



Finding Chametz on Pesach

The Torah commands us on that before Pesach we must to remove all *chametz* from our domain and possession. This is in order not to transgress the prohibition of “*bal yera’eh*” and “*bal yimatzei*”, i.e. the commandments not to own *chametz* on Pesach. In order to take extra measures to ensure one does not transgress possessing *chametz* on Pesach, our Sages required one to both physically remove the *chametz*, and to nullify it mentally. The nullification (*bitul*) removes ownership and relationship with the *chametz*, including *chametz* that is not known to the owner, while removing any physical *chametz* is the more practical form of preventing transgression. The physical removal is in and of itself a mitzvah called “*biur chametz*” (the mitzvah to destroy *chametz*). An unfortunate occurrence can be finding *chametz* in one’s home on Pesach itself. The correct course of action is based on several factors.

CHAMETZ FOUND ON CHOL HAMOED

If *chametz*, in any amount, is found on *Chol Hamoed*, one must immediately dispose of the *chametz*. The *chametz* must be burned until it is no longer edible. Other forms of disposal such as throwing in a lake are not sufficient

once Pesach has begun. Authorities dispute whether a bracha should be recited on *Chol Hamoed* when *chametz* is being burned. The accepted ruling is not to say a bracha when burning the *chametz*.

CHAMETZ FOUND ON YOM TOV

The *Gemara* in *Pesachim* (6a) states that someone who finds *chametz* on Yom Tov is not allowed to move it and must cover it with a utensil or different type of covering. Authorities explain that since *chametz* is prohibited to eat, possess or benefit from, it is considered *muktze* (the Rabbinic decree not to move certain objects on Shabbat and Yom Tov) and may not be moved. (See *Shulchan Aruch Harav OC* 308:9.) Regardless of the prohibition of moving the *chametz*, our Sages added that it must be covered lest one come to eat it accidentally. It is clear from our Sages that once Yom Tov or Shabbat has ended, the *chametz* should be burned as explained above.

Early authorities debate whether the *Gemara* prohibits moving only *chametz* that was previously nullified (prior to Pesach) or even *chametz* that was not nullified (such as receiving a package on Pesach, which has *chametz*). *Rashi*, *Or Zarua*, and others rule that the *Gemara* was only relating to *chametz* that was nullified before Pesach, which is only a transgression of the Rabbinic prohibition of having edible *chametz* in one’s domain. However, if someone were to find *chametz* that was not nullified, he must dispose of it on Yom Tov itself, since every moment, he is transgressing *bal yera’eh* and *bal yimatzei*. In contrast, *Rambam*



(*Chametz U'matza 2:8*) clearly rules that even if the *chametz* is not nullified, one may not move it on Yom Tov. Many commentators discuss *Rambam's* unique position (see *Kesef Mishne* and *Rabbeinu Manoach*). Later authorities discuss the issue of removing the *chametz*. The *Vilna Gaon* and others rule that it makes no difference whether the *chametz* was nullified or not, all *chametz* found on Yom Tov or Shabbat must be covered, and only disposed of on *Chol Hamoed*. However, the *Aruch Hashulchan (OC 446)* and others rule that non-nullified *chametz* must be disposed of even on Yom Tov, while nullified *chametz* needs to be covered, and burned only on *Chol Hamoed*. The accepted position is that of the *Vilna Gaon*.

An option to resolve the issue of finding *chametz* on Yom Tov or Shabbat is to ask a non-Jew to remove it from one's domain. A non-Jew is not obligated to refrain from eating *chametz* or to keep Shabbat laws including *muktze*. Based on this, it would be an optimal solution to find a non-Jew and have him/her remove the *chametz* from the premises. Even though some authorities debated this option, it would still seem that it is the optimal solution. In a case where *chametz* was found in one's home on Yom Tov, a non-Jew may be asked to dispose of the *chametz*.

IN SUMMARY:

- Even after fastidious preparation, sometimes *chametz* is found in our possession on Pesach.
- The only method for the destruction of

chametz once Pesach has commenced is burning. No bracha is recited.

- The consensus among the *poskim* is if *chametz* is found on Yom Tov, it should be covered to prevent handling or eating, and it must be burned after the Yom Tov. If a non-Jew is available, it is preferable to ask him/her to dispose of the *chametz*.
- If *chametz* is found on *Chol Hamoed*, one must burn it. ■

Kashrut Questions in Israel?

Call or Whatsapp Rabbi Friedman at
050-200-4432



TALBIYA - FOR RENT: Beautiful & bright apartment, 70m with a sukka balcony & Shabbat elevator, very quiet master bedroom, large living room, fitted & new kitchen, bathroom with bathtub & restroom, free parking for residents

7900 NIS - YAELE 058-7792141

**BAKA - 4 Rooms, 6.500 NIS
MEKOR HAIM - 4 rooms, 7.990 NIS
BAKA - 3 rooms, 6000 NIS**

MICHAEL 052-3202488

HAMOSHAVA GERMANIT - Large beautiful house, 7 rooms, 300m, on 3 levels with elevator, private garden, 175m, beautiful roof terrace, 100m, quiet location pastoral & green, 2 parking spots, 2 large storage rooms, basement, building rights

MICHAEL 052-3202488