The Chicago Center
Mishna Berura Digest
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Sun, May 4, 2025 ■ ו' אייר, תשפ"ה
סימן תקי"ז סעיף א'

Overview

Siman 517 Seif 1:

The *halachos* of asking a merchant to give one eggs, nuts or other food or beverages on Yom Tov is the same as on Shabbos (as explained above in *siman* 323:4). **If the merchant is a gentile one may not take from him something that may have been attached or trapped on Yom Tov unless it is obvious that this item was not detached or trapped that day. Similarly, one may not take eggs that may have been laid that day. Items that would not have been detached, trapped or laid are permitted even if they were imported from beyond the *techum*. Flour that was ground on Yom Tov in a city whose majority of residents are gentile is also permitted since the flour was ground for the gentiles. It is also permitted to take bread that was baked that day** (or if it was baked on the Shabbos that preceded it).

- It was delivered to the gentile merchant and it is assumed that it was imported for gentiles since they compromise the majority of residents in town. If the Jews constitute the majority or comprise even half the population, it is prohibited and one must wait בכדי שיעשו after the 1st day of Yom Tov. (M.B. 2)
- If the majority of customers of bread and flour are Jews, it is certainly prohibited to purchase flour since the grain was ground for their sake unless one knows it was ground the day before. (M.B. 3)
- This is true even if one knows with certainty that it was ground that day. If it is confirmed that it was ground the day before, it is permitted even in a city that is comprised of a majority of Jews since baking is permitted on Yom Tov. This assumes, however, that the price of bread is fixed so that there is no discussion regarding its price. If the gentile does not trust the Jew, the Jew may leave something as security for the purchase but one may not invite the gentile to his home and show him where his money is kept so that the gentile should take it for himself since that constitutes a weekday activity and one may not even send a gentile to make the purchase for him. (M.B. 5)
- Bais Yosef and Darkei Moshe cite authorities who are stringent but Chaye Adam writes that in a circumstance of need, one may be lenient. (M.B. 6)

Halacha Highlight

Selling a *tereifah* animal to a gentile

Shulchan Aruch Siman 517 Seif 1
דינו ביום טוב כמו בשבת
The *halacha* on Yom Tov is the same as the *halacha* on Shabbos

Shulchan Aruch writes that the *halachos* of obtaining food from a merchant on Yom Tov is subject to the same rules that apply on Shabbos (סי' שכ"ג סע' ד'). Shulchan Aruch there rules that it is permitted to "purchase" food items from a merchant on Shabbos provided that the two parties do not discuss the cost of the food, the weight of the food or the quantity of units that the customer is taking.

A similar *halacha* is found above in *hilchos yom tov*. Shulchan Aruch (סי' תצ"ז סע' י"ז) addresses the situation in which one slaughtered an animal on Yom Tov and afterwards discovered that the animal was a *tereifah*. Obviously, the animal cannot be consumed but if one does nothing with the animal he will suffer a major loss of the total value of the animal. He rules that it is permitted to sell the animal to a gentile subject to certain conditions. These include a restriction against discussing the cost of the animal as well as a restriction against weighing the animal. In the event that the Jew is concerned that the gentile will take the animal and refuse to pay or will claim that the animal was worth less than it is actually worth, it is permitted for the Jew to demand an object as security (משכון). Mishnah Berurah (שם ס"ק נ"ב) adds that the same parameters apply when the animal is *kosher* but in a place where they do not bother to devein the animal and regularly sell the hindquarters to a gentile. These allowances apply when the animal is slaughtered on Yom Tov. If the animal was slaughtered before Yom Tov so that the animal could have been sold before Yom Tov, or if it was slaughtered on Yom Tov but one has the ability to store the animal in a manner in which it will not spoil so that it could be sold after Yom Tov, it may not be sold on Yom Tov using these methods.