The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן תנ"ה סעיף ב'-ג'

Overview

Siman 455 Seif 2:

Some authorities maintain that water gathered in a cistern may be used to knead dough right after it was drawn and one should not be lenient about this matter unless it is a pressing circumstance.

- This is a well that has a floor and walls that were constructed to hold water and there is a cover on top as well. The lenient opinion considers it as if the water is resting in a vessel. (M.B. 26)
- If water flows in from the ground or if there is a pipe that feeds water into the cistern all opinions agree that one may not be lenient even in a pressing circumstance since the water in the cistern is connected to the water in the ground. (M.B. 27)
- If one could obtain drawn water that was left to rest overnight it is better to use that water even if there is a concern that it was drawn during the day or at night. Collected rainwater need not be left out overnight since it cooled in the air as it fell. (M.B. 28)

Siman 455 Seif 3:

One may not knead with hot water even if it was only heated in the sun. One should also not knead with water that was gathered from a large boiler made of thick copper that hangs over the fire and water inside is lukewarm even if there is no fire beneath it. If one kneaded the dough with these waters or water that did not sit out overnight it is prohibited. Some authorities disagree and permit kneading with water that did not sit out overnight. Some maintain that it is permitted only if it was done inadvertently and in a pressing circumstance one may rely on that position. Even if it is not a pressing circumstance if one inadvertently kneaded with water that did not sit out overnight it is permitted.

- Hot water may not be used even if it is now room temperature. Even if the water cooled entirely there are authorities who maintain that it may not be used but others disagree and permit it and one may rely on the lenient opinion in a pressing circumstance or if one is facing a significant financial loss. (M.B. 29)
- This applies even if the water was never heated inside the boiler. (M.B. 30)
- In other words, the bottom of the vessel is thick and there is no difference whether it is copper or earthenware. (M.B. 31)
- Lukewarm is the temperature of saliva or the temperature of water drawn from a river in the summer. (M.B. 32)
- The matzah is prohibited for consumption but it is permitted for benefit. (M.B. 33)
- In other words, if one kneaded dough with one of these waters and no other water is available one may rely upon the lenient opinion that permits them. Rema then adds that when it comes to water that did not sit out overnight one may be lenient even if it is not a pressing circumstance if it was done inadvertently. (M.B. 35)
- Later authorities explain that Rema refers to where one already kneaded the dough but l'chatchila it is prohibited to knead dough using this water even if one has no other water and he will have to eat other foods. For the first night, however, he may use this water so that he does not neglect the mitzvah. (M.B. 36)
- One should not use these matzos for the mitzvah the first night but rather he should make an effort to obtain other matzos. (M.B. 37)

Halacha Highlight

Using water that was not left out overnight

Shulchan Aruch Siman 455 Seif 3

ואם עבר ולש בין באלו בין במים שלא לנו

If one violated this restriction and kneaded with this water or water that was not left out overnight

Shulchan Aruch (סע' ג') presents a disagreement regarding the use of water that did not sit out overnight. According to the first opinion that he cites, matzah made with water that did not sit out overnight is prohibited for consumption although permitted for benefit (מ"ב סי"ק ל"ג). According to the second opinion, b'dieved it is permitted to use water that was not left out overnight. He then cites a third opinion that maintains that if one inadvertently used water that was not left out overnight the matzah is permitted and he concludes that in a pressing circumstance one may rely upon that opinion. In other words, if one has no other matzah other than ones made with water that was not left out overnight, one may rely on the lenient opinion and eat the matzah. Rema adds that one who inadvertently used water that was not left out overnight may eat that matzah even if it is not a pressing circumstance.

Mishnah Berurah (סי"ק ל"ו) notes that Rema's leniency applies only when b'dieved one used water that was not left out overnight. If one intentionally used water that was not left out overnight, even if there is no other water available, one may not eat those matzos and he should find other foods to eat on Pesach. However, on the first night of Pesach since there is a Biblical command to eat matzah, one should be lenient and use this water to make matzah. Pri Megadim (משב"ז סק"ו) expresses uncertainty whether the same leniency applies for the second night of Pesach. On the one hand, we are fully aware that the second night of Pesach is observed only as a custom (מנהג אבותיכם בידיכם) and since there is no Biblical mitzvah, perhaps one should not use water that was not left out overnight. On the other hand one could argue that we treat the two nights the same and it would be permitted to make matzos even for the second night with water that was not left out overnight.