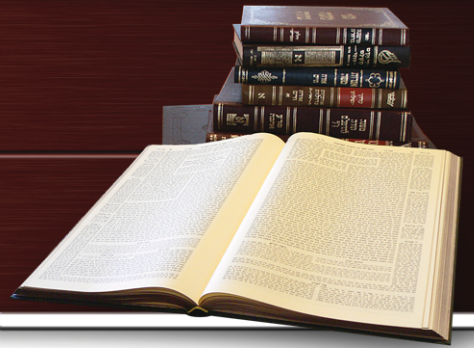


HALACHICALLY SPEAKING



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Volume 5 • Issue 2



The Halachos of Chodosh and Yoshon

When one passes by a store he may see a sign which states “we only use *yoshon* flour (not *chodosh*).” On many commercial products it states that *yoshon* flour is used. What is *yoshon* and *chodosh*, and are we required to keep it? Is there a difference between *Eretz Yisroel* and *Chutz L’aretz*? If the wheat is produced by a non-Jewish owner is the *halacha* different? In this article we will explore all these questions and much more.

The Source

The *posuk* in *parshas Emor*¹ states:

1. 23:14.



אין לו
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אלא ד'
אמות
של הלכה
בלבד...
(ברכות ה')

ולחם וקלי וכרמל לא תאכלו עד עצם היום הזה עד הביאכם את קרבן אלקיכם חקת עולם לדורותיכם בכל משבתיכם.

“You should not eat bread or dried kernels or granolas until this very day, until you bring the offering of your G-D: it is an eternal decree for you generations in all dwelling places.”

This *posuk* teaches us that when the *korbon omer* was brought all grain that had taken root prior to that time was permitted to be consumed. This grain is known as *yoshon*. Grain which took root after the *korbon* was brought had to wait until the next years *korbon* was brought.² This grain is commonly known as *chodosh*. In the times of the *Bais Hamikdosh* the *korbon ha'omer* was brought on the sixteenth day of *Nissan* which is the second day of *Pesach*. Today, when there is no *Bais Hamikdosh*, the day on which the *korbon* would have been brought permits one to eat the grain which took root before the second day of *Pesach*. The consensus of the *poskim* is that one must wait until the night after the sixteenth day to eat the grain.³ In *Chutz L'aretz* the grain is permitted on the eighteenth night which is the first day of *chol hamoed*.⁴

Reason

The *Chinuch*⁵ explains the reason for this *din* is as follows: “the main sustenance of the world is from grain; therefore, it is proper to bring a *korbon* from the grain before one has personal enjoyment from it. This is similar to what is mentioned in the *Gemorah*⁶ that whoever has enjoyment from this world without reciting a *beracha* is *mo'el* [*behekadesh*].”

Men and Women

This *halacha* applies equally to both men and women alike.⁷

D'oraisa or D'rabanan – Today

Even though there is no *bais hamikdosh* today, the *mitzvah* of eating only *yoshon* is a *mitzvah d'oraisa* according to most *poskim*.⁸ In the accompanying paragraphs we will

2. Refer to Mesechtas Menochos 68a, Rashi “hutar,” Shulchan Aruch Y.D. 293:3, Mishnah Berurah O.C. 489:44, Aruch Ha'shulchan Y.D. 293:7.

3. Shulchan Aruch O.C. 489:10, Y.D. 293:1, Kaf Ha'chaim O.C. 489:117.

4. Refer to Rambam Hilchos Machalos Asuros 10:2, Chinuch mitzvah 303, Shulchan Aruch O.C. 489:10, Y.D. 293:1, Levush Y.D. 293:1, Shulchan Aruch Harav O.C. 489:29, Chochmas Adom 131:12, Kitzur Shulchan Aruch 172:1. A person who lives in *Chutz L'aretz* who goes to *Eretz Yisroel* may wait until the seventeenth of the month (Be'er Moshe 7:page 245). There is an uncertainty if this time goes according to the time in *Yerushalayim* or in other lands (Refer to Halichos Shlomo Moadim Pesach pages 39-40:11:footnote 14).

5. Mitzvah 303.

6. Mesechtas Berochos 35a.

7. Chinuch mitzvah 303.

8. Refer to Rambam Machalos Asuros 10:2, Tosfas Mesechtas Menochos ibid “v'hu,” See Mishnah L'melech Hilchos Machalos Asuros 10:11 who says it is *d'rabanan* in *Eretz Yisroel*.

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discuss the *issur* of *chodosh* and how it applies to *Chutz L'aretz*.

According to all opinions the *issur* of *chodosh* applies in *Chutz L'aretz*,⁹ but there is a big discussion in the *poskim* if the obligation to keep *chodosh* in *Chutz L'aretz* is *d'rabanan* or *d'oraisa* in nature.

The *Mishnah* in *Mesechtas Orlah*¹⁰ says that *chodosh* is forbidden *d'oraisa*. The *Mishnah*¹¹ does not bring any dispute and does not distinguish between *Chutz L'aretz* and *Eretz Yisroel*. The *Gemorah*¹² maintains that the opinion brought in the *Mishnah* in *Kiddushin* is coming to say that *chodosh* is forbidden *m'd'oraisa* in *Chutz L'aretz*, since the *posuk* which states “in all of your dwellings places” is referring even to *Chutz L'aretz*.

Based on this *Gemorah*, many *poskim* maintain that the *issur* of *chodosh* in *Chutz L'aretz* is *d'oraisa*.¹³ Nonetheless, there are many *poskim* who hold that the *issur* of *chodosh* in *Chutz L'aretz* is only *d'rabanan* in nature.¹⁴

Some say the *issur* was only made for lands which are in close proximity to *Eretz Yisroel*.¹⁵ This would exclude lands which are a distance from *Eretz Yisroel*, such as America. However, others dispute this opinion.¹⁶

Owned by a Goy

There is a big discussion in the *poskim* if the *halachos* of *chodosh* apply to a field that is owned by a non-Jew.¹⁷ There is no mention if the *issur* of *chodosh* applies to a field of a non-Jew in the writings of the *Rif* or *Rambam*. However, many say that the *issur* applies to a field of a non-Jew as well.¹⁸ On the other hand the *Bach*¹⁹ and may other *poskim*

9. Mesechtas Kiddushin 37a, Tur Y.D. 293, Shulchan Aruch Y.D. 293:2, Levush 2.

10. 3:9.

11. Mesechtas Kiddushin 36b-37a.

12. 37a. See Mesechtas Menochos 62b.

13. Refer to Rosh Mesechtas Kiddushin 1:62, Rambam Hilchos Machalos Asuros 10:1, Mieri Kiddushin 37b, Shulchan Aruch O.C. 489:10, Y.D. 293:2, Gr'a 293:2, Shagas Aryeh Chadashas 2, Shulchan Aruch Harav O.C. 489:29, Chochmas Adom Sharei Tzedek 7:2, Kitzur Shulchan Aruch 172:2, Mishnah Berurah O.C. 489:45, Biur Halacha “af.”

14. Refer to Ohr Zerua 328, Magen Avraham O.C 489:17, Be'er Heitiv 24, Pnei Yehoshua (kuntres achron) Kiddushin, Shem Chodesh (back of Magen Ha'elef in depth), Aruch Ha'shulchan Y.D. 293:5, 619, 28 (end), Avnei Nezer Y.D. 386, Chelkes Yoav Y.D. 33, Sdei Chemed mareches chodosh pages 100-104, see Biur Halacha O.C. 489 “af.”

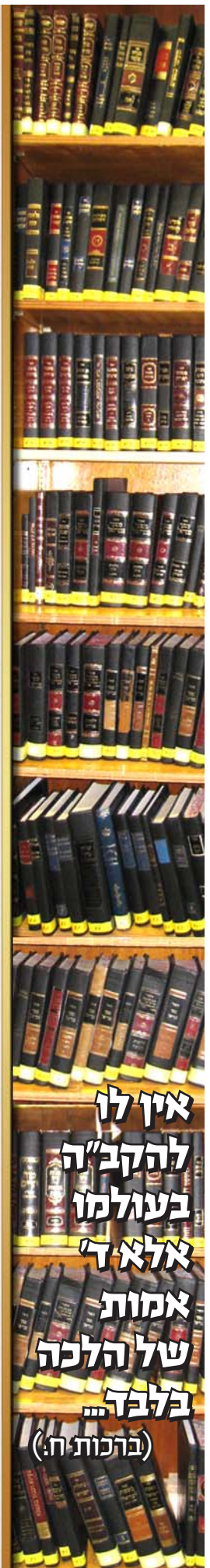
15. Magen Avraham O.C. 489:17, Chok Yaakov 23, Shulchan Aruch Harav 30, Sdei Chemed mareches chodosh page 107:3, Mishnah Berurah 45, Biur Halacha ibid, Aruch Ha'shulchan Y.D. 293:20. See Rosh Klal 2:1, Shagas Aryeh Chadashas 1 “v'yeish.”

16. Opinion of Horav Yisroel Belsky Shlita.

17. Refer to Kovetz Bais Aron V'Yisroel 58:pages 5-115 in depth.

18. Tosfas Mesechtas Kiddushin 36b “kol,” Tur Y.D. 293, Shulchan Aruch Y.D. 493:2, Levush 1, Taz 2, Shach 6, Birchei Yosef 1, Shulchan Aruch Harav O.C. 489:30, Aruch Ha'shulchan 12, 18, Bach (teshuvos hachadasha) 48-49, Orchos Rabbeinu 4:page 30:70, Teshuvos V'hanhugos 1:655, see Shagas Aryeh (hachadasha) 3:pages 27-32 in great depth.

19. Y.D. 293, Bach (teshuvos hachadashas) 42. There does not seem to be a difference according to the Bach between *Eretz Yisroel* and *Chutz L'aretz*. (Refer to Sdei Chemed mareches chodosh 13:page 104, Minhag Avoseinu B'yudeinu



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hold that this *issur* does not apply to a field owned by a non-Jew.²⁰

Those who are lenient

There are many *poskim* who were lenient over the years with regards to eating *chodosh*.²¹ The *Bach*²² is of the opinion that “it was the custom in his country to be lenient with regards to *chodosh*, and that the *Gedolei Yisroel* who preceded him drank whiskey made from *chodosh*. In addition, no *Gadol* should teach that it is forbidden. One who wishes to be strict should be strict for himself, and only one who is very pious may practice this prohibition as well.” Others were also lenient with this *halacha*, to name a few, the *Ba'al Shem Tov*,²³ the *Shulchan Aruch Harav*,²⁴ *Chozeh* from *Lublin*,²⁵ and the *Tzanza Rebbe*.²⁶ The opinion of the *Rama* is that most of the world is not careful with this,²⁷ and only those who are *perushim* are careful with it.²⁸ Most *Chassidim* have the custom to be lenient with the *halachos* of keeping *chodosh*,²⁹ especially in America where many say it is a *d'rabbanan* and does not apply to a non-Jew's field.

Pressing Situation

The *Aruch Ha'shulchan*³⁰ states in the name of the *Ohr Zerua*³¹ that even if *chodosh*

2:page 512).

20. Be'er Hagolah Y.D. 293, Pnei Yehoshua (kuntres achron) kiddushin pages 164-165 in depth, Shem Chodosh (back of Magen Ha'elef) in depth, Knesses Yechevkel 41, Shev Yaakov 61:pages 100-105b, Chelkes Yoav Y.D. 33, Chidushei Harim Y.D. 19, Avnei Nezer ibid, Kitzur Shulchan Aruch 172:3, Sdei Chemed mareches chodosh 13:page 104 in depth.
21. Refer to Sdei Chemed mareches chodosh pages 100-119 in great depth.
22. Y.D. 293. Some say that the *pesak* of the *Bach* took many people out of *gehonim* who did not keep the *halachos* of *chodosh* during their lifetime (Refer to Natei Gavriel Pesach 3:page 89). Some say after 120 years they will ask you in *shomayim* why you ate *chodosh* and you will be able to answer that the *Bach* held it was permitted, but when they ask you why you spoke *loshon hara* if the *Bach* did not permit it (Orchos Rabbeinu 4:page 30:70).
23. Minhag Avoseinu B'yudeinu 2:page 512, Teshuvos V'hanhugos 1:655. Some say this was only in his time when it was hard to keep *chodosh* (Teshuvos V'hanhugos ibid).
24. O.C. 489:30, see Teshuvos (Shulchan Aruch Harav printed at the end of Shulchan Aruch Harav) 6:page 4 (new), Tzemach Tzedek Y.D. 218. Refer to Minhag Avoseinu B'yudeinu 2:pages 516-518.
25. Avnei Nezer C.M. 115 (end).
26. Nemukei Orach Chaim Y.D. 293, Darchei Chaim V'sholom 873 who quotes the Darchei Teshuva who heard it straight from the *Tzanza Rebbe zt"l*, Shearim Metzuyanim B'halacha 172:2, Bais Avi 4:138:15. Refer to Minhag Avoseinu B'yudeinu pages 522-523 for those who kept *chodosh*., see Bais Avi 4:138:2. Refer to Orchos Rabbeinu 3:page 30:70 who quotes both the *Steipler zt"l* and the *Chazon Ish zt"l* were very careful with keeping the *halachos* of *chodosh*. Horav Yisroel Belsky Shlita is adherent to the *halachos* of *chodosh*.
27. Refer to Taz Y.D. 293:4 (top), Be'er Hagolah Y.D. 293, Sdei Chemed mareches chodosh 13:page 104, page 119, Aruch Ha'shulchan Y.D. 293:6, 28, Minchas Yitzchok 8:115, Journal of Halacha and Contemporary Society pages 54-71 in great depth.
28. 132 (teshuvos). Refer to Journal of Halacha and Contemporary Society 3:page 57.
29. Refer to Tzitz Eliezer 20:40:1, Natei Gavriel Pesach 3:pages 87-89, Teshuvos V'hanhugos 1:655, Kovetz Bais Aron V'Yisroel 58:pages 11-12.
30. O.C. 489:6, see Biur Halacha O.C. 489 “af.”
31. 328.

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is forbidden *d'oraisa* in *Chutz L'aretz*, when it is a pressing situation³² one can rely on those who hold that the *issur* of *chodosh* is only *d'rabanan*. Therefore, in a situation where one is not sure if a specific grain is *chodosh* one may rely on the lenient opinion and eat it.³³

The *Rama*³⁴ says that all grain is permitted even if it may be *chodosh*, based on a *sfek sfeka* – a double doubt.³⁵ Maybe the grain is from last year, and if it is in fact from this year, maybe it took root before *Pesach*. If one knows for sure that the grain is new grain (rooted after *Pesach*) then one should be stringent. In this case one should not tell people that it is *chodosh*. Since it is very hard for some people to adhere to *halacha*, they will be doing the *issur* knowingly and it is better to do it unknowingly.³⁶

Today, it is very easy to know which grain is new grain and which grain is old grain. In addition, today it is very easy to get *yoshon* grain, and it can not be considered a pressing situation in the United States. Therefore relying on these leniencies today is questionable.³⁷

The *Gr'a* and *Mishnah Berurah's* View

The *Gr'a*³⁸ strongly disagrees with the opinion which maintains that *chodosh* does not apply to the field of a non-Jew. He says, “His words are simply a total error and not even worthy of comment; he would have been wiser to remain silent.” The *Mishnah Berurah*³⁹ says the following on those who are lenient (a loose translation). “Most of the world is not careful with the *halachos* of *chodosh*. The reason for the leniency is based on the fact that it is hard to keep, and they rely on the opinions that hold in *Chutz L'aretz* the *issur* of *chodosh* is *d'rabanan*. In addition, they rely on the fact that the grain owned by a non-Jew is not subject to the *halachos* of *chodosh*. One can not rebuke those who are lenient, but one who is more scrupulous in his *mitzvah* observance should not rely on the lenient opinions but should be stringent as much as possible, since many say that the *issur* of *chodosh* is *d'oraisa* even in *Chutz L'aretz*.”⁴⁰

32. Taz Y.D. 293:4.

33. Refer to *Biur Halacha* *ibid*.

34. Y.D. 293:3. Refer to *Aruch Ha'shulchan* 16, *Mesora* 20:pages 82-84, *Mivashei Torah* 19:pages 121-123. Refer to *Bais Avi* 4:138. The *Igros Moshe* Y.D. 4:46 (end) agrees with the *Rama*, but says one should find out about which grain is *yoshon* even if it may be bothersome.

35. For a discussion on why the crops are not considered a *daver sh'yeish lo matirim* and are not *botel* at all see *Shach* Y.D. 110:56, *Taz* Y.D. 293:1, *Be'er Heitiv* Y.D. 293:4, *Sdei Chemed* *ibid*:pages 113-118, *Bais Avi* *ibid*.

36. Others say this was talking in Poland (*Bais Avi* 4:138), but in Russia it would not apply since before *Pesach* is not the growing time for grain (*Aruch Ha'shulchan* Y.D. 293:18. see *Mishnah Berurah* 489:45).

37. Opinion of *Harav Yisroel Belsky Shlita* quoted in *Halacha Berurah* page 155:footnote 35.

38. Y.D. 293:2.

39. O.C. 489:45. Refer to *Dugmas M'darchei Avi* page 21 who says that the *Chofetz Chaim* *zt"l* was very careful to keep the *halachos* of *chodosh*.

40. Refer to *Biur Halacha* O.C. 489 “af.”



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Those who keep *Chodosh*

L'maseh, today many people keep these *halachos*, and one who does so should have *beracha* brought upon him.⁴¹ We will discuss the *halachos* that apply to this *mitzvah*.

Which Grains

Only five grains have a concern of *chodosh*.⁴² These are wheat, barley, oats, rye, and spelt.⁴³ Buckwheat, rice, corn, millet, and soybeans never have a *chodosh* concern.

Enjoyment from *Chodosh*

One is not allowed to have enjoyment by eating *chodosh*, but one is able to have other enjoyment from it, such as doing business with it.⁴⁴

Taking Root – *Hashrasha*

The *issur* of *chodosh* only applies to a new crop. In order to know if a grain is from a new or an old crop, one has to know when the rooting of the plant took place. If it took root before the sixteenth of *Nissan* then it is from the old crop, and is permitted. However, if it took root on the sixteenth or later, it is considered a new crop and forbidden until the next *Pesach*.⁴⁵

There is a dispute as to how many days after planting does *hashrasha* take place. Some say three days,⁴⁶ while others say two weeks.⁴⁷ Many *poskim* go in accordance with the first view stated.⁴⁸ According to the this opinion, if grain was planted three days before *Pesach* it is considered old grain and is permitted to be eaten when the sixteenth day of *Nissan* passes.

Winter and Summer Crops

There are two kinds of crops, winter and summer. In America, winter crops are planted in the fall, remain in the ground throughout the winter months as well as through *Pesach*, and are harvested in the early summer. Since these crops were in the ground through *Pesach*, by the time that they are harvested they are always *yoshon*.

41. Kitzur Shulchan Aruch 172:3, See Mishnah Berurah O.C. 489:45. The Chai Adom 131:12 says anyone who loves himself should keep this *mitzvah*.

42. Menochos 70a.

43. Shulchan Aruch Y.D. 293:1, Mishnah Berurah O.C. 489:44.

44. Horav Yisroel Belsky Shlita, see Darchei Teshuva 63, Teshuvos V'hanhugos 2:396, Shevet Ha'kehusi 6:285:11. Refer to Shevet Ha'Levi 2:162 who is stringent.

45. Tur Y.D. 293, Shulchan Aruch Y.D. 293:3, Levush 3, Kitzur Shulchan Aruch 172:2, Aruch Ha'shulchan 7.

46. Horav Yisroel Belsky Shlita, see Shach Y.D. 293:2 quoting the opinion of the Terumas Hadeshen (191), Aruch Ha'shulchan 7, Be'er Moshe 8:255:pages 250-251.

47. Nekudas Hakesef Y.D. 293, see Minchas Yitchok 303:5, Birchei Yosef Y.D. 293:4.

48. Aruch Ha'shulchan 9. Refer to Pischei Teshuva 4, Minchas Yitzchok 6:43. See Chasam Sofer Y.D. 100 (end). Refer to Mivakshei Torah 19:pages 117-118.

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Spring crops are usually planted after *Pesach* and are harvested towards the end of the summer. Therefore, the spring crop would be *chodosh* until the following *Pesach*.⁴⁹

Rye

Rye is a winter crop and is *yoshon*, but rye bread which contains wheat flour in addition to rye could be *chodosh*.

Spelt

Spelt in America is also a winter crop and is *yoshon*.⁵⁰ In Canada and other countries spelt is different and one should be aware of it.⁵¹ In the Unites States and Canada oats and barley⁵² are spring crops and are *chodosh* until the next *Pesach*.⁵³

Malt is from barley and is used in the following foods: pretzels, candies, cereals, vodka, and prepared cocktails.⁵⁴

Wheat

Wheat in America is grown as two distinct crops, winter wheat and summer wheat. Winter wheat produces low gluten flour which is used for most cookies, cereals, soups, crackers, farfel, fish sticks, blintzes, pretzels, cakes, *matzos* and other soft baked products. Therefore, these products are *yoshon*, but one has to make sure their other ingredients are not *chodosh*.

Spring wheat produces high gluten flour which usually makes dough more chewy and enables it to be strongly held together. Spring wheat is used in breads, *challahs*, pizza, and pasta products like noodles, macaroni and spaghetti. Therefore, these items are *chodosh* from the end of the summer until *Pesach*.⁵⁵ Obviously weather conditions can play a role in regards to when the grains are planted and harvested.⁵⁶

49. The Mashgiach's Guide to Yoshon and Chodosh page 3.

50. A Guide to Chodosh (07-08) page 5.

51. A Guide to Chodosh *ibid*.

52. Which would include for example, *chulent*, corn flakes, and beer (Refer to Shach Y.D. 293:6, Chochmas Adom 131:12, Aruch Ha'shulchan 23, Bais Avi 4:138:19 who are stringent with beer), see Bais Hillel Y.D. 293, Pnei Yehoshua (kuntres achron) Kiddusin, who are lenient, and see Orchos Rabbeinu 4:page 30:70 who quotes the *Steipler zt"l* as being lenient with beer, however, see Emes L'Yaakov O.C. 489:footnote 461 who says one should not be lenient with beer even if he is lenient with *chodosh*). Refer to Be'er Heitiv Y.D. 293:5 and Piskei Teshuvos 489:footnote 133.

53. A Guide to Chodosh *ibid*.

54. A Guide to Chodosh *ibid*:pages 11-12. Whiskey, bourbon, and rum are aged and are likely to be *yoshon* (*ibid*: page 12). However, if the malt is placed in baking flours as a chemical agent which allows the yeast to react with the water and air in order to make the dough rise, then it is *botel*. In the situation that it is added as a sweetening coloring agent then it is not *botel* (opinion of Harav Yaakov Kamenetsky zt"l quoted in a Guide to Chodosh 07-08 page 13).

55. The Mashgiach's Guide to Yoshon and Chodosh pages 4, 6-7.

56. Refer to Terumas Hadeshen 191.



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Durum

Durum is a type of wheat which is used in making pasta products and egg noodles. In the United States, durum wheat is usually a spring crop, and therefore poses a *chodosh* concern.⁵⁷

Chodosh and Yoshon Mixed Together

If there is mostly *yoshon* mixed together with a little *chodosh* then one can be lenient and use the *yoshon* flour since it is *botel b'rov*.⁵⁸

Pesach to summer

The new crop of oats is not harvested until mid July, the new crop of wheat is not harvested until early August, and the new crop for barley is not harvested until the end of August. Accordingly, from *Pesach* until the above times one does not have to be concerned for *chodosh*.⁵⁹ One has to find out what the cutoff date is in the country that he lives in.⁶⁰

Storage

If there is a problem of *chodosh* from the summer (see above) until the following *Pesach*, how is it possible to have *yoshon* cakes, breads etc? The answer is storage. Many are concerned if they store flour then worms can develop. It is advisable to store the flour in cool areas.⁶¹ Some say today this is not a concern since the flour is centrifuged which breaks microscopic eggs.⁶²

Israeli Products

Products produced under *hashgacha* in *Eretz Yisroel* are all made with *yoshon*.⁶³ All food produced by the *Badatz* of *Yerushalayim*, even if it is produced outside of *Eretz Yisroel* is *yoshon*.⁶⁴ Some say there is no concern of *yoshon* with Israeli products since the planting is before *Pesach* and the harvesting is after *Pesach*.⁶⁵ Nonetheless, many products are made out of *Eretz Yisroel* and are shipped to *Eretz Yisroel*, therefore, one has to be careful before purchasing such products to make sure it is *yoshon*.⁶⁶

57. A Guide to Chodosh *ibid*:page 7 (bottom).

58. Magen Avraham O.C. 489:17, Chochmas Adom 53:28, Aruch Ha'shulchan 28, Teshuvos V'hanugos 1:656.

59. A Guide to Chodosh *ibid*.

60. Sharei Toras Habayis page 163:11. Refer to Chochmas Adom 131:12, Aruch Ha'shulchan Y.D. 293:21, Piskei Teshuvos 489:footnote 135 in regard to Australia.

61. Teshuvos V'hanugos 1:655, The Mashgiach's Guide to Yoshon and Chodosh *ibid*:page 10.

62. Daf Ha'kashrus available at www.oukoshier.org.

63. The Mashgiach's Guide to Yoshon and Chodosh page 14, A Guide to Chodosh (07-08) page 11.

64. A Guide to Chodosh (07-08) page 12.

65. Natei Gavriel Pesach 3:page 90:7, Sharei Toras Habayis page 161:5.

66. The Mashgiach's Guide to Yoshon and Chodosh page 14, A Guide to Chodosh (07-08) page 11, Natei Gavriel

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(נדה עג.)

Kashering Keilim

The *Magen Avraham*⁶⁷ says that individuals who are careful to only eat *yoshon* may eat *yoshon* produced on equipment that was used for products that may have been *chodosh* without *kashering* even if the equipment is *ben yomo* if the *yoshon* and possibly *chodosh* items are *min b'mino*. If however, the items are *min b'sheaino mino* or if the equipment was used for items that are surely *chodosh* then the equipment may not be used until it is *aino ben yomo*, but no *kashering* is required.⁶⁸ This opinion of the *Magen Avraham* is based on the assumption that eating *chodosh* in *Chutz L'aretz* is only an *issur d'rabannan*. However, the *Sha'agas Aryeh*⁶⁹ argues that *chodosh* is *assur mid'oraisa* even in *Chutz L'aretz* and therefore he holds⁷⁰ that the standard rules of *ta'am k'ikar* apply. Accordingly, equipment used for possibly-*chodosh* products must be *kashered* before *yoshon* products are produced.⁷¹ The *Mishnah Berurah*⁷² holds even if one knows that the equipment was used for *chodosh* one only needs to wait twenty four hours before using the utensil without *kashering*.⁷³

Kashrus Organizations

The major *kashrus* organizations in the Unites States do not require that the products they certify be made with *yoshon*.⁷⁴

Chodosh from Chutz L'aretz to Eretz Yisroel and Vice Versa

There are those who maintain if *chodosh* was grown in *Chutz L'aretz* it is *ossur* when brought to *Eretz Yisroel* and made into bread etc,⁷⁵ while others argue.⁷⁶ If *chodosh* grain was made in *Eretz Yisroel* and shipped to *Chutz L'aretz* it is still forbidden.⁷⁷

Giving to Children

Some *poskim* are lenient with regards to giving *chodosh* products to a child.⁷⁸

ibid:footnote 11.

67. O.C. 489:17.

68. See *Sha'ar Ha'tzyion* 489:58. Refer to *Rama* (teshuvos) 132:15.

69. *Sha'agas Aryeh* *Chadashos dinei chodosh* Chapters 1-2.

70. *Ibid.* Chapter 13.

71. Refer to OU document Z-48.

72. *Mishnah Berurah* 489:48, *Sha'ar Ha'tzyion* 489:57, *Kaf Ha'chaim* O.C. 489:113.

73. This is the policy of the KOF-K. Refer to OU document Z-48. Refer to OU documents Z-50, and Z-52 in regard to milling *yoshon* flour on *chodosh* equipment.

74. *The Laws of Pesach a Digest* 2006 page 685.

75. *Achi Ezer* Y.D. 2:39, *Tzitz Eliezer* 20:40:2, see *Har Tzvi* O.C. 2:70.

76. *Har Tzvi* 2:70.

77. Refer to *Achi Ezer* Y.D. 2:39 in great depth.

78. *Hechsheiros K'halacha* page 503. Refer to *Rivevos Ephraim* 8:599:page 472 who disagrees but does not make mention if it is talking about children. It could be he is referring to actually feeding *chodosh* to someone as opposed



Medicines

One does not have to be concerned about the *halachos* of *chodosh* when taking medications.⁷⁹

Matzah

Even one who is lenient with the *halachos* of *chodosh* should only use *matzah* for *Pesach* from *yoshon* flour.⁸⁰

Shehechyanu

No *shehechyanu* is recited on new grain since it is hard to tell the difference between new grain and old grain.⁸¹

Havdala from Chodosh Beer

One who holds of *chodosh* only as a *chumra* may hear *havdala* from someone making it over *chodosh* beer.⁸²

Muktzah

Some say that *chodosh* prior to *Pesach* is forbidden to be moved since it is *muktzah*.⁸³

Child Wishes to Keep This Mitzvah

If a child wants to accept this *mitzvah* upon himself and his father does not want him to, he does not have to listen to his father.⁸⁴

After word

As mentioned above, many *poskim* were lenient and ate *chodosh* products. On the other hand many were stringent and only ate *yoshon*. Those who eat *chodosh* should not be rebuked since they have on whom to rely upon. Today, one is able to keep *yoshon* much more easily.⁸⁵ If one wants to start keeping *chodosh* then he should say *bli neder* beforehand, since he may not be able to keep it.⁸⁶

Thanks are due to **Rabbi Yosef Herman Shlita** (Monsey N.Y.) who has devoted the last thirty-five years to making sure we have *yoshon*. A guide to the *halachos* of *chodosh* is available by calling 1-718-305-5133.

to letting them eat it on their own.

79. Sefer Hechsheiros 21:59.

80. Da'as Torah O.C. 453:4, Sdei Chemed Chometz U'matzah 10:16:page 434. Refer to Shulchan Aruch Harav teshuvos ibid who is lenient.

81. Magen Avraham O.C. 225:14, Mishnah Berurah 18.

82. Refer to Biur Halacha O.C 296 "im hu." See Shemiras Shabbos K'hilchoso 2:47:footnote 88.

83. Halichos Shlomo Moadim Pesach 2:footnote 14:pages 39-40. See Shalmei Yehuda 8:16:footnote 39.

84. Tzitz Eliezer 20:40:2.

85. Refer to Igros Moshe Y.D. 4:46 (end).

86. Sharei Toras Habayis page 164:15.

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מובטח
לו שהוא
בן עולם

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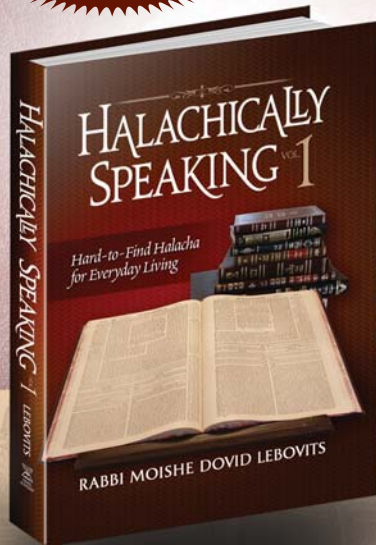
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KASHRUS CONNECTION

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Volume 1 Issue 8



POLICY/ UPDATES

Waiting after Eating Hard Cheese before eating Meat

According to the opinion of many *poskim*, one is required to wait six hours after consuming hard cheeses which are aged six months or more before eating meat. If the cheese is melted and not recognizable, then one would not have to wait six hours (Harav Yisroel Belsky Shlita).

An example of cheese requiring a six hour wait is parmesan cheese.

Consult with your *Rav* to determine how long you should wait after eating a particular type of cheese.

A detailed discussion on this topic will *iy"ch* appear in the next couple of months.

KASHRUS CORNER

Cleaning Strawberries

Cut off the leafy part of the strawberry, fill a bowl with vegetable washing soap and let the strawberries soak in the cold water solution for 3-5 minutes. (There is enough vegetable washing soap if the water is very slippery from the soap). Be sure not to cut into the center hole of the strawberry. Then wash off the strawberries under a strong stream of water, making sure that the water touches every part of the strawberry.

After completing this process, one does not have to check the strawberry further for bugs.



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