

# SHE'AILOS U'TESHUVOS

*by Rabbi Doniel Neustadt*

**QUESTION:** What is the proper berachah rishonah over avocado?

**DISCUSSION:** A plant whose trunk survives the winter months and produces fruit annually is classified as a tree in regard to hilchos berachos.(1) The avocado is such a tree and its berachah rishonah, therefore, is Borei peri ha-eitz. When avocado is eaten as part of a vegetable salad, and the majority of the salad consists of vegetables such as lettuce, tomatoes or cucumber, then a Borei peri ha-adamah is recited over the entire salad and no specific blessing is recited on the avocado.(2) Even if, mistakenly, one made a Borei peri ha-aeitz over the avocado, he would be required to recite a Borei peri ha-adamah over the rest of the salad.(3)

**QUESTION:** If avocado is eaten as a spread on crackers, does it require its own berachah rishonah?

**DISCUSSION:** It depends if one is eating avocado spread on crackers or crackers with avocado. In other words, if the main intent is to eat crackers and the avocado is merely being used to enhance the flavor of the crackers, then only a Borei minei mezonos [and Al ha-michyah afterwards] is recited over the crackers. If, however, the main - or equal - intent is to partake of the avocado, and the crackers are merely being used as a "base" for the avocado spread, then two berachos are required - first a Borei minei mezonos on the crackers and then a Borei peri ha-aeitz over the avocado.(4) [Afterwards, Borei nefashos must be recited as well, but only if at least 1 oz. of avocado was consumed.]

The same halachah applies to other foods which are not cooked together but are still eaten together, like tuna fish salad eaten along with vegetables. If the core of the meal is the tuna, and the vegetables are merely enhancers for the tuna, like diced celery or pickles that are added to perk up the flavor of the tuna, then only a Shehakol is recited. If, however, an entire salad is served with the tuna and the intent is to serve both tuna and vegetables as equally important parts of the meal, then two separate berachos are required.

**QUESTION:** How can one make guacamole (a semi-liquid dip made from mashed avocado, lemon juice, dressing or mayonnaise) on Shabbos?

**DISCUSSION:** Making an avocado dip might entail a violation of the forbidden Shabbos Labor of Tochen, Grinding. In order to avoid Tochen according to all opinions, one should mash the avocado with the handle of a fork, spoon or knife immediately before the avocado dip is to be eaten. (5) To better understand why this is recommended, we must first list three points of dispute among the

authorities:

- \* There is a dispute among the poskim as to whether or not mashing is considered grinding.(6)
- \* There is a dispute among the poskim whether or not grinding food immediately before it will be eaten is permitted.(7)
- \* There is a dispute among the poskim whether or not it is permitted to grind in an abnormal manner, i.e., using the handle of a knife, fork or spoon.(8)

Therefore, in order to satisfy all of the views, it is advisable to mash an avocado in an abnormal manner and to do so right before the meal. But clearly, one may rely on the authorities who allow even normal grinding right before a meal or abnormal grinding even not immediately prior to a meal.(9)

The lemon juice, dressing or mayonnaise may be poured onto the mashed avocado and mixed with it. There is no question of transgressing Lishah, Kneading, since kneading is only prohibited when liquid is used to create a single mass from loose particles, which is not the case here.

The lemon juice may also be squeezed from a fresh lemon, since there is no question of Sechitah, Squeezing, when the juice of a fruit is squeezed directly into a solid food(10) - as long as most of the juice is absorbed by the food.(11) It is forbidden, however, to squeeze juice out of a lemon into an empty dish and then add the avocado to it.

**QUESTION:** What are the halachos in regard to the mitzvah min ha- Torah of rising for an older person - mipnei seivah takum?

**DISCUSSION:** The Torah commands that one give honor to any frum Jew - man or woman(12) - over the age of seventy(13) by rising to one's full height when the older person comes within four amos (approx. 6-8 feet),(14) until the older person leaves the area of his four amos.(15) Although the older person is not necessarily a learned or distinguished person, we still recognize and pay tribute to him "because in his great number of years he has seen and recognized a bit of the workings of Hashem and his wonders, and he is thus worthy of honor."(16)

Although the halachah clearly obligates one to rise to his full height when honoring an older person, it is true that many people are not careful to fulfill this mitzvah properly and rise only slightly when an older person approaches. While some poskim attempt to justify this custom on halachic grounds,(17) it does not change the basic halachah that obligates one to stand fully in order to perform this mitzvah properly.

**QUESTION:** Under which circumstances is one exempt from fulfilling the mitzvah of mipnei seivah takum?

**DISCUSSION:** In the following cases the mitzvah of mipnei seivah takum, which requires one to rise to his full height, does not apply. Instead, the mitzvah is merely to show some measure of respect,

such as rising slightly from one's seat:

- \* When the "younger" person is also over seventy.(18)
- \* When the younger person is a greater talmid chacham than the older person.(19)
- \* When the younger person is an employee and standing up will require wasting his employer's time.(20)
- \* When the older person specifically forgoes the honor that is due to him. (21)
- \* When the younger person is in the middle of davening and standing will disturb his kavanah.(22)
- \* When the younger person is ill, or a mourner during shivah.(23)

*FOOTNOTES:*

1 Rama O.C. 203:2.

2 Mishnah Berurah 212:1.

3 O.C. 206:1.

4 Based on Mishnah Berurah 168:44, 212:6 and Igros Moshe O.C. 4:43.

5 For a halachic definition of what "immediately" means, see The Monthly Halachah Discussion, pgs. 262-263.

6 Igros Moshe (O.C. 4:74, Tochen 2) and Yechaveh Da'as 5:27 rule that mashing is not synonymous with grinding; grinding is only when an item is ground into tiny particles, like flour, not when it is mashed into one [or several] large - albeit very soft - piece. Chazon Ish (O.C. 57) strongly disagrees and maintains that mashing is a more serious transgression than plain grinding.

7 Mishnah Berurah 321:45 quotes both views and does not object to those who follow the lenient opinion. Many other poskim also rule leniently (see Pri Megadim, Shulchan Aruch Harav, Aruch ha-Shulchan and Igros Moshe ibid.), while Chazon Ish (O.C. 57) disagrees and prohibits grinding and mashing even when done immediately before the meal. See also Kitzur Shulchan Aruch 80:21 who rules stringently.

8 Many poskim, including Mishnah Berurah (321:25), Chazon Ish (O.C. 57) and Igros Moshe (O.C. 4:74, Tochen 2), rule leniently on this issue. But several others maintain that grinding abnormally is only permitted when done immediately prior to the meal; (Kaf ha-Chayim 321:37, quoting Olas Shabbos; Kitzur Shulchan Aruch 80:20; Aruch ha-Shulchan 321:12; Eglei Tal, Tochen 30, 5).

9 It is difficult, however, to rely on the argument that mashing is not grinding, since Igros Moshe himself seems to rely on this argument only when the mashing is done right before the meal. See also Shevet ha-Levi 7:92 who disproves Igros Moshe's ruling from Rabbeinu Chananel.

10 O.C. 320:4.

11 Mishnah Berurah 505:5.

12 Sefer Chasidim 578, quoted by Beis Yehudah, vol. 1, Y.D. 28; Chida (Bris Olam on Sefer Chisidim); Minchas Chinuch 257:3. Yechaveh Da'as 3:72. See, however, Ben Ish Chai, Ki Seitzei 16, who quotes the Arizal who seems to hold that one need not rise for an older woman.

13 According to Kabbalah, the mitzvah begins at age 60, and several poskim rule that one should follow this opinion; see Shoel U'meishiv 3, 1-110, Minchas Chinuch 257:9 and Ben Ish Chai, Ki-Szeitzei, 12.

14 Y.D. 255:1 and Aruch ha-Shulchan 2, 4. When in doubt whether or not the individual is seventy, one should be stringent and rise; Tosfos Chayim on Chayei Adam 69:2; Harav Y.S. Elyashiv (Mevakshei Torah, vol. 4, pg. 249).

15 Ruling of Harav Y.S. Elyashiv (Mevakshei Torah, vol. 4, pg. 249).

16 Sefer ha-Chinuch 257.

17 See Meiri, Kidushin 32b s.v. zaken, who writes that the mitzvah of mipnei seivah takum [unlike standing up for a talmid chacham] does not require one to rise to his full height. See also Teshuvos Kenesses Yechezkel 7 and Aruch ha-Shulchan 244:10-12 who attempt to justify the prevalent custom.

18 Y.D. 244:8.

19 Y.D. 244:7.

20 Y.D. 244:5.

21 See Teshuvos Radvaz 8-167 who rules that even when the older person forgoes his honor, one should still respect him by rising slightly. Harav Y.S. Elyashiv, however, rules that this is unnecessary. (Mevakshei Torah, vol. 4, pg. 249).

22 Harav Y.S. Elyashiv (Mevakshei Torah, vol. 4, pg. 250).

23 Rama Y.D. 376:1. On Tishah b'Av, too, this mitzvah does not apply; Rav Akiva Eiger, ibid, quoting Shevus Yaakov.

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