

30.7.4

94b → (משנה ב) (איהו הוא דקא מטעי נפשיה)

Note: our *סוגיא* references the custom, in some locales, to publicize if a *טריפה* was found (or created) during *שחיטה*; that way, everyone would know not to buy meat from the non-Jewish meat brokers who were found at the slaughterhouse. If there was no such custom locally, no one would ever buy from them, as they would have no way of knowing if the meat was *שחוטת*, *שחוטת*, *נבילה* or *טריפה*

I **ב** – permitted to send (whole) thigh with גה"נ in it to a non-Jew, as its location is visible

- a Question: is this a place where they announce when a *טריפה* has been found/occurred in *שחיטה* or not?
- if: where they don't announce, as no *ישראל* would buy meat from the *עכ"ם* in any case, why not send cut piece?
 - If: where they *do* announce – in which case, why is a whole one permitted – why send *שלמה* – he may cut and sell?
 - Answer: could be in either type of place:
 - מקום שמכריזין: his cut is recognizable as distinct from the *טבח*'s cut
 - מקום שאין מכריזין: it is a precautionary measure against a case where he sells it in the presence of another *ישראל*
 - Or: because the *ישראל* is fooling the *יהודי* (דעת), which is prohibited per *שמואל*
 - Note: *שמואל*'s dictum was inferred from a story, never explicitly stated
 - Story: *שמואל* was on a ferry, asked his servant to pay the ferryman and was upset when he did
 - Version1 (אב"י): he paid him with a *טריפה*, in guise of *שחוטת*
 - Version2 (דבא): he paid him with diluted wine, 'tho *שמואל* had told him to give pure wine
 - However: inference may be inaccurate:
 - Chicken: he may have been upset at his servant for keeping a *טריפה* around
 - Wine: he may have been upset at his servant for defying his directive

II Tangent: דעת גניבת

- a *בריתא* – one may not pester someone to eat at his house when he knows the putative guest won't come
- Nor: send him gifts when he knows he won't accept them
 - Nor: open up new barrel when this guest arrives, if he had to open them anyway (for sale) without telling him
 - Nor: give him an empty vial for him to anoint with oil
 - But: if these are done to show honor (not to mislead) – permitted
 - Story: *יהודה* רב opened up new barrels for *עולא*
 - Answer1: he told him that he was opening anyway (no דעת)
 - Answer2: *יהודה* רב had sufficient affection for *עולא* that he would have opened them anyway
- b *בריתא* a person ought not go to בית האבל with an empty bottle (appearing to bring wine)
- But: if there is group gathered there (he is doing it to show honor to אבל) permitted
- c *בריתא* (ר' אלעזר בן יעקב): further rulings anchored in the principle that דעת הבריות
- Shoes: a person ought not to sell a shoe of an animal that died among those of *שחוטת*
 - Reason1: misleads him
 - Reason2: dangerous (assumption – the poison that killed animal may still be in hide/shoe)
 - Wine/oil: a person ought not send (even as a gift) a barrel of wine with oil on top (tragic story)
- d *בריתא* 3 circumstances involving non-*ישראלים* with meat and commerce:
- If: sending a thigh:
 - To a *ישראל*: if whole, no need to cut out גה"נ; if cut up – must remove
 - To a non-*ישראל*: in either case, no need to remove
 - But: there are 2 reasons for not selling *טריפות* to *נבלות*
 - גנב"ד: it is misleading (he assumes he is getting fit meat)
 - Concern: he may sell it to a *ישראל*
 - A person ought not: give *עכ"ם* money to buy him meat
 - Reason1: thugs – he may forcibly take the meat from the storeowner and keep the money
 - Reason2: the storeowner may give him *טריפות* ונבלות
 - Analysis: #1 and #3 appear to be מקום שאין מכריזין (else, must remove גה"נ and reason#2 in #3 wouldn't apply)
 - But: #2 must be מקום שמכריזין (no one would buy meat from *יהודי* in any case)
 - Resolution1 (אב"י): indeed, *בריתא* is not describing consistent setting
 - Resolution2 (דבא): all are מקום שמכריזין; #1 and #3 are in situation where they did announce (*טריפה*); #2 – did not
 - Resolution3 (ר' אשי): all are מקום שאין מכריזין; #2 – precaution against him selling in the presence of another *ישראל*
- e Clarification: הכרזה is "meat is available for the town" – but not "*טריפה* is available", as they won't buy
- However: this is not גנב"ד, as they mislead themselves (with their own interpretation)
 - As per: story of *ר'נ*'s son meeting *רבא* and *ר' ספרא* and *רבא*'s correction of *ר' ספרא* "extra" (insulting) honesty