



Is a Second *Netilat Yadayim* Necessary?

Question: If one does *netilat yadayim* (=ny) before eating rinsed fruit (without a *beracha*), and then decides to eat bread, should he wash again, with a *beracha*?

Answer: Your question is related to a famous yearly practice. The *gemara* (Pesachim 115b) says that at the *Seder*, the first *ny* (for *karpas*) does not preclude a second one because, in the interim, one takes his mind off of his hands (*hesech hada'at*). Tosafot (ad loc.) asks why we need that reason, considering that the minor *ny* anyway should not exempt from *ny* on the *matza*, which is a full-fledged and different Rabbinic obligation. Tosafot answers that we might have thought that even a non-required *ny* precludes the need for a repeat when required.

The *Beit Yosef* (Orach Chayim 158) understands from Tosafot that even if one does a lower-level-obligation *ny* for non-breads dipped in liquids, he still has a full obligation for *ny* (with a *beracha*) if he now wants to eat bread, and the Shulchan Aruch (OC 158:7) rules this way. The Rama (in the Darchei Moshe and on the Shulchan Aruch, both ad loc.) says that this is so only when he had *hesech hada'at* (or a long time passed – Biur Halacha ad loc.). Otherwise, one would not make a *beracha* on the bread. (The Biur Halacha ibid. posits that if there is no water for a second *ny*, one can rely on the first *ny*.)

There is a parallel discussion regarding one who leaves the bathroom right before a meal. If he does one *ny* for both needs, both the option of eating first and of reciting *Asher Yatzar* first raise problems (beyond our present scope). Therefore, the Shulchan Aruch (OC 165:1; the Rama does not object) rules to wash two times; the first is followed by *Asher Yatzar*, the second, by the *beracha* of *Al Netilat Yadayim*.

The Magen Avraham (165:2) asks why according to the Rama, is there a *beracha* on the second *ny* if it is so soon after another *ny*. His first answer is that the *beracha* can actually relate back to the first *ny*, as he knew he would eat bread. The second answer, which he prefers, is that the first washing should be done in

Wills • Probate • Nuptial Agreements
Durable Power of Attorney (Finance/Healthcare)

Halachic Estate Planning
Tirtza Jotkowitz, Esq.

tirtzej@gmail.com • 052-509-3356 • (02) 625-6475
US & Israel: 845-425-8871 / 694-7645 / 596-5733

The Orthodox Union - via its website - fields questions of all types in areas of kashrut, Jewish law and values. Some of them are answered by Eretz Hemdah, the Institute for Advanced Jewish Studies, Jerusalem, headed by Rav Yosef Carmel and Rav Moshe Ehrenreich, founded by HaRav Shaul Yisraeli zt"l, to prepare rabbanim and dayanim to serve the National Religious community in Israel and abroad. Ask the Rabbi is a joint venture of the OU, Yerushalayim Network, Eretz Hemdah... and OU Israel's Torah Tidbits.



a manner that is invalid for bread (e.g., without a cup), so that he can say *Asher Yatzar* without causing a problem with the *beracha* on a full-fledged halachic *ny*. Rabbi Akiva Eiger (ad loc.) rejects the Magen Avraham's first answer because if the second *ny* added nothing, the *beracha* on *ny* has to relate to the first, significant *ny*, and therefore *Asher Yatzar* would cause a problem. The Mishna Berura (165:2) and many others (see Sha'ar Hatziyun ad loc.) accept the assumption of the Magen Avraham's second answer – if nothing happens to the hands between two acts of *ny* in relative close proximity, there is no *beracha* on the second one, even if the first was not a *ny* with a *beracha*.

It might seem that before eating bread soon after washing for fruit, a Sephardi would make the *beracha* on the *ny*, following the Shulchan Aruch, and an Ashkenazi would not, based on the Rama. However, this is far from clear. The Yalkut Yosef (OC 158:19) rules that even a Sephardi does not make a *beracha* because Tosafot is based on an assumption (which we do not accept) that the *netila* before dipped foods is only for cleanliness. Ashkenazim also have to determine how long the effect of the first *netila* precludes a new *ny* with a *beracha*. The Biur Halacha (to 158:7) says that after a few hours, it is ineffective unless he originally intended it to last for

a later eating and did not have *hesech hada'at*. We note that the Darchei Moshe (ibid.) assumed that the delay between *karpas* and *motzi matza* warrants a new *ny* with a *beracha* and that not everyone has an hours-long *Maggid* section.

During a meal, we do not assume *hesech hada'at*, but when one finishes it, we normally treat the situation as one where we assume it (see Mishna Berura 164:7). It is unclear how long after *ny* for fruit we should assume *hesech hada'at*. A trick to use for such a case of doubt is to touch parts of the body that are usually covered, making *ny* with a *beracha* a definite subsequent need (see Yaskil Avdi, II, OC 6). ■

Eretz Hemdah has begun a participatory Zoom class - "Behind the Scenes with the Vebbe Rebbe" - an analytical look at the sources, methodology, and considerations behind our rulings, with Rav Daniel Mann. Contact info@eretzhemdah.org to join while places are open.

Having a dispute?



For a Din Torah in English or Hebrew contact 'Eretz Hemdah - Gazit' Rabbinical Court: 077-215-8-215 • fax: (02) 537-9626
beitdin@eretzhemdah.org