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Zevachim Daf 35

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Daf Notes is currently being dedicated to the neshamot of

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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

Mingled Pesach Blood

It was stated above: Rabbi Yehudah said: The *Kohen* used to fill a cup with the mingled blood (*from all the pesach offerings, including blood that might have spilled before the sprinkling, which would cause that the owner of this korban did not fulfill his obligation*) and sprinkle it once against the base of the Altar (*the location where the blood from all pesach offerings are applied; this is valid, for we assume that this cup of blood will contain at least a drop of the spilled blood*). It emerges that it is this application of the blood which renders it (*the pesach offering whose blood has spilled*) valid.

They said to Rabbi Yehudah: But perhaps the mingled blood had not been received in a vessel (*and therefore it should be disqualified even if it was gathered*)!?

Rabbi Yehudah responded: I too, am referring only to a case where the blood was initially received in a vessel.

The *Gemora* asks: And how does he himself know that?

The *Gemora* answers: The *Kohanim* are diligent (*and certainly accept the blood with a vessel*); but as they work quickly, the blood may spill (*from the cup*).

The *Gemora* asks: But the draining blood (*the blood that comes out from the animal after the lifeblood*) is mixed with it (*and this blood is unfit to be used for the applications on the Altar; since this blood is a majority of the blood, it should nullify the other blood*)!?

The *Gemora* answers: Rabbi Yehudah follows his own viewpoint, for he maintains that the draining blood is also called blood, for it was taught in a *braisa*: Draining blood is forbidden for consumption because of a Biblical warning (*but it is not subject to the penalty of kares*). Rabbi Yehudah said: It is subject to *kares*.

The *Gemora* asks: But surely Rabbi Elozar said: Rabbi Yehudah agrees with respect to atonement that it does not provide atonement, because it is written: *For it is the blood that provides atonement through the soul*. This implies that blood through which life departs is called blood; blood through which life does not depart is not called blood!?

The *Gemora* answers its initial question differently: Rabbi Yehudah follows his own viewpoint, for he maintains that blood cannot nullify other blood (*for the principle of nullification applies only to unlike substances*).

Rabbi Yehudah asked the Rabbis: According to you (*that they did not fill up a cup of blood from the floor*), why did they plug the holes in the Temple Courtyard?

They said to him: It is praiseworthy for the sons of Aaron to walk in blood up to their knees (*for this demonstrates the love they had for the sacrifices*).

The *Gemora* asks: But the blood constitutes an interposition (*between the Kohanim’s feet and the floor; this would disqualify their service*)!?



The *Gemora* answers: It was moist, and did not constitute an interposition, for it was taught in a *Mishna*: Blood, ink, honey, and milk interpose if they are dry; if they are moist, however, they do not interpose.

The *Gemora* asks: But their garments will become stained with blood, and it was taught in a *braisa*: If his garments were soiled and he performed the service, his service is disqualified!? And you cannot answer that they raised their garments (*above their knees*), for surely it was taught in a *braisa* that their garments must not be too short nor too long!?

The *Gemora* answers: They raised them at the time when they carried the limbs to the ramp of the Altar, which was not a service (*and therefore, the raised garments would not disqualify the service*).

The *Gemora* asks from a *braisa* which indicates that the carrying of the limbs to the Altar was indeed a service, and answers that they would raise them when they carried the wood to the pyre on the Altar, which was not a service.

The *Gemora* asks: But, how could they walk during the service?

The *Gemora* answers: They walked on raised stones. (34b – 35a)

Mishna

If one slaughters the sacrifice with an intention of eating (*beyond its time or outside of its place*) something which is not meant to be eaten, or with an intention of burning (*beyond its time or outside of its place*) something which is not meant to be burned, it is valid; but Rabbi Eliezer invalidates the sacrifice.

If he slaughtered it with an intention of eating something which is meant to be eaten, or with an intention of burning

something which is meant to be burned, but his intention was regarding less than the size of an olive, it is valid.

If his intention was to eat something which measured half the size of an olive and also to burn something which measured half the size of an olive, it is valid, for we do not combine an intention about eating with one about burning.

If one slaughters a sacrifice with an intention to eat an olive's volume of the skin, or the gravy, or the sediment, or the sinew of the neck, or the bones, or the sinews, or the horns, or the hooves – and his intention was to eat them beyond their time or outside of their place, it is valid (*for these items are not considered fit for consumption*). One would not be liable to *kares* for eating these things from a *korban* which became *piggul*, *nossar*, or if he is *tamei*.

If one slaughters a sacrifice with the intention of eating from the fetus or afterbirth – beyond its time, the sacrifice is not *piggul* (*for he did not have intention to eat from the sacrifice itself*). One who performed *melikah* (*the Kohen "slaughters" the bird by piercing the back of the bird's neck with his thumbnail*) on turtledoves with the intention of eating its eggs beyond its time, the sacrifice is not *piggul* (*for he did not have intention to eat from the sacrifice itself*).

Milk which is found in the udders of a sacrifice and the eggs of a turtledove, one is not on their account liable for *piggul*, *nossar* or *tamei*. (35a)

Rendering Piggul and Becoming Piggul

Rabbi Elozar said: If he expressed a *piggul* intention in respect of the sacrifice, the fetus becomes *piggul* as well. If, however, he expresses a *piggul* intention in connection with the fetus, the sacrifice does not become *piggul*. If he expresses a *piggul* intention in respect of the *alal* (*sinew of the neck*), the crop becomes *piggul*. If, however, he expresses *piggul* in respect of the crop, the *alal* does not become *piggul*. If he expresses a *piggul* intention in respect of the sacrificial parts (*of a bull*

that its meat is not eaten, but rather, it is burned outside at the Beis Hadeshen), the bulls become *piggul*. If he expresses a *piggul* intention in respect of the bulls, the sacrificial parts do not become *piggul*. The *Gemora* attempts to provide support for Rabbi Elozar from the following *Mishna*: The bulls which are to be burned and the goats which are to be burned are subject to the law of *me'ilah* (one who has unintentionally benefited from *hekdesh* or removed it from the ownership of the Beis Hamikdash has committed the transgression of *me'ilah*, and as a penalty, he would be required to pay the value of the object plus an additional fifth of the value; he also brings a *korban asham*) from the time they are consecrated. Once they were slaughtered, they are susceptible to become disqualified through contact with a *tevil yom* (one who was *tamei*, but has immersed himself in a *mikvah*; he is considered a *tevil yom* until nightfall) and a *mechusar kippurim* (one who was *tamei*, but has immersed himself in a *mikvah*, and has waited until nightfall; he is just lacking atonement until he brings his offerings the next day) and through being kept overnight (*linah*). Is this not referring to the meat being kept overnight; and it may be inferred from this that since being kept overnight renders the meat (of the bulls) disqualified, a *piggul* intention would render it unfit as well!

The *Gemora* deflects the poof by saying that it refers to keeping the sacrificial parts overnight; and although the latter part of the *Mishna* refers to its meat, the first part may refer to the sacrificial parts.

Rabbah asks from a *braisa*: The following neither render *piggul* nor do they become *piggul*: the wool on the head of lambs, and the hair of the goats' beards, and the skin, the gravy, the sediment, the *alal*, the crop, the bones, the sinews, the horns, the hooves, the fetus, the afterbirth, the milk found inside the consecrated animals, and the eggs of turtledoves; all of these neither render *piggul* nor do they become *piggul*, and one is not on their account liable for *piggul*, *nossar* or *tamei*. And one who offers them up outside the Temple is not liable. Does this not mean that they do not

render the sacrifice *piggul*, and they do not become *piggul* through the sacrifice?

The *Gemora* answers: No: They do not render the sacrifice *piggul*, and they do not become *piggul* through themselves.

Rava said: We too learned like Rabbi Elozar in our *Mishna*: If one slaughters a sacrifice with the intention of eating from the fetus or afterbirth – beyond its time, the sacrifice is not *piggul* (for he did not have intention to eat from the sacrifice itself). One who performed *melikah* (the *Kohen* "slaughters" the bird by piercing the back of the bird's neck with his thumbnail) on turtledoves with the intention of eating its eggs beyond its time, the sacrifice is not *piggul* (for he did not have intention to eat from the sacrifice itself). Yet the *Mishna* then continues: Milk which is found in the udders of a sacrifice and the eggs of a turtledove, one is not on their account liable for *piggul*, *nossar* or *tamei*. It may be inferred from this that one is liable on account of the fetus and the afterbirth!? [This would contradict the *Mishna's* previous ruling!] Rather it must be that in the latter case, it means (the intention was) through the sacrifice (and that is why the *piggul* prohibition effects the fetus and afterbirth), whereas in the first case, (the intention was) through themselves (and that is why it is not subject to the *piggul* prohibition). This indeed proves it. (35a)

INSIGHTS TO THE DAF

Putting on the Head Tefillin after Immersion

There is a tradition in the name of the holy *Shelah* that before putting on the head *tefillin*, one should wash one's head in the place intended for the *tefillin*. Some suggest (*Sha'arei Teshuvah*, 27, S.K. 5) that he ruled so because of the custom to wake at midnight to say *Tikun Chatzos* and put ashes on one's head in the place of *tefillin*. The *Chida* (*Birkei Yosef*, *ibid*, S.K. 8) also cites the *Shelah* and adds that after washing the place, one should dry it before putting on *tefillin*. This is

according to the *Rosh*, that just as there must be no *chatzitzah* (interference) between a *Kohen's* garments and his body, there must be no *chatzitzah* between the *tefillin* and one's body.

A wet substance does not interfere: Daf HaYomi learners surely wonder, as our *sugya* explains that water does not interfere! Our *Gemora* explains that the *kohanim*, who went barefoot in the Temple so that nothing should interfere between their feet and the floor, walked on the floor of the *'Azarah* while it was wet with the blood of the sacrifices and had no fear of *chatzitzah* as "a wet substance does not interfere". If so, why should one dry one's hair?

A similar question faces the *Mishneh Lamelech* (Rambam, *Hilchos 'Avodas Yom HaKippurim*, 2:2) who writes that the *Mishna* says that on Yom Kippur the *Kohen Gadol* would **dry** himself after immersion. He asserts that the *Mishna* doesn't merely tell us a story but that the *Kohen Gadol* had to dry himself for if not, the water would interfere between his garments and his body. But apparently "a wet substance does not interfere"!

A special halachah for tefillin and a Kohen's garments: The author of *Birkei Yosef* (ibid) paves a new road to understand the *Rosh*. Indeed, water does not interfere. But when the *Rosh* rules about *tefillin*, just as about a *Kohen's* garments, that there is a prohibition of *chatzitzah* between them and one's skin, he doesn't mean the usual *chatzitzah* but a special *halachah* valid only for *tefillin* and a *Kohen's* garments: "on his flesh" referring to a *Kohen's* garments and "on your arm" and "between your eyes" referring to *tefillin*. That is, the Torah demands **contact** between a *Kohen's* body and his garments and between **one's body** and the *tefillin*. Therefore, though liquids don't interfere and the blood of the sacrifices does not interfere between a *Kohen's* feet and the floor of the *Azarah*, water prevents a *Kohen's* garment from being regarded as being "on his flesh" and prevents *tefillin* from being regarded as being on one's skin.

Is it allowed to wind a tefillin strap under the arm tefillin?

This new definition has many implications – among others, regarding the rule that "a kind does not interfere with its own kind". For example, someone who takes up a *lulav* and discovers that some leaves of the *lulav* have fallen off and interfere between his hand and the *lulav* does not have to remove them as "a kind does not interfere with its own kind". In the light of this rule, we may approve of those who place the strap of their arm *tefillin* under the *titura* ("platform") of the *tefillin* as "a kind does not interfere with its own kind". However, since we now realize that the *tefillin* must be **on the skin**, the strap prevents the *tefillin* from being on the skin and is a *chatzitzah*. Many poskim rule strictly (see *Responsa Avnei Nezer*, O.C. 14; *Responsa Tuv Ta'am Veda'as* by HaGaon S. Kluger, I, 245) and *Mishna Berurah* (*Hilchos Tefillin*, 27, S.K. 14) rules that lechatchilah one shouldn't wind the strap under the *tefillin*.

Winding tefillin straps on a leather watch strap: Apparently, there is no need to remove a watch with a leather strap from one's arm when winding the *tefillin* strap as both straps are leather and "a kind does not interfere with its own kind", though one should take care that the *tefillin* strap should not pass over the watchcase. However, as we have learnt that the *tefillin* must be "on his flesh", the watch strap interferes as the *tefillin* is not on one's skin (*Responsa Dovev Meisharim*, II, 37, and see *Peri Megadim* in *Mishbetzos Zahav*, 27, S.K. 4). The Gaon of Tchebin zt"l (ibid) adds that as the *tefillin* strap is holy and the watch strap mundane, they are not considered the same kind according to any opinion (and see what he remarks about the main statement of *Birkei Yosef*).