

## FAQs on Mechirat Chametz

- 1. Isn't mechirat chametz a legal fiction, a sham sale that does not really work?**
  - a. No. mechirat chametz as it is done now, is a perfectly valid form of sale both from the perspective of halacha and from the perspective of American law. We sell the chametz to someone who can actually afford the chametz and who understands the intricacies of the transaction.
- 2. Who is the chametz sold to?**
  - a. The Chametz is sold to John J Brown, a real estate broker in Riverdale.
- 3. When will the sale take place?**
  - a. For those who are traveling to Israel, or who will not be in their apartment already on the night of bedikat chametz, the sale will take place Thursday evening April 21, 2016 before 7:40 pm Eastern Daylight Saving Time. These people should do a bedika without a bracha, the last night before they leave.  
For those who will remain in the NY area bedikat chametz night, and will do a bedika on their apartment with a bracha on Thursday night, the sale will take place on Friday April 22, 2016 before 11:40 am Eastern Daylight Saving Time.
- 4. What does the blank line "with the exception of" at the bottom of the form refer to?**
  - a. Those who will be in NY area bedikat chametz at night, but will be away the entire Yom Tov, have an option to complete their sale before the time of bedika and thereby not do a thorough check of the entire apartment. However, in order not to completely circumvent the mitzvah of bedika, one room is left out of the sale form. Bedika is performed with a bracha in that room only.
- 5. If I fill out this part of the form am I banned from entering the apartment all days of the chag?**
  - a. Generally Mr Brown is understanding and allows people to enter his apartment briefly to pick up an item or two. However one should not stay overnight in the apartment as it is leased to Mr Brown and you don't have rights to enter.
- 6. Why do you ask which time zone I will be in?**
  - a. Those who travel east to Israel or South Africa for example, begin Pesach before those of us who remain in NY. Since one may not own chametz once the prohibition of chametz begins on erev Pesach the sale needs to be transacted earlier.  
Those who travel west end Pesach after those of us who remain in NY. Therefore, Mr. Brown needs to be informed after Pesach when he sells the chametz back that there are people who will not be taking possession of the chametz for a number of hours, until Pesach ends on the West Coast for example.
- 7. Why do I have to leave my keys with someone?**
  - a. The non Jew needs to be able to access his chametz in a reasonable amount of time, should he so desire. If one is out of the NY area and Mr Brown wants access to his chametz he can contact the person in the NY area who is holding the keys to gain access.
- 8. What food items need to be sold?**

- a. Only actual chametz is sold. There is no need to sell kitniot, non chametz items that Ashkenazim do not consume on Pesach. Hence corn and rice need not be sold. (Although the rice in America is often enriched with a chametz derivative, that derivative may not be ingested on Pesach but may be owned. )

**9. Should I sell my pots and pans?**

- a. Absolutely not. If you sell your pots and pans you have to tovel them after Yom Tov. You do not want to go through that difficult ordeal. You may sell the chametz that adheres to a pot, but not the pot itself. However, it is strongly recommended to wash your pots before Pesach (at least).

**10. Should I sell my stocks?**

- a. Most poskim believe that stock ownership does not constitute halachic ownership for purposes of violating **בל יראה ובל ימצא**. As such stock need not be sold. Those who are concerned with stock ownership and the prohibition of chametz, cannot transfer stocks with an ordinary mechirat chametz form as the sale needs to be registered by the government. Rabbi Schwartz does not arrange for this sort of sale

**11. What toiletries need to be sold?**

- a. Only liquid toiletries containing chametz alcohol need to be sold. Solids and creams as well as perfumes, deodorants and shampoos need not be sold. Isopropyl alcohol is not chametz.

**12. Do I need to sell my medications?**

- a. Pills are not considered edible and need not be sold. Liquid medication that contains chametz should be included on the mechirat chametz form. If one needs to take liquid medication that contains chametz, he or she should discuss the matter with the rabbi.

**13. What happens if I leave an item, or a location off of my inventory list?**

- a. The inventory list is meant to present a general idea of what chametz is being sold and where it is located. The list is not comprehensive. A small item that was left off of the form, or a place that was omitted does not present a problem. Only if a very expensive bottle of scotch or the like was left off should you contact Rabbi Schwartz who will add that item to the list.

**14. Why is it better to underestimate?**

- a. Halacha is concerned that the non Jew may only want to make the deal if he is getting an item of great value. If one overestimates there is concern that the non Jew may not want to purchase items of the actual value presented.

**15. What other items should be sold?**

- a. If one is in the possession of a pet who needs to ingest chametz over Pesach, speak to Rabbi Schwartz. He will arrange for a special sale of your pet and its food. (Chinchillas eat only chametz, who knew?)

**16. Should all roommates sign the form or does it suffice if one roommate signs for everyone?**

- a. Yes, each roommate has his or her own obligation to dispose of their chametz. As such every roommate should sign on the form. There are multiple signature lines

on the form for each of the roommates to sign. When multiple roommates fill out the same authorization form, care should be taken to remember that all the names be added to the inventory form.

**17. Why is there an inventory form in addition to the authorization form?**

- a. The non Jew pays a peruta (price values approximately 3 cents now) for each seller of chametz. We need to know how many sellers there are, and adding up the numbers on the inventory forms is much easier than counting hundreds of papers.

**18. Why am I asked to lift up the rabbi's pen or watch?**

- a. The Rambam (Mechira 5:11) speaks of a practice that when one designates a person as an agent, a kinyan sudar, a formal act of lifting a handkerchief is done. This solemnizes the designation as a shaliach. We lift a pen since the rabbi does not usually carry a handkerchief.

**19. Do I have to come in to Shul to sell chametz, can't I do it online?**

- a. It is much preferred to come into Shul in person. In this way the practice of the kinyan can be maintained and the rabbi can look over the form and see if there is anything that needs to be fixed.

**20. What is done with the money that is given to the Mt Sinai Rabbinic Charity Fund?**

- a. Rabbi Schwartz uses some of the money to assist community members who have fallen on hard times. Some of the money also goes to support Yeshivot and charities in Israel.