

# ספירי

סיעוא לציבור, פסקי הלכה, רכיבים, מארעות ומדע  
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 סיעוא לציבור

## Pas Yisroel during Aseres Y'mei Teshuvah

### Background

In the times of the *Mishnah*, and possible even earlier, *Chazal* forbade us from eating bread-like items that were baked exclusively by non-Jews. [The bread-like items are referred to as *pas* and that term will be defined more clearly below]. If however, a Jew baked the *pas*, or even participated in some small way in the baking process, the food items are permitted and are known as *pas Yisroel*. In later years, *Chazal* partially retracted this prohibition because the baking ovens were controlled and/or owned by non-Jews, and the aforementioned restriction made it overly difficult for Jews to obtain "kosher" *pas*.

In partially retracting the prohibition, *Chazal* created a new class of *pas* – *pas paltar*, whose literal translation is "Baker's *pas*". Whereas *pas* baked by a non-Jew in his home remained forbidden, *pas* sold in a bakery or other commercial setting where the non-Jewish baker and the Jewish customer don't have personal contact was now permitted even if no Jew had a hand in the baking. However, there are two opinions in the *Rishonim* as to how this retraction was structured.

- Some say that since the prohibition was only retracted due to the difficulty in obtaining *pas Yisroel*, *pas paltar* is only permitted when *pas Yisroel* isn't readily available. However, in situations where *pas Yisroel* can be purchased, the original rules apply and *pas paltar* remains forbidden.
- Others hold that the retraction applies to all cases, and *pas paltar* is permitted even when *pas Yisroel* is readily available.

The accepted practice is to follow the latter, more lenient, opinion but there are those who have the commendable practice of following the stricter approach

(and some do so on *Shabbos* – see *Mishnah Berurah* 242:6). To help these consumers, the cRc strives to guarantee that all of bread products that it certifies are *pas Yisroel* year round. Consumers who choose to be careful about this halacha should be cautioned to not assume that all foods sold by Jewish companies with "heimishe" sounding names are *pas Yisroel*, and should rather check the packaging and/or speak to the *Rav HaMachshir*.

However, the time of year when most people are *machmir* regarding *pas Yisroel* is during the days between *Rosh Hashanah* and *Yom Kippur* (*Aseres Y'mei Teshuvah*), based on *Shulchan Aruch* 603:1 who records such a custom. During those 10 days, Jews who otherwise rely on the lenient opinion that permits *pas paltar* in all cases, are careful to only eat *pas Yisroel* when it reasonably available. It is worth noting that in this context, *Mishnah Berurah's* (603:1) defines "reasonably available" as requiring less than 72 minutes of travel to obtain.

### Which foods are pas

As noted, the term "*pas*" refers to bread-like foods, and to qualify as *pas* the food must meet the following criteria:

1. It must contain one or more of the 5 major grains – wheat, barley, rye, oats or spelt. Thus, rice cakes, corn flakes, and most corn tortillas cannot possibly require *pas Yisroel* as they aren't made from these grains. Although granola bars are made from oats, most hold that they do not qualify as *pas* (and the *bracha rishona* is *ha'adamah*) due to technicalities regarding how they are produced which are beyond the scope of this summary. On the other hand, breads made from "sprouted wheat" are most definitely *pas*.
2. It must have *tzuras hapas* / the "form" of bread. There is much discussion as to how to define this term, but it is clear that all bread, bagels, cake, crackers, cookies, pies, pizza, soft pretzels and

most hard pretzels have *tzuras hapas*, and that pasta does not. There are differences of opinion as to whether very small hard-pretzels, blintzes, mandel-type soup croutons, very thin wafers and wraps have *tzuras hapas*. It is generally accepted that Cheerios-like cereals do not have *tzuras hapas*, and Rav Schwartz has confirmed that he accepts this

opinion. [They may also not be *pas* based on criteria #3].

3. *Shulchan Aruch* (O.C. 168:13) cites two opinions as to whether *pas* is limited to items which are baked (or fried in a minimal amount of oil) or even includes doughnuts and similar items that are made with a bread-like batter but are cooked or deep-fried.

The following chart summarizes the information presented above:

Food	Requires <i>pas</i> <i>Yisroel</i> ?
Bagel	Yes
Blintzes	Difference of opinion
Bread	Yes
Breakfast cereals	
– Cheerios	No
– Corn flakes	No
– Rice Krispies	No
– Others	
▪ With 5 grains	Depends on cereal
▪ Without 5 grains	No
Cake	Yes
Challah	Yes
Cheerios	No
Cookie	Yes
Corn flakes	No
Corn tortillas	No Assuming they don't contain wheat flour; if they do, see wraps
Crackers	Yes
Croutons	
– Bread crouton	Yes
– Mandel type	Difference of opinion
Doughnuts	Difference of opinion
Ezekiel Bread	Yes
Flour Tortillas	Yes

Food	Requires <i>pas</i> <i>Yisroel</i> ?
Granola bars	No
Hard pretzels	Yes Some say very small hard pretzels don't
Matzah	Yes
Pancakes	Difference of opinion
Pies	Yes
Pita	Yes
Pizza	Yes
Pretzels (soft & hard)	Yes Some say very small hard pretzels don't
Rice cakes	No
Rice Krispies	No
Soft pretzels	Yes
Sprouted-wheat bread	Yes
Tortillas	
– With wheat flour	Yes
– Without flour	No
Wafers (thin)	Difference of opinion
Wraps	
– With wheat flour	Difference of opinion
– Without flour	No