

פרק שמיני – כל הבשר – Introduction to

This פרק is devoted to the prohibition of בשר בחלב (henceforth – בב"ח) which is written in the תורה 3 times; ר' ישמעאל's famous observation about this repetition is that בב"ח is prohibited to be cooked together, to be eaten together and to be a source of any benefit.

30.8.1

103b (משנה או) → 104b (גזירה שמא יעלה באילפס ראשון)

- I או משנה: rules which apply to any meat, save for fish and locust "meat"
- a Cooking: no meat may be cooked with milk
 - b Proximity: no meat may be placed on the table with cheese
 - c נדרים: if anyone takes a נדר of abstinence from "meat", he may have none except for fish and חגבים
- II Analysis
- a Attribution: clause #1 is contra ר"ע, who holds that איסור חיה ועוף with milk is מד"ס
 - i However: clause #3 is consistent with ר"ע, who holds that anything an agent would inquire about is included in נדר
 - 1 Per: ברייתא – if someone takes a vow from vegetables, he may eat squash
 - (a) ד"ע prohibited
 - (b) Argument (רבנן): a person sends his agent to buy vegetables, the agent may say "I found no vegetables, but I found squash" (i.e. squash is not vegetables)
 - (c) Counter (ר"ע): exactly! The agent wouldn't say that he only found beans!
 - (i) Rather: squash is considered "vegetables", but beans are not
 - ii Answer (רב יוסף): author is רבי, who rules against ר"ע regarding עוף בחלב, but follows him re: נדרים
 - iii Answer2 (ר' אשי): entire משנה is ר"ע; in clause #1 he didn't stipulate that the prohibition is מה"ת – all meat (with noted exceptions) is prohibited to be cooked with milk – some מה"ת, others מד"ס
 - b Clause #2: note – it includes fowl and חיה
 - i רב יוסף (continuing position from above): this proves that איסור בשר בעוף is מה"ת
 - 1 Argument: if עוף בחלב were merely a גזרה דרבנן, we wouldn't add another גזרה (not to put on table)
 - (a) Proof (that we don't add גזירה לגזירה): חלה ד:ח – a כהן may have חלת ח"ל on the table with a non-כהן
 - (b) Challenge (אב"י): if it had ruled that חלת ח"ל in א"י may be on the table with א"י; where there'd be reason to set up a precaution against א"י eating חלת ח"ל (locally), that would have proved the point.
 - (i) However: in ח"ל, there is no reason to make a גזרה (no possibility of violating the essential rule)
 - (ii) But: if you allow him to have fowl and cheese on same table, may lead to eating בב"ח
 1. Challenge (ר"ש): even so, it would צונן בצונן (cold food touching cold food – no בישול)
 2. Defense (אב"י): could lead to bringing it out in hot dish
 - a. Challenge: that's still only כלי שני → בישול no
 - b. Defense: could bring out in ראשון (directly from האש)