

Chameitz & Pesach
or
What Foods are Prohibited During Chag HaMatzot?

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The Torah Commandments Regarding Chameitz & Chag HaMatzot

In Exodus 12:15 we find the commandments pertaining to the question of *chameitz* & Chag HaMazot:

שִׁבְעַת יָמִים מִצּוֹת תֹּאכְלוּ אֶךְ בְּיוֹם הָרִאשׁוֹן תִּשְׁבִּיתוּ שָׂאֵר מִבְּתֵיכֶם כִּי כָל-אֵכֶל חֻמֶּץ וְנִכְרְתָהּ הַנֶּפֶשׁ הַהוּא מִיִּשְׂרָאֵל
מִיּוֹם הָרִאשׁוֹן עַד-יוֹם הַשְּׁבִיעִי

‘Seven days you shall eat unleavened bread, but on the first day you shall remove leaven from your houses; for whoever eats anything leavened from the first day until the seventh day, that person shall be cut off from Israel. (Ex 12:15)

In this verse two words are used to denote “leaven” – שָׂאֵר and חֻמֶּץ (*se’or* and *chameitz*). The text states that we are to “cause leaven (שָׂאֵר) to cease (שָׁבַת, hifil form)” from our houses. The reason given is that any one who eats leaven (חֻמֶּץ) during the seven day period will be cut off from Israel.

The root of the Hebrew word שָׂאֵר is unknown. Some have connected it with the root שאר (*sha’ar*, with ש rather than ש) which means “to remain, be left over.” In doing so, they have thought that שָׂאֵר denotes the “starter dough” that one takes from the pre-baked loaf and stores away in order to leaven the next dough that is kneaded. But it may be difficult to derive שָׂאֵר from שָׂאֵר. Though it is possible that a ש/ש inter-change has occurred in the development of the word, it has no clear lexical support. Moreover, the Lxx translators were apparently unaware of the different shades of meaning between שָׂאֵר and חֻמֶּץ because they use the same word (ζύμη or the verb ζέω) to translate both words in Ex 12:15, 19 (cp. Ex 13:7; Lev 2:11; Deut 16:4). It could be that the leavening agent (the pinch of leavened dough held back as a “starter” for the next batch) is described by שָׂאֵר, and that חֻמֶּץ describes the “finished product” (i.e., the baked bread or other foods prepared with שָׂאֵר), but we really have too little data to be sure. If the traditional view is correct, then Ex 12:15 first commands that all leavening agents (שָׂאֵר) be removed from the house because anyone who eats foods prepared with it (חֻמֶּץ) is banished from Israel. Thus, the removal of שָׂאֵר is a precaution so that no food would be prepared with it.

Exodus 12:19 reads similarly:

שִׁבְעַת יָמִים שָׂאֵר לֹא יִמָּצֵא בְּבֵתֵיכֶם כִּי כָל-אֵכֶל מִחֻמֶּצֶת וְנִכְרְתָהּ הַנֶּפֶשׁ הַהוּא מֵעֵדֶת יִשְׂרָאֵל בֵּגֵר וּבְאֶזְרַח הָאָרֶץ:

Seven days there shall be no leaven found in your houses; for whoever eats what is leavened, that person shall be cut off from the congregation of Israel, whether he is an alien or a native of the land.

Here we see that the laws of Chag HaMatzot (Feast of Unleavened Bread) apply equally to the native born as well as to the sojourner (גֵּר, *ger*) within Israel. Note also that while v. 12 simply has “Israel,” here the one who eats *chameitz* is cut off from “the congregation (עֵדָה) of Israel.” This means that the גֵּר is considered as a member of the congregation of Israel in the same fashion as the native born.

Ex 13:9 (cf. Deut 16:4) expands the laws regarding *chameitz* during Chag HaMatzot:

מִצּוֹת יֵאָכְל אֶת שֶׁבַעַת הַיָּמִים וְלֹא יֵרָאֶה לְךָ חֻמֶּץ וְלֹא יֵרָאֶה לְךָ שָׂאֵר בְּכָל־גְּבוּלְךָ:

Unleavened bread shall be eaten throughout the seven days; and nothing leavened shall be seen among you, nor shall any leaven be seen among you in all your borders.

Reading the English translations, it appears that not only must the leavening agent and foods cooked with the leavening agent be removed from the house, but they both are to be removed from the entire Land. The Mishnah (*Pesach* 1.2) recognizes that this is virtually impossible, and so the Sages instituted other means by which this command could be obeyed, namely, that intentionality could suffice. That is, if one purposed in his heart that all leaven was considered unusable, then it was the same as removed. That did not diminish the need to remove all that was possible, but reckoned with the fact that some leaven would inevitably be overlooked or be unknown. However, the Hebrew of Ex 13:9 literally has “leavened foods shall not be seen *for* you nor shall a leavening agent be seen *for* you in all your borders.” The English translations have “seen *among* you,” but this translation fails on two accounts. First, the preposition ל does not normally mean “among,” and secondly, the pronoun (“you”) is singular. If, in fact, the preposition ל is to be understood as “among,” we would expect the plural pronoun “you” (לְכֶם) rather than the singular. It seems more likely that the preposition ל functions in its normal sense of “belonging to” in this case, and the sense would then be: “leavened foods shall not be seen as belonging to you (sg.) nor shall a leavening agent be seen as belonging to you (sg.) throughout (בְּכָל) all your borders.”

It was this sense of “ownership” that gave the Sages their idea of how to fulfill this commandment. First, they understood גֵּר (“sojourner”) in this passage (and in most other texts) to refer to a proselyte. And since a proselyte was counted as a Jew, the commandment of no leaven food or leavening agent attached only to Jews. Secondly, then, since the sense of the commandment pertains to “ownership,” it was determined that a Jew would “sell” his שָׂאֵר and חֻמֶּץ to a Gentile for the duration of Chag HaMatzot, with the understanding that the Gentile would sell it back to the Jewish person following the festival (for the same amount by which he had purchased it). That, of course, was a rabbinic invention, and nothing remotely taught in the Torah itself. Rather, the apparent sense of the commandment is that these substances (leavening agents and leavened foods) were not to be *used* by any member of Israel for the duration of Chag HaMatzot. It is not talking about a forensic sense of “ownership,” but a practical one, in which the person utilizes what is rightfully his. During the festival of Matzot, all leavening agents and foods containing leaven are to be considered as unusable.

How can we obey this commandment? First, we can designate a place in our house or garage (or wherever) and put all leavening agents and foods containing leaven there. Secondly, we can declare these foods “off limits” (meaning unusable) for the duration of the festival. Thirdly, we can guard ourselves from eating foods that may have leaven. Processed foods that contain one of the five grains should therefore not be eaten during the festival unless they are specifically marked as kosher for Pesach. Prepared foods not so marked may well contain leaven.

What are leavening agents? Obviously, in the ancient world, one did not go down to the local store and buy a sack of yeast. Rather, one would put water with flour made from grains, and allow it to sit until it fermented. The fermenting process is the natural way that yeast becomes active in moist flour. So this meant that any “starter” was to be put out and not used. In our day, all yeast purchased for making

breads or for any other food preparation should be put out of use during the festival. Generally, the grains from which flour is made, which when moist begin the fermentation process, are: wheat, spelt, barley, oats, and rye (cf. m.*Pesach* 2.5). These do not need to be removed from one's house or kitchen, but if they are mixed with water, they should be baked right away (according to the Sages, within 18 minutes) because after a short time the fermentation process has begun, and they have become leavening agents.

Owing to the fact that the penalty for consuming *chameitz* during Chag HaMatzot is severe (being cut off from Israel), the Sages instituted additional "fences." Since other substances may appear to make things rise, and since some other substances may appear very similar to the five grains that are susceptible to fermentation, some rabbis also prohibit קטניות *kitniyot*, which are generally considered "legums," and include rice, corn, soy beans, string beans, peas, lentils, peanuts, mustard, sesame seeds and poppy seeds. Even though these can never technically become *chameitz* (they can rot but they do not become fermented and thus do not contain *chameitz*) they can at times appear like *chameitz* products. So to make sure one is never confused about what is and what is not *chameitz*, some Sages prohibited these as a fence to guard the commandment. In modern times, the Ashkenazi *halachah* is to prohibit *kitniyot* during the festival, while Sephardic *halachah* allows them.

What about wine and other substances? The Kosher for Pesach stamp put upon some wines really has nothing to do with leaven or leavening agents. According to the strict interpretation of *chameitz*, it only pertains to the five grains noted above. Wine is not made from grain, so there is no issue of *chameitz* attaching to wine. Rather, from ancient times the issue of wine had to do with the fact that many pagans used wine as a libation offering to their idols. It became the standard *halachah* that wine produced by Gentiles was not to be used by Jews if the bottle or vessel had been opened. In a situation where Jews and Gentiles dined together, and a wine container was opened, all was fine. But if the Jewish person left the room, when he returned he could not drink from the opened wine since the possibility existed that while he was gone, the Gentile may have poured out some of the wine as a libation to the household idol. The Kosher of Pesach *heksher* simply assures that the wine was produced by Jewish firms, and that no Gentiles were involved in its production. Moreover, some Kosher for Pesach wines are boiled in the process, but again, this is not to "kill the leaven" but to make it useable even after being handled or sold by Gentiles. Obviously, from our perspective, such *halachic* rulings do not obtain. As brothers and sisters in Messiah, we are one regardless of our physical lineage.

Bicarbonate of soda and baking powder do not contain *chameitz* nor do they attract it. Many Sages prohibit these, during the festival however, because they "give the appearance" of *chameitz* in that they cause breads to rise. However, from the strictly biblical perspective, they are not *chameitz* and do not need to be removed from one's kitchen. Moreover, they can be used and eaten during the festival.

So what are we commanded to remove from our kitchens/homes, and to abstain from eating during the festival?

1. Any of the five grains or flour made from them, to which water has been added and allowed to sit long enough to begin the fermentation process (18 minutes is the accepted time according to the Sages). If fermentation occurs, they have become leavening agents. They are not to be used during the festival.
2. All prepared foods that contain any of the five grains (sandwich breads, even pita bread, since it may have been allowed to sit too long before being baked; cereals, cookies, crackers, etc.) are prohibited.

Prepared foods made from *kitniyot* do not need to be removed (unless one wants to adhere to the additional Ashkenazic rabbinic fences). So, for instance, corn tortillas are okay, as are foods made from rice.

3. Noodles purchased from the store, made from one of the five grains are prohibited, unless they are marked as Kosher for Pesach. (You can make your own noodles as long as they are cooked right away after water is added to the flour, if you are using flour ground from one of the five grains).
4. Beer, whiskey and the like, which are made from fermented grains, are prohibited. (Not all alcoholic beverages are prohibited. For instance, vodka is made from potatoes and does not therefore contain *chameitz*).
5. Substances containing leaven or leavening agents but which are never eaten do not need to be removed, since the primary commandment is that one is not *to eat* leavened foods nor have leavening agents that would be added to foods. Thus, cleaning agents, pet food, etc. that contain one of the five grains do not need to be removed.
6. Medicines containing leaven are not prohibited during the festival, on the principle (*pikuach nefesh*) that those things necessary to sustain life generally take precedents over other commandments.
7. Wine and vinegar (other than grain vinegar) are not considered *chameitz* because they are not made from grain products, and are therefore useable during the festival.