The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Mon, Apr 6, 2026 ■ י"ט ניסן, תשפ"ו
סימן תמ"ו סעיף א'

Overview

Siman 446 Seif 1:

If one finds *chometz* in his home on Pesach – if it is *Chol Ha-Moed* he should remove it from his home and destroy it immediately and if it is *Yom Tov* he should cover it with a vessel until night and then burn it since one is not permitted to move it on *Yom Tov* and even to burn it in its place is prohibited.

- One should remove the *chometz* from his property so that he should not mistakenly eat it. (M.B. 1)
- *Chometz* on Pesach is *muktzah* and that is why one may not move it on *Yom Tov*. (M.B. 5)
- *Chometz* may not be burned on Yom Tov since it involves lighting a fire that does not fulfill a *Yom Tov* need. (M.B. 6)
- From Shulchan Aruch it seems that the prohibition to destroy the *chometz* on Yom Tov applies even to *chometz* that was not nullified but many Poskim maintain that if one finds *chometz* that was not nullified it may be destroyed on Yom Tov even by throwing into the fire. Later authorities write that the custom is to follow Shulchan Aruch's opinion that under all circumstances one may not destroy *chometz* on Yom Tov. (M.B. 6)
- Later authorities write that if a gentile is available he may throw the *chometz* into the sea or a bathroom even if the *chometz* was already nullified but people are not accustomed to follow this opinion and in all circumstances the *chometz* is covered with a vessel. (M.B. 7)

Stories to Share

An Alternate Solution

ש"ע ס' תמ"ו, א': "ואם הוא יום טוב יכפה עליו כלי עד הלילה"

A certain man was devastated when he found a small chometzdik candy in his house on Yom Tov. Apparently one of his children had seen it in the road and automatically picked it up and brought it home. There it lay on the floor and this man had put a vessel over it as the halachah demands in such a situation, as we find on today's amud. Yet he would have given anything to find a way to remove it from his home. Although he felt certain that this was forbidden, he decided to ask his rav anyway, just in case there was any way to avoid waiting until after Yom Tov.

His rav ruled that there was a way around this. "You are not obligated to do any more than you have already done, as it says in Orach Chayim 446:1. Yet there may be a possible way to destroy the chometz now which is halachically acceptable. The Mechaber rules in 310:8 that one is permitted to move chometz with his body on Shabbos and Yom Tov. Although the Chazon Ish disagrees, the Mishnah Berurah holds that it is permitted to move chometz with your foot or the like since the decree of muktzah never extended to parts of the body with which one doesn't normally carry. If it is possible for you to move the muktzah out of your house and cast it into a sewer drain or the like, you may do this even on Shabbos or Yom Tov."

Halacha Highlight

Finding *chometz* on Pesach

Shulchan Aruch Siman 446 Seif 1

ואם הוא יו"ט יכפה עליו כלי עד הלילה ואז יבערנו

If it is Yom Tov he should cover it with a vessel until night and then destroy it

Shulchan Aruch rules that one who finds *chometz* on Pesach should cover it with a vessel and burn it after havdalah as Chol HaMoed begins (ע' מ"ב סק"ח מש"כ בענין יו"ט שני). Rema explains that it is prohibited to move the *chometz* because the prohibition against eating or deriving benefit from it renders the *chometz muktza*. Furthermore, it is prohibited to even burn the *chometz* in its place since one may only light a fire that serves a Yom Tov need and burning *chometz* does not represent a Yom Tov need. Mishnah Berurah (סק"ו) cites authorities that have a more lenient perspective and maintain that if one did not nullify the *chometz* that he found the ongoing prohibition of בל יראה ובל ימצא overrides the Rabbinic restriction of *muktza*. Therefore, it is permitted to take the *chometz* to throw it into an outhouse or to grind it and scatter it in the wind. There are even some Poskim who permit burning *chometz* in this circumstance since destroying *chometz* is considered to be a Yom Tov need. Mishnah Berurah then notes that later authorities write that the custom follows Shulchan Aruch's position to cover the *chometz* and burn it after Yom Tov.

It happened once (ע' בדיקת חמץ וניעורו פ"ז סע' כ"ח הע' פ"ב) that someone properly searched and nullified his *chometz* and then authorized the sale of his *chometz* as well. On Pesach he discovered *chometz* in his freezer and the question was whether he should destroy that *chometz*. On the one hand he is obligated to destroy the *chometz* that he finds but on the other hand the *chometz* belongs to the gentile who purchased the *chometz* and one is not allowed to touch, let alone destroy, the property of another person. Teshuvas Shevet HaLevi (ח"ט סי' קט"ז אות ג') answered that it was permitted to destroy this *chometz* and did not constitute an act of theft. The reason is that the gentile purchased the *chometz* knowing that he would sell it back to those who sold it to him and therefore burning this *chometz* does not cause him a financial loss.