

THE LAWS OF EREV PESACH

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Erev Pesach is one of the busiest and most unique days of the year. With every hour comes another set of *halachos*. Many *halachic* times, including the time for searching for chometz and the latest time for eating chometz, are well known. However, many *halachos* of Erev Pesach are often confusing and not commonly understood. The purpose of this article is to elucidate some of the lesser known laws of Erev Pesach.

Note: These *halachos* apply to Erev Pesach that occurs on a weekday. If Erev Pesach occurs on Shabbos, special *halachos* apply to both Friday (13th of Nissan) and Shabbos (Erev Pesach).

Chometz

Searching for Chometz

The opening line of *Maseches Pesachim* states that one should search for chometz on the night of the 14th of Nissan (i.e. the night before Pesach). This should begin immediately after nightfall (50 minutes after sunset for this application).

Eating Chometz

One may eat chometz until the end of the “4th *halachic* hour” of the day. After this time, chometz may not be eaten until after Pesach ends. There are different opinions regarding the calculation of the length of the day and a *halachic* hour. Ideally, one should use the following calculation: One may eat chometz until the end of 1/3 of the “day.” For this application, the “day” begins 72 minutes before sunrise and ends approximately 50 minutes after sunset (in Baltimore and New York).

Burning and Selling Chometz

Chometz must be disposed of by burning or selling it before the end of the “5th *halachic* hour”- 5/12 of the day. *Kol Chamira* is recited following the burning, before the end of the 5th *halachic* hour. One should be aware of the following:

- Once *Kol Chamira* is recited by the head of the household, no chometz may be eaten by anyone at home. For example, if the father burns the chometz and recites *Kol Chamira* at 8:30 a.m., he and his family (even if they are not at home) may no longer eat chometz. Everything must be put away by that time.
- Be cognizant of the latest times. All times apply to chometz eaten at *any* location. (One year, the gentile owner of a doughnut shop told STAR-K that he saw individuals eating doughnuts in their cars after the latest time for eating chometz!) Also, chometz should not be burned at the last second. This is true whether one burns chometz outside his home or at a public *biur chometz*.

Chometz in the Mail

If one receives chometz in the mail or with the newspaper on Erev Pesach (after the 5th *halachic* hour) or on Pesach, one should not assume ownership of the item but rather leave the chometz outside. If mail is delivered through a mail slot into one's home, he should have the intent not to acquire the chometz (i.e. not taking legal possession) and kick it or push it outside with a stick to avoid handling it. If it is still around after Pesach, he may assume ownership at that time and use it, provided that the sender is a gentile.

Kashering on Erev Pesach

Ideally, all *kashering* should be completed by the end of the 4th *halachic* hour. If one forgot to *kasher* before this time, he may *kasher* the vessel until candle lighting time on Erev Pesach with the following condition: The vessel did not come into contact with anything hot (whether *Kosher l'Pesach* or not) within the past 24 hours. In the event the vessel came into contact with something hot within the past 24 hours, or if one requires *kashering* of a chometz vessel on Pesach, a *rav* should be consulted.

Finding Chometz on Erev Pesach

There is a well known *halacha* that states if one finds chometz on Chol Hamoed or on Erev Pesach after the 5th hour, one should immediately burn it. On Yom Tov, one should cover the chometz (because it is *muktza*) and burn it after Yom Tov. This *halacha* applies only if he did not sell his chometz to a gentile. However, if he sells chometz to a gentile the sale includes all chometz, wherever it may be found.

Therefore, if one discovers pretzels in a drawer or bagel chips in a coat pocket during Pesach, he may not burn this chometz since it belongs to the gentile to whom the *rav* sold the chometz! Rather, he should store the item with the "locked up" chometz sold to the gentile. On Yom Tov, one should cover it and lock it up on Chol Hamoed. It may be eaten after Pesach when the chometz is repurchased.

Eating On Erev Pesach & Preparing For The Seder

1. One may not eat even Kosher for Passover matzah all day Erev Pesach. This prohibition begins at dawn (72 minutes before sunrise). There are many individuals who have the custom not to eat matzah beginning from Rosh Chodesh Nissan or even Purim. A child under the age of six may eat matzah even on Erev Pesach.

Products containing matzah meal that are baked (e.g., matzah meal cake) may not be eaten all day Erev Pesach. Kosher for Passover matzah meal products that are cooked (e.g., kneidlach) may be eaten until the beginning of the 10th *halachic* hour of the day- three *halachic* hours before sunset. One who does not eat *gebrokts* on Pesach may only eat kneidlach and other cooked

matzah meal products until the latest time for eating chometz. He may not eat baked matzah meal products all day.

Matzah made with fruit juice, including Kosher for Passover egg *matzohs*, egg matzah products, etc., may be eaten until the end of the 4th *halachic* hour (same as the latest time for eating chometz). The sick or elderly who cannot eat regular matzah and have consulted with their *rav* may eat Pesach egg *matzohs* any time on Erev Pesach and Pesach. However, even such an individual can not fulfill the obligation of eating matzah at the Seder with these *matzohs*.

Meat, fish, salad, cheese, eggs, horseradish, fruits, vegetables, and potato starch cakes may be eaten until sunset. However, one should not fill up on these items so as to ensure a hearty appetite at the Seder. He may drink wine or grape juice on Erev Pesach in quantities that will not affect his appetite at night.

2. All first born males (whether from the father or mother) must fast on Erev Pesach. A father must fast in place of his first born child who is between the ages of thirty days and bar mitzvah. The custom is to end the fast early by partaking in a *siyum*. First born girls do not fast, and a mother does not fast for her first born son (under bar mitzvah when the husband is a *bechor*) if her husband or son attends a *siyum*.
3. Preparations for the Seder including roasting the *z'roa* meat, cooking and roasting the egg, mixing the salt water, preparing the *charoses*, grating the horseradish, and all necessary *bedikas tolaim* (checking lettuce for bugs), should preferably be done before Pesach as special restrictions apply to preparing these items on Yom Tov. If the first day of Pesach falls on Shabbos, the *z'roa* and *baitzah* must be prepared before Shabbos. Additional restrictions apply to the preparations of the other items on Shabbos.
4. One may not say, "This meat is for Pesach," as this may appear as if he is designating meat for the Korban Pesach. Rather one should say, "This meat is for Yom Tov."

Work After Chatzos

During the days of the Beis Hamikdash, the *Korban Pesach* was brought on Erev Pesach after *chatzos* (midday). Therefore, various *melachos* (work activities) are prohibited during this time. Although there is no Beis Hamikdash at the time of this writing, the prohibitions remain intact and are similar to the prohibitions of Chol Hamoed (with several exceptions). The following is a list of those *melachos* that apply to Erev Pesach after *chatzos*:

1. During Chol Hamoed, a *ma'aseh hedyot*, simple work, may be performed only if it is *l'tzorech hamo'ed*, for the sake of the holiday. For example, one may fasten a hook to the wall on Chol Hamoed to hang up a picture to beautify one's home for Yom Tov. Similarly, one may assemble an *afikomen* present of a tricycle on Chol Hamoed for a toddler to ride on Chol Hamoed. However, under normal circumstances one may not perform a *ma'aseh hedyot* if it is not *l'tzorech hamo'ed*. For example, one may not fix a broken chair that will not be used until after Pesach. Also, before Pesach one may not plan ahead and postpone a *ma'aseh hedyot* activity for Chol Hamoed even if the activity is *l'tzorech hamo'ed*. These *halachos* also apply to Erev Pesach after *chatzos*.
2. During Chol Hamoed, in most cases, one may not perform a *ma'aseh uman*, a skilled task requiring a craftsman, even *l'tzorech hamo'ed*. For example, installing siding or laying bricks are not permissible, even to beautify the home in honor of Yom Tov.

There are some major exceptions where even a *ma'aseh uman* is permissible on Chol Hamoed. This includes *l'tzorech ochel nefesh* (e.g., repairing an oven that broke and could not be fixed before Yom Tov) to avoid major financial loss (e.g., repairing a roof to avoid structural or flood damage from rain), and in certain cases *l'tzorech haguf* (e.g., fixing an only pair of eyeglasses or repairing the only toilet in the house). These *halachos* also apply to Erev Pesach after *chatzos*.

However, there is one major difference between Chol Hamoed and Erev Pesach. On Chol Hamoed, one may not hire a gentile to perform the above noted skilled tasks. On Erev Pesach this is permissible *l'tzorech hamo'ed*. For example, a major car repair (e.g., rebuilding a transmission) may be performed by a gentile on Erev Pesach, even after *chatzos*, if it is *l'tzorech hamo'ed* (e.g., for a Chol Hamoed trip). Under normal conditions, asking a gentile to perform such a task on Chol Hamoed is prohibited.

3. Laundry, Dry Cleaning, Haircuts & Shaving – In general, these four activities may not be performed after *chatzos* on Erev Pesach or during Chol Hamoed. However, after *chatzos* on Erev Pesach one may ask a gentile to perform these tasks *l'tzorech hamo'ed*. Therefore, if one forgot to shave, get a haircut or wash/dry clean clothing he may ask a gentile to do so for him *l'tzorech hamo'ed* (i.e., go to a gentile barber or dry cleaner). However, a gentile may not perform these tasks for a Jew on Chol Hamoed even *l'tzorech hamo'ed*.
4. Drying clothes in a dryer and ironing clothes (except pleats) are classified as a *ma'aseh hedyot* and are permissible on Chol Hamoed and Erev Pesach after *chatzos*, under the conditions mentioned above (*l'tzorech hamo'ed*, etc.).

Picking up serviced goods (e.g., at the tailor, shoemaker or dry cleaner) is permissible all day Erev Pesach. Regarding Chol Hamoed, a *rav* should be consulted.

5. It is preferable to clip finger nails and toe nails before *chatzos* on Erev Pesach. *Bedieved*, this may be done all day. If one clips nails on Erev Pesach, he/she may clip them again on Chol Hamoed. If this was not done on Erev Pesach, the nails may not be clipped on Chol Hamoed unless it is *l'tzorech mitzvah*, (e.g., *tevila*).
6. In years when Erev Pesach occurs on Wednesday, an *Eruv Tavshilin* should be prepared on Erev Pesach. (It is also prepared on the last day of Chol Hamoed Pesach that occurs on Thursday.)
7. Some people have the custom of studying the laws and reciting the order of the *Korban Pesach* after *Mincha* on Erev Pesach.

May the next *Erev v'Leil Pesach* be the busiest ever, with a new Bais Hamikdash, *v'nochal sham min hazevachim u'min ha'Pesachim bimheira b'yameinu*.