

Laws of Pesach, Counting of the Omer and Shavuot 5779

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The Ari (Rabbi Issac Luria) writes the following: He who is cautious from any bit of chametz on Pesach, is assured that he will not sin all year. The guide for the halachot of Pesach intrinsically will deal with actual rules and not with stringent traditions, and so will this guide. On Pesach however, there is a tradition of all of Israel to be more meticulous and strict than is normally acceptable throughout the year. The tradition of Mimouna on the conclusion of the holiday is due to the fact that there was a custom to refrain from hosting guests and partaking of meals by neighbors or friends on Pesach itself, and so as soon as the holiday is over, one would renew their friendships and traditional hospitality. In our generation there is a tendency to belittle the importance of this tradition of stringency, and it seems that this is an incorrect attitude for Pesach. I think that these seven days can be used as a period where we are tested, where we should try a bit harder, and invest a bit more of an effort to preserve in a stricter fashion the laws of Kashrut, and I am sure that we can meet this challenge.

Let us be worthy of partaking in the eating of the sacrifices of Pesach in the near future. May you all have a happy and kosher Pesach!

Pesach Preparations

Kimha de-Pis'ha – Ma'ot Hittin:

It is a well-established custom to give charity - in addition to the contributions usually given - to the poor in order to assist them to purchase what they need for the coming festival. Anyone who resides permanently in a place is considered obligated to give this special charity. Contributions can be made at the time of selling hametz via the religious council or charity organization such as "anshei efrat ozrim" and "keren yishua".

Cleaning the House:

All places where hametz may exist must be cleaned thoroughly, particularly the kitchen and dining room. Car owners must also clean their cars thoroughly. Pockets of garments which may hold hametz from time to time (sweets, nuts etc). must also be cleaned out..

Selling of Hametz:

The prohibition of hametz on Pesach includes not only the consumption of hametz but also its existence on one's property ('bal year'eh' - it may not be 'seen', nor may it 'exist' – 'bal yimatzei'). Our Sages also prohibited hametz which was owned by a Jew during Pesach. For this reason every person should get rid of all the hametz in his/her home before Pesach.

Under circumstances where the financial loss involved in getting rid of all the hametz is great (especially when the property is a store or factory) it is permitted to sell one's hametz to a non-Jew. The custom of selling hametz is an ancient one, dating back to the days of the Ge'onim. Although the sale is executed in a fully legal manner, it is preferable that private homeowners avoid relying on this for real hametz (biscuits, crackers etc.) and make sure none remains in the house. There is no prohibition for Ashkenazim to leave kitniyot in the house even though it is their custom not to eat kitniyot on Pesach.

Those selling their hametz in Efrat will fill out the proper document and will specify the value of the hametz remaining in the house and its location. The sale to a non-Jew is carried out according to all its legal requirements by Rav Riskin on Erev Pesach.

The sale of hametz will take place in the offices of the Mo'etza Datit (hours to be notified) as well as in the various shuls by the gaba'im or other agents appointed by Rav Riskin.

Stores which sell hametz products during the year will receive certification of their sale of hametz for Pesach. Hametz should not be bought after Pesach in stores without such certification.

Bedikat Hametz (Searching for Hametz):

Even though according to biblical law we fulfill our obligation of ridding ourselves of hametz by nullifying it or by actually burning it, the Sages ruled that a search also be carried out. The search takes place on the night of the 14th of Nissan, early in the evening (this year the proper time is **19:29**), by candlelight. If one's regular minyan for ma'ariv is at this time, one is permitted first to pray and then to carry out the search. Those who usually pray alone at home or at a later minyan should first search and pray later. It is obligatory to search in every place where hametz may have been eaten, carried etc. – including the interior of one's car. The gaba'im are responsible for searching for hametz in the various shuls. Before the search one recites the berakha "al bi'ur hametz", with the intention that this berakha covers the search as well as the burning of the hametz the next morning. Following the search the hametz is nullified (i.e., any hametz which may not have been seen), and the next morning while the hametz is burning the nullification is recited again (this time referring to the hametz which was seen – and removed – as well as whatever was not seen).

If one is not at home on the night of Bedikat Hametz: If one leaves one's home less than 30 days prior to Pesach, he is nevertheless obligated to search by candle-light WITHOUT a berakha the night before he leaves – even if he will not be at home at all for the entire festival of Pesach. If one leaves home more than 30 days prior to Pesach then he is obligated to search only if he intends to return home during the course of the festival. In either case he must recite the nullification of his hametz at the proper times (wherever he is).

For those spending Pesach in a hotel: you must check for chametz in your house (bdikat chametz) as described previously. Regarding checking for chametz in the hotel – this is dependent on the time you receive your room. The *Shulchan Aruch Orach Chayim* 437 para 1 states: "If he (the owner) has not given him (the renter)

the key by the 14th, it is incumbent upon him (the owner) to perform the *bedikah*. If, at the 14th, the renter has the key then he must perform the *bedikah*.”

As a rule, kashrut certification applies to the kitchen and not necessarily to the rooms, even at *Mehadrin* hotels. One should make inquiries about the format of *Pesach* cleaning that was carried out in the rooms and then perhaps it might be ‘regarded as *baduk*’ - presumed clean.

One should consult a Rabbi regarding each individual case.

Preparation of the Kitchen and Equipment

Surfaces and Appliances

NB: Any utensils that are to be “kashered” for Pesach must not be used for 24 hours before kashering.

Toaster: should not be kashered.

Sinks: There is a difference between stainless steel sinks and ceramic (clay) sinks. Stainless steel sinks may be kashered by pouring boiling water over them (the sink should not be used for 24 hours prior to this). Regarding a ceramic sink, Rav Ovadia Yosef rules that it may also be kashered by pouring boiling water but Ashkenazi authorities do not consider it fit for kashering. Therefore the sink should be cleaned thoroughly, boiling water should be poured over it and for the duration of the festival a plastic bowl – or at the very least a flat plastic grid – should be placed inside. A strong cleaning detergent (bleach or acid) should be poured around the spout where the water comes out of the tap. The filter that fits over the mouth of the drain should be cleaned well, as well as any garbage collection vessel, which usually rests inside the sink. It is preferable that a special filter and garbage vessel be used for Pesach.

(Gas) Stove top: All surfaces, knobs etc. should be cleaned well. Burners: holes must be cleaned and should be lit for a few moments or should be burned lightly around with a blowtorch.

Grid: Clean well and dip in boiling water (*hag’alah*) or apply blowtorch lightly. (It is preferable that special separate grids be used for Pesach, or that the grids be covered with aluminum foil.)

Surface (below burners): Pour boiling water over the surface and then cover with aluminum foil.

Electric Stove Top: Clean well and leave on maximum temperature for one hour.

Ceramic Stove Top: There are two approaches regarding the kashering of ceramic stove tops. According to the more lenient approach, the entire surface should be cleaned well and not used for 24 hours prior to kashering. The burners should then be turned to maximum heat for half an hour. The more stringent approach equates heatproof glass with “cheres” (clay) and thus deems it unfit for kashering. (Those interested can cover the heating elements with aluminum foil when cooking– for short periods of time only, though manufacturers do not recommend doing this).

On “induction” stove tops that can only be lit if there is a pot on them, place an empty pot with paper inside on stove top and heat until paper singes.

Dishwasher: Preferably should not be kashered. If required it should be cleaned thoroughly from all hametz, fats etc. and kashered by operating it empty on maximum heat WITH CLEANING DETERGENT. Removable parts must be dipped in boiling water (hag'alah) separately.

Hot Water Urn: Assuming that the urn is used only for water, it should be cleaned of all calcium residue, filled to the top with water and boiled until it boils over. The tap must be open as the urn boils so that it is also kashered.

Some people sometimes place hametz (halla, rolls etc.) on top of the urn – in this case the cover requires kashering by means of a blowtorch.

Mixmaster/hand mixer: The body of the mixer (motor) must be cleaned well such that no flour, crumbs of dried dough etc. remain. It is preferable that it be covered with plastic or aluminum foil (NB – don't cover the ventilation holes!) With regard to the parts, it is preferable that special separate ones be used for Pesach. When this is not possible they should be taken apart and metal or plastic parts should be dipped in boiling water.

If the machine has definitely not been used for hametz (e.g., if it has only been used for pureeing fruits or vegetables) then a thorough cleaning and rinsing is sufficient.

Microwave: Some rabanim take a strict view and do not kasher their microwaves for Pesach.

There are those that are more lenient in the following way: one should clean it very well before kashering and then place a vessel with water and heat it on the maximum heat for a quarter of an hour (till steam comes up). At the conclusion of the kashering, immediately open the door of the microwave. The glass revolving tray should be changed or covered. It is desirable to cover food before putting it into the microwave.

A microwave, which also grills, is considered as an oven and is kashered in a similar way (see below).

Fridge/freezer: Clean well with water and cleaning detergent. Special attention should be paid to the rubber insulation around the door and the runners of the shelves. Some people cover the shelves with plastic or paper after they are cleaned.

Shabbat "Platta": It is preferable that a special separate platta be used for Pesach. Where this is not possible, the platta must be cleaned well (including the legs and electric cord, which often have food remnants stuck to them). Kashering is done by operating for two hours on maximum heat, or by pouring boiling water over it. Following kashering the platta should preferably be covered with aluminum foil.

Electric Kettle: Assuming that the kettle is used only for heating water, same procedure applies as for urn. If the kettle at any time held hametz, it may not be kashered.

Marble ("shayish") working surfaces: If the surface has cracks in it, it is impossible to kasher and must be covered for the duration of Pesach. If there are no cracks, it is cleaned thoroughly and then boiling water is poured over it. It is customary that the surface is covered following kashering. If the lip of the

surface is covered with plastic it should be removed before kashering and must be cleaned well, inside too.

As a rule, we distinguish between countertops produced from granite (or Hebron stone) which are natural marble and are considered as stone for halachic purposes and thus kasherable by boiling water, and Caesarstone (quartz) which is an engineered composite of crushed stone, considered by some poskim unkasherable by hag'alah (boiling water) and which should be covered for Pesach.

Oven: Some rabanim take a strict view and do not kasher their ovens for Pesach. For those wishing to kasher an oven: Clean well such that absolutely no hametz remains (one may – and is advised to – use a special oven cleaner for this purpose). Special attention should be paid to the knobs (to which food often adheres). Kashering is done by operating the oven empty on maximum heat for two hours. For self-cleaning ovens, the self-cleaning mechanism should be used. Kashering is possible only for the oven itself and not for the trays inside (including pyrex trays).

And therefore, there is a need for special trays (such as disposable). As far as rack inside the oven – one can kasher it by operating the oven as mentioned above.

Whoever is used to using, on a permanent basis, a tray within a tray, one can kasher the exterior tray by a light heating (libun kal).

Self cleaning stoves that clean themselves at extremely high heat – there are those who are more lenient and allow the koshering of racks as the cleaning of the stove is extreme “libun”.

Cooking Utensils and Cutlery

Kiddush cup: If made of metal, the cup should be dipped into boiling water (hag'alah). If glass, it should be kashered in the same way as other glasses (see below).

Glass vessels: According to Sefardi custom, these require only washing and rinsing. For Ashkenazim it is preferable that they not be kashered (since some authorities maintain that they fall under the same category as utensils made of clay). If necessary they are kashered by soaking them for 3 days and nights in water, changing the water after each 24-hour period.

Duralex and pyrex: Sefaradim treat these in the same way as glass vessels. For Ashkenazim it is preferable that they not be kashered. If necessary, they are kashered by means of dipping in boiling water (hag'alah), preferably three times. They should not be rinsed thereafter with cold water.

Clay, ceramic, porcelain vessels: May not be kashered.

Frying pan: Although some authorities permit kashering by means of dipping in boiling water (hag'alah), we usually kasher frying pans with a blow-torch (lightly). Teflon pans which are used for frying without oil are not to be kashered.

Enamel pots: There is some debate among the poskim as to whether these may be kashered by means of dipping in boiling water. According to those who permit

this, they should be kashered in the same way as metal pots (see below), and it is preferable that they be dipped three times.

Metal pots: Clean well and kasher by dipping in boiling water. If there is rust or “creases” these places should be treated with a blowtorch prior to dipping. After dipping, rinse in cold water. Lids of pots must also be dipped. Handles must be taken apart, all parts must be cleaned well and then dipped.

Metal cutlery: If made of one solid piece of metal, these are kashered by means of dipping in boiling water (hag’alah). If there is a join (usually the case in knives) then the area of the join must be cleaned well and a blowtorch should be lightly applied. If the handle is made of wood the utensil may not be kashered.

Plastic: According to most poskim plastic articles may be kashered by dipping in boiling water, preferably three times.

Baking trays: May not be kashered (including pyrex trays), unless you use on a permanent basis, a tray within a tray, you can kasher the exterior tray by a light heating (libun kal).

Other General Rules for Kashering the Kitchen

1. Utensils that are not to be used for Pesach should be cleaned well before the festival and placed out of the way so that they will not mistakenly be used during Pesach.
2. The kitchen usually contains some electrical appliances that are not used for cooking (e.g. radio). These should be cleaned well, since it is likely that during the course of preparing food in the kitchen some particles will have adhered to them. Electric cords of these appliances should also be cleaned well.
3. Chairs and tables should be cleaned thoroughly (especially around corners and joins). The table should be covered with a special separate cloth for Pesach, or one that has been washed in boiling water. If no such cloth is available then the table or tablecloth should be covered with plastic.
4. It is preferable not to use items that are generally placed on the table at mealtimes during the year (such as *birkonim*) during Pesach.
5. Regarding appliances that have a filter in them (such as washing machine, dishwasher etc.), the filter should be cleaned well.
6. Remember to clean the vacuum cleaner and change the bag inside before burning the hametz!
7. Women who generally keep their rings on while they work with dough are advised not to wear these rings during Pesach.

Kosher-For-Pesach Food Products:

General: One should take care to ensure that any product bought for use on Pesach should carry a “kasher le-Pesach” stamp. A sticker on the package is not always reliable. One should also check who grants the kashrut certification. It is also highly advisable to check the list of ingredients in order to avoid possible problems (for example, the product may contain “kitniyot”, and the “kasher le-

Pesach” label does not always indicate that the product is only fit for those who eat kitniyot on Pesach).

Food products which are real hametz: Felafel powder, soup powder, noodles, coated peanuts, dough, biscuits, burghul, white and black beer, bisli, blintzes, all types of ‘vegetarian’ meat, ice-cream cones, barley, granola, breakfast cereals, porridge for adults and babies (Quaker oats, semolina etc.), fish coated with breadcrumbs (fish schnitzel or patties), wafers, whiskey, wheat, puffed wheat, macaroni, sausages and salami, bran, grape sugar (foreign imports, usually made from wheat!), semolina, sorbitol, grain starch, cakes and cookies, pasta, pizza, toasties, chicco and other coffee substitutes), crackers, soup almonds, dried dates, coffee whitener substitutes, instant tea, various essences.

Regarding coffee substitutes (Chico and others): although the main ingredient is chicory, which is not chametz, these products frequently contain grains and thus fall under the category of chametz gamur.

Flour : Since the wheat is soaked in water before it is ground, there are grounds for suspecting that it has fermented. Therefore, regular flour is not used on *Pesach*. On the other hand, a person who has left over flour in their home does not need to dispose of it: it can be put away.

The flour used for baking *matzot* is regular wheat flour that is not soaked in water before it is ground.

Non-gluten flour is not *chametz*. Chickpea flour, corn flour and rice flour are kosher for those who consume *kitniyot*.

Kitniyot (legumes): Ashkenazim (and some eastern communities) do not use kitniyot on Pesach. Most authorities also prohibit the use of kitniyot derivatives (oil, lecithin) but permit small children and the ill (even if not dangerously so) to eat kitniyot.

For most Sefardi communities kitniyot are permitted on Pesach, but they should be checked for hametz and cleaned well before Pesach. The various types of mixed nuts (“pitzuhim”) are generally toasted with flour and must not be eaten on Pesach.

The prohibition of kitniyot includes: rice, peas, glucose, sunflower seeds, humus, hilba, cumin, all types of beans, mustard, soya, lentils, popcorn, cornflour, sesame, corn.

The custom that is accepted among Ashkenazim is to be especially strict with regard to dry kitniyot and fresh (green) kitniyot. Regarding soybeans, peanuts and rapeseeds (canola), there is a disagreement whether the oil extracted from them was included in the prohibition of kitniyot. Oils that have no fear of being kitniyot are: olive oil, palm oil, walnut oil and almond oil. Most poskim also allow cotton oil. Regarding soybean oil and canola (rapeseed), most poskim are stringent but there are those who are lenient.

Products which are treated as kitniyot because of their ingredients: soup powders (even those marked “kasher le-Pesach”), bamba, non-dairy milk and creamers, peanut butter, cocoa butter, “Milky”, mayonnaise, margarine, pudding powder, “Prili”, parve whip, cocoa, chocolate, oil.

Some products from the above list are available with a stamp “*le-lo hashash kitniot*” (“containing no kitniyot” – i.e., these are permissible). Each product should therefore be examined individually. In the Efrat stores under our supervision every effort is made to ensure that these stamps are clear and legible. People who do not eat kitniyot (Ashkenazim) may eat at the home of someone who is permitted to eat kitniyot and may use his utensils, but must not eat actual kitniyot.

Kitniyot in “mixed” families: The Rashbatz writes in his Responsa (Part 3, Paragraph 179): “**According to Halacha, a woman is included in her husband’s obligations, since they are considered one entity in all regards and she is no longer bound to the community into which she was born. This matter is clear-cut and unequivocal: It is inconceivable that a couple should dine at the same table and be required to differentiate between the foods that are permitted and prohibited to each.**”

Based on this ruling, R’ Moshe Feinstein (Igrot Moshe Orach Haim, Part 1, Paragraph 158) determined: “**Whether they are strictures or leniencies, a woman should adopt her husband’s practices. The same principle governs the conduct of a person who travels from one place to another with no intention of returning to his point of origin. In this case the person should follow local custom, whether a stricture or a leniency.**”

He does not mention that the woman is required to perform Hatarat Nedarim (annulment of vows), nor does he record the option of her retaining the customs of the home in which she was raised.

However, the Yalkut Yosef (Kitzur Shulchan Aruch Orach Haim, Part 453, Paragraph 812) rules that: “**An Ashkenazi woman married to a Sephardi... if upon marrying she wishes to disavow her parents’ customs and adopt those of her husband, it is proper that she perform Hatarat Nedarim so that she might be able to consume rice and legumes. This applies equally to all Ashkenazic strictures, especially those pertaining to Passover, since the Ashkenazic woman, as the wife of a Sephardic man, is entitled to adopt Sephardic practices after she disavows her former customs.**” Similarly, “**a Sephardic woman who followed the leniencies of her parents’ home should not, upon marriage to an Ashkenazic man, prepare rice for her own consumption in her husband’s home. However, when she visits her parents’ home she may partake of their food, since the rulings of the Shulchan Aruch predominate in the Land of Israel, and therefore it is not as if she has adopted all Ashkenazic customs in full.**”

In conclusion: According to R’ Moshe Feinstein, the woman should adopt her husband’s practices in full and is not required to perform Hatarat Nedarim. She may not retain the customs of the home in which she was raised. According to R’ Ovadia Yosef, she must perform Hatarat Nedarim, and a Sephardic woman married to an Ashkenazic man may continue to consume legumes when visiting her parents’ home.

Matzah Ashira (Egg matzah): *Matzah ashira* is made from flour that is kosher for Pesach mixed with juice (natural fruit juice, wine or eggs), without water. Sefaradim are permitted to eat this on Pesach (according to the Shulchan Aruch);

Ashkenazim do not eat it (according to the Ramah), except for small children and the ill. However, according to many poskim, (Mishna Brura, R' Moshe Feinstein) this only applies when the matzah ashirah was baked according to the same stringent specifications of regular matzah! Young children are also permitted to consume matzah ashirah. Please note that while many matzah ashirah cookies are marked simply "Kasher Le'Pesach", this holds only for Sephardim and not Ashkenazim.

Even those who do not permit the consumption of egg matzah on Pesach do permit it on Erev Pesach.

Cakes made from ground matzah mixed with fruit juice are not considered *matzah ashira* and may be consumed on Pesach (except by those who do not eat *gebrokht* – matzah which has come into contact with any liquid).

“Neutral” Food Products: It would seem that “neutral” products like meat, fish, eggs, milk, etc. would not be problematic, but nevertheless –kashered meat requires supervision related to the kashering salt. Processed or ground meat requires supervision due to the presence of additives (there are protein additives that contain Kitniyot!)

Fish: Rinse before using. Processed and ground fish must have Kashrut supervision.

Eggs: Not problematic. In previous years, there was a problem with stamped markings on the eggs, but this problem has been solved.

Milk: Certain Halachic authorities see a problem with the milk of Hametz-fed cows. Therefore cowsheds are supervised to ensure that cows don't eat Hametz for an extended period before Pesach, and some consumers restrict their consumption to dairy products prepared Erev Pesach. “Processed” dairy products (cheeses, yogurts, etc.) must carry a Hechsher. Some of these products contain kitniyot.

Quinoa: Clearly not a species of grain (both botanically and because it is gluten-free and doesn't not “leaven”). The relevant Halachic question is if it is considered “kitniyot.” I believe that it is not kitniyot, for two reasons:

- a) From a botanical perspective (belongs to the family of vegetable roots) and because of its form of growth (seeds of a plant).
- b) In conformance with a principle established by Rav Moshe Feinstein (Responsa Egrot Moshe, Orach Haim Het”Gimel, 63): **We are bound only by what was explicitly customary to forbid... Only specific species were forbidden, but not others that were not forbidden because they were not extant then.”**

Summary: For Sephardim who permit kitniyot, quinoa is certainly permitted, and even Ashkenazim have a broad basis to be lenient. Buyers of quinoa in bulk need to minutely examine it and separate out any foreign matter (as they do for rice).

Perfumes and Cleansing Agents

Some cosmetics and cleansing agents (especially those imported from abroad) may contain alcohol extracted from grains that are hametz. However, since this hametz is deemed “unfit for a dog's consumption” even before the time period

during which the consumption of hametz is forbidden, many poskim permit the use of these materials. There are however, poskim who prohibit the use of dishwashing liquid (that might mingle with food) or body lotions (anointing = drinking) or pleasant tasting toothpaste used orally that do not have a Pesach hechsher. There is a wide variety of readily available products that are kosher for Pesach and whose use entails no halachic difficulties. Cleansing agents for general use, laundry detergent, shoe polish etc. do not require special Pesach hechshers.

Medications

Certain medications may contain ingredients that are hametz, and therefore the following guidelines should be followed:

A patient who is dangerously ill may take any medication prescribed by a doctor. For a patient who is in no danger there is no problem with injections, suppositories, ear- and eye-drops, creams and stickers for application to the skin, iodine. According to most authorities there is also no problem with tablets or bitter syrups. The problem lies with tablets that must be sucked, or syrups that have a pleasant taste. In the case of such medication being required, the doctor or pharmacist should provide a medication that appears on the list of those that are kosher le-Pesach.

People who generally consume vitamins and dietary supplements should consult a doctor and a rabbi to ascertain the vitalness of this consumption.

Laws of Erev Pesach

Morning Prayer:

Aside from Tahanun, which is not recited from Rosh Hodesh Nissan, "La'Menatzeach is also omitted. Regarding "Mizmor L'Todah": Ashkenazim customarily omit it while Sephardim include it.

Fast of the Firstborn\ *Siyum Masechet*:

1. By custom, all firstborn sons are obligated to fast on Erev Pesach, whether firstborn of father or mother. For firstborn daughters, opinion is divided, and the accepted custom is for them not to fast.
2. The accepted custom is for firstborn adult males to participate in a festive meal celebrating the completion of a tractate, thereby breaking their fast and ending their fasting obligation.
3. The Ramah wrote that the father of a firstborn son should fast, even if he himself is not firstborn, until the son grows up. If the father himself is also a firstborn and fasts, there are those who hold that the mother should fast and others who say his fast is on behalf of both himself and his son.

Eating Hametz and Matzah:

1. Cha"zal instituted a regulation not to eat matzah (of the kind which fulfills the obligation on Seder Night) on Erev Pesach from dawn.
2. There are those whose custom it is not to eat matzah from Rosh Hodesh Nissan, and others who avoid matzah starting 30 days before Pesach.
3. Small children who don't understand the story of the Exodus from Egypt may eat matzah on Erev Pesach.

4. Regarding (**baked**) cakes made from ground matzah – the Ramah (471 para b) seemingly prohibits their consumption though some take a more lenient view and permit it if it no longer retains the shape of the matzah. The consumption of cooked food containing ground matzah (such as kneidlach) is generally permitted, though the Vilna Gaon adopts a more stringent view.
5. Important note: Cakes made solely with potato flour are permitted (up to the 10th hour, see details below), and its blessing is *shehakol* .
6. On Erev Pesach, the Torah forbids eating or benefiting from Hametz from mid-day onwards, and Chazal extended the ban on eating Hametz from the fourth hour of the day, and the ban on benefiting from Hametz from the fifth hour.

This year's timetable is:

	<u>Last time to eat Hametz</u>	<u>Last time</u> <u>burning</u>
for _____		
According to “Magen Avraham”	09:54	11:15
According to the Gr”a:	10:26	11:31
Sephardim ("מעשה ניסים"):	09:29	10:41
Sephardim (Rav Ovadia):	10:00	11:20

[Most calendars feature times according to the “Magen Avraham,” perhaps because of the severity of the prohibition on Hametz, even though the prohibition on Hametz on Erev Pesach (before the sixth hour) is “only” a regulation instituted by Chazal.]

7. From the tenth hour (**15:55**), **“It is forbidden to eat bread so that one will eat matzah with zest (at the Seder), but one may eat some fruit or vegetables but not so much as to be sated.”**
8. What is meant by **“bread”** (for matzah is forbidden the entire day, and Hametz is forbidden from the fourth hour)? The reference is to cooked matzah or *matzah ashira* (made with juice instead of water). [According to Ashkenazi custom, *matzah ashira* is forbidden from the fourth hour (except for the ill and children)].

Prohibition of Work (Melacha):

1. The prohibition on Halachic Work before mid-day varies according to local custom, but after mid-day is forbidden by law.
2. In practice, many are lenient with regard to doing work at home in preparing for the holiday or for work done without monetary compensation (gratis). However work permitted on Hol Hamoed is also permitted on Erev Pesach.
3. Summary: In the first place, one should perform and complete most tasks *before* Erev Pesach. If tasks were not completed, then the period up to mid-day may be used if necessary, as a second choice, and only absolute necessities may be done after mid-day. (For example, gardening, haircuts, etc. should be completed earlier.)
4. **Tip for the wise**: Leave time to rest on Erev Pesach, so as not to collapse at the Seder...

Tefilat Arvit on Erev Pesach

When Summer Time is in effect, many people (especially parents of small children) make early Shabbat and even say *Kiddush* before nightfall. On *Erev Pesach* however, the situation is different (as it is on *Erev Shavuot* because of the need to count seven complete *תמימות* weeks).

There is a consensus that *Kiddush* on *Erev Pesach* should not be recited (to commence the *Seder*) before nightfall *צאת הכוכבים*. Many *poskim* also rule that *Hallel* should not be recited in the synagogue (as per the prevalent custom in Israel) before nightfall, although some are lenient and allow it. Therefore, in practice, most communities do not have an early *minyan* for *Arvit* although in principle, davening can begin and *Hallel* reached at nightfall (19:30). In any event, it is best not to delay starting the *Seder* unnecessarily.

The Order of the "Seder"

Kadesh:

1. Here we fulfill two separate mitzvot: firstly, that of kiddush – which is recited just as on any other festival, and secondly, that of drinking of the first of the ‘four cups’ of the Seder. Therefore, although on Shabbat and other festivals one may recite kiddush as early as *plag ha-minha*, on the Seder night one may recite kiddush only after nightfall. On the other hand, though, one should not delay kiddush too late since it is important that the children, through whom the crux of the mitzvah of the Seder is fulfilled (“and you shall recount to your children...”), should still be awake for the Seder.
2. For kiddush as well as for the other three cups it is preferable that red wine be used, unless the white wine is of better quality.
3. The cup used for kiddush must hold a *revi'it* of wine. It is preferable that the entire amount be drunk; if one takes a large sip and finishes the greater part of the cup, the mitzvah is fulfilled. Poskim are fundamentally divided on the issue of the *shiurim* (amounts) in general, including the amount of the *revi'it*. Rabbi Haim Na'eh's view, to which all Sephardi poskim adhere, as do some Ashkenazim, and which constituted the custom in Jerusalem, is that a *revi'it* is 86 cc. According to the “Chazon Ish”, the *shiur* is 150 cc. The Mishna Brurah (486 para. 101) rules: **“There is a distinction in the matter of *shiurim* between those things that are mandated by the Torah and those that are mandated by the rabbis such as *maror* (bitter herbs) at this time, *afikoman* and the cups”**. According to this there is definitely room to be lenient regarding the *shiur* of the cup, especially if one is indeed drinking wine.
4. Women are also obligated to drink the four cups, and therefore in contrast to the kiddush recited on Shabbat and the other festivals when one person recites kiddush and thereby everyone fulfills his/her obligation, on the Seder night each participant must have his/her own cup of wine and everyone is obliged to drink.
5. This cup of wine and the three that follow must all be drunk while reclining to the left side. A son sitting at his father's table must recline; a student at his Rav's table does not recline unless he receives his Rav's permission.
6. Customs vary regarding women reclining. The Shulchan Aruch's view on the matter is oblique (472 para. 4) Maran writes: “A woman is not required to recline unless she is a woman of prominence”, and the Ramah adds: “And all of our women are considered important thought they did not have the custom of reclining since they relied on

the words of Rabbi Eliezer ben Yoel Halevi who wrote that they do not recline at this time. The “Yalkut Yosef” (p.384) states that women are required to recline and this is the Sephardi custom. Many Ashkenazi women do not recline, based on the words of the Ramah.

7. A person who drank without reclining did not, in principle, fulfill his obligation and opinions are divided on whether it is mandatory to drink again, while reclining. There are three approaches to this question:
 - a. Maran’s approach in the Shulchan Aruch (472 para.7) that one must drink all four cups while reclining and therefore the cup must be repeated while reclining.
 - b. The Ramah’s approach (ibid) that one repeats the first and second cups while reclining but not the third and fourth.
 - c. The “Magen Avraham”’s approach (in the Mishnah Brurah 100, 20) that only the second cup must be repeated while the first, third and fourth cup are not repeated.

U-Rehatz:

1. We wash hands without reciting a blessing in preparation for dipping the *karpas* (vegetable) in salt water.
2. There are those who have the custom that only the head of the household washes his hands, while others have the custom that all participants in the Seder wash hands.

Karpas:

1. Technically any vegetable for which the blessing “*borei peri ha-adamah*” is recited may be used for this purpose, and it is dipped in vinegar or salt water and eaten. However, most Sefardim use celery (not American celery!), while most Ashkenazim use potatoes.
2. Opinions are divided as to whether the *karpas* is eaten while reclining. Most conclude that one does not recline for *karpas*.
3. The Shulchan Aruch rules: “And one takes LESS THAN A KEZAYIT of *karpas*...”. However, there are some poskim who rule that a *kezayit* should be consumed.
4. According to the Shulchan Aruch (above) one does not recite the blessing “*borei nefashot*” after eating the *karpas* (because not enough was eaten to warrant the blessing), but this is less clear if one follows those opinions which hold that a *kezayit* should be eaten. According to the Vilna Gaon one must recite the blessing.

Yahatz:

1. The middle matzah (for those who use three matzot for the Seder) or the lower one (for those who, following the custom of the Vilna Ga’on, use only two) is broken and one part is covered and put away for use as the *afikoman*.
2. It is customary that the larger piece is put away as the *afikoman*.

Magid:

1. By reciting the Haggadah we fulfill the positive mitzvah “to recount the miracles and wonders that were performed for our forefathers in

Egypt on the night of the fifteenth of Nissan” (Rambam, Laws of Hametz and Matza, chapter 7 law 1.)

2. Women are also obligated in this mitzvah.
3. The entire Haggadah must be recited, and its contents should be explained to anyone who does not understand (including those who do not understand the Hebrew, or small children who do not understand the wording).
4. The recital of the Haggadah begins with “Ha Lahma” and “Mah Nishtanah”. Immediately thereafter the second cup is poured (although it is drunk only at the end of the recital of the story).
5. The recital of the Haggadah story concludes with the blessing “Ga’al Yisrael”, after which the second cup is drunk while reclining to the left.
6. Should the blessing “*borei peri ha-gafen*” be recited for the second cup? According to the Shulchan Aruch for the second cup one recites neither “*borei peri ha-gafen*” nor a “*beracha achronah*”, and the Sefardim follow this custom. The Ramah rules that Ashkenazim should recite “*borei peri ha-gafen*” before each of the four cups.

Rahtza:

1. Hands are washed WITH a blessing with the intention of eating matza.
2. All participants are obligated to wash hands at this point.

Motzi Matzah:

1. Two blessings are recited: first “*hamotzi*” and then “*al akhilat matza*”. One eats the *SHEMURAH* matzah while reclining – part of the top matzah together with a piece of the broken matzah.
2. How much matzah should be eaten? The Shulchan Aruch rules “a *kezayit* from each one” – i.e., two “*kezaitim*”. If there is only one Seder plate on the table and the three pieces of matzah will not suffice to provide this amount to each participant, the top matzah and part of the broken matzah are divided up amongst all the participants and the rest of the required amount (i.e. to add up to two “*kezaitim*”) is made up by using other pieces of *shemurah* matzah which is simply placed on the table.
3. How much exactly constitutes a *kezayit*? This definition involves two difficulties: 1. Is the amount calculated by volume or by weight? And 2. Does one follow the more lenient opinion (HaRav Na’eh) or the stricter one (Hazon Ish)? There are actually four different customs:
 - a. HaRav Na’eh (by weight): 27 grams = a *kezayit*
 - b. HaRav Na’eh (by volume): 9 grams of machine matzah, 11 grams of hand-baked matzah
 - c. Hazon Ish (by weight): 15-20 grams
 - d. Mishnah Berurah (by volume): 20 grams
4. Assuming that an average machine-baked matzah weighs between 30-35 grams, by eating a whole matzah one fulfills the obligation of the TWO KEZAITIM for motzi matzah.

Maror:

1. A *kezayit* of *maror* is dipped in *haroset* and is eaten NOT in a reclining position.
2. Since we have already recited the blessing “*borei peri ha-adamah*” for the *karpas* earlier, this blessing is not recited again for *maror*. We recite “*asher kideshanu be-mitzvotav ve-tzivanu al akhilat maror*”.
3. The Mishnah in Pesachim mentions five types of *maror*, but in practice only two are generally used: 1. Lettuce, which is identified as the “*hazeret*” referred to in the mishna, or 2. “*hrain*” (white horseradish), which is commonly referred to as “*hazeret*” but is identified with the “*tamkha*” referred to in the Mishnah. Lettuce is preferable!
4. Since the requirement to eat *maror* in our times (i.e. in the absence of the Beit ha-Mikdash) is rabbinical in origin, it is sufficient that 18 grams be consumed (following the more lenient view of the calculation of the *kezayit*).

Korekh:

1. A “*kezayit*” of the third (bottom) matzah is taken (if necessary, as above in Motzi Matzah, together with supplementary pieces of *shemurah* matzah) together with a *kezayit* of *maror*; they are dipped in *haroset* we eat them together (like a sandwich) while reclining.
2. No blessing is recited before we eat.
3. There are different wordings for the remembrance of Hillel (“*zekher le-mikdash ke-hillel...*”) and each person should follow his family custom and Haggadah in this regard.
4. Since the eating of the “*korekh*” sandwich is rabbinically instituted, the more lenient “*kezayit*” is sufficient.

Shulhan Orekh:

‘Bon appetit’ to all those who still have an appetite, after all those “*kezaitim*”...!

Tzafun:

1. After the conclusion of the meal, a “*kezayit*” of the *afikoman* is eaten while reclining, without a blessing. According to the Mishnah Brurah one should eat two *kezaitim*.
2. After the *afikoman* nothing else may be eaten. Opinions are divided as to whether one may still drink.
3. The *afikoman* must be eaten before midnight (not 12:00 but rather the time halfway between nightfall and dawn – which works out to **12:38pm**).
4. When the *afikoman* has been consumed, we pour the third cup.

Barekh:

1. *Birkat Ha-Mazon* (Grace after Meals) is recited, and thereafter we drink the third cup, while reclining.
2. According to all opinions we recite the blessing “*borei peri ha-gafen*” for the third cup.
3. After the third cup is drunk we pour the fourth, as well as *Kos Shel Eliyahu* (Elijah’s cup).

Hallel:

1. *Hallel* should be recited with genuine joy and should not be rushed through, despite the late hour.
2. With regard to the blessing at the end of *Hallel*, there are different customs (as printed in the different Haggadot). Each person should follow his family custom.
3. Some people take care to ensure that *Hallel* is also recited before midnight.
4. At the conclusion of *Hallel* we drink the fourth cup, reclining. As in the case of the second cup, opinions are divided (with different customs among Sefardim and Ashkenazim) as to whether a blessing is recited first. After we drink we recite a *beracha achronah* (“*al ha-gefen...*”).
5. There are some who have the custom of drinking five cups of wine at the Seder. According to this custom the fourth cup is drunk after reciting “*Yehalelukha*” (with no concluding blessing) and the fifth cup at the conclusion of *Hallel*.

Nirtzah:

“*Hasal seder pesah ke-hilkhato*” – we have hereby completed the order of the Seder in accordance with its legal requirements.

Laws of Chol Hamoed

1. From the Pasuk (ויקרא כג לז): “These are the appointed times (Mo’adei) of Hashem which you shall call biblical holy times” the Talmud learns in Hagiga (דף יח ע"א) that the intermediate days of a Moed are called holy: **“Rabbi Akiva said: There is no need (for a special Pasuk to forbid work on Hol Hamoed). For it’s written: “These are the appointed times of Hashem.” To what does the Torah refer to? If to the first day – behold it already says “Shabbaton,” and if to the seventh day, behold it already says “Shabbaton.” So the text is referring to nothing else but the intermediate days of the holiday, to teach that work is forbidden.”**
2. Our attitude to Hol Hamoed is not limited to the prohibition on work (detailed below), but also to positive Mitzvot, and special behavior. It is fitting to take note to the words of the Jerusalem Talmud (מועד קטן פרק ב (הלכה ג): “Quoth R’ Abba bar Memel, if only I had someone who would join me in permitting work on Hol Hamoed! Is it not so that they forbid work on Hol Hamoed so as to ensure that we eat and drink and are keep busy learning Torah, while others eat and drink and act frivolously”
3. Our Sages were divided as to whether holiday joyous behaviors on Hol Hamoed was the *same* as on the first and last days of the holiday itself; in any case, **“one must honor Hol Hamoed with food, drink and clean clothing so as not to behave as one would on ordinary weekdays, and the Maharil wore his Shabbat clothing”** (quoted from Mishna Berurah סימן תקל סק"א). It seems to be that the scenes from Hassidic neighborhoods, in which the Hassidim wear Shtreimels like they do on

Shabbat, lending a holiday atmosphere to Hol Hamoed. It is fitting for us to also adopt this custom of dressing up (Rav Zevin z'tl once commented about the religious character of Independence Day: "When Hassidim begin wearing Shtreimels on Independence Day, it will become a religious holiday.")

Doing Work on Hol Hamoed

1. It is written in the Shulchan Aruch (תקל, א): "**On Hol Hamoed, some types of work is forbidden and some are allowed,**" and the Ramah added: "**According to the needs of the holiday our Sages made allowances.**"

2. As the prohibition of work on Hol Hamoed was learned from different quotations of Torah (במסכת הגיגה דף יח), our Rishonim were of different opinions as to whether the basis of the prohibition is explicit in the Torah (or that the Torah empowered the Sages to permit work as needed), or alternatively that the basis of the prohibitions is rulings of our Sages (and the exegesis is only illustrative).

3. Our Sages set five conditions for allowing work on Hol Hamoed:

a. Irretrievable Loss: Tending to objects that might be damaged if not dealt with in a timely manner, including: Watering gardens and agricultural fields that are normally irrigated and might dry up (but agricultural work that involves substantial labor and for which there is no special urgency during Hol Hamoed – should not be done);

Picking fruits and vegetables that might otherwise spoil (even if there is no intention to eat them during the holiday); Milking; Veterinary treatment of animals; Purchase of articles that would not be available after the holiday; Using hired labor that would suffer financially if he doesn't work on the weekdays of the holiday; Payment of various bills in order to avoid paying late fees; Fixing locks and fences, Writing down items that might otherwise be forgotten (many are lenient if the writing is done in a form deviant from one's normal method); Filming or photographing meetings or trips (opportunities that would not exist after the holiday).

Important Note: Loss vs. Labor – if the loss is minor while the labor is great, one should not perform this labor. In marginal and problematic cases – it is proper to get a rabbinical opinion.

b. Items needs for the holiday: An extension to the concept of "אוכל נפש" cooking food and cooking utensils, including harvesting, milling, using fire, separating tithes ומעשרות, transporting food in vehicles, repairing pots and pans etc, (there is a more distant classification of "tools of tools," such as fixing a ladder in order to access food or fixing a car; in these cases it is permitted to only do unskilled work, but not professionally skilled actions), fixing a refrigerator or stove, medical and health needs, cleaning house (routine cleaning but not thorough care), and mending clothing needed for the holiday.

c. The case of a laborer who doesn't have what to eat: There are different classes of "דבר האבד" (irretrievable loss); one gives permission related to an **item** that would otherwise be lost and the other is for the

person. The laborer (who has not what to eat) is permitted to do forbidden labor on Hol Hamoed. It is preferable not to do such labor in public.

d. Needs of the community: All community needs, including operating public services (commerce, banking, etc.), repair of public buildings including furniture (benches, etc.), road repair, public sanitation, trash removal, and repair of vehicles serving the public. [Halachic authorities in our generation have different opinions about printing (“kosher”) newspapers on Hol Hamoed, and the lenient opinion is that if such a paper is not printed, people used to reading papers will buy unsuitable newspapers and be morally affected.]

e. Non-professional work: “Non-professional” work, typically done by private individuals rather than professionals, is usually not strenuous.

Summary of this section: Noting the words of the Talmud in Moed Katan

(כ"ה י"ב ע"א): **Rav Hama bar Guria said in the name of Rav: The laws of Moed are like the laws of the idolatrous “Kutim” of Shomron. What is the applicable law? Rav Daniel bar Katina said in the name of Rav: We say that these are separate and not learned from each other.**” It is difficult to compare one Halacha to the other, but each must be considered on its own merits.

In the Aruch HaShulchan (תקל"ד) it is decreed: **“A rabbi should forbid work if he can impose his will, and if a rabbi forbids work to save irretrievable losses so that the public will not be loose about all other work, no other rabbi can issue this public a Heter, permission to do work.”**

4. Shaving and haircuts during Hol Hamoed: Although shaving and taking a haircut are meant to improve one’s appearance and should have been allowed during Hol Hamoed (like cooking food), the Shulchan Aruch rules (תקלא"ב): **“No shaving is allowed on the holiday even if one shaves before the holiday,”** and the Mishna Berurah adds: **“and that applies to haircuts as well.”** The prohibition is not because work is prohibited, but rather, as the Mishna Berurah explains (סק"ג): **To encourage people to shave before the holiday, for if shaving were permitted during the holiday, people would rely on that in advance and would begin the holiday looking scruffy.”** Therefore, shaving was permitted only in cases of (obvious) emergency, when shaving could not be accomplished before the holiday, such as: a freed captive, released prisoner, an Halachic outcast, or someone who arrived from abroad, etc.”

Rabeinu Tam taught that he who shaved Erev Hag is allowed to shave during Hol Hamoed, but this opinion was rejected by the Halachic Authorities, and in the Shulchan Aruch (תקלא"א) the ruling is that one who shaved on Erev Hag may *not* shave on Hol Hamoed.

Despite this, “Hanoda B’Yehuda” ruled in his time

(בשן"ת נודע ביהודה מהדורה קמא – אר"ח סימן יג): **“...therefore in my humble opinion that even though one has shaved the day before the holiday and has an ironclad basis in Rabeinu Tam’s ruling. And even though all the**

other authorities disagreed, for a laborer who has nothing to eat, in my humble opinion it should be allowed. And particularly for those who regularly meet ministers and dukes and are accustomed to frequently shave, will have great bodily suffering if the beard is allowed to grow and will be mocked by the ministers. So such a person may rely on the aforementioned Heter.” This Heter aroused great opposition at the time, but the “Noda B’Yehuda” stood his ground (one can read his response in מהדורא תניינא צט, ק, קא).

In our epoch, R’ Moshe Feinstein (שו"ת אגרות משה חלק א"ח א סימן קסג): “...and therefore it is clear in our time, in our country, that those who shave daily, or even on alternate days or every third day, it is not forbidden to shave. And perhaps even the “Noda B’Yehuda” would have agreed, that the implication at the end of his responsa, applied to only a few individuals in his time and place.. but I myself generally do not issue a Heter except to me that has a special need or would endure special suffering, and if he prefers to rely on the Heter of Rabeinu Tam for asthetic reasons only, one should not protest, because fundamentally it is permitted.”

This question has not been resolved to the satisfaction of all contemporary Authorities; some prohibit and some permit. But it is clear that the Heter (which still has its opponents) only applies to one who shaves daily, but not to someone who lets his bread grow and only “fixes” it from time to time, or for those (mainly young men) who only shave in honor of Shabbat.

5. Cutting fingernails: Sephardim and Ashkenazim disagree on this issue. The Rambam (and apparently also the ר"י and the ר"ש) feel that it is allowed, and so ruled the author of the Shulcan Aruch (תלקב א). But the Ramah added: “**But there are those who are strict and prohibit it, and it is the custom to be strict and not cut them.**” The Mishna Berurah (סק"ב) adds that if only cut his nails on the day before the holiday, he may also do so on Hol Hamoed (like the ruling of Rabeinu Tam concerning shaving), since there are many who rule leniently in this regard.

6. Washing and ironing clothes: Our Sages prohibited clothes washing for the same reason that they forbid shaving, namely that a person may intentionally leave the washing chores for Hol Hamoed, and consequently the same exceptional cases that permit shaving also apply to washing. They also allowed washing items that get dirty frequently (that even if washed the day before the holiday, they would soon need washing again), or for someone who does not have clothes to change daily (like underclothes or shirts). From the writings of the Ramah (תקמא ג) and the Mishna Berurah (ibid) it would seem permissible to iron (at home – non-professional work) as usual, and so ruled Rav Ovadia (ילקוט יוסף ז, עמ' תקיח).

The Seventh Day of Pesach

- a. The Seventh day of Pesach (unlike Shemini Atzeret) is not a "regel" on its own; therefore we do not say "Shehechyanu" at candle lighting or Kiddush.
- b. The Seventh day of Pesach, along with the five days of chol hamo'ed, are the only regel days that we do not finish the Hallel ("half Hallel"). Regarding

the blessing there is a difference of opinion; the Ashkenazic custom is to say the blessing, although among the Sefardim there is a disagreement.

- c. Regarding the rest of the laws of the Holiday; the joy of the regel, prapering food ("ochel nefesh") etc. the laws are the same as other holidays.
- d. In many communities in the country (especially those close to the sea) the custom is to say "the song of the sea" (shirat hayam) on the eve of the seventh day of Pesach. The custom is to say Shirat hayam verse by verse at shachrit as well.
- e. Since the seventh day of Pesach falls on Friday this year, one should remember to perform the Eruv Tavshilin (on Thursday) so as to permit Shabbat preparations on the holiday.
- f. The Eruv Tavshilin is performed with (unleavened) bread (the size of an olive according to the Shulchan Aruch – the size of an egg according to the Ramah). These dimensions apply for large families as well. It is a widespread practice is to use matza and a hard-boiled egg (that will be edible on Shabbat). It is recommended and desirable to consume the Eruv over the course of Shabbat (according to the Mishna Brurah, it is desirable to use the matza as a "lechem mishneh" during the Shabbat meals and to consume it at Seudah Shlishit).
- g. If one forgets to perform the Eruv Tavshilin, one is permitted to rely on the Rabbi's Eruv (as long as this does not become an established practice).
- h. Though one might assume that a person who prepared all the necessary food items for the holiday and Shabbat on the eve of the holiday is not obligated to perform the Eruv Tavshilin - since everyone is obligated to light Shabbat candles before sunset, most poskim hold in this case that the Eruv Tavshilin should be performed without reciting the blessing. Obviously, a person who is planning to prepare even one dish on the seventh day of Pesach itself is required to perform the Eruv Tavshilin with the blessing.
- i. Though it is permissible, in principle, to consume chametz on Shabbat (Isru Chag), in practice this is not allowed (aside from chametz brought by a gentile for his own, not Jewish, purposes – but this is uncommon), since the restitution of the chametz from the gentile will take effect only on Motzei Shabbat.
- j. Most poskim hold that Ashkenazim may consume kitniyot on this Shabbat, though there are different opinions regarding whether kitniyot may be cooked on the seventh day of Pesach for Shabbat (owing to the Eruv Tavshilin). Those who wish to do so may rely on the lenient position.
- k. Bi'ur Ma'asrot – since this year is the seventh year of the Shmitah cycle, all remnants of terumah gedolah and terumah ma'aser that are left over should be expunged from the home since they are intended for ma'aser sheni (or for the redemption of neta reva'i). Ma'aser ani should be remitted to the poor.
- l. There are some who perform the bi'ur on Erev Pesach, though the custom of the majority is to perform it on the eve of the seventh day of Pesach.

m. Viduy Ma'asrot – Poskim are divided on the issue of the contemporary relevance of the mitzvah of Viduy Ma'asrot. We propose reading the chapter of Viduy Ma'asrot (Deut. 26:13-15) from the Sefer Torah (without the blessing) at Mincha on the seventh day of Pesach.

n. It is permitted, in principle, to consume chametz (not Jewish owned “chametz she’avar alav Ha-Pesach”!) on Shabbat Isru Chag (though R’ Tikochinsky in Lu’ach Eretz Yisrael takes a stringent approach). In practice, however, it depends when the chametz sold to the non-Jew reverts to Jewish ownership. According to Efrat’s shtar mechira the non-Jews’ ownership of the chametz expires upon the festival’s conclusion. However, if ownership of the chametz reverts only on motzei Shabbat then it is forbidden to consume it on Shabbat (aside from a non-Jew’s chametz introduced for his own purposes, but this is an uncommon situation).

Counting the Omer, S'firat Ha'Omer

1. Immediately upon the conclusion of the first day of Pesach we begin counting the Omer, as is written: "And you shall count from the day after the Sabbath from the day of your bringing the Omer of the Wave Offering, seven **complete** Sabbaths shall there be. Until the day after the seventh Sabbath shall you count 50 days and bring a new Mincha sacrifice to Hashem." ("Sabbaths" are interpreted as seven-day periods starting from the second day of Pesah.)
2. Chazal had different opinions as to whether the requirement of counting Omer in our time (when we cannot bring the Mincha of Omer sacrifice) is from the Torah (according to the Rambam) or a rabbinical regulation (according to Tosfot, the ש"ר and ר"ן). Even though most Poskim say that counting is rabbinical, we adopt a strict opinion as to the correct time for counting (based on the Rambam's opinion) and wait for the appearance of three medium stars [*Zeit Hakochavim*, which is "certain nighttime," and not dusk which is doubtful nighttime; and certainly not count before sunset (*Shekiya*)]. On the other hand, if a person counted between sundown and the appearance of three medium stars (even unintentionally, like saying "Today is Lag B'Omer"), it is unclear whether he should count again *with* a blessing (in case he may already have filled his obligation to count). There are some authorities who are strict on this point, even if he accidentally counted as early as *plag Mincha*.
3. Another issue that we are strict about is "**complete;**" the count has to be complete, and a person who forgot and missed counting a single day during the S'firah period may not, on succeeding days, make the blessing prior to his subsequent counting (so concludes the Shulchan Aruch and most people follow this ruling, although there are authorities who disagree, see (f) below). A person who forgot to count at night may count the next entire day without making a blessing, and from the following night may resume counting *with* a blessing. He who is unsure whether or not they counted may continue to count *with* a blessing (and follow the opinion that says that each day's counting is a self-contained Mitzvah).
4. Another aspect of "**completeness:**" the first night's counting is at the *beginning* of the night (for if he counts later there will be "less" than 49 complete days), and for that reason we begin Ma'ariv early, at the end of the first day of the holiday. On the other end, we start Ma'ariv late on the evening of Shavuot (for the same reason, not to have a deficit of "completeness").
5. The need for "completeness" raises an issue for a lad who celebrated his Bar Mitzvah during the S'firah. Most authorities opine that if he counted all of the days up to his Bar Mitzvah with a blessing (as allowed for his education), then he is allowed to continue and count with a blessing (but Rav Ovadia determines that he should discontinue counting on his Bar Mitzvah day).

6. It is a Mitzvah to count both days and weeks (for example, “14 days that are two weeks”). After the fact, if one has counted only days or only weeks, he fulfilled his obligation. According to “Beit Halevi” (ה"א סימן טל), one who forgot in mid-week has forfeited the ability to count days but may count and make the blessing at the end of each week, since he did not forfeit the Mitzvah of counting weeks (as his opinion is that weeks are counted at the end of each week).
7. We are commanded to count while standing.
8. Each person must count for himself and does not fulfill his obligation by hearing his neighbor’s counting.
9. There are different formulas for counting, and each should follow the custom of his ancestors.
10. There are various opinions about the obligation of women to count the Omer (ranging from the Ramban’s opinion that the counting is not one of those Mitzvot that are linked to a particular time and therefore women are **obligated** to count, to the opinion of the Zohar that women are **forbidden** to count). In practice, Ashkenazi women are allowed to count with a blessing (the Magen Avraham wrote: “**They have an equal obligation,**” and the Mishnah Brurah wrote “**It would seem that in our countries women were not at all accustomed to counting**”). However, Sephardi women who wish to count may do so – but without saying the blessing.
11. There are those (especially women) who refrain from work from sunset to after counting.

“Mourning” Customs During S’firah

1. In Tractate Yebamot (דף ט"ב ע"ב) it says: “**Rabbi Akiva had twelve thousand pairs of students, from G’vat to Antipras’ and they all died during one time period, because they did not behave with respect to one another,**” and it goes on to say: “**We learned: they all died between Pesah and Atzeret (Shavuot).**” Therefore we minimize our joyful practices during this period. The Shulchan Aruch (סימן תצג) mentions the ban on weddings and haircuts.
2. In the book “Hamanhig” (laws of engagements and marriages, section 105) it is written: “**and I heard in the name of R’ Zarhiya who found written in an old book from Spain that they died from Pesach until the approach of Atzeret, and what is “approach,” it is a division, and a division is fifteen days before Atzeret which is Lag B’Omer.**” A number of customs were based on that text concerning customs of mourning during the days of S’firah:
 - a. The opinion of the Shulchan Aruch (תצג, א): “**No haircuts are allowed until the morning of the 34th day of the Omer.**”
 - b. The opinion of the Ramah (ibid): “**Haircuts allowed on the 33rd day of the Omer... but not the night before**”
 - c. The Ramah (טעף ג): “**In many localities it is customary to get a haircut up to Rosh Hodesh Iyar, and those that do so refrain from getting a haircut from Lag B’Omer onwards,**” and the Hayai Adam wrote that in Vilna the custom was to prohibit

haircuts from the first day of Rosh Hodesh Iyar until the morning of the third day of Sivan (and they allowed cutting their hair on Lag B'Omer itself).

[The historical background for this opinion may have been the Decrees of the year 4856 (1096 the Crusades) during which the communities of Spier – 8th of Iyar, Worms – 23rd of Iyar (some say Rosh Hodesh Sivan), and Mainz – 3rd of Sivan. The prayer “*Av Harahamim*” was written in memory of these holy martyrs, and some say this prayer especially during the Sabbaths of the S'firah, even when it would normally be cancelled due to a celebration (such as blessing the new month). The Ashkenazi custom is to conflate these tribulations with those of the demise of Rabbi Akiva's students.]

- d. According to the Ari and Kabbalist sages, no haircutting is allowed throughout the entire S'firah period.
3. In the Responsa of the Radbaz (חלק ב סימן תרפז), “**You asked me for the basis of haircuts on Rosh Hodesh Iyar, whether this was a worthy custom or not.**

Answer: I myself cut my hair during the entire month of Nissan and Rosh Hodesh Iyar and so do most people. The reason is that they are not allowed to give a eulogy or to fast and this mourning, which is based on a custom, is not applicable to them... and even for those who only forbid cutting hair up to Lag B'Omer. In any case Rosh Hodesh is not included in this prohibition because one is not allowed to give a eulogy or fast then, as the main basis for prohibiting cutting hair is not a law but rather a custom, and a custom cannot cancel another custom.. and I have seen some communities that did not observe that custom at all, and cut their hair every week in honor of Shabbat, and since this custom is not uniform throughout the Jewish People, even though the same haircutting on Rosh Hodesh Iyar was not a custom at all, we do not cancel customs but rather abide by them.

The opinion of the Radbaz concerning haircuts on Rosh Hodesh Iyar was not incorporated in the Shulchan Aruch (תצג, ג), unless Rosh Hodesh coincided with Shabbat in which case it is permissible to get a haircut on the preceding Friday (משנה ברורה ס"ק ה). The Mishnah Brurah text indicates that its author did not accept the custom of haircuts every Friday (except one immediately preceding Rosh Hodesh Iyar), but there are those in our time who rely on this opinion and shave every Friday.

4. “Shiduchim” (what we term “engagements”) are permissible, including a festive meal and song but without musical instruments or dancing. Concerning instrumental music and dancing opinions are divided; the Magen Avraham (תצג ס"ק א) forbids them while Rav Ovadia (ילקוט יוסף) permits them. This applies to all religious celebrations that take place at their appointed times (Brit, Pidyon Haben, Bar/Bat Mitzvah, completion of a tractate of learning).

5. This is the source for allowing a religious celebration, including singing and dancing and other expressions of joy on Israel Independence Day.
6. Regarding the saying of Hallel on Independence Day this year: because the 5th of Iyar - Independence Day - falls on Friday, it was decided that Independence Day celebrations would be brought forward to Thursday, in order to avoid desecration of the Sabbath. As a result the Rabbinic authorities ruled since the sanctity of Independence Day which is the day of the Declaration of Independence of the State of Israel, we must say Hallel according to the declaration of the Knesset which is on Thursday the 4th of Iyar. On Friday Hallel should not be said. In addition, Tachnun should not be said.
6. Dancing, playing musical instruments and private celebrations are prohibited during the S'firah (on the days of mourning according to the customs discussed above). Some authorities are lenient regarding listening to quiet music that serves as a background to a person's activities and do not lead to dancing or other significant joyful expressions.
7. As for blessing "*shehechyanu*" (on new clothing or fruit) opinions are divided, and it would seem that someone who is in urgent need of a new piece of clothing can be lenient, but it is preferable to delay the wearing of this clothing until a moment of additional celebration (Shabbat, Rosh Hodesh, Independence Day, etc.).
8. Someone who accepts the customs of mourning starting Pesach, and is invited to a wedding for someone who begins the mourning customs from Rosh Hodesh Iyar, may participate in the wedding and bring joy to the bride and groom.
9. Concerning the days "בין המצרים" the Shulchan Aruch rules (תקנא, יז): **"One must be careful between 17 Tammuz and 9th of Av not to walk alone between the fourth and ninth hour because then a devilish creation dominates, thus avoiding the smiting of students during these days."** There are those who "adopted" this custom also for the days of S'firah (as these are also inauspicious days) and adopt an especially risk-averse policy (including avoiding trips involving danger, swimming in the sea, etc.)

Laws of Shavuot

Since the holiday of Shavuot falls this year on *Motzei Shabbat*, one should be careful not to perform any preparations for the holiday on Shabbat until it is over at 20:27.

We add the bracha of “Va-todeeaynu” to the Amida on the eve of the holiday. Kiddush is according to the YAKNEHAZ formula, including the blessings of: wine, Kiddush, candle, Havdalah and Zman (“Shehechyanu”).

The festival of Shavuot is exceptional in that there are no distinctive halachot that pertain to the holiday, aside from the general halachot that relate to every *Yom Tov*. However, Shavuot does merit three unique customs:

1. Consuming dairy foods

This custom is Ashkenazic in origin, as brought by the Ramah (Orach Hayim 494, para 3) “**and it is the custom everywhere to eat dairy foods on the first day of Shavuot**”. This custom is nowadays also practiced by Sephardim (Yalkut Yosef, Moadim, p. 444). The explanation for this custom is threefold:

The Ramah himself explains: “**And it seems to me that the reason for this is that it is similar to the two cooked foods eaten on the night of Pesach, in commemoration of the paschal lamb (*Korban Pessach*) and of the festival sacrifice (*Korban chagiga*). Therefore we eat one dairy food and one meat food and two different types of bread should be placed on the table which is in lieu of the altar, in commemoration of the two breads that were sacrificed on the festival of the first fruits**”.

According to this reason, both dairy and meat foods should be consumed (to fulfill the mitzvah of rejoicing on the holiday) as the SHL”H writes “**It is customary everywhere to eat first dairy foods and then meat foods on the festival of Shavuot to fulfill the commandment of rejoicing on the holiday and there is no rejoicing without meat. So one must be meticulous and be holy, especially on this holy day that is the day of the receiving of the Torah, to eat a dessert and wash up well and then finish off with the Grace after Meals and wait an hour. Then one may spread a different cloth, and lay a table with meat.... and whoever is more painstaking in this is commendable...**”

The “Magen Avraham” writes: “**There are many reasons and the reason brought by the Zohar is that the seven weeks were for Israel like the seven clean days that a woman counts before her ritual immersion that cleanses her from menstrual impurity and it is known that blood spoils and becomes milk; in other words, the quality of justice is transformed into the quality of mercy and our ancestors’ custom is binding on us. Yet care must be taken so as not to transgress (by mixing meat and milk).**”

The idea that milk alludes to the quality of mercy is also cited in many Hassidic works as the origin of the custom.

Two additional reasons brought by the Mishnah Brurah are noteworthy: “**And I once heard in the name of a great rabbi that the true reason for this is that when they stood on Mt. Sinai and received the Law (since all portions of the Torah were revealed to them within the Ten Commandments as R. Sa’adiah**

Gaon wrote that the entire Torah is contained in the Ten Commandments) and they descended and returned to their homes and there was nothing immediately available to eat other than dairy foods since meat requires advance preparation: to slaughter with an knife that had been inspected as G-d commanded, to extract the strands of fat and blood and to wash and salt the meat and cook it in new vessels since the vessels that they had previously used were now forbidden for use. Due to this they made do, at that point, with dairy foods and we commemorate this”.

And para. 13 states: **“In some places honey and milk are consumed since the Torah was likened to honey and milk as it is written: ‘honey and milk are under your tongue’.”**

2. Flora in the synagogue

Thus custom is also brought by the Ramah (ibid., 494, para. 3) **“And it is customary to scatter greenery in the synagogue and the home on Shavuot, in commemoration of the giving of the Torah”.**

The “Mishnah Brurah” explains the link between the giving of the Torah and this custom as follows: **“ Because Mt. Sinai was encompassed by greenery as it says: do not let the cattle and sheep graze facing this mountain”.**

Rabbi Ovadia Yosef adds, in his responsa “Yichve Da’at” (part 4, 33) another connection with the giving of the Torah: **“According to the manner in which Tractate Shabbat (88:a) explains the verse ‘his cheeks are like a bed of spices’ – that each and every statement made by the Almighty would fill the world with the scent of perfumes”.**

The “Magen Avraham” cites another explanation: **“And it seems to me that the reason is that they should remember that on Atzeret (Shavuot) judgment is proclaimed regarding the fruits of the trees and that they should pray for that”.**

This is an ancient custom as the HID”A wrote in “Birchey Yosef” (ibid. 6): **“This custom is affirmed by what is recorded in the Aggada (Targum Sheni on Megillat Esther 2:8) that Haman said to Ahasuerus that it was a Jewish custom to scatter greenery about on Atzeret (Shavuot).”**

Though the Mishnah Brurah records that **“the Vilna Gaon annulled this custom since it had since become a gentile custom to bring trees inside during their holiday”**, his opinion was never accepted in practice (perhaps due to the ancient roots of the custom) as Rabbi Ovadia Yosef recounts in the following responsa: **“And look in the Book of the Threefold Thread (p. 128) where it written that in the days of the Chatam Sofer it was the custom that on the festival of Shavuot the house of our Lord was glorified by decorating the synagogue with branches of trees and all types of herbs whose pleasant scent could be discerned from afar. In the Chatam Sofer’s town they would construct a special canopy from tree branches and roses. It once happened that one of the synagogue’s *gabbayim* cancelled the custom and ordered that this not be done and when the Gaon came to the synagogue and saw that the longstanding festival custom had been changed, he was very distraught and reprimanded the *gabbay* who received a very severe punishment.”**

3. Tikkun Lel Shavuot

- a. The Mishnah Brurah (494, para. a) writes **“the Zohar states that the first Hassidim would stay awake the entire night learning Torah and most of those who studied used to do so and the Shulchan Aruch also states that the Ari said that whoever does not sleep at all but rather learns Torah is ensured that his lost sleep hours will be restored and he will sustain no damage. And the reason that the Magen Avraham wrote that the people of Israel were sleeping the entire night and the Almighty had to rouse them to receive the Torah as the Midrash states. That is why we need to seek redress for this.**
- b. There are various customs concerning the character of this study. A kabalistic custom that took root in some communities is to study a special *tikkun* allegedly composed by the Ari for the night of Shavuot contained in “Sha’ar Hakavanot” (p. 89;a) **“That the first Hassidim would occupy themselves with Torah on the night of Shavuot: progressing from Torah to the Prophets and then to the Writings, and then to Midrash and the secrets of the Torah”**. In most yeshivot the learning resembles the regular in depth-study while the custom of studying the Rambam’s Sefer Hamitzvot is attributed to Rav Kook z”l. Many communities have the custom of holding *shiraim* on a range of topics. All the customs are based on precedent, the sole stipulation being that the intention of the study be genuine and for the purpose of *tikkun* and not in vain.
- c. It is important that the person who chooses to stay awake the entire night should attempt to attend the next day’s prayers and Torah reading, that recalls the giving of the Torah, in a state of wakefulness and “*kavanah*”, so as not to squander the merit of having studied Torah the previous night.
- d. There are different halachic opinions concerning the obligation to recite *Birkot Hashachar* in respect to a person who stayed awake the entire night. The Mishnah Brurah writes, concerning *netillat yadayim* and *Asher Yatzar*: **“And those who stay awake the entire night should be careful not to recite the blessing for *netillat yadayim* until after visiting the bathroom before the time for prayers and only then should they recite the blessing for *netillat yadayim* and *Asher Yatzar*”**
- e. Regarding the blessing over the *tallit katan* – he rules: **“The Poskim hold various opinions and therefore one should have the intention of fulfilling one’s obligation with the blessing over the *Tallit Gadol*.”**
- f. Concerning the blessings over the Torah he rules (47, para 28) : **“And if the person was awake the entire night some say that there is no**

need to recite the blessing in the morning and there are those who say that he should since the sages established this blessing as a daily obligation similar to the other blessings of *Birkot Hashachar*, and when there is a doubt regarding blessings then you take the lenient view. However, if possible, the person should attempt to hear the blessing over the Torah being recited and it would be to him as if the person saying the blessing were intending to fulfill his obligation for him and he likewise would intend to fulfill his obligation and should respond amen. He should then recite a few verses that could be considered as Torah study or alternately he should have the intention of fulfilling his obligation with the blessing of *Ahava Rabah* and then study a bit immediately upon completing his prayers.”

- g. Regarding the blessing “*Elokay Neshama*” and “*Hama’avir Sheyna*”, he rules (46, para 24): “**Study the book of Eliyahu Rabba who wrote that the blessing of *Elokay Neshama* and *Hama’avir Sheyna* should not be recited if the person was awake the entire night and the Pri Megadim and the Sha’arey Tshuva left his words open and the Sha’arey Tshuva concludes that one should hear these two blessing being recited and intend to fulfill one’s obligation. And if the person slept for a period of sixty breaths then according to all opinions he is obligated to recite these blessings.**”

Rabbi Ovadia Yosef’s opinion in his responsa “*Yechave Da’at*”, (part 3, para 33) differs in respect to some of the details. He writes thus: “**The person who stays awake the entire night must recite all the *Birkot Hashachar* including the blessings over the Torah after daybreak. Yet regarding *netillat yadayim*, he should wash his hands without reciting the relevant blessing.**”