

13 Shevat 5780  
Feb. 8, 2020



Brachos Daf 36

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamot of

**Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h**

**Tzvi Gershon ben Yoel (Harvey Felsen) o”h**

Mav the studing of the Daf Notes be a zechus for their neshamot and mav their souls find peace in Gan Eden and be bound up in the Bond of life

### **Brachah on Wheat Flour**

Over wheat flour (*eaten raw*), Rav Yehudah says that the blessing is (*Borei peri ha’adamah*) -- ‘Who creates the fruit of the ground’ (*just as one would recite before eating raw wheat kernels*), while Rav Nachman says that the blessing is (*She-hakol nih’yeh bid’varo*) -- ‘That everything came into being through His word’ (*this is because it has changed, and can no longer be classified as being a ‘fruit from the ground’*).

Rava said to Rav Nachman: Do not argue with Rav Yehudah, since Rabbi Yochanan and Shmuel would agree with him, For Rav Yehudah said in the name of Shmuel, and likewise Rabbi Yitzchak said in the name of Rabbi Yochanan: Over olive oil, the blessing said is (*Borei peri ha’eitz*) -- ‘Who creates the fruit of the tree,’ which demonstrates that although it (*the olive*) has been transformed (*from an olive – a solid, into a liquid*), it remains fundamentally the same, so here too (*regarding the wheat flour*), although it has been transformed, it remains fundamentally the same.

The *Gemora* asks: But are the two cases truly alike? In that case (*by the olive oil*), it does not have any further improvement (*for the olive oil is the final use for what the olives were initially planted for*), but here (*by the wheat flour*), it still has further improvement, by being made into bread? [*Olive oil, he argues, could be classified still as “fruit,” for it is in its final state of what it was planted for; wheat flour, however, should not be regarded as “fruit,” for it has changed from wheat kernels, and it is still not in its final state of bread – therefore the blessing should be She-hakol.*]

The *Gemora* asks on this: And when it is still capable of further improvement we do not say over it the blessing of

*Borei peri ha’adamah*) -- ‘Who creates the fruit of the ground,’ but rather (*She-hakol*) -- ‘That everything came into being through His word’? But didn’t Rabbi Zeira say in the name of Rav Masna, who said in the name of Shmuel: Over raw pumpkin and barley flour (*which is inferior to wheat flour*), we say the blessing of (*She-hakol nih’yeh bid’varo*) -- ‘That everything came into being through His word,’ and may we not infer from this that over wheat flour, we say the blessing of (*Borei peri ha’adamah*) -- ‘Who creates the fruit of the ground’?

The *Gemora* answers: No! Over wheat flour as well, we say the blessing of (*She-hakol nih’yeh bid’varo*) -- ‘That everything came into being through His word.’

The *Gemora* asks: Then let him state the ruling for wheat flour, and it will apply certainly to barley flour!?

The *Gemora* answers: If he had stated the ruling as applying to wheat flour (*that She-hakol is recited*), I might have thought that this is the rule only for wheat flour, but over barley flour, no blessing is recited at all; therefore we are told that this is not so.

The *Gemora* asks: But is barley flour any less of a food than salt or brine, of which we have learned in a *braisa*: Over salt and brine one says (*She-hakol nih’yeh bid’varo*) -- ‘That everything came into being through His word.’ [*So why would we think that there is no blessing recited over barley flour?*]

The *Gemora* answers: It was necessary to state this ruling, for it might have entered your mind that regarding salt and brine, a man often throws a dash of salt or brine into his mouth (*and it is regarded as a pleasure, and a blessing is therefore*

recited), but barley flour is harmful (*to the stomach*) as it creates intestinal worms, and therefore no blessing should be recited over it; we are therefore told that since one has some enjoyment from it, he must recite a blessing over it. (36a)

### **Palm Shoots**

Over the palm shoots (*an edible part of the young palm, which afterwards hardens into wood*), Rav Yehudah says that the blessing is (*Borei peri ha'adamah*) -- 'Who creates the fruit of the ground,' while Shmuel says that it is (*She-hakol nih'yeh bid'varo*) -- 'That everything came into being through His word.'

The *Gemora* explains: Rav Yehudah says that the blessing is *Borei peri ha'adamah*, for it is regarded as fruit (*since it is edible and grows from the ground*), whereas Shmuel says that it is *She-hakol nih'yeh bid'varo*, since subsequently it hardens (*and will be inedible*).

Shmuel said to Rav Yehudah: Sharp one! Your opinion is the more probable one, since a radish (*as well*) eventually hardens, and (*nevertheless*) over it we say *Borei peri ha'adamah*.

The *Gemora* notes that this, however, is no proof, for people plant radishes for the sake of the soft radish (*and therefore, when it is soft, Borei peri ha'adamah is recited*), but people do not plant palms for the sake of the shoots (*but rather for the dates; therefore, when the shoots are eaten, She-hakol is recited*).

The *Gemora* asks: But is it in fact the *halachah* that wherever people do not plant for the sake of this (*specific part being used as a food*), we do not say the blessing (*for it as a plant, but rather, She-hakol is recited*)? What about the caper bush which people plant for the sake of the caper berry, and yet we have learned in a *braisa*: Regarding the various edible products of the caper bush, over the leaves and the date-like shoots (*which grow from the leaves*), *Borei peri ha'adamah* is

recited, and over the berries and husks (*which cover them*), *Borei peri ha'eitz* is recited. [*The Gemora is asking from the ruling regarding the leaves and the date-like shoots, where the ruling is to make ha'adamah even though the bush wasn't planted for their sake!?*]

Rav Nachman bar Yitzchak replied: Caper bushes are planted for the sake of the shoots (*although the primary purpose is for the sake of the berries*), but palms are not planted for the sake of the shoots at all.

The *Gemora* notes that although Shmuel praised Rav Yehudah, the *halachah* is in accordance with Shmuel (*who says that She-hakol is recited on palm shoots*). (36a)

### **Caper Bush**

Rav Yehudah said in the name of Rav: In the case of an *orlah*<sup>1</sup> caper-bush outside of *Eretz Yisroel* (*where the orlah prohibition is only Rabbinic*), one throws away the berries (*for that is the fruit of the tree*) and may eat the husks (*that cover the berries, for the husks are not regarded as fruit*).

The *Gemora* asks: This seems to say that the berries are regarded as fruit, but the husks are not fruit; this is contradicted by the *braisa* (*cited above*): Regarding the various edible products of the caper bush, over the leaves and the date-like shoots (*which grow from the leaves*), *Borei peri ha'adamah* is recited, and over the berries and husks (*which cover them*), *Borei peri ha'eitz* is recited. [*Evidently, the husks are regarded as fruit as well!?*]

The *Gemora* answers: Rav Yehudah follows the opinion of Rabbi Akiva, as we have learned in a *Mishna*: Rabbi Eliezer says: From the caper bush, date-like shoots, the berries and husks are subject to *ma'aser* (*tithing*). Rabbi Akiva, however, says that the berries alone are subject to *ma'aser*, because they are regarded as fruit (*but not the husks*).

<sup>1</sup> the fruit that grows from a tree; the first three years of its life, they are forbidden for all benefit

The *Gemora* asks: Let him then simply say that the *halachah* follows Rabbi Akiva?

The *Gemora* answers: Had he said that the *halachah* follows Rabbi Akiva, I should have thought that this was so even in *Eretz Yisroel*; he therefore informs us that whoever is more lenient in regard to *orlah* in *Eretz Yisroel*, the *halachah* follows him in respect of such products outside of *Eretz Yisroel*, but not in *Eretz Yisroel* itself.

The *Gemora* asks: Let him then simply say that the *halachah* follows Rabbi Akiva outside of *Eretz Yisroel*, because whoever is more lenient in regard to *orlah* in *Eretz Yisroel*, the *halachah* follows him in respect of such products outside of *Eretz Yisroel*?

The *Gemora* answers: Had he said so, I might have said that this (*that the halachah follows R' Akiva outside of Eretz Yisroel*) applies to the *ma'aser* of fruit, which in *Eretz Yisroel* itself, the obligation is required only by the Rabbis<sup>2</sup>, but regarding *orlah*, which in *Eretz Yisroel* the prohibition is a Biblical one, perhaps outside of *Eretz Yisroel*, we should decree that it (*the husks*) is forbidden; therefore he tells us that we do not do so.

The *Gemora* relates: Ravina once found Mar bar Rav Ashi throwing away the caper berries and eating the husks (*from an orlah tree outside of Eretz Yisroel*). He said to him: What is your opinion? Do you agree with Rabbi Akiva who is more lenient (*and the halachah, outside of Eretz Yisroel, is in accordance with the most lenient opinion*)? Then why don't you follow Beis Shammai, who is even more lenient still, as we have learned in a *braisa*: Regarding a caper bush, Beis Shammai say that it constitutes *kilayim* in the vineyard (*maintaining that it is a vegetable and not a fruit, for the prohibition against planting in a vineyard applies to grain and vegetables, but not to fruit trees*), whereas Beis Hillel hold that it does not constitute *kilayim* in the vineyard. They both agree that it is subject to the law of *orlah*.

Now, this statement itself is difficult, for first you say that Beis Shammai holds that a caper bush constitutes *kilayim* in a vineyard, which indicates that it is a kind of vegetable, and then you say that they both agree that it is subject to the law of *orlah*, which shows that it is a kind of tree! This is not difficult, for the answer must be that Beis Shammai was in doubt (*whether it was a fruit or a vegetable*), and ruled in a stringent manner here (*by kilayim that it is a vegetable*), and ruled in a stringent manner here (*by orlah that it is a fruit*).

In any event, Ravina concludes, Beis Shammai considers it (*the caper bush*) as a doubtful case of *orlah*, and we have learned in a *Mishna*: Uncertain *orlah* (*we are not sure if the tree is more than three years old*) in *Eretz Yisroel* is forbidden (*based on the principle of whenever there is a doubt with respect to a Biblical law, we rule stringently*). If this occurred in Syria (*which is not regarded as Eretz Yisroel proper, for it was a conquest by an individual, Dovid, and that does not attain a status of Eretz Yisroel*), it is permitted. If it grew outside *Eretz Yisroel* (*further away than Syria*), one is permitted to go down and purchase these fruits (*from a Jew who is suspected that he does not observe the laws of orlah*), provided that he does not see him picking the fruits from the *orlah* tree. [*Accordingly, Mar bar Rav Ashi ought to be able to eat the caper berries outside of Eretz Yisroel, for Beis Shammai is uncertain whether a caper bush is subject to the laws of orlah in the first instance!?*]

The *Gemora* answers: When Rabbi Akiva disagrees with Rabbi Eliezer, we may follow him (*R' Akiva, for it is a valid opinion*); however, the opinion of Beis Shammai when it conflicts with that of Beis Hillel is of no authority (*and therefore Mar bar Rav Ashi could not follow that opinion at all*). (36a – 36b)

### Protector

The *Gemora* asks: [*How was he permitted to eat the husks?*] But let it emerge that the husks are a protection for the fruit, and the Merciful One said: *And you shall treat its fruit (es piryu) as forbidden*, and the word “*es*” refers to that which is secondary to its fruit, and what is that? That is the part which

<sup>2</sup> For the biblical obligation of *ma'aser* is only on grain, wine and olive oil

protects the fruit. [Accordingly, the husks should be forbidden!?!]

Rava replied: When do we say that something is a protector for the fruit? That is when it does so both when the fruit is detached from the tree, and when it is attached. Here (*by the husks of the caper berry*), it does cover the berry while the fruit is attached, but it does not cover it after it is detached (*and therefore, it is not regarded as a “protector,” which is forbidden*).

Abaye asked from the following *Mishna*: The *pitam* (*sprout on the top*) of the pomegranate is combined with it (*with the fruit in order to have the requisite volume – the size of an egg – to be able to convey tumah to something else*), but its *neitz* (*that which grows around the pitam; this is similar to the husk of the caper berry*) does not combine with it. Now, since it states that the *neitz* does not combine with it, this implies that it is not regarded as a food. And yet, it was taught in a *Mishna* in connection with *orlah* that the rinds of a pomegranate and its *neitz*, walnut shells and pits are subject to the law of *orlah*. [Now, if the *neitz* is not a food, and that is why it does not combine for *tumah*, the only reason that it is subject to the law of *orlah* must be because it is a “protector.” This would be against Rava, for the *neitz* of a pomegranate does not stay on when the fruit is detached, and nevertheless, it is regarded as a “protector”!?!]

Rather, said Rava, when do we say that something is a protector for the fruit? That is only when it is present at the time when the fruit is completed (*when it becomes fully ripe, such as the neitz*); but this caper husk, however, is not present when the fruit is completed (*for it falls off before the caper ripens*).

The *Gemora* asks: Is that so? But Rav Nachman said in the name of Rabbah bar Avuha that the calyxes surrounding dates (*which is similar to the husk of the caper*) in the state of *orlah* are forbidden, since they are the “protector” of the fruit. Now, when do they protect the fruit? It is only in the early stages of its growth (*before the date ripens*), and yet, he calls them a “protector” of the fruit!?

The *Gemora* answers: Rav Nachman holds like Rabbi Yosi (*who maintains that a date – even in the early stages of its growth – is referred to as a date*), as we have learned in a *Mishna*: Rabbi Yosi says: The grape bud is forbidden (*as orlah*) because it is a fruit; but the Rabbis disagree with him.

Rav Shimi from Nehardea asked on this explanation: Do the Rabbis disagree with him in respect of other trees? Have we not learned in a *Mishna*: At what stage must we refrain from cutting trees during a *Shemittah* year? Beis Shammai say: In the case of all trees, from the time they produce fruit. Beis Hillel say: In the case of carob trees, from the time when they form chains; in the case of vines, from the time when they form grapes the size of a *geru’a* (*which will be explained below*); in the case of olive trees, from the time when the *neitz* appears (*around the fruit*); in the case of all other trees, from the time when they produce fruit. And Rav Assi said: *Boser* (*young grape*) and *geru’a* and the white bean are all the same.

The *Gemora* interjects: ‘White bean,’ do you say? [*Boser and geru’a are grapes, not beans!?!*]

The *Gemora* answers: The size of them (*the boser and geru’a*) is that of the white bean.

[Now, this is a later stage than that of *semadar*, when the blossom first falls off, for at that point, the grape bud is even smaller than a white bean!] Now, which authority did you hear ruling that the *boser* (*young grape*) is a fruit, but *semadar* (*the grape bud*) is not? It is the Rabbis (*who dispute R’ Yosi regarding orlah*), and it is they who state that we must refrain (*during Shemittah*) from cutting down all other trees from the time when they produce fruit! [*This proves to us that regarding other fruits, such as a caper or date, the Rabbis agree with R’ Yosi that a young fruit is still regarded as a fruit, and therefore, Rava cannot be correct in asserting that the caper husk is not deemed to be a “protector,” for it falls off before the berry becomes a fruit!?!*]

Rather, said Rava, when do we say that something is a protector for the fruit? That is only when if the protector

would be taken away, the fruit would die; here (*by the husks of the caper*), it can be taken away and the fruit will not die.

The *Gemora* relates that there was an incident where they took away the *neitz* from a pomegranate and it withered, but when they took away the husk from a caper, the berry still survived. (36b)

## INSIGHTS TO THE DAF

### ***Halachic Issues Concerning Wheat Products Consisting of Gluten or Starch***

The advance of science has carried in its wings a number of complex halachic issues which have called the attention of contemporary *poskim*. One such issue is the process in which wheat is divided into its component parts of gluten and starch.

Products of the five species of grain (wheat, barley, oats, spelt and rye) normally require the *berachah* of *hamotzi* or *mezonos* before their consumption, and *Birkas HaMazon* or *al ha-michyah* afterwards. These grains are also unique in that they require the separation of *challah*, and that they can be used for baking *matzos*, as only these grains can become *chametz*. However, when flour is divided into its components of starch and gluten, the following question arises: When isolated, do these components retain the unique qualities of the five grains?

**Starch and gluten:** Wheat flour is made up of starch, and protein known as gluten. The starch is what causes the dough to rise and ferment, whereas the gluten is the actual substance that rises and ferments. That is to say, the starch ferments the gluten. When these two components are divided, fermentation is impossible.

Today, both substances are commonly used in the food industry. Gluten is often used in making food products such as soy hot dogs. Starch is used as a staple food product for a significant number of people who suffer from celiac, a digestive disorder that causes intolerance to gluten.

The Gemara lists the ability to ferment and rise (thus becoming *chametz*) as one of the unique properties that distinguish the five species of grain (Pesachim 35a; Yerushalmi, Challah 1:1). As we mentioned above, when the starch and gluten are separated, neither can rise. Therefore, perhaps they lose their status as members of the five species in regard to the required *berachos*. On the other hand, their ability to rise has not been entirely eliminated. If they were to be mixed together, they could rise. Therefore, perhaps they should still be considered members of the five species.

**The *berachah* recited over soy hot dogs:** In regard to soy hot dogs, which contain gluten but not starch, many contemporary *poskim* have ruled that the *berachah shehakol* should be recited. The *poskim* note that the *berachah* of *mezonos* is appropriate for the satiating property of these foods. Gluten alone without starch is not so satisfying, and therefore *shehakol* is recited. (VeZos HaBerachah, *birurei halachah* 24:2)

However, in regard to foods containing wheat-starch without gluten, the *poskim* rule that *mezonos* should be recited. Although we might not consider gluten-free starch in the category of the five grains (since it does not rise), it is no less satiating than rice, which also merits the *berachah* of *mezonos* although it doesn't rise. It is still questionable whether *al ha-michyah* should be recited afterwards, as is done after eating food from the five grains, or *borei nefashos*, the *berachah* one recites after eating rice.

***Matzah made without gluten:*** Based on the above discussion, we can understand the serious concern that arises in regard to matzos that are made without gluten, for those who suffer from celiac. Though made from wheat flour, the starch cannot rise to become *chametz*. The Gemara states (Pesachim 35a) that only those grains that can become *chametz* can be used in baking matzos for the Seder night. It is certainly preferable to eat matzos made from natural flour on the Seder night. If for health reasons this is impossible, and the only alternative available is to eat matzos without gluten, the *berachah* of *al achilas matzah* should not be recited. Rather, someone else who is eating whole flour matzah should recite the *berachah*, and the person eating gluten-free matzah



should answer Amen. (Rav Tzvi Weber, in the name of Rav Elyashiv shlita)

In a conversation with us Rav Weber *shlita* pointed out that the above discussion applies to foods that are entirely free of gluten. However, nutrition experts claim that it is generally impossible to completely separate gluten from starch. Breads, cakes and *matzos* that are sold as gluten-free are usually just gluten-reduced. Therefore, the appropriate *berachos* for flour products can be recited over them, and the *matzos* can be used for the *Seder* night with the *berachah* of *al achilas matzah*.

### ***Blessings on Pits***

Tosafos proves from the fact that the *Gemora* considers pits to be included in the prohibition of *orlah* that they are considered part of the fruit. Therefore if one eats eatable pits, the *brachah* is *Borei peri ha'eitz*.

However, the Rashba disagrees and says that just as we include the shell for *orlah* based on the extra word "*es piryo*," to include even the protector of the fruit, we include pits for *orlah* from the same source, but they are not actually part of the fruit and therefore the *brachah* is *Borei peri ha'adamah*.

Although the Shulchan Aruch 202:3 rules like Tosafos (and the Rosh), the Tzlach says that he thinks that the *halachah* should be like the Rashba to recite *ha'adamah* on fruit pits.

He proves this from a *Mishna* in *Orlah* 1:8 that says that although they are included in *orlah*, they are exempt from *revai* (the fourth year). This would only make sense if they are not really part of the fruit, but if they would be part of the fruit they should be included in *revai* as well.

Although the Tzlach himself rules in accordance with the Rashba, he offers an answer for Tosafos. He suggests that there is the outer shell over the edible part of the pit which is exempt from *revai*, but the inner eatable pit is part of the fruit and *ha'eitz*.

### **DAILY MASHAL**

#### ***A Kabbalist Or Not***

A person who pretended to be a Kabbalist came to Rabbi Aizel Charif zt"l and requested an approbation for his book. Even after much pleading, Rabbi Aizel refused. People asked him why and he replied, "Last night I saw him as a *shliach tzibur* and becoming confused in his prayer as though he didn't know the meaning of the words and Chazal said, 'If my prayer is fluent, I know that he is *mekubal* ("accepted" or "a Kabbalist") and if not...'. "