

31.1.6; 6b → 7b (אי תניא תניא) (ת"ר רחל שילדה מין עז)

1. אך בכור שור או בכור קשב או בכור עז לא תפדה קדש הם את דמם תזרק על המזבח ואת חלבם תקטיר אשה לריח ניחוח לה: במדבר יח, יז
2. אך את זה לא תאכלו ממשלי הנדה וממפריסי הפקסה את הגמל כי מעלה גרה הוא ופקסה איננו מפריס טמא הוא לכם: ויקרא יא, ד
3. זאת הבהמה אשר תאכלו שור שה קשבים ושה עזים: דברים יז, ד
4. אך את זה תאכלו מכל שרץ העוף הולך על ארבע אשר לא לו כרעים ממעל לרגליו לנתר בהן על הארץ: ויקרא יא, כא

- I **ברייתא**: if a ewe births a goat-like kid or vice-versa – פטורה; if it has some similarities to the mother
- a **חייבת** – ת"ק: if it has some similarities to the mother
- b **ד"ש**: head and majority of body must be similar to mother
- i **Question**: does ר"ש have the same requirement for permissibility of eating?
- 1 **Lemma1**: re: בכור, we have v. 1 which raises requirement of similarity, but v. 2 only prohibits "pure" גמל
 - 2 **Lemma2**: the requirements are the same
- ii **proposed solution**: ברייתא (which must be ר"ש) – if a בהמה טהורה births a טמא-looking animal, אסור באכילה
- 1 **but if**: head and majority of body look like mother – חייב בבכורה
 - 2 **evidently**: ר"ש is satisfied with ראשו ורובו for אכילה as well
 - 3 **rejection**: he only reckons that for חייב בבכורה
 - (a) **support**: in the סיפא, he "abandoned" איסור אכילה and mentioned בכורה
 - (b) **rejection**: he also allows for it לאכילה; he mentioned בכורה due to v. 1 – סד"א it must be fully כאם – קמ"ל
- iii **proposed solution**: ברייתא – dispute ר"א/ר"י re permissibility of eating hybrid of טהורה and טמא
- 1 **ר"י**: only if both are טהור (per v. 3), even if it looks somewhat טמא (only 1 סימן) – per v. 2
 - 2 **ר"א**: the text is coming to extend permission – even if father is טמא
 - (a) **note**: they refer to the young as טמא (like ר"ש) but permit eating (proof that his standard is relaxed)
 - (b) **rejection**: they agree with him about definition but are more lenient about permissibility of eating
 - 3 **note**: some read this ברייתא and challenge from ריב"ל – mixes (including טהורה/טהמא) can't breed
 - (a) **defense**: referent is calf with cloven hooves, per ר"ש
 - (i) **note**: if so, we see that ר"ש allows them to be eaten
 - (ii) **defense**: this תנא agrees with him about definition, more liberal re: eating
- iv **observation**: seems as if ר"א holds that זה וזה גורם is permitted; ר' יהושע holds that it is forbidden
- 1 **however**: we find the opposite (תמורה וזה) – ר"א prohibits that offspring of a טריפה (father) to the מזבח
 - 2 **answer**: usually ר"א holds that גורם אסור וז"ל, but in our case, the extra word שה expands
 - (a) **and**: ר' יהושע usually holds גורם מותר ר' יהושע and כבשים and עזים indicates both parents
- v **ברייתא**: ר"ש reads גמל גמל as disallowing a full camel and one born of a cow, unless a majority and head are like פרה
- II Further analysis of משנה – anything that comes from a טמא is טמא
- a **Question**: asked of ר"ש – is donkey מי-רגלים permissible? (i.e. as הטמא)
- i **Note**: not asked about other equines, as their urine is clear, wouldn't be confused with milk, unlike חמור
 - ii **Clarification of question**: is it catalyzed by body (אסור→) or "water in-water out" (מותר→)? (cloudiness from body heat)
 - iii **Answer**: from our משנה, notes הטמא – and this is also הטמא (i.e. looks like milk →אסור)
- b **Alternate version**: they didn't ask about horses/camels – as no one drinks it; people drink donkey's מי רגלים (for jaundice?)
- i **Answer**: from our משנה – since it comes from טמא animal, it is forbidden
- c **Challenge**: תוספתא בכורות א:ח – reason that bee's honey is permitted is that it goes through their body, not from it
- d **Defense**: ר"ש holds like ר' יעקב, who sources the היתר for bee's honey in v4 – only body, not by-product of שרץ העוף is אסור
- i **Exception**: permission does not extend to wasp or cicada honey
 - ii **Reason**: bee's honey is just called "דבש", without a modifier
 - iii **Note**: opinion that these honeys are "טהור" and may be eaten is *contra* ר' יעקב
 - 1 **טהור**: implying that it requires intent (to be used as food) for אכילה
 - 2 **Inference**: דבש דבורים does not require intent (supporting ברייתא)
- e **חלי דיחמורתא**: chunks that come from the womb of a fallow deer; students proposed that they are like eggs (→אסור)
- i **ד' ספרא**: they are semen from gazelles (who couldn't mate with does)
- f **הונא**: the cowl of the donkey is permitted – it is just a secretion and not part of the mother
- i **ד' חסדא**: support from ברייתא – same with human, whether alive or dead – טהור
 - 1 **Assumption**: regardless of whether newborn and mother are both alive or both dead?
 - 2 **Rejection**: means – as long as one of them is alive
 - 3 **Block**: ברייתא explicitly declares טהור even if both are dead.