

26.5.4

65b (משנה ב') → 67a (חבית פתוחה דמי)

7. לא תאכל כל תועבה: דברים יז:ג

- I י"נ impact of משנה ב'
- a If: י"נ fell on grapes – wash them and they are מותר
 i But if: they were cracked open – אסורות (י"נ gets into them via cracks)
- b If: it fell on figs or dates – if there is נ"ט of the י"נ – אסור
- c Story: י"נ brought dried figs on a boat, י"נ fell on them and חכמים declared them מותר
 i Question: is this story brought to challenge ruling?
 ii Answer: משנה is missing key line – if the flavoring of the wine fouls the taste – מותר (story supports it)
- d Rule: if there is הנאה from the flavoring – אסור
 i But if: there is no הנאה from the flavoring – like vinegar that fell on beans – מותר
- II Backdoor:
- a Story: רבא permitted wheat that had had י"נ fall on it to be sold (אסור בשתייה, מותר בהנאה) עכ"ם
 i Challenge: rule that a garment with שעטנו may not be sold to גוי (nor for saddle-blanket; but may be used for מת)
 1 Assumption: he may then sell it to ישראל
 ii Retraction: רבא then permitted wheat only after grinding it and baking it w/o awareness of any other ישראל
 1 Explanation: no ישראל would buy it from him (פת פלטר)
 iii Challenge: our משנה only forbids if grapes are cracked open
 1 Answer: since wheat has cracks, it is akin to open grapes
- III Disputes about י"נ אבי/רבנא
- a Taste vs. name:
 i If: old wine fell onto grapes – all agree that the measure for ביטול is נ"ט (as there are 2 distinct tastes)
 ii But if: new wine fell onto grapes –
 1 משהו (i.e. no ביטול) – determining factor for identity is taste; it is same taste – במינו במשהו
 2 נ"ט is שעור דבא – determining factor of identity is nomenclature; 1 is "wine", other "grapes" – בניטול מינו בניטול
 (a) Challenge (to אבי): our משנה rules that wine on grapes is בניטול – we assume new wine
 (i) Defense: משנה maybe case of old wine
 iii Application of dispute: wine vinegar mixed with mead vinegar (one of איסור) or wheat wine and barley wine
 1 אבי: taste determines identity → each pair is considered מבשא"מ, therefore judged as נ"ט
 2 דבא: name determines identity → each pair is considered מב"מ, therefore no ביטול (משהו)
 iv Arguments for positions:
 1 בריתא אבי – if several spices (of תרומה) fall into pot, they can combine לאסור – חזקיה – all sweeteners → 1 taste
 (a) Proof: since taste determines, they can be מצטרף
 2 דבא: this follows ר"מ who, per יהודה ר', says that all איסורין combine, per v. 1
- b Taste vs smell:
 i If: vinegar (של איסור) fell into wine, all agree that שעור is נ"ט (מבשא"מ)
 ii But if: wine (של איסור) fell into vinegar:
 1 משהו (no ביטול), entire smell is vinegar, taste is wine → follow smell and its מב"מ → משהו
 2 נ"ט; entire smell is vinegar, but taste is wine → follow taste and its מבשא"מ → נ"ט
- c י"נ (the "smell" tap which they open to give off the smell of the barrel) of בת תיהא
 i אבי: prohibited – smell is a significant consideration
 ii דבא: permitted – smell is not a consideration
 1 Argument: if תרומה cumin was used to fire up oven and he baked bread – מותר; as it's only cumin smell
 (a) אבי: that's because the original איסור is no longer extant
 2 ד' מוי: this dispute follows תנאים in re: taking hot bread from oven and placing it on barrel of תרומה
 (a) ד"מ: אסור. ד"מ – ר' יהודה; מותר – ר' יהודה; אסור. ד"מ
 (i) Assumption: dispute is whether smell is a consideration
 (ii) דבא: will have to admit that there are תנאים who rule against him
 (iii) אבי: could explain – dispute is only with hot bread and closed barrel;
 1. But if: barrel was open & bread hot – לכרע – אסור (and the smell-tap is akin to חבית פתוחה)