, Sesame Seeds, Snow Peas, Soy

²¹ Mishnah Berurah 453:6.

²² Ohr Yisroel 35:page 206, see Kaf Ha'chaim Palagi 2:36 who says this reason and adds that according to this reason *kitniyos* should not be eaten on any *Yom Tov*.

²³ Chok Yaakov 471:2, Shevet Ha'Levi 3:31 (end), Opinion of Horav Elyashiv Shlita quoted in Sidur Pesach K'hilchoso 16:footnote 42*, Journal of Halacha and Contemporary Society 6:page 72, see Pri Megadim Eishel Avraham 444:2 and Da'as Torah page 119 who seem to argue. On the last day of *Yom Tov* *kitniyos* is not eaten either (Mishnah Berurah 453:7).

²⁴ The Laws of Pesach: A Digest 2006 page 37.

²⁵ Chok Yaakov 453:1, Mishnah Berurah 453:4, Aruch Ha'shulchan 3. Corn flour is also included in *kitniyos* (Shemiras Shabbos K'hilchoso 40:80, Sidur Pesach K'hilchoso 16:3, Hakotton V'hilchosuv 22:11, Halacha Shel Pesach page 102:footnote 40).

²⁶ Shulchan Aruch Harav 453:4.

²⁷ Star-K Passover Book 2008 page 43.

²⁸ OU document P-77, Star-K Passover Book 2008 page 43. See Sappirim Issue 5:pages 3-4 who is lenient based on the opinion of Rav Schwartz Shlita.

²⁹ Star-K Passover Book 2008 page 43.

³⁰ Shulchan Aruch Harav 453:4, Mishnah Berurah 453:13.

³¹ Star-K Passover Book 2008 page 43.

³² Rambam Hilchos Chometz U'matzah 5:1, Chai Adom 127:1, Sidur Pesach K'hilchoso 16:3.

³³ Rama 464:1.

³⁴ Star-K Passover Book 2008 page 43.

¹⁵ 453:5. See Tov Ayin 9:6.

¹⁶ Rambam Hilchos Chometz U'matzah 5:1, Tur 453, Shulchan Aruch 453:1, Shulchan Aruch Hamekutzar 3:83:4. The Bais Yosef 453 says refraining from eating *kitniyos* is an extra *chumra*. Refer to Mordechai Pesachim (2:588), Tur 453, Besamim Rosh 348, Yesodo Yeshurin 6:page 399. The Da'as Torah page 119 says that it is forbidden to listen to those who are lenient. The *Chacham Tzvi* was not happy with the custom of *kitniyos* (M'eor V'ketziah 453, see Sheilas Yaavetz 2:147, Tov Ayin 9:6).

¹⁷ Pri Chadash 1, Birchei Yosef 453:1, Tov Ayin 9:6, Lev Chaim 2:94, Kaf Ha'chaim 8, 10, Piskei Teshuvos 453:footnote 6. Refer to Yesodo Yeshurin 6:pages 408-409.

¹⁸ Rav Poalim 3:30, Yechaveh Da'as 1:9, 5:32, see Rivash 420. If a *Sefardi* does not eat *kitniyos* on *Pesach* and then wants to change his custom he needs to be *matir neder* (Haggadah of Horav Elyashiv Shlita page 12).

¹⁹ Refer to Tur 453, Kol Bo 48, Levush 1, Gr'a, Ohr Yisroel 35:page 198-205 in depth, Minhag Avoseinu B'yudeinu 2:pages 421-424.

²⁰ Bach, Bais Yosef, Prisha 3, Chok Yaakov 453:5, Shulchan Aruch Harav 453:3, Mishnah Berurah 453:6, Aruch Ha'shulchan 4, see Chai Adom 127:1, Biur Halacha "v'yeish." Refer to Tzohar 2:page 189.

Oil, Soy beans, Soy, Starch, Stabilizers, String beans, Sunflower Seeds,³⁵ and Tofu.³⁶

However, coffee,³⁷ tea,³⁸ garlic,³⁹ and radishes,⁴⁰ are not included in the *chumra* of *kitniyos*.

Spices are not included in the *chumra* of *kitniyos*.⁴¹ Nonetheless, one should check them and other permitted foods to make sure that no *chometz* grains were mixed in.⁴²

Potatoes

There are some *poskim* who include potatoes in the *minhag* to refrain from eating *kitniyos* on *Pesach*, since they too, can be ground into flour which can be confused with grain flour.⁴³ However, this opinion is not accepted today.⁴⁴

³⁵ Refer to Mishnah Berurah 453:11, see Da'as Torah page 118.

³⁶ Star-K Passover Book 2008 page 43.

³⁷ Refer to Pri Megadim M.Z. 1, Sharei Teshuva 453:1, Minhag Yisroel Torah 2:pages 213-214. See Tov Ayin 9:6.

³⁸ Sharei Teshuva 453:1.

³⁹ Refer to Chai Adom 127:1, Da'as Torah page 119, Minhag Yisroel Torah 2:page 214. Many have the custom not to eat garlic on *Pesach* (Refer to Pri Megadim Eishel Avraham 464:1, see Magen Avraham 447:20.) However, the custom of many is to be lenient (Chai Adom 127:7, Betzel Hachuchma 4:113). The same is true for radishes (Chai Adom *ibid*).

⁴⁰ Chai Adom 127:7, Kaf Ha'chaim 20, Natei Gavriel *Pesach* 2:39:7. Refer to Minhag Yisroel Torah 2:page 213.

⁴¹ Rama 453:1.

⁴² Refer to Taz 462:3, Chok Yaakov 9, Be'er Heitiv 4, Shulchan Aruch Harav 6, Mishnah Berurah 453:13, Divrei Yatziv O.C. 195, Kol Mevaser O.C. 1:80.

⁴³ Refer to Chai Adom *Pesach* question 20 in Nishmas Adom, Kaf Ha'chaim 21, see Aruch Ha'shulchan 453:3, Piskei Teshuvos 453:footnote 33. Horav Shlomo Zalman Aurbach *zt"l* was stringent in his own home regarding potato starch (Shalmei Moed pages 411-412).

⁴⁴ Pri Megadim M.Z. 453:1, Sheilas Yaavetz 2:147, Aruch Ha'shulchan 452:18, 453:5, Divrei Malkiel 2:112, Chelkes Yaakov O.C. 207:2, Igros Moshe O.C. 3:63, Yesodo Yeshurin 6:pages 410-411, Minhag Yisroel Torah pages 310-371, Natei Gavriel 2:39:11:footnote 16. The Chofetz Chaim *zt"l* had the custom to eat potatoes on *Pesach*

*Horav Moshe Feinstein zt"l*⁴⁵ says that we only define something as *kitniyos* if there is an established custom to regard it as such. Since the custom of *kitniyos* dates back to the times of the *Maharil*, and potatoes did not reach the shores of Europe until the 16th century, they were never included in the *chumra*.⁴⁶ Also, since there is a great need for potatoes on *Pesach* this kept them from being prohibited.

Peanuts

Horav Moshe Feinstein zt"l says one who has the custom to refrain from eating peanuts should adhere to his custom. However, one who does not have such a custom does not have to refrain from eating peanuts. According to the lenient opinion, peanuts and peanut oil are permitted on *Pesach* and are not included in *kitniyos*⁴⁷ because any food which was not around at the time of the *chumra* is not forbidden (see potatoes above).⁴⁸

Paper Towels

One may place food directly on paper towels, and need not be concerned about starch. There is no *chumra*, *issur*, or *minhag* to prevent a drop of *kitniyos* from falling into food.⁴⁹ Indeed, the

(Dugmas M'darchei Avi page 22:8, Hanhugos of the Chofetz Chaim page 185).

⁴⁵ Igros Moshe O.C. 3:63.

⁴⁶ Refer to Chok Yaakov 453:9, Ohr Yisroel 39:page 135.

⁴⁷ Halichos Shlomo Moadim 4:footnote 28, Sidur *Pesach* K'hilchoso 16:4, Yesodo Yeshurin 6:page 421 quoting the opinion of Horav Shamshon Refoel Hirsch *zt"l*, see Sreidei Eish 1:50:page 134, Mekreoh Kodesh 2:60:2, Chelkes Yaakov O.C. 207:2. Refer to Halacha Shel *Pesach* page 102:footnotes 42 and 46 who is stringent. The V'Yan Yosef O.C. 286 is stringent. The opinion of Horav Chaim Soloveitchik *zt"l* was to be lenient (Mekreoh Kodesh *ibid*).

⁴⁸ Igros Moshe *ibid*. See Rivevos Ephraim 7:257, see Melamed L'hoyel 87-88. Some say today the custom is not to eat peanuts on *Pesach*. (Halacha Shel *Pesach* page 102:22, see Gray Matter 1:page 254).

⁴⁹ See Be'er Heitiv 453:1 who seems to say otherwise. However, the Shulchan Aruch Harav 5 says not to be

*Shulchan Aruch*⁵⁰ permits the use of a lamp filled with oil from *kitniyos* even though it is certain that some of the *kitniyos* will be sprayed onto food. In the case of the paper towels, there is no certainty at all of any leaching onto the food. Since no one has ever confirmed the leaching of even a molecule of starch from the paper towel into the food.⁵¹

Kitniyos Derivatives

The *Rama*⁵² says oil made from *kitniyos* is not permitted for lighting on *Pesach*.⁵³

Many times a company will make oil from *kitniyos*. There is a discussion in the *poskim* if oil made from *kitniyos* to be used in food has the same status as the grain itself and an *Ashkenazi* would not be able to use it on *Pesach*, or is it not considered from *kitniyos* and permitted.

This is very common with soybean (vegetable oil) and corn oil.⁵⁴ The opinion of *Horav Kook zt"l* and others⁵⁵ was to be lenient.⁵⁶ They reasoned that this is not in conflict with the above mentioned *Rama* since the *Rama* was stringent if the *kitniyos* was not carefully

inspected for other grains.⁵⁷ However, the custom is to be stringent.⁵⁸ Therefore, the custom is not to use soybean or vegetable oil. Some say that canola oil, which is actually "rapeseed oil," belonging to the mustard and cabbage family, should not be used on *Pesach*. The reason is that it was around at the time when the issue of *kitniyos* was accepted upon those who follow the custom to be stringent.⁵⁹ Oil from olives,⁶⁰ palm, coconut, and walnuts⁶¹ are not subject to the *chumra* of *kitniyos*.⁶²

Cottonseed oil is extracted from the seeds of the cotton plant after the lint has been removed. The *Minchas Yitzchok*⁶³ is unsure whether to permit its usage for *Pesach*. *Horav Shlomo Zalman Aurbach zt"l* says the custom is to refrain from using this oil on *Pesach*.⁶⁴ The *Tzellmer Rav zt"l* was lenient.⁶⁵ The custom in *Eretz Yisroel* is to be stringent and avoid using cottonseed oil, but in America cottonseed oil is permitted, following the custom of *Horav Moshe Feinstein zt"l*, *Horav Yaakov Kamenetsky zt"l*, and all the *Rabbonim* who came from Europe.⁶⁶

concerned with this, and the *Darchei Moshe 2* says the custom is not like the opinion brought in the *Be'er Heitiv*.

⁵⁰ 453:1, see *Darchei Moshe 2*.

⁵¹ *Horav Yisroel Belsky Shlita*. The *kitniyos* starch is so firmly bonded to the paper towel that an iodine test won't reveal its presence (*Horav Yisroel Belsky Shlita*). (See *The Laws of Pesach: A Digest 2006* pages 424-425).

⁵² 453:1.

⁵³ Refer to *Yesodo Yeshurin 6*:pages 414-421 in great depth on this topic. See *Tzemach Tzedek O.C. 56*, *Minhag Yisroel Torah 2*:page 215. Refer to *Avnei Nezer 373*.

⁵⁴ *Halacha Shel Pesach* page 102:footnote 47.

⁵⁵ Refer to *Be'er Yitzchok 11*, *Maharsham 1*:183, see *Maharshag 2*:43, *Bais Shearim O.C. 215*.

⁵⁶ *Yesodo Yeshurin 6*:page 424, *Gray Matter 1*:page 251, *Journal of Halacha and Contemporary Society 6*:page 73.

⁵⁷ In addition it is cooked first so there is no concern of it being *chometz*. Furthermore, the oil is changed from the original grain (See *Yesodo Yeshurin 6*:page 424).

⁵⁸ *Yesodo Yeshurin 6*:pages 424-425, see *Halachos Ketanos 1*:103, *Melamed L'Hoyel O.C. 87*, *Rivevos Ephraim 7*:257. Refer to *Gray Matter 1*:page 251.

⁵⁹ Refer to *Avnei Nezer 373*, 533, *Maharsham 1*:183.

⁶⁰ *Minhag Yisroel Torah 2*:page 215.

⁶¹ Refer to *Halacha Shel Pesach* page 102:footnote 46.

⁶² Refer to article in *Hamodia* April 6, 2005 by *Rabbi Dovid Cohen Shlita*.

⁶³ 3:138:2, 4:114:3. See *Cheshav Ha'efod 2*:18, *Minhag Yisroel Torah 2*:page 215.

⁶⁴ *Halichos Shlomo Moadim 4*:17:footnote 28. This is also the opinion of *Horav Elyashiv Shlita* (*Orchos Rabbeinu 4*:page 166:49).

⁶⁵ *The Laws of Pesach: A Digest 2006* page 377. See *Divrei Yatziv O.C. 196* who seems to be lenient.

⁶⁶ *Horav Yisroel Belsky Shlita*, see *Zichron Yehuda O.C. 139*, *Yesodo Yeshurin 6*:pages 422-423, *Mekoreh Kodosh (Pesach) 2*:60, *Sidur Pesach K'hilchoso 16*:4.

An example of *kitniyos* derivatives is cornstarch and corn syrup (including high fructose corn syrup).⁶⁷ Corn starch comes from the starchy part of the corn, and corn syrup is made by adding enzymes to the corn starch to turn it into a syrup mixture of glucose, dextrose, and maltose. Another example of a *kitniyos* derivative is lecithin which is made from soybeans. Most *halachic* authorities agree that corn syrup has the same status as corn and is subject to the *halachos* of *kitniyos*. Most major *Kashrus* organizations do not certify products for *Pesach* made from *kitniyos* derivatives.⁶⁸

Kitniyos Sh'nishtana

"Musk" is a byproduct of blood that is obtained from a gland in the stomach of a deer.⁶⁹ According to the *Mishnah Berurah*⁷⁰ and others⁷¹ Musk is considered a new entity since its form changed from the original blood. The custom is to permit the use of *kitniyos sh'nishtana*⁷² which means that the *kitniyos* has undergone a significant change in taste.⁷³ Those who are stringent because they think it is a *chumra* to do so are not correct.⁷⁴

Corn syrup which is changed into sorbitol⁷⁵ or dextrose⁷⁶ is not considered to have undergone a change (*nishtana*) and therefore is subject to the *halachos* of *kitniyos*. However, if the corn syrup is turned into ascorbic acid, it is considered changed and is not subject to the *halachos* of *kitniyos*.⁷⁷ Citric acid is also produced from *kitniyos*, but is certified for *Pesach* use (see below).⁷⁸

Kitniyos sh'nishtana plays an important role in certifying diet soda since it is made from aspartame which is a sweet enzyme that grows on a derivative of *kitniyos*.⁷⁹ The custom of the KOF-K and OU is to be lenient and certify such products. Others are not convinced that this should be done,⁸⁰ and the custom of Rabbi Landau Shlita in *Eretz Yisroel* is not to certify diet soda for *Pesach* that uses aspartame.⁸¹

Sodium Erythorbate is *kitniyos sh'nishtana* which is used in *Pesachdika* frankfurters. A different *kitniyos sh'nishtana* goes into frozen gefilte fish.⁸² Other *kitniyos sh'nishtana* ingredients are malto dextrin, NutraSweet,⁸³ polysorbates, sodium citrate and xanthan gum.⁸⁴ Enzymes fermented from *kitniyos* are also *kitniyos sh'nishtana*.⁸⁵

⁶⁷ Refer to oukosher.org. Some regular sodas make a special production and use sugar instead of corn syrup which was the old way of making the specific soda.

⁶⁸ Including the KOF-K, OU, OK, and Star-K, (see The Laws of Pesach: A Digest 2006 page 39).

⁶⁹ Refer to Mesechtas Berochos 43a, Rosh 6:35.

⁷⁰ *Mishnah Berurah* O.C. 216:7, see Magen Avraham 3. See OU document P-86 who says that fermentations are not considered *kitniyos sh'nishtana*

⁷¹ Rabbeinu Yona Mesechtas Berochos ibid, Taz O.C. 216:2, Gr'a 4, see Chok Yaakov 467:16, Chasam Sofer Y.D. 117, Chazzon Ish Y.D. 12, *Kashrus* 1:pages 359-364 in depth.

⁷² Horav Yisroel Belsky Shlita. OU document P-69. This is the opinion of the OU. This is the opinion of Horav Schachter Shlita (OU) as recorded in Gray Matter 1:page 252.

⁷³ Refer to *Kashrus* 1:pages 363-364.

⁷⁴ Horav Yisroel Belsky Shlita. The Star-K is of the opinion that they do not certify products which are made from *kitniyos sh'nishtana*. (Personal conversation with Rabbi Shuben Shlita.

⁷⁵ Star-K Passover Book 2008 page 43.

⁷⁶ Refer to Behind the Union Symbol 2005 page 13.

⁷⁷ OU document P-51, see Mesora 1:pages 54-55.

⁷⁸ The Laws of Pesach: A Digest 2006 page 355.

⁷⁹ Refer to The Laws of Pesach: A Digest 2006 page 41.

⁸⁰ The Star-K is of the opinion that they do not certify products which are made from *kitniyos sh'nishtana*. (Personal conversation with Rabbi Shuben Shlita). Refer to Star-K Passover Book 2008 page 43, The Laws of Pesach: A Digest 2006 pages 346-347.

⁸¹ The Laws of Pesach: A Digest 2006 page 346, see oukosher.org on this issue.

⁸² The Laws of Pesach: A Digest 2006 page 346.

⁸³ Star-K Passover Book 2008 page 43.

⁸⁴ Refer to oukosher.org "A change for the Better," OU document H-35.

⁸⁵ Personal letter from Rabbi Eli Gersten from the OU.

Quinoa (“keen-wa”)

Quinoa is a sesame sized kernel from the beet family and does not resemble any of the grains which are *chometz* or *kitniyos*. Although some say it may be used for *Pesach*,⁸⁶ the custom is that quinoa is not used for *Pesach* since it is used in the same way as wheat.⁸⁷

Benefit

Even according to the stringent opinion, *kitniyos* is not *chometz*, and one is allowed to have benefit from *kitniyos*, which is not allowed by *chometz*.⁸⁸ Based on this, one is permitted to feed his animal a product which is *kitniyos*.⁸⁹ One is also allowed to keep *kitniyos* in one’s house during *Pesach* if it has a *hechsher* (for *Pesach* use)⁹⁰ without selling it to a *goy*.⁹¹ One should write on the product that it is *kitniyos*.⁹²

Children

One is permitted to feed *kitniyos* to children,⁹³ including baby formula that contains *kitniyos*. One may give *kitniyos* to his children as long as there is a need for it, and there is no maximum age.⁹⁴ Some say it is proper to keep separate dishes for *kitniyos* food and wash the dishes in a separate sink.⁹⁵ Others hold there is no reason for this to be done and one may use the same utensils.⁹⁶

Sick r”l – Pressing Situation

One who is sick r”l (even if he is not in danger) may eat *kitniyos* on *Pesach*.⁹⁷ Based on this, one who is sick would be able to take a pill which has *kitniyos*.⁹⁸ According to some *poskim* when one is in a pressing situation, one can eat *kitniyos*.⁹⁹

⁸⁶ See oukosher.org who says one should speak to their *Rav* on this product.

⁸⁷ Horav Yisroel Belsky Shlita.

⁸⁸ Rama 453:1, Mishnah Berurah 12, Aruch Ha’shulchan 7, Sidur Pesach K’hilchoso 16:7. For thos reason cosmetic or perfumes which only have *kitniyos* may be used on *Pesach* (Yesodo Yeshurin 6:pages 420-421).

⁸⁹ Halichos Chaim 1:page 111:340, Sidur Pesach K’hilchoso 16:7.

⁹⁰ Opinion of Horav Elyashiv Shlita quoted in Halacha Shel Pesach page 100:footnote 35.

⁹¹ Darchei Moshe 2, Rama 453:1, Elya Rabbah 5, Shulchan Aruch Harav 5, Chai Adom 127:1, Mishnah Berurah 12, Aruch Ha’shulchan 453:7, see Chok Yaakov 8. One is allowed to sell it on *Chol Hamoed* (Aruch Ha’shulchan ibid, Haggadah of Horav Elyashiv Shlita page 12).

⁹² If there is no *hechsher* on it for *Pesach* some say one should sell it with the *chometz*, since the product may contain some *chometz* (Haggadah of Horav Elyashiv Shlita page 12).

⁹³ Sidur Pesach K’hilchoso 16:6, Yechaveh Da’as 1:9, Haggadah of Horav Elyashiv Shlita page 12. Refer to Hakotton V’hilchosuv 22:footnote 21 why this is permitted. Some say one should try to avoid giving them rice, millet and buckwheat if possible since they are most similar to wheat grains (Piskei Teshuvos 453:footnote 36). Some add when eating *kitniyos* one should first boil them in water to avoid coming to *chometz* (Chasam Sofer O.C. 1:122, Mishnah Berurah 453:7).

⁹⁴ Shevet Ha’kehusi 6:198.

⁹⁵ Refer to Yechaveh Da’as 1:9, Haggadah of Horav Elyashiv Shlita page 12, see Piskei Teshuvos 453:page 144. As far as *kashering* from *kitniyos* see OU document P-76.

⁹⁶ Zera Emes 3:48. See Yechaveh Da’as 5:32. The Oz Nedberu 8:20:4 adds that one should even lend *Sefardim* one’s utensils on *Pesach*.

⁹⁷ Chai Adom 127:6, Mishnah Berurah 453:7, Divrei Yatziv O.C. 195.

⁹⁸ Refer to Mishnah Berurah 453:7, Journal of Halacha and Contemporary Society 6:pages 70-71. In addition one may cook *kitniyos* for a sick person (Chai Adom 127:1, Shemiras Shabbos K’hilchoso 40:80). One should try to use separate utensils for this (Shemiras Shabbos K’hilchoso ibid).

⁹⁹ Refer to Maharam Brisk 48, Shol U’meishiv 2:3:128, Heichel Yitzchok O.C. 52, Kol Mevaser 1:80, Otzros Yerushalayim 242:pages 660-661, Shoneh B’Shoneh 5785:pages 149-154 in great depth, see Da’as Torah page 119 who brings those who argue. Yesodo Yeshurin

Other Halachos Regarding Kitniyos

Some say in *Eretz Yisroel* the custom was to permit the eating of *kitniyos*. This is not true today.¹⁰⁰ A person who lives in *Chutz L'aretz* who finds himself in a place where the custom is to eat *kitniyos* must not eat there.¹⁰¹

One who depends on his father for support must follow his father's custom in regard to *kitniyos*.¹⁰²

A woman from a *Sefardi* background, who ate *kitniyos* all her life, may not do so if she marries an *Ashkenazi*. However, if the husband agrees, she may follow her old custom. If an *Ashkenazi* woman gets married to a *Sefardi* then she may eat *kitniyos*,¹⁰³ and there is no need to be *matir neder* beforehand.¹⁰⁴

If an *Ashkenazi Jew* finds himself in a *Sefardi's* home on *Pesach*, he may eat the food that was cooked in pots that cooked *kitniyos*.¹⁰⁵ Others

say one can be lenient only if the pot is an *eino ben-yomo*.¹⁰⁶

Bitel

Kitniyos is *butel b'rov* if it was mixed into a food.¹⁰⁷

Muktzah

Kitniyos is not *muktzah* for an *Ashkenazi* person, since one is able to give it to a *Sefardi*.¹⁰⁸ In addition it can be given to a child who is need of it.¹⁰⁹

6:pages 401-406 in great depth who lists the opinions on this matter. Refer to Tzemach Tzedek O.C. 56, Tzohar 2:page 193.

¹⁰⁰ Opinion of Rabbi Avigdor Nebenzahl Shlita, and Rabbi Nochum Rabinowitz Shlita.

¹⁰¹ Be'er Moshe 7:page 244.

¹⁰² Hakotton V'hilchosuv 22:12.

¹⁰³ Yabea Omer O.C. 5:37, Sidur Pesach K'hilchoso 16:13, Hamesivta 1987:page 163. Refer to Yismach Lev 1:page 258 who quotes the opinion of Horav Elyashiv who argues.

¹⁰⁴ Halichos Shlomo Moadim page 91, Modanei Shlomo page 17, Halichos Beisa 18:11-12, see Shalmei Moed page 413. Refer to Kaf Ha'chaim Palagi 2:23 who says a man can force his wife to do like his custom. Refer to Igros Moshe O.C. 1:158, Minchas Yitzchok 4:84. However, if the woman did like her husband and now she wants to go back and do like her fathers custom then she needs to be *matir neder* (Modanei Shlomo ibid, Halichos Beisa ibid).

¹⁰⁵ Yechaveh Da'as 5:32, Oz Nedberu 8:20:4, The Laws of Pesach: A Digest 2006 pages 38-39, Bonim Chavivim pages 415-419 in depth. Horav Elyashiv Shlita holds that one may not eat *kitniyos* in the above case (Haggadah page 12). One should even lend his utensils to a *Sefardi* on *Pesach* (Oz Nedberu 8:20:4). There is no *lo sisgodi*

when two people are practicing two different customs on *Pesach* in the same house (Moed Lechol Chaim 2:15). Horav Ephraim Greenblatt Shlita says an *Ashkenazi* who eats by a *Sefardi* on *Pesach* should make sure that separate utensils are used (as quoted in Gray Matter 1:page 249).

¹⁰⁶ Haggadah of Horav Elyashiv Shlita page 12.

¹⁰⁷ Refer to Rama 453:1, Pri Chadash 1, Elya Rabbah 4, Chok Yaakov 6, Shulchan Aruch Harav 5, Chai Adom 127:1, Mishnah Berurah 9, Yesodo Yeshurin 6:pages 414-415, Oz Nedberu 8:20:4. See Halachos of Pesach page 104 who brings those who argue.

¹⁰⁸ Shalmei Moed page 8:23:footnote 73 quoting the opinions of Horav Elyashiv Shlita and Horav Zilber Shlita, see Rivevos Ephraim 4:page 241:52, Nachlas Yisroel page 248. See Haggadah of Horav Elyashiv Shlita page 13 where he quotes that it is *muktzah*, see Minchas Shlomo 2:pages 55-56. Refer to Rav Poalim 3:30 who does not permit an *Ashkenazi* to cook rice for a *Sefardi* on *Pesach*, see Yesodo Yeshurin 6:pages 411-412.

¹⁰⁹ Haggadah of Horav Elyashiv Shlita page 13.

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