



כ"ג ניסן תשפ"ה / April 21, 2025
ח' לימי הספירה

Introduction

The following memo provides important information about חמץ שעבר עליו הפסח at various establishments and is the culmination of several months of research by AKO's Post Pesach Committee.

In general, it is difficult to make definitive statements about the acceptability of purchasing *chametz* from specific stores after *Pesach* due to practical and halachic ambiguities. Of course, any certified retail location falls under the responsibility of its hashgacha, and they should be contacted for details.

First, it is not easy to establish Jewish or non-Jewish ownership. Nonetheless, in this paper we have assumed that publicly traded companies may be treated as non-Jewish entities since the majority of potential stockholders are not Jewish.

Secondly, even if a product is sold in a non-Jewish store, it may be חמץ שעבר עליו הפסח if the distributor is Jewish. Determining the identity of the distributor is a formidable task because this information is proprietary and is not readily available. Additionally, some chain stores will use different distributors (and sometimes multiple distributors) based on location, so each store would need to be researched individually. Regarding Target, we recommend that each Rav visit their local Target store and speak with the grocery merchandising manager to determine the distributor used for each department (e.g., produce, dairy, frozen, shelf stable items).

Thirdly, while *chametz* that is delivered after *Pesach* to a Jewish establishment is not חמץ שעבר עליו הפסח, it is difficult to determine the arrival date of any given product, as the turnaround time is generally unknown. Nonetheless, some *Poskim* maintain that if there is a *safek* about when product was delivered, the principle of ספק דרבנן לקולא applies, while others hold that ספק דרבנן לקולא is not applicable in this situation for various reasons.

Lastly, some Jewish companies participate in a *mechiras chametz* while continuing to operate during *Pesach*. There are divergent opinions among *Poskim* about the validity of a sale by a company that remains operational during *Pesach*. Furthermore, the sale does not cover *chametz* acquired during *Pesach* because one cannot sell בא לעולם. To address these concerns, some *Poskim* recommend selling the entire company rather than just the *chametz*. However, there is also a dispute whether this approach is acceptable.

Our goal is not to recommend buying or avoiding *chametz* from any particular establishment. Additionally, it is beyond the scope of our mission to investigate the suitability of any particular *mechirah*. Rather, each *kashrus* organization or Rav must formulate their own set of standards and guidelines regarding the purchase of *chametz*. Once that is done, this memo will provide helpful information in determining which stores fall into acceptable or not acceptable categories for post-*Pesach* *chametz* purchases.

Finally, in our fast-paced evolving economy, consumers should remember to pause automatic subscriptions through Amazon (Subscribe & Save), Instacart (Auto Order) etc. of *chametz* products.

Categories of Establishments

Below are seven general categories of establishments with lists of stores that fall into each specific category.

A. Non-Jewish Ownership

Publicly traded company or non-Jewish ownership, and is not known to use a Jewish distributor

Unequivocally acceptable to purchase chametz at these locations after Pesach

Acme	Hannaford	Sam's Club	Vons
Albertson's	Jewel-Osco	Shaw's	Walgreens
Aldi	Kmart	Starbucks (Corporate)	Walmart
BJ's Wholesale Club	Lidl	Star Markets	Wawa
Costco	Pavilions	Stop and Shop	Wegmans
CVS	Publix	Target – specific locations	Whole Foods
Dollar General	Randall's	Tom Thumb	
Dollar Tree	Rite Aid	Total Wine	
Duane Reade	Safeway	Trader Joes	

B. May Use Jewish Distributor

Publicly traded company or non-Jewish ownership

May use a Jewish distributor who sells their shares (not only a mechirah on their chametz) before Pesach but continues to operate on Pesach

D'Agostino Markets
Food Emporium
Foodway Supermarket

Gristedes Foods
Key Food
Kroger

Target – specific locations (details in introduction)
Winn Dixie

C. Franchised Stores

Stores are individually owned and can be assumed to be owned by Non-Jews unless otherwise known

- 7-Eleven, Starbucks (Kiosks), Dunkin Donuts
- Shoprite..... Many locations are owned by Non-Jews
 - Additionally, see discussion below about Wakefern which supplies all ShopRite stores.

D. Jewish Owned Company – Type 1

Traditional mechiras chametz executed, but store is open on Pesach

- Price Chopper
- Giant Eagle

E. Jewish Owned Company – Type 2

Mechiras chametz executed that includes selling of the operating business, but store is open on Pesach

- gopuff.com
- Restaurant Depot/Jetro
- Shoprite..... Some stores are Jewish owned - *the following Jewish owned locations which are located in frum neighborhoods had a mechirah.* Additionally, see discussion below about Wakefern which supplies all ShopRite stores.

ShopRite of Paramus 24 Route 4 East & Forest Ave. Paramus, NJ 07652	ShopRite of Englewood 40 Nathaniel Place Englewood, NJ 07631	ShopRite of Avenue I 1080 McDonald Ave. Brooklyn, NY 11230	ShopRite of Gateway Center 590 Gateway Drive Brooklyn, NY 11239
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F. Partial Jewish Ownership

Store and distributor are partially owned by Jews (i.e., less than 50%) and business operates on Pesach

The Jewish owners sell their shares (not only a mechirah of the chametz) to a non-Jew before Pesach

Since the majority of the company is owned by non-Jews, the *Zecher Yitzchok* (#8) and *Chemed Moshe* (quoted by *Mishna Berurah, Sha'ar HaTziun* 448:4) hold that *עליו הפסח* is *batel b'rov* if there is a majority of non-Jewish ownership, though *Sha'ar HaTziun* and others question this position.

- Wakefern which supplies all ShopRite stores
 - Wakefern Food Corporation is a cooperative - which is owned by the ShopRite store owners, some of whom are Jewish - and arranges transfer of Jewish ownership to non-Jewish partners.

G. Online Distributors

Online merchants, such as Amazon, Sam's Club, Target.com and Walmart.com, are not Jewish-owned, but often serve as distributors for other businesses, some of whom are Jewish owned. The name of the supplier is sometimes posted on the website and consumers should make a reasonable effort to determine if the supplier is Jewish before purchasing *chametz* after *Pesach*.

Alphabetical Listing

Section where information can be found about specific establishments

7-Eleven	C	Gopuff.com.....	E	ShopRite	C, E, F
Acme	A	Hannaford.....	A	Starbucks.....	A, C
Alberton's.....	A	Instacart.....	G	Star Markets	A
Aldi	A	Jewel-Osco.....	A	Stop and Shop	A
Amazon	G	Key Food	B	Target	A, B, G
BJ's	A	Kmart	A	Tom Thumb	A
Costco.....	A	Kroger	B	Total Wine.....	A
CVS	A	Lidl.....	A	Trader Joes	A
D'Agostino.....	B	Pavilions.....	A	Vons.....	A
Dollar General.....	A	Price Chopper	D	Wakefern.....	F
Dollar Tree.....	A	Publix	A	Walgreens	A
Duane Reade	A	Randall's.....	A	Walmart	A, G
Dunkin Donuts.....	C	Restaurant Depot.....	E	Wawa	A
Food Emporium.....	B	Rite Aid	A	Wegmans.....	A
Foodway.....	B	Safeway.....	A	Whole Foods	A
Giant Eagle.....	D	Sam's Club	A, G	Winn Dixie	B
Gristedes	B	Shaw's.....	A		