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Rosh Hashanah
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

THE FIRST KORBAN OMER

Rabbi Yirmiyah accepted Rabbi Zeira’s explanation and he proved it by quoting a discussion between Rav Kahana and his contemporaries.

Rav Kahana was asked by his contemporaries regarding the korban omer that the Jews brought when they entered Eretz Yisroel. They inquired of him as to where did the barley come from for this korban. It could not have been grown by a non-Jew, for the Torah states that it should be from “your harvest.”

The Gemora proves that the korban omer was brought that year from the verses in Yehoshua which state that the Jews ate from the new grain only on the day after Pesach began. It is evident that they originally did not eat because the korban was not brought and it was only on the second day of Pesach, which is the day the korban omer is brought that they began to eat from the new grain.

Rav Kahana answered them that they used the barley which did not grow a third while it was

owned by the non-Jew. Since the barley reached a third of its growth in the possession of the Jew, it is regarded as “your harvest” and can be used for the korban omer.

Rabbi Yirmiyah commented that it is evident from Rav Kahana’s response that the Sages were accurately able to determine if the produce grew a third or if it was less than a third.

The Gemora concludes that it is possible for barley in Eretz Yisroel to be unripe and in a span of five days can become completely ripe. This is because Eretz Yisroel is referred to as “the land of the deer,” whose produce can ripen much faster than regular. (13a)

A MIXTURE OF BEANS

The Gemora cites a Mishna in Shevi’is which states that rice, millet, poppy and sesame that took root prior to Rosh Hashanah are regarded as being from the previous year pertaining to the laws of ma’aser and Shemitah.

Rabbah challenged the ruling of this Mishna from the words of the Sages. They stated that fruits

from trees that emerge before the fifteenth of Shevat are considered as being from the previous year. Grain and olives are regarded as being from this year if they grow a third before the fifteenth of Shevat. Vegetables are decided by the year in which they are picked. Why did the Mishna in Shevi'is decide that there are certain foods that are assigned to be from the new year based on when they took root?

Rabbah answered that the beans are harvested a few at a time and therefore they cannot be assigned a year based on the time of picking like other vegetables. The Sages did not want one harvest to be divided in its halachos. It was decided to assign them a year based on when they took root since the entire harvest will have one halachah.

Abaye questions this reason by citing the opinion of Rabbi Shimon Shezuri. A ruling was issued regarding Egyptian beans that were planted for seeds and some of them took root before Rosh Hashanah and others took root after Rosh Hashanah. One cannot separate terumah and ma'aser from one onto the other since they are from different years. Rabbi Shimon Shezuri maintains that one can mix all the beans together and separate terumah and ma'aser from this mixture. Abaye asks that the same can be done with the beans that are harvested in different years.

Rabbah answers that it is only Rabbi Shimon Shezuri who holds that this option is available because he holds of the principle called "yesh bilah," meaning that we can assume after the mixing that the beans from the different years are evenly distributed amongst each other. That is why he permits separating terumah and ma'aser from the mixture. However, the Chachamim do not subscribe to this principle and they assume that the beans will not be evenly distributed in the mixture and when one will separate terumah and ma'aser, he will be taking from one year onto the other. (13b)

It was stated in the name of Shmuel that the halachah is in accordance with Rabbi Shimon Shezuri.

Rabbi Zeira questions this from a ruling that Shmuel issued stating explicitly that only by wine and oil can we assume that the old and the new are distributed evenly, however regarding solid items, such as beans, there is no such assumption. This is contrary to the opinion of Rabbi Shimon Shezuri.

The Gemora answers that Shmuel holds of the same halachah as Rabbi Shimon Shezuri but not for the same reason. Rabbi Shimon said that the Egyptian beans can be mixed together and terumah and ma'aser can then be separated because it is evenly distributed. Shmuel maintains that the year is assigned to the

Egyptian beans based on the completion of their growth and therefore it wouldn't make any difference that some of these beans took root before Rosh Hashanah. (13b)

INSIGHTS TO THE DAF

IS THE NEW GRAIN WORSE THAN PIG?

Rav Kahana was asked by his contemporaries regarding the korban omer that the Jews brought when they entered Eretz Yisroel. They inquired of him as to where did the barley come from for this korban. It could not have been grown by a non-Jew for the Torah states that it should be from "your harvest." The Gemora proves that the korban omer was brought that year from the verses in Yehoshua which state that the Jews ate from the new grain only on the day after Pesach began. It is evident that they originally did not eat because the korban was not brought and it was only on the second day of Pesach, which is the day the korban omer is brought that they began to eat from the new grain.

The Turei Even asks from the Gemora in Chulin 17a which states that during the seven years that the Jews were capturing Eretz Yisroel, they were even permitted to eat pig. Why could they not eat from the new grain as well, even without the offering of the korban omer?

One of the answers that are offered by the Acharonim is that only prohibitions that will not become permitted later were they allowed eating then. The new grain would become permitted with the bringing of the korban omer and therefore before the korban, it could not be eaten.

The Ohr Chodosh answers that only eating prohibitions were permitted then; For one to eat from the new grain, one would be required to harvest it first and that is also not allowed before the korban omer is brought. The prohibition of harvesting before the omer was not permitted at that time.

MATZAH FROM THE PEDDLERS

Tosfos wonders as to how they ate matzah on the first night of Pesach that year. The new grain only became permitted on the second day of Pesach. Tosfos answers that the gentile merchants sold them grain which did not have this prohibition.

The Mekor Chaim brings a proof from this Tosfos to the opinions that hold that one can fulfill the mitzvah of eating matzah even if the grain was not watched from the time of the harvesting since here the gentiles did the harvesting and afterwards sold the grain to the Jews. It is ruled in halachah that in extraordinary situations, one can buy flour from the market place and use it to bake matzah with.