

26.5.4

65b (משנה ב) → 67a (וחבית פתוחה דמי)

1. לא תאכל כל תועבה: דברים י"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 – י"נ gets into them via cracks (אסורות)
- 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 י"נ fall on it to be sold (אסור בשתייה, מותר בהנאה) עכו"ם
- i Challenge: rule that a garment with שעטנז 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 רבנא/אביי
- 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 is ביטול for אבוי – determining factor for identity is taste; it is same taste – מין במינו במשהו
- 2 נ"ט is שיעור לבא – determining factor of identity is nomenclature; 1 is "wine", other "grapes" – מין בשאינו מינו בני"ט
- (a) Challenge (to אבוי): our משנה rules that wine on grapes is בני"ט – 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 אבוי: taste determines identity → each pair is considered מבשא"מ, therefore judged as נ"ט
- 2 לבא: name determines identity → each pair is considered מב"מ, therefore no ביטול (משהו)
- iv Arguments for positions:
- 1 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 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 שיעור is נ"ט (מבשא"מ)
- ii But if: wine (של איסור) fell into vinegar:
- 1 משהו → מב"מ follow smell and its מ"מ → entire smell is vinegar, taste is wine
- 2 נ"ט → מבשא"מ follow taste and its מ"מ → entire smell is vinegar, but taste is wine
- c י"נ (the "smell" tap which they open to give off the smell of the barrel) בת תיהא
- i prohibited - smell is a significant consideration
- ii לבא 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) אבוי: that's because the original איסור is no longer extant
- 2 יין של תרומה of מרי: this dispute follows תנאים in re: taking hot bread from oven and placing it on barrel
- (a) ר' יוסי; מותר – ר' יהודה; אסור: ד"מ
- (i) Assumption: dispute is whether smell is a consideration
- (ii) לבא: will have to admit that there are תנאים who rule against him
- (iii) אבוי: could explain – dispute is only with hot bread and closed barrel;
1. But if: barrel was open & bread hot – לכר"ע it is אסור (and the smell-tap is akin to פת חמה וחבית פתוחה)