

MEDICINES AND COSMETICS FOR PESACH

by Rabbi Doniel Neustadt

The following is a discussion of Halachic topics related to the Parsha of the week. For final rulings, consult your Rav.

Thirty days before Pesach the halachos of Pesach should be reviewed (O.C. 429:1).

With the abundance of Kosher for Passover foods on the market today, it has become relatively easy to stock one's kitchen for Passover. But when it comes to inedible items such as medications and cosmetics, there is still much confusion about what is permitted and what is not. In the following review, we will attempt to clarify some of the principles which govern the Pesach laws for such items:

It is a Biblical prohibition to keep any edible chametz item in one's house over Pesach. Even an item which contains only a small admixture of chametz is prohibited⁽¹⁾. One must either get rid of it before Pesach or sell it to a non-Jew together with the rest of his chametz.

"Edible" is defined as an item which is fit for consumption by a dog. If an item becomes so spoiled that even a dog will not eat it⁽²⁾, it is not considered chametz any more and it may be stored over Pesach. [Chametz items which a dog would eat but are not fit for human consumption, are generally considered prohibited chametz⁽³⁾.]

It is permitted, therefore, to store and use all types of ointments, hand lotions, nail polish or medicated drops (for the ear or nose), etc., even if they contain an active chametz ingredient. These items are not fit for consumption and as the Rambam and Shulchan Aruch write, 'nifseda tzuras ha-chametz,' they have lost their chametz "form"⁽⁴⁾. Similarly, certain cosmetics (eye shadow, eye liner, mascara, blush and rouge) and foot and face powders may be stored and used during Pesach⁽⁵⁾.

Although, as stated, an item which is not fit for consumption and has lost its chametz "form" may be stored and used on Pesach, it still may not be eaten. By eating it, its status is elevated from "inedible" to "edible"⁽⁶⁾. This re-classification is referred to by the poskim as achshavei, lit., an "elevation", or an upbringing of this item's halachic status. For instance: One is not required to get rid of a charred piece of bread, since it is no longer fit for consumption. One is not, however, allowed to eat it since

by doing so, he is "elevating" it to the status of "edible".

There is a debate among the poskim if the prohibition of achshavei applies to items like foul-tasting pills or unflavored liquid medications. Some poskim⁷ hold that although these items are not fit for consumption, it is still forbidden to eat them because the person eating such medication elevates their status to "edible." But many other authorities⁸ maintain that achshavei applies only to food items which have become unfit and are now being re-classified as food by the person eating them, such as the piece of charred bread previously mentioned. Achshavei does not, however, apply to medications or drugs. The person taking those medications does not intend to reclassify the item as edible; rather he is treating his pain or sickness with something which is inedible. While many poskim are lenient, it has become common practice that whenever possible, only chametz-free medications are ingested in deference to the poskim who are stringent⁹. When a chametz-free, foul-tasting medication is not available, a sick person may take the medication, but only under the guidance of a rav¹⁰.

Flavored lipstick, coated tablets, flavored medications, pleasant-tasting cough syrups and the like are generally considered items which are fit for consumption. Unless one is dangerously ill, they may not be taken on Pesach unless it is determined that they are completely¹¹ chametz free¹².

There are certain items on the market which, at the time of purchase are not fit for consumption but could be "fixed" and made fit, either by cooking (distillation) or by adding certain ingredients to them. The poskim debate as to how the halachah views the status of these items: Do we consider them as "unfit," since presently that is what they are, or do we view them according to their potential to become "fit"?¹³ The majority of contemporary poskim rule stringently on this question¹⁴. Accordingly, pure grain-based alcohol - which in its raw state is unfit for drinking - is prohibited to keep on Pesach since, by undergoing a physical change - distillation - it will become fit for consumption.

Many products use denatured alcohol as an ingredient. Denatured alcohol is alcohol which is mixed with small quantities of various chemicals or substances. Some of those products can be restored to their original "fit" status, which in the opinion of the many poskim listed above classifies them as "fit for consumption" even though presently they are not. While not all items containing denatured alcohol can be restored to "fit" status, especially not products using completely denatured alcohol (CDA), it is difficult to judge the potential status of every single item. Accordingly, whenever possible, items containing denatured alcohol should be sold with the chametz and not be used on Pesach.

The issue of restorable denatured alcohol applies only to products which are in a pure liquid state. Some possible examples include cologne, hair spray, deodorants and shaving lotion. Items like creams, hand lotions and ointments do not present a problem. Certain other liquid products, such as shampoo¹⁵, ink¹⁶ and paint are also not restorable to their original alcoholic state and they may be stored and used on Pesach even though they may contain chametz ingredients.

Note, of course, that not all alcohol is chametz. Methanol and Isopropyl alcohol have no chametz components and even ethyl alcohol (ethanol) is not always derived from grain but is sometimes synthesized from chemicals. Only a true expert in these matters can advise one about the exact nature of all these items. Experience has shown that even the manufacturers themselves do not - or cannot - always give reliable, up-to-date information.

A word of caution about perfumes, since the "base" product is "unfit" but the scent added to it may be a "fit" chametz derivative: Some poskim maintain that since the entire purpose of perfume is to exude a fragrance, and the fragrance is "fit", the perfume cannot be classified as "unfit"(17). While many other poskim do not agree with this opinion(18) since, after all, the perfume base itself is not fit for consumption, still it is proper to be stringent and use only such products that contain no fragrance derived from chametz.

[Medications which contain kitniyos may be consumed on Pesach when needed. Toiletries and cosmetics which contain kitniyos may be used on Pesach.]

In conclusion, the leniency of "unfit for consumption" is not a blanket heter to use any medicine or cosmetic on Pesach. Although many products do fall into this category(19), there are other factors to consider before an inedible product can be permitted for use on Pesach. Products which contain alcohol that can be restored to "fitness" and products which are scented with a chametz derivative are examples of items which should not be stored and used over Pesach, even though, upon superficial examination, they may appear as "unfit for consumption".

FOOTNOTES

1. Under certain conditions, even a minute amount of chametz will render an entire batch not kosher for Pesach [even if the chametz was added to the mixture before the advent of Pesach]; see Rama O.C. 447:4, Mishnah Berurah 35 and Chazon Ish 119:12.
2. Provided that it reached that stage of spoilage before midday of erev Pesach.
3. While normally an item which is unfit for human consumption is no longer considered non-kosher, chametz is different, since that level of spoilage would still allow the item to remain as sour dough which can make other doughs chametz; Beiur Halachah 442:9. See Chazon Ish O.C. 116:8. who rules that if the spoiled chametz can no longer start other doughs, it is permitted, even if it still fit for consumption by a dog.
4. O.C. 442:1; Shulchan Aruch ha-Rav 24; Igros Moshe O.C. 3:62.

5. Sefer Hilchos Pesach, pg. 26.
6. O.C. 442:4 and Mishnah Berurah 20 and 43.
7. Sha'agas Aryeh 74-75; Achiezer 3:34-4.
8. Kesav Sofer O.C. 111; Darkei Teshuvah Y.D. 155:28; Chazon Ish 116:8; Orchos Rabbeinu, Pesach 24; Igros Moshe O.C. 2:92; Harav S.Z. Auerbach (quoted in Shemiras Shabbos K'hilchasah 40:74)
9. See Yechaveh Da'as 2:60; Tzitz Eliezer 10:25-20; Kinyan Torah 4:44; Nishmas Avraham O.C. 466:1.
10. The rav should first determine if the person taking the medication can be classified as a choleh. In addition, certain medications can be mixed together with other food times, rendering the chametz bateil. The rav may also be aware of an alternative medicine.
11. Sha'ar ha-Tziyun 466:6.
12. Shemiras Shabbos K'hilchasah 40:76; Sefer Hilchos Pesach, pg. 23.
13. This issue was already debated by the poskim of the previous generation; see Shearim Metzuyanim b'Halachah 112:8 who quotes the various opinions but does not clearly decide the issue.
14. Harav T. P. Frank (Mikroei Kodosh 54); Harav I. Z. Meltzer, Harav A. Kotler, Harav M. Feinstein and Harav Y. Kamenetsky, quoted in Sefer Hilchos Pesach, pg. 25.
15. Sefer Hilchos Pesach, pg. 26
16. O.C. 442:10. See Knei Bosesem 1:25 who permits using mouthwash even though it has chametz ingredients.
17. See Shoel u'Meishiv (Kama 1:143) and Divrei Malkiel 4:24.
18. See Shearim Metzuyanim b'Halachah 112:7 and Mikroei Kodosh 54. See also ha-Elef Lecha Shelomo O.C. 204.
19. One should not automatically assume about any given item that it is "unfit for a consumption by a dog." If a dog might possibly consume a given item, it may lose its status as "unfit".

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