The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Fri, Apr 12 2024 ■ ד' ניסן, תשפ"ד
סימן תס"ז סעיף י"ב

Overview

Siman 467 Seif 12 (b):

Some permit even the blanched chicken since it is possible that the kernel fell in afterwards. Some are stringent concerning other meat but are lenient when it comes to fowl due to a *s'fek sfeika*. As far as custom, it appears that regarding other meat one should be stringent as well as if one finds a whole kernel in a chicken. This is true only if one blanched the chickens, meaning in hot water but if it was cold and one soaked the chickens it would not be prohibited out of doubt. When it is possible that the kernel was digested by the chicken, for example, when it is broken, it is permitted even if it was blanched due to a *s'fek sfeika*. However, If the mixture became intermingled and would cause a significant financial loss or an impediment to celebrating Yom Tov one could be lenient regarding these uncertainties that relate to Rabbinic prohibitions and one could permit other cooked foods that contain food some of the contents of the cooked meat that was soaked in water or blanched and this appears correct to me.

- Since the prohibition against a minute amount is Rabbinic we are lenient when in a doubt and assume that it fell afterwards. The same is true if the chicken is still in the water but the water cooled. (M.B. 57)
- Rema refers to where it was left in the hot water after it was salted and rinsed and after it was removed one discovered a split kernel of wheat. (M.B. 58)
- Maybe the kernel was already in the chicken and was digested so that it no longer leavens and if it was not already in the chicken, perhaps it fell in afterwards. (M.B. 59)
- After removing the chickens one discovered a split kernel of wheat, even if it is whole. The same *halacha* would apply to meat. Some authorities are lenient altogether if the water is cold. (M.B. 61)
- If it is certain that the kernel was in the water when the meat was soaking, he follows the position that on Pesach one should be stringent but in a pressing circumstance or if one were to suffer a large financial loss one may rely on the lenient position and this is certainly true if the kernel was only softened but not split. If one discovered bread or dough in the water it is prohibited even if the water was cold since bread and dough dissolve in the water. (M.B. 62)
- The implication is that concerning the same food, even if it will represent a large loss and an impediment to celebrating Yom Tov, it is prohibited when there is a doubt concerning a Rabbinic prohibition. When there is a *s'fek sfeika* one could be lenient even if it will not constitute a significant loss. However, if the *s'fek sfeika* relates to a Torah prohibition, one may retain possession of the food and sell it to a gentile but not to consume it. If retaining the food until after Pesach will allow the food to spoil it is even permitted for consumption and this is certainly true when it involves a major financial loss. (M.B. 63)
- Rema refers to where the meat soaked in cold water, even though the kernel was found while the meat was there and the blanching which was done with hot water refers to where one discovered a kernel in the water after the meat or chicken was removed, even if the utensil was used was a *kli rishon*. (M.B. 64)

Halacha Highlight

A kernel found on a blanched chicken

Rema Siman 467 Seif 12 (b)
משום דאמרינן שמא אחר כך נפלה שם
Because we say that perhaps afterwards the kernel fell in

Shulchan Aruch ruled that if one blanched a chicken (boiled it in water to remove the feathers) and then discovered a kernel of grain, the chicken is prohibited. Rema writes that there is an opinion that is lenient even when blanching a chicken because we entertain the possibility that the kernel fell onto the chicken after it was blanched. Mishnah Berurah (ס"ק נ"ז) explains that the lenient position is based on the fact that the prohibition against consuming even a minute amount of *chometz* is Rabbinic; therefore, we can be lenient in a circumstance of doubt and assume that the kernel fell onto the chicken after it was blanched. The same is true if the chicken is still in the water but the water has cooled and we will entertain the possibility that the kernel fell in after the water cooled and is permitted according to the opinion who permits food when wheat fell in when it was cold.

Sha'ar HaTziyun (ס"ק ק"ה) cites this explanation in the name of Vilna Gaon and Pri Chadash and then notes that according to this explanation Rema's choice of words was very precise and consequently, we could resolve Magen Avrohom's question. Magen Avrohom (ס"ק כ"א) asserted that Rema's leniency was not rooted in the fact that we can be lenient in a circumstance of doubt, the leniency is based on the *chazakah* (presumption) of the water that it did not contain *chometz* and thus we will assume that the wheat fell in at the last possible moment. Based on this understanding he questioned Rema's use of the term שמא—perhaps the kernel fell in after the chicken was blanched. According to his understanding the leniency is not built on any uncertainty it is based on the presumption that the water did not contain wheat. In contrast, according to the explanation presented by Mishnah Berurah since the leniency is based on the fact that we can be lenient concerning the Rabbinic prohibition, therefore, we can be lenient in a circumstance of doubt and Rema's use of the term שמא is appropriate.