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Daf Notes is currently being dedicated to the neshamah of

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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. There is an argument regarding the punishment for someone who knowingly uses *hekdesh* (things dedicated to the *beis hamikdash* that are forbidden from other usages).

The *Braisa* states: Rabbi says someone who knowingly uses *hekdesh* receives death (from Heaven, not *Beis Din*), while the *Chachamim* say he receives lashes.

Both Rabbi and the *Chachamim* understand that we derive certain laws of *hekdesh* from the laws of *terumah*. Based on this teaching, our *Gemora* explains that Rabbi says that just as a kohen who eats *terumah* when impure receives death, so too if a person uses *hekdesh* for his own purposes he receives death. Rashi (DH “*va’Chachamim*”) explains that although the *Chachamim* derive certain laws of *hekdesh* from *terumah*, the passuk “and they will do due to it” regarding *terumah* teaches that death is only a punishment regarding *terumah*, not usage of *hekdesh*. (33a)

2. A person cannot take off *terumah* from something that is *chametz* on *Pesach*. Doing so does not convey a status of *terumah* despite the person’s intent.

The *Gemora* explains that this is derived from the verse regarding *terumah* that the *terumah* should be given “to him,” meaning to be able to be eaten, and not for burning. Tosfos (DH “*Titein*”) explains that this teaching is only necessary according to the opinion of Rabbi Yosi Ha’Glili that *chametz* is permitted to be benefited from on *Pesach*. Most other opinions, who argue on Rabbi Yosi Ha’Glili, and

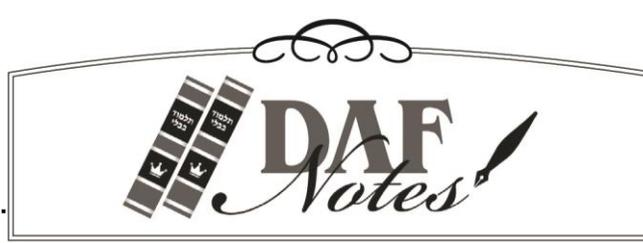
maintain that *chametz* cannot be benefited from on *Pesach* learn this from other verses, such as “you should give,” indicating that the *terumah* given must be something that can be benefited from. (33a)

3. Accidental improper usage of *hekdesh* does not require the intent required for other accidental sins.

The *Gemora* states that accidental improper usage of *hekdesh* is not the same as, for example, accidental transgression of *Shabbos*. If someone has two pieces of wool near him and would like to warm himself, he is obviously forbidden to use the one that has been dedicated to *hekdesh*. Even if he unknowingly takes the *hekdesh* wool instead of the regular wool lying nearby, he has accidentally transgressed improper usage of *hekdesh*. However, if on *Shabbos*, someone wanted to take a detached vegetable lying on the ground and instead harvested a vegetable that was attached to the ground nearby, he is not deemed as accidentally transgressing *Shabbos* and does not need to bring a *korban chatas* (accidental sin offering). Rashi explains that this stringency is derived from a verse regarding improper usage of *hekdesh*. (33b)

4. There is an argument in the *Gemora* regarding whether or not it is possible to make pure oil and wine from grapes and olives that are impure *terumah*.

The *Gemora* quotes Rav Acha as stating that this is possible in the name of Rabbi Yochanan. He understands that the grapes and olives are merely a container for the liquid



inside of them. The liquid is not connected to the status of the fruit. Accordingly, as long as the liquid is squeezed out of less a bunch of fruit that is less than the size of an egg (*which confers impurity*), the liquid itself is deemed pure.

Rav Chisda argues that the liquids inside are absorbed into the fruit, meaning that they have the status of the fruit. If the fruit is impure, the liquid is impure as well. (33b)

5. One can light fires with bread and oil of *terumah* that became impure.

One cannot eat *terumah* that became impure. One might think we should suspect that a person will come to eat the impure *terumah* if he can keep it to benefit from it, and the sages might therefore decree that it cannot even be used to fuel a fire. Our *Gemora* informs us that it is permitted to derive benefit from it, and we do not suspect that keeping it in our presence for benefit usage will lead to its being eaten.

INSIGHTS TO THE DAF

Mis'asek

In our *Gemora*, Mar the son of Ravina explains the *braisa* as stating that *me'ilah* is more stringent than other *mitzvos*. In other *mitzvos*, such as *Shabbos*, "*mis'asek*" is exempt. This means that one needs to have intended to do the exact act of desecrating *Shabbos* in order to be obligated to bring a *korban* (*he simply forgot it was Shabbos, or that the work was prohibited on Shabbos*). However, regarding *me'ilah*, if a person had two pieces of wool and intended to pick up the one that was not *hekdesh* to warm himself and he instead picked up and warmed himself with the one that was *hekdesh*, he is obligated to bring a *korban*.

The Pnei Yehoshua asks that the *Gemora* seems to be focusing on *Shabbos* as representing "all other *mitzvos*." It would seem that besides for *Shabbos*, in all other *mitzvos* we have a rule that if someone was *mis'asek* in forbidden relations or eating forbidden fats, he is obligated to bring a *korban* (see Kerisus 19b). The rule is that *mis'asek* is generally obligated because of the benefit the person derived from being *mis'asek* (*i.e. he still enjoyed the forbidden fats*). Why did our *Gemora* think *me'ilah* should better be compared to *Shabbos* than these prohibitions?

The Pnei Yehoshua answers that in our case the person did *not* benefit from using the *hekdesh* wool. This is because he could have been warmed with permitted wool, and it made no difference to him that he was warmed with forbidden wool. The wool is the exact same material; just it had happened to be declared *hekdesh*. On the other hand, the case of forbidden fats and relations is where the person derives benefit from something he would never be allowed to benefit from, namely a type of forbidden fat or having relations with a person he would never be permitted to have relations with. In such a case the benefit means that even a *mis'asek* must bring a *korban* (*see Sfas Emes who argues with the Pnei Yehoshua and gives a different answer*).