

30.1.8

9a (אלא מפני כבודו של חכם) → 10b (ואמר רב יהודה אמר שמואל כל טבח שאינו יודע הלכות שחיטה)

- I שחיטה's rulings (reported by רב יהודה) regarding שחיטה
- a Knowledge: any שוחט who is unfamiliar with הלכות שחיטה – the five פסולים – may not perform שחיטה
- i Challenge: this is obvious, as all five פסולים (עיקור, חלדה, הגרמה, עיקור) are explicitly taught in משניות
- ii Defense: even if he slaughtered several times successfully – he may have violated דריסה or שהייה without knowing
- b Checking סימנים: they must be checked after שחיטה
- i Challenge (רב יוסף): this is ר"ש's ruling – that the שיעור of שהייה is the time it takes to check
- 1 Presumption: means ביקור סימנים
 - 2 Rejection: means "investigation by a חכם" (i.e. checking the knife)
 - (a) Block: that sets a variable שיעור (נתת דבריך לשיעורין)
 - (b) Rather: investigation by a שוחט who is a חכם (again, of knife)
- ii If he didn't check: dispute הונא ר"א בן ינאי (טומאה no – טריפה) and ברייתא (נבילה – it has משא)
- 1 Point of dispute: applying הונא ר"ש's observation –
 - (a) Observation: a בהמה is בחזקת איסור while alive;
 - (b) Until: we know that it was properly slaughtered
 - (i) טומאה doesn't extend to איסור ד"א
 - (ii) זרייתא wasn't שחטה and is now dead → נבילה (and מטמא במשא)
 - (c) Once slaughtered: it is בחזקת היתר until we verify that it was a טריפה (and how)
 - (i) Question: why not read "הותרה – הותרה"
 - (ii) Answer: teaches that even if there is a challenge to its fitness, has היתר
 1. Per: question posed to רב הונא – if the innards are taken by a wolf, then returned with claw-marks
 - a. Do we suspect: that he clawed at a hold that was already there (→ טריפה)?
 - b. Answer: we do not suspect - not a טריפה
 - i. Challenge: if we see a bird or rat pecking at fruit, we are concerned that he pecked at a previous hole (made by snake, and there is venom there) → אסור (due to סכנה)
 - ii. Defense: can't compare איסור to סכנה –
 - iii. Challenge (רבא): both should be considered מה"ת – and לחומרא
 - iv. Defense (אבוי): ספק טומאה ברה"ר (אבוי) is considered טהור, but not סכנה
 - v. Answer (רבא): that is גזה"כ, we infer טומאה ספק from טוטה
 - vi. Defense (שימי): if we are unsure if a rat, carrying a שרץ, touched תרומה-bread – טהור
 - vii. Answer (רבא): also inferred from טוטה – agent of טומאה must be able to be asked
 - viii. Proof (אשי): rule that we are lenient regarding חטאת מי, but in a parallel case, we are stringent for מגולים – proving that סכנה is treated more severely than איסור QED
 - (iii) Tangent: 3 liquids are under the ban of מגולים (water, wine, milk); the amount of time (with no one watching) is enough for a snake to come out from under the handle of the כלי, drink and go back

II Dispute הונא ר' re: finding a knife to be deficient after שחיטה

a הונא ד' even if he used it after שחיטה to cut bones, שחיטה is invalid; חשש that it got bent on skin (before שחיטה)

i Reasoning: seems to follow his own position (... בהמה בחזקת איסור) if we don't know that it was valid - פסולה

b ח"ח: valid – perhaps it was bent cutting bone (after שחיטה)

i Reasoning: bones certainly bend knife; skin may bend knife – אין ספק מוציא מידי ודאי

ii רבא (supporting ר"ה): if he went to מקוה and then found something חוצץ on him, even if he had been involved with those things all day – still טמא (unless he avers that it wasn't on him beforehand)

 - 1 Proving: ספק (when the חציצה got on him) trumps the ודאי (he went into מקוה)
 - 2 Counter: in that case, he had a חזקת טומאה before going in
 - (a) Response: the animal also had a איסור before שחיטה
 - (b) However: he is now שחוט
 - (i) Counter: the man is also טבול
 - (ii) However: there is a doubt as to the validity of his טבילה (the חציצה)
 1. Response: the knife's blemish is also a ריעותא
 2. Block: in this case, the טמא himself has the ריעותא; in that case, the ריעותא is of the knife, not animal

- c Counter (for ר"ה): (background – עוף requires only 1 סימן; but if other סימן was removed before שחיטה – invalid)
- i Ruling: if we are unsure if trachea was removed before or after שחיטה וושט, פסולה, שחיטת וושט; and "כל ספק בשחיטה פסול"
 - ii We assume: the extension "כל ספק בשחיטה פסול" extends to our case
 - iii Correction: it extends to a ספק דרס, ספק שהה
 - 1 Justifying distinction: in this case, ריעותא is in animal itself; in our case – in knife
- d Final ruling: follows ר"ה if he didn't use it on any bone; follows ר"ח if he did use it on bones after שחיטה
- i Observation: ר"ח himself must hold that it is valid even if he didn't use it on bones – but if so, how did it bend?
 - 1 Answer: on the hyoid bone (around סימנים)
 - ii Story: רב יוסף declared up to 13 animals טריפות (with knife that was found to be פגום afterwards)
 - 1 Following: ר"ה – even the first one was invalid?
 - 2 Perhaps: follows ר"ח – and only the subsequent animals were טריפות
 - (a) Block: it must be כר"ה; if כר"ח, we should assume it broke on hyoid of last animal and all are fit
 - iii Practicum: ר' אשי reported that ר' כהנא would require checking the knife between שחיטות
 - 1 Following: ר"ה – to invalidate the previous שחיטה?
 - 2 Response: following ר"ח – to permit the next שחיטה
 - (a) Counter: if so, he should require בדיקת חכם (to ensure validity of knife)
 - (b) Answer: נאמן באיסורין (השוחט) עד א' – we trust the שוחט to check the knife
 - (i) Block: then we should never require בדיקת חכם
 - (ii) Confirmation: ר' יוחנן noted that בדיקת חכם is a formality out of respect for the חכם