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

Overview

Siman 467 Seif 9:

If one cooks a food and discovers in it barley or wheat, if the kernels are actually split the entire food is prohibited but if the kernels are not actually split the food is permitted. This is not the custom, rather the entire food is prohibited even if there is a minute quantity of grain even if the kernels did not split. **Those kernels of wheat or grain must be burned.**

- There is a dispute when moist grains become *chometz*. As far as eating the grains, we are stringent and prohibit their consumption even if the kernels did not actually split but when it comes to the rest of the food we are lenient and do not prohibit it unless the kernels are actually split. (M.B. 36)
- It is prohibited even for benefit. All the utensils used to cook the food are also prohibited and must be put away until after Pesach. If some of the food became intermingled with another food even that second food is prohibited. (M.B. 37)
- Taz prohibits the rest of the food even for benefit whereas others are lenient if prohibiting the rest of the food from benefit would cause a significant financial loss. (M.B. 38)
- Many authorities agree that the kernels would have to, at least, be softened to prohibit the rest of the food. Authorities also write that even if one discovers three kernels that were not softened, we do not assume that there were more kernels and perhaps they softened. (M.B. 39)

Siman 467 Seif 10:

If one discovers in a cooked chicken a split kernel of grain it is permitted to sell it to a gentile since it would not be sold for any more money due to the kernel of grain discovered inside. In this country the custom is to burn it entirely. **If it is found on the eighth day of Pesach it is permitted to retain it until after Pesach.**

- The kernel must be removed so that all that remains is the taste the kernel imparted into the chicken. (M.B. 41)
- When there will be a significant financial loss one may rely upon Shulchan Aruch's position. (M.B. 42)
- This is true even if the mixture occurred before the eighth day as well as if in violation of *halacha* he retained possession of it until the eighth day. (M.B. 43)
- It is permitted to hold onto it until after Pesach and then it is permitted for consumption. Some maintain that if a split kernel of grain was found in a chicken or cooked food one may cover the food with a utensil for use after Yom Tov and at that time one must destroy the kernel but may eat the remainder of the food and in a circumstance of loss one may rely upon that opinion. It is also permitted to retain food that is prohibited even though it is *nosen taam lifgam* even though it is prohibited for consumption. This does not apply to actual *chometz* that is Biblically prohibited. (M.B. 44)

Halacha Highlight

Finding grain in a cooked chicken

Shulchan Aruch Siman 467 Seif 10

תרנגלת מבשלת שנמצא בה בפסח חטה מבקעת

If one discovers a split kernel of wheat in a cooked chicken on Pesach

Shulchan Aruch (סעי' י') discusses what to do if one discovers a split kernel of grain in a cooked chicken on Pesach. He rules that after discarding the grain so that all that remains is the taste the kernel imparted (מ"ב ס"ק מ"א), it is permitted to sell the chicken to a gentile. The reason it is not considered as though one is benefitting from the *chometz* is that the chicken did not increase in value as a result of the fact that it has taste from a kernel of grain. Rema reports that in Ashkenazi countries, the custom is to burn everything. However, Mishnah Berurah (ס"ק מ"ב) notes that in the face of a major financial loss, one may rely on Shulchan Aruch's position to sell the chicken rather than destroy it.

In the event that one finds the chicken with the split grain on the eighth day of Pesach, it is permitted to retain possession of it until after Pesach. Mishnah Berurah (ס"ק מ"ד) explains that the leniency is built on two factors, 1) the eighth day may not even be Yom Tov and 2) a mixture that contains such a minute amount of *chometz* is only Rabbinically prohibited. Therefore, it is permitted to retain possession of the food for use after Pesach. He then relays that there are authorities that maintain that if one found grain in a chicken on the seventh day of Pesach one should cover that food with a utensil until after Yom Tov at which time it may be consumed after discarding the grain and in a circumstance of loss one may rely on that opinion. The rationale behind this opinion is that according to the letter of the law the taste of the grain is nullified in the food and the only reason one is not permitted to retain possession of the food is based on a custom out of concern that one will eat it. Accordingly, such a custom cannot override the prohibition of *muktzah* on Yom Tov and thus it is prohibited to move the grain (ע' שעה"צ שציין לחכ"צ וא"ר).