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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**

*[If one slaughters an animal and finds inside of it a fetus, it is permitted to be eaten, for the shechitah on the mother permits that which is inside of it. This is called a ‘ben peku’ah.’ This chapter deals with cases where the calf is permitted Biblically but Rabbinically forbidden, and cases where it is permitted even on a Rabbinical level. It also deals with cases where the baby extended its foreleg out of its mother before the shechitah; what is the halachah with the fetus, and what is with the foreleg? It also deals with the law regarding the placenta.]*

If an animal was in difficult labor (*and then it is normal for the fetus to extend its legs out of the womb*) and the fetus extended its foreleg out (*from its mother’s womb*), and then withdrew it (*and it remained there until the shechitah*), it is permitted to be eaten. If it extended its head out (*from its mother’s womb*), even though it withdrew it within, it is regarded as born (*and it is not rendered permitted with the shechitah of its mother*).

If one cut off a limb from the fetus within the womb (*and left it inside*) it may be eaten, but whatever is cut off from the spleen or kidneys (*of the animal and left inside*) may not be eaten (*for the shechitah does not render them permitted*). This is the rule: That which is (*cut off*) from the body of the animal is forbidden, but that which is not from the body of the animal (*but rather from the fetus*) is permitted. (68a)

### **Drawn Back Limb**

Rav Yehudah said in the name of Rav: The actual limb (*that was extended out and then brought back in*) is forbidden. Why?

Because it is written: *And meat in the fields that is tereifah shall not be eaten*. This implies that any meat that had gone beyond its boundaries is forbidden. [*Just as consecrated meat of an offering which went outside its boundaries is forbidden, so too regarding a fetus, or limb, which is outside the womb, is forbidden like a tereifah.*]

The *Gemora* asks from our *Mishna*: If an animal was in difficult labor and the fetus extended its foreleg out (*from its mother’s womb*), and then withdrew it (*and it remained there until the shechitah*), it is permitted to be eaten. Presumably, the permission to be eaten refers to the actual limb!

The *Gemora* answers that the *Mishna* is referring to the fetus (*that is inside the womb; not the limb*).

The *Gemora* asks: If it refers to the fetus, why does the *Mishna* say that it withdrew it (*what difference does that make*); even if it did not withdraw it, the fetus would be permitted!

The *Gemora* answers: Indeed, the law is the same even though it did not withdraw it within, but since it was stated in the second clause that it extended its head out (*from its mother’s womb*), even though it withdrew it within, it is regarded as born, he therefore says also in the first case that it withdrew it.

The *Gemora* asks: But what does the second case teach us? It cannot be teaching us that as soon as the head emerged, it is considered as if it was born, for we have learned it elsewhere in a *Mishna*: Who is considered a firstborn regarding the right of inheritance (*for a double portion*), but not for the *Kohanim* (*for the redemption obligation*)? He who was born after a stillborn – even if its head had emerged alive, or after a nine-months child

whose head had emerged dead. [The explanation for this distinction is as follows: with regard to the law of inheritance, the Torah requires a viable firstborn child - a child on whose death the parent would ache over; with regard to the law of the redemption of the firstborn, however, it applies to whatever opens the womb, whether the child born was living or not.] Now (the reason the first one is not considered born with regard to inheritance), this is so because the head (of the nine-months child) had emerged dead, but had it emerged alive (even if the rest of the body did not emerge), then the child that was born after this would not be considered a firstborn, even for the right of inheritance! [Evidently, the emergence of the head is regarded as being born!]

And should you, however, say that there it was taught with regard to man (that the emergence of the head is regarded as being born), and here it is taught with regard to animals, because we could not apply the principle as established in the case of animals to man, for there is no antechamber by animals (before the womb, and once the head has emerged, the fetus is in the open, and it is deemed as being born); and neither could we apply the principle as established in the case of man to animals, for the face of a human being is a principal feature (and that is why the emergence of the head is deemed as being born); surely we have learned it even with regard to animals in the following Mishna: If a partial placenta came out of an animal (before it was slaughtered), the entire placenta is unfit for consumption. This is because the placenta is a sign of a fetus in a woman and it is similarly a sign of a fetus in an animal (and we are concerned that the head of the fetus emerged from the animal; evidently, the emergence of the head is deemed as a birth – even by animals). Now, if you were to say (not like Rav Yehudah) that the withdrawal of the limb within, which is stated in the first part of our Mishna, is to be particularly stressed (and that is why the foreleg is permitted), it is well; for then we could say that the second case was stated on account of the first one. But if you say that the first (where it states that the limb was withdrawn) was not particularly stressed (for the fetus is permitted regardless), and the second was also not to be particularly stressed (for any special teaching, for it was taught elsewhere), then why are they stated at all?

The Gemora answers: It is not so, for the Mishna's permission refers to the actual fetus (and not to the limb), and it is (why the Mishna said that the limb was withdrawn) as Rav Nachman bar Yitzchak had said (regarding a braisa): It was necessary to mention (the withdrawal of the limb within) with respect to the place of the cutting (for if the limb that emerged from the animal was cut off, the place of the cutting will not be permitted if the limb was not withdrawn within, for it would not be regarded as being within the animal, and would therefore be forbidden), likewise we may say here that it was only stated in so far as it affects the place where it is cut off.

The Gemora challenges Rav Yehudah from the following braisa: If an animal was in difficult labor and the fetus extended its foreleg out (from its mother's womb), and then withdrew it (and it remained there), and then the mother was slaughtered, it is permitted to be eaten (for the limb was within at the time of the slaughtering). If the mother was slaughtered, and then it withdrew it within, it is forbidden to be eaten. If it extended its foreleg out and it was immediately cut off, and then the mother was slaughtered, that which is outside is tamei (as any limb from a live animal), and it is also forbidden for consumption, but that which is inside is tahor, and permitted (with the shechitah of the mother). If the mother was slaughtered and then the limb was cut off, the flesh (of the fetus is tamei) like that which had touched neveilah; these are the words of Rabbi Meir. But the Sages say: It is tamei like that which had touched a slaughtered tereifah animal. [They maintain that since the limb was attached to the fetus at the time that its mother was slaughtered, it is not a neveilah; it does not become permitted, however, and thus has the lesser degree of tumah – that of a tereifah.] Now, the first clause of the braisa stated: If the fetus extended its foreleg out (from its mother's womb), and then withdrew it (and it remained there), and then the mother was slaughtered, it is permitted to be eaten. Presumably, this permission refers to the actual limb!

The Gemora answers: No, it refers to the fetus.

The *Gemora* objects: But if it refers to the fetus, let us consider the latter clause which reads: If the mother was slaughtered, and then it withdrew it within, it is forbidden to be eaten. If it refers to the fetus, why is it forbidden?

The *Gemora* answers: It is as Rav Nachman bar Yitzchak had said (*regarding a braisa*): It was necessary to mention (*the withdrawal of the limb within*) with respect to the place of the cutting (*for if the limb that emerged from the animal was cut off, the place of the cutting will not be permitted if the limb was not withdrawn within, for it would not be regarded as being within the animal, and would therefore be forbidden*), likewise we may say here that it was only stated in so far as it affects the place where it is cut off.

The *Gemora* persists: But surely this (*that the limb is forbidden, even if it was drawn back*) is not so. For when Avimi came from Bei Choza'i, he brought with him the following *braisa*: A hoof that was drawn back, you may eat; hooves that were drawn back, you may eat. Presumably this means that if it (*extended both forelegs, and*) withdrew one, you may eat the hoof (*and if it withdrew both, you may eat both*)!

The *Gemora* answers: No, it means that if it withdrew the hoof within, you may eat the fetus.

The *Gemora* asks: But if it refers to the fetus, why does it state that it withdrew the hoof? Even if it did not withdraw it, the fetus would still be permitted!?

Rav Nachman bar Yitzchak said: It was necessary to mention the drawing back of the hoof in so far as it affects the part where it is cut off.

The *Gemora* asks: But since two verses are adduced here, presumably one teaches us that the actual limb is permitted, and the other teaches us the rule with respect to the place where the limb is cut off.

The *Gemora* answers: No. One teaches the rule with regard to the place where it is cut off and the other teaches that a

creature with joined hooves that is in the womb of the cow is permitted, and it is following the view of Rabbi Shimon, for Rabbi Shimon said that an animal with joined hooves that was brought forth by a cow is forbidden. This, however, applies only to the case where it came forth into the open air, but where it was still within the womb of the mother, it is permitted.

Ulla said in the name of Rabbi Yochanan: The actual limb (*that was drawn back*) is permitted.

Rav Yehudah said to Ulla: But both Rav and Samuel have said that the actual limb is forbidden!?

He replied: Were one to give us of the dust of Rav and Shmuel (*from their grave*), we would put it into our eyes (*for they are so dear to us*), but nevertheless, this is what Rabbi Yochanan said: Everything (*that has set boundaries*) was included in the general rule of the verse: meat in the field, *tereifah*, you shall not eat (*and therefore, once something left its boundary, it remains forbidden*); but since the Torah explicitly mentioned the case of the *chatas* that was taken out of its boundary and brought back in again that it is forbidden, it is clear that only in the case of a *chatas* is this so, but in all other cases, if they return to their boundaries, they would be permitted. [*This proves that the drawn back limb is permitted!*]

The *Gemora* cites a *braisa* refuting the viewpoint of Ulla. (68a – 68b)

## DAILY MASHAL

### ***Going on the belly***

By the verse “All that go on the belly” (Vayikra 11:42) there is an annotation in the Chumash that this verse marks half the Torah according to its letters. It is related in the name of the Gerer Rebbe, author of *Imrei Emes* zt”l, that there’s a hint here that though one has already learnt half the Torah, one shouldn’t give oneself credit but continue to “go on the belly”, humbly and simply (*Ma’yanah shel Torah, Shemini 11:42*).