

Beyond Repair

November 23, 2023

Q I obtain broken electronic devices and refurbish them for resale. I could boost profitability by replacing certain external features to give a device the appearance of a later model. Is that permitted?



A The Mishnah (Bava Metzia 60a) warns a merchant against enhancing his merchandise prior to sale, e.g., polishing old dishes to make them look newer than they are (see Rambam Hil. *Mechirah* 18:2). The Tur (C.M. 228) explains that although the dish's value does in fact increase as a result of the treatment, the gleam falsely makes the item look new and enables it to be sold at a price beyond its real value, which will become apparent to the buyer only later, when the sheen wears off. Based on the Tur, one may polish a *new* utensil to increase its value, because there is no deception (Gemara *ibid.* and Sma *ibid.*). The Shulchan Aruch Harav (C.M. 228:18) takes this further and says it is permitted even if the polishing increases the price beyond what is warranted by the upgrade, because the buyer is willingly choosing to pay a high price for a small upgrade.

Applying these laws to electronics:

1. You may not refurbish a device and resell it as new, even if it's as good as new.
2. You may install add-ons and features to bolster the item's value even though the price may exceed the fundamental value of the upgrade.
3. If by replacing parts, the device is given the appearance of a later model, you must notify the customer.
4. If it's apparent which model the device is, but the newer parts make it more appealing without deceiving the buyer, you don't need to notify him, because he knows what he's buying and willingly pays extra for the enhanced appearance.