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Slaughtering in all Times

The *Gemora* notes that when the *Mishna* said that all animals need to be slaughtered, this includes fowl.

When the *Mishna* stated that we always slaughter, Rabbah notes that this is in accordance with Rabbi Yishmael, for it was taught in a *braisa*: *When the Lord your God shall broaden your boundary as He spoke to you, and you shall say, “I would like meat.”* Rabbi Yishmael says: This verse is stated specifically in order to permit the Jews to eat meat to satisfy their appetite (even without offering it as a *korban*). For in the beginning they were forbidden to eat meat for the appetite, but on entering the Land of Israel, it became permitted to them. But, Rabbah continues, now that they have been exiled, it might be said that they should revert to the former restriction; this is why the *Mishna* teaches us that we always slaughter.

Rav Yosef challenged him: If so, the *Mishna* should say that we always slaughter **and eat**? And furthermore, why was it forbidden in the beginning? It was because they were near the Tabernacle (and it was no bother at all to offer *korbanos*). And why was it subsequently permitted? It was because they were far away from the Tabernacle (and it became difficult to come to *Yerushalayim* every day). So, certainly now (after they were exiled, it should remain permitted), for that are even further away (from the Temple, for there is no Temple at all)?

Rather, Rav Yosef said: The *Tanna* of our *Mishna* is Rabbi Akiva, for it has been taught in a *braisa*: If the place that Hashem your God will choose to put His Name will be too far from you, then you shall slaughter from your cattle and your flocks. Rabbi Akiva says: This verse is stated specifically in order to prohibit the meat of a pierced animal (by its pipes, and not cutting through

shechitah). For in the beginning they were permitted to eat the meat of a pierced animal, but on entering the Land of Israel, it became forbidden to them. But, Rav Yosef continues, now that they have been exiled, it might be said that they should revert to the former permission; this is why the *Mishna* teaches us that we always slaughter.

The *Gemora* notes that they differ regarding the following: Rabbi Akiva maintains that at no time was it ever forbidden to eat meat for the appetite. Rabbi Yishmael maintains that at no time was it ever permitted to eat the meat of a pierced animal.

The *Gemora* cites verses which provide support to one of the *Tanna*im, and then explains how the other *Tanna* understands the verse:

Verse	Proof to...?	Why?	The other <i>Tanna</i> explains it...
<i>And he shall slaughter the calf</i>	R' Yishmael	Slaughtering was required in the Wilderness	<i>Korbanos</i> always require shechitah
<i>Should flocks and herds be slaughtered for them?</i>	R' Yishmael	Slaughtering applied in the Wilderness	Piercing was regarded as slaughtering
<i>Mishna: One who slaughtered an undomesticated animal or a bird and it became a neveilah</i>	R' Yishmael	If piercing is a proper method, why is there no obligation to cover the blood?	Once piercing became forbidden, it is not a valid method of slaughtering any longer

through his hand, or if he stabbed it, or he tore away the <i>simanim</i> , there is no obligation to cover the blood.			
Even as the deer and the hart are eaten, so shall you eat it	R' Akiva	Meat for the appetite was permitted in the Wilderness	Animals that could not be brought as offerings were never forbidden

slaughter; and if the others deal with the subjects that are being slaughtered (*the various types of meat*), this also must deal with the subjects that are being slaughtered! [*We cannot have the first clauses dealing with the meat that was slaughtered and the last clause dealing with the implements used in the slaughtering.*]

Rather, said Rava, the *Mishna* should be explained as follows: 'All may slaughter' (*which is a repeat from the first Mishna*) teaches us that a Cuthean and a *mumar* (*heretic or renegade Jew*) may slaughter. 'We may always slaughter' teaches us that *shechitah* is valid by day and by night, on top of a roof or a boat. 'One can slaughter with anything' includes a flint, a glass or a stem of a reed. (17a)

Rabbi Yirmiyah inquired: What was the *halachah* regarding portions of meat from pierced animals (*in the Wilderness*) that were brought into the Land of Israel by the Jews?

The *Gemora* clarifies the inquiry: He could not be referring to the seven years of conquest (*of Eretz Yisroel*), for they were permitted to eat non-kosher animals at that time, as it is written: *And houses full of all good things*, and Rabbi Yirmiyah bar Abba stated in the name of Rav that even bacon was permitted; can there then be any question regarding the meat of a pierced (*kosher*) animal? It must be referring to the time after this period. Alternatively, you can say that the inquiry refers to the seven years of conquest, and it can be argued that permission (*for non-kosher food*) was granted only with regard to the spoils taken from the idolaters, but not their own pierced meat.

The *Gemora* leaves the question unresolved. (16b – 17a)

Types of Implements

The *Mishna* had stated that one can slaughter with anything. The *Gemora* asks that if that is coming to include flint, glass or a stem of a reed, it is not similar to the other inclusions of the *Mishna*! For if the other clauses deal with those (*the people or things*) who slaughter, this clause also must deal with those who

Notches

The father of Shmuel made notches in a knife and sent it up to the Sages in *Eretz Yisroel* (*to find out which notches invalidate a knife, and which do not*). On another occasion he made notches and sent it up (*he did this several times*). They sent back word to him: We have been taught in the *Mishna* that if the notches are like a saw (*one that is shaped like a "v" – it has two distinct edges, where, when he runs his nail along the knife, his nail will get caught on one of the edges no matter which way he goes*), the knife is disqualified.

The *Gemora* cites a *braisa*: A knife that has many notches must be regarded as a saw; if it has but one notch, if it gathers the fingernail, it is unfit to be used; if it entangles the nail, it may be used.

Rabbi Elozar explains: When the notch "gathers," it means that it has sharp points on both sides, and when the notch "entangles," it means that it has a point on only one side.

The *Gemora* asks: Why is it that if the notch has two points, the knife is invalid? It presumably is because the first point will cut the hide and flesh, and the second point will tear one of the organs. Then, even if the notch has but one point, it should likewise be a concern, for the sharp blade of the knife will cut

the hide and flesh and the point of the notch will tear one of the organs!?

The *Gemora* answers: The reference is to a notch that is at the tip of the knife (*for the notch will touch the animal before the hide and flesh have been cut; if, however, the notch is further down, it will invalidate the knife*).

The *Gemora* asks: But even so, when the knife is moved forward the point of the notch cuts the hide and flesh, and when it is drawn back, it will tears one of the organs!?

The *Gemora* answers: The *braisa* is referring to a case where the slaughterer moved the knife forward but did not draw it back.

Rava stated: There are three rules with regard to the (*notches on the*) knife:

1. If it gathers (*two points*), one may not slaughter with it, and if one did, the *shechitah* is invalid.
2. If it entangles (*one point*), one may not slaughter with it in the first instance, but if one did, the *shechitah* is valid.
3. If the notch goes up and down (*gradually*), one may slaughter with it even in the first instance.

Rav Huna the son of Rav Nechemiah asked Rav Ashi: You taught us in the name of Rava that a knife with a notch that entangles is unfit for use! But didn't Rava say that a knife that "entangles" is fit for use?

Rav Ashi answered: It is not difficult, for in one case the slaughterer moved the knife forward and then drew it back, but in the other case he moved the knife forward but he did not draw it back.

Rav Acha the son of Rav Avya asked Rav Ashi: What if the edge of the knife resembles an awn (*the blade's surface was bumpy*)?

He replied: Who will give us some of its meat and we will eat it?

Rav Chisda said: From where in the Torah do we learn that it is necessary to examine the slaughtering knife? It is from the verse: *And slaughter with this and eat*. [*'With this' would indicate that it was checked from beforehand.*]

The *Gemora* asks: But is it not obvious that it is necessary to examine it, seeing that if the esophagus is punctured, the animal is deemed to be a *tereifah*!?

The *Gemora* answers: The question was: From where in the Torah do we learn that it is essential that the knife be examined by a Sage?

The *Gemora* challenges this: But surely Rabbi Yochanan had said that one must present the knife to a Sage for examination only out of respect for the Sage?

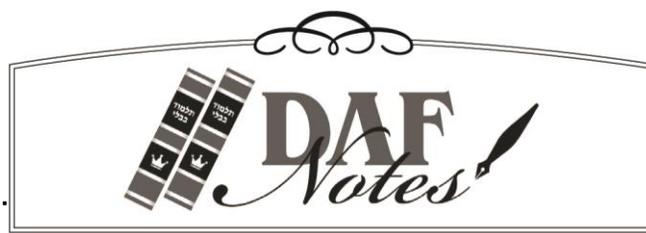
The *Gemora* answers: The rule is actually Rabbinic; and the verse cited is merely a support.

In the West (*Eretz Yisroel*) the knife was examined by the light of the sun. In Nehardea it was examined with water (*by its particular waves*). Rav Sheishes examined it with the tip of his tongue. Rav Acha bar Yaakov examined it with a hair strand (*by passing it along the edge of the knife*). In Sura it was said: Seeing that the knife was used to cut flesh, it must be examined with flesh (*to indicate if this particular notch will tear the flesh of the animal being slaughtered*).

Rav Pappa ruled: It must be examined on flesh and with the fingernail (*and the examination must be on the three edges of the knife*).

Ravina said to Rav Ashi: Rav Sama the son of Rav Mesharshiya told us in your name that you said to him in the name of Rava that it must be examined on flesh and with the fingernail and on the three edges.

Rav Ashi replied: I said that it should be examined on flesh and with the fingernail, but I did not say anything regarding the three edges.



Another version of Rav Ashi's reply: I said that it should be examined on flesh and with the fingernail and on the three edges, but I did not say anything in the name of Rava.

Ravina and Rav Acha the son of Raca were sitting before Rav Ashi when a knife was brought to Rav Ashi to be examined. Rav Ashi asked Rav Acha to examine it. He examined it on flesh and with the fingernail and on the three edges. Rav Ashi exclaimed: Well done! Rav Kahana also said that.

Rav Yeimar said: It must be examined on flesh and with the fingernail, but it is not necessary to examine the three edges. Did not Rabbi Zeira say in the name of Shmuel that if one made a knife white-hot and slaughtered with it, the slaughtering is valid, because the sharpness of the blade precedes the effect of the heat. And the question was asked: But what about the sides of the knife (*that burn the sinanim before they are cut*)? And the Gemora answered that the place of the slaughtering opens wide (*and therefore, the simanim do not get burned by the hot knife*). Then in this case, too, we should also say that the place of the slaughtering opens wide (*and there is no need to examine the sides of the knife for notches*).

Rav Huna the son of Rav Katina said in the name of Rabbi Shimon ben Lakish: There are three notches that all have legal consequences:

1. A notch in the bone of the *pesach* offering (*is regarded as a violation of breaking its bones*).
2. A notch in the ear of a firstborn animal (*is regarded as a blemish*).
3. A notch in any organ is regarded as a blemish, and invalidates a sacrifice.

Rav Chisda adds: Also a notch in the slaughtering knife.

The Gemora notes that the first opinion was not dealing with unconsecrated matters.

In all these cases the disqualifying notch is measured by the standard of a notch which disqualifies the Altar. And that is the amount that would stop a fingernail from passing over it.

The Gemora asks from a *braisa*: And what size notch disqualifies the Altar? Rabbi Shimon ben Yochai says: A *tefach* (*handbreadth*). Rabbi Eliezer ben Yaakov said: The size of an olive.

The Gemora answers: The *braisa* is discussing the size of the notch regarding the lime of the Altar, whereas the discussion before was regarding the stone of the Altar. (17a – 18a)

INSIGHTS TO THE DAF

Meat remaining from Shabbos Chazon

Rabbi Akiva and Rabbi Yishmael disagree in our Gemora if our forefathers were forbidden to eat non-halachically slaughtered animals (*basar nechirah*) before they entered Eretz Israel. According to Rabbi Akiva, the prohibition came in practice only when they entered Eretz Israel. Accordingly Rabbi Yirmiyah inquires about *basar nechirah* that was in the possession of our forefathers when they were commanded about *shechitah*. Did they have to discard it or perhaps the prohibition came into effect only from that moment onwards whereas the meat they already held and which had been allowed to eat didn't become forbidden?

Rashi: "We must face the truth": Rabbi Yirmiyah's inquiry remains with *teiku* - unanswered. Rashi writes (s.v. *Shehichnisu*) that although this question has no practical halachic implications, as that meat no longer exists, Rabbi Yirmiyah addressed this topic because "we must ascertain the truth, though the incident has passed".

The Rosh: "We don't find an inquiry (*ba'ya*) recorded in the Talmud without need": The Rosh cites Rashi and strongly objects. Certainly we must clarify the meaning of verses in *Tanach* even if the subject doesn't concern practical halachah but the Babylonian Talmud does not discuss topics in vain.



There's no reason to investigate what occurred if the question and answer add nothing to understanding the verse or knowing the halachah. Therefore he explains that Rabbi Yirmiyah's question is very pertinent to practical life – such as, what was the halachah if a Jew owned some non-Jewish cheese at the time when *Chazal* forbade eating cheese made by gentiles (see at length in *Meoros HaDaf HaYomi*, „Avodah Zarah 35a and 48b in Vols. 203-204). As they had been allowed to possess and eat the cheese, could it be that the regulation didn't pertain to them but only to new cheese?

It is interesting to discover that the *poskim* applied this to meat remaining after Shabbos *Chazon*.

Eating meat in the week of Tishah B'Av: *Birkei Yosef* mentions (O.C. 551) that there were *poskim* who permitted eating meat left over from a Shabbos meal in the week of Tishah B'Av as Rabbi Yirmiyah contemplated a possibility that *basar nechirah*, once allowed, didn't become forbidden. If he had a doubt about a prohibition from the Torah, then concerning not eating meat in the Nine Days, which is merely a custom, we surely can be lenient that once the meat was allowed on Shabbos, it shouldn't become forbidden on a weekday (see *Pischei 'Olam*, *ibid*, *se'if* 32, in the name of *Nechpah Bakesef*, 3; *Pischei Teshuvah*, *ibid*).

We can't scheme: *Sha'arei Teshuvah* remarks (S.K. 111) that someone who tries to be smart and prepare an extra amount of meat for that Shabbos to eat it on a weekday merely errs because only the amount needed to be eaten on Shabbos was allowed. The extra amount was never permitted.

We can't compare *basar nechirah* with meat in the week of Tishah B'Av: Many *poskim* disagreed with this *chidush*, distinguishing between *basar nechirah* and eating meat in the Nine Days. The most blatant difference is that while *basar nechirah* was forbidden because of its essence, in the Nine Days meat does not become forbidden like pig meat. People customarily refrain from meat in this period. Therefore the resemblance between the two instances is extremely weak as *basar nechirah* was allowed and then forbidden and Rabbi Yirmiyah had the doubt as to if the permission for the meat dissipates with the application of the prohibition. However,

there is no "prohibition" on meat as such in the Nine Days and no "permission" to eat it on Shabbos but the custom was adopted to refrain from meat in the Nine Days aside from Shabbos. *Sha'arei Teshuvah* (*ibid*) concludes the topic by saying that he never heard in his province about anyone being lenient in the Nine Days to eat meat left from Shabbos *Chazon* and that someone who is lenient about this opposes the custom. (In addition, we only find this concept regarding a prohibition **enacted** while the food was allowed; however, about the Nine Days it was originally instituted that one must refrain from meat only on weekdays).

DAILY MASHAL

Unwanted Meat

HaGaon Rav M. Fish, head of the *kolel* in Karmiel, related the following: One of my pupils told me about a wonderful person who lives in Odessa. When a rabbi arrived in the city after the Iron Curtain lifted, he arranged a *kashrus* organization according to halachah and the local Jews were overjoyed. For many years they'd refrained from meat and now, finally, they had kosher meat. Everyone ate meat aside from one old man, who continued to eat only fruit and vegetables as previously. The Rabbi took the trouble to visit him personally to inform him about the establishment of the *kashrus* system. "I know", replied the old man. "Everything's kosher and I truly thank you very much. But Russia is a land of revolutions. Who knows what the next day will bring? Tomorrow the communist regime might take power again over the country and we won't have kosher meat. If I start to eat meat now, when that day comes I'll face a hard test to refrain from meat. Therefore I prefer to refrain from it completely (adopted from *Kol Baramah*, 234).