



Overview

Halacha Highlight

Chodosh

Shulchan Aruch Siman 489 Seif 10
אסור לאכול חדש אף בזמן הזה

It is prohibited to eat *chodosh* even nowadays

Shulchan Aruch (סעי' י') writes that it is prohibited to eat *chodosh*, meaning grain that took root after the 16th of Nissan, until the night of the 18th of Nissan and in Eretz Yisroel the night of the 17th. Mishnah Berurah (ס"י"ק מ"ה) notes that most people are not careful about this matter and eat new grain. Many explanations are suggested to rationalize this lenient position. Rema (יו"ד ס"י רצ"ג סעי' ג') suggests that there is a *s'feik s'feika* – double doubt - which allows for leniency. The grain in question may be from last year and even if the grain is from this year's crop perhaps it took root before the 16th of Nissan and is already *yoshon*. According to others the basis for leniency is that it is difficult to be cautious about this matter, therefore, we rely upon the minority opinion that maintains that Biblically the prohibition against *chodosh* applies only in Eretz Yisroel. When Chazal extended the prohibition to areas outside of Eretz Yisroel they only extended it to those countries that are located close to Eretz Yisroel. A third approach is that the prohibition against *chodosh* applies only to grain that was grown by a Jew but grain that was grown by a gentile is not prohibited as *chodosh*.

Since the majority of Rishonim maintain that the restriction against eating *chodosh* is in force Biblically even outside of Eretz Yisroel, Mishnah Berurah advocates adopting a stringent approach to this area of halacha. On the other hand there are those who write strongly in support of the custom to be lenient. Teshuvos Meshivas Nefesh (ח"י"א ס"י ט"ז) refutes all the proofs presented by Vilna Gaon in support of adopting a stringent approach and concludes that there is strong basis for leniency. He also notes that although no one can compare to the knowledge of the Vilna Gaon, nevertheless, no one could compare to the knowledge of R' Shimon ben Yochai who had a clear perception of the Heavenly ways and most times we do not follow his opinion in halacha. Sdei Chemed (מערכת חדש אות י"ג) also enumerates many authorities who support the custom to be lenient.

would say, "When a Jew gets to heaven and he is asked why he ate *chodosh* he can respond that he held like the Bach, ז"ל, who permits *chodosh* outside of Eretz Yisrael. But when he is asked why he spoke lashon hara, he will have no compelling answer since the Bach does not permit speaking lashon hara, and neither does any other serious authority!"

מאיר עיני ישראל, ח"י, ע"י 346 וע"י 349

Siman 489 Seif 10:

It is prohibited to eat new grain even nowadays, whether bread, roasted grains or rolled grains until the beginning of the night of the 18th and in Eretz Yisroel until the beginning of the night of the 17th.

- ❖ *Chodosh* is defined as grain that took root after the 16th of Nissan. In this context grain refers to the five grains: wheat, barley, oats spelt and rye. (M.B. 44)
- ❖ In *Yoreh Deah* Rema suggests a *s'fek sfeika* to rationalize the lenient practice regarding *chodosh*. Others offer other rationales for leniency but a *ba'al nefesh* should be stringent since according to many authorities *chodosh* is a Biblical matter. (M.B. 45)
- ❖ Later authorities write that it is unnecessary to be concerned with the taste that comes out of a utensil used to cook *chodosh* unless one is certain that the grain was *chodosh* and only if the subsequent food was cooked within 24 hrs of the *chodosh*. (M.B. 48)

Stories to Share

Non-Negotiable

ש"ע ס' תפ"ט, י"י "אסור לאכול חדש אף בזמן הזה..."

Today's amud discusses the prohibition of *chodosh*.

Although there were many great sages who protested against the sins of others in a very effective manner, perhaps the most famous of these is the protest of Chofetz Chaim, ז"ל, against negative speech as it is expressed in his written works. However, few are aware how the Chofetz Chaim came to write the *Sefer Chofetz Chaim-Shemiras Halashon*.

Rav Velvel Eidelman, ז"ל, shared what sparked it. "In my house, we had a *Mishnah Berurah* which was marked in the Chofetz Chaim's own hand: 'checked.' My father had purchased it directly from the author, who had proofread his work himself. Since my early life was so close to the Chofetz Chaim, I remember hearing how his first work came to be written. It is clearly the halachah that one must literally flee to avoid hearing lashon hara. Once, the Chofetz Chaim was in just such a position. He saw that the only way for him to possibly avoid transgressing this prohibition was to flee and he did so immediately. He ran and ran until he fell down from exhaustion. At that moment he decided that it was not enough to merely run away; if he wished to discharge his obligation he would have to write *Sefer Chofetz Chaim* to promulgate these essential halachos."

The Chazon Ish, ז"ל, recounted that the Chofetz Chaim