והוא הדין למי שאוכל דבר שטיבולו במשקה על ידי כף, שצריך ליטול ידיו קודם אכילתו. [הליכו"ע ח"א עמ' שכ].

והוא הדין כשכורך ידיו במפה או שלובש בתי ידים, שיש לו ליטול ידיו. [ראה ילקו"י עמ' ל]

לח. חיוב נטילה לדבר שטיבולו במשקה, מעיקר הדין הוא דוקא כשאוכל כזית, אבל אם אוכל פחות מכזית, אין צריך נטילה. ואף על פי כן ירא שמים יחוש לעצמו ויטול ידיו אף כשאוכל פחות מכזית. [הליכו"ע ח"א עמ' שלא]

is the same if someone wishes to wrap his hands with a cloth or to wear gloves while eating the moistened food – he still must perform *netillat yadayim*.[32]

Day 33

Eating less than *kazayit* of moistened food

38) Technically, one is obligated to perform *netillat yadayim* only if one plans to eat at least *kazayit* of the moistened food. If someone intends to eat less than *kazayit*, he is not obligated to wash hands. Nevertheless, anyone who possesses a measure of fear of Heaven will not rely on this leniency and will wash his hands even in this case.[33]

It appears from the *Ben Ish Hai*, however, that it is possible to be lenient only when eating [with a utensil] a food moistened with a beverage that has been cooked, since many *Poskim* ruled that the entire rule of washing hands does not apply when eating food dipped in a cooked beverage. (See below in halakha 39.) If the bevereage has not been cooked, it appears that the *Ben Ish Hai* would not be lenient. Nevertheless, it appears that there is a basis for leniency despite this inference from the *Ben Ish Hai*. See below in the footnote to halakha 40 about the rule when eating breakfast cereal with milk. See below in halakha 39.

Vegetable Soup

Based on this principle, the *Yalkut Yosef* (page 39) explained the common custom of eating vegetable soup with a spoon without first performing *netillat yadayim*. This is because people always eat this food with a utensil. Even if it happens that someone touches the soup while he is eating with a spoon, he is still not obligated to wash hands, following the ruling of Harav Zalman. When using a utensil to eat a food that is normally eaten with one's fingers, however, it is necessary to wash hands first.

Actually, there is a stronger basis for leniency when eating soup since the food and beverage have been cooked, besides the fact that one eats it with a utensil. See below in halakha 39. Nevertheless, as long as the normal way to eat the food is with a utensil and not with one's fingers one may be lenient whether or not the beverage has been cooked. This is the ruling regarding breakfast cereals, as explained below in the footnote to halakha 40.

32. When someone is in a situation where no water is available to perform *netillat yadayim*, it is permissible to wrap one's hands with a cloth and to eat. This is the case both for eating moistened foods and for eating bread. See below in *Siman* 163.

33. Eating less than *kazayit* of a moistened food

Above in halakha 2, it was established that technically one is not obligated to perform *netillat yadayim* if one plans to eat less than *kazayit* of bread. Logically, the same leniency should certainly apply to moistened foods as well. The *Shulhan Arukh* (473:6), however, ruled that it is necessary to wash hands before eating the *karpas* that is dipped into salt water during the Pesah Seder even though we eat less than *kazayit* of the vegetable. This seems to contradict his own ruling here in *Siman* 158:3 that when eating less than *kazayit* of bread there is no obligation to wash hands.

Harav HIDA (responsa *Hayim Sha'al* Vol. II, #38:76, cited in the *Or Letziyon* Vol. III, page 162) suggested that although there is no obligation to wash hands in such a case, it could be that our Sages instituted the obligation to wash hands at this point during the Seder since at one time the custom was to eat more than *kazayit* of *karpas*. It is only in more recent generations when the practice of eating less than *kazayit* developed because of the doubt whether or not it is necessary to recite the blessing of *bore nefashot* after eating it if one ate *kazayit* [since one plans to eat the meal with matzo soon afterward]. By eating less than *kazayit* we avoid the issue. Since originally the order of the Seder called for washing hands at this point and eating *kazayit* or more of *karpas*, we maintain that procedure even though we now eat less than *kazayit* and the rules of *netillat yadayim* would not necessitate washing at this time.

לט. האוכל מאכל שיש עליו רטיבות של משקה שהתבשל עמו, צריך ליטול ידיו קודם אכילתו. והוא הדין מאכל שנכבש במשקה, ולח מחמתם, וכגון זיתים שנכבשו במים או בשמן זית וכן מלפפון חמוץ, צריך האוכלם ליטול ידיו. [משנ"ב ס"ק כו, כה"ח ס"ק לו]. ואם אוכל פחות משיעור "כזית" יש להקל, כמבואר בהלכה הבאה.

Cooked or pickled foods

39) If a cooked food is still moist with the liquid in which it was cooked, it is necessary to wash hands to eat it.[34] The same applies to pickled foods. Therefore, when eating moist pickled olives or other pickled vegetables, it is necessary to first perform *netillat yadayim*. If one plans to eat less than *kazayit* of one of these foods, however, there is a basis for leniency, as explained in the following halakha.

According to Harav HIDA, therefore, there is technically no obligation to wash hands when one plans to eat less than *kazayit* of a food moistened with a beverage. Maran the Rishon Letziyon (responsa *Hazon Ovadya*, page 269), however, pointed out that some *Poskim* ruled that there is an obligation to perform *netillat yadayim* whenever one plans to eat food moistened with a beverage, even if less than *kazayit* and at any time of the year. They explained that a moistened food calls for *netillat yadayim* more than bread does. Eating bread means eating a meal and therefore eating less than *kazayit* of bread is not considered eating at all. Eating some other moistened food, however, is invariably a snack. If our Sages obligated us to wash hands for eating such a food, there is no difference whether one eats *kazayit* or less since it is a snack in either case. This is the opinion of Harav Asher Kubo (responsa *Sha'ar Asher* (#2) and it was cited in the *Yalkut Yosef Pesah English Edition* page (266).

Maran the Rishon Letziyon (*Halikhot Olam* Vol. I, page 334) discussed this issue at length. He concluded that although many *Poskim* disagreed with the position of Harav HIDA, it cannot be ignored. After all, it concurs with the ruling of Rashbe"tz and several *Aharonim*. Therefore, he concluded that there is a sound basis for leniency in this matter. In fact, there is a compound doubt since the Tosafot ruled that there is no obligation at all in our times to wash hands to eat moistened foods other than bread. Even if the halakha does not follow Tosafot's opinion, perhaps there is no obligation when eating less than *kazayit* of the moistened food. Nevertheless, someone who possesses the fear of Heaven will go to the trouble of washing hands even when eating less than *kazayit* unless there is yet another factor that might free him of this obligation.

34. Maran ruled (*Shulhan Arukh* 158:5) that if someone eats cooked wheat after it has become dry, he is not obligated to perform *netillat yadayim*. If the food has not yet become dry, it seems that he would be obligated. Rabbenu Yosef Trani (responsa of Mahari"t Vol. I, #76), however, cited a responsum of Rabbenu Avraham ben Ya'ish who ruled leniently even if the food is still moist. He reasoned that since the beverage was cooked with the wheat, the beverage has become part of the food and it is no longer considered a beverage. He testified that this is the ruling of his mentor, Rabbenu Shelomo Sagis. Rabbenu Yosef Trani challenged the validity of this reasoning, but he did not rule any differently. Rabbenu Shelomo Luria (*Yam Shel Shelomo* on *Hullin* 8:18) ruled leniently.

The *Ture Zahav* ruled stringently in this matter. The *Magen Avraham* likewise ruled that as long as the food is wet enough to moisten other things that come into contact with it, it is considered food dipped in a beverage and it is necessary to wash hands before eating it. The *Aharonim* (see *Ben Ish Hai parashat Tazri'a* halakha 18) ruled stringently in this matter unless there is another basis for leniency. This will be explained in the following halakha.

The *Matte Yosef* (responsa #18:24) concurred with this, but he ruled that if the liquid has gelled, it is no longer considered a beverage. The *Yad Aharon* concurred with this leniency, based on a compound doubt – perhaps the halakha follows Tosafot's opinion that there is no obligation at all to perform *netillat yadayim* to eat foods dipped in beverages, and even if the halakha follows the opinion of the other *Rishonim*, it might be that this gelled liquid is not considered a beverage. See below in halakha 40 about beverages that have solidified.