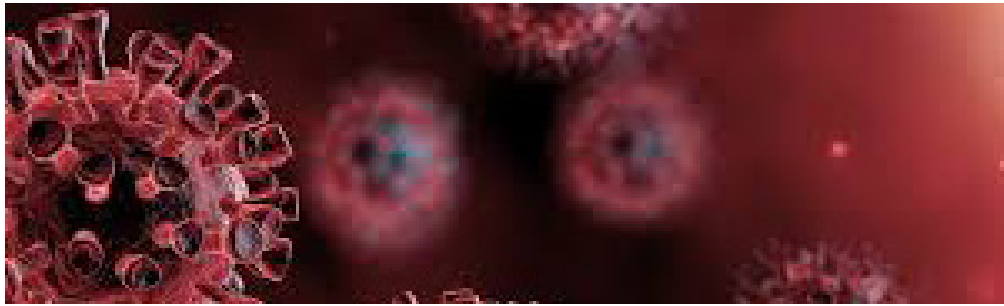


THE BAIS HAVAAD

# HALACHA JOURNAL

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## BIRKAS HAGOMEL: BENEDICTION AFTER AFFLICTION

Should a recovered COVID-19 patient *bentch gomel*?

Adapted from the writings of Dayan Yitzhak Grossman

The Gemara states: "Four must offer thanks to Hashem." One of these is "one who was ill and recovered."<sup>1</sup> These thanks take the form of a *korban todah*, but in the absence of the *Bais Hamikdash*, Chazal instituted *birkas hagomel* in lieu of the *korban*.<sup>2</sup>

There are three opinions among the *Rishonim* as to what level of illness is sufficient to trigger the obligation:

1. Even a mere headache or stomachache is sufficient.<sup>3</sup> (Later *poskim* do not accept this view.)
2. Only a more serious illness that causes one

to take to his bed triggers the obligation.<sup>4</sup> This opinion is codified by the Mechaber<sup>5</sup> and is endorsed by a number of Ashkenazi *Acharonim*<sup>6</sup> and the Kaf Hachaim, who asserts that the (Sephardi) custom follows this view.<sup>7</sup>

3. Only a potentially fatal illness triggers the obligation.<sup>8</sup> The Rama cites this opinion and apparently endorses it,<sup>9</sup> and the Aruch Hashulchan asserts that the (Ashkenazi) custom follows this view.<sup>10</sup>

4 R' Yosef, cited by Rosh and Tur ibid. (and cf. Eliyah Rabbah ibid. s.k. 13; Ma'amar Mordechai ibid. s.k. 9).

5 Shulchan Aruch ibid. 219:8.

6 Shu"t Radvaz cheilek 3 siman 1001 (572); Bach at the very end of siman 219 (and see Magen Avraham s.k. 8); Eliyah Rabbah ibid.; Magen Giborim ibid. s.k. 14. Cf. Mishnah Berurah ibid. s.k. 28.

7 Kaf Hachaim ibid. s.k. 44

8 Ra'avad, cited by Toras Ha'adam and Tur ibid.

9 Shulchan Aruch ibid.

10 Aruch Ha'Shulchan ibid. 219:11

1 Berachos 54b.

2 See Piskei HaRosh ibid. 9:3

3 Sefer Ha'aruch, as understood by Rosh ibid. and Tur Orach Chaim end of siman 219. Ramban in Toras Ha'adam Sha'ar Hahoda'ah; and possibly Rambam, as understood by Tur ibid. (but see Bais Yosef and Bach ibid.).

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Excerpted and adapted from a shiur by  
Rav Yosef Jacobovits

### PARSHAS ACHAREI MOS-KEDOSHIM

#### A Mixed Blessing

...[H]oly, praises to Hashem. (Vayikra 19:24)

The Gemara (*Berachos* 35a) connects this *pasuk* to *bracha rishonah*, in which one praises Hashem for the food he is about to eat.

When eating a mixture of foods, the Shulchan Aruch (O.C. 212) rules that one generally recites a bracha on the *ikar* (primary food) and not on the *tafel* (secondary food), whether the two foods are distinct entities or all mixed as one. On bread with salty fish one recites *shehakol*, because the bread is eaten as a *tafel* to the fish. When eating a fruit salad (see *Biur Halacha* at length), the accepted *psak* is that if the average spoonful includes both fruits and vegetables, we recite one bracha on the majority. Otherwise, one recites two brachos.

If a *mezonos* ingredient is part of the

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### The Case of the Late Bloomer

Q I did not say *birkas ha'ilanos* in the month of Nisan. May I still say it in Iyar?

A The Gemara (*Brachos* 43b) and the Shulchan Aruch (O.C. 226) state that *birkas ha'ilanos* is recited upon seeing fruit trees blossoming during *Chodesh Nisan*. There is a dispute whether that timing is a necessary condition or simply the usual case.

Some *poskim* rule that one should not say the bracha after Nisan in the usual way; rather, he

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Many *Acharonim* rule that even according to the third view, one recites the bracha over any illness during which he took to his bed for more than three days.<sup>11</sup> Conversely, some apparently rule that even according to the second view, one does not recite the bracha unless he was bedridden for at least three days.<sup>12</sup> Others disagree.<sup>13</sup>

The *Acharonim* cite a ruling of the Maharil that one who suffered from *kadachas* (fever or ague) must *bentch gomel*.<sup>14</sup> But the Biur Halacha says that although according to the second view an ordinary fever is sufficient, according to the third view a life-threatening fever is required.<sup>15</sup>

In light of the above, it is obvious that one who recovers from a severe, life-threatening case of COVID-19 would recite the bracha. The halacha is less clear regarding one who recovers from a mild case: On the one hand, the patient was not in any actual danger, and some *Acharonim* rule that one who avoided a thrown stone or evaded enemy pursuit does not recite the bracha, as it is only recited upon the experience of actual danger and salvation and not when the danger was avoided.<sup>16</sup> Other *Acharonim*, however, apparently disagree, ruling that *hagomel* is indeed recited by one who escapes potentially lethal injury when a falling rock narrow-

ly misses him.<sup>17</sup> Similarly, some *poskim* assert that walking under a dangerously leaning wall would have obligated one in the bracha were it not for the fact that the event is transient and brief.<sup>18</sup> Moreover, in our case the patient actually did suffer from COVID-19, an inherently deadly disease, and his condition could have deteriorated, so perhaps he does recite the bracha.<sup>19</sup>

If a relatively mild case of COVID-19 is not considered a potentially fatal illness, then if the patient was bedridden for more than three days, he would nevertheless recite the bracha according to the second view above—and according to many *Acharonim* even according to the third. If he was bedridden for less than three days, he would definitely not recite it according to the third view, and *poskim* debate whether he would recite it according to the second view.<sup>20</sup> If he was not bedridden, all would agree that he would not *bentch gomel* (assuming we do not automatically consider any COVID-19 infection to be potentially lethal).<sup>21</sup>

May Hashem send *refu'os veeshu'os* to all *cholei amo Yisrael*.

<sup>11</sup> Chayei Adam *ibid.* se'if 4. Cf. Shu"t Divrei Nechemia Orach Chaim siman 14, mentioned (briefly) by S'dei Chemed (Vol. 5) Asifas Dinim, Ma'areches Berachos siman 2 os 14 and Kaf Hachaim *ibid.* s.k. 10.

<sup>12</sup> Abudraham, Hilchos Berachos Sha'ar 9, cited in Eliyah Rabbah *ibid.* Cf. Shu"t Sheivet HaLevi cheilek 9 siman 45.

<sup>13</sup> In a personal communication, R' Doniel Neustadt wrote: "It's poshut to me that one who has a mild case does not recite *hagomel*, since the vast majority of people who contract Covid recover easily and without any danger. So in most cases it's merely a nuisance...in which there is a clear minhag that we do not recite *hagomel*."

The halacha may ultimately hinge on the infection fatality rate (IFR), as opposed to the case fatality rate (CFR), of the disease, a figure that has not yet been established with confidence. For a detailed exploration of this issue, see <https://ourworldindata.org/coronavirus#what-do-we-know-about-the-risk-of-dying-from-covid-19>.

<sup>20</sup> The strict view is the position of Halacha Yomit - Halacha L'Yom Sheini 5 Nissan [5]780 (retrieved 21:36, Apr 20, 2020). Cf. R' Noam Dvir Meisels, Ha'im Choleh Corona Shehechelim Tzarich L'varech Hagomel.

<sup>21</sup> R' Chaim Kaniewsky was reported to have ruled that a survivor of COVID-19 should recite the bracha only if his life was in danger. (I am indebted to my wife for bringing this to my attention.)

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should omit *sheim u'malchus*. (This is especially true according to the *mekubalim*, who state that the bracha benefits souls that are present in fruit groves during Nisan.) The Kaf Hachaim (*ibid.* 1) reports that the *minhag* accords with these *poskim*.



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However, many *Acharonim* (including Chayei Adam 63:2 and Kitzur Shulchan Aruch 60:1) maintain that Nisan is mentioned in the Gemara only because it is the usual time that the blossoms appear in fruit trees, but one may still make the bracha after the month has passed. The Mishnah Berurah (*ibid.* 1) follows this opinion, and presumably this is the current *minhag* among Ashkenazim. (Perhaps the Kaf Hachaim was reporting the custom among Sefardim.)

The Chasam Sofer (to Shulchan Aruch *ibid.*) says that in our Gemara's context, "Chodesh Nisan" does not refer to the month of Nisan but to the first thirty days of *tekufas Nisan*, halachic spring. The first day of *tekufas Nisan* ranges from 27 Adar to 28 Nisan. In colder Northern climes, trees do not necessarily blossom before the month of Nisan passes. If one did not say *birkas ha'ilanos* in Nisan because the trees hadn't yet blossomed, there is even more reason to permit reciting the bracha during at least part of Iyar.

Apart from calendrical considerations, once the fruit is fully grown, it is too late to say the bracha (M.B. *ibid.* 4). If the fruit has only begun to grow, and one did not view it previously, there is a dispute whether he may still recite the bracha. The Mishnah Berurah (*ibid.*) seems to rule that one may do so, but he should certainly try to say the bracha before this stage is reached.

<sup>11</sup> Taz *ibid.* s.k. 5, cited by Eliyah Rabbah, Magen Giborim, and Aruch Hashulchan *ibid.* Biur Halacha s.v. K'gon, however, is uncertain about this.

<sup>12</sup> Chayei Adam Klal 65 se'if 6, cited by Mishnah Berurah *ibid.*; Ben Ish Chai, Shanah 1 Eikev os 7; and cf. Biur Halacha *ibid.*

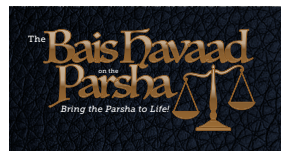
<sup>13</sup> Kaf Hachaim *ibid.* s.k. 46; Or L'Tzion cheilek 2 perek 14 teshuvah 44; Yalkut Yosef 219:23.

<sup>14</sup> Sefer Maharil, Hilchos Krias HaTorah, cited by Eliyah Rabbah and Magen Giborim *ibid.*

<sup>15</sup> Biur Halacha *ibid.*

<sup>16</sup> Maharal in Nesivos Olam, Nesiv Ha'avodah ch. 13, and cf. R' Doniel Neustadt, The Blessing Of Ha-Gomel, The Daily Halachah Discussion, pp. 106-107. I do not understand the distinctions that they make. Cf. Radvaz *ibid.* (citing R' Avraham Av Beis Din).

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mixture, one generally recites only *mezonos*. Thus a breakfast cereal that contains both a *mezonos* grain and corn would

be *mezonos*. But if the grain is used for texture and not flavor, it would not. (According to Rav Belsky, this is the case with licorice, whose first ingredient is often flour.) Many foods are questionable, such as schnitzel, Frappuccino with cookie crumbs, cookies-and-cream ice cream, salad with croutons, and yogurt

with granola, and each of these cases must be addressed separately. For example, most *poskim* hold that one recites *shehakol* on schnitzel since the primary food is the chicken, though some rule it's *mezonos*. If the breading is especially thick, perhaps there is more reason to recite *mezonos*.



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