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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Mishna

There are three *asheirah* trees: a tree that was planted in the first place for idolatry - this is forbidden; if the branches were trimmed and pruned for idolatry, and it has sprouted others - he may remove what has sprouted anew; if he set up an idol beneath it and nullified it, this is permitted. (48a)

Additional Growth

It was said in the academy of Rabbi Yannai: When the *Mishna* declares that he removes the new growth and then the tree is permitted, it (*that the new growths are prohibited*) applies only when he layered the tree or grafted it on the trunk of the tree.

The *Gemora* asks that from the *Mishna* we see that even if it is merely a minor change, the new growths are prohibited!?

Therefore when the statement of the academy of Rabbi Yannai was stated it must have been with reference to annulment. Although he layered the tree or grafted it on the trunk of the tree, if he removes the new growth, it is all right. For you might have thought that since he layered the tree or grafted it on the trunk of the tree, it is like a tree which had been originally planted for idolatry and the entire tree should be prohibited. Consequently we are informed that this is not so].

Shmuel said: If a man worshipped a tree, the additional

branches which subsequently grew are prohibited.

Rabbi Elozar asks from the *Mishna* which seems to say that the additional growth is only forbidden if he pruned it or trimmed it!?

The *Gemora* answers: Shmuel could reply that the ruling of the *Mishna* is according to the Rabbis, whereas his view agrees with that of Rabbi Yosi bar Yehudah who said that if a tree was planted and subsequently worshipped, it is prohibited.

Rav Ashi objected to this explanation: How do we know that Rabbi Yosi bar Yehudah and the Rabbis differ on the question of the new growth? Perhaps they all agree that it is prohibited, and they only disagree regarding the trunk itself (*that was there before it was worshipped*)?

The *Gemora* concludes that it is indeed like that, and Shmuel can be in accordance with either opinion. (48a)

What is an *asheirah*? Any which has an idol beneath it. Rabbi Shimon says: Any which is worshipped. There was a case in Sidon of a tree they used to worship, under which they found a heap. Rabbi Shimon said to them: Examine this mound, and they examined it, and found an image in it. He said to them: Since they worship the image, we will permit the tree. (48a)

Asheirah

The *Gemora* explains the *Mishna's* question: There is

agreement about two kinds of *asheirah* trees, but in connection with the third there is a difference of opinion between Rabbi Shimon and the Rabbis. The *Mishna* asked: What is the *asheirah* about which Rabbi Shimon and the Rabbis disagree? Any which has an idol beneath it. Rabbi Shimon says: Any which is worshipped.

How is an *asheirah* which is not specified as such to be recognized? Rav said: Any tree where pagan priests sit beneath it but do not partake of its fruits. Shmuel said: Even if the priests beneath it say, "These dates are for the temple of Natzrefei, the tree is prohibited because they make beer from them which they drink on their idolatrous holidays.

Ameimar said: The elders of Pumbedisa told me that the *halachah* is in agreement with Shmuel. (48a)

Mishna

He may not sit in its shade, but if he did sit there, he is *tahor*. And he may not pass under it, but if he did, he is *tamei*. If it stealing from the public domain, and he passed underneath it, he is *tahor*. (49b)

What can be Redeemed?

Rabbah bar bar Chanah in the name of Rabbi Yochanan explained the *Mishna* to mean that it is forbidden to sit in the shadow of the shadow (*in the early morning or late afternoon when the shadow is thin and light*) of the *asheirah* tree.

The *Gemora* notes that one who sits in the ordinary shadow of the tree remains *tahor*.

The *Gemora* explains that one who passes underneath an *asheirah* tree is *tamei* because it is impossible that there should be no remains of idolatrous offerings buried there (*and one becomes tamei from such parts due to tumas*

ohel).

This is in accordance with the opinion of Rabbi Yehudah ben Beseirah; for it has been taught in a *braisa*: Rabbi Yehudah ben Beseirah said: Where do we know that an idolatrous offering transmits *tumah* by way of a roof? It is because it is written: *They attached themselves to Baal Pe'or, and ate the sacrifices of the dead*. Just as a dead body transmits *tumah* by way of a roof, so an idolatrous offering transmits *tumah* by way of a roof.

The *Mishna* had stated: If it stealing from the public domain, and he passed underneath it, he is *tahor*.

The *Gemora* explains: If there is an alternate route, he should not pass underneath the tree (*but if he does, he remains tahor*); however, if there is no alternate route, he is allowed to pass underneath it.

The *Gemora* notes that a distinguished person, such as Rav Sheishes, even if there is no alternate route, should hold himself to a higher standard, and therefore Rav Sheishes (*who was blind*) told his attendant, "Hurry me through it" (*a public area, where he was compelled to walk beneath an asheirah tree*). (49b)

Vegetables under the Asheirah Tree

One may plant vegetables beneath it during the winter season (*for the shade is harmful to it*), but not during the summer season. Lettuce may not be planted neither in the hot season nor in the rainy season (*for the shade provided by the tree protects it from the wind*). Rabbi Yosi says: Vegetables may not be planted even during the winter season, since the leaves fall on them and serve as fertilizer.

The *Gemora* explains that Rabbi Yosi maintains that *zeh v'zeh goreim - something jointly produced by a prohibited and permitted item* is prohibited, and the Rabbis hold

that it is permitted. (48b)

INSIGHTS TO THE DAF

The Difference between Kosher and Mehadrin Cheese

Acidic cheesemaking, commonly used for soft cheese, is accomplished by leaving milk without refrigeration or by adding souring agents. The texture of the milk changes and the protein particles sink and stick to each other. Let us discuss the *kashrus* of soft cheese made by adding *chalav 'akum* (*milk milked by a gentile*).

Cheesemaking with cultures based on *chalav 'akum*: As we said, the milk may become cheese by itself: the bacteria in the lactic acid consume the sugar and protein and create an acid that solidifies the milk. The process is customarily hastened by adding improved cultures of bacteria, produced from *chalav 'akum*. Does the addition of those cultures turn *chalav Yisrael* into *chalav 'akum*?

Both factors cause the result: Our *sugya* addresses a basic *halachic* topic known as *zeh v'zeh goreim* - both factors cause the result. If forbidden food was mixed with permitted food in a mixture of 1:60 and is unidentifiable, the mixture is permitted but if the forbidden food causes the final nature of the mixture, such as leavening in bread, the mixture is forbidden. Still, if the final nature of the mixture was caused by two factors, one permitted and one forbidden, the mixture is allowed (*Remo*, *Y.D.* 87:11). The same apparently applies to cheese. The cheese is produced both by the original acid in the milk and by the additives.

Nonetheless, the *poskim* (*Shach* and *Taz*, *Y.D.*, end of 87) hold that a situation where both factors cause the result is allowed only if the forbidden factor could not cause the result alone whereas the addition to the cheese can cause the result alone and cannot therefore be permitted. (Even when *zeh vazeh gorem mutar* a Jew

must not do so as we do not make a forbidden article insignificant [*batei*] *lechatechilah*; see *Shulchan 'Aruch*, *Y.D.* 99:5, and see *ibid* as to when the mixture is therefore forbidden, invalidating the *bitul*).

In different eras people relied on various forms of permission based on other halachos but in recent years *mehadrin kashrus* committees take care to use cultures produced from *chalav Yisrael* (see *Nesiv HeChalav*, pp. 57, 63).