

2.3.2

37b (תיקו) → 38b (אמר רב שמואל בר יהודה אמר רבי יוחנן: כירה שהסיקה בגפת ובעצים)

- I. Dispute אמר רב שמואל בר יהודה vs. ר' יוחנן regarding permission to leave לו מצטמק ויפה לו גרופה וקטומה on stove which is no
- a. *אמר רב שמואל בר יהודה*: if a stove has been fired with mash or wood, a fully cooked חמין/תבשיל may be left on it, even if it improves it
 - b. *אמר ר' יוחנן*: prohibit דב ושמאל (and this impacts on בבל)
 - i. *Question (אבני לר' יוסף)*: is שהייה permissible?
 - ii. *Answer: רב יהודה* (א student of אמר רב שמואל בר יהודה) would leave the pot on an unswept כירה
 1. *Block: רב יהודה* was sickly – it would have been permissible to do so even on שבת
 - iii. *Answer: in סורא* they would do so, per רנב"י (who would do so)
 1. *Story: ר' אשי* reported that he saw them leave דהרסנא כסא before כהנא ר' (not "ר' הונא")
 - a. *But he didn't know*: if it was because ר"כ held לו מותר לו מוצטמק ויפה לו, or since it has flour, it is לו מצטמק ורע לו
 - c. *only לו ר' ינ*: only מצטמק ורע לו is permissible
 - i. *Definition*: anything with flour is assumed to be לו מצטמק ורע לו, except for תבשיל of radishes which is לו יפה
 1. *And*: this is only if it has meat; if it has no meat, it is assumed to be לו מצטמק ורע לו
 2. *And*: even if it has meat, only לו יפה if he isn't going to serve it to guests; if he is – assumed to be לו רע
 3. *And*: fig, cereal and date dishes are all considered לו מצטמק ורע לו
- II. Consequences of שהייה
- a. *Question*: posed to ר' חייא בר אבא – if he left it on the fire
 - i. *Response (the next day)*: quoted ב:טו that if someone cooks בשוגג, it may be eaten; במזיד – may not
 1. *And he added*: "no difference"
 - a. *דב ור' יוסף*: this is lenient; בישול vis-à-vis, which he actively did, we forbid if it was במזיד
 - i. *But*: if he did שהייה, even במזיד, still allowed
 - b. *דנב"י*: this is stringent; בישול vis-à-vis, where he isn't likely to use it to deceive, בשוגג is permitted
 - i. *But*: if he did שהייה, it is always prohibited
 - c. *Challenge*: ibid ב:יד – if he left תבשיל on כירה and it became שבת; if בשוגג, may be eaten; if במזיד – prohibited
 - i. *ד"מ*: only applies to תבשיל and חמין that weren't fully cooked; if מבושל כל צרכו, permitted even במזיד
 - ii. *ד' יהודה*: if fully cooked water, permitted, as it is לו מצטמק ורע לו; but תבשיל which is לו מצטמק ויפה לו (like cabbage, beans or small cuts of meat) is prohibited
 - iii. *Analysis*: according to רנב"י, this is before גזרה and ר' חייא בר אבא extended it
 1. *But*: according to ר' רבה ור' יוסף who are lenient – if this is before גזרה, מזיד is a challenge; if after the גזרה, even שוגג becomes a challenge – קשיא

III. Clairification – the above-mentioned גזירה

 - a. *דב*: ruling was this if someone cooked בשוגג it may be eaten; במזיד, it may not be eaten – and the same applies to שוכח
 - i. *After*: they saw that people were leaving it on stove במזיד, claiming שוגג – they decreed that both are אסור
 - b. *Note*: the above-mentioned תוספתא contradicts earlier ברייתא, pitting ר"מ against himself and ר' יהודה as well
 - i. *ד"מ*: limited ב"ה to חמין – yet here, both תבשיל and חמין, that are מבושל כל צרכו, are permitted
 - ii. *ד' יהודה*: allowed for ב"ה as permitting both – yet here, only allowed for חמין
 1. *Resolution1 (ד"מ)*: comment on משנה reflects the rule *ab initio*; the תוספתא addresses the case *post facto*
 2. *Resolution2 (ד"י)*: comment on משנה refers to a swept כירה; תוספתא refers to one that is not וקטומה
 - c. *Final ruling*: did חכמים ban, as a precaution, food that was left on the כירה?
 - i. *Answer*: ר' יוסי came to ציפורי, found that they had left חמין and תבשיל (of eggs) which were both כל צרכן מבושלים
 1. *Ruling*: he allowed water, forbade eggs
 2. *Assumption*: that was for eating on that שבת (→ עבר ושהה אסור)
 3. *Rejection*: that was for the next שבת
 - a. *Observation*: evidently, eggs are considered לו מצטמק ויפה לו (confirmed by story of חמא בר חנינא and ר' חמא בר חנינא)

IV. Analysis of end of משנה – dispute ב"ה/ב"ש about returning food to stove (חזרה)

 - a. *ד' ששת*: according to ב"ה, may return it, even the next day (during day of שבת)
 - i. *Support*: אושעיא ר' told story about bringing hot water to his רב and then returning it – and not being corrected
 - ii. *ד' תדאי*: only if he kept it in his hand; if he put it down, may not return it
 - iii. *ד' יוחנן*: ר' ruled that even if he put it down, he may put it back on the stove
 1. *Note*: this is a dispute between 2 reports of אלעזר ר' ruling (יהודה) שמואל בר יהודה
 - b. *אבני's caveat (#1)*: even if בידו, only permitted if his intent was to return it (דעתו להחזיר) → on קרקע, in any case אסור
 - c. *אבני's caveat (#2)*: even if on ground, only אסור if he didn't have intent to return → עוון בידו, always מותר
 - d. *Unresolved "middle ground" questions (between עוון בידו and עוון קרקע)*: hanging on a stick, putting on a bed
 - i. *ד' אשי*: moving from 1 מיחם to another תיקו