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Shechitah by a Bird

[Rabbi Yitzchak bar Pinchas had said that the Torah does not mandate slaughtering of birds, as the verse describes one who “spills” its blood, indicating that the only requirement is that its blood be spilt.]

The *Gemora* challenges this from a *Mishna*: If one did *melikah* (on a consecrated bird) with a knife (i.e., slaughtering from the back), the bird contaminates the one who eats it and his clothes with *tumah* through the throat (in the same manner that a *neveilah* of a kosher bird does; we say that the *melikah* did not accomplish to remove its “*neveilah*” status). Now, if you say that birds, by Biblical law, are not required to be ritually slaughtered, then, granted that as soon as its spinal cord and neck bone have been broken, the bird is a *tereifah*, the subsequent cutting of the organs with the knife (which should be Biblically valid, according to R’ Yitzchak) should at least have the effect of rendering the carcass free from the *tumah* of *neveilah*?

The *Gemora* answers: He accepts the view of the *Tanna* in the following *braisa*: Rabbi Elozar HaKappar the Great said: It is written (regarding consecrated animals that developed a blemish and have been redeemed): Even as the deer and the hart are eaten (so shall you eat it). The mentioning of deer and hart comes to teach us something (regarding blemished consecrated animals), but turns out to be a subject of a teaching instead: we compare the deer and the hart to consecrated animals which have been rendered unfit for sacrifice. Just as consecrated animals that have been disqualified must be ritually slaughtered (in order to be eaten), so too the deer and the hart must also be ritually slaughtered. Birds, however, need not be ritually slaughtered by Biblical law, but only by Rabbinic enactment.

The *Gemora* asks: Who is the *Tanna* who disagrees with the opinion of Rabbi Elozar HaKappar?

The *Gemora* answers: It is Rebbe, for it has been taught in a *braisa*: Rebbe says: *You may slaughter . . . as I have commanded you*. This teaches us that Moshe was commanded regarding the esophagus and the trachea, and regarding the (cutting of the) greater part of one of these pipes in the case of a bird, and the greater part of both pipes in the case of animals. (28a)

Which Pipe?

The *Mishna* had stated: One of the pipes of a bird.

It was stated: Rav Nachman said: Either the esophagus or the trachea; whereas Rav Adda bar Ahavah said: Only the esophagus, and not the trachea.

The *Gemora* explains: Rav Nachman said: Either the esophagus or the trachea, for the *Mishna* says ‘one pipe,’ that is - any one. Rav Adda bar Ahavah said: Only the esophagus, and not the trachea, for ‘one pipe’ means the special one (for it is more vital).

[Mnemonic: *He cut; Half of each; The trachea; Blemished; The chatas offering of a bird.*] The *Gemora* asks on Rav Nachman from the following *braisa*: If one (when slaughtering a bird – where it is only necessary to cut the majority of one of the pipes) cut through the *veshet* (esophagus), and then the *gargeres* (*kanah* – trachea) was torn away from the jaw, the slaughtering is valid. If, however, the *gargeres* was first detached and then one cut through the *veshet*, the slaughtering is invalid (for the bird became a *tereifah* first). If one cut through the *veshet* and then the *gargeres* was found detached, and it is not known whether it became detached before or after the slaughtering — this was an actual case, and the Rabbis decided: Any doubt regarding the validity of the slaughtering is ruled to be invalid. Now, there is no mention here at all of the cutting of the trachea!?

The *Gemora* answers: It is because the trachea is more liable to become detached.

The *Gemora* asks on Rav Nachman from the following *braisa*: If one slaughtered half of each pipe in the case of a bird, the slaughtering is invalid; and needless to say, this is so in the case of an animal. Rabbi Yehudah says: Concerning a bird, he must cut through the esophagus and the *veridin* (the jugular veins).

The *Gemora* answers: The esophagus is mentioned because it lies close to the jugular veins.

The *Gemora* asks on Rav Adda bar Ahavah from the following *braisa*: If a man cut half of the trachea and paused for the length of time required for another slaughtering, and then finished it, the slaughtering is valid. Presumably, the *braisa* is referring to a bird, and 'finished it' means, finished cutting the trachea!?

The *Gemora* answers: No, it is dealing with an animal, and 'finished it' means that he finished the entire slaughtering.

The *Gemora* asks on Rav Adda bar Ahavah from the following *braisa*: If half of the trachea was blemished and a man cut a little more and finished it, the slaughtering is valid. Presumably, the *braisa* is referring to a bird, and 'finished it' means, finished cutting the trachea!?

The *Gemora* answers: No, it is dealing with an animal, and 'finished it' means that he finished the entire slaughtering, by cutting the esophagus.

The *Gemora* asks on Rav Adda bar Ahavah from the following *braisa*: The act of *melikah* on a bird *chatas* is to first sever the spinal cord and the neck bone, but not most of the flesh around it, then severing the esophagus or the trachea, and then severing most of the flesh around the neck bone. But regarding an *olah*, he severs two pipes or most of them. This is a refutation of Rav Adda bar Ahavah! Indeed, it is a refutation.

The *Gemora* asks: What has been decided about the matter?

The *Gemora* retorts: "What has been decided," you ask! Surely it is like you have stated (that Rav Adda's opinion has been refuted)!

The *Gemora* explains that it might be said that in that case (by *melikah*) the law is different, since there is the severing of the spinal cord and the neck bone first (and that is why it is sufficient to cut just the trachea). What then is the law (regarding the slaughtering of a bird)?

The *Gemora* answers: Come and hear: A duck belonging to Rava's house came with its neck smeared with blood. Rava said: How shall we examine it (to determine if the esophagus was punctured, or if the greater part of the trachea was severed; either of those occurrences would render the duck a *tereifah*)? If we first slaughter it and then examine the pipes, it will not accomplish anything, for perhaps it would be slaughtered in the very place of the puncture. We cannot first examine it and then slaughter it, for Rabbah has taught us that the esophagus (whose outer layer is red) cannot be examined from the outside, but only from the inside!

Rav Yosef, his son, said to him: We can first examine the trachea and then cut it, and declare the duck kosher (for a bird requires the slaughtering of merely one pipe), and then the esophagus can be turned inside out and examined. Rava exclaimed: My son Yosef is as versed in the laws regarding *tereifos* as was Rabbi Yochanan!

This proves that when the *Mishna* stated 'one pipe,' it meant either the esophagus or the trachea. (28a – 28b)

Veridin

The *Mishna* had stated: Rabbi Yehudah requires one to also sever the blood vessels.

Rav Chisda said that Rabbi Yehudah is referring only to a bird, and his reason is because it is often roasted whole (and in order to drain all of the blood, the jugular veins must be severed first; merely salting it will not be sufficient), but regarding an animal, since the animal is usually cut up into pieces, it is not necessary to cut the jugular veins.

The *Gemora* asks: If the reason for Rabbi Yehudah's ruling is on account of the (prohibition against eating) blood, why did he say that the veins must be 'slaughtered'?

The *Gemora* answers: He meant that the animal is not permitted for consumption until the jugular veins are severed, and the reason

he said 'slaughtered,' is because it must be cut during the time of the slaughtering.

The *Gemora* challenges Rav Chisda from a *braisa* which states that Rabbi Yehudah says that the jugular veins are severed by slaughtering!?

The *Gemora* answers that the *braisa* means that the jugular veins must be punctured at the time of the slaughtering.

The *Gemora* challenges Rav Chisda from the following *braisa*: They said to Rabbi Yehudah: Since the jugular veins were mentioned only for the purpose of removing the blood, what does it matter whether they are ritually slaughtered or not? We may infer from here that Rabbi Yehudah is of the opinion that they must be slaughtered!?

The *Gemora* answers: This is what they said to him: What does it matter whether one punctures them at the time of the slaughtering or not? He, however, is of the opinion that if they are punctured at the time of the slaughtering, the blood, still being warm, will flow freely, but after the slaughtering, the blood will not flow so freely, for it is already cold.

Rabbi Yirmiyah inquired: According to Rabbi Yehudah, what would be the law if one paused or pressed downwards while cutting the jugular veins?

A certain old man answered him: This is what Rabbi Elozar has said, and others had the following version: A certain old man said to Rabbi Elozar: This is what Rabbi Yochanan has said: They may be punctured with a thorn and are thus rendered valid.

A *braisa* was taught in accordance with Rav Chisda's opinion: If one slaughtered two halves of each pipe in a bird, the slaughtering is invalid; it is needless to say so in the case of an animal. Rabbi Yehudah says: In a bird he must slaughter the esophagus and the jugular veins. (28b)

Precisely Half

It was stated: Rav said: An exact half is equivalent to the greater portion (*and if half of one pipe was slaughtered and the half was*

not slaughtered, the shechitah is valid). Rav Kahana said: An exact half is not equivalent to the greater portion.

The *Gemora* explains: Rav said: An exact half is equivalent to the greater portion, because Hashem instructed Moshe: You shall not leave the greater portion uncut. Rav Kahana said: An exact half is not equivalent to the greater portion, because Hashem instructed Moshe: You shall cut the greater portion.

[*Mnemonic: A half; Katina; The trachea; Blemished.*] The *Gemora* asks on Rav from our *Mishna*: If one slaughters half a pipe of a bird or half of two of an animal, it is invalid. Now, if you say that an exact half is equivalent to the greater portion, why is the slaughtering invalid? Has he not cut here the greater portion?

The *Gemora* answers: It is invalid only by a Rabbinic edict as a precaution lest he might cut less than an exact half.

Rav Katina said: The following *braisa* refutes Rav: If one split it (*an earthenware oven that has become tamei; it can only become tahor through being broken; it must be broken in a manner that one piece is not the majority of the oven*) into two equal parts, both parts are *tamei*, because it is impossible to be precise (*to make an exactly equal division; we assume, therefore, that one piece is larger than the other, and the oven remains tamei*). It follows, however, that if it were possible to be precise (*and make an exactly equal division*), both parts would be *tahor*. Now, if you say that an exact half is equivalent to the greater portion, why would both parts be *tahor*? When you go to one part, you must regard it as the greater portion (*of the oven*), and when you go to the other part, you must regard it as the greater portion (*and therefore they both will remain tamei*)?

Rav Pappa answered: There cannot be two greater portions in one vessel!

The *Gemora* challenges Rav from the following *braisa*: If a man cut half of the trachea and paused for the length of time required for another slaughtering, and then finished it, the slaughtering is valid. Now, if you say that an exact half is equivalent to the greater portion, he has rendered the animal a *tereifah*! [*How can the shechitah be valid?*] (28b – 29a)