

26.4.6

55a (משנה ח') → 56b (מקום ליה כתלתא תנאי)

Note: משנה ט' is also printed here, but since our סוגיא deals almost exclusively with 'משנה ח', we will leave our study of 'משנה ט' for later.

- I 'משנה ח': buying an in-process winepress from a non-Jew
- a Permitted to buy from him, even though he handles the crushed grapes and puts them in the pit
    - i *Because*: it doesn't become יין נסך until it goes into the collection cistern
    - ii *If*: it went into the בור, only that is prohibited and the juice that hasn't yet gone down is מותר
  - b *הונא ד'*: anything on the slope (to the בור) is prohibited
    - i *Note*: he interprets our משנה as a case of a plugged up גת (where it isn't going down at all)
    - ii *Challenge*: end of our משנה – anything that hasn't yet reached the בור is מותר (i.e. the pipe is open)
      - 1 *Answer*: that follows משנה ראשונה – his ruling follows משנה אחרונה:
        - (a) *בד"ד*: משנה ראשונה
          - (i) ג: may not harvest (בוצרין) with non-Jew as this causes in חולין to become טמא
          - (ii) ג: may not trample (דורכין) with ישראל who isn't careful about וטהרה
            - 1. *Reason*: you are helping him violate the law (causing potential תרומה to become טמא)
          - (iii) ג: but you may trample with a non-Jew (*ר' הונא* *הוא*)
        - (b) *ב"ב*: משנה אחרונה
          - (i) ג: may not trample with non-Jew (*ר' הונא* *הוא*)
          - (ii) ג: may not harvest with ישראל who isn't careful about ט"ט
            - 1. *ל"י*: we may not trample with him
          - (iii) ג: but we may harvest with a non-Jew, as there is no prohibition against generating א"י חולין in טומאה
- II Analysis of 2<sup>nd</sup> clause – doesn't become יין נסך until it goes into the בור
- a *Challenge*: ruling that it only becomes י"נ when it floats (after some time in the בור)
    - i *Note*: this ruling is for purposes of חיוב מעשרות
    - ii *Answer1* (*רבא*): our משנה is רבנן (who rule, in re: מעשר, that wine is חייב once it enters the בור); the ר"ע is ברייתא (in re: מעשר – when it floats)
      - 1 *Question*: is the "floating" here when it floats in the בור or in the barrel?
        - (a) *Answer*: ברייתא – although it is חייב במעשרות when it floats, even so, he can dip into the upper press and the pipe and drink → the "floating" is still in the בור
      - 2 *However*: רב זביד had a ברייתא :
        - (a) *רבנן*: חייב במעשרות after it goes into the cistern and begins to float
        - (b) *ר"ע*: when he starts pouring it into barrels
          - (i) *Answer*: read our ברייתא that way as well
      - 3 *Question*: who then is the author of our משנה? Are there 3 opinions?
        - (a) *Answer1*: 2 opinions, and רבנן are מחמיר in re: יין נסך
        - (b) *Answer 2* (*for רבא* [who won't distinguish between מעשרות and יין נסך]): three opinions
          - (i) *And*: our משנה represents the "earliest" one