

20 Iyar 5774  
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Rosh Hashanah  
Daf 12

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Daf Notes is currently being dedicated to the neshamah of

**Tzvi Gershon Ben Yoel (Harvey Felsen) o”h**

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

The Gemora cites a braisa that the Chachamim reckon the years of man and the generations from Tishrei in accordance with Rabbi Eliezer even though they hold that the world was created in Nissan, like Rabbi Yehoshua. They obviously maintain that the seasons are counted from Nissan since that is when the world was created. The wise men from the nations of the world reckon even the years of man from Nissan. (11b – 12a)

## VEGETABLE TITHING

➤ The Mishna stated that the first of Tishrei is considered the New Year for vegetable tithing. The Gemora cites a braisa which states that there are two types of tithing. There is the Biblical obligation of grain tithing and the Rabbinical tithing of vegetables. Both of them begin their New Year on Tishrei. (12a)

➤ The Gemora explains the significance of the New Year for the vegetables. If one vegetable was picked before Rosh Hashanah and one afterwards, you cannot take terumah or maaser from one onto the other since they are

from two different years. If this occurred at the end of the second year of the Shemitah cycle, the first vegetables would have the obligations of maaser rishon and maaser sheini and the vegetables picked after Rosh Hashanah will be subject to the obligations of maaser rishon and maaser oni. (12b)

➤ The Gemora cites Scriptural verses proving that the obligation of maaser rishon (Given to the levi) applies each of the six years during the Shemitah cycle and that maaser sheini does not apply in the third and the sixth year. (12b)

## VOWS

➤ The Gemora cites the braisa which states that the first of Tishrei is considered the New Year in regards to vows. If one takes an oath that he will not derive any pleasure from his friend for a year, the halacha is that he must count twelve months from day to day until he is permitted to derive benefit from him. However, if he stated in his oath “for this year,” then even if the day of the vow was the twenty-ninth of Elul, his vow ends on the first of Tishrei. Even

though, we have learned previously that there are those that maintain that one day in a year is not considered a year, by a vow it is different. Since the intent of the vow is to cause himself discomfort, this is accomplished even with one day. (12b)

### A THIRD OF ITS GROWTH

The Gemora cites a Mishna in Massros which states that fenugreek, which is a certain type of spice, is subject to the obligation of tithing when it develops seeds. One is obligated to separate maaser from grains and olives after they have grown one third of their eventual growth.

Rav Assi offers proof to this from a verse in Exodus and he explains that the Sages ascertained that any produce which has fully grown and is set to be harvested by Sukkos, it certainly grew to a third of its eventual growth by Rosh Hashanah. The Torah refers to such produce as “the end of the year,” indicating that produce which grows a third before Rosh Hashanah is considered to be produce from the previous year.

Reb Zeira explained to Rabbi Yirmiyah that the Sages established a measurement and they are all issued precisely. Produce which did not grow a third prior to Rosh Hashanah cannot be fully grown by Sukkos.

There are other examples of precise measurements. One can immerse himself in a mikvah that consists of forty se’ah, but a kortov (an extremely small measurement equal to 1/64 of a log) less will invalidate the mikvah. Food the size of an egg is capable of transmitting tumah but if the food is a drop less than an egg (even in the size of a sesame seed), it cannot transmit tumah. (12b – 13a)

## INSIGHTS TO THE DAF

### VIEWPOINTS REGARDING MAASER

➤ There are many different opinions regarding the types of produce that is subject to the Biblical obligation of maaser and which is only Rabbinic. Here is a partial list of some of these viewpoints.

Rashi and Tosfos maintain that grains, grapes and olives have a Biblical maaser obligation and all other fruits are only Rabbinically obligated.

The Ramban holds that even grapes and olives are not subject to the Biblical obligation of maaser. One would be required Biblically to separate maaser from oil and wine. Reshash on 15b questions this viewpoint from a Mishna in Terumos which states that one can separate terumah from oil onto olives and according to

the Ramban, this should not be allowed since oil has a Biblical obligation and olives do not.

The Raavad's opinion is that all of the seven types of produce which Eretz Yisroel is praised by are included in the Biblical obligation.

Ritva maintains that the distinction between grains, olives and grapes applies only to maaser sheini, however regarding all other tithings, all fruits from a tree are included in the Biblical obligation.

The Smag seems to hold that one is Biblically obligated to separate maaser sheini from vegetables. This opinion is challenged from many different Gemoros.

## VOW FOR A YEAR

➤ Question from a Daf Yomi learner, Michael Post:

Towards the end of today's daf (12), it says that if one makes a vow "for a year", that it lasts for 12 months from the time it was said. This is to contrast it to saying 'for the year', which is until Rosh Hashanah. When it says '12 months', does it mean it literally, or does it mean a year? In other words, if a person makes a vow on the first of Kislev "for a year", but the year is a leap year, does the vow end on the first of Kislev the

following year or the first of Mar-Chesvan the following year?

Answer: The Ritva states that if one takes an oath during a leap year and he states "for a year," the vow will have effect for twelve months. However, if he would state "for this year," then the vow will have effect the entire year, including the extra month.