

26.4.6

55a (משנה ח) → 56b (מוקים ליה כתלתא תנאי)

Note: 'משנה ט' is also printed here, but since our סוגיא deals almost exclusively with 'משנה ח', we will leave our study of 'משנה ט' for later.

- I 'משנה ח': buying an in-process winepress from a non-Jew
- a Permitted to buy from him, even though he handles the crushed grapes and puts them in the pit
 - i *Because*: it doesn't become יין נסך until it goes into the collection cistern
 - ii *If*: it went into the בור, only that is prohibited and the juice that hasn't yet gone down is מותר
 - b *ה' הונא*: anything on the slope (to the בור) is prohibited
 - i *Note*: he interprets our משנה as a case of a plugged up גת (where it isn't going down at all)
 - ii *Challenge*: end of our משנה – anything that hasn't yet reached the בור is מותר (i.e. the pipe is open)
 - 1 *Answer*: that follows משנה ראשונה – his ruling follows משנה אחרונה:
 - (a) *בד"ד: משנה ראשונה*:
 - (i) ג. may not harvest (בוצרין) with non-Jew as this causes א"י in חולין to become טמא
 - (ii) ג. may not trample (דורכין) with ישראל who isn't careful about וטהרה
 1. *Reason*: you are helping him violate the law (causing potential תרומה to become טמא)
 - (iii) ג. but you may trample with a non-Jew (*contra ה' הונא*)
 - (b) *ב"ב: משנה אחרונה*:
 - (i) ג. may not trample with non-Jew (per ה' הונא)
 - (ii) ג. may not harvest with ישראל who isn't careful about ט"ט
 1. *ק"ו*: we may not trample with him
 - (iii) ג. but we may harvest with a non-Jew, as there is no prohibition against generating א"י in חולין to טומאה
- II Analysis of 2nd clause – doesn't become יין נסך until it goes into the בור
- a *Challenge*: ruling that it only becomes י"נ when it floats (after some time in the בור)
 - i *Note*: this ruling is for purposes of חיוב מעשרות
 - ii *Answer 1 (ר"בא)*: our משנה is רבנן (who rule, in re: מעשר, that wine is חייב once it enters the בור); the ר"ע ברייתא is ר"ע (in re: מעשר – when it floats)
 - 1 *Question*: is the "floating" here when it floats in the בור or in the barrel?
 - (a) *Answer*: ברייתא – although it is חייב במעשרות when it floats, even so, he can dip into the upper press and the pipe and drink → the "floating" is still in the בור
 - 2 *However*: רב זביד had a ברייתא :
 - (a) רבנן במעשרות. *רבנן* after it goes into the cistern and begins to float
 - (b) *ר"ע*: when he starts pouring it into barrels
 - (i) *Answer*: read our ברייתא that way as well
 - 3 *Question*: who then is the author of our משנה? Are there 3 opinions?
 - (a) *Answer 1*: 2 opinions, and רבנן are מחמיר in re: יין נסך
 - (b) *Answer 2 (for ר"בא [who won't distinguish between מעשרות and יין נסך])*: three opinions
 - (i) *And*: our משנה represents the "earliest" one