

סימן ק"ח

קיצור שולחן ערוך הארוך

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על עניני קצירת שמירת טחנת ואחסנת חיטה לשם מצות פסח

CHAPTER ONE HUNDRED AND EIGHT OF
THE EXPANDED ABRIDGED SHULCHAN ARUCH
BY RABBI GAVRIEL GOLDFEDER

ON THE TOPICS OF HARVESTING,
SAFE-KEEPING, GRINDING AND STORAGE OF WHEAT
TO MAKE MATZAH FOR PESACH

[א]

כתיב:

"ושמרתם את המצות", מכאן שצריכין לשמור את החטין לשם מצות מצוה, שלא יבואו עליהן מים. ולדעת קצת מגדולי הפוסקים ז"ל צריכין שמירה זו מיד משעת קצירה ואילך, אבל המנהג הוא כהפוסקים דסגי להו בשמירה משעה שמוליכין אותן לטחן ואילך, ואך המדקדקין במצוות חוששין לשמירה משעת קצירה, וכן נכון לעשות. וראוי לדקדק שלא יעמדו השבלים במחבר עד שיתבשו כל צרכן וילבינו, כי אז אם ירדו עליהן גשמים יחמיצו אפלו במחבר, כיון שאינן צריכין עוד לקרקע, על כן ראוי ונכון לקצר בעוד שיש בהן עוד קצת מראה ירקות. מי שאפשר לו בחטין שמורין משעת קצירה לכל ימי החג מה טוב, ואם לאו ראוי לו על כל פנים להדר בזה למצות שעל הסדר בשני הלילות:

It is written: "And you shall keep watch over the matzot." From here we learn that we must keep watch over the wheat kernels for the purpose of mitzvah-matzot, such that no water will get on them. And according to the opinion of a small group of halachic decision-makers (may their memories be for a blessing) this safe-keeping is required immediately from the time of harvesting and onward, but the custom is according to the halachic decision-makers for whom it is sufficient with safe-keeping from the time that we bring the wheat-kernels to be ground, and onward. However, those who are scrupulous in mitzvot are concerned for safe-keeping from the time of harvesting, and this it is proper to do. And it is fitting to be careful that the wheat-stalks not remain attached to the ground until they dry out completely and become white, for then, if rain

should fall upon them, they will ferment, even the attached ones, since they no longer need the ground. Therefore, it is fitting and proper to harvest while there is still some appearance of greenness. Someone for whom it is possible to have wheat that is safe-kept from the time of harvesting for all the days of the holiday - how nice! And if not, it is fitting for that person to at least make an effort to have these matzot are for the Seder for both nights.

That flour that was only safe-kept from the time that we brought it to be ground - is it *chometz*, or isn't it? Responding to Jewish questions like "is guarding the wheat-kernels from the time that we bring it to be ground enough to ensure that the ensuing *matzah* is not *chometz*" with simple answers like "*dayenu* - it is enough" would improve, or at least simplify, our lives. It would provide us with the clear delineation between right and wrong for that situation. And then we'd be doing "what God wants," right?

Sure. But what is lost? If we used only that formula to determine how we practice in this area of Jewish life, we would have far less opportunity to assert our values, act out our assumptions, and even be creative. The quality of our Jewish lives would be measured solely by obedience.

The *kitzur* indicates that the question of "from what point must we safe-keep the wheat in order to ensure that it hasn't been exposed to water" refuses to be answered so easily. Not that it's vague and subjective. There are combinations of wheat and water that everyone agrees are *not chometz* – like when it rains on a wheat field soon after the wheat has sprouted. In fact, everyone would extend that line to the point where the wheat has already sprouted, up until the time that it has been harvested (with the possible exception of wheat that is actually dry but remains in the ground).

The question concerns the time between when the wheat is harvested and the time when it is taken to be ground into flour. And that's where it would be convenient to have a formula to use in order to figure out "who is right." Some data. Indications of atmospheric conditions within which it would be wise to bring one's wheat indoors. Parameters for the type of container one could store it in to ensure that it wouldn't be exposed to any moisture, atmospheric or otherwise. Is a hermetically sealed Tupperware wrapped in nine layers of Saran Wrap enough?

In the absence of a formula, with the question still open, perhaps we can approach the question like this: Am I "scrupulous in *mitzvot*? Should I be? In all *mitzvot*? In this one? Should I be concerned enough about attaining *matzah* made with wheat that was guarded from the time of being harvested, and not just from the time when it was ground, to the point where I should subject myself to greater inconvenience (though Costco recently started selling *shemurah matzah*, it is still harder to get than Streit's, which most groceries carry. Additionally, because *shemurah matzah* is more brittle, people who insist on using whole *matzahs* for the *seder* are likely to encounter a few broken ones in their boxes) and higher price? Should I be concerned with the story about R' Yisrael Salanter, who claimed that the *matzah* that he had been asked to attest to the *kashrut* of was

tainted by the blood of the underpaid workers who made it? Should I be concerned that the people who work in *shemurah matzah* factories might be unaware of and/or uninterested in the fine points of making *matzah* for the *mitzvah* of *seder*? Even assuming that everything is kosher and copacetic, might I want to direct my attention and resources to the poor of my community, as we are encouraged to do on Purim? Does it matter that, to many people, *shemurah matzah* tastes bad, and this makes it much harder to get excited about the

mitzvah? Should it matter that, yes, I understand the *halachic* arguments about *shemurah matzah*, and even agree in principle that the moment of harvest seems like a reasonable cut-off point to determine whether something becomes *chometz*, but, frankly, the regular square *matzah* reminds me of my childhood, and that's an important part of my Passover experience?

A lot happens between harvesting and grinding.

[ב]

חֲטִיִּים

שְׁנֵמְצָאוּ בָּהֶן מִבְּקָעוֹת אוֹ מִצְמָחוֹת, הַשָּׂאָר מִתָּר. וּבִלְבָד שֶׁיִּבְרְרוּ אוֹתָן, אוֹ צְרִיכִין לְדַקֵּדק הֵיטֵב אִם יֵשׁ שָׁם עַל כָּל פְּנִיִּים שְׂשִׁימִים כְּנֶגֶד הַמִּבְקָעוֹת וְהַצְמָחוֹת. וּלְכַתְּחָלָה יֵשׁ לְהַדִּיר לְבָרֵךְ גַּם מִן הַחֲטִיִּים שֶׁאֵכְלוּ מֵהֶן עֲכָבְרִים, אוֹ שִׁיְהִיָּה שְׂשִׁימִים כְּנֶגֶדָן. וְהַחֲטִיִּים שֶׁבָּאוּ בִּסְפִינָה אוֹ שֶׁהִיוּ מִנְּחִין בְּבוֹרוֹת, אִם הֵן יִבְשׁוֹת וְקִשׁוֹת וְלֹא נִשְׁתַּנָּה מִרְאִיָּהֶן, כְּשֵׁרוֹת. וְאִם הֵיוּ מִנְּחֹת בְּעֻלָּיהָ וַיִּרְדּוּ עֲלֶיהָ גֶשֶׁמִּים דֶּרֶךְ הַגֶּג בְּקֻצַּת

מקומות, אסורות. אבל אם נפל עליהן קצת שלג או קצת מים במקום אחד, מסלק אותן שיש להסתפק בהן והשאר מתרות

Wheat kernels, among which some that are split or sprouted are found - the others are permitted. The only requirement is that one sort them. Or, we must ensure that there is at least 60 times as much as the split or sprouted ones. And ideally one should make effort to sort out the wheat kernels that have been eaten by mice, or that there be 60 times as much as there are of them. And wheat kernels that came on a boat, or were stored in cisterns - if they are dry and hard and their appearance is not different, they are kosher. And if they have been left in a loft and rain fell upon them through the roof in a few spots, they are forbidden. But if a bit of snow fell on them, or a bit of water in one spot, one should remove those kernels about which there is doubt, and the remainder are kosher.

There's lots of things you can do with wheat. Like make cupcakes. Just add the right amount of flour, mix the ingredients up, bake, and then there you have it!

Everyone in their right mind likes cupcakes. But have you considered the trypsin inhibitors and phytates that reduce the protein digestibility and mineral release of the flour? Are you aware of the effect your recipe has on the zinc content of the wheat in your cupcakes? Oh. You were just eating those cupcakes for fun? Hmmm.

Well, not everyone is treating their cupcakes like some kind of game. Some people are using the powers of germination and fermentation to disrupt those processes and make nutrients and phytochemicals free and accessible to digestive enzymes.

Like Sally. Sally likes to soak dry wheat berries for some period of time and then allow the berries to sprout. Then she dries them out, grinds them with her mill, and *then* makes cupcakes. Boom. Bravo. Enjoy all that iron, Sally.
Or Luke. Luke doesn't have a mill. He doesn't like sprouting. But he likes zinc,

so he combines the wheat with water and then adds some of his artisan cupcake starter to ferment the mixture for a few days, and then he bakes it into cupcakes. He adds copious amounts of Nutella to ensure that his not-year-zinc-aware buddies will eat his cupcakes with him.

But it turns out that germination and fermentation have different effects on the wheat (fermentation tends to increase bio-accessibility of zinc, while germination increases bio-accessibility of both zinc and iron, to name but one).

This shouldn't be surprising. They are different processes, both practically and chemically. So it might seem somewhat surprising that the *kitzur* sees both germination and fermentation as catalysts for *chometz*. But it's actually not surprising at all. They both generate *chometz* because both processes involve water. And water + wheat + time – kneading = *chometz*, regardless of what brings them together: germination, fermentation, a mouse, an art project, snow, fog, a humidifier, a faulty roof, or what have you.

[ג]

כבר
יד:

נהגו ישראל לדקדק בהכשר הרחים לנקר היטב ולנקות בכל האפשרי, וכיסים לוקחים חדשים. ובמקום שיש תלמידי חכמים, המה הולכים אל הרחים להשגיח שיהא ההכשר כראוי. ובמקום שאין תלמידי חכמים, ראוי לכל ירא שמים שילך בעצמו להשגיח על ההכשר, דמצוה בו יותר מבשלוחו. ונוהגין כי הקמח הראשון שנטחן לאחר ההכשר אין אוכלין אותו בפסח. אם טוחנין ברחים גם תבואה לתותה, צריכין להפסיק במחצה שלא יתערב בו מן האבק ההוא:

There is already a custom among Israel to be scrupulous in ensuring the kashrut of the grindstones by thoroughly poking at and cleaning them as much as possible. And as for bags, one should get new ones. And in a place where there are wise Torah scholars, they go to the grindstones to oversee that they appropriately be made kosher. And in a place where there are not wise Torah scholars, it is fitting for anyone who fears God to go themselves to oversee the kashering, for the commandment is more incumbent upon him than upon someone that he sends to do it. And we are accustomed that the first flour that is ground after the kashering - we do not eat it on Pesach. If moist grain is also

ground with these grindstones, we must make a partition so that none of that dust will get mixed in.

A grindstone can be used to make flour for *matzah* and must be cleaned. As frustrating and difficult as it must be to remove crushed wheat from the cracks and crevices of a grindstone, one is called upon to do so. Bring whatever tools you will need - bring a wise Torah scholar! - and do the work.

Kisim cannot be cleaned. Bring all the scholars you want - *kisim* simply cannot be cleaned. A new one must be used for the *Pesach* flour.

It seems our lives are populated with objects, experiences, responses, emotions, self-images, prejudices, assumptions, aspirations, fears, expectations, and impressions, some of which should be retained - and cleaned for *Pesach* - and some of which must be disposed of. Of course it is essential - and often quite difficult - to figure out which is which.

How do we figure out? It can't be solely about money. Yes, grindstones are expensive, and it would be a bit indulgent to buy new grindstones for *pesach* rather than clean the old ones. But there are other objects that we hold to only because they cost us so much, and it seems like a waste of money to get rid of it now.

And there are, of course, inexpensive things we get rid of that we should keep but we don't, because it just seems too hard to clean them, and it is tempting to

pretend that, because they didn't cost much, they are therefore disposable.

Mis-assessing has consequences. Being rid of something that should be reused is unfortunate. With physical objects such an approach is wasteful. With qualities that are inherent to one's self, it can be misguided, and even violent. With destiny, like Yonah's, it is impossible.

Clutching something that must be let go of is stultifying. Physical objects become clutter. Qualities of self become stubborn obstacles to moving on and starting again. Destinies become anchors, keeping us stuck at port.

All of this is reflected in the choices the Israelites had to make while living in and leaving Egypt. What is kept, and what must be discarded? While there, they kept their names, their clothes, and their language. While there, they kept faith that a redeemer would come and redeem them. At a key moment, they let go of Egyptian faith. Good riddance. As they left, perhaps they held on too tightly to their identity as slaves.

During the time that you are preparing for and participating in Passover, as you notice what arises in you, consider what should be cleaned and kept, and what must be discarded, in order to move forward.

[ד]

שק

עם קמח שנתלחלח ממים, אם הוא במקום אחד בין שהוא עדין לח בין שנתיבש, יאחז את המקום הזה בידו ויריק השאר ומת, רק זה שנתלחלח אסור. ואם נתלחלח בכמה מקומות שאי אפשר לו לעשות כן, אזי אם עדין הוא לח ירקד את הקמח ומה שנשאר על הנפה פוריון, זהו לבד חמץ, והשאר מת. וכן אם אכלו עכברים מן הקמח, ירקדנו. אבל אם כבר נתיבש, לא מהני ליה הרקדה וכל הקמח אסור.

A sack that became wet with water: if it is localized to one spot, whether it is still wet or whether it is dry, one may take hold of that spot in his hand and empty out the rest and it is permitted, and only the flour that got wet is forbidden. And if it got wet in several places such that it is impossible to do that, then, if it is still wet, the person should sift the flour, and the clumps that remain in the sieve - these alone are chometz, and the remainder is permitted. And so too if mice ate the flour, one should sift it. But if it already became dry, sifting will not help, and all the flour is forbidden.

About four thousand years ago, Ya'akov Avinu left his father-in-law Lavan's house , along with his family and his

possessions. He made contact with his estranged brother Eisav and prepared to meet him. Alarmed that Eisav was

approaching with an army that appeared ready to attack, Ya'akov made his own preparations for the encounter, including some amount of military strategy. With the possibility of battle close at hand, Ya'akov moved his family forward, one step closer to the encounter with Eisav. And then, in an utterly shocking move, he left his family, even more vulnerable to Eisav's possible attack in his absence.

And why? Military strategy – perhaps to lead Eisav away from his family? To pray, perhaps? No. He went back because he had left some *small containers in their previous encampment*. He went, essentially, because he had forgotten some of his Tupperware.

The Gemarra (Hulin 91a), having thus proposed this seemingly inane explanation of Ya'akov's action, then provides us with a justification for such a move: the righteous are more concerned with their money than they are with their money. Why? The Gemarra explains that, since the righteous do not steal, they cherish every *perutah* that they have justly earned, as it is seen a gift from God.

Concern for money that we have earned honestly is an ideal in the Torah. And how does that concern balance with others that we hold dear – like our commitment to doing *mitzvot* effectively, and particularly with avoiding the violation of a negative commandment like owning or eating *chometz*?

The *kitzur* brings up such a case: a sack containing Passover flour has become wet. One might have presumed to simply throw out the entire sack. But there is non-*chometz* flour in there! And they are not mixed (yet). In fact, that non-*chometz* flour can be saved using the relatively simple and direct method of pinching off the contaminated portion of the sack and pouring out the untainted flour or, if necessary, sifting the contents.

One could easily identify with the strong, visceral urge to simply burn the entire sack and its contents – especially given the prevalent “treat *chometz* like a radioactive substance” approach to preparing for Pesach. But the *kitzur* offers a common-sense approach to sifting out the *chometz*: sifting out the *chometz*.

This is remarkable for so many reasons. First of all, the *kitzur* mitigates the abject aversion to *chometz* that characterizes this time of the year with the steadfast and eternal principle of not wasting money unnecessarily. Though it is an ideal to spend money on a *mitzvah*, it is not an ideal to waste money on a *mitzvah*!

Additionally, it is notable that the *kitzur* trusts us! He trusts us to look at a sack of flour that contains literal *chometz* and to literally remove the literal *chometz* from the mix and then literally make the remainder into *matzah* and then literally eat it on Pesach.

[ה] ביום

שִׁטְחֵנוּ אֶת הַקֶּמַח אֲסוּר לְאַפּוֹתוֹ, מִפְּנֵי שֶׁאִזּוּ הַקֶּמַח הוּא חָם וּמִמָּהֵר לְהִחַמֵּץ כְּשֶׁנוֹתְנִין בּוֹ אֶת הַמַּיִם, עַל כֵּן יִשְׁהֶה אַחֵר הַטְּחִינָה לְכָל הַפְּחוֹת מַעַת לַעַת.

On the day that they ground the flour, it is forbidden to bake it, since at that time the flour is warm and is more quick to ferment when we put the water in. Therefore it should sit after being ground for at least twenty-four hours.

The ingredients of *matzah* are not, simply, flour and water. The ingredients of *matzah* are not-warm-flour and not-warm-water.

The presence of the proper ingredients of *matzah* – or of pretty much anything – is not enough to guarantee that the desired results will ensue, or that a *mitzvah* will be done. Even if they be properly

arranged, in the proper quantities, mixed together in the proper order, and for the proper amount of time, the results could be useless, or negative, or even disastrous.

One might not have thought to consider the temperature of the flour when making the *matzah*. Then again, one might not consider the amount of joy one feels in

putting on *tefillin* as being all that important. One might not consider feelings of enmity that a prayer-leader has for a member of the community to be that important. One might not consider whether a *lulav* was stolen, or whether a *sukkah* was assembled in the wrong order, or whether the *kohen* was thinking about one kind of offering while you brought a different kind of offering. In all of these cases, the Torah requires us to think beyond whether all the ingredients are present and kosher. Something else is required – intention, mood, forethought, focus, honesty. Joy.

Making *matzah* teaches us to be aware of additional layers, factors, issues, components, needs, implications, opportunities, dangers, and aspects of the *mitzvot* we are trying to do. And this becomes the mark of someone who is truly alert and concerned: *zedakah* is given, and with a smile. *Lulav* is shaken without poking the guy behind me in the eye. Prayers are uttered – in the name of all Israel, and not just for my own needs. Shuls are built with accessibility in mind. Cholents are made, with that extra ingredient called Shabbat added in.

[ו]

השקנים

שְׁשָׁמִים בָּהֶם אֶת הַקֶּמַח, טוֹב לַעֲשׂוֹתָן חֲדָשִׁים, אוֹ לְכָל הַפָּחוֹת לְהַתִּיר אֶת הַתְּפִירוֹת וּלְכַבֵּסן
הַיֵּטֵב הַיֵּטֵב בְּחֶמֶן וּבְאֶפֶר וּבְשִׁפְשׁוֹף וּבְחִיטָה.

The sacks in which the flour is placed - it is best to make them anew, or at least to undo the stitches and to wash them very thoroughly with hot water and ashes and rubbing and beating.

How much effort we go through to guard the wheat (from the time it is harvested!) and clean the mill (with a scholar nearby!). Of course we should make sure to store it in a container that doesn't contain questionable flour. And that will require that we either clean them or get new ones or, assuming we are using sacks, disassemble and sufficiently wash any sacks we've used in the past.

There are other places in *halacha* in which we have to make sure the kosher thing, or the thing we just made kosher, lands in a place that is kosher enough to allow its kosherness to continue. For example, one would ensure that a newly-kashered dish not be placed on an unkosher surface, and that a kosher Sukkah not be moved about and positioned under a tree. One would not light the *hanukkah* candles and then run them to the top of a skyscraper.

The *gemarra* has a fantastic articulation of what it's like to take an action that works to increase kosherness, holiness, purity, or the like, and then have that kosherness, holiness, or purity negated by a factor or element that was there at the outset: one who performs ritual immersion with an impure animal in their hand (which would immediately render them impure as soon as they emerged from the ritual immersion):

אמר רב אדא בר אהבה אדם שיש
בדו עבירה ומתודה ואינו חוזר בה
למה הוא דומה לאדם שתופס שרץ
בדו שאפילו טובל בכל מימות
שבעולם לא עלתה לו טבילה זרקו
מידו כיון שטבל בארבעים סאה מיד
עלתה לו טבילה

Rav Ada b. Ahava said, 'a person who has a transgression in hand and confesses about it and does not turn away from doing it, to what can that person be compared? To a person who is holding an impure animal in their hand. Even if they immerse in all the water in the world, it does not amount to an immersion. If they throw it away, once they immerse in 40 seah, immediately the immersion counts. (Bavli Ta'anit 16a)

It is foolish to perform an act that is intended to add holiness or purity or kosherness to your life without ensuring that you have a place and a way to land in which it will be possible to sustain that holiness or purity or kosherness. If, for example, I go away on a meditation retreat, but did not leave things on a good note with my partner, I will need to "prepare the ground" for re-entering, rather than just walking in and expecting my partner (who is likely exhausted from being home with three kids while I was away) to be open to and excited about the changes I think I have made in myself. And without "preparing the

ground” I am likely to re-trigger some of the old patterns.

Note: Such an act may be foolish, but that does not mean it is worthless. While it is certainly true that freshly ground flour put in a sack that may contain *chometz* should be considered as *chometz*, it is not true that something I did to add holiness or purity or kosherness to my life is worthless, just because it seems to have been negated by its lack of longterm impact. No single good act or thought is

negated, even if it were followed by what seemed to be an equally bad act. As Rebbe Natan says repeatedly in *likutei halachot*, no good intention is lost.

As true as that is, don't store your *pesach* flour in your *chometz* sacks. Though it might be of great value in some alternate universe because of the time it spent being *kosher* for Passover, it is not usable in this one.

[ז]

אסור

להניח שק עם קמח על גבי בהמה אלא אם יש עור עב תחתיו, דאם לא כן יתחמם ויתלחלח
מן הזעה. ואם אפשר יזהר גם כן שלא להניח הרבה שקים זה על זה, מפני שעל ידי זה
מתחמם ויחמיץ בלישה.

It is forbidden to leave a sack of flour on the back of an animal unless there is thick leather below it. For if one does not do so, it will become warm, and will become wet from the sweat. And if possible, one should be careful not to rest many sacks, one on top of the other, since through this it will become warmer and will ferment during kneading.

What is the 21st century correlate to concern about the perspiration of my donkey? There is no *shvitizing* animal anywhere to be found for the 99.9% of us who simply buy our *matzah* at the store, where it is already wrapped in several protective layers of packaging, including some plastic, which would (like that thick leather) be essentially impervious to moisture. Upon purchasing said commodities we put them in the car, drive them home, and store them in hermetically sealed closets and pantries until Seder night. Never dealt with the flour itself. Not a donkey in sight. Cars don't sweat.

Consider concern for donkey sweat as another important thing we have to be aware of as we create our Passover experiences. All the things we buy, replace, cover, check, look up, ask rabbis about, worry about, self-adjudicate about, clean under, boil, verify, justify, sigh

about, roll our eyes about, yell about, burn, flush, scrub, douse with toxic chemicals, measure, sell, list, rent out, shake hands about, try to explain to our dogs about, try to explain to our parents and children and partners about – a sentiment common to all Passover celebrations, from that first one in Egypt until this one, is attention to detail. The amount of attention we spend on preventing the donkey's diaphoresis from raining on our *matzah* parade is still spent on Passover, but expressed elsewhere.

The challenge: When you buy, replace, cover, check, look up, ask rabbis, worry, self-adjudicate, clean under, boil, verify, justify, sigh about, roll your eyes, yell, burn, flush, scrub, douse with toxic chemicals, measure, sell, list, rent out, shake hands, try to explain it to your dog, and try to explain it to your parents and children and partners, how do you do so from a place of freedom?