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## **Mishna**

And these (*defects*) render birds *tereifah*: If the esophagus was punctured, or the trachea severed; if a weasel struck it (*bit it*) on its head - in such a place as would render it *tereifah* (*by the membrane of the brain*); if the gizzard was punctured; if the intestines were punctured. If it fell into the fire and its internal organs (*such as the heart or the gizzard*) were scorched: if they turned green, it is invalid, but if they are red (*its natural color*), it is valid. If one trod upon it or knocked it against a wall, or if an animal crushed it, and it flutters, and it remained alive after this for twenty-four hours, and it was then slaughtered, it is valid. (56a)

## **Bitten by a Weasel**

[*The Mishna mentioned a case where a weasel bit a bird on its head.*] Rav, Shmuel and Levi say: One should insert the hand into its mouth (*and press upon the upper palate*) and check for the following: if the brain substance spurts out (*of the hole in the skull*), it is *tereifah*, but if not, it is permitted.

The *Gemora* asks: This is well only according to the one who says that it is not a *tereifah* unless the lower membrane was punctured as well (*for this test proves that the lower membrane is intact*); but according to the one who says that it is still a *tereifah* if only the upper membrane was punctured, even though the lower was not (*for the lower one, being weak, cannot protect the brain by itself*), we ought to be concerned that it might well be that the upper membrane has been punctured and the lower one has not (*and that is why no brain substance spurts out*)!?

The *Gemora* answers: If it were so - that the upper membrane had been punctured, then the lower one, on account of its weakness would most certainly have ruptured (*by the pressure of his hand*).

Zeiri said: No test will be effective against a weasel bite, for its teeth are fine (*and the brain substance will not be able to spurt out*).

The *Gemora* asks: But what does it matter if its teeth are fine (*for some brain substance should be able to spurt out*)?

Rabbi Oshaya explained: It is because its teeth are fine and curved (*and the hole in the skull would not coincide with the hole in the membrane, so that even if the membrane of the brain were punctured, the intact portion of the skull that is immediately above it would prevent any of the brain substance from spurting out*).

When Zeiri went up to Nehardea he sent back word (*to the people in Bavel*) saying: That which I said before you (*that a bird bitten by a weasel cannot be examined*) was wrong. Rather, it has been reported in the name of Rabbi Shimon ben Lakish that one may examine the weasel with his hand (*the examination mentioned above*), but not with a nail. [*After peeling away some of the skull by the puncture, the nail must be passed gently over the surface of the membrane of the brain. If anything snags the nail in its course, it indicates a puncture and it is tereifah. The danger in this operation is that while he is making this test, he might inadvertently puncture the membrane with the nail, and he would then be required to declare the bird tereifah, though it was not really tereifah. This would result in an unnecessary loss to the owner of the bird.*] But, Rabbi Yochanan had said: It may be examined even with a nail.

The *Gemora* notes that they differ upon the same principles as in the dispute between Rabbi Yehudah and Rabbi Nechemiah, for one used to make the test with the hand and the other used to make the test with a needle. The one who made the test with the hand said to the one who made the test with a needle: How long will you continue wasting Jewish money (*for you will cause it to be tereifah through that test*)? And the one who made the test with a nail said

to the one who made the test with the hand: And how long will you continue feeding the Jewish people *tereifah*, for the membrane of the brain might have been punctured (*and nevertheless, it wouldn't spurt out, based upon the shape of the weasel's teeth*)?

It can be proven that it was Rabbi Yehudah who was the one who used to make the test with the hand, for it has been taught in a *braisa*: Rabbi Shimon ben Elozar said in the name of Rabbi Yehudah: One may examine a bird bitten by a weasel with the hand, but not with a nail. If the skull was broken, even though the membrane of the brain had not been punctured, it is *tereifah*. It is indeed a proof.

The *Gemora* asks: But is there not a contradiction in this very *braisa*? First it says that one may examine a bird bitten by a weasel with the hand but not with a nail, which indicates that the examination is adequate, and then it says that if the skull was broken, even though the membrane of the brain had not been punctured, it is *tereifah*, which indicates that an examination will not be effective!?

The *Gemora* answers: The latter part of the *braisa* refers to a water bird, for it has no membrane.

The *Gemora* asks: Is it possible that it has no membrane at all?

Rather, the *Gemora* explains: It means that its brain membrane is so delicate (*that it will not remain intact once the skull has been punctured*).

Rav Nachman said to Rav Anan: Did you, master, not tell us that Shmuel used to make the test with the hand and would declare the bird permitted? And our colleague Huna also reported that Rav used to make the test with the hand and declare it permitted. But surely Levi has taught a *braisa* which stated that the *tereifos* enumerated by the Sages in the case of animals equally apply to birds; and there is, however, one addition in the case of birds, namely: If the skull was broken even though the membrane of the brain has not been punctured (*it is tereifah*)!? [*Evidently, an examination will not be effective!*]

He replied: The *braisa* refers only to a water bird, for it has no membrane.

The *Gemora* asks: Is it possible that it has no membrane at all?

Rather, the *Gemora* explains: It means that its brain membrane is delicate.

A chicken belonging to Rav Chana was sent to Rav Masna, for the skull had been broken but the membrane of the brain had not been punctured. He declared it to be permitted. Rav Chana n asked him: But Levi has taught a *braisa* which stated that the *tereifos* enumerated by the Sages in the case of animals equally apply to birds; and there is, however, one addition in the case of birds, namely: If the skull was broken even though the membrane of the brain has not been punctured (*it is tereifah*)!?

He replied: That refers only to a water bird, for it has no membrane.

The *Gemora* asks: Is it possible that it has no membrane at all?

Rather, the *Gemora* explains: It means that its brain membrane is delicate.

Rav Shizbi used to examine it by the light of the sun (*after peeling the membrane, he would look for a puncture in it*). Rav Yeimar used to examine it with water. [*He would first empty the brain substance out of the membrane through its mouth and then would fill the skull with water; if the water leaked out, it is evident that the membrane had been punctured and it would be tereifah. Another method of testing by water is to pour water into the hole of the skull and after a few moments to pour it out; if the water now appears milky-white, it is a clear indication that some brain substance has escaped and mixed with this water, and it would be tereifah on account of the puncture of the membrane.*] Rav Acha bar Yaakov used to examine it with a straw of wheat (*in the same manner mentioned above with the nail*).

Rav Shizbi said: Our geese are regarded as water birds (*and cannot be examined*). (56a – 56b)

## Fell into a Fire

The *Mishna* had stated: If it fell into the fire [*and its internal organs (such as the heart or the gizzard) were scorched: if they turned green, it is invalid, but if they are red (its natural color), it is valid*].

Rabbi Yochanan said in the name of Rabbi Yosi ben Yehoshua: The size of the green patch (on the internal organs required to render a bird *tereifah*) is the same as the size of a puncture. Just as a puncture, however small, renders the animal *tereifah*, so does a green patch, however small, render it *tereifah*.

Rav Yosef, son of Rabbi Yehoshua ben Levi, inquired of Rabbi Yehoshua ben Levi: What is the law if that part of the liver which lies in front of the intestines has turned green (*for at that point, a puncture would not render it tereifah*)?

He replied: It is *tereifah*.

The *Gemora* asks: But that part should not be worse than if it were removed (*and then, it would be kosher*)?

Rava answers: Since the liver turned green in a place next to the intestines, it is known that it fell into the fire and burned the intestines; it is therefore *tereifah*.

Rabbi Yehoshua ben Levi had a hen which he sent to Rabbi Elozar haKappar Beribi (*for it had fallen into a fire*). He replied: The intestines are green, and he, nevertheless, declared it permitted.

Rabbi Yehoshua ben Levi asked him: But we have learned in our *Mishna* that if they turned green, it is invalid?

He replied: They said that if it turns green it is invalid only with regard to the gizzard, the heart, or the liver (*but not the intestines, which are naturally green*).

The *Gemora* notes that the following *braisa* supports this: With regard to which internal organs did they state this rule (*that if they turned green it is invalid*)? Only with regard to the gizzard, the heart, or the liver.

Rabbi Yitzchak bar Yosef had a hen which he sent to Rabbi Avahu. Rabbi Avahu said: The intestines are red, and he declared *tereifah*.

Rabbi Yitzchak asked: But we have learned in our *Mishna*: If they remained red, it is valid!?

He replied: If the organs which are normally red turned green, or organs which are normally green turned red, it is *tereifah*. When the *Mishna* said that if they remained red it is valid, it was only with regard to the heart, the gizzard, or the liver (*which are naturally red*).

Rav Shmuel bar Chiya said in the name of Rabbi Mani: If organs which are normally red turned green, but after being boiled turned again to red, it is valid. Why? For it was merely the smoke that had entered into them (*and had discolored them temporarily, but they weren't actually scorched*).

Rav Nachman bar Yitzchak said: Then we too can say similarly: If organs which are normally red did not turn green (*when the bird fell into the fire*), but after being boiled turned to green, it is *tereifah*. Why? Their shame has only now been revealed (*for the scorching actually turned them green, but the absorption of smoke hid the discoloration; the boiling then removed the smoke and showed its true discoloration*).

Rav Ashi said: One should therefore not eat a bird that had fallen into the fire without first boiling the internal organs.

The *Gemora* rules: But this is not right, for we do not assume any disqualifying situation (*without a legitimate cause*).

The *Mishna* had stated: If one trod upon it or knocked it against a wall [*or if an animal crushed it, and it flutters, and it remained alive after this for twenty-four hours, and it was then slaughtered, it is valid*].

Rabbi Elozar ben Antignos said in the name of Rabbi Elozar the son of Rabbi Yannai: In each case, the bird must be examined (*anyway, although it did not suffer a concussion of the limbs, perhaps its spinal column has been severed*). (56b)