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There is a longstanding *Ashkenazic minhag* (custom) to not eat certain foods known collectively as “*kitnios*”. *Mishnah Berurah*¹ cites three reasons for this *minhag*: (a) *kitnios* is harvested and processed in the same manner as *chametz*, (b) it is ground into flour and baked just like *chametz* [such that people may mistakenly believe that if they can eat *kitnios*, they can also eat *chametz*], and (c) it may have *chametz* grains mixed into it [so people who eat *kitnios* may inadvertently be eating *chametz*]. Although initially there were those who objected to the *minhag*, it has become an accepted part of *Pesach* in all *Ashkenazic* communities.

Which foods are *kitnios*

The earlier *Poskim* mention that rice, beans, peas, lentils, buckwheat (*kasha*), millet, sesame seeds, and mustard are included in the *minhag*,² and it is generally accepted that chickpeas, corn (see below), green beans, poppy seeds, snow peas, soybeans, sugar-snap peas, and sunflower seeds are also forbidden. On the other hand, coffee, garlic, nuts, fruits, and potatoes are not treated as *kitnios*.³ *Iggeros Moshe*⁴ assumes that peanuts are not *kitnios* but notes that some have a custom to be *machmir*; most Jews in America follow this latter approach. Some other examples of foods which are or are not *kitnios* are noted below and in the “Derivatives of *kitnios*” section of this article.

Iggeros Moshe explains that the *minhag* to not eat *kitnios* developed differently than other *minhagim* and therefore rules that only foods which we know were specifically included in the *minhag* are forbidden.⁵ With this he explains that although the reasons why *kitnios* are forbidden all seemingly apply to potatoes, they are not forbidden. This is because the *minhag* of *kitnios* can be dated back at least until *Maharil*, who died in 1427, but potatoes did not come to Europe until the 16th century. Since they were a “new” vegetable brought to Jewish communities after the *minhag* was established, they are not included and remain permitted. An important “exception” to this rule is corn (maize) which *Mishnah Berurah* 453:4 and others rule is *kitnios*, even though it was introduced to Europe after the *minhag* had already been enacted.

This logic has also been suggested as a basis for permitting the consumption on *Pesach* of quinoa, which was only recently introduced to the Jewish communities in the Northern Hemisphere. Since it was never considered *kitnios* it remains permitted on *Pesach* even though the reasons given by *Mishnah Berurah* apply to it just like to other *kitnios* items. While this logic is sound, it is noteworthy that quinoa is sometimes packaged in factories that also process wheat and barley, and it is possible that those grains (i.e. *chametz*) could get mixed into the quinoa. Therefore, it is recommended that quinoa only be used for *Pesach* when it is specifically certified as being Kosher for Passover.

As a rule, spices are not considered to be *kitnios*, and *Rema* 453:1 makes a point of noting that anise (dill) and coriander are not *kitnios*. Nevertheless, *Taz* 462:3 notes that all spices should be checked before *Pesach* to establish that no *chametz* grains are mixed in, and elsewhere *Taz* (453:1) specifically notes that anise and coriander seeds should be thoroughly checked. In addition, *Taz* and *Magen Avraham* (453:3) discuss whether fennel, cumin, and caraway seeds can



possibly be checked (and used) for *Pesach*. Thus, as a rule, spices are not *kitnios* but require special care to guarantee that no *chametz* grains are mixed into them. Some *hashgochos* consider fenugreek to be *kitnios*, while others do not, and an unexpected ramifications of this question will be noted towards the end of this article.

Derivatives of kitnios

The earlier *Poskim*, including *Rema*, clearly indicate that oil made from *kitnios* is forbidden on *Pesach*. However, a few of the later *Poskim* suggest that such oil may be permitted because some of the original reasons for the *minhag* do not apply to the oil extracted from *kitnios*. It is generally accepted to follow the stricter opinion in this matter, but the lenient opinion is sometimes considered as one factor in a larger decision. Therefore, on *Pesach* one may not use corn, peanut, or soybean oil (a.k.a. “vegetable oil”). Oil from olives, palm, coconut, and walnuts are acceptable for *Pesach* use, because the fruits from which they are extracted are not *kitnios*. *Minchas Yitzchok*⁶ suggests that cottonseed oil is *kitnios*, but in a subsequent *teshuvah*⁷ he reconsiders this position;⁸ in the United States cottonseed oil is generally not treated as *kitnios*, but in *Eretz Yisroel* there are those who refrain from using it.

Canola oil was first approved for food use in the United States in 1985, and there are those who therefore suggested that it is a “new” item which should not be included in the *minhag*, as per *Iggeros Moshe* cited above. However, the fault with this line of reasoning is that “canola oil” is actually rapeseed oil (a.k.a. colza oil), which has been used for centuries in Europe. [Canola oil is rapeseed oil specially bred to have less erucic acid (a suspected cause of heart disease); therefore, only this better variation of rapeseed oil is approved for food use in the USA.] In fact, *Avnei Nezer* and *Maharsham*⁹ specifically mention rapeseed and its oil in their discussions of *kitnios*. It is also noteworthy that canola often grows near oats, and therefore even those who might argue that canola is not *kitnios* would agree that all of the oats must be removed before the oil is extracted from the canola.

In recent decades, scientists have learnt to manipulate microorganisms to create and convert all types of enzymes and foods. This has had dramatic effects on the world of *kashrus*, including *kitnios*. What happens if one takes bland-tasting corn and uses enzymes to liquefy and sweeten it? Does the resulting corn syrup remain forbidden as *kitnios*? Is the *halacha* possibly more lenient if one takes the aforementioned corn syrup and uses enzymes to convert it to sour-tasting ascorbic acid?

These questions depend on a *machlokes Rishonim* cited in *Mishnah Berurah* 216:7 regarding the *kashrus* of musk – a fragrant byproduct of blood which is found in a gland of the male musk deer. Some *Rishonim* are of the opinion that since blood is non-kosher, musk is also forbidden, but others say that once the blood is *nishtaneh* (changed), it loses its original identity and becomes an innocuous kosher liquid. *Mishnah Berurah* rules that as relates to *issurim d’rabannan* one may be lenient.

Accordingly, some *hashgochos* take the position that since *kitnios* is merely a *minhag*, one can be lenient and certify *kitnios* which was truly *nishtaneh*. In order to qualify as *nishtaneh* the



kitnios must go through a significant change in taste. Therefore, in the cases noted above, they would certify the ascorbic acid due to the dramatic change in taste from sweet to sour but would not permit the corn syrup, since it is not changed/*nishtaneh* “enough” from the corn from which it came. This rationale is the basis for some *hashgachos’* certification and/or acceptance of certain productions of aspartame, citric acid, monosodium glutamate (MSG), and xanthan gum for *Pesach*. Others disagree with that position. Some argue that *Mishnah Berurah’s* ruling is limited to cases of *b’dieved* and does not justify the *l’chatchilah* creation and certification of such an item, and others argue that *nishtaneh* may be limited to cases where the forbidden item becomes inedible in the middle of its conversion to the “new” item. We will see below that even those who take the strict position in this matter generally agree that foods created with these ingredients are *b’dieved* permitted on *Pesach*.

Halachos of kitnios

The *minhag* to not eat *kitnios* begins on *Erev Pesach* at the same time that one may not eat *chametz*.¹⁰ Although one may not eat *kitnios*, one may own and derive benefit from *kitnios*. Therefore, on *Pesach* one may keep cans of sweet corn in his possession or feed millet to his parrot. Additionally, children, people who are ill, and people whose diet is otherwise restricted and must eat *kitnios*, are excluded from the *minhag* and may eat these foods after consulting with a *Rav*.

This *halacha* is quite relevant to baby formulas and nutritional supplements (e.g. Ensure) which invariably contain *kitnios*. They are usually used by people who have few non-*kitnios* choices, and such people are permitted to eat *kitnios*. When such foods are used on *Pesach* they should be prepared in special non-*Pesach* and non-*chametz* utensils, which should not be washed with the *Pesach* dishes. It must be noted that although the *halacha* is quite lenient in permitting children and the infirm to consume *kitnios*, the *halacha* is quite strict regarding the consumption of *chametz*, and one must therefore be sure that the product is truly *chametz*-free before consuming it. To help consumers with this, each year the OU prepares a list of formulas and supplements that are known to be *chametz*-free, and that list can be found in the *cRc Pesach Guide* and on our website.

Kitnios is *batel b’rov*, which means that if someone accidentally put *kitnios* into their *Pesach* food, the food is *b’dieved* permitted, assuming the food contains more non-*kitnios* than *kitnios*.¹¹ This means that although the food may have a pronounced taste of *kitnios*, the food is permitted (unless there are recognizable pieces of *kitnios* which have not been removed). Therefore, if a beverage is sweetened with aspartame made of *kitnios shenishtaneh*, even those people who are of the opinion that the aspartame is forbidden (as explained above) may drink the beverage, because the aspartame is *batel b’rov* in the other ingredients. Similarly, we have seen that there is a disagreement as to whether fenugreek is *kitnios*. Nonetheless, even those who follow the strict approach may consume maple syrup which is flavored with fenugreek (as it often is) because it is *batel b’rov*. Thus, although we have seen a number of disagreements as to whether certain foods are or are not *kitnios*, those disagreements are limited to one who wants to consume the actual item (or a *hashgachah* certifying a company that is intentionally putting the ingredient into a food), but these disagreements rarely affect consumers.



Other Minhagim

In addition to the well-known *minhag* of not eating *kitnios*, the *Rema* (467:8) cites customs to not eat honey, raisins, dried fruit, sugar, saffron, and cloves, and other *Poskim* cite numerous other customs from specific communities. Many of these *minhagim* are limited to cases where the person has some doubt that the product may contain *chametz*; therefore, many of these *minhagim* are not practiced nowadays because the *hashgachah* on the food guarantees that it is *chametz*-free. As with all matters of *halacha*, one who is unsure as to whether a family or communal custom remains in effect, should consult with his or her *Rav*.

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¹ *Mishnah Berurah* 453:6 & 464:5.

² See *Beis Yosef* OC 453, *Rema* 453:1 & 464:1 and *Mishnah Berurah* 453:4, 7 & 11.

³ See *Sha'arei Teshuvah* 453:1, *Chayei Adam* 127:7, and others.

⁴ *Iggeros Moshe* OC 3:63.

⁵ *Chok Yaakov* 453:9 makes a similar point.

⁶ *Minchas Yitzchok* 3:138:b.

⁷ *Minchas Yitzchok* 4:114:c.

⁸ See also *Mikra'ai Kodosh*, *Pesach* 2:60:2.

⁹ *Avnei Nezer* 373 & 533 and *Maharsham* 1:183.

¹⁰ *Shevet HaLevi* 3:31, citing *Chok Yaakov* 471:2 and others.

¹¹ *Rema* 453:1 as per *Mishnah Berurah* 453:9.