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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

Inclusive or exclusive ranges?

Rav Nachman said: An exact *sela* is regarded as more than a *sela* (and, for example, when Beis Hillel says that an animal’s skull, which is missing the size of a *sela*, is a *tereifah* – if it is missing exactly a *sela* is like more than a *sela*, and is deemed a *tereifah*); likewise, an exact *issar* is regarded as more than an *issar*.

The *Gemora* notes that this indicates that Rav Nachman is of the opinion that ‘up to’ is not inclusive (it means ‘up to, but not including’).

Rava challenges Rav Nachman from two *Mishnayos*, but the challenges are answered.

The *Gemora* continues trying to resolve whether a range is assumed to be inclusive or exclusive. The *Gemora* cites a *braisa*, which states that a small earthenware vessel, or its wall or base, can become impure if they are at least big enough to hold oil to anoint a child, as long as their original size was up to a *log*.

The *Gemora* assumes that this includes a vessel the size of a *log*, but the *Gemora* deflects this proof, saying that this category is exclusive of a *log*.

The *Gemora* cites the continuation of the *braisa*, which says that a vessel that was originally between the size of a *log* and a *se’ah* can become impure as long as it now holds a *revi’is* – quarter of a *log*.

The *Gemora* assumes that the *se’ah* limit is inclusive, but the *Gemora* deflects this, saying that it is exclusive.

The *Gemora* cites the continuation of the *braisa*, which says that if the vessel was originally between one and two *se’ahs*, it must hold at least half a *log* to become impure.

The *Gemora* assumes that the two *se’ah* limit is inclusive, but the *Gemora* deflects this, saying that it is exclusive.

The *Gemora* finally cites a *braisa*, which says that the *log*, *se’ah* and two *se’ah* upper limits are all inclusive.

The *Gemora* deflects this proof, saying that we always follow the more stringent understanding of the limit. In the cases of vessels becoming impure, the upper limits are inclusive, as that is more stringent, while in Rav Nachman’s statement, an exclusive limit is more stringent.

The *Gemora* supports this with a statement of Rabbi Avahu, who says that we must always follow the stricter mode of measurement, except for the measure of a *gris* – bean for considering a bloodstain impure, where we consider a stain exactly the size of a *gris* to still be pure.

The *Gemora* notes that this can also be supported from a *braisa* about a rope, which the Mishna said is impure when it’s between 5-10 *tefachim* – hand breadths. The *braisa* says that the upper limit of 5 for not becoming impure is

exclusive, while the upper limit of 10 for becoming impure is inclusive, indicating that limits are always understood stringently, whether that is inclusive or exclusive. (54b – 55a)

Spleen

The *Mishna* stated that an animal with its spleen removed is permitted.

Rav Avira quotes Rava saying that although an animal is permitted even without a spleen, if the spleen was pierced, it is a *tereifah*.

Rabbi Yossi bar Avin (or Rabbi Yossi bar Zevida) challenges this from the *Mishna*, which states that if someone cut up a fetus within a live animal, one may eat the pieces after slaughtering the animal. However, if one cut up the spleen or kidneys of the live animal, and then slaughtered it, they may not be eaten. The *Mishna* implies that only the pieces of the organs themselves are prohibited, but the animal is permitted.

The *Gemora* deflects this, saying that the animal is also a *tereifah*, but since in the first case, the fetus itself is permitted, the *Mishna* continued by discussing only the organs themselves, not discussing the animal itself. (55a)

Kidneys

Rachish bar Pappa quotes Rav saying that if an animal's kidney is diseased, it is *tereifah*. In *Eretz Yisrael* they said that this is only if the infection has reached the kidney's indentation, i.e., the white part, which is under the waist. Rabbi Nechunia says that he asked all those who ruled about *tereifos* in *Eretz Yisrael*, and they told him that we follow Rachish bar Pappa's ruling about an infected kidney, but not Rav Avira's ruling about a pierced spleen.

The *Gemora* explains that we only reject Rav Avira's statement if the spleen is pierced in the thin section, but if it is pierced in the thick section, the animal is a *tereifah*. Furthermore, even if it was pierced, if it was pierced inside, and there is an intact outer layer the thickness of a gold dinar coin, it is permitted.

In *Eretz Yisrael* they said that any anatomical issue in a lung which makes an animal *tereifah* does not make an animal *tereifah* if it occurs in the kidney, as a hole in the lung is a *tereifah*, but a hole in the kidney is not. By the same token, any issue in a lung which is permitted is certainly permitted if present in the kidney.

Rabbi Tanchuma challenged this reasoning, as an infection is an issue which makes an animal *tereifah* when it occurs in the kidney, but not when it occurs in the lung, and pure liquid is an issue that doesn't make the animal *tereifah*, whether present in the kidney or the lung.

Rather, Rav Ashi says that we cannot make logical arguments to rule on *tereifah*, as we see that cutting an animal in one place (e.g., *the neck*) leads to its death, while cutting it in another place (e.g., *the shoulder*) does not.

The *Gemora* clarifies that pure liquid does not make an animal *tereifah* only if it is clear and has no bad odor, but not if it's cloudy or has a foul odor.

If a kidney shrunk to the size of a bean (*in a thick skinned animal*) or grape (*in a thin skinned animal*), the animal is *tereifah*. (55a – 55b)

Uterus

The *Mishna* said that if an animal's uterus was removed, it is permitted. The *Gemora* states that the uterus is referred to three ways:

Aim –mother, tarpachas, and shalpuichis. (55b)

Shriveled lungs and their Causes

The *Mishna* said that an animal that was naturally shriveled is permitted, but one shriveled by human action is a *tereifah*.

The *Gemora* cites a *braisa* which says that if an animal's lungs shriveled up due to a natural event (e.g., *thunder or hail*), it is permitted, but if it happened due to someone scaring it, it is *tereifah*. Rabbi Shimon ben Elozar adds the case of it being scared by an animal.

The *Gemora* asks whether Rabbi Shimon ben Elozar is adding this to the first case, ruling it as permitted, or to the second case, ruling it as a *tereifah*.

The *Gemora* cites another *braisa* to prove that he is adding it to the second case. The *braisa* only states that an animal shriveled up by human causes is *tereifah*, and then cites Rabbi Shimon ben Elozar adding the case of it drying up due to an another animal scaring it.

Rabbah bar bar Chanah found rams whose lungs shriveled up, but he didn't know how. He asked the scholars in the Bais Medrash what to do, and they told him that he can test them to see how they shriveled up. If they become healthy after being soaked for twenty-four hours, it was due to natural causes, and they are permitted, but otherwise they are *tereifah*. In the summer, he must use cold water in a white earthenware container, while in the fall, he must use warm water in a black earthenware container. (55b)

Skinned Animal

The *Mishna* said that an animal whose skin was peeled is permitted by Rabbi Meir, but considered a *tereifah* by the Sages.

The *Gemora* cites a *braisa* in which Rabbi Meir says it is permitted, while the Sages say it is a *tereifah*. The *braisa* says that Elozar Safra and Yochanan ben Gudgeda testified that it is a *tereifah*. Rabbi Shimon ben Elozar says that Rabbi Meir reversed his position and agreed to the Sages.

The *Gemora* infers that Rabbi Shimon ben Elozar agrees that the Rabbi Meir did originally dispute the Sages about this case.

The *Gemora* challenges this from another *braisa*, in which Rabbi Shimon ben Elozar says that Rabbi Meir did not dispute the Sages' position that such an animal is *tereifah*.

The *Gemora* resolves this by saying that in this *braisa*, Rabbi Shimon ben Elozar meant that Rabbi Meir did not *maintain* his dispute, since he reversed his position.

The *Gemora* returns to the second *braisa*, in which Rabbi Oshaya, the son of Rabbi Yehudah the spice merchant, testified in the name of Rabbi Tarfon, in front of Rabbi Akiva, that a skinned animal is a *tereifah*, unless a *sela's* size of skin remains. The *Gemora* asks where this *sela* size of skin must remain, to make the animal permitted, and cites the following opinions:

1. Along the whole spine (*Rav Yehudah in the name of Shmuel*). Rabbi Nehorai explains that there must be a width of a *sela* of skin remaining along the whole length of the spine.
2. The bone connections must be covered (Rabbah bar bar Chanah).
3. On the stomach area (*Rabbi Elozar ben Antigonus, quoting Rabbi Elozar the son of Rabbi Yanai*).

The *Gemora* asks whether the animal is a *tereifah* if all the skin is intact *except* for the regions listed above, and leaves this unresolved.

4. Anywhere, except for the skin on the bottom section of the legs, since this is so soft it is considered flesh (*Rav*).
5. Anywhere, including the skin on the bottom section of the legs (*Rabbi Yochanan*).

When Rabbi Assi asked Rabbi Yochanan if skin on the bottom section of an animal's legs is counted to prevent it from being a *tereifah*, he said it is.

Rabbi Assi challenged him from the *Mishna* that states that this skin is considered like the flesh of the animal.

Rabbi Yochanan answered that that *Mishna* is stated as an individual minority opinion, and we do not rule like it.

To support this, he cited a *braisa*, which discusses what part of the sacrifice that one plans to offer incorrectly count towards the *k'zayis* – olive size, which makes the animal invalid or *piggul*. A sacrifice from which one planned to offer a *k'zayis* of meat at the wrong place (or wrong time) is *piggul* (or invalid). The *braisa* says that if one planned to offer a *k'zayis* of the skin below the tail at the wrong time (or place), the sacrifice is *piggul* (or invalid), as this skin is so soft, it is tantamount to meat. The *braisa* then cites Rabbi Yehudah and Rabbi Shimon saying that even if one planned to offer the skin from the bottom section of the legs, from the head of a soft calf, from the skin under the tail, or any other skin which is like the meat (including the skin of the female genitalia), these are all tantamount to the meat of the animal. Since only these individual minority opinions cite the skin at the bottom of the legs as tantamount to meat, we do not rule like them. (55b – 56a)

INSIGHTS TO THE DAF

Kidneys

The *Gemora* discusses the rules for kidneys in an animal. The *Gemora* states that if a kidney is missing, the animal is permitted, but if it is unhealthy, it is a *tereifah*.

The Rosh and Rashba define “unhealthy” as being diseased and disintegrating, as the flesh of that a doctor removes when treating a wound.

The *Gemora* defines how small a kidney can shrink before the animal is a *tereifah*. The Rashba and Ran say that this is only if the kidney started larger and then shrunk, but if the animal's kidney was naturally small, it is not a *tereifah*.

The Kol Bo states that only if the animal was born missing a kidney is it permitted, but if it lost a kidney, it is a *tereifah*, as this is an extreme case of shrinking.

Shriveled lungs

The *Gemora* discusses the parameters of an animal whose lungs were shriveled. If they were shriveled due to a natural cause, the animal is permitted, but if it happened due to human action, it is a *tereifah*. The Sages include fear from an animal in natural causes, while Rabbi Shimon ben Elozar includes it as a human cause.

The Rif, Rosh, and Rambam all rule like the Sages.

The *Gemora* details how one may check what caused the shriveling. The Rashba says that if as long as we are not sure what caused it, we must check, and he is inclined to say that one must check even if we observed it being scared by natural causes.

The Ran says that if we observed the animal being scared by a human act, checking will not help, while if we observe it being scared by natural causes, there is no need to check. The only case when we must check is if we don't know at all what scared the animal.

The Rama (Y"D 36:15) says that nowadays we do not really know how to check, so we only check if we observed the animal being scared by natural causes.

The Shach (31) cites the Maharshah, who says that if we observed it being scared by natural causes, there is no need to check. However, if one did check, and the test indicated that it is a *tereifah*, we prohibit it, even though we observed it being scared by a natural event.

The Bais Efraim (YD 26) cautions against slaughtering one animal in front of another, as that may scare the second animal, as the result of a human act, possibly shriveling its lungs.

DAILY MASHAL

A Segulah for a Complete Cure

Rabbi Eliyahu Yosef of Dribin was a *chasid* of the Tzemach Tzedek zt"l and served as Rabbi of that town. Later he served as Rabbi of Plotzk, where he became dangerously ill with a disease disputed by the *Beis Yosef* and the Remo regarding *treifos*. *Beis Yosef* permits an animal stricken with such a disease while the Remo declares it *treifah*. Rabbi Eliyahu decided to come to Eretz Israel and said, "In Eretz Israel the *Mara DeAsra* (governing Rabbi) is the *Beis Yosef* and he permits it!" Indeed, he came to Yerushalayim, where he lived for 20 more years till 12 Tamuz 5625 (*Sipurei Chasidim*, 470).

Rabbi Menachem M. Yashar zt"l's essay in the *She'eilos U'Teshuvos Sha'agas Aryeh Mahaduras Machon Chasam Sofer* note 2 related the following story" An individual in Volozhin suffered from a certain form of lung disease. The person intended to leave the city and move to a place with better air. The individual's father appeared to him in a dream and told him that his specific form of lung disease was the subject of a dispute between the Rem"a and the Sha'agas Aryeh. The Rem"a held that if this particular form of lung disease occurs in a cow, then the animal is *tereifah*, as it is incapable of living for another year. The Sha'agas Aryeh, however, had ruled that an animal with this disease was nonetheless kosher. The father therefore warned his son to remain in Volozhin. His rationale was that, in Volozhin, the Sha'agas Aryeh's town, the ruling, and therefore the Will of Hashem followed the ruling of the Sha'agas Aryeh. The disease would not threaten this person's life as long as he remained there. Were he, however, to leave Volozhin, he would fall under the ruling of the Rem"a, and would be at mortal risk.

This story has been repeated with a slightly different version: It was not the father of individual with the diseased lung, but Reb Chaim of Volozhin, who told him not to leave Volozhin. Nor were the instructions not to leave Volozhin communicated in a dream, but in person.