

Kosher for Passover Guide 2020

Specific to the Coronavirus Pandemic

As the coronavirus pandemic and its related shutdowns grind on, many of us are rightly concerned about how we prepare for Pesah in this new reality. If we are to shelter in place, even if voluntarily, how will we purchase the kosher for Passover products we need for a meaningful and joyous Pesah? What if the products we need are scarce or unavailable?

With those concerns in mind, we wanted to provide you some guidance regarding what is and is not kosher for Passover. Our hope is that these guidelines will alleviate at least some of the stress and anxiety around preparing for Pesah. In truth, there is virtually nothing in these guidelines that is unique for this year. Many of us are used to placing extra stringencies upon ourselves during Pesah.

But these stringencies are almost always unnecessary. In fact, in many cases they may violate the biblical prohibition of *bal tosif*, that we may not add obligations upon ourselves that the Torah does not command. The guidelines here can be applied not just for *this* Pesah, but for *Pesah* every year. For those of you who are uncomfortable with that guidance, then please consider these as *hora'at sha'ah*, instructions for this moment of crisis, where Jewish law allows normal rules to be suspended or altered as circumstances require.

First, some background: The Torah prohibits us from eating, benefiting from, and owning *hametz* during Pesah. Wheat, oats, rye, barley, or spelt become *hametz* (fermented) if they come in contact with water for 18 minutes after harvesting. The term *hametz* is also applied to products in which any amount of *hametz*, even a minuscule amount, is mixed in. However — and this is essential — if the mixture happened *before* Pesah, the *hametz* is nullified if it constitutes less than 1/60th the volume of the entire mixture. **All products** that do not contain any trace of *hametz* are Kosher for Pesah. **In addition, any product** which *might* contain an amount of *hametz* that constitutes less than 1/60th the volume of the entire mixture **is also Kosher for Pesah if that item is purchased before Pesah.**

This means that there are a plethora of items that need no special Pesah supervision or “Kosher for Passover” certification **at all**. Any item that is kosher all year round, that is made with no *hametz*, and is processed on machines used only for that item and nothing else, may be used with no special Pesah supervision. This includes **fresh fruits and vegetables; eggs; fresh or frozen kosher meat and poultry; fresh or frozen fish; pure tea leaves; unflavored tea bags; unflavored regular coffee; extra virgin olive oil; baking soda, raw nuts, and more.**

Also, there are many, many items that need no special Pesah supervision or “Kosher for Passover” certification **at all if purchased before Pesah**, so long as the items are kosher all year round and are made with no *hametz* ingredients. **For example, pure fruit juice; frozen fruit and vegetables; salt, pepper, and other ground spices; pure white sugar; quinoa; milk; butter; cheese, and more.** These products, and others like them, must be purchased before Pesah because as they are

processed it is possible that they may have come into contact with trace amounts of *hametz*. However, they do not require special Pesah kosher certification because, as explained above, any trace amount of *hametz* residue that may have been deposited on these items during production is rendered null if purchased before Pesah.

While it has been a longstanding custom of Ashkenazi Jews to refrain from eating *kitniyot* (beans, corn, millet, peas, rice, soy, and some other plant-based foods like mustard, buckwheat and sesame seeds) on Pesah, **the *sha'at ha-dahak*, the urgent need of our moment, allows suspending this custom**, at least for this Pesah.¹ Indeed, many Conservative rabbis, including those of Ashkenazi ancestry (myself included), already permit eating *kitniyot* on Pesah, even under normal circumstances.²

Those who wish to continue abstaining from *kitniyot* should at least be aware that food/beverage items which are otherwise Kosher for Pesah remain Kosher for Pesah even if they come into contact with dishes, utensils, and cooking vessels that were used for *kitniyot*. Even if *kitniyot* were to be mixed into food that was otherwise Kosher for Pesah, Ashkenazi authorities have long held that the food would *still* be Kosher for Pesah (so long as the *kitniyot* constituted less than half the total volume).³

The same is true of so-called “*kitniyot* derivatives” like corn oil and corn syrup. Even under normal circumstances, if *kitniyot* derivatives were to be mixed into food/drink that was otherwise Kosher for Pesah, Ashkenazi authorities have long held that the food would *still* be Kosher for Pesah (so long as the *kitniyot* derivatives constituted less than half the total volume).⁴

It is important to note that Conservative movement authorities have long held that **peanuts and green beans are not and were never *kitniyot***. Therefore, even folks who wish to maintain the traditional Ashkenazi stringency against *kitniyot* may eat green beans, as well as peanuts and any peanut derivatives (like peanut butter and peanut oil) on Pesah. In fact, **peanuts, natural peanut butter, and peanut oil, may be purchased by anyone before Pesah without Kosher for Pesah certification**, provided said items have proper year-round kosher certification and do not contain *hametz* ingredients.

For those who choose to eat *kitniyot*, at least for this Pesah, here are some important guidelines to bear in mind:

- 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) in sealed bags or boxes do not need a Kosher for Pesah certification if purchased before Pesah.
- 3) *Kitniyot* in cans do not need a Kosher for Pesah certification if purchased before Pesah, provided said items have proper year-round kosher certification and do not contain *hametz* ingredients.

¹ Mishnah Berurah, Orah Hayyim 453:1:7

² See

<http://www.rabbinicalassembly.org/sites/default/files/public/halakhah/teshuvot/2011-2020/Golinkin-Kitniyot.pdf>, and <http://www.rabbinicalassembly.org/sites/default/files/public/halakhah/teshuvot/2011-2020/Levin-Reisner-Kitniyot.pdf>

³ Rema Orah Hayyim 453:1

⁴ Ibid.

- 4) Frozen raw kitniyot (corn, edamame [soy beans], etc.) do not need a Kosher for Pesah certification if purchased before Pesah, provided said items have proper year-round kosher certification and do not contain *hametz* ingredients.

Those who continue to refrain from eating *kitniyot* should remember that **foods/beverages that are otherwise Kosher for Pesah remain kosher for Pesah even if *kitniyot* or *kitniyot* derivatives were mixed in**, so long as the *kitniyot* constitute less than half the total volume. This includes the many items that are kosher all year round and are made with no *hametz*, but which might include small quantities of *kitniyot* or *kitniyot* derivatives, or that may have been made on equipment also used to process *kitniyot* products. Such products do not need a Kosher for Pesah certification if purchased before Pesah, provided said items have proper year-round kosher certification and do not contain *hametz* ingredients. For example, **unflavored, unsweetened almond milk (which may contain *kitniyot*-derived emulsifiers or stabilizing agents) does not need a Kosher for Pesah certification if purchased before Pesah**, provided said items have proper year-round kosher certification and do not contain *hametz* ingredients. There are many, many other products like this that similarly **do not need a Kosher for Pesah certification if purchased before Pesah**.

For guidance on whether specific products need Kosher for Pesah certification, please see this guide prepared by Rabbi Gabriel Cohen, a Sephardi authority in Beverly Hills, California. In recent years, as Adira and I began eating *kitniyot* on Pesah, we have come to rely upon [Rabbi Cohen's guide](#) for our own Passover shopping and preparations. Rabbi Cohen's guide is also useful for those who choose to continue to refrain from eating *kitniyot*, since he generally delineates between what is Kosher for Pesah for those who eat *kitniyot* and what is Kosher for Pesah for those who do not.

I have also been told that the Conservative movement's Committee on Jewish Law and Standards (CJLS) will be releasing special Pesah guidelines for this unprecedented moment. I would normally have waited for this new CJLS guide to come out, but I know that many of us are feeling anxious about preparing for Passover, so I wanted to get good guidance to the community as quickly as possible. I suspect that these new CJLS guidelines will be very similar to what is outlined here, but one way or another, I will share that material with you when I receive it. In any case, [the current CJLS Guide](#) for this year remains relevant and helpful for other aspects of Pesah preparation like cleaning the home and koshering the kitchen. And, in addition, Cantor Rosenblatt and I are working on a package of guidance and resources for your individual Seders. Please be on the lookout for that information.

These guidelines may be surprising to some, thinking that proper Passover observance always requires being as stringent as possible. However, the guidance above is, in my view, fully in accordance with traditional Jewish law. The above guidelines are intended to liberate the members of our community who wish to observe Passover properly from the tyranny of unnecessarily burdensome restrictions many of us have, for various reasons, come to live by.⁵ If you follow the above guidelines, you can rest assured that you will be observing Passover in a fully kosher way — not only this year, but also in the years to come. If you have any comments or questions — especially questions regarding specific products — please do not hesitate to be in touch.

⁵ It bears noting that many kosher supervision agencies and kosher food producers have, in recent years, gone way beyond the needs of the law — not out of caution on behalf of the kosher consumer, but in order to secure and advance their own business interests. In the process, they have confused the kosher-buying public into believing that many things require Kosher for Pesah certification (and kosher certification generally) which, in fact, do not.