

HALOCHOSCOPE



This week's question:

If *matzo* has blackened patches, may it be used for the *mitzvah*? Do the burnt patches count towards the *shiur*, minimum required amount? May such a *matzo* be used as a *shalem*, whole *matzo*, for the *mitzvah* or for *lechem mishneh*? Is there a difference whether the burnt patch is on an edge or in the middle? What if it is not burnt through?

The issues:

- A) *Matzas mitzvah*, the *mitzvah* to eat *matzo*
- B) *Lechem mishneh*, two loaves for a *Shabbos* or *Yomtov sedua*
- C) *Burnt bread* or *matzo*

A) *Matzas mitzvah*

The *mitzvah* to eat *matzo* on the first night of *Pesach* is Scriptural. For Diaspora Jews, the *mitzvah* on the second night is Rabbinical. For the duration of *Pesach*, there is no obligation to eat *matzo*. The poskim debate whether a *mitzvah* is observed when one eats it on the other days. However, the consensus is that no *brocha* is recited.

On the *seder* nights, the *mitzvah* is to eat one *kezayis*, olive sized piece, of *matzo*. In addition, there is a *mitzvah* to eat a bread-based meal in honor of *Yomtov*. One also eats *korech*, *matzo* together with *maror*. This part of the *mitzvah* is considered Rabbinical, as a reminder of the way some maintained that the original *mitzvah* would be performed when it was eaten with the *korban Pesach*, Paschal lamb offering. The *mitzvah* of *afikoman*, to eat another *kezayis* of *matzo* at the end of the *seuda*. The poskim debate the nature of the first and last *kezayis* of *matzo*. Some say that the main *mitzvah* is the first *kezayis*. The last *kezayis* is a reminder of the *korban Pesach*. Others maintain that the last *kezayis* is the main *mitzvah*. When *korban Pesach* is present it is eaten together, but the obligation to eat *matzo* is independent of it. There are other views. To satisfy all views, two *kezaysim* are eaten for *afikoman*. Furthermore, two *kezaysim* are eaten at the beginning, in part due to the aforementioned debate, and in part due to other reasons, including the second *mitzvah* to eat a bread-based meal. The *brocha* is recited at the beginning. One should have in mind when reciting the *brocha*, that if the true *mitzvah* is the *afikoman*, this *brocha* should apply to that act of eating.

For the *matzo* of the *mitzvah*, one should use *matzo shemurah*, which means that it was baked with intent for use for the *mitzvah*. In addition, it should be *shemurah*, guarded, from *chametz*, if possible from its harvesting. If *shemurah* is unavailable, one may use any *matzo* that is guaranteed not to contain *chametz*. The manner of eating *matzas mitzvah* is also important. One should recline to his left while eating it, as royalty would eat. Indeed, the poskim rule that one who ate it sitting up straight has not fulfilled his obligation. He must eat another piece while reclining. There are some exceptions to this

rule, but nowadays, for the most part, everyone is obliged to recline.

The minimum amount for the *mitzvah* is a *kezayis*, or as mentioned before two *kezayisim*. This is because eating anything less than this amount is not considered an act of eating for Torah law. While the actual volume of a *kezayis* in modern measurements is debated, all agree that if one did not eat whatever the amount is determined to be, has not fulfilled his obligation. It must also be eaten within the time that one would normally eat food. This is determined by the Torah as *toch kedai achilas prass*, the time it takes to eat a half of a standard loaf of wheat bread. This time period is also debated, with a range of two to nine minutes to finish eating the *matzo*.

The *matzo* should be chewed, rather than swallowed whole. Two of the reasons for this are: there is a question whether swallowing it whole can be considered eating; there is a requirement to taste the *matzo*. Some maintain that the taste can be felt even if one swallows something. If one swallowed it, he still fulfilled the basic *mitzvah*.

The requirement to taste the *matzo* is invoked when discussing whether any other food may be eaten at the same time. Even salt should not be added, though this is not a food but a flavor enhancer. It might detract a little from the taste of the *matzo* itself. [Before baking, salt may not be added to the dough, nor may fruit juices be added. If no water was present, fruit juice matzo is invalid for the *mitzvah* since it is *matzo ashira*, rich as opposed to *lechem oni*, poor. Cooked matzo loses its *lechem* status.]

Matzo that has gone somewhat bad is no longer fit for the *mitzvah*. This might still be fit to eat. If the *matzo* is unfit for consumption for any reason, especially if a dog would not normally eat it, is definitely unfit for the *mitzvah*. Our question is twofold: Can the burnt matzo be considered *matzo* at all? If it cannot, does partially burnt *matzo* count towards the *kezayis*? Does the burnt taste detract from the *matzo* taste? [See Psachim 35a-38b 115a-116a, Poskim. Tur BY Bach Sh Ar OC 460-462 482, commentaries.]

B) Lechem mishneh

On *Shabbos* we are obliged to use two whole loaves of bread at the meal. One must hold both of them at the beginning of the *seuda* before saying the *brocha*. Talmudic sages differed in their practices to eat from one or both loaves. The poskim rule that it is not obligatory to eat from both. Some say that while it is not obligatory to follow the stringent view, it is praiseworthy to do so.

The concept of *lechem mishneh* is learned from the Torah's teaching that every *Erev Shabbos* the Israelites in the wilderness were given a double share of *mohn* – *lechem mishneh* (lit. double bread). In context, the Torah uses extra words, describing the double portion in two ways in the same sentence. The superfluous words teach us that one should use two loaves on *Shabbos*. Accordingly, some consider this a Scriptural obligation. Others maintain that it is Rabbinically ordained to remember the *mohn* on *Shabbos*. The *Midrash* also derives from extra language that there was no *mohn* on *Yomtov*. The Israelites were given *lechem mishneh* on *Erev Yomtov*. Therefore, the same obligation applies to every *Yomtov* meal.

At a weekday meal, where there is one loaf of bread, one person has the honor of *botzaia*, breaking the bread. He divides it after reciting his own *brocha* and eating his piece. Strictly speaking, the others present fulfill their *brocha* obligation by listening to

his *brocha*. On *Shabbos*, the other participants are *kovaia*, convene to eat together, and they do discharge their obligation with the *brocha* of the *botzaia*. In the same way, only he needs *lechem mishneh*. There is an opinion that in addition to holding the loaves, one must also say the *brocha* over both. Therefore, to fully discharge the obligation satisfying all opinions, the *botzaia* says *hamotzie* as well, on behalf of all participants.

If there is a choice of breads, the finest quality should be used for the *betzia*. In addition, there is an advantage to using a *shalem*, whole loaf. Some explain this as *hidur mitzvah*, a way to beautify the *mitzvah*. On *Shabbos*, when the requirements of *oneg* and *lechem mishneh* apply, there is more reason to use *shlaimim*, whole loaves. If the loaves are *prusos*, broken pieces, it is not so noticeable that they are two. Rather, it has the appearance of a few pieces. Broken pieces themselves are also not considered respectful for this *mitzvah*. In fact, even if nothing was cut off the loaf, but it was broken off in other ways, such as nibbled by an animal, it is also not considered *shalem*.

If one has no *shalem*, but he can put two broken pieces together to appear like a *shalem*, he may do so. They could be connected with a matchstick, such that the outside appearance is that of a *shalem*. If this will not really give such an appearance, one should not do this. Rather, two separate pieces can also each be called *lechem*. Generally, a *mitzvah* that requires a complete item cannot be cobbled together from pieces. For example, an *esrog* needs to be whole. If a bite is taken out of it, one cannot put a piece in, however expertly, to give the appearance of a whole *esrog*. However, *shalem* for *lechem mishneh* is not a Scriptural requirement, and is not hinted in the Torah. It is really a matter of respect and *hidur mitzvah*, for which the appearance is sufficient. If the loaf is partially broken, it must be connected enough that when picking up the smaller part, the larger part will not fall off. Ideally when connecting two pieces, one would expect that they should be that firm. However, it seems that the outward appearance is enough.

The poskim debate whether a small piece broken off ruins the *shalem* aspect. Naturally, it is practically impossible to prevent some small amount of crumbling. The issue arises when a small piece is removed, and is noticeable. Some compare this to the law of *eruv*. When setting an *eruv* on behalf of others, one assumes that the beneficiaries consent to his doing it for them. They would only consent if the bread used was a *shalem*, even if it was a smaller loaf than a larger *prusa*. Nonetheless, if it is missing a small amount, it is still considered *shalem*. The amount mentioned there is a forty-eighth. This is the fraction that must be removed by a baker when he separates *chalah*, the tithe of the dough given to a *kohain*. The assumption is that the same proportion is considered a deficiency. If less than this is removed, it is still considered whole. Others maintain that one cannot compare the two cases. *Eruv* depends on people's feelings, rather than on the *halacha* of *shalem*. The fraction mentioned is assumed to be the limit of people's tolerance. *Lechem mishneh* depends on true *shalem*. In practice, one should try to avoid using a *challah* or *matzo* that has a little missing. If this is difficult, one may rely on those who allow less than a forty-eighth missing. [See Brochos 39b Shabbos 117b Eruvin 80b-81a, Poskim. Tur Sh Ar OC 168:1-3 274:1-3 366:6 368:2, commentaries.]

C) *Burnt bread or matzo*

The poskim actually debate a partially burnt loaf of bread for *lechem mishneh*. As-

suming the burnt part is inedible, will the likelihood that it will be removed from the loaf render it nominally already removed? Does this make any difference for *lechem mishneh* and *shalem*, since right now it is still part of the loaf? Most of this applies directly to our question. In addition, we need to determine whether blackened matzo is indeed inedible. If so, does it lose its matzo status? If so, does it interfere with the taste of the matzo?

There are sources in the Talmud that indicate a debate whether a burnt piece, known as a *chirchur*, is considered part of the loaf, depending on its size. Other sources indicate that when it comes to *Shabbos*, there is a stricter requirement. *Oneg Shabbos* and the *hidur mitzvah* mentioned earlier dictate that there be no burnt parts. The poskim debate whether to invoke a principle that something that stands to be removed it is already considered removed. Some poskim conclude that it is better to remove the burnt part. Others maintain that it is better to leave it attached, even if it is quite large. Some suggest that one should indeed leave the burnt part for the *brocha*, but should cut the loaf at a different part. Some suggest that if scraping the burnt part away will not leave the loaf looking deficient, this is the best policy. This would seem to be the best policy for *matzo* as well. However, some maintain that if the surface of the *matzo* is blackened somewhat it does not affect its status, since it is not burnt through. Nonetheless, it would appear that it is better to scrape this blackened surface as well.

In regard to the edibility of the burnt part, various rules about *matzo* may be applied. We already raised the issues about taste. Furthermore, we have raised the issue about stale or bad *matzo* being disqualified. In addition, we have mentioned that cooked matzo loses its status as bread. The same should be true of burnt. *Chametz* burned before *Pesach* loses its status as bread, even if it does not disintegrate. This would seem to apply to the black parts of the *matzo*, but not to overdone brown parts. Those might still have the issues of taste and the similarity to cooked *matzo*, that loses its form of bread. This could depend on the norms, similar to levels of darkness on toast. If it is normal to eat it like this, it would be considered matzo for the *mitzvah*. If it is abnormal, even one who decides to eat it cannot fulfill his *mitzvah*. There is a Talmudic source that something that could not count alone can be combined to complete the *shiur*. This might depend on whether it is normal to eat them together. Furthermore, a Talmudic source regarding *korban Pesach*, which must be roasted, implies that if the outside is burnt, one may still fulfill his obligation. The poskim debate whether the Talmudic term, *charucha*, means very overdone, or burnt. [See Psachim 21b 37a 41a 85a Chulin 72b-73a Tvul Yom 1:3-4, Poskim. Tur Sh Ar OC 167:1 (Levush, Eliyahu Zuta², Kaf Hachaim 8) 274:1-3, commentaries. Shaar Efraim 1. Chacham Tzvi 62-63. Nitei Gavriel Pesach 90:15.]

In conclusion, totally burnt *matzo* is unfit for the *mitzvah*. It would seem to be unfit to complement towards the *shiur* as well. Ideally, one should not be *botzaia* on a partially burnt *matzo*. The consensus is to permit it for *lechem mishneh* as long as it is still attached. It may be scraped if it does not make it look deficient. Otherwise, it should be left attached until after the *betzia*. חג שמח

Sponsored in honor of the birth and *bris* of Yehuda Simcha Cohen, *nairo yair, mazal tov*.

© Rabbi Shimon Silver, March 2013.

Subscriptions and Sponsorships available. (412) 421-0508. halochoscope@hotmail.com