

I Found an Abandoned Grocery Bag. What Do I Need To Do?

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Question: Yankel was shopping in Walmart. When he gets back to his car, he sees that the parking spot next to him is empty and there is a Walmart bag with some items in it lying on the ground in that spot. Obviously, someone forgot it there. What is the halachic status of this bag?

Answer: We have to deal with two possibilities: either the bag was left there by a Jew or it was left there by an Akum. If it was left behind by an Akum, there is no obligation to return it. But if it was left by a Jew, there may be an obligation of Hashavas Aveidah.

However, since the items just came out of the store, there would be no *siman* on them, so we can assume that the loser would be *meya'esh* if he knew that he dropped the bag, as there is very little chance the items would ever be returned to him.

Having said this, we still don't know if the loser is aware that he lost the bag. If he is not aware of this, the items would have the status of "*yiush shelo m'daas*", which means that the finder cannot take them for himself. If the majority of people in the area are Akum, one can reasonably assume that the bag fell from an Akum. However, the Taz says that the fact that most people in a vicinity are not Jewish does not suffice to permit one to keep a found item. He says that according to the rule of *efsher livrurai*, if it is possible to find out if the one who lost it was a Jew or not, one can't rely on the majority of people being Akum as a justification to keep such an item.

Many Acharonim, however, disagree with this Taz and say that one may keep an item found in a place that is frequented mostly by Akum.