The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Wed, March 23, 2022 ■ כ' אדר ב', תשפ"ב
סימן תמ"ז סעיף ה'

# Halacha Highlight

## Retaining possession of foods that we are stringent not to eat

Rema Siman 447 Seif 5 (b)
**המנהג להחמיר לכתחלה**
**The custom is l'chatchila to be stringent**

Shulchan Aruch ruled that foods that were salted before Pesach without assuring that the salt was free of chometz may nevertheless be eaten on Pesach. Rema, however, relates that there are authorities that disagree with Shulchan Aruch's position and are stringent. Accordingly, the custom in Ashkenazi countries is to be stringent, l'chatchila, and avoid eating foods that were salted or soaked in brine without first checking the salt to assure that there is no chometz in the salt. However, if the food was rinsed three times before Pesach the custom is to be lenient and permit the consumption of the food. Mishnah Berurah (ס"ק מ"ו) explains that the stringent opinion subscribes to the opinion that even though the taste may have been nullified before Pesach, nevertheless, the taste is reawakened once Pesach begins.

Poskim note that although Rema relates the custom to refrain from eating foods that were prepared in a manner that may allow chometz crumbs to get into the food there is no prohibition to retain possession of such foods. Even Biur Halacha (ד"ה אסור מדינא), who references authorities who maintain that by foods in general one must be concerned that chometz crumbs may have fallen into the food and prohibit the consumption of that food would agree that there is no prohibition to maintain possession of the food. Moreover, Rema goes on to rule that fat that was melted in a chometz pot is prohibited unless two precautions were taken. The first precaution is that one must be certain that chometz did not inadvertently become mixed into the fat and the second precaution is that the utensil in which the fat was melted must not be ben yomo from the last chometz cooking. Even in this case where Rema writes that the food is actually prohibited rather than technically permitted but prohibited by custom Mishnah Berurah (ס"ק נ"ה) writes that it is only prohibited for consumption but permitted for benefit and certainly permitted to retain in one's possession (ספר בדיקת חמץ וביעורו פ"ב הע' מ"ח וס"א).

# Stories to Share

## Family Custom

ש"ע תמ"ז, ה': "ובמדינות אלו המנהג להחמיר..."

Today's amud discusses various stringencies to which some Jews adhere on Pesach.

During the Yom Tov meals on Pesach, the Bobover Rebbe would exhort people to never veer from their family's customs on Pesach. He would stress that even a stringency which is difficult to justify halachically must also be upheld.

He would illustrate this with the following story:

One of the young students of the Bobover Rebbe had to attend a simchah during Pesach. Although most of the attendees ate gebrokts, this young man did not do so. He reasoned that since his family custom was to avoid gebrokts, there was no basis to be lenient.

When a certain individual noticed that the young man refused the soup with kneidlach in it, he was outraged. "Rav Chaim Brisker ate gebrokts and you refrain? This is nothing but arrogance!"

But when the Bobover Rebbe heard this claim he rejected it out of hand. "Keeping your family's customs is arrogance? In Meseches Pesachim there is an entire chapter called מקום שנהגו which discusses customs Jews accepted upon themselves in various places. Why does it appear so simple to this admittedly great man that this young chassid may ignore his family's custom? It is true that Rav Chaim Brisker was a gaon and had profound fear of heaven. Nevertheless, it is also clear that he would have never have discouraged a bochur from keeping his family's customs. And he would certainly never have accused a person who is simply fulfilling his halachic obligation of pride!"

פרי הכרם, ניסן תשס"ז, ע' ו'

# Overview

**Siman 447 Seif 5 (b):**

Some authorities disagree and adopt a stringent position. In these countries the custom is to be stringent l'chatchila not to eat salted cheese, fish and dry meat but if the meat was rinsed three times before Pesach the custom is to eat it. It is not helpful to rinse intestines, therefore, one should not soak dried טבחות (a variety of cooked intestines) but b'dieved one need not be stringent. Fat melted in a chometz utensil is prohibited unless they were careful with regards to chometz when they made it and it was not melted in a ben-yomo chometz pot.

- The rationale is that although the chometz was nullified before Pesach it reawakens once Pesach begins. (M.B. 46)
- Regarding other salted or pickled foods if the salt was not examined before it was used the custom is to be stringent and not eat it. (M.B. 48)
- In other words one must wipe off whatever is attached to it. Later authorities write that the custom is to soak the food in the river or a Pesach pot, changing the water three times but l'chatchila one should not use a chometz pot. (M.B. 49)
- Moist, salted fish is prohibited even if one wants to rinse it since it is uncommon to rinse it and one may forget. Later authorities write that the custom is to prohibit any moist, salted fish on Pesach even if it was rinsed, except for the last day of Pesach. In a pressing circumstance or if stringency will prevent one from experiencing joy on Pesach one may be lenient with moist, salted fish that is commonly rinsed. (M.B. 50)
- One should not soak it on Pesach but b'dieved it may be rinsed on Pesach. (M.B. 51)
- Even if the intestines are dry and are commonly rinsed there is a concern for the salt in the meat that is on the inside for which rinsing does not help. (M.B. 52)
- Later authorities write that if dry meat was hanging in a room where they were sifting flour rinsing the meat is not effective. Therefore, one should be careful not to sift Pesach flour near Pesach food, drinks, or utensils. (M.B. 53)
- In other words, all the stringencies mentioned in the Rema are l'chatchila requirements but b'dieved even if the food was not rinsed and will not last until after Pesach it may be eaten on Pesach and certainly these foods would not prohibit a mixture. (M.B. 54)
- If there is a sharp tasting food in the intestines the food is prohibited since it was cut with a chometz knife. Some authorities permit the food if it would constitute a significant loss if the knife was clean and was not ben-yomo. This applies when the sharp food is inserted into the intestine but if it just coats the food it can be rinsed off. (M.B. 54)
- It is prohibited for consumption but permitted for benefit. (M.B. 55)
- The stringent approach to Pesach leads us to be concerned that utensils were ben-yomo. Even if the person was to claim with certainty that the food does not have chometz the claim is not accepted since it is assumed that people do not pay attention to these matters if the food is not prepared for Pesach. (M.B. 58)
- If the food was cooked for Pesach but in a non-ben-yomo utensil it is permitted for consumption on Pesach as long as it is transferred to a Pesach utensil before Pesach. However, one should not melt fat in a chometz utensil for Pesach even if one knows that the utensil is not ben-yomo. (M.B. 58)