

Insights into Halacha

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The Halachic Adventures of the Potato

Ed. note: Some footnotes are included in the PT version of the article; most are not. Some of those that are included have been edited and shortened. See the website for full footnotes and sources.

Although nowadays we all take the potato for granted, it actually has a fascinating history: one which not only has impacted halacha, but due to its travels, enshrined its “discoverer”, Sir Francis Drake, as one of the Chassidei Umos Ha’Olam (righteous gentiles of the world)!

According to the Tiferes Yisrael (Avot 3:14, Boaz Beg. 1), this act of Sir Francis Drake’s, of introducing potatoes to the European continent, merited him to be classified as one of the Chassidei Umos Ha’Olam, as over the centuries potatoes have saved countless lives from starvation. Others included in this exclusive list include Johannes Guttenberg, who invented the printing press and thus enabled the disseminating of Torah on a mass scale, Johann Reuchlin, who defended the Talmud from being burned in numerous debates against the apostate Pfefferkorn, and Edward Jenner, creator of the modern smallpox vaccine, saving “tens upon tens of thousands” of people. Thanks are due to Rabbi Elchanan Shoff for pointing out this fascinating source. (Salk and others, too.)

In this article, we will explore the halachic impact the potato has made in several different areas.

Ever since first “making the scene” via the victorious Spaniards shipping them from the conquered Incas to their own colonies and armies throughout Europe in the late 1500s, the ubiquitous potato has been a considerable mainstay on the world stage. From circumnavigating the globe with Sir Francis Drake, to famed French physician Antoine Parmentier waxing poetic about this nightshade’s nutritional value, to Queen Marie Antoinette wearing a headdress of potato flowers at a fancy ball (obviously while she still had her head), by the 1770s the potato had become a staple crop throughout Europe.

What other vegetable has been credited with helping facilitate such diverse events as the Industrial Revolution, the Great Irish Famine of 1845 (due to their susceptibility to blight), Russia’s proclivity for vodka, a U.S. vice president’s public spelling debacle, and a themed toy version of itself so popular that it was inducted



into the National Toy Hall of Fame? Yet, aside for the tuber’s worldly presence, it also holds a unique place in the annals of halacha, and not just by its significance in latkes, cholent, Pesach cooking, and fresh hot potato kugel.

Bracha Brouhaha - Mind Your Ks & Ts

If one were to take a poll as to the potato's proper bracha the vast majority would respond that since the potato is a vegetable and grows and gets its nourishment from the ground, its proper bracha is "Borei Pri Ha'adama." Yet, although this seems clear-cut, interestingly, there are those who make a different blessing: Shehakol, usually reserved for food items not naturally grown.

The source of this remarkable ruling seems to be an enigmatic translation by the Aruch, Rav Nosson M'Romi (literally, of Rome; d. 1106), a contemporary of Rashi. When referring to the proper bracha of mushrooms and other food items that do not actually get their nourishment from the earth and consequentially their bracha being Shehakol, the Aruch translates them as "Tartuffel". Not familiar with the archaic word, the famed Yismach Moshe maintained that the Aruch must have been referring to "Kartuffel", colloquially known as the potato. He added that the great Rav Naftali of Ropshitz made a Shehakol on potatoes as well.

This rationale is also found in several other s'farim, and there are prominent authorities who therefore made a Shehakol bracha on potatoes. In fact, Sanz, Bobov (which is a branch of the Sanz dynasty), and Kamarna Chassidim among others, follow this custom to this day.

An interesting upshot of this shita is that generally speaking, these Chassidim will use a vegetable other than potato for Karpas at the Pesach Seder as they hold it is not a Ha'adama vegetable. Thanks are due to Rabbi Nosson Wimer of Kiryat Sanz, Netanya for pointing this out.

The Klausenberger Rebbe, the Tzehlemer Rav, and Rav Shraga Feivel Schneebalg staunchly defend the practice of making a Shehakol on potatoes. The Klausenberger Rebbe adds a reason to do so: since one can make flour out of potatoes and potatoes satiate and are filling, it might be considered in the same category of rice, whose proper bracha is Mezonos.

There is precedent for such rationale regarding "dochen" and other satiating foods from Talmidei Rabbeinu Yonah and the Shiltei Hagiborim. Although there is some debate as whether our rice is the rice mentioned by the Gemara and what the proper bracha should be, Shulchan Aruch Harav, Derech HaChaim, and Hosafos HaKitzur Shulchan Aruch Dinei Birchos Ha'eitz v'Ha'adama, Chayei Adam and Nishmas Adam; although he concludes like the Shlah over the Taz, that rice is truly Ha'adamah and not Shehakol), Kitzur Shulchan Aruch, and Likutei Mahariach write that a Yirei Shamayim should only eat it as part of bread meal (and therefore not to have to make a bracha on it), and if not, should make a Shehakol, and the Kaf HaChayim concludes whatever minhag one follows is fine, nevertheless, the vast majority of Poskim rule that the proper bracha to make on our rice is indeed Mezonos (but its after-bracha is still Borei Nefashot as it is not one of the five grains).

The rule is that if one is unsure what the proper bracha on a food item is, a Shehakol should be made. He therefore opines that potatoes should also be Shehakol.

On the other hand, it must be noted that the Steipler Gaon strongly disagreed with this reasoning, maintaining that the Gemara expressly singled out rice for this special halacha of making a bracha of Mezonot, and that it therefore does not apply to any other foods, no matter how satiating they may be.

R' Chaim Safrin, son of the Kamarna Rebbe of Yerushalayim, personally told this author a similar reasoning to the Klausenberger Rebbe's of why Kamarna Chassidim make a Shehakol. He added that anyway if one makes a Shehakol on any food he is yotzei b'dieved, so kol shekein one may do so by a potato when many great Rabbanim have said to do so.

However, the facts do not seem to corroborate that potatoes should be classified in the same category of mushrooms, as potatoes not only grow and root in the ground, but they also get their nourishment from the ground, as opposed to mushrooms and their ilk. Several contemporary authorities point out that it is highly unlikely, if not outright impossible, for the Aruch, who lived in Europe in the eleventh century, to have been referring to "Kartuffel" (potatoes) as the proper translation for mushrooms, as tubers were unknown on that continent until almost five hundred years later!

Therefore, the vast majority of authorities rule that the proper blessing on the potato is indeed "Borei Pri Ha'adama".

Kitniyot Conflict

Another interesting issue related to the potato is its exclusion from the Ashkenazic prohibition of eating kitniyos (legumes; ostensibly based on its semi-literal translation: "little things") on Pesach. It is well known that the actual prohibition of chometz on Pesach pertains exclusively to leavened products produced from the five major grains: wheat, barley, oats, spelt, or rye. Yet, already in place from the times of the Rishonim, there was an Ashkenazic prohibition against eating kitniyot (legumes; ostensibly based on its semi-literal translation: "little things") on Pesach, except in times of famine or grave need. Although several authorities opposed this prohibition, nonetheless it is binding on Ashkenazic Jewry in full force, even today.

Rambam (Hilchos Chometz U'Matza 5:1) explicitly permitted kitniyos. See also Beis Yosef (beg. O.C. 453), quoting and Rabbeinu Yechiel and Rabbeinu Yerucham, who called the kitniyot prohibition a "minhag shtut, ridiculous custom." The prohibition is also strongly rejected by the Tur, who writes that abstaining from rice and kitniyos on Pesach is a "chumra yeteira, v'lo nahagu kein." The Yaavetz, quoting his father, the great Chacham Tzvi, famously declared that if he had the ability to cancel the kitniyot prohibition he would, as it mostly affects the

poor... On the other hand, several authorities, including the Beis Meir, Shaarei Teshuva, and Maharsham counter his words, with the Maharsham emphatically declaring that “ein lanu ela minhageinu, v’chalila lishmo'a eilav.” He then cites the Maharil that anyone who transgresses the prohibition of kitniyot, “d’kol d’gazru Rabbanan ha’over alav chayav mita, v’over al lo tasur min hadavar asher yorucha.”

Although referred to slightly differently by our great luminaries - e.g., the Kitzur Shulchan Aruch references the kitniyot restriction as an “issur”, the Mishna Berura as a “chumra”, the Aruch Hashulchan as a “geder”, Rav Tzvi Pesach Frank as a “g'zeira”, Rav Moshe Feinstein as a “minhag”, and the Klausenberger Rebbe as a “takana”, nonetheless, they all maintain that the kitniyos prohibition is compulsory on all Ashkenazic Jewry. In fact, the Aruch HaShulchan avers that “once our forefathers have accepted this prohibition upon themselves, it is considered a ‘geder midin Torah’ and one who is lenient is testifying about himself that he has no fear of Heaven.” He adds, echoing Shlomo HaMelech’s wise words in Kohelet regarding a “poretz geder”, that one who breaks this prohibition deserves to be bitten by a snake.

Several reasons are given for the actual prohibition including that kitniyot often grow in close proximity to grain; are commonly stored together with grain and actual chometz might end up mixed inside the kitniyot container; cooked

dishes made from grain and kitniyot look similar; and that kitniyot can likewise be ground up into flour - a “bread” of sorts can actually be made from them. Since there are many who will not be able to differentiate between them and their Biblically forbidden chometz counterparts, kitniyot was likewise prohibited.

A Hot Potato?

So how do our spuds measure up? It would seemingly be quite difficult for anyone to mix up potatoes with chometz grain, so that rationale to regard potatoes as kitniyot is out. But, potatoes can be and are made into potato flour and potato starch, and there are those who do bake potato “bread”! If so, why would potatoes not be considered kitniyot? According to this, shouldn’t they be forbidden for Ashkenazim to partake of on Pesach?

In fact, and not widely known, the Chayei Adam seemingly considered potatoes kitniyot, and the Pri Megadim mentioned that he knows of such a custom to prohibit potatoes on Pesach as a type of kitniyot.

The Chayei Adam tells a Maaseh Shehaya that in the city of Fiyorda (Fürth), Germany in 5531-5532, due to starvation conditions, their Beis Din allowed them to eat potatoes on Pesach those years, although they normally forbid it due to potato flour being produced there; ... he avers that the biggest kitniyot issue is the potential for flour mix-up with grain flour. The Pri Megadim mentions that he

knows of such a minhag, nevertheless the vast majority of Poskim, including the Pri Megadim himself rule that potatoes are not considered kitniyot. The vast majority of Poskim, including the Pri Megadim himself (O.C. 464, E.A. 1), rule that potatoes are not considered kitniyot.

However, the vast majority of authorities rule that potatoes are not any form of kitniyos and are permissible to all on Pesach.[26]

Others who explicitly write that potatoes are not kitniyot include the Shu"t Sheilas Yaavetz, Shu"t Divrei Malkiel; he adds an additional reason to be lenient: potato flour doesn't look like grain flour and has a different consistency, therefore mitigating potential mix-ups, Shu"t Yad Aharon, Aruch HaShulchan, Shu"t Levushei Mordechai, Kaf Hachayim, Shu"t Igros Moshe, Halichos Shlomo, Shu"t Vayaan Yosef, and Shu"t Chelkas Yaakov. It is widely quoted that the famed Divrei Chaim of Sanz questioned how the Chayei Adam could possibly have forbidden potatoes on Pesach when his sefer is titled "Chayei Adam", literally "The Life of Man" and potatoes are one of the necessities of life.

One of the main reasons for this is that at the time when the Ashkenazic Rishonim established the decree prohibiting kitniyot, potatoes were completely unknown! It is possible that had they been readily available they might have found themselves on the "forbidden list" as well! Yet, since they were never included, as well as since

they do not fit most of the kitniyot criteria, contemporary authorities could not add "new types" to the list.

However, it must be noted that there are other important reasons as well why potatoes were excluded. Of the four criteria given for the Gezeira of kitniyot, potatoes only fit one, - that it can be made into flour and a "bread" of sorts can be baked from it. No one would mix up a potato with a grain kernel!

As Rav Shlomo Zalman Auerbach noted, Klal Yisrael never accepted the kitniyot prohibition to include potatoes.

Halichos Shlomo. However, Rav Shlomo Zalman personally was stringent with potato flour [starch]. It is known that the Badatz Eidah Hachareidis of Yerushalayim were also stringent until the renowned Minchas Yitzchak became the Ga'avad and ruled that there was no reason to be machmir, even with potato starch. Other Poskim who explicitly permit potato starch on Pesach include the Aryeh D'vei Ila'i, the Levushei Mordechai, and She'arim Metzuyanim B'Halacha See also Shu"t Maharshag who, as a side point to the main issue discussed, mentions as a davar pashut that there is no problem, even of Marit Ayin, regarding using potato flour on Pesach to bake. Thanks are due to R' Moshe Langer for pointing out this important source. On the other hand, although the Arugas Habosem (Shu"t vol. 2, O.C. 124) cites several s'varot lehakel, he nevertheless concludes that it is asur, based on the similarity of baking use of potato starch and chometz. Additionally, the Chayei Adam's stringent position on potatoes

was based on the fact that “flour” can be made from it, and l'shitato, that is the biggest problem with kitniyot.

Cooking Quarrel

The potato was viewed quite differently by many, respective of the time and place. For example, as noted previously, it was prized by French nobility in the 1770s. Yet, by the mid-1800s, tubers were considered peasant fare in many locales, including Ireland and Russia. This divergence of attitude actually has a halachic impact.

If a non-Jew cooks kosher food (from start to finish), it still might be prohibited for a Jew to consume it, based on the prohibition of Bishul Akum, literally, food cooked by a non-Jew.

However, there is a practical distinction between Sefardic and Ashkenazic psak as to how much of the cooking process a Jew must perform in order to classify the food as Bishul Yisrael. Whereas the Rema maintains that it is sufficient if a Jew lit the fire or stoked the coals (concluding “v’chein nohagin”), on the other hand, the Shulchan Aruch rules that a Jew must take an active part in the cooking process, whether by placing the pot on the fire or stirring it on the stove. This is because he understands Bishul Yisrael’s prerequisite to mean that a Jew’s direct actions will cause the food to be cooked, at least to some degree. Rav Ovadiah Yosef, discussing what Sefardim should do regarding eating in a restaurant that relies on this ruling of the Rema, where the only “cooking” the Jew does

is light the fire, maintains that they may be lenient and eat there, due to a sfek sfeika: Perhaps the halacha follows the Rema, and perhaps Bishul Akum does not apply to non-Jewish workers in a Jewish home or establishment [this is the minority opinion of Rabbeinu Avraham ben Rav Dovid, which although the practical halacha does not actually follow, nonetheless, the Rema still permits reliance on this shita b’dieved.] However, Rav Ovadiah concludes that it is nonetheless preferable for Sefardim not to rely on this dispensation. Other contemporary Sefardic Poskim, including Rav Ben Tzion Abba-Shaul and Rav Mordechai Eliyahu, based on the Ben Ish Chai, are more stringent, contending that there is no basis for such consideration, and assert that it is forbidden for Sefardim to eat in a restaurant that does not follow the Shulchan Aruch’s strict definition of Bishul Yisrael.

This is a Rabbinic decree, intended as a safeguard to combat the plague of assimilation and intermarriage.

There is an additional reason given for this restriction: that by eating even exclusively strictly kosher food cooked by a non-Jew, one may come to get too comfortable with non-Jews and their cooking and may come to eventually transgress eating Maachalot Assurot.

However, in order for food to be included in this prohibition, it must meet two requirements: be unable to be eaten raw, and it must be “Oleh Al Shulchan M'lachim - Fit for a King’s Table.”

This rule is based on a difference of interpretation between the great Yeshivot of Sura and Pumbedita on how they understood Rav Shmuel bar Rav Yitzchak's statement quoting Rav (Avodah Zarah 38a). The codified halacha follows both versions; see Tur and Shulchan Aruch.

Any kosher food cooked by a non-Jew that does not meet these requirements (obviously with no other kashrut concerns) is permitted to be eaten.

There might also be an additional factor to take into account: When the Gemara teaches the requirements of Bishul Yisrael, after stating that any food that it is Oleh Al Shulchan M'lachim is included, it adds "l'lafot bo et hapat, to be eaten along with, or together with bread." There is a difference of understanding between the Rishonim whether the Gemara was simply stating a common method of serving or actually meant to qualify the rule, making a further stipulation in the halacha's application. When codifying the halacha, the Rambam (Hilchot Maachalot Assurot 17:15) and Rabbeinu Yerucham use the same language of the Gemara, leading several notable Acharonim to rule that even if a food item is considered Oleh Al Shulchan M'lachim, nonetheless, if it is not commonly served to be eaten with bread, it is exempt from the requirement of Bishul Yisrael. However, this issue is debated, and many Acharonim follow the Rashba's understanding, ruling that even if the food is not served with bread, as long as it is Oleh Al Shulchan M'lachim, mandates Bishul Yisrael. To further complicate matters, the Tur and Shulchan Aruch, though citing

"l'lafot bo et hapat", still add "parperet", generally understood to be dessert, to the list of foods needing Bishul Yisrael. Several Acharonim view this important addition as proof that "l'lafot bo et hapat" was not meant to be a qualification in the halacha, as who eats dessert with bread? Others understand the issue differently and maintain that any food that satiates and is served as part of a seuda is considered "l'lafot bo et hapat", even if said food item is not eaten with bread at all. There are also several authorities, who maintain that for a food item to be considered Oleh Al Shulchan M'lachim it must have sufficient inherent importance that one would "invite his friend over to serve said food product." It does not seem too common to invite someone over simply to share French fries or potato chips! Practically, there is no clear-cut consensus on the matter, although Rav Shmuel HaLevi Vosner and Rav Dovid Feinstein advise to ensure that both desserts and chashuv food not eaten with bread be Bishul Yisrael, (while allowing leniency b'shaat hadchak). On the other hand, and undoubtedly, following the lenient opinion would permit French fries without requiring Bishul Yisrael, as they are generally served as at most a side dish, and would certainly allow potato chips, which is merely a snack, and not any part of a seuda.

A common concern is figuring out which foods are considered "Fit for a King's Table". The Chochmat Adam, Rav Avraham Danzig, who lived in Vilna (located in modern-day Lithuania) in the early 1800s, ruled that potatoes are considered an important food item,

apropos for nobility. As such, they are “Fit for a King’s Table” and any cooked potato dish must be cooked by a Jew or else will be prohibited as Bishul Akum.

However, the Aruch HaShulchan, Rav Yechiel Michel HaLevi Epstein, writing in the 1890s in Novardok (located in modern-day Belarus), vigorously disagreed, maintaining that potatoes are food for the common man, and nobles would only partake of them due to the land’s overabundance of them and not due to any inherent importance. Interestingly, and although written more than a century earlier, and in Germany, Rav Yaakov Emden similarly wrote that potatoes are exclusively “peasant fare.”

The Aruch HaShulchan adds that it is entirely possible that in the time and place of the Chochmat Adam, a potato dish might have been considered important, but by his time, the potato’s widespread popularity ensured that it no longer could have been rendered “Fit for a King’s Table”, and consequentially is excluded from the Bishul Akum prohibition. It is interesting to note that nowadays potato’s relevance is once again a matter of dispute among contemporary authorities regarding this important halacha:

The Maharsham, Rav Shalom Mordechai Schwadron, maintained that in his time (1890s, Berezhan, modern-day Ukraine), a cooked potato was considered Oleh Al Shulchan M'lachim, however, if it was

roasted it was not, and would not fall under the issur of Bishul Akum.

The Debreciner Rav understands this to include potatoes roasting in oil (frying), and adds that nowadays any type of fried potato (French fries, anyone?) would definitely not be “Fit for a King’s Table.”

Other contemporary authorities are even more lenient, for example, Rav Yosef Eliyahu Henkin and Rav Ovadiah Hedaya (the Yaskil Avdi) seems to accept the Aruch HaShulchan’s position that standard potatoes are not Oleh Al Shulchan M'lachim, even nowadays, and therefore can be cooked by a non-Jew.

On the other hand, Rav Shmuel HaLevi Wosner and Rav Moshe Sternbuch are machmir for the Chochmat Adam’s opinion and maintain that nowadays potatoes can be considered Oleh Al Shulchan M'lachim, and conclude that even concerning fried potatoes one should be machmir.

It should be noted that Rav Yaakov Kamenetsky and Rav Moshe Feinstein seem to rule that French fries and even potato chips are Oleh Al Shulchan M'lachim, but for a different reason (they do seem to accept that nowadays potatoes are chashuv; Rav Moshe’s talmid, Rav Aharon Felder, wrote that indeed Rav Moshe held that potatoes in modern times have the status of an important food and are subject to the strictures of Bishul Akum).

Rav Yosef Shalom Elyashiv is quoted as being machmir as well, but for an entirely novel reason.

Likewise, it is known that Rav Asher Zimmerman also deemed potato chips as requiring Bishul Yisrael.

However, Rav Yisroel Belsky and Rav Dovid Feinstein disagree with this assessment, asserting that fried and roasted potatoes are in no way nowadays considered Oleh Al Shulchan M'lachim, and explain at length that what is commonly quoted in the names of Rav Moshe and Rav Yaakov is not precise, and maintain that they would certainly agree that potato chips are not considered Oleh Al Shulchan M'lachim.

Many other well-known Poskim expressly ruled leniently regarding potato chips. They include Rav Moshe Stern (the Debreciner Rav; as mentioned previously regarding fried potatoes), Rav Asher Weiss (the "Minchas Asher"), Rav Pesach Eliyahu Falk of Gateshead (the "Machazeh Eliyahu"), Rav Yisrael Pesach Feinhandler (the "Avnei Yashpei"), and Rav Yochanon Wosner of Montreal (the "Chayei Halevi").

In fact, the OU's Kashrut Manual on Bishul Akum states simply that French fries and potato chips "don't require Bishul Yisrael because they aren't olim al shulchan melachim." This assessment is shared by most other leading mainstream kashrut organizations,

including the Star-K, OK, and COR (Toronto). Similarly, the Swiss IRGZ (Zürich) Koscherliste, known for not relying on leniencies, dedicates a full listing of acceptable commercially produced Pommes Chips (potato chips/crisps) throughout Switzerland.

Come what may, it is well known that the Badatz Eidah HaChareidis of Yerushalayim is stringent for the machmir opinion and makes sure that potato chips under their hashgacha are strictly Bishul Yisrael, a much simpler proposition to ensure in Eretz Yisrael than in Chutz La'aretz.

This Spud's for You!

It's amazing how not only our, but the entire world's eating habits, have been changed by this simple vegetable. Can anyone even imagine Shabbat without cholent or kugel, or Chanuka without latkes, or Pesach without the potato? The common potato certainly has an uncommon and fascinating history, especially when viewed through the lens of halacha.

Disclaimer: This is not a comprehensive guide, rather a brief summary to raise awareness of the issues. In any real case one should ask a competent Halachic authority.

Rabbi Yehuda Spitz's recent English halacha sefer, "Food: A Halachic Analysis" (Mosaica/Feldheim) containing over 500 pages featuring over 30 comprehensive chapters discussing the myriad halachic issues pertaining to food, is now available online and in bookstores everywhere."