

29.6.4

67b → 68b (משנה ד) → (וחייש לספיקא)

1. ולחם וקלי וקרמל לא תאכלו עד עצם היום הזה עד הביאכם את קרבן אלהיכם חקת עולם לדרתיכם בכל משבתים: ויקרא כג, יד

- I עשרון process of offering משנה ד
- a oil and frankincense: he would put them on, mix them in, perform תנופה and then הגשה, take a קומץ and burn it
 - b remainder (שיריים): eaten by כהנים
- II 'ה משנה: immediate response: marketplace of Jerusalem filled with toasted flour
- a ד"מ: against wishes of חכמים
 - b ד' יהודה: חכמים were in favor of this
- III analysis of dispute ד"מ/ר"י
- a subtext: ר' יהודה is (evidently) unconcerned that people will eat that which is prohibited until it is permissible – allows for bringing grain into marketplace before היתר generated by העמר; ר"מ seems to have that concern
 - b challenge: re: חמץ ר"י shows a concern that people will eat חמץ → no בדיקה after שעת הביעור; חכמים allow for later בדיקה
 - i answer1 (רבה): חדש must be picked by hand, he'll remember
 - 1 challenge (אביי): that works for קצירה, but they also mill and thresh
 - (a) defense: they mill with a hand-mill and thresh right on top of the sieve (i.e.both done in unusual manner)
 - 2 challenge (אביי): ח: מנחות allows for pre-cutting (with scythe) from בית השלחין (irrigated fields)
 - ii answer2 (אביי): people naturally avoid חדש, but not חמץ → need for extra safeguard
 - 1 comment (רבא): that resolves ר' יהודה; what about רבנן?
 - iii answer2b (רבא): ר' יהודה is answered per אביי; רבנן: since he is looking for חמץ in order to burn it, he's not likely to eat
 - iv answer3 (רב אשי): our משנה describes קמח קלי – unfit for eating → no concern they will eat before הבאת העמר
 - 1 rejection: this is an errant report – how do we account for the grain before it is toasted?
 - (a) defense: per רבה – it is picked by hand (etc. – milled and threshed ע"י שינוי)
 - (b) challenge: irrigated fields...rather, that report of רב אשי is in error

IV משנה ה: permission to eat new grain with offering of עמר (or that day)

 - a once brought: חדש is permitted immediately
 - i those who live far away: are allowed to eat from midday (by then, they are assured it has been brought)
 - b תקנת ריב"ז: after חרבן, entire day is אסור
 - c דבי יהודה: that rule is מה"ת – per v. 1 : עד עצם היום הזה
 - i if so: why are those who live far permitted from midday on
 - ii answer: they know that ב"ד is not lazy and brings it by midday (at the latest)

V Discussion:

 - a מתיר 16th is מתייר ושמאל
 - i per: v. 1 – עד יום הביאכם – עד עצם היום הזה vs. עד יום הביאכם
 - b מתיר 16th is מתייר ושמאל
 - i challenge: עד הביאכם answer: that is ideal (למצוה) but not necessary
 - ii challenge: our משנה answer: למצוה
 - iii challenge: (next משנה) – עמר is מתייר new grains for citizenry, שתי הלחם – for מקדש answer: למצוה
 - iv challenge: ריב"ז's ordinance
 - 1 reason for תקנה: when מקדש is rebuilt, people will eat from first light, not knowing that they were allowed to do so in previous years due to a lack of קרבן
 - 2 explanation: if the essential law is to permit – even when עמר is brought – at first light, no need for גזרה
 - 3 defense: ריב"ז agrees with יהודה ר', that מה"ת it is prohibited until end of day (if no קרבן), per הזה עד עצם היום הזה
 - (a) and: reading "עד" as inclusive ("עד ועד בכלל")
 - 4 challenge: ריב"ז and יהודה disagree, as evidenced in our משנה
 - (a) correction: ריב"ז misunderstood ר' יהודה, thinking that his תקנה was מד"ס
 - (i) and: "התקין" means דרש והתקין – i.e. he studied and concluded that it is מה"ת and ordained it so

VI Practice among אמראי בבבלי

 - a ספיקא דיומא: would eat חדש on the eve of the 17th, holding that אסור בח"ל is only ד"ס –no extension to דיומא
 - b דבנן דבי ר"א: would eat on the 17th in the morning, holding that אסור בח"ל is only תורה – but ריב"ז's ruling was only דבנן דבי ר"א and only included the day of הניף יום itself – not the morrow
 - c ספיקא דיומא: told that his father would wait until after 17th (eve of 18th); holding like ר' יהודה and concerned about דיומא