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Beitzah Daf 13

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Daf Notes is currently being dedicated to the neshamah of

**Tzvi Gershon Ben Yoel (Harvey Felsen) o"h**

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

### 1. *Cracking open kernels*

Rava bar Rav Chanan's innkeeper asked him if he could crack open mustard seeds on Yom Tov and eat from them. He didn't know, so he asked Rava, who said that one may roll open kernels and crack open legumes on Yom Tov.

Abaye challenged this from a braisa which says that if one rolls open kernels before Shabbos, he can blow off the chaff on Shabbos from one hand to another, but not using any utensils. If he rolled them open before Yom Tov, he can blow off the chaff on Yom Tov a little bit at a time, with utensils used for home separating (e.g., a funnel or plate), but not with utensils used for industrial separating (e.g., a large platter or sifters). The second statement of the braisa implies that one may only roll the kernels before Yom Tov.

Rava deflected this by saying that the braisa only mentioned rolling before Yom Tov in the second statement since the first section had to be a case of rolling before Shabbos (since rolling is prohibited on

Shabbos), but not because one may not roll it on Yom Tov.

The Gemora challenges Rava, since we can now find a case when one may take terumah on Yom Tov (when he rolled the kernels on Yom Tov), yet the Mishna said that terumah was something which one may not separate on Yom Tov.

The Gemora answers that this depends on the dispute of Rebbi and Rabbi Yossi beRabbi Yehuda about the obligation of terumah from kernels meant for rolling and eating. The braisa says that if one brought kernels in to make dough, he may snack from it, but if he brought them in to roll and eat, Rebbi says he must take terumah before snacking, while Rabbi Yossi beRabbi Yehuda says that he need not. According to Rebbi, one would be allowed to take terumah if he rolls them on Yom Tov, while Rabbi Yossi beRabbi Yehuda exempts them from terumah.

The Gemora rejects this, as even according to Rabbi Yossi beRabbi Yehuda

would require one to take terumah if he brought the kernels in to make dough, and then decided to roll and eat them. In that case, if he rolled it on Yom Tov, he would also agree that he can take terumah. Rather, the Gemora answers that the Mishna means that *most* terumah cannot be separated on Yom Tov.

## 2. *Ma'aser for legume kernels*

Abaye says that the dispute of Rebbi and Rabbi Yossi beRabbi Yehuda is only about grain kernels, but all agree that one must take terumah from legume kernels brought in to roll and eat.

The Gemora tries to support Abaye with a braisa about one with untithed bundles of fenugreek. The braisa says that he should crush them, calculate how much seeds there are, and separate on the seeds but not on the branches. The Gemora assumes that this braisa follows Rabbi Yossi beRabbi Yehuda, and therefore it chose the case of fenugreek, a legume, proving that he agrees that one must take terumah from legumes brought in to eat individually.

The Gemora deflects this by saying that the braisa is following Rebbi, but challenges this, since the braisa should have discussed kernels of grain, to teach

that one must take terumah from them as well.

The Gemora says that even according to Rabbi Yossi beRabbi Yehuda we can ask why it chose fenugreek, which is only eaten individually, as opposed to other legumes, which some pile up, like grain. Rather, the braisa specifically chose fenugreek, since its branches taste like its seeds, and we may have thought that one takes terumah on the branches as well. The braisa can therefore be following Rebbi, and doesn't support Abaye.

Another version of Abaye is that he said the dispute is only about grain kernels, but all agree that one need not take terumah from legume kernels brought in to eat individually.

The Gemora challenges this from the braisa about untithed fenugreek, which wouldn't be consistent with Rebbi or Rabbi Yossi beRabbi Yehuda.

The Gemora deflects this by saying that it is referring to ma'aser which was taken before terumah, and the tithing that must be done is terumas ma'aser, given by the levi to the kohen. This ma'aser is considered untithed, even though it was brought in to eat individually, since Rabbi

Avahu said in Raish Lakish's name that if ma'aser is taken before terumah, the designation immediately obligates it in terumas ma'aser.

The Gemora asks why the braisa says that he must crush it, as the levi should be able to give the kohen terumas ma'aser in the same unprocessed form that he received it.

Rava says that this is a sanction we impose on the levi for his taking the ma'aser before the proper time.

The Gemora supports this with a braisa which says that if a levi received ma'aser before the produce was fully processed (kernels, olives, grapes), he must fully process it (pile the kernels, make oil, make wine) before giving terumas ma'aser, since it is similar to terumah, which must be taken from the fully processed produce.

### 3. *Taking terumas ma'aser*

The Gemora asks why he can just calculate the amount of seeds, and not measure the exact amount.

The Gemora answers that this braisa follows Abba Elazar ben Gimel, who teaches that the verse which says that

“your (plural) terumah will be considered” refers to two types of terumah – standard terumah and terumas ma'aser. Just as terumah can be taken by estimate and by thinking, so can terumas ma'aser be taken by estimate and by thinking.

The Gemora returns to Rabbi Avahu's statement that taking ma'aser obligates produce in tithes.

Rava explains that since it has a status of ma'aser, the obligation of the Torah to take terumah from ma'aser takes effect.

### 4. *Taking terumah from early ma'aser*

Raish Lakish taught that if a levi took ma'aser before terumah while the produce was still stalks, he need not give standard terumah from it, as the verse states that the levi'im will separate (from their ma'aser) *ma'aser min hama'aser – a tenth from the ma'aser* (terumas ma'aser), excluding any other obligation of terumah from it.

Rav Pappa asked Abaye why this shouldn't also apply if he took the ma'aser before terumah when the kernels were already in a smoothed pile.

Abaye answered that the other verse says terumah must be taken “from all of your gifts,” which includes ma'aser.

Rav Pappa asked why we choose the exempting verse for stalks and the obligating one for the pile, and Abaye answered that it is logical to obligate the produce which already was processed and obligated in terumah and ma'aser, as opposed to stalks, which are not yet obligated.

#### **5. End process for ma'aser and for Shabbos**

The Gemora cites a Mishna which says that if one peels one barley kernel at a time, he is not obligated in tithes, but if he peeled some and collected them in his hand, he must take terumah and ma'aser before eating them. Rabbi Elazar said that the same distinction applies to Shabbos.

The Gemora challenges this from Rav and Rabbi Chiya, whose wives peeled for them cup fulls on Shabbos.

Rather, the Gemora says that Rabbi Elazar's statement was on the end of the Mishna, which says that one who rolls kernels is only obligated in ma'aser if he collected them into the edge of his robe.

Rabbi Abba bar Mamal asked why the distinction in the beginning of the Mishna does not apply to Shabbos, since we don't find anything else which is the end of processing for ma'aser but is not liable on Shabbos.

Rav Sheishes the son of Rav Idi challenged this statement with the case of gourds, whose end process for ma'aser is making a pile (if that occurs before the flower falls off), yet one is not liable for making a pile of gourds inside.

Rather, we must answer that one is liable on Shabbos only for *melech machsheves* – a planned act of work, like the work done in the Mishkan, but not for other forms of work, even if they are the end process for ma'aser.

#### **6. Rolling kernels and blowing chaff abnormally**

The Gemora asks how one may roll kernels on Yom Tov.

Abaye quoted Rav Yosef saying that he may only roll with his thumb against one finger. Rav Avya quoted Rav Yosef saying that he may roll his thumb against two fingers, while Rava says that he may roll against all the fingers, as this is different

than the normal manner of rolling with the whole hand.

The Gemora asks how one may blow the chaff away on Shabbos. Rav Ada bar Ahava quoted Rav saying that he blows it from his fingers, but not his palm. In Eretz Yisrael they laughed at this, since using one hand is always abnormal, even if he blows it from the whole hand. Rather, Rabbi Elazar says that one may blow from one hand, as hard as he can.

## INSIGHTS TO THE DAF

### *Kernels for eating*

The Gemora raises the possibility of taking terumah on Yom Tov, if one may peel kernels, and answers that it depends on the dispute between Rabbi and Rabbi Yossi beRabbi Yehuda about the obligation to take terumah from grain brought in to eat individually. The Gemora challenges this, since even Rabbi Yossi beRabbi Yehuda would obligate kernels which were originally brought in to process for flour, but are now being eaten individually.

Rashi explains that the Gemora means that Rabbi, who says that they are obligated, would indeed say that one may take terumah, when he peeled them on Yom Tov, while Rabbi Yossi beRabbi Yehuda would not allow one to ever take terumah, since these kernels are not

obligated. The Gemora challenges this by saying that there is a situation where even Rabbi Yossi beRabbi Yehuda would obligate kernels being peeled to eat in terumah.

Tosfos (13a Ha) challenges Rashi's explanation for two reasons:

1. The braisa cited by the Gemora discusses whether one may *snack* on the kernels before terumah is taken, implying that all agree that one may not make an official meal out of them, whether they were meant for flour or eating as kernels. If so, all would agree that one may take terumah on Yom Tov if he ate a full meal from the kernels.
2. If Rabbi says that kernels meant for eating are obligated in terumah, that obligation takes effect as soon as they are brought in, and therefore there is no reason to allow someone to take the terumah on Yom Tov.

Therefore, Tosfos explains that the Gemora's attempted answer was that the Mishna is following Rabbi, who requires terumah to be taken before eating from them, making it prohibited to take it on Yom Tov. Rabbi Yossi beRabbi Yehuda, who says that they are not obligated in terumah when brought inside, says the obligation takes effect when he eats them, which may be on Yom Tov. The text of the Gemora's subsequent challenge to this answer is that even *Rebbi* would agree that one need not take terumah if he brought it in for flour, and

then decided to eat them. In that case, the obligation would take effect when he decided to eat them, allowing him to take terumah, even on Yom Tov.

The Gemora cites two versions of Abaye's statement about this dispute. The first version says that both agree that bundles of legumes meant for eating individually are obligated in terumah, while the second version says that they both agree that they are *not* obligated.

Tosfos (13a ika) cites Rav Shimshon mikotzi who asks how the Gemora can have two versions which are exactly opposite, as opposed to the usual situation of two versions which differ in degree or details. He therefore suggests that the first version means that the dispute is about stalks of grain which one explicitly brought inside to eat, but all agree that legumes brought inside explicitly to eat are obligated in terumah immediately. According to this version, the dispute is also about kernels and legumes for which he had no explicit intent. The second version means that the dispute is when he brought grain in with no explicit intent, but if he brought legumes in with no explicit intent, all agree that it isn't obligated in terumah. According to this version, their dispute is also when he explicitly brought in grain or legumes for eating.

The chart below illustrates the two versions:

	Grain		Legumes	
Intent:	For eating	No intent	For eating	No intent
Version 1	Dispute		Obligated	Dispute
Version 2	Dispute			Exempt

### ***When is the levi obligated in terumah?***

The Gemora cites the dialogue between Abaye and Rav Pappa about when a levi must take terumah from ma'aser which he took before the kohen took terumah. Abaye cites two verses, one which obligates the levi, and one which exempts him, and says that the exempting one is when he took the ma'aser from stalks, while the obligating one is when he took it from the pile of kernels. Rav Pappa asked Abaye why he explained the verses that way, and Abaye explained that once it has reached the end process of kernels (in a pile), it is logical to assume that the kohen gets his full share of terumah.

Rashi says that Rav Pappa was asking why we don't apply the verses opposite, obligating the stalks and exempting the pile.

Tosfos (13b uma) challenges this explanation, as we always find that the later one is in the processing of produce, the more likely it is to be

obligated, making Rav Pappa's suggestion illogical.

Tosfos cites the Ri, who explains that Rav Pappa's suggestion was that the distinction not be based on the state of the produce, but where it was. If it had already entered the house, it is obligated, but otherwise it is exempt. Abaye's answer was that once the pile was made, the processing is done, and it most logical to assume that the levi is obligated in terumah, whether or not it is inside the house.

### ***The "Taste" of Fenugreek***

One who has bundles of fenugreek, a type of legume that is used for seasoning, and they were tevel, (produce that one is required to separate terumah and he has not yet separated the terumah) he should crush them, calculate how many seeds they have, and then he separates terumah for the seeds. He is not required to separate terumah for the stalks, because it is only a rabbinical requirement to separate terumah from legumes, so the Chachamim only required that one separate terumah from the seeds and not from the stalks.

Rashi writes that one is not required to separate terumah from the stalks, despite the fact that the stalks have the same flavor as the seeds. It would seem that when Rashi writes that the stalks have the same flavor as the seed, it is not meant literally. Rather, Rashi means to describe

something that does not have flavor. Proof to this is from the Gemara that uses this expression regarding peppers, despite the fact that the Gemara in Yoma states that peppers are not even considered food.

## **DAILY MASHAL**

### ***Holy Thoughts***

The Gemara states that one can separate both Terumah Gedolah and Terumas Maaser with a thought and one does not need to physically or orally designate the terumah. There are certain mitzvos which require one to contemplate the mitzvah, such as loving HaShem, fearing HaShem and other such mitzvos. There is even a situation where if one sought to perform a mitzvah and he could not complete it because of extenuating circumstances, it is considered as if he performed the mitzvah. Thus, thoughts play an important part in serving HaShem. Rav Chaim Volozhiner writes in Nefesh HaChaim that one who entertains immoral thoughts is worse than the Roman general Titus, who defiled the Holy of Holies, because a gentile does not have the capability of reaching high spiritual levels, whereas a Jew has the ability to reach very high spiritual levels, and improper thoughts defile the spiritual Holy of Holies. This idea should teach us that not only do we have to be pure in our actions but we must also keep our thoughts pure and holy.