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A Tereifah’s Offspring

The *Mishna* stated that the offspring of an animal which is invalid as a sacrifice is still valid, but Rabbi Eliezer said that the offspring of a *tereifah* may not be offered as a sacrifice.

The *Gemora* offers two explanations of the dispute, depending on whether we assume a *tereifah* can conceive and give birth:

1. If it can, the case is when the animal conceived after it was already a *tereifah*, making the offspring a result of the prohibited mother and the permitted father. Rabbi Eliezer says that something resulting from one prohibited and one permitted cause is prohibited, while the Sages says it is permitted.
2. If it cannot, the case is when the animal conceived before it became a *tereifah*. Rabbi Eliezer considers the offspring to be like the mother’s limb, making it prohibited when the mother became a *tereifah*, while the Sages don’t consider it like a limb.

Rav Huna says that the Sages agree with Rabbi Eliezer in the case of a chick hatched from the egg of a *tereifah*, which grows directly as an internal part of the mother, as opposed to an animal’s offspring, which only grows in the mother’s internal airspace.

Rava supported Rav Huna from a *braisa*, which cites a dispute of Rabbi Eliezer and the Sages about rotted flesh from a live person, who then died. Rabbi Eliezer says it is impure, while the Sages say it is not. Their dispute about the flesh, which it is detached from the person when he died, implies that the Sages agree when the item is attached, like an egg.

Abaye challenged this support, as perhaps Rabbi Eliezer only disagrees in the case of the rotted flesh, as the verse refers to a live person as “rotted flesh,” associating the resulting flesh with the original person. However, when a chick hatches, the egg has already lost its original status, dissociating it from the mother, even

according to Rabbi Eliezer. Abaye further proves this position with a *braisa* which explicitly states that Rabbi Eliezer agrees with the Sages in the case of a chick hatched from a *tereifah*’s egg, and Rava therefore agreed with Abaye. (31a)

Animal raised on tereifah milk

The *Mishna* cited Rabbi Chanina ben Antignos saying that a healthy animal which nursed from a *tereifah* is invalid as a sacrifice. The *Gemora* says the reason cannot be since it grew as a result of ingesting the prohibited milk, as that would similarly invalidate an animal fed food from idolatry, which is valid. Rather, Rabbi Chanina Terita’a taught in front of Rabbi Yochanan that the *Mishna* is a case where the animal nursed at least once a day from the *tereifah*. Since it could survive solely on this regimen, we consider its existence to be a result of the prohibited milk, making it invalid as a sacrifice. (31a)

Redeeming a tereifah

The *Mishna* said that one may not redeem a *tereifah* animal.

The *Gemora* cites a *braisa* with the source for this prohibition. The verse about a blemished sacrifice says that “you should slaughter it, and eat [the] meat.” The *braisa* explains what each part of the verse excludes by implication:

You should slaughter – but not shear
And [you should] eat – but your dog should not
Meat – but not milk

Since one cannot redeem a sacrifice for a dog to eat the meat, one may not redeem a *tereifah*, as its meat is prohibited.

The *Gemora* cites an alternate *braisa* on this verse, which states that the implication is that once you slaughter you can eat the meat, making it permitted once it has been slaughtered, excluding milk and shearings. However, this *braisa* says that one may redeem

a sacrifice as dog meat, as anything after slaughtering is permitted. (31a)

WE SHALL RETURN TO YOU, KOL HA'ASURIN

Consecration for a sacrifice vs. for the maintenance fund

The *Mishna* contrasts consecrated items designated as a sacrifice and those designated for the maintenance fund of the Bais Hamikdash.

With a sacrifice:

1. Once can make a *temurah* sanctified
2. One is liable for eating one that is offered with intention to eat in the wrong place/time (*pigul*)
3. One is liable for eating remnants after the designated time (*nosar*) may not be eaten
4. One is liable for eating it when impure
5. One may not eat its offspring and milk, even after redemption
6. One is liable for slaughtering it outside of the Bais Hamikdash
7. One may not use it to pay those working on the Bais Hamikdash

Consecrating for the maintenance fund:

1. Is the default type assumed for unspecified consecration
2. Can take effect on all items
3. Makes one is liable for *me'ilah* – misuse on items that grow from it
4. Doesn't give the ones who consecrated any benefit

The *Gemora* challenges the *Mishna's* categorical statement that *temurah* applies to sacrifices, as it doesn't apply to birds and flour offerings, and answers that the *Mishna* is only referring to animal sacrifices.

The *Gemora* then challenges it from the case of an animal's offspring, which does not make *temurah*, and answers that the *Mishna* follows Rabbi Yehudah, who says that a offspring does make *temurah*.

The *Gemora* challenges it from the case of a *temurah* itself, which is sacrificed, but does not make *temurah*.

The *Gemora* answers that the *Mishna's* statement is about the sacrifice itself, but not its *temurah*. The *Gemora* says that once we limit this statement, we need not say that it follows Rabbi Yehudah, as it is not referring to its offspring.

Rabbi Avahu explains that we do use maintenance funds to pay the workers, as the verse states that "they should make for Me a Bais Hamikdash," which can also mean they should make it "from Me," i.e., using funds designated for Me.

Rabbi Chiya bar Abaye quotes Rabbi Yochanan saying that the *Mishna*, which states that unspecified consecration is assumed to be for the maintenance fund, and such consecration can apply to all items, is not following the position of Rabbi Yehoshua.

The *Gemora* cites a *braisa* about one who sanctifies his property, including animals which can be sacrificed. Rabbi Eliezer says that the males are sold as *olah* sacrifices, and the females are sold as *shelamim* sacrifices, with the proceeds going along with the other items to the maintenance fund. Rabbi Yehoshua says that the males are themselves offered as *olah* sacrifices, while the females are sold as *shelamim*, with the proceeds used to offer *olah* sacrifices. The rest of the property is given to the maintenance fund. The *Mishna* is not following Rabbi Yehoshua, as he says that animals that are consecrated are assumed to be for *olah* sacrifices, and not for the maintenance fund.

The *Gemora* says that this statement differs with Rav Ada bar Ahava's explanation of this dispute. He quotes Rav who says that Rabbi Eliezer agrees with Rabbi Yehoshua if there were only male animals, as then all would be *olah* sacrifices. When there are females, and therefore not all can be used as an *olah*, Rabbi Eliezer says that we assume that someone does not split his pledge, and we therefore assume that he meant for them all to go to the maintenance fund.

Another version of Rav Ada bar Ahava's statement is that Rabbi Eliezer only disputes a case where there is property besides animals. In this case, since the other property is definitely not for sacrifices, Rabbi Eliezer says that we assume that someone does not split his pledge and therefore meant for the animals to go to the maintenance fund as well. However, if there were only animal, Rabbi Eliezer agrees they are all used for *olah* or *olah* funds.

The *Gemora* says that according to the second version, the *braisa* is accurate in saying that the proceeds go to the maintenance fund, “along with the other property,” as Rabbi Eliezer is only referring to a case where there is other property. However, according to the first version, the *braisa* should simply say that the proceeds go to the maintenance fund.

The *Gemora* says that we can amend the *braisa* to say this. According to both versions, Rabbi Eliezer does not say that unspecified consecration is necessarily assumed to be for the maintenance fund, and therefore would not be the author of the *Mishna*.

Ravina says that when the *Mishna* says that consecration for the maintenance fund applies to everything, this includes even to the sawdust and leaves that come from a consecrated tree.

Rav Pappa says that when the *Mishna* says that even things that grow from something consecrated to the maintenance fund makes someone liable for *me'ilah*, this includes the milk of a consecrated animal, and eggs of a consecrated bird.

The *Gemora* cites a *braisa* which states that one may not benefit from the milk of a sacrifice or the eggs of a bird sacrifice, but one is not liable for *me'ilah* on them. However, if the animal or bird were designated for the maintenance fund, one would be liable for *me'ilah* on the milk and eggs.

The *Gemora* explains that even according to the opinion that one is liable for *me'ilah* on the growth of something designated as a sacrifice, that is only on something which itself can be offered on the altar, but not any other product like milk or eggs. (31a – 31b)

INSIGHTS TO THE DAF

Products of sacrifices

The *Gemora* comments on the *Mishna* which says that one violates *me'ilah* only with the product of something consecrated to the maintenance fund, but not with the product of a sacrifice. The *Gemora* concludes by saying that even the opinion that says that one does violate *me'ilah* with the products of the altar only says so with the products that themselves are fit for the altar.

Rashi explains that the product the *Gemora* refers to in the conclusion is offspring of a sacrifice, which may be offered itself as a sacrifice, and therefore is subject to *me'ilah*.

Tosfos (31b v'afilu) challenges this explanation on two counts:

1. The source for the sanctification of the offspring is a verse which explicitly includes them, not as a function of their being a product of the sacrifice.
2. The *Gemora* in *Me'ilah* (13a) implies that no one says that the offspring is subject to *me'ilah*, even though it is offered.

Tosfos therefore says that the *Gemora* is referring to Ze'iri, who says in Meila (12b) that one who benefits from the blood of a sacrifice is subject to *me'ilah*. The blood itself is the product the *Gemora* is referring to, and the *Gemora* is saying that this opinion is limited to blood, since it is offered directly on the altar.

Raised on prohibited feed

The *Gemora* (31a) explains that the *Mishna*, which prohibits bringing a sacrifice from a kosher animal which nursed from a *tereifah*, is referring to an animal which grew exclusively from this nursing.

Tosfos (31a Sheyanka) says that from this *Gemora* it would seem that an animal that was raised primarily on prohibited items such as feed of idolatry is prohibited, not just as a sacrifice, but even for our consumption.

The Rama (YD 60:1) cites this Tosfos, ruling that if an animal was raised exclusively on prohibited items, it is prohibited.

The Shach (5) limits this Tosfos to animals that were raised exclusively on items that are prohibited from benefit, not just from eating.

See the Pri Megadim for an extensive discussion of applications of this principle, including drinking milk on Pesach from cows that are fed chametz. See Igros Moshe (YD 1:147) and Rabbi JD Bleich (Tradition Winter 2007) for discussions on the kosher status of veal, which may be raised primarily on meat and milk mixtures.