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

Overview

Siman 448 Seif 7:

It is prohibited to give one's animal to a gentile so that he will feed it on Pesach if one knows that he will feed it barley waste since it is *chometz*.

- It doesn't matter whether the gentile does this voluntarily or for pay. (M.B. 29)
- The Jew benefits in the sense that the gentile is fattening up his animal on Pesach and one may not even benefit from *chometz* that belongs to a gentile on Pesach. (M.B. 30)
- It is permitted to give one's animal far in advance of Pesach to a gentile if the gentile will feed the animal from his own funds and it is not stipulated that the animal should be fed *chometz*. (M.B. 31)
- If one does not know that the animal will be fed *chometz* it may be given to the gentile without concern for what he decides to feed it. (M.B. 32)
- The custom in these countries is to sell the animal to the gentile using one of the recognized *kinyanim* and the animal spends Pesach with the gentile. Alternatively, one may sell the stable together with the animal. The Jew may not be involved with the animal and it may not be stipulated that the animal is fed *chometz*. Some authorities are stringent if one must sell *chometz* food for the animal to the gentile as well. (M.B. 33)
- Later authorities dispute the permissibility of milk taken from an animal that was fed *chometz*. Some authorities permit it if 24 hours passed from the time the animal ate the *chometz* and others are lenient if the animal also ate permitted foods that day. (M.B. 33)

Stories to Share

Forbidden Feed

מ"ב, ס' תמ"ח, ס"ק ל"ג: "ולענין חלב של בהמה שאוכלת חמץ..."

Today's amud discusses whether one can use milk from a non-Jew's animal which was fed chometz on Pesach.

During 1952, there was a terrible food shortage in Yerushalayim. It was also a shmittah year, and, since hardly anything else was available, the diet of religious Jews consisted mostly of dairy products. When the Satmar Rav came to Israel for a visit, he wondered why even dairy should be allowed. Since most dairy farms fed their animals from shemittah produce, presumably, the milk should be prohibited—much like we cannot use milk from a Jewish-owned cow which was only fed chametz on Pesach.

When the Brisker Rav heard about this, he was very hesitant to prohibit. Since there was so little food, such a prohibition could lead to danger for those who were surviving mainly on dairy that year. But what could be done? Not surprisingly, the Brisker Rav found a solution. He learned the sugya in depth for several hours and ruled that it is permitted to use the dairy that year, even though the animals ate feed which was grown during shemittah.

Although the Brisker Rav never wished to be considered a posek, in this instance he ordered them to announce this leniency in his name.

Interestingly, this was the only halachic leniency ever so announced. Additionally—like so many other Jews of huge stature—the Brisker Rav himself never relied on this leniency himself.

עובדות לבית בריסק

Halacha Highlight

Milk or meat from an animal that ate *chometz* before it was slaughtered

Mishnah Berurah Siman 448 Seif Koton 33

ולענין חלב של בהמה שאוכלת חמץ

And regarding milk of an animal that ate *chometz*

Mishnah Berurah (ס"ק ל"ג) notes that there is a disagreement whether it is permitted to drink milk that came from an animal that ate *chometz* on Pesach even if the animal belonged to a gentile. Pri Megadim maintains that the milk that is extracted after 24 hours from the time the animal last ate *chometz* is permitted. Other authorities are more lenient and permit using the milk that was extracted the same day that the animal ate *chometz* as long as the animal ate other non-*chometz* foods as well. A similar disagreement arises with regards to the consumption of meat from an animal that was slaughtered within 24 hours of eating *chometz*. Sha'arei Teshuvah (סק"ז בסופו) in the name of his uncle permits the consumption of meat from an animal that was slaughtered within 24 hours of eating chometz. In contrast Eshel Avrohom (סוף הסימן) writes that one should adopt a stringent position about this matter. Due to these concerns there are authorities who maintain that one should purchase all of their meat before Pesach or at least purchase them from sources that one is certain that the animal or bird did not eat *chometz* on Pesach (ע' פסקי תשובות אות ל"ג סע' 155).

Rav Moshe Feinstein (שו"ת אג"מ ח"א סי' קמ"ז) writes at length about this topic and maintains that the milk one purchases from a gentile is permitted even if the animal was fed exclusively *chometz*. Even those who are meticulous in their mitzvah observance have no reason to be stringent about eating meat or drinking milk from animals that ate *chometz*. Moreover, even if a Jew fed his animal or bird *chometz,* the meat and milk is permitted although when the owner was a Jew there is room for those who are meticulous to adopt a stringent position. Nevertheless, there are authorities who maintain for a variety of reasons that it is worthwhile to adopt a stringent position regarding these matters (ע' פסקי תשובות אות ל"ג).