



Overview

Halacha Highlight

Siman 434 Seif 2:

Immediately after the search for *chometz* at night one must nullify his *chometz*. He should declare, "All *chamira* that is in my possession that I did not see and that I did not destroy, it should be nullified and should be like the dust of the earth." The declaration should be made in a language that one understands. If one used Hebrew the term *chamira* includes *chometz* and *se'or* but in other languages one must mention each one separately. **It is correct for one to nullify his *chometz* a second time at the end of the 5th hour on the day of the 14th before the beginning of the 6th hour because once the 6th hour arrives the *chometz* is no longer in his possession and he is not able to nullify it.** The nullification during the day should be made after he destroys his *chometz* so that he could fulfill the *mitzvah* of destroying his own *chometz*.

- ❖ The *chometz* one saw and will destroy is not included in the night's nullification. (M.B. 7)
- ❖ One should instruct those who do not understand Hebrew to make the nullification in a language they understand. If the nullification was made in Hebrew and one has a general understanding of the point of the nullification it is effective. (M.B. 9)
- ❖ One should not skip the nullification at night with the intent to nullify one's *chometz* during the day out of fear that he may not remember to nullify the *chometz* in time. (M.B. 11)

Siman 434 Seif 3:

When nullifying *chometz* during the day one should declare, "The [*chometz*] that I saw and did not see and that I destroyed and that I did not destroy."

Siman 434 Seif 4:

An agent may nullify someone's *chometz* and when an agent nullifies someone's *chometz* he must refer to *Ploni's chometz*. If one is not home he may nullify his *chometz* wherever he is. If he does not do so his wife should nullify his *chometz*.

- ❖ There are those who dispute the validity of an agent nullifying someone's *chometz* but the Poskim rule that one may rely upon Shulchan Aruch's position when necessary. If one was not appointed an agent he may not nullify someone else's *chometz* even if it is for that person's benefit. (M.B. 15)
- ❖ Even when one appoints an agent it is preferable to nullify one's *chometz* personally. (M.B. 17)

Nullifying one's *chometz*

Shulchan Aruch Siman 434 Seif 2
אחר הבדיקה מיד בלילה יבטלנו

Immediately after the search at night one should nullify [his *chometz*]

Shulchan Aruch (סעי' ב') writes that upon completing the search for *chometz* one must orally nullify his *chometz*. Since this declaration is a legal statement rather than a prayer (עי' מ"ב סק"ט), it is imperative that one understand the meaning of the declaration. In the event that one does not understand Aramaic the declaration must be said in a language that one understands. Mishnah Berurah (סק"ט) writes that if one made the declaration in Hebrew and knows in general the intent of the declaration it is sufficient. There are those who write (עי' פסקי תשובות אות א') that the declaration should be recited three times. Furthermore, it is preferable if one of those three times the declaration is made in Aramaic, even if one does not understand the words, since the formulation of the words has in and of itself special significance.

In Shulchan Aruch's wording one declares his *chometz* to be like the dust of the earth. Mishnah Berurah (סק"ח) writes that one should add to the declaration that it should be ownerless (הפקר) like the dust of the earth. The rationale behind adding this additional word is that according to some opinions the mechanism of the nullification is similar to the declaration of making one's property ownerless. Accordingly, one should use terminology that reflects that perspective. Although the Gemara in Nedarim (45a) teaches that declarations that one's property is ownerless must be made in the presence of three people, nevertheless, that requirement is only Rabbinic and Biblically the declaration may be made to one's self. Others (עי' פסקי תשובות אות א') question the addition of the reference to the *chometz* being declared ownerless. From their perspective it is meaningless to declare the *chometz* ownerless when one's property immediately brings it back into his possession. Some authorities note that since the declaration is made three times one can add the word "ownerless" at least one of those times and in that way one will make the declaration in accordance with both positions.

After this blunder he never again gave a *haskamah* to anyone.

שו"ת דברי יואל, או"ח, סי' ג'

Although the Tchebiner Rav gave almost anyone a *haskamah* for a sefer on pilpul or lomdus, he rarely gave one for a halachic work. He explained that regarding a halachic work, one who gives his *haskamah* thereby takes responsibility for the halachic rulings in the sefer.

שר התורה, ע' 359

Rav Nosson Adler was also very careful about giving his *haskamah*. But of course one must be careful not to offend an author even when refusing to give a *haskamah*. A certain author approached him with a work asking for his approbation. "Please check this work to ensure that it is worthy to be printed, and if it is give a *haskamah*."

Rav Adler's reply was tinged with humor, based on a statement on today's amud. "Presumably you have a mistake. In Hilchos Pesach we find that the one who checks must nullify immediately afterwards and the same is true here..."

Stories to Share

Immediate Nullification

ש"ע סי' תל"ד, בי "אחר הבדיקה מיד בלילה יבטלנו ויאמר..."

Haskamos are a very tricky business since the one giving the *haskamah* affords credibility to the author.

The Satmar Rav wrote that his grandfather, the Yitav Lev, once gave a *haskamah* to a gaon who had written many Torah works. The Yitav Lev later found that the work to which he had lent his name included words of heresy.

Naturally he was appalled and he wrote many letters to publicize that his *haskamah* had been given in error and was retracted.