The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Tues, Mar 31, 2026 ■ י"ג ניסן, תשפ"ו
סימן תמ"ג סעיף ב'

Overview

Siman 443 Seif 3:

If one purchased something with *chometz* after the 6th hour the purchased item is permitted since *chometz* does not take hold of its money.

- Even though one violates the prohibition against benefitting from *chometz* if he uses *chometz* to purchase something after the 6th hour, nevertheless, it does not prohibit the purchased item. (M.B. 15)
- There are those who maintain that the one who purchased something with *chometz* may not benefit from that item and one should be stringent in accordance with their position unless it involves a great loss. Even according to the stringent view the acquired object is prohibited only if it was received when he gave the *chometz* to the gentile but if the gentile took the *chometz* and delivered the purchased item later it is permitted. (M.B. 16)
- There is a disagreement whether the plant that grows from grain that became *chometz* and was planted is permitted. (M.B. 17)

Stories to Share

Trading in the Forbidden

ש"ע ס' תמ"ג, ג': "מפני שחמץ אינו תופס דמיו."

Rav Moshe Feinstein was known not only as the posek hador, but also for his deep grasp and wondrous clarity when explaining to others the reasoning of the gemara and halachah. One student asked him a compelling question on halachah brought on today's amud.

The student asked, "In Orach Chayim 443, the Shulchan Aruch rules that one who sells or trades chometz may make use of the money he earned or the item he received in exchange. Even those who argue and forbid do so only because of a rabbinic penalty. But how is this different than one who has benefit from chometz itself which is prohibited?"

Rav Moshe answered with a short story. "Imagine a man going to burn his orlah fruits which he must dispose of because they are also asur b'hanaah. As he is on his way he finds a sum of money on the side of the road. We would never say that taking this money is forbidden because he received it only because he had taken a particular path to the site where he would burn his orlah. And the same is true regarding chometz. Since the chometz is not one's property on Pesach, if he received non-chometz for it this is exactly like finding the money and is not considered to have come from the chometz. It is only regarding idols that we have a Torah injunction that the money earned from their sale is forbidden even though they are essentially in the same class of issurei hana'ah like orlah and chometz. But anything else can only be forbidden d'rabbanan."

דברות משה, פסחים, ס' י"ד, ס"ימן י"ד, ענף ב'

Halacha Highlight

Receiving a check for the sale of *chometz*

Shulchan Aruch Siman 443 Seif 3

אם קנו שום דבר בחמץ אחר שש שעות מתר

If someone purchased something with *chometz* after the 6th hour it is permitted

Shulchan Aruch rules that one who used *chometz* after the 6th hour on the 14th to purchase something is permitted to benefit from that item. Although he violated the prohibition of deriving benefit from *chometz* when he purchased that object, nevertheless that object does not become prohibited. Mishnah Berurah (ס"ק ט"ז) explains that according to Shulchan Aruch not only are others permitted to benefit from the item purchased with *chometz* but even the transgressor may benefit from that item. He then cites other authorities who disagree with Shulchan Aruch and maintain that the transgressor is not permitted to benefit from the item that he purchased with *chometz* after it became prohibited. Mishnah Berurah adds that even according to those who adopt a stringent position, the transgressor is prohibited from benefitting from the purchased item only if he received that item at the time that he gave the gentile the *chometz*. If, however, he did not take delivery of the purchased item until some time later it is permitted for even the transgressor to benefit from the purchased item. The reason is that once the gentile took the *chometz* it became his property. Whatever money or object he then gives the transgressor is considered a gift and is not considered an exchange for the *chometz*.

Rav Nissim Karelitz (סע' סידור פסח כהלכתו פ"י סע' ג' בשמו) ruled that if one sold *chometz* to a gentile after it was prohibited and the gentile gave him a check for that *chometz* even the transgressor is permitted to cash that check and use the money for himself. Since the check represents a right for the bearer to collect money but is not in and of itself money it is similar to the halacha mentioned in Mishnah Berurah that if one does not receive something from the gentile immediately upon the delivery of the *chometz* it is permitted even according to the stringent position.