

15.7.4

57a (משנה ר') → 58b (המנכש קתני)

- I גידולין וחילופין "this fruit"; he is banned from banning 'ר'
 a if, however, he banned "this fruit from taste",
 i if it is the type of fruit that, when planted, germinates
 1 he is banned from the fruit, but not חילופין וגידולין
 ii if it is the type of fruit that doesn't germinate
 1 he is banned from גידולין forever
- II גידולין וחילופין מושגה ז' משנה ר'
 a if, however, he banned "tasting and eating", rules and distinctions follow as per 'ר' משנה ר'
- III מושגה ח' משנה ר'
 a if he bans benefit עד הפסח איני אוכל עד הפסח – he may get benefit after פסח, even from benefit generated before
 b if he bans benefit אוכל עד הפסח איני אוכל עד הפסח – he may not get benefit after פסח from benefit generated before
- IV מושגה ט' משנה ר'
 a if the ban ends earlier than the condition
 i if the condition is fulfilled before the end of the ban, the ban is in effect until the end time
 ii if the ban was "violated" before the end time, the prohibition of בל יחל is in effect until the end of the condition-time
 b if the condition ends earlier than the ban
 i if the condition was fulfilled in time, the ban is in effect for the duration
 ii if the condition wasn't fulfilled in time, it may be acted on after the time (with no consequences)
- V ימא ר' שמואל דמן ימא ר' question about permitted growth of an originally prohibited plant "permitting" it
 a Specific question: an onion that grew during שמיטה and was replanted in the 8th year and its new growth was greater than its original size
 i Answer 1: (ר' יצחק נפחא) permitted, based on ruling of ר' ינאי:
 1 Ruling: if an onion which was תרומה was planted and its growth was greater than the original onion – it is permitted
 2 Challenge: why favor the one (ר' ינאי), rejecting the two (ר' יוחנן ור' יונה) who ruled (in cases of ערלה and כלאים, respectively) that growth doesn't nullify the original plant
 ii Answer 2 (ר' אמי): from another ruling of ר' יוחנן (!):
 1 Ruling: a volume of onions that was tithed and then replanted is tithed again, based on the full amount
 (a) → the growth nullifies the original plant
 (b) rejection: this is a stringent ruling; we need to find support for applying this principle leniently
 iii answer 3: from ruling of ר' שמעון:
 1 ruling: nullification only applies to those prohibitions that have no permit (e.g. תרומה); but prohibitions that have a permit (e.g. טבל – which can be tithed) have no possibility of nullification
 (a) challenge: what of שביעית, which has no possibility of permit, yet there is no nullification
 (b) answer: only regarding ביעור (i.e. fruit that was taken in before ביעור, which has a permit - to be eaten at that time); but regarding eating (i.e. after ביעור), there is nullification as per נ"ט
 (i) → the growth nullifies the original
 (ii) rejection: also לחומרא
 iv answer 4: from ruling:
 1 ruling: onions grown on 6th year that were rained upon during שמיטה and their leaves became dark green – are now prohibited; if they are light green – permitted (insufficient growth during שמיטה)
 (a) addendum: בני אונגונוס – if they can be taken out of the ground by their leaves – prohibited
 (b) inverse: is true from שמיטה to the 8th year (!לקולא)
 (c) rejection: perhaps the onion was chopped up so that the original (from שמיטה) was "gone"
 v answer 5: from ruling:
 1 ruling: if one is hoeing with שומרונים among the onions, he may eat עראי but once heaped, there's ודאי מעשר ודאי
 (a) addendum: רשב"א – if working with a ישראל who is suspected of violating שמיטה, he may hoe with him (no concern of שביעית קדושת שביעית)
 (b) → the growth during the 8th year nullifies the prohibition of שביעית
 (i) can't be germinating seed – since חסיות are bulbs
 (ii) can't be ground up, since he is described as חשוד על השביעית → planted them normally
 (iii) can't be mixed in with היתר bulbs; since he is hoeing with him