



THE RABBINICAL ASSEMBLY

PESAH GUIDE תשע"ח¹

The Committee on Jewish Law & Standards (CJLS) Kashrut Subcommittee²
Introduction by Rabbi Elliot N. Dorff, Chair, CJLS

Stories play a key role in identifying a religion or nation, especially the ones at the center of a community's history and ritual, the ones taught to members of the community from an early age and repeated often by adults in rituals and prayers. Such master stories express in easily understandable and emotionally compelling terms a community's understanding of its origins, its values, and its goals. If one were to compare the view of life and humanity embedded in the master stories of, for example, Judaism, Christianity, Islam, Buddhism – and the United States, China, and Israel – one would find deep differences in how these various human communities understand who they are as individuals and as a community, what is important in life, and what they should strive for.

Judaism's master story is the Exodus from Egypt, followed by the trek to Mount Sinai and then to the Promised Land of Israel. We leave Egypt not as individuals but as a nation, and we do so only with the help of God. This is very different from the staunch individualism at the heart of the liberalism that has forged most Western countries. At Mount Sinai we engage in a Covenant with God that establishes the basis of our relationship with God – and the duties of that relationship – for ourselves and all our descendants.

This perception of ourselves, our links to one another and to God, and our mission in life infuses much of our liturgy and many of our holidays, but it is Passover that focuses on this story most graphically. As the Haggadah says, "In every generation we each must see ourselves as if we personally left Egypt." To enable us to identify with that story once again, we reenact the Exodus through story, discussion, and song at the Seder table, and we restrict our diet to remind ourselves of the slavery of Egypt and the need to redeem ourselves and others again and again. The Hebrew word for Egypt, *Mitzrayim*, means "straits," probably because the Nile enters the Mediterranean not as one river but through multiple straits. Jewish interpreters, however, have understood the word metaphorically as well, teaching us that in every generation we must seek to redeem ourselves and others from the straits of life – poverty, ignorance, prejudice, illness, meaninglessness, etc. That is our Jewish mission for life, the charge that God has given us and that the Passover story articulates for us anew each and every year.

We reenact the
Exodus through
story, discussion,
and song at the
Seder table.

This Guide, prepared by the Kashrut Subcommittee and approved by the Committee on Jewish Law and Standards, explains in detail the laws and customs regarding the dietary restrictions of Passover, the rules that remind us each time we eat of Passover's messages for us. Some of these guidelines

are, frankly, quite technical and even complicated; that is the result of the special stringency of the Passover rules in Jewish law and the complex, new ways in which foods are processed in our time. We hope that this Guide will enable Jews to understand what they may eat on Passover and how to prepare their kitchens for the holiday in ways that are clear and understandable. We do not intend this Guide to replace your rabbi's guidance on these matters; on the contrary, any question you have about what is written here or what is missing you should address to your rabbi.

One last, but important, comment. Because Passover involves more dietary strictures than the rest of the year, many Jews become downright compulsive about the rules of the holiday. We should be careful not to use these rules to assert our superior piety over others, and remember that observance of Passover should not come at the expense of the values of honoring our parents and treating everyone with respect. Passover is really important – a central feature of what it means to live a Jewish life. Its very meaning, though, is completely undermined if the dietary rules of Passover lead people to treat each other with disrespect. So as we explain the dietary rules of Passover below, we fervently hope that they will instead function as they are supposed to – namely, to serve as graphic reminders throughout the holiday of the critical lessons of Passover, of the need to free ourselves and the world around us of all the physical, intellectual, emotional, and communal straits that limit us and others in living a life befitting of people created in the image of God. May we all succeed in making this and every Passover the stimulus for us to fix the world in these ways every day of our lives.

We restrict our diet to remind ourselves of the slavery of Egypt.

Updated January 2018. This Pesah Guide was approved by the CJLS on January 10, 2012 by a vote of fourteen in favor (14-0-0). Those voting in favor were: Rabbis Aaron Alexander, David Booth, Miriam Berkowitz, Baruch Frydman-Kohl, Susan Grossman, Reuven Hammer, Jeremy Kalmanofsky, Gail Labovitz, Jonathan Lubliner, Daniel Nevins, Paul Plotkin, Avram Reisner, Jay Stein and Loel Weiss.

Pesah is the Jewish festival which requires the most preparatory effort and is the most complex. Yet Jews are committed to doing their best to observe the laws of Pesah. This Rabbinical Assembly Pesah guide is a brief outline of the policies and procedures relevant to the preparation of a kosher for Pesah home. Please contact your local Conservative rabbi or local religious authority if you have any questions.³

With significant changes in the nature and manufacture of kitchen products and food stuffs, new policies are required to maintain a kosher for Pesah kitchen. There are also many significant differences of opinion amongst rabbis regarding the laws of Pesah. We cannot present all of the various approaches.

This guide is intended to help families maintain a kosher for Pesah home in accordance with the principles of Conservative Judaism and its understanding of Jewish Law.

FOODS

The Torah prohibits the ownership of חמץ (*hameitz*) (flour, food or drink made from the prohibited species of leavened grain: wheat, oats, barley, rye or spelt) during Pesah.¹³ Ideally we burn or remove all חמץ (*hameitz*) from our premises which may be effected by donations to a local food pantry.

In some cases, however, this would cause prohibitive financial loss. In such cases, we arrange for the sale of the חמץ (*hameitz*) to a non-Jew and its repurchase after Pesah:

מכירת חמץ (*mekhirat hameitz* – the sale of hameitz) is accomplished by appointing an agent, usually one's rabbi to handle the sale. This must be considered a valid and legal transfer of ownership and thus the items sold must be separated and stored away from all other foods and supplies. This means that non-Passover dishes, pots, utensils and חמץ (*hameitz*) food that have been sold as part of the selling of one's חמץ (*hameitz*) should be separated, covered or locked away to prevent accidental use.

At the end of the holiday, the agent arranges to repurchase the items on behalf of the owner, since the חמץ (*hameitz*) at that time is again permitted. One must wait until one is sure the repurchase has been done. If ownership of the חמץ (*hameitz*) was not transferred before the holiday, the use of any such חמץ (*hameitz*) remains prohibited after the holiday (חמץ שעבר עליו הפסח – *hameitz she-avar alav ha-Pesah*) and any such products should be given away to a non-Jewish food pantry.

Prohibited foods

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

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

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

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

קטניות – Kitniyot

Until the fall of 2015, the CJLS position on *kitniyot* (for Ashkenazim) has followed that of the longstanding Ashkenazi *minhag* of refraining from eating them. These foods included: beans, corn, millet, peas, rice, soy, and some other plant based foods like mustard, buckwheat and sesame seeds. The one exception was an approved permission of peanuts and peanut oil, provided said items have proper year-round kosher certification and do not contain *hameitz* ingredients.¹⁴

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

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

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

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

- 6) Even those who continue to observe the Ashkenazic custom of eschewing *kitniyot* during Pesah may eat from Pesah dishes, utensils and cooking vessels that have come into contact with *kitniyot* (מי קטניות) may consume *kitniyot* derivatives like oil that have a **KP hekhsheer**.

Permitted Foods

An item that is kosher all year round, that is made with no *חמץ* (*hameitz*), and is processed on machines used only for that item and nothing else (such as unflavored pure coffee) may be used with no special Pesah supervision. As we learn more about the processing of foods and the ingredients they contain, relying on the kashrut of a product for Pesah without a Passover *הכשר* (*hekhsheer*) may be problematic.¹⁵ Wherever possible, processed foods ought to have a “*כשר לפסח*” (“*kasher l’Pesah*”) *הכשר* (*hekhsheer*) from a reliable source. Since that is not always possible, however, our guidelines reflect some alternatives that are acceptable.

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

NO PESAH HEKHSHER REQUIRED

Products which may be purchased without a Pesah *הכשר* (*hekhsheer*) before or during Pesah:

- baking soda
- bicarbonate of soda
- eggs
- fresh fruits and vegetables
- fresh or frozen kosher meat (other than chopped meat)
- Nestea (regular and decaffeinated)
- pure black, green, or white tea leaves
- unflavored tea bags
- unflavored regular coffee
- olive oil (extra-virgin only)
- whole or gutted fresh fish
- whole or half pecans (not pieces)
- whole (unground) spices and nuts

NO PESAH HEKHSHER REQUIRED IF PURCHASED BEFORE PESAH

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

- all pure fruit juices
- filleted fish
- frozen fruit (no additives)
- non-iodized salt
- pure white sugar (no additives)
- quinoa (with nothing mixed in)*
- white milk
- Some products sold by Equal Exchange Fair Trade Chocolate ¹⁶



Frozen, uncooked vegetables may be processed on shared equipment that uses חמץ (*hameitz*). It is preferable to purchase those with a “כשר לפסח” (*kasher l’Pesah*) label. One may, however buy bags of frozen non-*hekhshered* vegetables before Pesah provided that one can either absolutely determine that no shared equipment was used or one is careful to inspect the contents before Pesah and discard any pieces of חמץ (*hameitz*). Even if one did not inspect the vegetables before Pesah, if one can remove pieces of חמץ (*hameitz*) found in the package on Pesah, the vegetables themselves are permissible.¹⁷

*It has come to our attention that there is a possibility of grains being mixed with **quinoa** if it is not under Pesach supervision. The best option is to purchase quinoa with a Pesach הכשר (*hekhsher*), if it is available. Where that is not available, purchase Bolivian or Peruvian quinoa, marked “gluten free” before *Pesah*. Please make certain that quinoa is the sole ingredient in the final packaging.¹⁸

PESAH HEKHSHER ALWAYS REQUIRED

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

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

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

BABY FOOD

Baby food with a Passover הכשר (*hekhsher*) is sometimes available. Of course, home preparation of baby food, using כשר לפסח (*kasher l’Pesah*) utensils and kitchen items is always possible. Pure vegetable prepared baby food that is כשר (*kasher*) the year round is acceptable for Pesah. For those who do not use קטניות, the use of קטניות (*kitniyot*) for babies is also acceptable with care taken that this baby food does not mix with food from the rest of the family. Separate dishes and utensils are recommended. Most infant formulas are made from soy and the use of קטניות (*kitniyot*) does not apply to infants. Thus infant formula products, כשר (*kasher*) the year round, are acceptable for Pesah. Here as in baby foods, the bottles, nipples and formula

should be kept away from the general kitchen area and clean up should be done out of the kitchen area (e.g. a bathroom sink).

MEDICINES

If someone has a life-threatening illness or there is a possibility that untreated it could become life threatening, all medications are permitted.

Any contemplated changes of medicines should be discussed first with your doctor and made only with his/her permission.

Your Rabbi may be able to advise you as to what acceptable alternatives are available for needs that are necessary but not life threatening, such as antacids, analgesics, cold medications, vitamins etc.

All prescription or non-prescription drugs in the form of topical medications, including creams, lotions, ointments, foams, gels, drops, patches and inhalants as well as non-chewable tablets and injections may be owned, used and consumed on Passover, even if they contain חמץ (*hameitz*) or קטניות (*kitniyot*) (for those who maintain this custom), since they are inedible. This covers most medicines used by adults. All medications for babies may be used.

Liquid medicines, chewable tablets and or tablets coated with a flavored glaze are considered edible and may contain chametz. Soft gelcaps may present a problem because they may contain non-kosher edible porcine gelatin. Please consult with your Rabbi on when these may be used and to find substitutes that are acceptable.

PET FOOD

The prohibition against חמץ (*hameitz*) during Pesah includes not owning, not seeing and not benefitting from חמץ (*hameitz*). Therefore, we are not allowed to own or make use of חמץ (*hameitz*) during Pesah; even that which is exclusively for our animals' consumption.

The most appropriate way to take care of your pet during Pesah may be a function of what kind of animal/s you own. We provide three different systems for feeding your pet during Pesah, in descending order of desirability.

1. Identify and switch your pet to a חמץ (*hameitz*)-free diet before Pesah (and perhaps permanently). This is a particularly easy solution for **dogs and cats**. In recent years, there has been a trend toward eliminating gluten from dog and cat foods in recognition of the fact that their digestive tracts were not designed for these foods to begin with. There are many brands and grades of kibbles, frozen or refrigerated raw or fresh and canned dog and cat foods that use fillers like rice, lentils or beans instead of wheat. You do still need to read labels carefully, as oats may appear as a filler in some of

these foods. **Snakes and spiders** eat prey, not plant matter, so they are חמץ (*hameitz*)-free year-round. For other animals (**turtles, gerbils and hamsters, ferrets, fish, frogs, lizards and birds**) there are חמץ (*hameitz*)-free options available, although they may be harder to track down and acquire. Consult with your veterinarian about quality חמץ (*hameitz*)-free foods that may be appropriate for your pet and also the best way to transition your pet to that new food. Please note that even Jews of Ashkenazic descent who prefer to observe the more stringent custom of forgoing קטניות (*kitniyot*) (legumes and rice) during Pesah, are not prohibited from owning, seeing or benefitting from kitniyot. There is no need for a Kosher for Passover hekhsher [certification] on commercially prepared foods for your pets, but it is your responsibility to read the labels carefully before making your purchase.

2. If your larger pet has a condition that requires a special diet that must include חמץ (*hameitz*), or if you have smaller and more transportable animals, you have the option of asking non-Jewish friends to take in your animal for the week of Pesah. Thus your pet does not have to adjust to a new diet and there is still no חמץ (*hameitz*) in your possession.
3. Some authorities allow for the pet to be sold along with the חמץ (*hameitz*) and, since the pet does not belong to the Jewish owner, the pet eats its normal diet. Note that the document of sale must include the pet as well as the חמץ (*hameitz*). If you have these pet foods in your home be careful to keep them away from the general kitchen area. Washing of pet utensils should be done out of the kitchen area (e.g. a bathroom sink). This is the least satisfactory option and is included in this Guide as a last resort measure: unlike the חמץ (*hameitz*) you are selling before Pesah, which is then stored out of sight and is inaccessible to you during Pesah (since it doesn't belong to you), this last option involves your actively seeing and handling that חמץ (*hameitz*) on, at least, a daily basis.

NON FOOD ITEMS

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

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

NOTES:

¹ Updated January 2018

² This guide was prepared by the kashrut subcommittee of the CJLS, chaired by Rabbi Paul Plotkin. We give special thanks to Dr. Regenstein for lending his expertise on matters of food production to our discussions.

³ For Conservative rabbis in your area, see:

In the USA: uscj.org/kehilla.aspx

Internationally: masortiworld.org

⁴ Of course there is nothing inherently wrong with using a warped pan on Pesach. The fear is that the possibility of ruining the pan will cause the owner not to subject the pan to the appropriate heat to effect *kashering*. We thus recommend simply purchasing some new pans specifically for Pesach.

⁵ The Star-K allows the sink to be used during the 24 hour waiting period provided that no hot water is used during that time. This alternative is doable **only** if care is taken that any water used is not hot enough to cause our hand to feel pain (*yad soledet bo*).

⁶ The Committee on Jewish Law and Standards passed a teshuvah on glass bakeware written by Rabbi Kassel Abelson that permits *kashering* of such bakeware. The teshuvah is available on the Rabbinical Assembly website:

rabbinicalassembly.org/orah-hayyim#pesah and [kashering](http://rabbinicalassembly.org/kashering)

⁷ Ibid.

⁸ Most authorities treat glassware as a non-porous substance and require the same *kashering* process as other dishes or utensils. Those same authorities rely on the principle of רוב תשמישו (*rov tashmisho* – majority of usage) to determine the status of the item. A glass cup for example, used mostly for cold drinks, only requires ערוי (*irui*) to effect *kashering*. Only the חיי אדם (*Hayei Adam*) (125:22) posits the three day soaking ritual. The process of soaking is as follows: Immerse the glassware completely in warm water for 72 hours, changing the water every 24 hours.

⁹ The manufacture of plastics has changed and many plastic dishes and utensils are made to withstand water at high temperatures. The issue has been that, since some plastic can be ruined in very hot water, the fear was that the owner would not subject any plastic to water hot enough to effect *kashering*. And lest one think that plastic does not absorb, think of how red sauce, for example, stains a plastic container such that it is difficult to remove the stain. With care, we do feel that proper *kashering* can be effective for many plastic items. (Information on *kashering* of dishwashers made of plastics is found in note 11 below).

¹⁰ The racks, however, are left in the oven during the full cleaning cycle.

¹¹ For more information about koshering dishwashers please see: *On the Kashrut of Dishwashers* by Rabbi Loel M. Weiss.

The teshuvah is available on the Rabbinical Assembly website:

rabbinicalassembly.org/jewish-law/committee-jewish-law-and-standards/yorch-deah#mixtures

¹² Many countertops appear not to absorb but actually do. Marble for example is very difficult to clean properly. Also, pouring hot water on countertops may inadvertently cause damage to the floor when the water runs off the counter. The alternative is simply to clean the counters and cover them. As sensitive Jews however we must be aware of the mitzvah of בל תחשית (*bal tashbit* – not wasting resources) such that a covering that is thrown away after Pesach is wasteful. A

plastic covering that is affixed to the counter, removed after Pesach, cleaned and stored for the future use would be one way to be sensitive to this mitzvah.

¹³ Technically one of the prohibited grains becomes חמץ (*hameitz*) when, during processing, it comes in contact with a leavening agent for more than 18 minutes. Thus, matzah, while made from wheat, is not חמץ (*hameitz*), for in the processing no leavening agent comes in contact with it for more than the specified time before it is baked. *Matzah sb'murah* is made from wheat that has not come in contact with a leavening agent (this could include water) from the time it is harvested, not simply from the time it is processed. (The additional care taken to keep the wheat free from leavening agents from the farm is, in part, the reason for its higher price.) It has become the custom of some Hasidic Jews not to cook matzah or matzah meal in any way that might cause the matzah to be in contact with a leavening agent even in the cooking process. They do not for example eat matzah balls, for those consist of matzah meal cooking in water for more than 18 minutes. They consider matzah balls and all such creations to be *gebracht* and forbidden on Pesach, except for the 8th day which is only celebrated outside of Israel.

¹⁴ A full discussion of these issues is contained in the paper entitled “A New Look at Peanuts—From the Ground Up” by Rabbi Ben Zion Bergman, which is an official position of the CJLS. The teshuvah is available on the Rabbinical Assembly website:

[rabbinicalassembly.org/orah-hayyim#pesah and kashering](http://rabbinicalassembly.org/orah-hayyim#pesah%20and%20kashering)

¹⁵ A full discussion of these issues is contained in the paper entitled “Supervision of Passover Food” by Rabbi Paul Plotkin, which is an official position of the CJLS. The teshuvah is available on the Rabbinical Assembly website:

[rabbinicalassembly.org/orah-hayyim#pesah and kashering](http://rabbinicalassembly.org/orah-hayyim#pesah%20and%20kashering)

¹⁶ Rabbi Aaron Alexander. Has determined that the products listed on this website are acceptable.

<http://shop.equalexchange.coop/pesach>

¹⁷ See note 13

¹⁸ After doing research, we have made our ruling based on the following understanding: Quinoa is gluten free and is not *kitniyot*. Quinoa is grown at 12,000 plus foot elevations in regions of Bolivia and Peru. It is grown in very arid conditions which will not support the growth of חמץ (*hameitz*) producing grains. Thus, there is no possibility of field contamination from such grains. In addition, the FDA has proposed a standard for any packaging marked “gluten-free” which will further guarantee that the product does not contain any gluten bearing grains. If, when the package is opened, you find that foreign grain is present, these foreign bodies should be discarded and the quinoa may be used on *Pesach*.