



The Minhag of Kitniyot

THE CUSTOM

The Ashkenazi custom is to refrain from consuming *kitniyot* on Pesach. According to Biblical law, only leavened food made from the five grains is prohibited to be owned or consumed on Pesach. Over the generations, many halachic authorities (*S'mak* 222, *Terumat Hadeshen* 113) ruled that it is prohibited to eat legumes (*kitniyot*) on Pesach for various reasons. The *Pri Chadash* (453) supports this practice, citing the Talmud (see *Dinei Kitniyot BePesach*, pp. 34-49).

In recent times, certain individuals have attempted to abolish this sacred minhag. This is a grave mistake. The minhag of *kitniyot* is firmly rooted in halachic literature and is widely accepted among authorities. The *Maharil (Hilchot Ma'achlot Asurot*: 15) went so far as to state that someone who consumes *kitniyot* on Pesach transgresses the verse of “*Lo Tasur*” (Devarim 17:11), the Biblical commandment to adhere to the rulings of our Sages. Leading poskim, such as the Chayei Adam (127:1), Chatam Sofer (OH:122), and Aruch Hashulchan (453:4), wrote stern rebukes against those who ate *kitniyot* on Pesach.

The Rema (OH 453:1), the primary halachic authority for Ashkenazi Jewry, ruled that the

custom of abstaining from *kitniyot* must be followed. This applies even if the *kitniyot* are baked in less than 18 minutes, do not come into contact with water, or are pressed into oil.

THE UNDERLYING REASONS FOR THE MINHAG OF KITNIYOT

There are two primary reasons for the minhag of *kitniyot*. The first is that *kitniyot* were historically grown in close proximity to the five grains, resembled them, and were harvested in a similar manner. These factors could lead to the mixing of *chametz* grains with *kitniyot*, making it difficult to detect and remove them. The second reason is that *kitniyot* are (and in some instances still are) ground into flour and made into bread or baked goods. This could mislead consumers into thinking that wheat flour is permissible, leading them to mistakenly consume such products.

WHICH ITEMS ARE CONSIDERED KITNIYOT?

Legumes and certain seeds are considered *kitniyot*. These include beans (all types), buckwheat/kasha, caraway, cardamom, chickpeas, corn, fennel, fenugreek, grains-of-paradise, lentils, millet, mustard, peas, poppy seeds, rapeseed/canola, rice, sesame seeds, snow peas, sorghum, sugar-snap peas, soybeans, and sunflower seeds.

Although peanuts are legumes, *Igerot Moshe* (O.C. III:63) assumes that they are not considered *kitniyot*. However, some people have a custom to be stringent in this regard. Therefore, the OU does not certify peanuts for



Pesach. There are strong arguments against considering peanuts as *kitniyot*, as they are a New World crop, and there is no custom to forbid them. They are not made into bread or porridge. However, since peanuts are treated as *kitniyot* by many, the OU certifies peanuts as kosher for Pesach only for *Sephardim* who eat *kitniyot* on Pesach.

PRODUCTS THAT ARE NOT KITNIYOT

Several products that certain kosher certifications may consider *kitniyot* are, according to OU Kosher, acceptable for Pesach. These include guar gum, locust bean gum, and psyllium husks. Cottonseed oil is not considered *kitniyot*, as it comes from cotton seeds. However, in Israel, there is a custom not to approve cottonseed oil for Ashkenazim. Those who consumed cottonseed oil outside of Israel can feel comfortable consuming it in *Eretz Yisrael*, where certain products imported with OUP certification contain cottonseed oil.

Chia seeds are not considered *kitniyot* because they are a New World plant, not made into bread, and—unlike peanuts—there is no custom to be stringent.

The *Rema* (*ibid*) writes that spices such as anise and coriander were not included in the *minhag* of *kitniyot*. However, later authorities forbade using certain spices unless they were properly checked. Today, companies use mechanical means to clean these spices, ensuring no foreign grains are mixed in. Therefore, the OU certifies these spices, provided they are checked by a *mashgiach* to ensure proper cleaning. Included in

this list are cumin and dill.

There was also a custom in Jerusalem not to consume certain nuts, such as pistachios, pecans, and cashews, on Pesach, based on the fact that they were often roasted in wheat flour. This mistakenly placed these products in the *kitniyot* category for Israel. Today, however, with proper supervision, these nuts can be consumed on Pesach without concern.

KITNIYOT SHE'NISHTANU

The OU permits certain ingredients for Pesach, even if they originate from *kitniyot*, because they undergo a profound and fundamental change that causes them to lose their halachic identity. This is similar to the rationale of *Chatam Sofer* (Y.D. 117), who permitted grape-seed oil even though the seeds had not dried for 12 months, because the transformation of the oil into a different form allowed it to be permitted. The OU only permits *kitniyot* she'nishtanu if the *kitniyot* were supervised to ensure they are free of chametz. A well-known example in Israel is the Coca-Cola Zero concentrate, which is produced under strict OU certification for Pesach. ■

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