

28.4.6

42b (משנה ג') → 43b (משנה ג') (יצא בשר דבר שאין טומאה פורחת כשהוא שלם אלא כשהוא חסר)

Note: only those items which have מתירים (external to them) are subject to the laws of פיגול, such that anyone eating it deserves כרת. All of the items listed in ג' משנה ג' are either מתירים themselves or are items without מתירים.

ז. והנפש אשר תאכל בשר מזבח השלמים אשר לה' וטמאתו עליו ונכרתה הנפש ההוא מעמיה: ויקרא ז, כ

I ג' משנה ג': items that are exempt from פיגול (see note above)

- a לבונה (קטורת) and קומץ מתירי מנחה
- b (brought every day; ½ in the morning and ½ in the late afternoon) מנחת כ"ג and מנחת כהנים מנחת כליל
- c זבחים מתיר all דם
- d נסכים
  - i (ר"מ) if they are brought on their own ד"מ
  - ii (חכמים) even if brought with a בהמה ד"מ
- e לוג שמן של מצורע
  - i ד"ש no liability
  - ii ד"מ liability
    - 1 Reason: the blood of מצורע is אשם מתיר it
    - (a) And: anything which has מתירין – whether to man or the מזבח - is vulnerable to פיגול

II ד' משנה ד': continuation of ר"מ's argument with four examples

- a דם העולה is מתיר the meat to be burnt on מזבח and the pelts to be given to the כהנים (for their use)
- b דם עולת העוף is מתיר the meat to be burnt on the מזבח
- c דם חטאת העוף permits the meat to be eaten by כהנים
- d דם חטאות פנימיות is מתיר the meat to be brought on outer מזבח
  - i Dissent (ר"ש): any קרבן whose דם is not brought on outer מזבח (like שלמים) is invulnerable to פיגול

III עולא's dictum: if someone put קומץ פגול on the מזבח, the פגול "leaves" it

- a Reasoning: if it can cause others to be פיגול, certainly it can do so to itself
  - i Meaning: if it isn't accepted (i.e. valid הקטרה), how can it make others מפוגלים
  - ii Question: what is עולא teaching?
    - 1 If: he's teaching that קומץ is invulnerable to פיגול – that's already stated in our משנה
    - 2 If: he's teaching that if it was put up on the מזבח, it shouldn't come down (אם עלו לא ירדו)
      - (a) Already taught: ahead ט:ב –
    - 3 If: he's teaching that if it was put up, then fell off, it should be restored (אם ירדו יעלו)
      - (a) Not true: per ט:ד – just as אלו לא ירדו – אם, similarly יעלו לא ירדו, similarly לא יעלו
    - 4 If: he's teaching that in case the fire already began burning the קומץ, (and then fell off), he should return it
      - (a) Already stated: by עולא –
      - (b) Answer: עולא made that statement in re: a limb, which we wouldn't extend to קומץ
        - (i) Distinction: אבר is a single unit; once part is burning, we understand it as the whole is burning
        - (ii) But: קומץ is granular, we wouldn't know to apply it – קמ"ל
        - (iii) Conclusion (ר' אחאי): if ½ the קומץ מפוגל was placed on the ground and the other half was atop מזבח and began burning,
          - 1. Then: לכתחילה we would restore the other half.

IV יוחנן ר"ס dictum (reported by ר' יצחק פני"ט: (ר' יצחק) that were on the מזבח – their fouled status leaves them

- a Challenge (ר' חסדא) is the מזבח like a מקוה???
- b Answer (ר' זירא) this only applies if the fire consumed them
  - i Challenge (ר' ביטנא) interpreting v. 1 excludes בשר שנטמא (referring only to אדם) per: וטומאתו עליו, including only something/one from whom טומאה can disappear (אדם – via מקוה) – excluding בשר קדש שנטמא as
    - 1 Explanation: if it were true that בשר טמא loses its טומאה on the מזבח, it is also טומאה פורחת ממנו
      - (a) Defense (ר'בא) means "disappears from it" via מקוה (not fire)
        - (i) Challenge: it doesn't state "מקוה" there.
        - (ii) Rather (ר"פ): text is referring to בשר שלמים – which isn't fit for מזבח (→ has no "טרה באש")
        - (iii) Alternatively (ר'בינא): text is referring to that which can lose its טומאה while remaining whole
          - (i) In apposition to: בשר טמא which can only lose its טומאה when broken up into pieces