

8.1.11

14b (אמר רבה בר רב הונא) → 15b (קיבלה)

Note: during *שביעית*, all food is essentially *הפקר* and available to all; as such, there is no obligation of *תר"מ*. Once *שביעית* produce has been "finsihed off" in that district, it must be taken out of the houses – this process is called *ביעור* and only applies to *פירות שביעית*

- I. Continuation of discussion about *שבט* as turn-of-year for trees; specifically regarding *אתרוג*
 - a. *ל"ג* regards *אתרוג* ירק for purposes of *מעשר*-year; but as tree for purposes of *שביעית*
 - b. After fix of *ר"ב*'s statement: even though *ל"ג* the year changes at *תשרי*, its *ר"ה* is *שבט*
 - i. →if part of *אתרוג* tree is harvested before *טו בשבט* & part after, *מעשרות* given separately
 - ii. Example: 3rd into 4th year, give *מע"ע* from 1st and *מע"ש* from 2nd: example teaches:
 1. *אתרוג* tree: suffers from too much handling; everyone handles it on *שביעית*
 - a. And: it takes 3 years to "recover" and bear fruit
 - iii. *שבט* is the month, not the "season" (=when *שבט* usually occurs vis-à-vis solar year)
- II. Status of *אתרוג* vis-à-vis *שביעית* (see note)
 - a. An *אתרוג* tree: that blossomed during the 6th year and was picked during the 7th :
 - i. *דבה* exempt from *ביעור* (belongs to 6th year – following *חנטה*) and from *תר"מ* (*שמיטה*)
 - ii. *ד' המנונא* exempt from *ביעור*, obligated in *תר"מ*, since there is no formal *הפקר*
 - b. An *אתרוג* tree: that blossomed during the 7th year and was picked during the 8th :
 - i. *דבה* obligated in *ביעור* (belongs to 7th year – following *חנטה*)
 1. And: exempt from *תר"מ*
 - a. Rationale: since everyone handles it during *שמיטה* – not *הפקר de juré*, just *de facto*
 - ii. *ד' המנונא* obligated in *ביעור*, exempted from *תר"מ*, since it belongs to *שמיטה*
 - c. Both *ד' המנונא* and *דבה* follow opinion of *אבטולמוס* that *אתרוג* follows harvest-time for *מעשר* only
 - d. *חכמים* voted in *אושא* that *אתרוג* follows *לקיטה* for both *מעשרות* and *שמיטה* → (*ר' שמעון בר יהודה*):
 - i. Both: 6→7 and 7→8 are exempt from both
 - III. Status of tree with one harvesting period
 - a. Basic rule: if tree blossoms before *טו בשבט*, *מעשר* follows previous year etc.
 - i. *ד' נחמיה* only true if it has multiple times of harvest; if 1 time, follows picking time
 - ii. *ד' יוחנן* the custom follows *ר' נחמיה* in case of *מעשרות* from carob trees
 1. Challenge (*ל'*): *בנות שוח* (similar to carobs) follow time of blossoming for *שמיטה*
 2. *ד' יוחנן* was silent
 - a. Suggestion1: should have responded – why challenge *ר' נחמיה* with *רבנן*?
 - i. Rejection: why ignore *רבנן* in favor of *ר' נחמיה*?
 - b. Suggestion2: should have responded – *נהגו* vs. *איסור*?
 - i. Rejection: why ignore *איסור* in favor of *נהגו*?
 - c. Suggestion3: should have responded – *דרבנן* is *מעשר חרובין* –
 - i. And: no challenge from *שביעית* (*דאורייתא*)
 - d. In conclusion: unclear if *ר' יוחנן*'s silence indicates defeat or disdain for the challenge