

Medications on Passover

by Daniel Eisenberg, MD

A comprehensive overview of the laws pertaining to medicines on Passover.

The Torah lays out a whole system of dietary laws that Jews observe throughout the year. For instance, we separate meat and milk, do not consume certain animals (such as pigs and shellfish), insist that animals be slaughtered in accordance to specific kosher standards, and do not eat certain parts of some animals (such as the *gid hanashe* or sciatic nerve).

When Passover arrives, an additional set of dietary rules apply only for the length of the holiday. Jews are proscribed from eating any foods that contain leaven or leavening agents (*chametz*). While in principle this mandate is straightforward, the practical implications are far-reaching as the rules for Passover are grafted onto the year-round *kashrus* rules. The home is scrubbed from top to bottom, all non-kosher for Passover foods and utensils are removed, and separate sets of dishes and utensils (meat, dairy, and pareve) are brought out. Nevertheless, once the preparations are complete, a joyous holiday ensues.

Finding kosher food is usually not very difficult, particularly in metropolitan areas. But what rules apply to medicines on Passover? Must they too be “kosher for Passover” and how would one discover if their particular medication is permissible on Passover? Does it matter for what condition someone is taking their medicine?

It is crucial to appreciate from the outset that a threat to life takes precedence over all of the laws of Passover (and all other biblical laws except for the prohibitions of murder, adultery/forbidden sexual relationships, and idolatry). No one should stop taking medications for serious or even potentially serious medical conditions during Passover (or any other time) without the express agreement of their doctor (and their Rabbi). Judaism does not look with favor on pious foolishness.

Kosher vs. kosher for Passover

It is important to recognize that while the yearly laws of *kashrus* and laws of Passover function in parallel, they also function independently. That is, certain products may be kosher for Passover but not kosher for a Jewish person to consume and other products might be kosher year-round but not kosher for Passover. For instance, one may never feed one’s pet food that contains meat and dairy cooked together,¹ while this does not present any intrinsic Passover issue. On the other hand, during Passover, one may not feed *chametz* to one’s animals, whether or not the food would be kosher of year-round use.² This explains why animal food must also be kosher for Passover, even though it does not have to be otherwise kosher.

The same concept applies to any discussion of medications. Certain medications may be permitted during the year even though they are not kosher. When Passover comes, the question arises whether the restrictions of Passover would preclude their use. This is why published lists of medications for Passover give a disclaimer that inclusion on the list does not imply that the medication is kosher, only that it does not contain *chametz* or possibly *kitniyos* (types of food that Ashkenazi Jews have a custom to avoid on Passover). But are the “kosher for Passover” medicine lists that are published yearly necessary?

¹ The prohibition of mixing meat and milk together includes gaining any benefit whatsoever from such a mixture. Therefore, one may not feed a forbidden mixture of meat and milk to a dog at any time during the year.

² One may feed non-kosher meat to a dog during the year, whether it is from an improperly slaughtered kosher animal or from an otherwise forbidden animal such as a pig or horse.

Are medicines considered edible?

The status of ingested medicine on Passover is different from that of the rest of the year in two major ways. First, on Passover, in addition to the prohibition of eating *chometz*, one is forbidden to derive any benefit from it, and even owning *chometz* is forbidden. Because the year-round kosher rules only preclude the eating of non-kosher food (with the exception of mixtures of meat and milk), pork insulin, porcine heart valves, and even playing football with a pigskin football are all permitted, independent of the fact that the laws of *kashrus* are waived for life-threatening health conditions. Even if a medicine derived from a non-kosher animal were to be edible, one would be permitted to use it even for a minor medical necessity so long as one does not eat it.³

The second difference involves the point at which a food is considered to have been transformed into a non-edible substance. During the year, a food that is not fit to be eaten by a normal person is not considered to be a food with respect to the laws of *kashrus*. When Passover arrives, the bar is set higher and only a substance that is not fit to be eaten by a dog is considered to be non-edible and therefore not *chometz*. The halachic question of interest is which types of medications are considered fit to be eaten by a dog and which are considered completely non-edible. While that question sounds simple, it is really somewhat complex.

If a person has or may have a life-threatening illness or condition, then they clearly may utilize any food, drink, or medication that is appropriate for their condition, regardless of whether it contains *chometz*, provided that a convenient substitute without *chometz* is not easily available. Eating *chometz* in such a situation is not only permitted, but is mandatory because of the overriding Biblical obligation to preserve life.⁴ Therefore, while it is

³ While analogies are brought in halachic literature between eating and anointing in other areas of Jewish law, such a relationship is not brought by many *poskim* with respect to the laws of keeping kosher. The Vilna Gaon is a notable exception.

⁴ Ran on Yuma 82a, (opening word “*chutz*”), Shulchan Aruch Yoreh Deah 238, Shach note 5.

praiseworthy for an ill person to check their medication list against one of the published kosher for Passover medication lists, this is only for their own peace of mind, so they can be assured that they are not ingesting *chometz* or so that they can ask their physician if any of the *chometz*-free medications are appropriate substitutes. But **under no circumstances** should Passover be used as an excuse for seriously ill or potentially seriously ill people (such as those with heart conditions, hypertension, diabetes, or infections) to stop taking prescription medications without clear directions from their doctor.⁵

Do pills need to be kosher for Passover?

A patient who is not seriously ill may not take any medicine which contains even a small amount of edible *chometz*. But a question arises regarding the status of a medication containing *chometz* which is unpleasant-tasting and the *chometz* within it is not fit for canine consumption. While it might seem that this should be automatically permitted, the resolution of this matter is based on the interpretation of one sentence in tractate Pesachim:⁶ “Rava said: one who overcooks (scorches) [his bread] before the time [that *chometz* is forbidden on the afternoon preceding Passover], may benefit from it after the time [that *chometz* becomes forbidden].”

One line of reasoning⁷ explains that while *chometz* that has been rendered completely inedible may be used over Passover, it may not be eaten. Were someone to choose to ingest such a substance, he would be de facto declaring that he actually considers the material to be edible, a concept called *achshevei*.⁸ The other line of reasoning⁹ argues that

⁵ Dr. Avraham Avraham, Nishmat Avraham, Volume 1: Orach Chaim (Mesorah Publications), p. 257; Rabbi Shimon D. Eider, Halachos of Pesach, (Feldheim Publishers), p. 23,

⁶ Pesachim 21b

⁷ Promulgated by Rabbenu Asher (Rosh), Pesachim 21b. A similar opinion is found in Rambam (Mishneh Torah, Hilchos *Chometz U'matzah* 4:12), Terumas Hadeshen 129, and Shulchan Aruch, Orach Chaim 442:4.

⁸ This concept is called “*achshevei*” from the Hebrew word “*chashuv*” or important. The concept of *achshevei* asserts that

not only is one permitted to derive benefit from severely burned bread, one may even eat it! The only reason that the Talmud did not state outright that it may be eaten is that people do not usually eat such materials. According to this second argument, medicines that contain *chametz* that is no longer fit for a dog may be taken freely by anyone. According to the first argument, such medications may be problematic for non-severely ill people (because of *achshevei*). The practical outcome boils down to two main issues. Does *achshevei* apply to medicine and is swallowing a pill considered eating?

The first question, which had been a theoretical dispute,¹⁰ has been clarified for practical purposes by modern rabbinic authorities. Rav Shlomo

the granting of importance to a substance can resurrect its *chametz* status by upgrading its status back to being a food. Following this logic, Maimonides writes (Hilchos Chametz U'matzah 4:12): "Something that has *chametz* mixed into it, but is not human food at all or is not eaten by people. . . even though it is permitted to keep it [over Passover], it is forbidden to eat it until after Passover, and even though it only contains the most minimal amount of *chametz*, it is still forbidden to eat [over Passover]. See Halachos of Pesach by Rabbi Eider for a detailed discussion of the halachic issues underlying the *achshevei* and medicine.

9 Promulgated by Rabbeinu Nissim (Ran) Pesachim 45b. A similar opinion is found in the Ba'al Ha'Maor Meiri, Ritva quoting the Ra'ah, and the Maharam Chalawa (see Nishmat Avraham, Volume 1: Orach Chaim, p. 258).

10 The Sha'agas Aryeh 75 (Rav Aryeh Leib Gunzberg) and the Shulchan Aruch HaRav Orach Chaim 422:22 (Rav Shneur Zalman of Liadi) forbid medicines that have even degraded *chametz* for patients who are not seriously ill because they rule that *achshevei* applies even when someone consumes an inedible substance for medical reasons. Rav Chaim Ozer Grodzinski (Responsa Achiezer 3:31) appears to consider the Sha'agas Aryeh's opinion. However, most Acharonim (later rabbinical authorities) disagree, including Yad Avraham (Yoreh Deah 155:3), Yesodei Yeshurun 6:221 (Rav Gedalia Felder), Responsa Yechave Da'at 2:60 (Rav Ovadia Yosef), and as we will discuss, Sefer Chazon Ish 116:8 (Rav Avraham Yeshayahu Karelitz) and Responsa Igros Moshe Orach Chaim II:92 (Rav Moshe Feinstein). The Responsa Kesav Sofer, Orach Chaim 111 (Rav Avraham Shmuel Binyamin Sofer) differentiates between a healthy person who chooses to eat degraded *chametz* and a sick person who eats it for medicinal reasons. Rabbi Moshe Isserles (Rama), Shulchan Aruch, Yoreh Deah 155:3 (and possibly Orach Chaim 320:1) also seems to disagree with the view of the Sha'agas Aryeh. The Yad Avraham and Chazon Ish make the additional point that *achshevei* applies only when the prohibited inedible item is eaten alone. But, if one eats the otherwise forbidden inedible item mixed with other permitted items, *achshevei* does not apply and one is not considered to have "upgraded" the inedible item to food status.

Zalman Aurbach, in a letter to Dr. Avraham Avraham, author of Nishmat Avraham, explained that the disagreement between the two approaches principally applied to cases where the medicine itself was the spoiled *chametz*. Today, the main issue concerns *chometz* that is used as a binder or coating, while the actual medicinal component is not *chametz*. In such a case, is the *chametz* considered spoiled if it is irreversibly mixed with something which is not edible?

Rav Yehoshua Neuwirth,¹¹ author of Shmiras Shabbas K'hilchasah, accepts the ruling of Rav Avraham Yeshayahu Karelitz (Chazon Ish) that "pills containing flour mixed with things that are not fit for human consumption can no longer be considered *chametz* since the flour can no longer be separated out nor used to leaven other flour. Nor can the patient be said to attach importance (*achshevei*) to the flour rather than the medication. These pills therefore may be swallowed on *Pesach*."¹² Rav Neuwirth answers our second question by ruling that swallowing a pill is not considered eating in the usual way. He explains that his decision is in line with the opinion of Rav Aurbach who held that even though swallowing is normally considered eating,¹³ that is only for regular food. Since the normal way to ingest a pill is to swallow it without chewing, it is reasonable to consider that such a pill no longer carries the designation of "food" and since they can no longer cause other dough to become leavened, it is probably permitted to swallow them.¹⁴

Even Maimonides,¹⁵ who supported the stricter opinion that healthy people cannot eat degraded *chametz*, writes that the prohibition of gaining benefit from spoiled *chametz* is only when utilized

11 Shmiras Shabbas K'hilchasah 40 note 169.

12 Sefer Chazon Ish, Orach Chaim 116:8 as recorded in Nishmat Avraham, Volume 1: Orach Chaim, p. 258.

13 For example, see Pesachim 115b that states that one fulfills the mitzvah of eating matzah on Passover even if one swallows it without chewing.

14 It appears that Rav Chaim Ozer Grodzinski disagreed (Responsa Achiezer 3:31), holding that if one wishes to swallow a pill that contains forbidden components, he must wrap the pill in a piece of paper first.

15 Mishneh Torah, Yesodei Hatorah 5:8

in the normal way that people get benefit from it (like eating it), but may be used in an ointment or mixed with something bitter that renders it inedible even by people who are not seriously ill because then one does not derive benefit from the *chametz*.

Rav Moshe Feinstein¹⁶ ruled that even non-seriously ill patients may swallow chametz-containing non-chewable pills on Passover for two reasons. First, any *chametz* in the pill was nullified before Passover.¹⁷ Secondly, Rav Feinstein ruled that *achshevei* does not apply to medication, since a person would eat virtually anything, food or non-food, if he thought it would make him feel better or cure him. By swallowing a pill, a person is not implying that he considers the pill to be a food, he is only utilizing it for its curative properties. While other major *poskim* (rabbinical authorities)¹⁸ agree, Rav Ovadia Yosef and Rav Shlomo Zalman Aurbach add the caveat that this applies only to a non-seriously ill person (*choleh sh'ain bo sakana*), but that a person with only a minor ailment or mild discomfort may not take pills that is likely to contain *chametz*.

Finally, it is important to remember that most pills, if they contain any problematic substances, likely contain corn starch (which is avoided by Ashkenazic Jews because it is *kitniyos*¹⁹), not true *chametz*. Even regarding pills that do contain wheat starch, the *chametz* is almost certainly rendered inedible before Passover. For these reasons, a non-seriously ill person is certainly permitted to take any type of non-chewable pill on Passover (unless there is a readily available substitute that has no

chametz concerns)²⁰ and has no excuse to discontinue their medications without the assent of their physician. Due to concerns that patients will improperly stop their medications on Passover if they are not confirmed kosher for Passover, at least one rabbinic body was reported to have stopped publishing lists of kosher for Passover medications.

The final outcome

The above discussion dealt almost exclusively with bitter liquids or tasteless, non-chewable pills. Flavored liquids or chewable pills with a taste are much more problematic and may present a particular problem for pediatric medications which are usually one of these two types. Several Rabbinic organizations²¹ have published practical guidelines

¹⁶ Responsa Igros Moshe, Orach Chaim II:92 (and see Orach Chaim III:62)

¹⁷ While even the smallest amount of *chametz* is not nullified (*batul*) on Passover, if a substance was legitimately nullified before Passover, it may be eaten on Passover. This is one of the reasons why milk is purchased before Passover if certified kosher for Passover milk is not readily available.

¹⁸ Responsa Tzitz Eliezer, vol. 10, 25:20,

¹⁹ The Shulchan Aruch in Orach Chaim 453 defines *kitniyos* as those grains that can be cooked and baked in a fashion similar to *chametz* grains, yet are not considered in the eyes of *halacha* to be in the same category as *chametz*. Some examples are rice, corn, peas, mustard seed, and the whole bean family (i.e. kidney, lima, garbanzo, etc.) Explanation taken from <http://www.star-k.org/kashrus/kk-passover-kitniyos.htm>.

²⁰ See Mesorah 7:91-96 (Elul 5752), by Rabbi Dovid HaLevi Haber, currently a kashrus administrator for the STAR-K and former rabbinic kashrus coordinator for the Orthodox Union. Rabbi Haber explains that the practical halacha follows Rav Moshe Moshe Feinstein and Rav Ovadia Yosef that if a medicine contains a non-kosher ingredient, it may be taken even by a non-seriously ill person if it lacks a taste or has an unpleasant taste. The reason that it is meritorious to avoid even a bitter-tasting or unflavored medication in favor of a completely non-*chametz* containing medicine or pill which is readily available is out of deference to the opinion of the Sha'agas Aryeh. This is one of the main reasons why lists of medicines that do not contain *chametz* are compiled every year. A second reason for such lists is because there is difficulty reaching a consensus on what would be required for a medicine to be considered no longer edible to a dog. (*nifsal m'achilas kelev*). Rav Shlomo Zalman Aurbach (Minchas Shlomo 1:17) writes that he is not sure that many of our medicines truly are inedible. Rabbi Haber writes (Mesorah 14:91, Tishrei 5758) that Rav Moshe Heinemann defines a medication as unfit for human consumption if it none of the ingredients have "nutritional value" or "hydration value," and are not fit to eat like "charcoal tablets." However, since most tablets contain a substantial amount of starch, which is a food, it is questionable whether the starch found in our medications fulfills these criteria (although most starch in our medications is from corn which is *kitniyos*). See Rabbi Chaim Jachter, "Medicines that Contain Non-Kosher Ingredients or Chametz," (http://www.koltorah.org/ravj/14-34_Medicines_that_Contain_Non-Kosher_Ingredients_or_Chametz_1.htm).

²¹ The Orthodox Union website (<http://www.oukosher.org/index.php/passover>) contains extensive information on all issues related to observing Passover, including kosher for Passover products, medicines, cosmetics, and toiletries, as well as its own policy statement on the status of medications on Passover. One of the most

to help navigate the complex variety of medicine types. One simple formulation, which is an excellent starting point for evaluating medications, is the Chicago Rabbinical Council²² declaration regarding the use of medicines on Passover,²³ which divides medicines into three basic categories:

1. All pill medication (with or without *chametz*) that one swallows is permitted. Vitamins and food supplements do not necessarily fall into this category (even when they are in pill form), and each person should consult with their Rabbi.

2. Liquid and chewable medications (or pills coated with a flavored coating) that may contain *chametz* should only be used under the direction of a Doctor and Rabbi, who will judge the severity of the illness, the likelihood that the medicine contains *chametz*, and the possibility of substituting a swallowable pill. **Important: Do not discontinue use of liquid, chewable or any other medicine without consulting with your Doctor and Rabbi.**

3. Liquid and chewable medications that are *chametz*-free but contain *kitniyos*, may be consumed by someone who is ill. A healthy person, who would like to consume this type of medicine to merely relieve a minor discomfort, should only do so if the product is known to be free of both *chametz* and *kitniyos*.²⁴

extensive and detailed discussions of medications on Passover can be found at the Baltimore Vaad HaKashrus (STAR-K) website (<http://www.star-k.org>). I encourage everyone to read their article entitled, "*PESACH MEDICATION & COSMETICS: THE HALACHOS & LISTS*" by Rabbi Dovid Heber, Star-K Kashrus Administrator at <http://www.star-k.org/kashrus/kk-passover-medicine.htm>.

²² The CRC website (<http://www.crcweb.org>) contains useful information on practical issues in keeping a kosher home and observing the Jewish holidays.

²³ Chicago Rabbinical Council 2012 Passover Guide, page 2 at <http://www.crcweb.org/Passover/passover%20guide%202012.pdf>.

²⁴ If you are would like to check if your medications contain *chametz* or *kitniyos*, the yearly Star-K Passover Directory is

It becomes apparent that kosher for Passover lists are most useful for flavored liquid and chewable medicines, and non-essential medications, such as over the counter medications, vitamin supplements, and food supplements. It is still necessary to consult a competent halachic authority if you have any questions into what category a given non-essential medication falls. For instance, while there is general consensus that vitamin supplements are considered food and require reliable Passover kosher supervision, there is a consensus that prenatal vitamins that are prescribed by a physician may be taken without compunction. Additionally, there are unique issues related to children's medications and many types of non-conventional treatments, such homeopathic remedies that may require special consideration.²⁵ There are many excellent resources available on-line and at Jewish bookstores if you wish to obtain more information about kosher for Passover medicines, cosmetics, and toiletries.²⁶

I wish everyone a healthy, happy, and kosher Passover.

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This article can also be read at: <http://www.aish.com/h/pes/1/48969711.html>

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available at Jewish bookstores after Purim. Multiple articles about medications, cosmetics, and toiletries, as well as articles regarding taking medications on Yom Tov are available online at <http://www.star-k.org/cons-pesach.htm>. The Orthodox Union (OU) Passover directory is also available in PDF form online at <http://oukosher.org/passover>, including a guide to medications on Passover, at <http://oukosher.org/passover/guidelines/medicine-guidelines/medicine-guidelines>. Additionally, the CRC website also has a short list of medications that contain *chametz*, *kitniyos*, or are free of both.

²⁵ See Rabbi Chaim Jachter, "Medicines that Contain Non-Kosher Ingredients or Chametz," (http://www.koltorah.org/ravj/14-34_Medicines_that_Contain_Non-Kosher_Ingredients_or_Chametz_1.htm)

²⁶ See notes 21 and 24.