The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן תס"ו סעיף ו'-סימן תס"ז סעיף א'

Overview

Siman 466 Seif 7:

If drops of water fell on flour the entire day it will not leaven as long as it drips continuously without interruption and it must be baked immediately when it stops. If one is uncertain whether the drops disturbed the flour or not, it is prohibited.

- The drops disturb the flour and prevent it from leavening. (M.B. 29)
- The drops must fall one after the other the entire day because if not, the pauses would combine for the time it takes to walk a *mil*. Some explain that if the drops do not fall consecutively, they do not have the strength to prevent leavening. (M.B. 30)
- This is required *l'chatchila* but *b'dieved* it is not prohibited unless it sat for the time it takes to walk a *mil* after the drops ceased. (M.B. 31)
- Pri Megadim maintains that one should always adopt a stringent position concerning the moist flour since we are not experts concerning what is called continuously dripping. (M.B. 33)

Siman 467 Seif 1:

If grain sank in a river or water fell on it, just like it is prohibited to eat it, so too it is prohibited to retain possession of it. Instead it should be sold to a Jew who must be informed about what happened so that he eats it before Shabbos. If it will be sold to a gentile before Pesach, one may only sell small quantities so that it will be consumed before Pesach out of concern that the gentile will resell it to a Jew.

- Tur implies that if it is discernable that it leavened it may be sold to a Jew as well as a gentile but other *Poskim* are stringent out of concern that the gentile will grind the leavened grain into flour. However, according to our custom to refrain from purchasing flour on the open market, many authorities write that there is no restriction concerning selling leavened grain to gentiles and in a pressing circumstance one may be lenient. (M.B. 1)
- If one informs him one may even sell a large quantity but if one does not inform him, one may not even sell a small quantity out of concern that he will retain possession of it on Pesach. (M.B. 2)
- Even if he resells it to a Jew the Jew will consume it before Pesach. Therefore, on *erev* Pesach after the 5th hour it is prohibited to sell to a gentile even a small quantity out of concern that he will resell it to a Jew. If one knows that the Gentile will not touch it and will merely let it sit until after Pesach, it is permitted to sell him even a large quantity. (M.B. 3)
- Regarding other prohibited items, one may not even sell a small quantity of the prohibited item to a gentile. (M.B. 4)

Halacha Highlight

Inadvertent violation of בל יראה

Shulchan Aruch Siman 467 Seif 1
ואם מכרו לאינו יהודי
And if one sells it to a gentile

Shulchan Aruch (תס"ז סע' א') discusses grain that became wet and rules that out of concern that it may have leavened, one may not retain possession of it on Pesach. The first option is to sell the grain to a Jew and inform him that the grain became wet so that he knows to eat it before Pesach. Alternatively, if one sells the grain to a gentile one may only sell a small quantity that could be consumed before Pesach. The reason one may only sell small quantities is out of concern that he will resell it to a Jew who, not realizing that it became wet and leavened. may consume it on Pesach. Mishnah Berurah (סק"ג) notes that if one is faced with a significant financial loss, one may sell even a large quantity of wet grain to a gentile if one is confident that he will not resell it and will merely hold on to it until after Pesach and will then resell it to the Jewish seller.

Mishnah Berurah (סק"א) notes that Tur's language implies that if it is evident that the grain began to leaven it is permitted to sell it to Jews and gentiles alike since there is no concern that the gentile will resell it to a Jew who will use it on Pesach. Other *Poskim*, however, adopt a stringent position about this matter out of concern that the gentile will grind the grain into flour and then sell it to a Jew who will not be able to tell that the grain had leavened. However, since our custom is to refrain from purchasing flour in the market, this concern is no longer applicable and in a pressing circumstance one could be lenient. Sha'ar HaTziyun (סק"ב) raises the following question. Perhaps a Jew will purchase this flour and will put it away for use after Pesach but since he does not realize that it leavened he will violate the prohibition of בל יראה. He answers that we can rely on the fact that everyone declares their *chometz* to be ownerless to prevent any inadvertent violation of בל יראה.