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Emunat Itecha

The platform for articles combining
Torah study and its practical application
in the Land of Israel

Nissan 5778 119

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Emunat Itecha

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Contents

28 Iyar — Between Shmuel HaNavi and Yom Yerushalayim / Rabbi Tzvi Schwartz

End of *HaMaggid* and the blessing of *Ga'al Yisrael* / Rabbi Yehuda Zoldan

“Israel Time”: Calculating time in Israel / Rabbi Yaacov Yakir and Rabbi Yair Kartman

Short Responsa / Various rabbis

Mitzvot of the Land

Taking challah from dough meant for several people / Rabbi Shai Levi

Kashrut and Halacha

Are gluten-free products kosher for Pesach? / Rabbi Tzvi Ben Reuven

Checking for bugs in produce not known to be infested / Rabbi Itzhak Dvir

Torah Law

Appointing rabbis under the age of 40 / Rabbi Edud Ahituv

Renegade rabbis, their teachings and status / Rabbi Ariel Bareli

Din Torah for a driver who killed or wounded others in a car accident / Rabbi Ratzon Arusi

Recruiting women to the army / Rabbi Zvi Sagron

Finances and Halacha

Is the Bitcoin (virtual currency) considered currency according to halacha? / Rabbi Shlomo Ishon

Consumer protection and halacha: the purchase of a defective product / Rabbi Aharon Feldman

Medicine and Halacha

Nida status and C-sections / Rabbi Aryeh Katz

Stains on transparent clothing / Rabbi Meir Sylman

Technology and Halacha

Opening the door with electronic means / Rabbi Yehuda HaLevy Amichay

Practical Information

Reciting *shehechyanu* on new fruit today / Agronomist Yehuda Heller

Feedback / Various rabbis

Abstracts (English)

Are gluten-free products kosher for Pesach? / Rabbi Tzvi Ben Reuven

In today's day and age, when the food companies are required to specify the ingredients they use on packaging, one might think that it is sufficient to check whether the ingredients are kosher. Natural food coloring derived from wheat, flour additives, and unlisted ingredients (such as preservatives and ingredients below a certain threshold) prevalent in food today underlines the fact that food must have kashrut supervision, especially for Pesach. This might not seem the case with gluten-free products, though, since companies are extra careful about excluding wheat to avoid lawsuits.

Our Sages state that only the five species of grain can become leavened, i.e. *chametz* (wheat, barely, spelt, rye, and oats), and this status is not nullified in any ratio on Pesach (there are disagreements among the poskim regarding nullification in mixtures before Pesach). Oats do not contain gluten, so anything gluten-free would not necessarily be *chametz*-free. Furthermore, many companies produce "gluten-free" products that are wheat based, but where the gluten is separated from the wheat. Contemporary poskim dispute whether the manufacturing processes when gluten is separated from starch to produce citric acid is permitted for use on Pesach. Even those who *do* permit this do so when many other criteria are met, such as the presence of leavening-inhibiting chemicals during the process.

In conclusion, we see that gluten-free is not synonymous with "kosher for Pesach," and that products without specific supervision may very well be *chametz*. Gluten-free products that are certainly not wheat-based should be put away; those that are or may be a *chametz* mixture (*ta'arovet chametz*) should be sold (even by those who do not sell *chametz gamur*). Gluten-free products that are *chametz gamur*, such as oat bread, can be sold but many throw these away.

Checking for bugs in produce not known to be infested / Rabbi Itzhak Dvir

The past century has seen many developments and a standardization of guidelines in the field of checking fruit and vegetables for insects. It is difficult for many, however, to change their eating habits; there are also some rabbis who reject these guidelines and are lenient in the matter. This raises a difficult dilemma: should foods that are not known to be infested not be checked whatsoever, as to avoid putting the public in a position that many will not be able or willing to deal with?

The answer to this question depends on the definition of the halachic exemption termed *mitasek*, "otherwise engaged." When performing a permitted act that includes unknowingly performing a forbidden act, halacha grants an exemption under the umbrella of *mitasek*. Does this exemption apply when eating a fruit not known to be infested?

According to Rabbi Shlomo Zalman Aurbach, the exemption of *mitasek* applies only when one act is intended, and unwittingly another forbidden act is performed. When eating a wormy fruit, however, the intention is to eat all of the fruit, so this cannot be considered *mitasek*. Others argue, however, that this would still be considered *mitasek*. According to this opinion, would it be necessary to publicize the rates of infestation for such fruit, or would it be better to leave the public uninformed since their act falls under the category of *mitasek*, and they are not transgressing a prohibition? This depends on whether performing a forbidden act unknowingly as *mitasek* is considered a transgression or not.

In the case of eating fruit, however, even those who argue that one whose actions are defined as *mitasek* has not transgressed any prohibition *do* hold that this person has transgressed a prohibition. This is because the Torah prohibits having consumed insects, not the act of consumption per se. This is why, even if unwittingly eaten, impure substances are present in one's body, thereby causing a blockage of one's spiritual arteries, so to speak (*timtum halev*).

In conclusion, it is extremely important to clarify and publicize the levels and possibilities of infestation for all food items, even when they are not considered infested. It is difficult to rely on unwitting consumption being deemed as *mitasek* in this context. Publicizing this information will prevent the public from transgressing the severe Biblical injunctions about consuming insects that result in *timtum halev*.

Response / Rabbi Yoel Friedemann

Kashrut agencies play an important role in raising awareness about the problem of infestation in fruits and vegetables known to be highly, moderately, and even somewhat infested (*mi'ut hamatzuy*). This role is exponentially significant when they also (1) provide solutions for cleaning fruits and vegetables from insects and (2) find ways of cultivating produce to prevent infestation in the first place, such as insect-free leafy vegetables.

However, it is unnecessary to look into and publicize infestation in produce not known to be infested. The reason being that the definition "somewhat infested" requires the public to check the foods that are known as such, based on a prevalent minority of infested produce. Failing to check such produce is paramount to willingly ignoring the injunction against consuming insects. It is this "somewhat infested" produce that our Sages cautioned us to check. Even if lab samples are taken of produce that had not been considered infested and infestation is present, this still would not automatically put these fruits and vegetables into the "somewhat infested" category, thereby requiring their routine examination.

Is the Bitcoin (virtual currency) considered currency according to halacha? / Rabbi Shlomo Ishon

The Bitcoin is a digital coin that is part of a decentralized digital currency and payment system that can be used for online transactions. Since it is not (1) composed of any substantive material and (2) not issued by a particular government, the two trademark features of currency until now, are these coins considered currency (*matbe'a*) by halacha? Or would they be viewed as form of commerce? The halachic ramifications include the possible prohibition of interest in taking loans in Bitcoin and redeeming them at a nominal rate. If considered currency, it would be permitted; if considered a form of commerce, then it would be prohibited.

In the past, currency comprised coins whose value were linked with the precious metal they were composed of and their weight. Historically, though, there has been a shift from coins made of precious metals to coins and bills whose value is based only on the sum stated on them. The Ra'avad ruled that such bills are nevertheless considered halachic currency, as do other poskim in his wake, even though they are representative only. This means that from a halchic standpoint, the substance the coin is made of is insignificant and can even be non-existent, that is, virtual. Today, a large portion of business

transactions are performed through bank transfer in any case, without a physical transfer of currency: a certain sum is noted as a debit on one person's bank account, and noted as a credit on another's.

Not everyone agrees, however, that a means of payment is automatically considered currency, since traditionally currency is issued by a specific government. The fact that bills are government-issued is relied on by the Chatam Sofer in his currency-related rulings. The Chazon Ish, however, rules that currency need not be issued by the government but needs only government approval for its use. That is, halachic currency is defined as such based on public consensus.

In conclusion, virtual currency could be defined as halachic currency if recognized by governments as such. Furthermore, even currency trusted and recognized by the public can be defined as halachic currency for means of payment even if not officially recognized by a given government. Since the Bitcoin is not government-issued, and public reliance on it is limited, it cannot currently be considered a halachic currency, but rather a form of transaction or a promissory note.

Reciting *shehechyanu* on new fruit today / Agronomist Yehuda Heller

Shehechyanu is a unique blessing since it is tied to the joy of renewal. This blessing is recited also when acquiring new clothes and vessels, among other items. Today it is customary to recite this blessing primarily on new fruit. Since the blessing was meant to be recited on fruit that is renewed annually, it is necessary to take a look at the current situation in the market.

Today many types of fruit and vegetables are grown throughout all seasons of the year. Extending the time it is possible to market produce is accomplished in several ways: using technology for special cultivation (hothouses, net houses), growing different strains of the same fruit or vegetable, cultivating crops in different areas, using chemicals, long-term storage, and importation from abroad. In light of the ever-developing agricultural technology, we can anticipate that many varieties of produce will become increasingly available upon market demand. For this reason, we need to take a look at the current situation in the market from time to time and see the prevalence of fruit and vegetables throughout the year so we can determine whether or not to recite *shehechyanu* on them.

It turns out that many of the varieties defined in the past as "renewed" are, in fact, marketed throughout the year. For instance, the sabra is sold all year round thanks to special strains developed, even if this means that there are seasons that yield an inferior quality and less quantity. The types of fruit that still do renew include: peaches, guava, cherries, apricots, lychees, loquats, and sugar apples. The article features a chart listing various types of fruit and vegetables and when they are renewed (this chart, updated from time to time, also appears on the website of the Torah VeHa'aretz Institute).

In conclusion, an intimate understanding of Israel's ever-developing field of agriculture is necessary to determine various halachic issues, such as when to recite *shehechyanu*. This underscores the tremendous blessings that we are privileged to receive here in the Land of Israel.