The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן תמ"ז סעיף ה'

Overview

Siman 447 Seif 5 (a):

Dry meat or cheese and fish that were salted before Pesach and they were not careful in its preparation are permitted for consumption on Pesach. However, one should be stringent with regards to salted fish that was soaked in water on Pesach in a chometz utensil since it absorbed from the chometz utensil on Pesach and chometz prohibits foods even in the slightest amount.

- This ruling applies even if the food was salted in a chometz utensil. Furthermore, even if the food soaked in liquid for 24 hours and soaking is comparable to cooking, the food is permitted since the utensil transmits a detrimental taste and even if the utensil was ben-yomo one may be lenient. (M.B. 39)
- If the food was in a chometz utensil with brine for the period of time it takes to boil water, there are authorities who maintain that the food is prohibited if the utensil was ben-yomo from chometz. According to others it is not prohibited unless the food soaked for 24 hours. In a situation of loss one may rely upon the lenient opinion. (M.B. 42)
- Before Pesach there is no reason to be stringent even l'chatchila despite the fact that the utensil may have been ben-yomo from the last chometz use. (M.B. 43)
- Magen Avrohom asserts that herring that is soaked in a strong brine in a chometz utensil even before Pesach should not l'chatchila be consumed on Pesach. (M.B. 43)
- This stringency represents only a l'chatchila requirement. (M.B. 44)

Halacha Highlight

Food soaked together with chometz before Pesach

Shulchan Aruch Siman 447 Seif 5 (a)
שנמלחו קדם פסח
That were salted before Pesach

Shulchan Aruch rules that dried meat, cheese or fish that was salted before Pesach without exercising the normal caution one would have for Pesach may nevertheless be consumed. The concern is that if one did not examine the salt there may have been crumbs of chometz intermingled in the salt that may be on the food (מ"ב סק"מ). The reason one may be lenient is that even if there was chometz in the salt and it got onto the food that taste was absorbed before Pesach and does not reawaken on Pesach. Mishnah Berurah (ס"ק ל"ט) rules that even if the food soaked for 24 hours in a chometz utensil the food is permitted. Although the principle כבוש כמבושל—soaking is comparable to cooking – indicates it is considered as though the meat was cooked in a chometz utensil, the food is permitted since the taste the food absorbs from the utensil is detrimental (נותן טעם לפגם) by virtue of the fact that utensil was likely not used in the past 24 hours. Even if the utensil had been used for chometz in the past 24 hours there are grounds to be lenient since soaking does not transfer taste until the end of the 24 hour period of soaking and by that time the taste is already detrimental.

Sha'arei Teshuvah (ס"ק ט"ז) cites authorities who suggest another rationale for leniency in this case. Shulchan Aruch refers to where the salting or soaking occurs before Pesach. Before Pesach chometz is yet permitted and the halacha is that the principle כבוש כמבושל applies only to prohibited foods rather then permitted foods. Therefore, the principle does not apply and there was no transfer of taste from the chometz crumbs into the other food. He notes, however, that not all Poskim agree that the principle of כבוש כמבושל is limited to prohibited foods.

Stories to Share

Rights and Duties

ש"ע תמ"ז, ה': "וחמץ בפסח במשהו..."

A couple once came before the Apter Rav; the husband had decided to divorce his wife. The Oheiv Yisrael asked what was behind his sudden decision. The man answered, "She fed me gebrokts on Pesach!"

The Oheiv Yisrael called in his rebbetzin and said, "Tell me the truth and don't worry about my reaction. What matzos did you give me for the seder?"

The rebbetzin replied that she had given him regular matzos and not the expensive mehudar matzos that had been prepared expressly for his use during the seder. She explained, "A gabbai tzeddakah came to the door on erev Pesach soliciting for poor families who did not have sufficient matzah. I was very busy and one of those who help in the kitchen answered the door and accidently gave him matzah from the wrong place. Instead of giving him the regular matzah, the serving girl gave him the special shmurah matzah prepared for your seder."

The Apter Rav turned to the husband and said, "You see, my son? I ate matzos of a much lower level than I usually eat for the seder but acted as though I did not notice in order to ensure that that there not be any kind of altercation with my wife, chas v'shalom. And you are considering divorce because your wife inadvertently gave you gebrokts?!"

When the Belzer Rebbe, shlit"a, told over this story he added, "Everyone knows that there are a thousand and one reasons why things can turn stormy in the home. However, when shalom bayis is based on a relationship of respect and admiration for the efforts each partner makes to help the other in any way he or she can, the house runs in a tranquil and contented manner. And whoever puts out more effort to give more will be rewarded with more. Woe to the house where each partner focuses on his or her rights and the other's obligations. Happy is the home in which each spouse considers his or her obligations and the other's rights!"

בינת המידות ע' 35-32