

21.4.17

59b (משנה יא) → 60b (סיום הפרק)

1. צדיק מצנה נחלץ ויבא רשע תחתיו: משלי פרק יא פסוק ח

I **משנה יא**: proper business practices

- a *Mixing*: may not mix fruit sold from another field with those from "announced" field – even of same year
 - i *Certainly*: not from old with new – even if the new is more expensive,
 - 1 *Reason*: it is more expensive is that the buyer wants to age it himself.
 - ii *However*: באמת אמרו - he may mix hard wine with soft as it improves it
 - 1 *Note*: הלכה באמת אמרו always indicates הלכה
 - (a) ג'נ was only taught when they would mix at the גת
 - (i) *Question*: is it permitted in our day (when they don't mix at the גת)?
 - (ii) *Answer* (ר"פ): מוחל people are
 - (iii) *Follows*: ר' אחא, who says that anything that is tasted before buying may be forgiven:
- b *Wine dregs*: may not mix dregs with wine, but he gives the dregs
 - i *Meaning*: he may mix dregs of each day and give them, but may not mix from different days
- c *If*: someone's wine was mixed with water, he may not sell it at a store without notifying buyers
 - i *In any case*: he may not sell to salesmen, who will sell without informing buyers
 - 1 *Story*: רבא bought wine, diluted it and it wasn't good so he returned it
 - (a) אבוי challenged – since we may not sell diluted wine to salesman
 - (b) *Defense*: all know רבא's diluting (a lot) and will taste first and pay appropriately
 - ii *However*: if it is a place where they are accustomed to diluting wine with water – permitted
 - 1 *Ruling*: to the locally practiced percentage (1/2, 1/3, 1/4) - but only בין הגתות

II **משנה יב**: more proper business practices

- a *Salesman*: may put grain/wine from several granaries/גתות into one storehouse – is he doesn't intend to defraud
- b *יהודה*: storekeeper may not give out sweets to children to attract them
 - i *Dissent*: חכמים permit – he can tell other storekeepers to compete (give out other sweets)
- c *יהודה*: storekeeper may not undersell competition (under market value)
 - i *Dissent*: חכמים praise him (for lowering market value)
- d *אבא שאול*: he may not sift pounded beans
 - i *Dissent*: חכמים permit
 - 1 *Identity* (of חכמים): ר' אחא, who permits with anything that is visible
 - ii *But*: they agree that he shouldn't take out the פסולת from the top - as this is only intended to fool the buyer
- e *מפרכסי*: slaves, animals or vessels may not be painted (to make them look younger)
 - i *Related ruling*: animals and meat may not be artificially stiffened or inflated to be given impression of greater volume or size
 - 1 *However*: various אמוראים are reported as having permitted items to be "refurbished"
 - 2 *Answer*: if they are old items, prohibited (as it makes them look new)
 - (a) *But*: if they are new and the vendor wants to improve their appearance, permitted