Preface *Netillat Yadayim* for Eating Moistened Foods

Day 31

Foods That Are Moistened With a Beverage

Besides the rule requiring *netillat yadayim* before eating bread, our Sages obligated us to wash hands in the same manner when eating any food that has been moistened with a beverage. Therefore, if someone rinses a fruit or vegetable in water and wishes to eat it while it is still moist, he must first perform *netillat yadayim*. Nevertheless, he must not recite the blessing of *al netillat yadayim* when washing hands to eat moistened foods other than bread.

The source for this halakha is the Talmud's statement (*Pesahim* 115a): Ribbi Elazar said in the name of Ribbi Osh'aya, "Any [food] that is dipped into a beverage requires *netillat yadayim*. Rashi explained that this is necessary because of the drops of the beverage remaining on the food. Since one's hands are considered *teme'ot* before performing *netillat yadayim*, they will in turn make the beverage *tame* as well. This is taught, in one brief sentence, in the Mishna (*Para* 8:7). [The level of *tum'a* on one's hands is called *sheni latum'a*, a low level that cannot affect any person or ordinary food that comes in contact with them. If the hands come into contact with a beverage, however, they do make the beverage *tame*. In fact, once a beverage becomes *tame* from any source it is automatically upgraded to *rishon latum'a*, a higher level of *tum'a* that can in turn make any food *tame* through direct contact.] After performing *netillat yadayim* the hands are no longer *teme'ot* and they will not affect the beverage at all.

Tosafot explained that according to Rashi, our Sages equated the obligation of *netillat yadayim* before eating moistened foods to the obligation of *netillat yadayim* before eating bread. This means, based on a comment by Maharsh"a, that this obligation was instituted as a safeguard for protecting *teruma* from becoming *teme'a* and it is based on the verse, "You must sanctify yourselves," just like the obligation of *netillat yadayim* before eating bread. Therefore, even in these times when no *kohen* can eat *teruma* anyway, we are still obligated to perform *netillat yadayim* before eating moistened foods.

The Tosafot disagreed with Rashi on this point. They explained that the mitzvah of *netillat yadayim* for eating moistened foods is a technical measure to avoid causing the drops of the beverage from becoming *tame* and then ingesting them. This applied only in the times when the halakhot of *tum'a* and *tahora* were observed. Nowadays, it is not possible to be halakhically *tahor* and there is no reason to avoid ingesting beverages that are *tame*. Therefore, Tosafot concluded that this mitzvah does not apply in our times. Anyone who wishes to perform *netillat yadayim* when eating moistened foods may do so but he must not recite any blessing over it since the mitzvah is not applicable in these times at all. [This is the explanation of the Tosafot according to Maran the Rishon Letziyon (*Halikhot Olam* Vol. I, footnote on page 331). According to the *Derisha* and the *Matte Yehuda*, however, Tosafot's opinion is that one must perform *netillat yadayim* but one must not recite the blessing]. If someone would recite the blessing of *al netillat yadayim* when washing hands for eating moistened foods, it would be a blessing recited in vain according to Tosafot. Rabbenu Meir of Rothenberg (cited in the *Arba'a Turim* in *Siman* 473, see the comment of the *Derisha*) ruled as well that in our times there is no obligation at all to perform *netillat yadayim* when eating foods moistened with beverages.

The *Levush* taught that some *Poskim* ruled that one must wash hands to eat foods moistened with a beverage and to recite the blessing of *al netillat yadayim* since our Sages instituted this rule to protect the sanctity of *teruma* and as such it is equal to the mitzvah of washing hands to eat bread. Other *Poskim* ruled that although one must wash hands, one must not recite the blessing because our Sages instituted this rule only as a means of cleanliness and not to protect the sanctity of *teruma*.

In practice, most *Rishonim* agreed that one must perform this mitzvah when eating moistened foods in these times as well. In fact, the majority of *Rishonim*, including Rashi (responsa #39), Rambam (*Hilkhot Berakhot* 6:1) and Rabbenu Asher (*Hullin* 8:10), ruled that one must recite the blessing of *al netillat yadayim* as well. This is likewise the ruling of Harav Eliyahu of Vilna. Maran, in the *Bet Yosef* and the *Shulhan Arukh* (*Siman* 158:4), ruled that one must perform the mitzvah but one must not recite the blessing in deference to the *Rishonim* who ruled not to recite it. The *Ben Ish Hai* (*parashat Shemini* halakha 1) wrote that our Sages instituted this mitzvah to be performed without reciting any blessing, but Maran the Rishon Letziyon (*Halikhot Olam* Vol I, footnote on page 331) refuted this, demonstrating that the ruling of the *Shulhan Arukh* is a compromise of the various opinions of the *Rishonim*.

Observing This Mitzvah in Our Times

The *Divre Hamudot* (commentary on Rabbenu Asher to *Hullin* 8:41) commented that most people nowadays do not observe this mitzvah of

netillat yadayim before eating moistened foods. They follow the opinion of the Tosafot that it does not apply in our times, and this is a sound basis for leniency. This is likewise the testimony of the *sefer Shevah Pesah* (by Harav Yishma'el Hakohen, author of *Zera Emet*). The *Sheyare Kenesset Hagedola* (gloss to *Bet Yosef* 158:3) cited the *Divre Hamudot* and commented that in his locale everyone observes this mitzvah. Harav HIDA (*Simhat Haregel*) wrote a criticism of those who dip cake in coffee and eat it without performing *netillat yadayim*, stating that they are ignoring the halakhic ruling of most *Rishonim*, including the *Shulhan Arukh*. Maran the Rishon Letziyon (*Halikhot Olam* Vol. I, page 330) wrote as well that it is a common error of many people to ignore the obligation to wash hands when eating moistened foods, relying on the opinion of the Tosafot and ignoring the opinion of the majority of *Rishonim*. Citing Harav HIDA, he commented that anyone who ignores the ruling of the *Shulhan Arukh* in this matter deserves to be chastised for having committed such a sin. May Hashem forgive them.

The responsa *Matte Yosef* (#18:19, cited in the *Kaf Hahayim* Sofer 158:25) went even further, writing that those who do not perform *netillat yadayim* when eating moistened foods are among those "who belittle the mitzvah of *netillat yadayim* and they deserve excommunication and in the end will be uprooted from the world." Therefore, anyone who possesses a measure of fear of Heaven will make sure to observe the mitzvah and reject the mistaken practice of ignoring it.

Maran the Rishon Letziyon (*Halikhot Olam* Vol. I, footnote on page 331) commented that the *Matte Yosef* overstepped his bounds with this criticism. He argued that we cannot equate someone who eats moistened foods without first washing hands to someone who eats bread without first washing hands since there are *Rishonim* who ruled quite leniently about it. His criticism might be appropriate according to Rashi, Rambam and Rabbenu Asher, however. It is quite clear in any case that it is forbidden to ignore the obligation to perform *netillat yadayim* when eating moistened foods.

Reward for fulfilling this mitzvah

If the punishment for failing to fulfill this mitzvah is so awesome, then the reward for observing this mitzvah properly is many times as great. Certainly all the blessings promised for fulfilling the mitzvah of *netillat yadayim* for eating bread are in store for someone who fulfills the mitzvah of *netillat yadayim* for eating foods dipped in beverages. The *Tashbe"tz* (responsa #99) promised that anyone who is careful to perform the mitzvah of *netillat yadayim* before eating foods dipped in beverages will be blessed with everything good.

