

זכרון טובת יעקב

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# MATZAH FOR ALL: THE SUGYA AND SAGA OF OAT MATZOS

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## בס"ד

The relatively recent innovation of matzah made from oats is already the subject of many published articles. Nonetheless, there is twofold value to in a new treatment of the topic: to provide current information, and to promote awareness that oat matzos are a niche product intended for a specific demographic group, and not simply another, albeit more expensive, variety available to consumers. Furthermore, as is often the case, studying an anomalous situation is a means to obtaining greater clarity in the attendant halachos.

I am grateful for the kindness shown to me by מו"ר הרה"ג HaRav Moshe Heinemann שליט"א and מו"ר HaRav Shmuel Heinemann שליט"א who generously share their vast expertise in the halachos and practical aspects of matzah production.

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The updated version of this article is posted in the Passover section of STAR-K's website, at <https://www.star-k.org/passover>.

Questions or comments are welcome at [rabbischuchman@star-k.org](mailto:rabbischuchman@star-k.org)

יה"ר שנקיים "על-מצות ומררים יאכלהו" בשמחה ובששון במהרה בימנו.

Moshe T. Schuchman

# Matzah For All: The Sugya and Saga of Oat Matzos

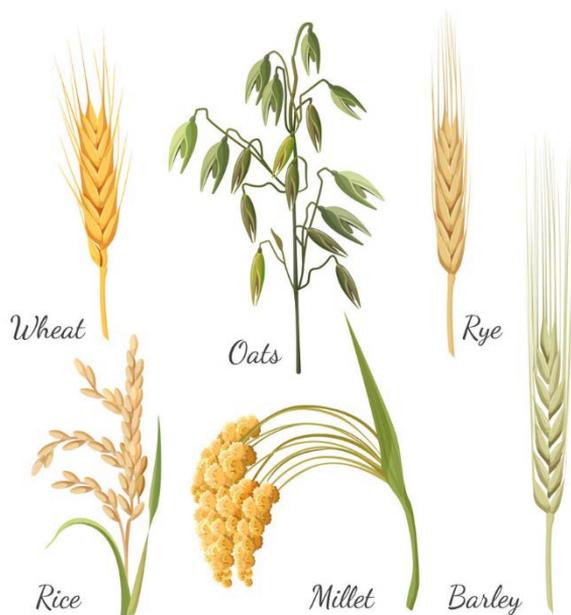
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לעילוי נשמת אבינו היקר והנחמד  
יעקב גוטמאן בן יהושע ע"ה  
שעלתה נשמתו ליל ש"ק  
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### Five Grains: Four Plus Oats

Producing matzah fit for the mitzvah entails baking dough that is comprised of flour from one of the Five Grains<sup>1</sup>: wheat, barley, spelt, rye or oats<sup>2</sup> (*Mishnah Pesachim* 2:5). Ramo (453:1) records that the *minhag* is to ideally make matzah only from wheat. Commentaries records reasons for the *minhag* because wheat is generally more enjoyable and thereby a ‘*hiddur mitzvah*’ (*Mishnah Berurah* from *Chok Yaakov*), or because the structure of a wheat kernel is hardier than the other grains thus prolonging the time it takes to become chametz (*Tiferes Yisroel, Pesachim* 2:5).<sup>3</sup>



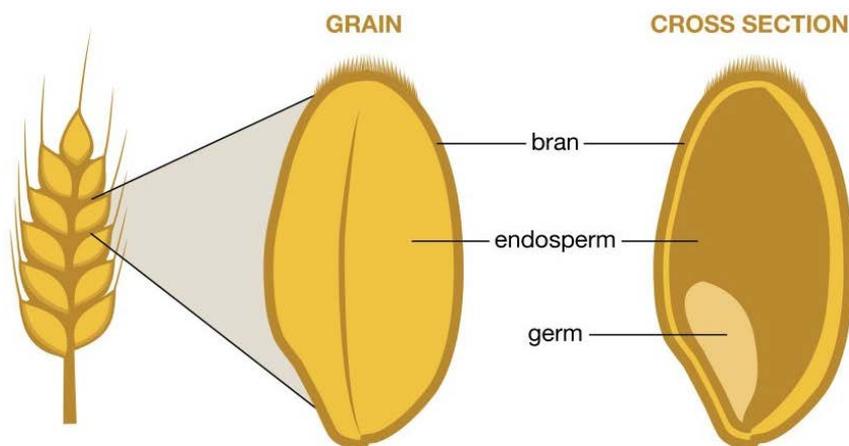
<sup>1</sup> *Pesachim* 35a, *Menachos* 70a. Other halachos affected by being classified among the Five Grains are: the ability to become chametz , *hafroshas challah*, *chodosh*, *brachos*, and *pas Yisroel*.

<sup>2</sup> On the topic of identifying *shiboles shu'al* (שִׁבּוֹלֵת שׁוּאֵל), the last of the Five Grains, as oats, see APPENDIX I.

<sup>3</sup> A connection between wheat and matzah is found elsewhere in Ramo (475:7) who describes a now defunct custom of baking matzah in a way that is reminiscent of *Lachmei Todah*, which were baked from wheat. On the level of *machshavah*, a linkage between wheat and matzah can be developed following the viewpoint of R' Yehuda (*Brachos* 40a) that the *Eitz HaDaas* was wheat and, in some realm, eating matzah is a rectification of that primordial sin. See Rav Tzadok HaKohen, *Kuntress Eis Ha'Ocheil*, chapter 10.

## Matzah For All: The Sugya and Saga of Oat Matzos

Inside the hull of a grain kernel are three sections: bran (thin outer layer, rich in fiber and nutrients), germ (small seed core, nutrient-rich), and endosperm (bulk of kernel, containing starch/carbohydrates and protein, provides white flour).



In wheat kernels, the major protein inside the endosperm is gluten, which performs a dual role. When a kernel germinates for further reproduction, gluten is the source of nourishment for the growing stalk; when a kernel is ground into flour and mixed with water, gluten (the Latin word for glue) gives dough its sticky and elastic texture.

Dough rises when another protein, an enzyme called amylase, transforms the endosperm's starch component into sugar. Introducing yeast<sup>4</sup> ferments

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<sup>4</sup> Without adding yeast, a ubiquitous single-cell fungus, to the flour and water mixture, dough will not rise unless it captures naturally occurring airborne yeast particles. This could take many long hours, depends on environmental conditions, and yields minimal leavening. In the Beis HaMikdaah, the Mishnah *Menachos* 5:1 assumes that a leavening agent was added to the *Lachmei Todah* and *Shtei HaLechem*, the two offerings that were chametz. Incredibly, the first society known to enhance bread production using sourdough, a concentrated form of yeast, to catalyze the leavening process, is ancient Egypt. When the Torah prohibits consumption or ownership of *se'or*, sourdough, on Pesach, it is referring to an Egyptian breakthrough in food technology. Accordingly, they would have

the sugar, emitting carbon dioxide and alcohol (ethanol)<sup>5</sup> as byproducts. CO<sub>2</sub> gas bubbles are trapped inside the dough by the gluten network, causing it to rise. The water-insoluble gluten hardens when heated, allowing bread to hold its airy shape and retain a firm texture even after removal from the oven.

Among the Five Grains, oats are an outlier since only they do not contain gluten<sup>6</sup>. Instead, oats contain a different water-insoluble protein called avenin. Whereas gluten comprises up to 85% of protein content in wheat flour, the concentration of avenin in oat flour protein is just 15%.<sup>7</sup> Therefore, when dough made from oat flour is left to ferment there is little framework to trap gas bubbles inside, resulting in bread that is much denser and crumblier than bread made from the other grains.

Evidently, our *masorah* regards the weakened and more subtle form of leavening by oats as sufficient to be considered chametz. In fact, dough from any of the Five Grains is deemed chametz once the surface exhibits small cracks, even without introducing a leavening agent and before there is any noticeable rise.<sup>8</sup> Moreover, an intact kernel that becomes wet is chametz once a mere crack develops.<sup>9</sup> It appears that chametz is a function of a process that occurs when the Five Grains react with water, independent of gluten enabling dough to rise.<sup>10</sup> Therefore, the fact that oats are missing gluten and its dough lacks noticeable rise is inconsequential to its ability to becoming chametz. In contrast, although adding water with flour from

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fed their Israelite slaves unleavened bread, *lechem oni* / לֶחֶם עֲנִי, reserving their tasty innovation for citizens. Regular baking yeast available today is produced from plant sources other than grains. It does not have the status of *se'or* and may be owned on Pesach. Brewer's yeast, however, is derived from chametz beer and must be disposed before Pesach.

<sup>5</sup> Most of the alcohol evaporates during baking and the escaping gas causes the dough to rise a bit more while in the oven. The final bread product can have up to 1.9% alcohol content, contributing to its aroma and flavor.

<sup>6</sup> While oats do not naturally contain gluten, they are often tainted with gluten due to cross-contamination from other grains during growing and processing.

<sup>7</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5635790/>

<sup>8</sup> See *Pesachim 48b*

<sup>9</sup> *Shulchan Aruch, O.Ch. 467:9,11*

<sup>10</sup> See the section, 'Deglutenized Wheat', later in this article.

other cereal grains, such as rice or corn<sup>11</sup>, also starts a fermentation process, this leads to *sirchon*, spoilage, and not a state of chametz.<sup>12</sup>

### **Celiac and Gluten**

Celiac disease, where the lining of the small intestine is damaged and prevents the body from absorbing vital nutrients, was first described 1900 years ago by the Greek physician Aretaeus who connected its symptoms with abnormalities in the digestive system. Celiac was linked specifically with grain consumption during World War II by a Dutch pediatrician who observed that symptoms were relieved when sufferers avoided products made with wheat flour. In the 1950s, gluten was identified as the particular grain component that triggers adverse effects.<sup>13</sup> Subsequent studies concluded that celiac is a hereditary autoimmune disorder, where gluten provokes the immune system to attack the person's own body.<sup>14</sup>

About 1% of the population, on average, is affected by celiac disease, with a slightly higher-than-average prevalence among Jews.<sup>15</sup> The condition may progress to the point where even trace amounts of gluten can be dangerous. Researchers continue to examine the existence of a Non-Celiac Gluten Sensitivity that induces symptoms in people without genetic markers. Those who feel their digestive health is impacted by gluten try to

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<sup>11</sup> Forming a semblance of bread from these flours requires adding Xanthan gum to provide structure for the gluten-less dough to trap CO<sub>2</sub> emitted by the yeast fermentation.

<sup>12</sup> See *Pesachim* 35a. In *Torah, Chazal and Science*, מו"ר HaRav Moshe Meiselman שליט"א notes the confidence *Chazal* had to state definitively that only the Five Grains become chametz. They were unequivocal that another grain fitting this description could never be discovered in the future. (Cf. *Yerushalmi Pesachim* (2:4) how the Tannaim conducted experiments to determine whether rice becomes chametz.)

<sup>13</sup> Wheat gluten is composed of gliadin and glutenin proteins in approximately equal proportion. The amino acid sequences within the gliadin proteins are responsible for the celiac reaction, <https://en.wikipedia.org/wiki/Gliadin>.

<sup>14</sup> Celiac, an inborn immune disorder, is not the same as wheat allergy, where the body produces antibodies to fight proteins in wheat. People with wheat allergy may consume other grains, even those containing gluten.

<sup>15</sup> <https://celiac.org/main/wp-content/uploads/2016/06/ethnicitymanuscriptproofs.pdf>

maintain intake levels below certain thresholds but do not necessarily avoid it entirely.

### Physical Pain vs. Spiritual Gain

Standard *shmurah* matzos today are produced from a wheat variety called ‘soft red winter’.<sup>16</sup> ‘Hard’ and ‘soft’ refer to kernel texture and reflect gluten content. Hard wheat contains more gluten than soft wheat, making it ideal for breads and pastries. Soft wheat is better for crumbly items like pretzels, crackers, and matzah. (In practice, manufacturers often use wheat blends to ensure uniform results.) Even though soft wheat has a lower gluten level, someone with celiac disease may still find it difficult to tolerate. How then should celiac sufferers handle the mitzvah of matzah?

In general, the chance of dangerous consequences to vital health exempts one from mitzvah obligations - אָנוּס רַחֲמָנָא פִּטְרִיהּ - . Performing a positive mitzvah in a way that poses risk to life is actually an *aveirah*, a transgression. Maharam Shick (O.Ch. 260) rules that one who chooses to perform the mitzvah anyway and endanger himself has no license to make a *brachah*. However, the *halachah* is less defined when doing a *mitzvah* will only cause discomfort or temporary illness without long-term repercussions.

The halachic discussion on this topic revolves around the requirement to drink four cups of wine at the Seder where Shulchan Aruch (472:10) states:

מי שאינו שותה יין מפני שמזיקו או שונאו צריך לדחוק עצמו ולשתות לקיים מצות ארבעה כוסות

*One who does not [usually] drink wine because it harms him or because he dislikes it must still push himself and drink to fulfill the mitzvah of *Four Cups*.<sup>17</sup>*

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<sup>16</sup> Winter wheat is planted in fall and harvested in late spring / early summer. Therefore, matzah generally avoids the prohibition of *chodosh*. Although, there have been reports in recent years of matzah bakeries blending in some spring wheat flour to help regulate protein content. Bakeries that do this maintain a supply of *yoshon* spring wheat flour for this purpose.

<sup>17</sup> When these halachos were formulated, grape juice was not available during Pesach. In the Talmud, grape juice appears in the context of squeezing grapes and drinking it immediately thereafter (*Bava Basra* 97b). Before the advent of

The source for this ruling is the Talmud (*Bavli, Nedarim 49a; Yerushalmi, Pesachim 10:1*) which cites Amoraim who would drink wine at the Seder even though it caused them headaches for months afterward. *Poskim* (see *Mishnah Berurah* and *Kaf HaChaim*) note that one must exert himself only if he can continue to function, albeit with discomfort, after drinking. However, if he will be rendered immobile, i.e., confined to bed, then there is no obligation for one to drink wine.

*Kaf HaChaim* extends this halachic distinction to eating matzah as well. Someone who will experience discomfort must still eat the minimal amount for *motzei matzah* and *afikomon*, but someone who will become immobilized is exempt.

*Mishnah Berurah*, on the other hand, appears to disagree with the *Kaf HaChaim's* extension. He too distinguishes between discomfort and immobilization with regard to *daled kosos*. But in *Shaar HaTziyon* he adds the reason that a person who will become bedridden is exempt from drinking wine at the Seder is because *daled kosos* must be drunk “*derech cheirus*”, in a matter of freedom, which is contravened when it causes severe illness. This implies that all other *mitzvos*, which are not limited by “*derech cheirus*”, e.g., matzah, must be performed even to the point of illness, provided there is no prospect of danger to life.

This is indeed the position of *Maharam Shick* (*ibid.*) who holds that one must eat matzah (and marror) even if it may cause illness, so long there is no chance of risk to life.<sup>18</sup> Although *Maharam Shick* does not explicitly

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refrigeration and pasteurization, grapes (the fruit or its juice) – which are harvested in fall – would spoil long before Pesach in Spring, unless fermented and preserved as wine. Grape juice was not available commercially until the late 19<sup>th</sup> century. Kosher grape juice production began in the 1920s, during Prohibition, when it was marketed as “Kosher Unfermented Wine”. Although *Poskim* permit using grape juice for *daled kosos* when necessary, fulfilling the ‘*derech cheirus*’ component of the mitzvah requires some alcohol content (implied from *Pesachim 108b*). One may minimize the amount of wine he drinks by: 1) only drinking a majority of the *revi'is/kos*, not the entire cup, 2) diluting the wine. Rav Moshe Heinemann holds that the resultant mixture should contain at least 4% alcohol. Therefore, wine which has 12% alcohol content can be diluted to 1/3 wine and 2/3 water. See STAR-K's annual Pesach Guide for further details.

<sup>18</sup> Maharm Shick writes that the halachah of drinking *daled kosos* despite severe side effects applies “*kol shekain*” (כל שכין) to eating matzah and marror. Matzah is

make this point, it's reasonable to assume that even he agrees there is no obligation to perform a mitzvah if it will result in lifelong bodily malfunction. The proof-text for this halachah is the Amoraim who drank wine despite becoming ill for a few months, but not indefinitely.

Recent *Poskim* explain that *Mishnah Berurah* might also agree with *Kaf HaChaim* (and against *Mahram Shick*), that one is not obligated to become severely ill, even temporarily, for a mitzvah. If so, why then does he mention the reason of “*derech cheirus*” which is unique to *daled kosos*, implying that other mitzvos do not share this exemption? Various approaches are offered:

1) *Daled kosos* belongs to a category of mitzvos established for *pirsum haNeis*, publicizing the miracle (along with reading Megillas Esther on Purim and lighting the menorah on Chanukah). These mitzvos, though Rabbinic, require one to stretch himself beyond normal halachic limits.<sup>19</sup> For example, while one usually is not required to spend more than a fifth of his assets to perform a mitzvah, for mitzvos involving *pirsumei nissa* one must sell all his possessions. Therefore, it's conceivable that *daled kosos* has a stringency over other mitzvos, obligating one to undertake a chance of becoming bedridden or contracting long-term (non-life threatening) illness for the sake of the mitzvah. There is no such obligation because that would not be considered drinking *derech cheirus*.<sup>20</sup> But other mitzvos, like eating matzah, that are bound by the normal limit of not spending more than a fifth, should also be limited by the amount of discomfort one must endure to fulfill the mitzvah.

2) Even though one is not obligated to become bedridden for the sake of a positive mitzvah, one who chooses to extend himself to that degree has nevertheless fulfilled the mitzvah. An exception is *daled kosos*, since drinking *derech cheirus* is essential to the mitzvah. If drinking wine causes

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understood since it's a *mitzvah d'oraissa*. Why there is a *kol shekain* to marror is unclear.

<sup>19</sup> See Bais Medrash of Ranchleigh, *Kuntress L'maan Tesapier* Pesach 5781, page 199.

<sup>20</sup> See Rav Tzvi Pesach Frank, *Mikraei Kodesh*, Pesach II, *siman* 163; *Shu"t Minchas Asher* III, *simanim* 42-43.

severe illness (as opposed to annoying pain, like a hangover) that is not “*derech cheirus*” and no mitzvah has been performed.<sup>21</sup>

### **The Solution: Oat Matzah**

For many years, sufferers of celiac disease confronted these issues when deciding how to fulfill the mitzvah of matzah on Pesach, evaluating if ingesting matzah would merely cause manageable distress (and be obligated according to all *Poskim*) or more serious symptoms (subject to halachic dispute) and seek halachic guidance accordingly. Mostly, they devoutly relied on the dictum of (קהלת ח:ה) יֵדַע דְּבָרָךְ רַע שׁוֹמֵר מִצְוָה לֹא יִדַּע דְּבָרָךְ רַע – one who obeys mitzvos will not succumb to danger.<sup>22</sup> “Is there another option?” is a question that was left unasked.

This changed in the mid-1980s when Rabbi Ephraim Kestenbaum, a chemist from Golders Green in London, was prompted by his young daughter, who was diagnosed with celiac, to solve the dilemma. He capitalized on the inclusion of oats in the list of Five Grains to create gluten-free oat matzah. After much experimentation and perseverance working with the crumbly gluten-less dough, his endeavor yielded a product that became popular among the community of celiac sufferers. Commercial bakeries subsequently followed suit.

### **Challenges of Oat Matzah**

Long-established traditions have evolved over thousands of years in making matzah from wheat. Granted, the matzah we eat today is not identical to what was consumed centuries ago<sup>23</sup>, but the methods of working with wheat flour are familiar, built upon ample precedent in the realms of both halachic theory and practice, notwithstanding minor discrepancies between communities. There is no such strong basis with respect to other grains, posing special challenges for baking matzah from oat flour.

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<sup>21</sup> See *Teshuvos v’Hanhagos* I:302

<sup>22</sup> *Teshuvos v’Hanhagos, ibid.*

<sup>23</sup> Our matzah today is much thinner and more rigid than what our ancestors ate. See *Shu”t Minchas Asher* III, siman 64; *Hakirah* Journal vol. 17, “The Thick and Thin of the History of Matzah”, by Ari Z Zivitofsky and Ari Greenspan.

After oat stalks are detached during harvest, the inedible hull surrounding whole oats is removed for animal feed<sup>24</sup>, and the remaining groat is processed into human food.<sup>25</sup> Oat groats contain a concentration of enzymes and lipids which become decompartmentalized during milling. Their interaction leads to a rancid aroma and bitter taste in a matter of days. Shelf-stable oats are produced industrially by first deactivating the enzymes in a process called kilning. This involves inserting the groats into a long vertical cylinder and injecting live steam to raise the temperature, followed by radiant heat which evaporates excess moisture.<sup>26</sup> Only then are the oats milled to various specifications, such as steel-cut, rolled, flakes, or flour.

The regular kilning process is not an option for Pesach as the moist steam causes the oats to become chametz. Rabbi Kestenbaum needed to develop a different technique specifically for producing shelf-stable oat matzah. The answer was to use dry air blown through the cylinder to heat the groats. While not as effective as steam, it helps mitigate the bitterness somewhat.

Rav Osher Westheim, Dayan of the Manchester Bais Din (*niftar* at the beginning of the Covid epidemic), was involved with the kashrus of oat matzah from the very beginning. In 5744/1984 he consulted with Rav Chanoch Dov Padwa of London (author of *Cheshev HaEifod*) and Rav Betzalel Rakow in Gateshead before allowing groats heated with dry air to be used for matzah.

Controversy began the following year when Rav Yitzchok Yaakov Weiss (author of *Minchas Yitzchok*, chief Dayan in Manchester until 5730/1970 when he assumed the helm of the *Eidah HaCharedis* in Yerushalayim), published a *teshuvah* prohibiting these oat matzos. After Rav Westheim met with Rav Weiss and discussed the matter, he partially retracted and

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<sup>24</sup> Recently, oat hulls have been repurposed as biomass fuel to replace coal in generating steam for electricity production.

<sup>25</sup> Oats contain more fat and are softer than other grains. Therefore, they are commonly processed as a whole grain since separating the bran, germ, and endosperm fractions is difficult.

<sup>26</sup> Heat treatment destroys some nutrients such as B vitamins but is considered a worthwhile trade-off to extend the shelf-life of oats.

See <https://digitalcommons.unl.edu/nutritionfacpub/31/>

allowed oat matzos for *cholim* (sick people) only, provided they were made in small batches for personal use and not on a commercial scale.

Among the halachic concerns is that the Five Grains are divided into different divisions, both for the purposes of *kilayim*, the prohibition of planting seeds of disparate species in proximity to one another (Mishnah *Kilayim* 1:1), and for determining which grain mixtures combine to form a dough with a volume that obligates separation of *challah* (Mishnah *Challah* 4:2). Oats are considered a subtype of barley but not of wheat.<sup>27</sup> Barley is regarded in halachah as more susceptible to becoming chametz than wheat (*Pesachim* 40a, *Shulchan Aruch* 453:5) and has stricter regulations to prevent the formation of chametz. Notably, the acceptable time allowance for wheat dough before it enters the oven (loosely referred to as ‘18 minutes’) does not apply to barley and a shorter time is needed. Accordingly, oats should be handled with the same stringency.

Additionally, the gritty and crumbly consistency of dough from oat flour necessitates making oat matzos thicker than the acceptable norm today. This increases the likelihood of the matzah’s outer surface being baked before the inside is done well enough to assure it does not become chametz.<sup>28</sup>

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<sup>27</sup> *Pesachim* 35a, *Menachos* 70a

<sup>28</sup> This concern is not exclusive to oat matzos; it also applies to wheat matzos. For economic reasons, commercial matzah bakeries keep their ovens very hot, well over 1000°F, enabling the matzos to be baked quickly, in about 13-15 seconds, increasing production efficiency. Rav Yosef Eliyahu Henkin (5641/1881-5733/1973; sefer *Lev Ivra*, p.40; *Teshuvos Ivra* p.20) cautioned that this level of heat results in the outer surfaces being baked (קרימת פנים), while the inner layer is still raw (חוטאי בצק נמשכין ממנו) and becomes chametz. Following his direction, some private *chaburos* insist on lowering the oven temperature. When Rav Heinemann supervises matzah baking, every single matzah is checked for this potential problem. A few minutes after a matzah is removed from the oven and cools down a bit, it should be hard and dry enough to “snap” when broken. Matzos still pliable at this stage are deemed ‘*vasser matzos*’ - too soft - and are rejected for STAR-K (although the bakery’s own *hashgochah* may accept them). Later, after matzos are boxed, is too late to check since everything hardens by then. When matzos are rolled too thickly the problem is even more prevalent.

### **Absorbed Moisture**

A decade later, in 5755/1995, Rav Westheim and his colleagues posed additional halachic issues that they encountered regarding oat matzos to Rav Shmuel HaLevi Vosner in Bnei Brak (author of *Shevet HaLevi* and grandfather of Rav Westheim's son-in-law).

One question related to the considerable amount of *zeiyah*, vapor, emitted by the groats while being heated by the stream of forced hot air. Although the groats themselves emerge completely dry, perhaps we should be concerned that the kernels absorbed some of the moisture in the chamber before it escapes through vents. This moisture has the status of *mei peiros* (literally, fruit juice). Even according to the opinion that pure *mei peiros* alone does not cause grain to become chametz, it becomes chametz very quickly when water is subsequently added to the mixture. (*Shulchan Aruch* 462:1-2). Or perhaps there is no concern in our case since the *mei peiros* are first absorbed inside the grain and completely dried, and water is only introduced afterward during kneading.

*Bei'ur Halachah* (beginning of *siman* 462) discusses a similar scenario where *mei peiros* inadvertently fell on wheat kernels or flour and then dried. He cites different viewpoints and rules that in a *sha'as hadchak*, extenuating circumstance without a reasonable alternative, there is grounds to rule leniently when the *mei peiros* are fully absorbed before the grain contacts water. This raises the question of whether this leniency, which was issued in reaction to a rare, unexpected situation (*bdi'eved*), can be extended to allow producing oat matzos under these circumstances on an ongoing basis (*lechatchilah*)?

### **Defining Matzah: Chametz Avoided or Arrested?**

Rav Westheim posed a second question to the *Shevet HaLevi* that he says was mentioned initially in discussions with his colleagues and was raised again by a prominent American rabbi who felt it was a serious challenge to the production of oat matzah. We know this rabbi to be none other than Rav Moshe Heinemann, Kashrus Administrator of STAR-K Certification, and *Mara D'Asra* of Agudath Israel of Baltimore.

The question stems from the fact that applying heat to deactivate enzymes in the oats not only prevents them from becoming rancid, but also prevents them from becoming **chametz**. The Gemara (*Pesachim* end of 39b, see Rashi) indicates, followed by Rambam (*Chametz U'Matzah* 3:3), that fully roasted grain kernels (*kilayos*, קְלִיּוֹת) can no longer become chametz when mixed with water. We may not rely on this leniency on practical level, lest some kernels are not fully roasted, but the principle remains.

What problem does this present? To the contrary, shouldn't removing the possibility of becoming chametz be an advantage, not a detriment, when making matzah?

Understanding this takes us back to the scriptural source in the Gemara (*Pesachim* 35a) from where we know that only the Five Grains are eligible for matzah, to the exclusion of any others. The Gemara presents a *hekeish*, a juxtaposition, between two parts of a *passuk*:

לֹא־תֹאכַל עִלְיֵי חֻמֶּזֶן, שִׁבְעַת יָמִים תֹּאכַל־עִלְיֵי מִצּוֹת לֶחֶם עֲנִי וְגו' (פרשת ראה טז:ג)  
*Do not eat with it chametz; for seven days you shall eat with it matzah,*  
*etc.*

This establishes a relationship between chametz and matzah, which is formulated as:

דְּבָרִים הַבָּאִים לִידֵי חֵימוץ אֲדָם יוֹצֵא בְהֵן יְדֵי חוֹבְתוֹ בְּמִצָּה, יֵצְאוּ אֵלָיו שְׂאִין בָּאִין לִידֵי  
חֵימוץ, אֲלֵא לִידֵי סִירְחוֹן  
*Items which become chametz (i.e. the Five Grains, when dough is left to rise) one may use to fulfill his obligation of matzah, excluding these (other grains) that cannot become chametz, only sirchon (spoilage) [and are thereby ineligible for matzah].*

How do we interpret the meaning of this requirement that matzah be made from “items which become chametz”? Does it mean that these grains have the potential to become chametz under proper conditions, or does it mean that this particular dough will actually become chametz if left unattended? This is a matter of dispute among the major Rishonim.

Rambam (*Chametz U'Matzah* 6:5) writes that matzah kneaded from a mixture of flour and fruit juices (מי פירות) is eligible for the mitzvah.<sup>29</sup> Earlier (5:2), Rambam records that dough kneaded with fruit juice and no water whatsoever cannot become chametz.<sup>30</sup>

Combining these two rulings together, Rambam's position emerges that the requirement to use "items which become chametz" for matzah production does not mean that this specific batch of dough could become chametz were it left to rise. If so, he would not allow using *mei peiros* for the mitzvah since they never generate chametz (in his view). Rather, Chazal's formulation expresses the uniqueness of the Five Grains, that only they, from all species in the world, become chametz when mixed with water, so therefore only they can be used for matzah.

Consequently, it stands to reason that the Rambam would allow using roasted kernels (*kilayos*) to make matzah. As long as their identity is one of the Five Grains they are eligible, even though mixing these grains with water will never produce chametz.<sup>31</sup>

The *Maggid Mishneh* (6:5) cites an unnamed Rishon who disagrees with the Rambam. He maintains that one does not discharge his obligation on *Leil HaSeder* by eating matzah made from dough that was kneaded with fruit juice only. At least some water must be added to the mixture to give

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<sup>29</sup> Rambam continues that dough kneaded with fruit juices is permitted for the mitzvah of matzah, but not dough kneaded with wine, oil, or milk since such matzah does not meet the criterion of *lechem oni* / להם ע(ו)ני.

<sup>30</sup> Rabbeinu Tam concurs with the Rambam, while Rashi (*Pesachim* 35a) and Raavad (*Hasagos* 5:2) disagree. They hold that dough made with *mei peiros* will become *chametz nukshah* if left to rise. There is no *kareis* for this type of chametz, only a לא תעשה or perhaps just an איסור דרבנן. Rama (462:3) rules to be *machmir* for Rashi and Raavad, disallowing dough kneaded with fruit juices over the entire Yom Tov, except for *cholim* who may rely on the majority view.

<sup>31</sup> This conclusion in the Rambam's *shitah*, that the *hekeish* only serves to identify the Five Grains is assumed by *Chayei Odom*, cited below. However, Rav Heinemann, avers that even the Rambam might disallow *kilayos*. Regular grains with fruit juice are permitted for matzah since these same grains would become chametz had they been kneaded with water. But roasting changes the nature of the grains themselves, preventing the possibility of ever becoming chametz. In that case even the Rambam could agree they cannot be used. See the section about deglutenized wheat, below.

it the ability to become chametz. *Maggid Mishneh* endorses this position as the proper halachah.

Apparently, the *Maggid Mishneh*'s source is the Ramban (both were Torah leaders in the Girona region of Spain, about a century apart). In *Milchemes HaShem to Pesachim* (10b, Rif) Ramban establishes: 1) the relationship between chametz and matzah determined by the *hekeish* requires that this specific dough must be an “item which can become chametz”; 2) the requirement for *shemirah* (guarding) of matzah ( וְשָׁמְרָתֶם אֶת־הַמַּצּוֹת – פֶּרֶשׁתָּהּ ) (בֹּא יִבֶּזֶר) entails watching over the dough from becoming chametz during kneading. Dough that only contains fruit juice fails these criteria because it will never become real chametz.

According to Ramban, the *mitzvah* of *shemirah* mandates that one must initiate the fermentation process of *chimutz* and then actively arrest it by placing the dough in the oven to bake. Since dough made with roasted kernels totally circumvents the possibility of chametz, it is certainly ineligible for the *mitzvah* of matzah at the Seder.

Whom do *Poskim* follow? *Pri Megadim* (*Mishbetzos* 461:2) and *Shulchan Aruch HaRav* (462:1) both rule in accordance with Ramban, *lechumrah*, disallowing roasted kernels for matzah. However, *Chayei Odom* (*Nishmas Odom, Hilchos Pesach, Sh'ailah* 15) takes a different stand. He deals with a case where wheat was harvested for matzah while the stalks were still moist.<sup>32</sup> To inhibit mold growth during storage, the stalks were dried in an oven – like *kilayos*. Are these kernels fit for matzah? After an exhaustive review of all the sources, he concludes that the Rambam's lenient opinion can be relied upon *b'sha'as hadchak*, when there is no other alternative.

Here too we can ask the question raised before (about relying on the lenient opinion regarding *mei peiros* that were absorbed and dried); can this ruling of the *Chayei Odom* on *kilayos*, which was issued for a fluke, unanticipated situation, serve as a basis for a system that, by design, always uses heated

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<sup>32</sup> Great care is taken when harvesting wheat for matzah that the kernels should not be too moist. Harvesting usually takes place in the afternoon after all dew has evaporated. A sample is tested (by taste and in the lab) to confirm that moisture content is approximately 14% or below. But stalks also cannot be too dry, because *Shulchan Aruch* (467:5) rules that fully dried wheat stalks can become chametz even while still attached to the ground.

oat groats for baking matzah? Are we permitted to discount the viewpoint inferred from the Ramban that *kilayos* are unacceptable for matzah? Or perhaps providing matzah to celiac sufferers qualifies as a continual *sha'as hadchak* which allows for leniency?

### **Outcomes for Oat Matzah**

From the above discussion we can summarize the unique difficulties with oat matzah production (beyond those typically encountered in regular matzah production) into two categories: one, an increase in the likelihood of chametz formation; two, how to produce matzos suitable for fulfilling the mitzvah at the Seder. As expected, various *Poskim* adopted different postures in their halachic judgements.

*Shevet HaLevi's* response to Rav Westheim was that the *Chayei Odom's* leniency to rely on the Rambam does apply here and heated groats may be used to fulfill the mitzvah. This is especially true since it's not certain that these enzyme-deactivated groats actually attain the status of *kilayos*. To minimize the *chashash* of chametz, he concurred with the recommendation of Rav Westheim and other British Rabbonim to limit the batch size and to hasten production so that dough reaches the oven more quickly than in traditional wheat matzah production. Furthermore, due to lingering doubts in this uncharted enterprise, he ruled that someone using oat matzah for the mitzvah should not make his own *brachah* of *al achilas matzah*. Instead, he should listen to a *brachah* made by someone else on standard matzah and be *yotzei* through *shomei'ah k'oneh*.

Rav Shternbuch (*Teshuvos v'Hanhagos* V:130) does not express any such reservation about one making his own *brachah* on the mitzvah at the Seder. He is more concerned about the possible chametz issue. Therefore, he recommends that oat matzah kneaded with water should be reserved for the obligatory mitzvah. During the rest of Pesach, oat matzos kneaded with 100% fruit juice and no water should be consumed. Packaging should display a prominent disclaimer stating these matzos are exclusively for *cholim*.

Rav Elayshiv is quoted as allowing celiac sufferers to eat oat matzah made with water for the entire Yom Tov. However, for the Seder, they should

make a concerted effort to eat a *kezayis* of wheat matzah, if possible.<sup>33</sup> Certainly, people who suspect they have gluten intolerance but not actual celiac, or who have a mild wheat allergy, should consume a minimal *shiur* using wheat matzah. Alternatively, they may use *shmurah* matzah made from spelt. Gluten found in spelt is a more delicate variety than the gluten in wheat and is more water soluble. Spelt also has higher fiber content than wheat, aiding its digestion.

*Minchas Asher*<sup>34</sup> posits that someone who limits his matzah consumption at the Seder to the minimal amount should eat a small bite for *motzi matzah* and save the requisite *kezayis* for *afikoman* at the end. He explains because eating one *kezayis* of matzah and no more constitutes an *afikoman*, after which nothing else may be eaten. Additionally, eating the *kezayis* of mitzvah after partaking from the *seudah* fulfills an enhanced mitzvah of eating *al hasovah*, while already partially satiated.

### **Deglutenized Wheat**

American law allows products with a gluten level below 20 ppm (parts per million) to be certified and labeled as gluten-free. Oat matzos produced at commercial bakeries which are certified as Gluten Free (GF) are tested and found to have less than 5 ppm of gluten. While this is currently the best choice for people with celiac disease, in the future, there may come a time when other options will become available.

Regular wheat bread typically has a gluten level of 75,000 ppm. There is active scientific research to develop a wheat plant with very low gluten (gliadin) content, below the threshold where it has a deleterious effect on people with celiac disease.<sup>35</sup> Previously, Italian researchers worked on reducing the gluten content in wheat through a form of hydrolysis (which breaks compounds into their component parts) using lacto-fermentation with specific lacto-bacilli and fungi.<sup>36</sup> Now, researchers are pursuing a path

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<sup>33</sup> *Mishnah Berurah*, *Dirshu* ed., *siman* 453, note 3

<sup>34</sup> *Minchas Asher* III *siman* 43, cf. *Shulchan Aruch O.Ch.*, *siman* 482.

<sup>35</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6470674/>

<sup>36</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1932817/>, and <https://www.sciencedaily.com/releases/2011/01/110119120406.htm>

to engineer the wheat plant using genetic modification technologies. Will such wheat be acceptable for the mitzvah of matzah?

Although the Rambam allowed using dough mixed with fruit juice for the mitzvah even though that dough will never become chametz, he can possibly agree that deglutenized wheat is invalid for the mitzvah. A basic characteristic of wheat, as defined by Chazal, is its ability to ferment and become chametz. Removing gluten could effectively render the resultant wheat a different sort of species, losing its identity among the Five Grains.<sup>37</sup> As such, both Rav Vosner and Rav Elyashiv are reported as saying that matzah made with deglutenized wheat should not be used for the mitzvah.<sup>38</sup>

### Wheat Starch Products

Many food items for the celiac community are made with gluten-free wheat starch. This starch is chametz as it is derived through a process of washing out the water-soluble starch from wheat dough or processed endosperm, leaving the gluten behind. Evaporating the water results in a fine powdery starch left at the end.

Because the gluten proteins have been removed (the result contains less than 5 ppm gluten), wheat starch does not lend any elasticity to dough and is primarily used as a thickener.<sup>39</sup> In applications such as breakfast cereals the *brachah* is *shehakol*, despite the presence of a wheat component, since it functions as a binder (לדבק).<sup>40</sup> However, for gluten-free breads that resemble the form of regular bread (צורת הפת) where wheat starch is the

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<sup>37</sup> This is along the line of reasoning of what Rav Heinemann maintains regarding *kilayos*, in footnote #31 above. However, for the *Chayei Odom*'s understanding of the Rambam, one can differentiate between *kilayos*, which belonged to the Five Grains at their inception, and GMO wheat which never adopted that identity. (*Tosafos, Yevamos* 44a, כל שאינו ד"ה כל שאינו draws a distinction between intrinsic status and a later impediment.) However, see APPENDIX II about chametz not being a function of gluten. Accordingly, the presence of gluten is perhaps not part of a wheat kernel's essential identity.

<sup>38</sup> See sources in *Piskei Teshuvos, siman* 453 note 8; *Dirshu Mishnah Berurah, siman* 453 note 5; *Ashrei Ho'Ish, Hilchos Pesach*. This ruling may affect all the halachos outlined above in footnote #1.

<sup>39</sup> <https://www.schaer.com/en-us/a/gluten-free-wheat-starch>

<sup>40</sup> See *sefer V'Zos HaBrachah* (22:4)

majority ingredient, Rav Heinemann and other *Poskim* hold the *brachah* remains *hamotzi*.<sup>41</sup>

When potato starch is used to make Kosher for Pesach items in the appearance of matzah, reliable *hashgachos* require wording on the label informing consumers that they may not be used for fulfilling the mitzvah of matzah.<sup>42</sup>

### Improvements and Developments

Over the past forty years oat matzah bakeries have continually improved and developed their production methods. Circumstances have changed sufficiently so that the *piskei halachah* quoted above may not apply to the matzah produced today.

One change took place in advance of Pesach 5773, when it was reported that the temperature and duration for heating groats used in Kestenbaum matzos was reduced from 350°F for 35 minutes – which generated the question of *kilayos* – to 270°F for 11 minutes. Supposedly, when dough made from these oats was left unbaked, it fermented and exhibited signs of chametz. Based on this information, Rav Heinemann withdrew his primary objection to using these matzos for the mitzvah at the Seder, for people with no other option.

A far more significant change has taken place in recent years.<sup>43</sup> Oat matzah bakeries no longer heat groats prior to milling, thus circumventing the

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<sup>41</sup> This is also the *psak* of *sefer Shaarei HaBrachah* (by Rav Shmuel Yosef Shtitzberg, chapter 23, page 630, ערך להם) and *Badatz Eidah HaChareidis*. Because the wheat starch component is typically a bit more than half of the total ingredients (by volume) one would need to eat about two *kezaysim* within *kdei achilas pras* to recite *birkas hamazon*.

<sup>42</sup> When the gluten-free trend was gaining traction and spreading during the early 2010s, some uninformed consumers treated “matzah like” products made from potato starch as matzah. Since then, manufacturers have improved package labeling.

<sup>43</sup> Material from here to the end of the article is gleaned from communications with senior management at Lakewood Matzah Bakery and Tiv Hashiboles in Eretz Yisroel, who were generous with their time, and also from *meshgichim* at Puppa-Tzelem in Williamsburg, Brooklyn. I am grateful to Rabbi Yosef Moshe Naiman for connecting me with Rabbi Yehoshua Perlman of Tiv Hashiboles.

problem of *kilayos*. How do they mitigate the adverse taste? The broader food industry considers the impact of the enzymatic reaction to be minimal within the first seven days so they bake the oat flour into matzah soon after milling.<sup>44</sup> Most bakeries can accomplish this time frame for their hand matzah product where milling and baking take place in the same premises. For machine matzah, this time frame is harder to control if the oat flour is shipped to an outside facility, especially one that is overseas.

Even so, consumers still detect some bitterness in oat matzos that is not found in regular matzos. A multitude of factors affect final taste, including: growing conditions of the oats, how long after milling the matzos were baked, the duration of exposure to air after matzos are removed from their sealed plastic packaging, and naturally, the subjective experience of an individual's taste buds.

### **Appreciating the Effort, Justifying the Cost**

The price for oat matzos is considerably more than what the regular wheat variety costs. Understanding the amount of time and effort needed to produce oat matzos, well above and beyond the already labor-intensive process of matzah baking, in addition to outsized yield losses, may help consumers find justification for the three-fold increase in price.

Complications begin all the way at the beginning. Locating reliable sources of oats from farms in far-flung areas of the American Midwest and Canada that satisfy the stringent requirements of both Kosher L'Pesach and Gluten-Free certifications is challenging. Indeed, just as bakeries contract with *hashgochos* for kashrus, they also undergo the meticulous process and expense of obtaining third-party GF certification and maintaining those standards.

After supervised harvesting is timed and scheduled and climate-controlled storage is arranged, the next hurdle is milling. As in wheat milling, the heat build-up caused by grinding friction is carefully managed so it won't expedite chametz formation. But unlike wheat, oats have a much higher fat content which produces an oily residue during grinding. This is a serious impediment to producing clean flour that will be both easy to handle when

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<sup>44</sup> *Shulchan Aruch O.Ch.* 453:9 rules that flour must sit a day or two, or at least overnight, between milling and kneading, to allow the heat to dissipate.

baking and tasty for the consumer. Over the years, matzah bakeries have innovated proprietary systems designed specifically for this task of grinding oat flour for matzah.<sup>45</sup>

To obtain a clean result, oat flour is sifted many more times than what is done for wheat flour. This added step not only slows down production tremendously, but it also reduces the amount of useable flour. Up to 50% of the starting stock can be lost, a significant amount.

Apart from the actual price of becoming GF certified, costs are compounded by the substantial downtime and increased labor to meet the demands of GF certification. Every area of the production facility requires a thorough and detailed scrubbing in a quest to eliminate even particle traces of gluten that could make its way into the product. Therefore, bakeries typically make oat matzah early in the season, before the production of wheat matzah commences in full swing.

Kneading and rolling dough made from oat flour is very different than working with conventional wheat flour dough. Lacking gluten, oat dough crumbles easily and is much more difficult to handle. It does not stick together well, and many pieces fall to the floor and are wasted, increasing the yield loss. Starting with a wet dough that has a higher ratio of water to flour than the norm keeps the brittle mixture more pliable and facilitates kneading.<sup>46</sup>

Weather plays a role in all matzah production as temperature and humidity affect the consistency of the dough. Experienced bakers know how to

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<sup>45</sup> The general food industry does not address these issues since they are able to use oats that have undergone kilning. On the subject of using machines for milling matzah flour, see *Kovetz Halachos (Piskei Rav Shmuel Kamenetsky)* who explains why it has the exact same level of *hiddur* as flour milled in a hand (or bicycle) grinder.

<sup>46</sup> Depending on the matzah bakery and the *hechsher* it carries, rolling tables and transfer sticks are either stainless steel, which is cleaned between runs, or wood covered with paper that is changed between runs, or a combination thereof. (Assessing the pros and cons of each merits its own discussion.) In bakeries with wood covered by paper, much of the moisture in the dough is absorbed by the paper.

compensate with adjustments in the ingredient proportions.<sup>47</sup> For oat dough, on rare occasion, the wrong weather can be catastrophic making it impossible to bake that day.

As mentioned above, one of the halachic concerns with oat matzah is its thickness. The art of producing thin wheat matzos has been expertly honed over generations. Six or more people work the dough for regular handmade wheat matzah to make each one as thin as possible without ripping before it reaches the oven.<sup>48</sup> But those techniques are not transferable to oat dough. Lacking elasticity, the fragile oat dough cannot withstand the intensity of this process. Sometimes just a single person handles the oat dough all the way through. Even with this delicate touch, dough regularly breaks apart during rolling or transferring and is discarded.<sup>49</sup> To keep the operation viable and meet production demands, matzah bakeries are compelled to bake oat matzos thicker than their wheat counterparts.

While this does not impact kashrus per se, the diameter of hand oat matzah is somewhat smaller than wheat matzah. Attempts to make them as large as wheat matzos resulted in numerous broken matzos with a very small number of *shleimos* usable for *lechem mishneh*. Only three matzos are packed per box of hand oat matzah, instead of the typical eight to ten found in a one-pound box of hand wheat matzah.

The difficulty raised by the *Minchas Yitzchak* about oats having a shorter time allowance before becoming chametz due to their classification with

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<sup>47</sup> Matzah dough, even the non-whole wheat variety, is comprised of a mixture of white and whole wheat flours in various proportions. On very humid days, a greater percentage of whole wheat is used so the added bran will absorb excess moisture. The amount of water used might also be reduced slightly.

<sup>48</sup> In a commercial hand-matzah bakery, after the initial mixing of water and flour, the dough typically travels through various stations: kneader, '*finners*', slicer, roller, '*gomeir*', transfer by pole, '*reddler*', transfer by pole, baker.

<sup>49</sup> Originally, to keep oat matzos from breaking apart, they were inserted into the oven individually on a sheet which was maneuvered onto the oven floor. This is very different from regular wheat matzos which are folded over a stick, up to five or six at a time, and rolled into the oven. Not everyone found this acceptable and today oat matzos too are folded on a stick with the expectation that some will crumble and fall to the floor before reaching the oven (unlike wheat matzos). Once left in the oven to bake they stay together well enough to be flipped.

barley does not seem to be heeded by bakeries on a practical level.<sup>50</sup> A justification might be that in a typical bakery workflow the time from when each batch of flour and water is mixed until that dough reaches the oven is anyway far less than ‘18 minutes’. Moreover, there is reliance that as long as dough is constantly being worked, which is mostly the case, chametz is unable to form.<sup>51</sup>

In all, due to the numerous departures from halachically accepted practices in matzah baking, major *hechsheirim* require a disclaimer on the box and in advertising clearly stating that oat matzos are intended only for people who are unable to fulfill the mitzvah otherwise. But *hechsheirim* remain unanimous that this product is appropriate for those who need it. Even the vaunted *Badatz Eidah HaCharedis* allows its name to appear on boxes of “*Chaburah*” matzos made by Tiv Hashiboles.<sup>52</sup> In deference to the objections of their past leader, the *Minchas Yitzchak*, they do not allow their widely recognized flowery symbol to be printed.

### **Devotion to Klal Yisroel**

With tens of millions of dollars in yearly sales of hand *shmurah* matzah worldwide, there’s definitely a business aspect involved. Oat matzah production, a niche within a niche, adds extra layers of complexity and inefficiency in an already intricate and labor-intensive operation. Is it worth it? Speaking with managers at matzah bakeries one gets the sense

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<sup>50</sup> Some argue that the absence of gluten should allow oat dough to have more time than wheat dough before becoming chametz. This assertion is unsubstantiated, as explained in APPENDIX II.

<sup>51</sup> *Pesachim* 48b, *Shulchan Aruch O.Ch.* 459.

<sup>52</sup> The difference between “*Chaburah*” and non-“*Chaburah*” matzos, besides cost, is how long the production cycle is permitted to run between cleanings. Especially with regard to machine matzos from Eretz Yisroel, if not marked “*Chaburah*” (even when *shmurah*) they utilize the 22.5-minute definition of a *mil* instead of a true 18 minutes. See Rabbi Tzvi Rosen’s article, *Machine Matzos: Timing is Everything!*, in *Kashrus Kurrents*, Spring 2009. So that affordable oat matzos are available for all segments of the population to fulfill the mitzvah, Tiv Hashiboles produces two tiers of matzah. A *Badatz* certified “*Chaburah*” version, and also a less costly offering bearing the hechsher of *Rabanut Yerushalayim Mehadrin* relying on the longer *shiur*, but with the same degree of meticulousness in all other respects.

that it's not all about *parnassah*. There is a palpable sense of devotion to supplying *Klal Yisroel* with matzah for fulfilling the mitzvah on *Leil HaSeder* and for enjoyment over the Yom Tov of Pesach. If a segment of Jews, even a small one, would otherwise be excluded from the mitzvah, they feel it's their solemn responsibility to serve them, providing matzah for all.



### **Appendix I: Identifying *Shiboles Shu'al* as Oats**

Our *masorah* that identifies *shiboles shu'al* (שִׁבְלוֹת שׁוּאֵל), the last of the Five Grains, as oats, is rooted in the words of the earliest Rishonim from *Chachmei Ashkenaz*, Rabbeinu Gershom and Rashi (Pesachim 35a, Menachos 70a), who translate *shiboles shu'al* as *avoine* (אָבײנ"א), which means oats in French and other Romance languages.

About sixty years ago, Professor Yehudah Felix (d. 5765/2005), whose published works on flora and fauna in the Mishnah were respected by *Gedolei Yisroel* across the spectrum, challenged this identity. His objection was based primarily on grounds that the historical agricultural record indicates oats (rye too) were never cultivated in the region of Eretz Yisroel during times of Chazal. Therefore, he attached more weight to another identification offered by the *Aruch*, also a Rishon, as more authentic. Similarly, he argued that תמכא in the Mishnah for marror cannot be *chrein*, horseradish, since that too was not grown in Mishnaic Eretz Yisroel.<sup>53</sup>

Nonetheless, the consensus of *Poskim* has been and firmly remains that oats are on the list. Rav Shlomo Zalman Auerbach<sup>54</sup> concerning both oats and *chrein*, emphasizes that our *masorah* is the final determinant for halachic application, not scientific investigation. Many cite Rav Elyashiv and Rav Moshe Feinstein as being adamant in this regard. Likewise, Rav Yoshe Ber Soloveitchik<sup>55</sup> was steadfast in his family's understanding of

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<sup>53</sup> See article by Rav Shmuel Meir Katz, *Chaver Beis Din* for Kof-K Kosher Supervision, in Kof-K's journal *Food For Thought*, Pesach 5773.

<sup>54</sup> *Halichos Shlomo*, Pesach, chap. 9, note 326

<sup>55</sup> *Nefesh HoRav* p.53, *MiPeninei HoRav* p. 69; *Masorah Journal*, vol. 13; *Torah, Chazal and Science*, by Rav Moshe Meiselman, p.156.

the position articulated by his great-grandfather, the *Bais HaLevi*, that establishing the identity of a species for mitzvah fulfillment (e.g. Five Grains for matzoh, *chilazon* for producing *techeiles*) can only be accomplished through *masorah* and not reconstituted by scientific methods. In the words of Rambam, *Mishnah Torah, Hil. Shemittah v'Yovel* 10:6, “שהקבלה והמעשה עמודים גדולים בהוראה ובהן ראוי להתלות.”<sup>56</sup>

## Appendix II: Unlinking Gluten from Chametz

The *Minchas Yitzchok* was concerned that oats should become chametz quicker than wheat because oats are a subtype of barley regarding various *dinnim* (*challah, kilayim*), and chametz formation is hastened in barley over wheat. An argument to the contrary was advanced by someone in the matzah industry, claiming that empirical observation demonstrates that oat dough, if anything, takes longer than wheat dough to become chametz because it does not rise!

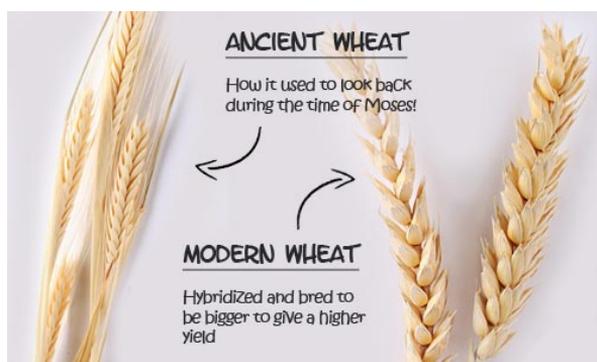
Rav Heinemann rejects this notion, explaining that the visible rising of dough is an independent function from the formation of chametz. A strong gluten web serves to capture gasses emitted by fermenting grain sugars and makes the process of *chimutz* more readily noticeable. However, in and of itself, that is not *chimutz*. Rather, the unique internal breakdown and transformation of starches that occurs among the Five Grains when in contact with water is *chimutz*. Provided the conditions are right, this will give rise to voluminous, elastic dough. But even when the process transpires in a lone kernel, cracking the grain hull and then fizzling out, that too is *chimutz*. Therefore, the crumbly nature of oat dough is not a valid indicator that oats take longer to become chametz than wheat.

This understanding reopens the debate about whether de-glutenized wheat is eligible for matzah, or any other of the mitzvos dependent on identity as one of the Five Grains. If the presence of gluten only serves to make

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<sup>56</sup> HaRav Shternbuch שליט"א, in *Teshuvos v'Hanhagos* I:302, countenances the possibility that the status of oats among the Five Grains is a *safek*. However, 17 years later, in V:130, he discounts the notion entirely. It seems the record of *Poskim* who were initially *choshesh* for Prof. Felix's assertion, *lechumrah*, before later dismissing it, has been redacted from halachic literature.

*chimutz* more visible but is not intrinsic to its identity, then maybe de-glutenized wheat would be acceptable.



Some raise a suggestion that the time frame formulated by Chazal and *Poskim* for the formation of chametz (‘18 minutes’) no longer applies to wheat in the modern area and a shorter time should be allotted today. Why would that be? Because over the past century wheat has been significantly modified through hybridization, altering its characteristics from wheat varieties used for millennia by our ancestors. Natural wheat is now available only in specialty markets as “heritage” or “heirloom” varieties.<sup>57</sup> Modern wheat purportedly contains higher levels of gluten<sup>58</sup> and has more pronounced rising.<sup>59</sup> This allegedly lends credence to the argument that it should thereby become chametz quicker. But this is contested by the understanding that gluten content and *chimutz* are independent from one another.



<sup>57</sup> Driving through rural farming regions, patches of heirloom wheat are distinguished among the others since modern wheat grows to twice the height of its progenitors.

<sup>58</sup> This point is debatable, see [www.ncbi.nlm.nih.gov/pmc/articles/PMC9322029/](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC9322029/)

<sup>59</sup> Some attribute the heightened prevalence of gluten sensitivity noticed in recent decades to the increased gluten profile in grains and bread processing.

## Chametz vs. Matzah: Subjugating the Existential Enemy

The fundamental dispute between Rambam and Ramban about the relationship between chametz and matzah, outlined earlier in the section “Defining Matzah: Chametz Avoided or Arrested?”, opens a portal for gaining deeper insight into the message that underlies the mitzvos of eating matzah and avoiding chametz.<sup>60</sup>

Radbaz (prolific leader of 16<sup>th</sup> century Egyptian Jewry) in a *teshuvah* (977) is astonished by the Torah’s seeming hyper-sensitivity toward chametz on Pesach. The prohibition of eating chametz incurs an exceedingly harsh punishment, *kareis*. Other foods carrying this punishment, *cheilev* and *dam* (*nosar* and *pigul* too for *kodoshim*), only carry an injunction against ingesting them (אָסוּר אֲכִילָהּ), but the *issur* of chametz goes further and also precludes one from deriving benefit (אָסוּר הִנְאָה) and having possession (בֵּל יִרְאָה בֵּל יִמְצָא). Furthermore, on a Rabbinic level, even a small speck of chametz that becomes mixed with food on Pesach prohibits the entire mixture (אָסוּר בְּמִשְׁהוּ), and the obligations to search and destroy chametz go beyond any other *issurim*. Even an abomination like *avodah zarah* does not require this degree of eradication!

Radbaz concludes from these halachic observations that while all mitzvos contain layers of symbolism, with regard to chametz on Pesach the lesson and the symbolism is itself the straightforward *peshat*. Chazal teach that chametz represents the *Yetzer HoRa*<sup>61</sup>, the insidious inclination that

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<sup>60</sup> All mitzvos contain multiple levels of meaning. Rabbeinu Bachaya writes (*Parshas Shelach*, 15:38, mitzvah of *tzitzis*), “ידוע למשכיל כי המצות המקובלות “שנצטוינו לעשותן בכלים גופניים כלן רמז ודוגמא לענינים שכליים”. Elsewhere (*Kad HaKemach – Sukkah I*) he writes, “וזהו דרך התורה ברוב כי המצוה תבאר ענינה בתחתונים “שכל עיקר עשיית המצוה שיתבונן אדם בעיקרה שהוא “ותרמוז בעליונים “המושכל והנסתר שבה”. The more deeply one appreciates its deeper profundity, the higher the mitzvah fulfillment achieved by its physical performance. In this way, mitzvos are never static; each time they can be approached with a new depth of understanding. See *Sefer Derech Pikudecha* by Rav Tzvi Elimelech of Dinov, the *Bnei Yissosschar*, who elaborates on various levels of contemplation for a number of mitzvos.

<sup>61</sup> זוה"ק (ח"א רכו:)- נְאָקָרוֹן חֲמֵץ, יִצָר הָרַע; רַבִּינוּ בַּחַי (פֶּרֶשֶׁת וַיִּקְרָא בִּי)- וְהִשְׁאוּר וְהַדְּבַשׁ הֵן הֵן יִצָר הָרַע עֲצֻמוֹ, כְּמוֹ שֶׁאִמְרוּ רַז"ל לְעֵינֵי חֲמֵץ וּמִצָּה בִּפְסָח צָרִיךְ אָדָם לִפְנוֹת לִבּוֹ מִיִּצָר הָרַע; ע"ע רמ"א בס' תורת העולה.

infiltrates our consciousness and lures us to pursue a spiritually harmful path. Just as a bit of sourdough starter (שְׂאֹר שֶׁבְּעֵיטָה – *Berachos* 17a) is all it takes to catalyze a modest combination of flour and water, causing it to expand and rise beyond proportion, so too once the *Yetzer HoRa* gains a foothold, no matter how small, it can grow and metastasize into a devastating force, at first slowly then rapidly, eventually overwhelming our moral sense and judgement. One must go to an extreme and eliminate the *Yetzer HoRa* and its influence, even on a minute scale. Bursting the overblown fantasies the *Yetzer HoRa* projects and exposing its *sheker* is necessary to gain the clarity needed for succeeding in one's life mission.

All year we contend with the *Yetzer HoRa*. A perpetual tug-of-war, it pulls us downwards as we strive to ascend higher, or at least maintain traction. On Pesach, the holiday of freedom, in our quest to break free from the shackles of temptation and soar to the lofty spiritual heights afforded by the Yom Tov, we are enjoined to rid ourselves from chametz, the corporeal representation of the *Yetzer HoRa*.

The *hekeish* between matzah and chametz demonstrates that matzah and chametz are not disparate entities, rather, one is an outgrowth of the other. Matzah is the antipode of chametz, a product that results from the abnegation of chametz. It symbolizes the redemption of body and mind, unencumbered by the *Yetzer HoRa*.

The Rambam's approach is that matzah is produced from grain that could conceivably become chametz, even if this specific dough lacks the ability to reach that point. This shows that vanquishing the *Yetzer HoRa* does not require head-on confrontation. Success is achievable by recognizing that evil exists and acknowledging its latent destructive forces, then choosing a path that circumvents danger. Choosing a path of non-interaction with the *Yetzer HoRa* can also lead to victory.

*Odom HaRishon*, when he was initially placed in *Gan Eden*, was charged to take this route. Midrash *Koheles Rabbah* (7:13)<sup>62</sup> describes how *HaKadosh Baruch Hu* took him around to every tree in the Garden and said, "See my handiwork, how beautiful and praiseworthy it is. All that I created is for your benefit. Take care not to ruin it and destroy my world."

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<sup>62</sup> Cited in *Mesilas Yeshorim*, chap. 1

Ruination and destruction, *Odom* understood, would be wrought by following the seduction of the *Yetzer HoRa*. Choosing to engage only with good, avoiding the *Yetzer HoRa* entirely, would have been an accomplishment worthy of ushering in the eternal epoch of *geulah*. Just like grain, according to Rambam, is eligible for matzah by circumventing its potential of becoming chametz, similarly, man achieves redemption by avoiding encounters with evil.

The Ramban has a different conception of the *hekeish*. To produce matzah he requires actively suppressing and arresting the nascent formation of chametz. This is analogous to confronting and overcoming a *Yetzer HoRa* that has already been engaged. Formidable is the struggle and rampant are the pitfalls. Constant *shemirah* is needed to remain in control and not succumb to its gripping allure. *Geulah* arrives when the evil force is forcibly neutralized.

This is the pathway upon which mankind was set after *Odom* and *Chavah* capitulated to the enticement of the serpent, partaking from the *Eitz HaDaas* and allowing mankind to become injected with the venom of immorality.<sup>63</sup> No longer did evil remain lurking around the periphery, able to be avoided with vigilant alertness. Life became a battleground of perpetual conflict and engagement with the *Yetzer HoRa*.

HaShem told Kayin:

הֲלוֹא אִם־תִּיטֵיב שְׂאֵת, וְאִם לֹא תִיטֵיב לִפְתּוֹחַ חַטָּאת רִבֵּץ, וְאֵלֶיךָ תִשׁוּקוּתוֹ וְאַתָּה תִמְשָׁל־בּוֹ  
(בראשית ד:ז) ... *if you do not improve, sin crouches at the door; its urge is directed toward you, yet you can master it.*

The appeal of *cheit* is ever-present; either we control it, or it controls us.

Chazal (*Sukkah* 52) describe how in the future, when HaShem will slaughter the *Yetzer HoRa*, both *Tzadikim* and *Reshoim* will cry. *Tzadikim* will be overwhelmed to discover they resisted a force as daunting as a mountain. *Reshoim* will feel deep sorrow for failing to resist a force no stronger than a strand of hair. The *Bais HaLevi* (*Parshas Bereishis*) asks,

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<sup>63</sup> See Gemara Shabbos 146a; *Beis HaLevi, Parshas Bereishis*, ד"ה הן האדם

which depiction is correct? Is the *Yetzer Hora* powerful like a mountain, or weak like a hair?

The answer is that both are true. It depends on the mode of interaction. A Tzadik takes precautions, at times extreme, to avoid a direct encounter. Despite not experiencing evil up close, he is fully aware of its danger. He's not interested in becoming entangled with such a foe and does everything in his power to steer clear of the *Yetzer HoRa*. In the future, when he realizes how indomitable the *Yetzer HoRa* really was, he will be amazed by how he succeeded in navigating a landscape dominated by such a looming mountain.

In contrast, a *Rosha* is indifferent to taking evasive measures. Besides not wanting to be bothered by inconvenience or hardship, he enjoys dabbling in the illicit pleasures offered to him. He knows very well there are red lines that should not be crossed, but his overblown confidence deludes him into thinking he can pull away at any time. After getting too close to the edge, in the heat of the moment, he carelessly allows himself to fall off. Each time the cliff gets higher; eventually he falls into an interminable abyss. In the future he will be dismayed to see how easily he could have taken a step back and remained on firm footing, as simple as controlling a strand of hair.

Most people harbor a complex mixture of concurrent experiences. A *cheit* such as eating *treif* food, for example, can remain in the realm of potential that one will avoid no matter how hungry he gets. Other types of pernicious activities may involve prolonged and active confrontation to overcome.

Throughout various stages of life the lines can shift. Things that were formerly a struggle can recede to the edges. When *Pirkei Avos* (2:4) teaches “אֵל תִּאֶמֶן בְּעֲצָמְךָ עַד יוֹם מוֹתֶךָ”, it means the risk is ever-present, but hopefully, with persistence and *siyatta d'Shmaya*, the ability to choose a path of avoidance becomes continually easier as one grows spiritually.

Mishlei says (20:18): מְחֻשְׁבוֹת בְּעֲצָה תִּכּוֹן, וּבְתַחְבֻּלוֹת עֲשֵׂה מְלָחָמָה  
*Plans with proper advisement will be firm; and with strategies wage war.*

The Vilna Gaon explains the war in the second part of this *passuk* as referring to combat with the *Yetzer HoRa*. Seeking advisement, עֲצָה, from others is helpful, perhaps essential, but is not enough. Success in battle comes when the one who really understands the theater of operations – the

## Chametz vs. Matzah: Subjugating the Existential Enemy

individual himself – formulates his own strategies and approaches. He knows when evasive techniques will work, and when he needs to muster the courage for a fight.

Ingesting matzah, the product of overcoming chametz, either through avoidance or eradication, or both, introduces a redemptive power of conquest over the *Yetzer Hora*. While the emphasis, as with any mitzvah, is to fulfill the command of HaShem in all its fine details, it is also a mechanism that helps us reorient ourselves, setting us in the right direction toward the pristine Garden that is untainted by evil, from which we emerged and to which we are destined.



## Vayigdal Moshe:

### Toras HaGaon HaRav Moshe Twersky זצוק"ל הי"ד

Written by Rabbi Yehoshua Berman

Author of *A Malach in our Midst* (Feldheim, 2016)

**Sipur Yetzias Mitzrayim According to the Rambam** - The Rambam says that the pasuk "*zachor es ha'yom ha'zeh*" is the source for the obligation to engage in *sipur yetzias Mitzrayim* (relating the story of the exodus) on the first night of Pesach (Hilchos Chametz U'Matzah 7:1). The Rambam then adds a word of elaboration and says that the mitzvah of "*zachor es ha'yom ha'zeh*" is akin to the mitzvah of "*zachor es yom ha'Shabbos*". The Or Sameiach and others grapple with the question, in what way is the mitzvah of *sipur yetzias Mitzrayim* comparable to the mitzvah of *zachor es yom ha'Shabbos*?!

Regarding the mitzvah, "*zachor es yom ha'Shabbos l'kadsho*", Chazal make a derasha - which the Rambam cites (Hilchos Shabbos 29:1) - that this pasuk teaches us that we have an obligation to declare the importance and sanctity of Shabbos on Shabbos. The mitzvah is to talk about Shabbos on Shabbos. The mitzvah is not just to remember Shabbos, but to verbalize shevach, praise of Shabbos, on Shabbos. From this we see how the Rambam defines a mitzvah which is indicated indicated with the word *zachor*. Namely, that it indicates a mitzvah to talk about the day on that day. Now we understand perfectly well what the Rambam means when he says that the mitzvah of "*zachor es ha'yom ha'zeh*" is akin to the mitzvah of "*zachor es yom ha'Shabbos*". The Rambam is saying that the mitzvah of *sipur yetzias Mitzrayim* is to relate, on the night of the 15th of Nissan, what happened on the night of the 15th of Nissan. That is very much like the mitzvah of kiddush which is to talk about Shabbos on Shabbos.

Reb Chaim Brisker is quoted as saying that, according to the Rambam, the mitzvah of reciting Hallel during the seder is not an additional mitzvah, per se, but is actually an integral part of the mitzvah of *sipur yetzias Mitzrayim*. This idea is also alluded to in the Rambam's comparison of *sippur yetzias Mitzrayim* to Kiddush. Just as part of the zechirah of Shabbos is to declare the grandeur and greatness of Shabbos, so too, regarding the mitzvah to relate the account of the exodus, it is not simply a dry narrative that is incumbent upon us to convey. Rather, the mitzvah

includes giving praise to Hashem for all the miracles that He did for us, and for taking us out of Mitzrayim, both physically and spiritually.

**Second Cup/Ha Lachma Anya** - Our minhag, which is in accordance with the Shulchan Aruch, has the filling of the second cup after *Ha Lachma Anya* before *Mah Nishtanah*. However, the Rambam puts the filling of the second cup before *Ha Lachma Anya*. What is the basis of this *machlokes*? The answer is that it is a function of yet another *machlokes*. We have *Yachatz* right after *Karpas*. The Rambam, though, puts *Yachatz* all the way after *Maggid* and the drinking of the second cup, right before *Motzi Matza*. Why do we break the matzah before *Maggid*? It's as the Mishna Brurah brings down from the Gemara, to fulfill both *drashos* of "*lechem oni*" – *lechem sheh'onin alav devarim harbei* – bread over which many words are said (meaning, *Maggid*), and *oni mi'lashon ani* – poor – and the way of a poor man is to eat a *prusah*, a broken piece. Our *minhag*, then, is to make the matzah into full-fledged *lechem oni* before we begin *Maggid*. That being the case, the paragraph of *Ha Lachma Anya*, according to our *minhag*, is an explanation for the action of *Yachatz*. Why did we just break the matzah? Because it needs to be *lechem oni*. So *Ha Lachma Anya* is not part of *Maggid*; it is just an explanation for *Yachatz* which is a preparation for *Maggid*. That is why we only pour the second cup after *Ha Lachma Anya*. We recite *Maggid* over the second cup. Since *Ha Lachma Anya*, according to our *minhag*, is not part of *Maggid*, we wait until after it to pour the second cup. According to the Rambam, though, that *Yachatz* only comes immediately preceding *Motzi Matzah*, it is obviously not possible to understand *Ha Lachma Anya* as an explanation of *Yachatz*. Therefore, it must be that according to the Rambam, *Ha Lachma Anya* is in fact a part of *Maggid*. Therefore, the cup over which *Maggid* is said must be in place before we begin *Ha Lachma Anya*. That is why the Rambam puts the pouring of the second cup before *Ha Lachma Anya*. (Reb Meshulam Twersky)

### Quotables

*"Remember, the first mitzvah of the seder night is simchas Yomtov."*

*"What is the first mitzvah we do on seder night? Krias Shema!"*

Rebbi once mentioned the *machlokes Rishonim* about whether the *bracha* of *al achilas matzah* is *b'ikar* going on the *matzah* we eat by *motzi-matzah* or on the *afikoman*. The *Shaar Ha'Tziyun* says that a *nafkah minah* would be that according to the latter *shitah* one should refrain

from speaking any *devarim beteilim* during the *seudah*. At this, Rebbi got all excited and exclaimed, "*Devarim beteilim?! When every word is a potential *kiyum mitzvas ase* of *Sipur Yetzias Mitzrayim*, who can think about saying *devarim beteilim?!?*" (From Rav Yehudah Eisenstein)*

### בדברי הרמב"ם פ"ז הלכות חמץ ומצה\*

בס"ד

עש"ק פ' צו שבת הגדול תס"ד לפ"ק

החוש"ש וכת"ס לכב' ידידי היקר הרה"ג ר' אריה לייב שליט"א

אחדשה"ט וש"ת

**פירוש שני ב"זכור"** היינו עפ"י משאחז"ל "זכרה בכניסתו". ומשמעות פירוש זה היא פעולה מסויימת המתקיימת פעם אחת ביום השבת (ע' לקמן). וכן נקט הר"ם בפ' כ"ט מהל' שבת שכ' "זכרה זכירת שבת וקידוש". ואמנם זה פשוט, דלפי משמעות השניה אין "זכור" מצוה תמידית ותדירה. אבל אינו מוכרח שהיא צריכה להתקיים דווקא בשבת עצמו, וכ"כ הר"ם שם הי"א שמצוות זכירה לאמרה בין בשעת כניסתו ויציאתו בין קודם לשעה זו כמעט. וכן בהבדלה, שהיא חלק ממצות "זכור", הרי היא אחר השבת.

**תשואות** חן חן עבור ההגדה שירת הלויים. כבוד הדר"ג שיחי' א"צ לא לדידי ולדכוותי אבל לענ"ד עדיין לא היה כבושם הזה. דבר דבור על אופנו. חמרא למרי' וטיבותא לשקיי'. ומלבד זה הערות והארות מאלפות ומחכימות אשר כל רואה יעיד שלא מקופיא וכלאחר יד נכתבו אלא אחר יגיעה רבה.

**בראשית** דברי אמסור לך הנראה בדברי הר"ם בריש פ"ז מהלכ' חו"מ אשר בהם נפתחה שירת הלויים ודומני שמקום הניחו לי כו' גם אם הדברים פשוטים למדי.

**ובמשמעות** מלת "זכור" אצל הר"ם לשיטתו וכתב בזה סמך זכור את היום הזה אשר יצאתם כו' לומדים מצות ספיצ"מ, שהיא פעולה מסויימת, חד פעמית לזכור כלומר לדבר ולספר בענינו של "היום הזה" כמו שכתוב "זכור את יום השבת", היינו כמו שמצוה לדבר ולספר שבח וקידוש של יום השבת. (ולשיטתו לא

הנה במשמעות המלה "זכור" מצאנו שני פירושים בחז"ל וכן ברבותינו הראשונים. פירוש א' הוא מש"כ רש"י בפ' יתרו, "זכור – תנו לב לזכור תמיד". וכ"ה ברמב"ן שם ע"ד הפשט, לזכור תמיד, בכל יום. ר"ל פעולה תמידית ותדירה. ועד"ז פרש"י בפ' בא, "זכור את היום הזה, מכאן שמזכירין יצי"מ כל יום".

\* מכתב שנשלח לרה"ג ר' אריה לייב לופיאנסקי שליט"א (נדפס בסוף הגדת שירת הלויים מהד"ב)

מבעוד יום. ולשיטתו מובן מאד כי הרי מצות קידוש אפשר לקיים סמוך לכניסתו והכא קמ"ל דדוקא בשעה שיש מצה ומרור כו'. (ב) אי נמי אפשר לפרש באופן אחר, דהרי הלכה מפורשת היא בר"ם פ' כ"ט ה"ד אם לא קידש בלילה מקדש והולך כל היום כולו. וא"כ יתכן דהן הן דברי הר"ם – ומניין שבליל חמשה עשר ת"ל כו' דבא למעט יום חמשה עשר, דסד"א דדומה לקידוש בשבת דשפיר דמי לקיים המצוה (בדיעבד) גם כיום, קמ"ל. ואולי גירסא אחרת היתה לו במכילתא ועיין.

**הריני** חותם מעין הפתיחה. רב תודות עבור ההגדה. יפוצו מעיונותיך חוצה. חג כשר ושמה. יה"ר שנזכה לאכול מן הזבחים והפסחים ולשמוע שירת הלויים בערב פסה על הקרבן.

כנפש ידידו,

משה טברסקי

למד מהפסוק "זכור" כו' מצות זכירת יצי"מ כל יום אפי' אם נאמר דהוי מדאורייתא, ואכ"מ.) וזהו הפשט הפשוט במש"כ בר"ם "כמו שנאמר זכור את יום השבת".

**(ובאמת)** כד תדייק היטב בנוסח קידוש של שבת לפי הר"ם תראה שלא אומרים כלל שהיום הוא יום השבת אלא מדברים בשבחה של יום השבת, בלי להתייחס לזה שהיום הוא שבת. הלא דבר הוא! וע' שבת ס"ט: בהולך במדבר ואינו יודע אימתי שבת מונה ששה וכו' ומקדש ומבדיל ופרש"י שם לזכרון בעלמא. אמנם ע' היטב ר"ם פ"ב מהל' שבת דמשמע מסתימת לשונו דהוא חיוב מעיקר הדין, ויתכן מאד דהטעם הוא כנ"ל, דבקידוש בשבת אין אנו אומרים דהיום הוא שביעי למעשה בראשית אלא מדברים בשבחה וקידוש של יום השביעי יהיה מתי שיהיה.)

**והשתא** נחזי אנן מש"כ הר"ם בפ"ז מהל' חו"מ "ומניין שבליל חמשה עשר ת"ל כו'". ואפשר לפרש דכריו ככ' אופנים: (א) דבא למעוטי

