

הכא כשהכלב יכול לחפש אחריו –

Here, it is where the dog can search after it

OVERVIEW

The **ברייתא** taught us that if a wall collapsed, one is not obligated to place his hands into the **חורין** and **וסדקין** to search for **חמץ**, since there is a concern of danger from scorpions lurking in the rubble. The **גמרא** asked if it is a pile of rubble there is no need to search for **חמץ** even if there is no **סכנת עקרב** for the **משנה** teaches¹ that if **חמץ** was buried under a **מפולת** there is no **חייב בדיקה**. The **גמרא** explained that the **משנה** there is discussing where the **חמץ** is buried so deep that a dog is not capable of searching out the **חמץ** (i.e. **טפחים** three); however the **ברייתא** is discussing a case where the rubble is not so deep and a dog can search out the **חמץ** in the rubble.



ולכך אינו פטור אלא מפני הסכנה –

And therefore, since a dog can search it out, he is exempt from searching for חמץ only on account of the danger; otherwise he would be liable to search in the rubble.

anticipates a question: תוספות

והא דמשמע גבי מפולת דאם הכלב יכול לחפש אינו כמבוער וצריך לבערו² –

And that which is inferred from the משנה concerning a מפולת, that if the dog can search out the חמץ it is not considered as if it is destroyed, but rather one is obligated to find the חמץ and destroy it; the question is -

ולא מיפטור מפני סכנת עקרב –

And why is he not exempt from the obligation of ביעור on account that there is the danger from scorpions.³

replies: תוספות

אומר רבינו יצחק שאני התם דודאי איכא חמץ⁴ –

¹ דף לא, ב. See the **גמרא** there that **רב חסדא** requires **ביטול** nonetheless (see **ד"ה צריך** there **רש"י**), thereby the **בדיקה** is only (שמא יבא לאכלו) **חשש** of **אין הכלב יכול לחפש אחריו** (for there is no **מדרבנן**).

² The **משנה** teaches us that in the case of a **מפולת** if **אין הכלב יכול לחפש אחריו** (as **רשב"ג** establishes the situation of the **משנה**), then there is no **חייב בדיקה**; indicating that if **אין הכלב יכול לחפש אחריו**, there is a **חייב בדיקה** (regardless if there is a **סכנת עקרב** or not).

³ Why is it that the **ברייתא** of **חורין וסדקין** teaches us that even if **אין הכלב יכול לחפש אחריו** he is exempt from **בדיקה** because of **עקרב**, however the **משנה** of **מפולת** indicates that if **אין הכלב יכול לחפש אחריו** there is a **חייב בדיקה** (and we are not concerned about **עקרב**)?!

⁴ The **משנה** clearly states '**חמץ שנפלה עליו מפולת**'.

The ר"י explained that there by מפולת it is different than the ברייתא of חורין וסדקין, for by מפולת, there certainly is חמץ in the מפולת, therefore -

הטריחוהו חכמים להשכיר פועלים במרא וחצינא –

The חכמים troubled him to hire workers utilizing a hoe and a pick-axe to find and remove the חמץ⁵ -

אבל הכא שאין החמץ ידוע לא הטריחוהו:

However here in the ברייתא of חורין וסדקין, where there is no known חמץ, it is only that we are concerned that perhaps there is חמץ in the rubble; therefore the חכמים did not trouble him to go through the bother of hiring workers to search and see if there is any חמץ,⁶ and he personally is exempt since there is a סכנת עקרב.

SUMMARY

If there is חמץ in a place where הכלב יכול לחפש אחריו; there is an obligation to remove it (even if there is a סכנת עקרב) by hiring workers. However if we are not sure if there is חמץ in a place where there is a סכנת עקרב, there is no obligation to search for חמץ.

THINKING IT OVER

1. תוספות seems to answer that we do not compel a person to spend money when there is only a ספק if חמץ is present⁷. However we previously were taught⁸ that a person is willing to spend money for חמץ (ספק) בדיקת⁹.

2. The גמרא later¹⁰ queries if there is a loaf of bread in the mouth of a snake, whether the owner is obligated to hire a worker to remove it and the query remains unresolved. Why is it that here we rule¹¹ that if there is חמץ, one must hire workers to remove it.¹²

⁵ Even though there is a סכנת עקרב, nevertheless the חכמים insisted that ביעור be performed by hiring workers who will use their tools and not expose themselves to the סכנה. See 'Thinking it over' # 2.

⁶ See 'Thinking it over' # 1.

⁷ See footnote # 6.

⁸ לעיל ד,ב.

⁹ See אור החמה and אור חדש.

¹⁰ תוספות ב,א ד"ה אור cited in דף י,ב.

¹¹ See footnote # 5.

¹² See דבר שמואל.