

30.3.14

57a (אבל לענין טרפה אגוני לא מגין) → 58b (אמר רב הונא אמר רב שמוטת ירך בעוף כשרה)

1. לך אל נמלה עצל ראה דרכיה וחקם: אשר אין לה קצין שטר ומשל: תכין בקצין לחמה אגרה בקציר מאכלה: משלי י, ו-ח  
 2. בימים ההם אין מלך בישראל איש הישר בעיניו יעשה: שופטים יז, ו

## I Continued discussion about טריפות בעוף

- a כשר – if a bird's leg is dislocated – **ד' הונא בשם רב**
- i Challenge: in פומבדיתא, they quote רב יהודה quoting רב who declared it טריפה
- 1 Response: different מנהגים (in פומבדיתא, they had a מנהג to prohibit; רב יהודה didn't want to rule permissively)
- ii Story: רב הונא בשם רב ר' זירא זירא heard עליה, ר' אבא
- 1 Response: כשרה ר"ה ר' אבא had learned directly from ר"ה that it was
- 2 In addition: ר' ירמיה checking a שמוטת ירך at the sinew – asked why that was necessary (per רב above)
- 3 Answer: per ברייתא – if a mammal's leg is cut off below knee – כשרה, above knee – טריפה; also if that sinew gone
- (a) And: רב added that the same applies to birds
- (b) Note: רב's rulings contradict each other
- (i) Defense: dislocated is כשרה; amputated – טריפה
- 4 אבא ד' זירא asked ר' זירא what his source was
- (a) Answer: per report in רב's name that it was טריפה (similarly, ר' יוחנן)
- (i) And: report that ר' יוחנן was present when רבי permitted (but he was opposed)
- b Conclusion: reject these reports, rather per ruling of ריב"ל
- i Was asked: about a trachea that had a "window" carved out of it
- ii He answered: if it is the size of an איסור האטילקי – טריפה
- iii Challenge: a ewe had such a hole, they grafted in membrane and it lived
- iv Retort (ריב"ל): can't rely on that – we have an accepted ruling – a dislocated leg of a bird → טריפה
- 1 Yet: there was such a bird and they fashioned an artificial support and it lived
- 2 Rather: it was during the first 12 months (same here, with the trachea)
- 3 Inference: he held that שמוטת ירך בעוף – טריפה
- c Story: ר' יהודה's assertion about the feather שמוטת בן חלפתא disproved
- i He had: a bird that lost that feather, he put it in a warm place w/cover and it grew even bigger wings
- 1 Challenge: perhaps ר"י holds that a טריפה can heal
- 2 Answer: he wouldn't apply that to the part that was נטרף
- ii Tangent: רשב"י was called an "עסקן" (experimenter?) per story re: vv1-2 (testing if ants really have no king)

## II Protracted discussion – life expectancy of a טריפה

- a ד' הונא 12 months (i.e. if it survives past 12 months – not a טריפה)
- i Challenge: ברייתא – indication of a טריפה is that it cannot give birth
- 1 דשב"ג: if it gets healthier and grows – not a טריפה; if it deteriorates – טריפה
- 2 דבי: 30 days is the שעור (if it lives past 30 days – not a טריפה)
- (a) Response: many of them survive for several years
- ii Answer: it is a dispute among תנאים (re: תוספתא אהלות ב:ו) per רש"י, טומאת מת
- 1 If: there was a hold in the skull the size of a drill bit – or a bunch of holes totaling that size – טריפה
- (a) ד' יוסי בן משולם: someone had that and they fashioned a cover and he survived
- (b) דשב"א: no proof – it was summer; as soon as it became winter, he died (i.e. dying within the year → טריפה)
- iii Conclusion (ד' אחא בר יעקב): a טריפה can even get healthier and even give birth

## III Status of eggs of an עוף טרף

- a מותר → (זה וזה גורם) with male – afterwards, it is co-created (טרפה) first batch (laid after become אסורות)
- i Challenge (רב אשי) (who disagree about טריפה וולד) ר"א ור' יהושע (רב אשי) agree that ביצת טריפה is prohibited – grew באיסור
- ii Answer: that was a case of asexual reproduction
- 1 Question: why not answer that that referred to first batch?
- 2 Answer: language of גדלה should have been גמרה
- iii Tangent: analysis of dispute ר' יהושע (ולד טריפה) re: offering up ר"א/ר' יהושע permits
- 1 Proposal: they disagree about a case where it became a טריפה and then conceived (זה וזה גורם)
- 2 Challenge: if so, they should disagree about permissibility to eat (not קרבן)
- (a) Answer: ר' יהושע even allows לגבוה – wanted to show כח דהיתרא
- 3 They agree: that ביצת טריפה is prohibited – must be case of אסור (asexual – no גורם)

- iv **אחא** holds like **בר יעקב** (טריפה יולדת) and this was his version
  - v **דבינא** disagrees (טריפה אינה יולדת) and transmitted **אמימר**'s ruling as follows
    - 1 **אמימר**: if a bird becomes טריפה, we hold the first batch; if she bears more – they are מותר
    - 2 **דב אשי**: challenge from dispute ר"א/ר"י (above)
      - (a) *Defense*: that refers to the first batch (and he reads "גמרה" rather than "גדלה")
    - 3 *If so*: their dispute re: טריפה ולד הקרבת must be a case where it became טריפה after conception
      - (a) *And*: the crux of their dispute is whether עובר ירך אמו (ר"א) or not (ר"י)
      - (b) *And*: they discuss לגבוה to show the כח דהיתרא of ר' יהושע
        - (i) *Eggs*: they agree about eggs – referring to first batch, as that is (as if) the body of the טריפה
  - b *Final ruling*: for males – if they survive 12 months; for females – giving birth
  - c *Tangent (דב הונא)*: any creature without bone can't live more than a year
    - i *Conclusion (ל"פ)*: per שמואל who holds that a worm growing in melons while in the ground are אסורים
      - 1 *Then*: dates sitting in a jug for a year are מותר
      - 2 *Background*: worms formed while on tree dead; worms growing later are מותר until they come out of the פרי
    - ii *Challenge*: common sayings about gnats living longer
    - iii *Retort*: common sayings about strength of stingers – rather, that is in their terms - so too, in their "years"
- IV ז: משנה בכורות וז:
- a **דב הונא**: this is only at the foreleg; at the backleg, also a טריפה
    - i *Reason*: any extra digit is as if that was missing
  - b *case*: animal with two parts of an intestine (מעיי עיור) - ר' הונא declared it טריפה based on ר' הונא
    - i *But if*: they would connect with each other – כשרה
  - c *Case*: there was a tube going from one inner stomach to the other –
    - i **דב אשי**: considered declaring it טריפה
      - 1 **דב הונא מר ב"ר חייא**: all animals are like that
  - d *Case*: a tube going from inner stomach to outer
    - i **מר ב"ר אשי**: wanted to declare it כשרה
      - 1 **ד' אושעיא**: all cases are not the same (cannot extrapolate) – only when stated is it so
  - e *Testimony*: before רבי about 2 bowels coming out of animal together – טריפה
    - i *Parallel with bird*: כשרה
    - ii *Caveat*: only when they come out of two spots; if out of one spot and merge – "אצבע" – כשרה
      - 1 *Dispute*: **ד' אושעיא** re רב אשי v. רב אמי whether they have to re-connect
        - (a) *Note*: according to lenient position – what is "עד אצבע"?
        - (b) *Answer*: that length from the bottom
- V Analysis of end of משנה - ר' יהודה's opinion about the missing feather
- a **ד' יוחנן** and ר' ישמעאל have common approach
    - i **ד' יהודה**: our ruling
    - ii **ד' ישמעאל**: טהרות א:ב – the feather is מצטרף to meat of bird (for כזית to render it פיגול)
    - iii **דבא**: perhaps they don't agree
      - 1 **ד' יהודה**: only said his rule vis-à-vis טריפה (there's nothing to protect the back) – but agrees with רבנן re: פיגול
      - 2 **ד' ישמעאל**: perhaps feels that the bird is protected and only holds as he does re פיגול