

26.2.16

39b (משנה ז') → 40b (סיום הפרק)

- I מותרים באכילה עכ"ם's involvement in preparation, are משנה ז'
- a Milk milked by עכ"ם with a ישראל watching
- i ברייתא: a ישראל sitting by the עכ"ם's flock may drink milk that he milks from the flock and brings him
- 1 Question: if there is a טמא animal – why מותר; if not – obviously מותר
- 2 Answer: there is a טמא דבר; since he can see while standing, גוי is afraid he'll stand → believed even יושב ישראל
- b Honey
- i Reason: won't mix with other honey (goes bad); no בישולי נכרים (eaten raw); no גיעולי נכרים (נטל"פ);
- c Grape clusters – even with the juice dripping out
- i Note: this juice also fails to render foods that it moistens as מוכשר לקבל טומאה
- ii Challenge: מוכשר לטומאה ruled that juice at wine-press is טמא (and הלל acceded)
- 1 Answer: in that case, the juice is wanted; here, it is going to waste (no בכי יתון)
- d Brine which isn't typically enhanced with wine/vinegar
- e fish that aren't cut up
- f fish juice with little fish floating in them
- i ברייתא (on [e] and [f]) – definitions:
- 1 Fish not cut up – if the head and spine are recognizable
- (a) ר' הונא: need both
- (b) ר' יני: either is sufficient
- (i) challenge: we need to identify fins and scales
- (ii) answer: that's only if rest of fish is similar to טמא דג
- (c) עולא dispute only for dipping in its juice; all agree that need both ראש ושדרה to eat
- (i) ר' זירא: ruled like ר"ה, once he heard עולא's report, would no longer dip in ציר
- (d) ר"פ: ruling – must have ראש ושדרה of each fish
- (i) Challenge: ראש ושדרה permitted an entire barrel where only one fish had ראש ושדרה
- (ii) Answer (ר"פ): in that case, all the pieces "fit" – clearly from same fish(-type)
1. Point: no concern that another may have inadvertently been put in
- (e) Case: boat arrived at סיכנא בר פפא, סיכנא ר' saw scales (in barrel) and permitted
- (i) רבא: can't permit in a place where scales are so readily found (banned it)
1. ר"ח ד' פמי: only permitted the ציר
2. ר' אשי: heard from ר' פפא that he permitted even the fish
- a. Therefore: ר' אשי wouldn't ban (ר' פפא) but wouldn't permit per interpretation of ברייתא that for eating the fish itself, ראש ושדרה of each fish must be recognizable.
- (f) ר' חנינא: told ר' אדא ruling (בשם רב, שמואל ור' יוחנן) that if עכ"ם brought barrels of fish on boat, and one fish was recognizably טהור, if barrels are open – all טהור; if in sealed barrel – only sealed barrel טהור
- (g) רב ברונא בשם רב: fish innards and roe must be bought from a trusted source
- (i) Challenge (עולא): we know that דגים טמאים don't have eggs, rather they "shoot forth" their young
1. Answer1: erase "עוברין" from ruling
2. Answer2 (ר' זירא): even דגים טמאים have roe; they just hatch internally
- (ii) Challenge; no need for מומחה – check סימנים
1. Per: ruling that סימנים of fish eggs are similar to סימני ביצים (ovoid and yoke inside)
- a. If: yoke and white are mixed up – ביצת השרץ
2. Answer (רבא): ruling only applies if the eggs are mashed up (can't see סימן)
- a. And: to answer #1 (erase עוברין) read "סימני קירבי דגים:: סימני ביצים"
- i. Application: ovoid innards – in fish called שילפוחא
- (iii) רב יהודה: if there is no expert, we can rely on the seller telling us that he salted them
1. Dissent (ר' יני): must identify these innards as being from these fish
- 2 Fish juice – if it has 1 or 2 floating in it כילביה⁶
- (a) Question: if 1 is sufficient, why mention "2"?
- (b) Answer: 1 is sufficient if barrel is sealed; need 2 if they are open *1 may have flopped in)

⁶ May be רמב"ם (ציר) – or (רש"י) ציר דג טמא that grow in טהורים – or דגים טהורים of same kind as ציר

- g stalks of (uncut) חילתית
 - i *even though*: we might be concerned about small flakes of חילתית there – these just shook out
- h soaked olives – even though they are very soft and we have concern he added wine; in reality - soft from oil
 - i *dissent* (ר' יוסי) : if they are very soft – אסורין (concern – may have added wine)
 - 1 Measure: if they are so soft that when holding them the seed pops out
- i Locusts (that are otherwise acceptable):
 - i If they are in the סלולה (e.g. display case) – אסורין (they typically sprinkle wine on them)
 - ii But if they are in the הפתק (temporary spot) – מותר
 - 1 מותר **ברייתא**: locusts, capers from storage or in temporary stand are מותר
 - (a) *But*: in display case - אסור since they pour wine on them
 - (b) *Parallel*: same rule applies to apple wine (cider?)
 - (c) *Story*: רבי was ill and was looking for apple wine
 - (i) **ד' ישמעאל בר יוסי** reported in his father's name that such drink is מותר (under those conditions) – רבי drank a lot of it and was healed
 - iii *And*: same rule applies to תרומה
 - 1 *Meaning*: if כהן is suspected of selling תרומה as חולין, only suspected regarding food in front of him, not that in storage shed
 - (a) *Reason*: he wouldn't hurt his reputation among רבנן (if he gets caught) who would deprive him of תרומה