

21.7.6; 88b → 89b (כי קבצם כעמיר גרנה) (אשכחן אדם במחובר ושור בתלוש)

1. כי תבא בקרם רעה ואכלת ענבים כנפשוך שבעך ואל קליך לא תתן: דברים פרק כג פסוק כה  
 2. כי תבא בקמת רעה וקטפת מלילת בידך וחרמש לא תניף על קמת רעה: דברים פרק כג פסוק כז  
 3. אל תקח מאתו נשך ותרבית ויראת מאלהיך וחי אחיד עמו: ויקרא פרק כה פסוק לו  
 4. לא תחסם שור בדישו: דברים פרק כה פסוק ד  
 5. והמה לא ידעו מחשבות ה' ולא הבינו עצתו כי קבצם כעמיר גרנה: מיכה פרק ד פסוק יב

### I Continuation of investigation of source for אכילת פועלים

- a *given*: finding rights of human worker to eat במחובר (vv. 1-2) and animal בתלוש (v. 4)
- b *Search*: source for inverse (שור במחובר, אדם בתלוש)
- i *Search A* – אדם בתלוש
- Solution #1*: שור ק"ו from שור
    - Block*: שור has a ל"ת of חסימה, which doesn't apply to פועל (as per כנפשוך)
    - Solution #2*: double-mention of קמה (v. 2) – extra is applied to אדם בתלוש
      - Alternative source* (ר' אמי): no need for extra פסוק, as v. 1 could even apply to a porter
  - Search B* – שור במחובר
- Solution #1*: אדם ק"ו from שור
    - Block*: we are obligated to sustain fellow people, not oxen (as per v. 3)
    - Solution #2*: double-mention of רעה (v. 1) extra is applied to שור במחובר
- c *Alternative source for both* (דבינא): v. 4 doesn't have to mention שור (could've stated בחסימה); we could infer שור from שבת and apply to all animals; stated in order to compare muzzler with muzzled & vice-versa:
- Just as*: muzzler may eat במחובר, so may muzzled (שור)
  - And just as*: muzzled (שור) may eat בתלוש, so may muzzler (אדם)

### II Exegesis on v. 4 – use of דיש

- a *ברייתא #1*: unique feature of דיש – grows from ground, excluding milking, making cheese etc.
- Challenge*: unneeded, as v. 1 indicates a vineyard
    - Answer*: קמ"ל – גידולי קרקע, בעלי קומה (קמה) extends to all סד"א that v. 2 (קמה) extends to all בעלי קומה, might even extend to non קרקע
- b *ברייתא #2*: unique feature of דיש – worker may eat only at גמר מלאכה, excluding pruning (e.g.)
- Challenge*: unneeded, as v. 1 already states לא תתן ואל כליך לא תתן, indicating time of harvest
    - Answer*: קמ"ל in case of pruning by thinning out field via early-harvest
- c *ברייתא #3*: unique feature of דיש – worker may eat only of that which isn't process-complete for תר"מ, excluding separation of fruit stuck together, which have already become liable for מעשרות – workers don't eat
- Challenge*: ruling that a worker may eat from such separated dates/figs
    - Resolution* (ר"פ): that's in re: bad dates that are pickled, such that separation isn't process-complete for תר"מ
- d *ברייתא #4*: unique feature of דיש – worker may eat only of that which isn't process-complete for חלה, excluding kneading etc.
- Challenge*: but in such a case it has already become liable for תר"מ
    - Answer*: ruling in re: חר"ל, where there is no liability of מעשרות
      - Block*: in חר"ל, there is no liability for חלה either
      - Rather*: ruling is in re: first 14 years in the Land, when חלה was already in effect, but תר"מ not yet
        - Block*: liability for מעשרות isn't the issue, rather גמר מלאכה
        - Rather* (דבינא): enfold *ברייתא #4* within #3 – limited to things which aren't yet process-complete for חלה & תר"מ

### III Question: is warming up the kernels of grain considered a violation of אחר ודבר ענבים or not

- a *Attempted answer*: the employer and workers are each allowed to manipulate the food to increase/decrease appetite
- Rejection*: using other food to affect workers isn't the question, is using other food to enhance food permissible?
  - Answer*: workers may wait to eat until they get to sunny corner of vineyard, but may not heat them up
    - Rejection*: that is due to time wasted from work; if family members are there to heat it up, is it permissible?
  - Answer*: ruling that he can't heat up, break on a rock or bury in ground
    - Rejection*: that, again, is due to time wasted from work (evidenced by use of rock – doesn't sweeten food)
      - Defense*: it certainly sweetens it, if only a little
  - Answer*: workers may not dip in salt (rejection: dipping in salt is certainly "other food", may not be about מהבהב)
    - Challenge*: workers may dip in salt
      - Resolution #1* (אב"י vs. חר"ל): dipping considered גמר מלאכה for מעשרות
      - Resolution #2* (דבא): if he takes two at a time, dipping in salt is קובע למעשרות as per v. 5