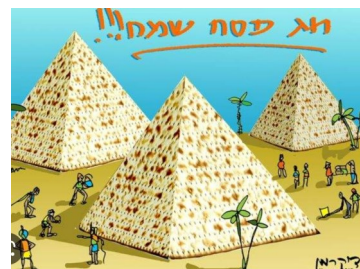




# Bet Horaah בית הוראה שערי עזרא Shaare Ezra



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## PRICE GOUGING BEFORE PESACH

RABBI SHAY TAHAN

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Did anyone else notice how the prices of meat, chicken, eggs etc. jumped this past week?

There is no reason for that price hike since the meat and chickens before Pesach are the same meat and chickens as throughout the year, and the eggs are the same eggs. So why are the prices so much more expensive?

New York Attorney General Letitia James issued a consumer alert urging New Yorkers to be cautious of potential discriminatory pricing practices at car washes in advance of Passover. In previous years, there have been reports of car wash businesses in predominantly Orthodox Jewish communities in New York City raising prices by as much as 50 percent for Jewish customers seeking cleaning services close to Passover. In the days leading up to Passover, many Jews clean their homes, cars, and other spaces to remove "chametz" (leavened products). According to reports provided to the Office of the Attorney General (OAG), some companies have advertised "specials" for car washing services related to Passover, but instead, charged higher prices to customers. To protect New Yorkers from these practices, Attorney General James has previously sent letters to organizations representing car wash owners in New York to remind their members that any such business practice is illegal and should be reported to OAG.

"Taking advantage of someone's religious observances and practices is offensive, discriminatory, and absolutely unacceptable," said Attorney General James. "For millions of observant Jews in New York and beyond, Passover is an important holiday, and their preparations should be respected, not manipulated for profit. I urge any New Yorker who is concerned that they have been a victim of discriminatory behavior because of their

religion, race, or background to contact my office immediately."

Although this warning was specifically for car wash places, it stands true for many other goods and businesses as well. For example, dry cleaners, clothing and food, like meat, chicken, fruits and vegetables.



### Supply and demand.

We all know that the price of goods is greatly determined by supply and demand. When the demand for the goods increases, the price of the goods also increases. When the demand decreases, the price falls with it. In instances when the demand for a good or service suddenly increases, it's natural to assume the price of the product will rise. Price gouging occurs when companies raise prices to unfair levels. Price gouging often occurs when there's a sudden surge in demand for certain goods or services such as in the case of emergencies, or in our case, before holidays.

### Halachic view of price gouging.

Is this just a legal and moral issue or is it also Halachically unacceptable?

The Pasuk says: שבור דרוע רשע, break the arm of the wicked. The Gemara (מגילה י"ב) says that this refers to the merchants who gouge prices at times of need. Chazal knew this Pasuk refers to such merchants because the Pasuk starts with the words יארב במסתר כאריה בסוכו יארוּב (תהלים י"ט)

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## PRICE GOUGING BEFORE PESACH

עני saying that the thief hides in order to rub the poor. Rashi asks, why does the thief rub the poor who doesn't have much to take from? He should have rubbed the rich. The answer is that it refers to the merchants who take advantage of the poor at time of need and raise the prices.

Chazal (ראה בבא בתרא צ"ב) speak of another practice that is even worse than the regular price gouging. Some merchants buy all the merchandise from all the suppliers. Now that there is no more merchandise found anywhere, they have no competition, allowing them to raise the prices as they wish.

The Pasuk says: "לאמר מתי יעבור החודש ונשברה שבר והשבת שקל" (ראה בבא בתרא צ"ב) and the merchants who bought all the merchandise said to themselves: "When will the month pass so we will sell our goods for high price?" The Pasuk continues to say that Hashem swore not to forget their cruel actions.

The practice of price gouging is so wicked that our Sages instituted a special Beracha in the Amidah prayer called ברכת השנים. In this Beracha we ask Hashem to bring wealth to the world in order to have much produce which won't let those wicked merchants raise prices.

### Examples from the Gemara about price gouging.

There are a few examples from the Gemara of how our Rabbis dealt with the act of price gouging. One example is when Shmuel (סוכה לד') saw that the Hadasim merchants were raising prices before Sukkot at a time where everyone is in need for Hadasim. He warned them that if they don't lower the price to the correct value he will announce that there is no requirement to have beautiful Hadasim. By doing that, the price of beautiful Hadasim will go down significantly since demand will decrease.

Another example with Shmuel (פסחים לא) was after Pesach, when he saw that pot merchants were raising their prices. People were following an opinion that one isn't allowed to use old pots from before Pesach after Pesach, since they were absorbed with Chametz. Shmuel demanded that the prices of new pots go back to their original value or he will announce that one may use their old pots after Pesach, and then no one will purchase new pots.

There are other similar examples (ראה משנה בריתות א,ז ותענית ב,ט) which bring out the point that one shouldn't raise prices at a time of high demand and need.

An interesting incident happened at the time of the Tzemach Tzedek (הקדמון סימן כח) where the fish merchants took advantage of their Jewish customers and raised the price of fish knowing they would buy them at any price for the honor of Shabbat. When the community leaders learned about this, they demanded that no one buy any fish for two months. The students came in front of the rabbi- Tzemach Tzedek to ask whether this is correct, since anyway the expenses for Shabbat and Yom Tov are paid back from heaven.

The Tzemach Tzedek answered that the leaders are correct since price gouging should not be tolerated, especially since it hurts the poor who can't afford buying at such expensive prices. The rabbi brought the examples of the Gemarot above to prove this point.

His ruling is brought down in the Poskim, such as the Magen Avraham (סימן רמב) and Mishna Berura (סק"ב).

### Final words.

It seems like the prices of different products are raised before Pesach without a real reason. For example, kosher for Pesach meat and chicken doesn't cost the provider more than it does throughout the year; still, many supermarkets feel they can raise the price of kosher L'Pesach poultry by 20%-60%. Why is that? This is a classic case of price gouging. If they violate this Halacha and moral standard, how can we trust their Kashrut? As a consumer, the rule of thumb should be that if you see something, say something. Tell the grocery owner that there is enough business before holidays without digging dipper to people's pockets.

We should also be advised that many poskim permit all year-round raw salted meat, chicken and fish which are found in our freezers by merely rinsing them. The notable exception being processed meat and chicken, such as ground meat as well as spiced meat. (מין הש"ע סי' תמוז ס"ה, אור לציון ח"ג עמוד קא). In case one can't find such food items at regular prices, one should advise with a competent rabbi what is permitted.

## THE AMAZING CUSTOMS OF LEL-HASEDER!

Lel-Haseder is the center of the Pesach feast, where virtually every family in the entire Jewish nation gets together around their respective holiday tables, to celebrate the big day. Although every one reads the same Haggadah and eats the same Matza, the customs of every community are very different. Let's explore some of those very interesting customs.

Persian Jews have a custom to each take a bunch of scallions, and when they reach the point in the Haggadah speaking of what would have been had Hashem not taken us out of Mitzrayim, and start singing the 'Ma-Nishtana' the beating starts, as each raises his scallion and starts hitting the one sitting near him.



The Moroccan custom is to take the Seder plate and turn it around each person's head, just like one does with the chickens of Kaparot before Yom Kippur.

Tunisians leave out some Charoset, and at the end of reading the Haggadah, they smear some on the doorpost by the Mezuzah.

Yemenites still have the kids say the 'Ma-Nishtana' in the Yemeni language, with a special reward for those who do a very good job....a boiled egg.

Those who came from Iraq have a special way to secure the Afikoman from anyone who might try to "steal" it, the head

## THE AMAZING CUSTOMS OF LEL-HASEDER!

of the household appoints one of his kids as a guard over the Afikoman and warns him, that in the event the Afikoman is lost, stolen or eaten—he would have to pay a hefty fine; and for making sure it is not stolen he will receive a gift.

Bukharians have a similar custom, with a caveat—the head of the household takes a towel and hits the younger ones who succeeded in “stealing” the Afikoman, until they return it, usually in return for a nice gift.

Syrian Jews, after reaching the point of splitting the Afikoman -Matza, they place that piece in a nice cloth bag and each

person around the table takes turn performing the following ceremony: they place it over the left shoulder and say that this resembles the burden that was carried by the people upon coming out of Egypt. They are then asked: “Where did you come from?” and they respond “From Mitzrayim”, then they are asked “Where are you heading to?” and before responding, the person removes the bag from the left shoulder and places it on his right shoulder and then he says “To Yerushalayim!” and everyone around the table calls out that next year, we should all be in Yerushalayim with the coming of the Mashiach. May this happen very soon with Hashem’s help.

## HALACHOT OF GOING TO A HOTEL FOR PESACH.

**One who leaves his home for the days of Passover may sell his house with all its contents to a Goi in the Mechirat Chametz, thus being exempt from cleaning the house and checking at the night of Bedikat Chametz.**

**Such a person may fulfil the mitzvah of Bedikat Chametz in the room that he rents for the holiday, or he may leave one room in his house unsold, clean it and do the Bedikat Chametz there. It is important that one tell the Rabbi who’s selling the Chametz that he is selling the entire house.**

Explanation: A person who sold his house to a Goi for the Passover days, does not need to clean and inspect his house, because the place is not going to be his during that time, nor will he be staying there, as the Ohr Letsion wrote (ח"ג עמוד פ). He also added that one should not lose out on the important Mitzvah of Bedikat Chametz, and therefore should check with a Beracha either at his home or at the place which he will be in Pesach, for example the Hotel room.

Another idea is to fulfil the Mitzvah of Bedikat Chametz in one’s car, since usually when traveling from home people leave with their cars, and since the car must be cleaned for Pesach anyway, he can perform the mitzvah of checking the chametz in his car with a lamp and recite blessing. One doesn’t need to use a candle in the car since it’s hard to check with a candle in such a place and is also dangerous.

If one goes to a hotel, before entering his room on Pesach Eve, it suggested to leave the luggage outside the room in order to perform the Bedika while the room is empty.

The Bedika in the hotel room should be done with a candle and a blessing.

Explanation: It is clear that one must clean any place that is considered to be a person’s home for the holiday or a place that he is staying by; hence a hotel room is considered to be a person’s home. (סימן נח אות יז).

The evening of the 14th of Nisan is the correct time to check the chametz, but if one only enters his room in the morning of the 14th or at noon, he should check his room then with a candle after saying the proper blessing.

It’s important to note that the hotel room should be first thoroughly inspected, since the room’s cleaning team don’t

do a thorough job cleaning every crumb. After a proper checking, one is almost certain to find some food behind the closets or under the beds.

Some hotels offer some alcoholic beverages in the room which aren’t kosher for Passover, or snacks that are chametz, (the hotel charges the use of them upon leaving the hotel). One should close them in a drawer and write on the drawer that they belong to the Goi. If they are in the refrigerator, and he doesn’t need to use the refrigerator, he should close and tape the entire refrigerator and there is no need to check it. (Again, he should write on it that it belongs to the Goi).

Rav Elyashiv (אשרי האיש פסח פרק ד אות י) wrote that as long as the guest did not purchase the drinks and snacks, he is not obliged to remove them from the room, and if they are in the fridge which he won’t use, there is no need to inspect the fridge although it’s in the room. He also added that if the hotel is owned by a Jew, the managers of the place should be informed that he did not check the contents of the refrigerator and it is their duty to do so.



The Nitei Gavriel (פסח ח"א פ"כ אות יג) is of the opinion that the liquids and snacks must be removed from the room before Pesach so one shouldn’t come to eat it by mistake.

Although the Shulchan Aruch (סימן תמ ס"ב) wrote that one is obligated to separate the Chametz with a Mechitza (wall) of ten Tefachim, the Chazon Ish (הובא בחוט שני פסח עמוד קה) held that if the place belongs to a goi (such as those closets or fridge), it’s enough to merely tape it and write that it belongs to the Goi.

If the hotel is Jewish owned, the owners of the hotel are obligated to check all the places except for the rented rooms (ר"ב (סימן תלז) as stated in the Shulchan Aruch (סימן תלז) that if the 14th of Nisan falls before the keys are handed over to the tenant, the landlord is obligated to inspect.

The landlord must also check the other places in the hotel, such as the kitchen, the dining room, the corridors, the basements, etc., since these places remain in their possession and are not rented out to others. Of course, he doesn’t have to do it all himself, but he must make sure it’s cleaned and inspected on the night of Bedikat Chametz.



## LAWS OF WINE

In this article, we would like to learn about the different types of wines available today, and which would be the most preferable to use to fulfil the Mitzvah of the four cups of wine required to drink at the night of the Pesach Seder.

\*One should try to use red wine for the four cups, as to remember the Jewish blood spilled at the hands of Pharaoh (ש"ע ס"י תעב ס"יא). Year round, one may use white wine for Kiddush (ס"י ערב ס"ד).

\*Grape juice is permissible for Kiddush and the four cups, even though it can't ferment (רש"י אורבך), because at a certain point it was able to ferment. Still, some Poskim wrote that it shouldn't be used since it can't ferment, and thus lost its status of wine (הגר"ש). (אלישיב בשבות יצחק פסח, עמוד קכז).

\*Since many of today's wines are diluted with water, one should make sure his wine doesn't consist of mostly water, as then this wine wouldn't be kosher for Kiddush and the four cups, nor he would be able to recite the Beracha of Hagefen over it. (פרי מגדים ס"י דב"א סקט"ז וכן בכה"ח אות לב).

For this reason, since our grape juices are very diluted (although they do maintain a majority of juice and is kosher for the four cups) one should not add more water to them, as then they'll lose their wine status (רש"י אורבך בהליכות שלמה פסח עמוד רכא).

\*Lechatchila, one should try to have wine with some level of alcohol, since such wine makes people happy and a bit high, (פרי חדש סוף ס"י תפג), but one who finds it hard to drink alcohol should use grape juice (women and children should drink grape juice). Although one should try to push himself to drink wine even if he hates it or it makes him feel not too good after drinking (שולחן ערוך ס"י תעב ס"י), one should try to use wine or grape juice that he likes and that doesn't make him feel bad, as the Rambam wrote:



(פ"ז דחמץ ומצה ה"ט): "ארבעה כוסות האלו צריך למזוג אותן כדי שתהיה שתיה עריבה, הכל לפי היין ולפי דעת השותה". וראה מה כתב בזה בתשובות והנהגות (ח"ב ס"י רמג).

\*It is preferable to use a Non-Mevushal wine, meaning wine that was not cooked (ראה בטור ס"י ער"ב באריכות), although L'Halacha we do permit cooked wine (ס"י תעב ס"יב). Nevertheless, since many Rishonim wrote that cooked wine isn't valid for Kiddush and four cups since such wine wasn't able to be brought on top of the altar in Bet Hamikdash, it is correct to take the more stringent approach (משנה ברורה ס"י תעב סקל"ט ובאר לציון ח"ג עמוד קנז בהערות).

\*For the same reason, one should try to avoid flavored wines or wines with added sugars and various ingredients. Using sparkling wine or grape juice is permitted (אור לציון ח"ב עמוד קפז).

\*Wine companies use a method called wine restoration in order to store the great amount of juice they own. They vaporize the wine to 1/5 of the original amount, then when they are ready to sell it, they add 4/5 water to the concentration to restore it to its original state. Restored wine and grape juice should be avoided according to Rabbi S.Z. Aurbach (בהליכות שלמה) because at the time it was concentrated, it was unfit for consumption, hence losing its status of wine. The Rav added that although the company restores it afterwards, the Halacha isn't clear whether such wine can reclaim its status of wine. Rabbi Yisrael Belsky (עמוד שי) argued on this ruling and proved that such wine is kosher to be used.

\*Finally, some wrote (אור לציון ח"ב עמוד קפז) that one who's able to prepare homemade wine should do so, as that will ensure his wine is free of all concern, such as cooked or pasteurized (which some poskim consider cooked), or a concern of a Yayin Nesech, and added ingredients which the companies add and are questionable (בש"ת תשובות והנהגות (ח"ג ס"י פז).

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MAY HASHEM SEND SPECIAL STRENGTH IN TORAH AND ALL THE BERACHOT TO DAVID AKIVA AND RACHEL LEON.

Wishing Mazal Tov to Mr Lazor Scheiner for the Hachnasat Sefer Torah to the Bais Medrash of אור חיים!