

18 Kislev 5781  
Dec. 4 2020



Pesachim Daf 13

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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

Rav Nachman said in the name of Rav that the Halachah follows the opinion of Rabbi Yehudah.<sup>1</sup> Rava said to Rav Nachman: And let the master say that the Halachah follows the opinion of Rabbi Meir<sup>2</sup> as there is an anonymous Mishnah that states that as long as one can eat chametz, he can feed the chametz to animals?<sup>3</sup> The Gemara answers that that Mishnah is not anonymous in accordance with Rabbi Meir because the term “permitted” is difficult there.<sup>4</sup> The Gemara asks: Let the master say that the Halachah follows the opinion of Rabban Gamliel, for he makes a compromise?<sup>5</sup> He said to him: Rabban Gamliel was not compromising; he was saying his own reasoning.<sup>6</sup>

Alternatively, Rav said it in accordance with another Tanna, for it was taught in a Baraisa: If the fourteenth of Nissan falls on Shabbos, we eliminate all chametz before Shabbos, and we burn foods of *terumah* that are *tamei*, suspended or *tahor*. From the food that is *tahor* we leave over food that is enough for two Shabbos meals which one can eat for the first four hours of the day; these are the words of Rabbi Elozar ben Yehudah of Bartosa, who said it in the name of Rabbi Yehoshua. They said to him: The *terumah* that is *tahor* should not be burned on the thirteenth of Nissan, because he can feed the *terumah* to guests who are Kohanim.<sup>7</sup> He said to them: They already looked [for people to eat the chametz] but could not find. They said to him: Even if no guests are found, there may be guests who stayed outside the walls of the city.<sup>8</sup> He said to

<sup>1</sup> Who maintains that chametz is suspended in the fifth hour, i.e. it is not eaten nor is it eliminated.

<sup>2</sup> That chametz may be eaten the entire fifth hour.

<sup>3</sup> And we can infer from this that when one himself cannot eat chametz, he cannot feed chametz to animals. This would seem to be in accordance with the opinion of Rabbi Meir who maintains that one can eat chametz until the sixth hour, and after that he cannot eat chametz himself nor can he feed chametz to his animal.

<sup>4</sup> The Mishnah states: as long as it is *permitted* to eat chametz one may feed the chametz to his animals, and the implications of the word *permitted* are as long as someone else is permitted to eat chametz, then this person who is not permitted to eat chametz can feed chametz to his animals. This would follow the opinion of Rabban Gamliel who maintains that a Kohen can eat *terumah* during the fifth hour, when regular chametz cannot be eaten. A non-Kohen can feed his animals at that time.

<sup>5</sup> The Gemara assumes that if there is a dispute between two Tanaaim, and a third Tanna agrees somewhat with one of the other Tanaaim, then the two Tanaaim who concur outweigh the

single opinion of the Tanna who they disagree with. In our case we should follow the opinion of Rabban Gamliel because Rabban Gamliel’s opinion is in accordance with the opinion of Rabbi Yehudah with regard to regular chametz that cannot be eaten in the fifth hour, and Rabban Gamliel is in accordance with the opinion of Rabbi Meir with regard to chametz that is *terumah* that it can be eaten in the fifth hour.

<sup>6</sup> Although Rabban Gamliel would appear to be the opinion who tips the balance in the dispute between Rabbi Meir and Rabbi Yehudah, the Halacha is not like Rabban Gamliel because Rabbi Meir and Rabbi Yehudah did not draw a distinction between regular chametz and chametz that is *terumah*. Rabban Gamliel is a third opinion which would appear to be at odds with the opinions of Rabbi Meir and Rabbi Yehudah, so Rabban Gamliel’s opinion is not any greater than the opinions of Rabbi Meir and Rabbi Yehudah.

<sup>7</sup> And if there are no guests, he can feed the *terumah* to dogs owned by Kohanim on Shabbos or he can nullify the chametz.

<sup>8</sup> And if they are within the two-thousand-amah techum of the city, they are permitted to walk into town.

them that if this is the case, then even foods that were suspended should not be burned, because Eliyahu may arrive and he will rule that the foods are *tahor*. They said to him that Eliyahu does not arrive on the eve of Shabbos or Yom Tov because the Jewish People are preoccupied with their Shabbos or Yom Tov preparations. It was said: They did not stir from there until they decided the halachah in accordance with Rabbi Elozar ben Yehudah of Bartosa which he stated in Rabbi Yehoshua's name. Does that not mean even in respect of eating? Said Rav Pappa in Rava's name: No, [only] in respect of removing. (13a)

Now Rebbe too holds this [view] of Rav Nachman. For Ravin son of Rav Adda related: A man deposited a saddlebag full of chametz with Yochanan Chakukaah. The eve of Pesach arrived, and mice had pierced the bag and the chametz was flowing out. Yochanan came before Rebbe to inquire if he should sell the chametz as it had minimal value at that time. The first hour Rebbe told Yochanan to wait, the second hour Rebbe told Yochanan to wait, the third hour Rebbe told Yochanan to wait, the fourth hour Rebbe told Yochanan to wait, and in the fifth hour Rebbe told Yochanan to sell the chametz in the market. — Does that not mean to gentiles, in accordance with Rabbi Yehudah? — Said Rav Yosef: No, to an Jew and this is in accordance with the opinion of Rabbi Meir.<sup>9</sup> Said Abaye to him: If to a Jew, let him take it for himself? — [He could not do this] because of suspicion.<sup>10</sup> For it was taught: If a charity collector does not have any poor people to whom to distribute charity money to, they should exchange the charity's copper coins with other people's large silver coins and they should not exchange the copper coins with silver coins in their possession. The collectors of the *tamchui*, the communal plate, who have no poor people to whom to distribute the food, should sell the

extra food to others but they should not sell the food to themselves. This is because they should not be suspected of buying the food at a very low price and it is said: *you shall be innocent in the eyes of Hashem and of Israel*.<sup>11</sup>

Rav Adda bar Masnah said to Rav Yosef: You explicitly told us [that he said]. 'Go out and sell it to gentiles,' in accordance with Rabbi Yehudah.

Rav Yosef said: With whom does this ruling of Rebbe agree? With Rabban Shimon ben Gamliel. For we learned: If one deposits produce with his friend, even if it becomes ruined because of mice or spoilage, he may not touch it. Rabban Shimon ben Gamliel maintains that he can sell the produce in court because this is akin to returning a lost article to its owner. Said Abaye to him: Yet was it not stated regarding this: Rabbah bar Bar Chanah said in Rabbi Yochanan's name: They learned this only regarding a case where the produce was not reduced by more than its normal measure of depletion. If the produce was reduced by more than its normal measure of depletion, then even the Tanna Kamma agrees that the produce must be sold in court. How much more so here that it is entirely lost. (13a -13b)

The Mishnah had stated that Rabbi Yehudah said that two invalid leavened loaves of a *todah* offering were placed on top of a bench on the eve of Pesach as a signal for when chametz could be eaten. A teacher of Baraisos taught one version before Rav Yehudah reading on the top (*gav*) of the bench i.e. on the seat of the bench. Rav Yehudah said to him: Did he need to hide them? Rather, read that they were placed on the roof of the bench.<sup>12</sup>

<sup>9</sup> Who maintains that chametz is permitted in the fifth hour.

<sup>10</sup> E.g., that he had undervalued it.

<sup>11</sup> This verse exhorts the Jewish People not to engage in any act that will be a cause for suspicion.

<sup>12</sup> Which was a protection against the rain; by placing the loaves on the roof of the bench, they were seen by everybody.

Rachava said in the name of Rabbi Yehudah: The *Har Habayis*, the Temple Mount, was built as a double row of benches, one row inside the other. A Baraisa was taught accordingly: The *Har Habayis* was built as a double row of benches. Rabbi Yehudah said that this was called an *istavanis* i.e. storefront bench, because it was a row of benches inside another row of benches.<sup>13</sup> (13b)

The Mishnah had stated that the loaves were invalid. The Gemora asks: Why? Rabbi Chanina said: Since they were many they became unfit through being kept overnight. For it was taught: A *todah* offering may not be brought during the Festival of Matzos on account of the chametz in it. But that is obvious? — Said Rav Adda bar Ahavah: We are dealing here of the fourteenth. and he [the Tanna] holds: Sacred food may not be brought to unfitness.<sup>14</sup> Accordingly, everyone would bring their *todah* offerings on the thirteenth of Nissan.<sup>15</sup> As there were so many offerings and not enough people to eat all the loaves, so many loaves became invalidated.<sup>16</sup>

Alternatively, in the name of Rabbi Yannai they said: The loaves were valid but they are referred to as invalid because the animal sacrifice that accompanied the loaves was not slaughtered for them. But let us slaughter it? The sacrifices became lost. But let them bring another sacrifice

<sup>13</sup> These benches were akin to the benches that were placed in front of shops.

<sup>14</sup> A *todah* offering may be eaten on the day that it is brought and the following night. But if it is brought on the fourteenth of Nisan the loaves of chametz may be eaten only until noon, and this Tanna holds that a sacrifice may not be brought at a time when the normal period for its consumption is lessened, so that it is likely to become unfit.

<sup>15</sup> A *todah* offering can be eaten on the day it was offered and on the following night, with the meat of the offering and the accompanying loaves becoming invalid at dawn of the fourteenth. If one were to offer a *todah* on the fourteenth of Nissan, he would only be able to eat the chametz loaves until the end of the sixth hour, and then it would become disqualified, so to avoid an offering becoming disqualified, a *todah* could not

and slaughter it? — It is a case where he [the owner] had declared: ‘This [animal] is a *todah* offering and these are its loaves,’ this being in accordance with Rabbah. For Rabbah said: If the loaves are lost, other loaves may be brought. If the *todah* offering is lost, another *todah* offering may not be brought — What is the reason? The loaves are subsidiary to the *todah* offering, but the *todah* offering is not subsidiary to the loaves. Then let us redeem and free them as *chullin*? — But in truth it is a case where the sacrifice was slaughtered for them, but the blood was poured out.<sup>17</sup> And with whom [does this agree]? With Rebbe, who said: Two things that permit can elevate a sacrifice one without the other, for it was taught in a Baraisa: The loaves that accompany the *todah* offering are permitted to eat only after the animal is slaughtered.<sup>18</sup> How so? We see this concept regarding the two lambs that were offered as a sacrifice on the festival of Shavuos, where the lambs sanctify the accompanying bread by slaughtering the animals. If the lambs were slaughtered for their own sake and their blood was thrown for their own sake, the bread is sanctified. If the lambs were not slaughtered for their own sake and their blood was thrown not for their own sake, the bread is not sanctified. If the animals were slaughtered for their own sake but the blood was not thrown for their own sake, the bread is sanctified and it is not sanctified;<sup>19</sup> these are the words of Rebbe.

be offered at all on the fourteenth of Nissan. Everyone brought their *todah* offerings on the thirteenth.

<sup>16</sup> It was these loaves that were used as a signal to notify the people until when they could eat chametz.

<sup>17</sup> The Gemara concludes that we are referring to a case where the sacrifice was slaughtered and they could no longer be redeemed, but the blood of the sacrifice was spilled prior to the completion of the offering, so the animal and loaves are never permitted to be eaten.

<sup>18</sup> Once one of these actions is performed, the loaves receive the status of *kedushas haguf*, physical sanctity, although they cannot yet be eaten.

<sup>19</sup> They receive a status of *kedushas haguf*, physical sanctity with regard to becoming invalid if they are taken outside the Bais HaMikdash and that they can no longer be redeemed. Since the blood was thrown without the proper intentions, however, the

Rabbi Elozar ben Rabbi Shimon, however, maintains that in order for the bread to be sanctified, the lambs must be slaughtered for their own sake and their blood be thrown for their own sake.<sup>20</sup> — [No,] you may even say [that it agrees with] Rabbi Elozar ben Rabbi Shimon; but the case we discuss here is where the blood was caught in a goblet and then spilled, while Rabbi Elozar ben Rabbi Shimon holds as his father, who maintained: That which stands to be sprinkled is as though it were sprinkled.<sup>21</sup>

A Tanna taught: In Rabbi Elozar's name it was said: They [the loaves] were fit. As long as they [both] lay [there], all the people ate [chametz]; when one was removed, they kept [the chametz] in suspense, neither eating nor burning [it]; when both were removed, all commenced burning [their chametz].

It was taught in a Baraisa: Abba Shaul maintains that the signal to notify the people until when chametz could be eaten was two cows that were plowing on the Mount of Olives. As long as both cows were plowing, then people would eat their chametz. When one cow was taken away, the chametz would be suspended, meaning they would not eat the chametz nor burn it. When both cows were taken away, everyone began to burn their chametz. (13b – 14a)

## DAILY MASHAL

### Cows and Pesach

The Gemara states that Abba Shaul maintains that the signal to notify the people until when chametz could be eaten was two cows that were plowing on the Mount of

lambs are deemed regular *shelamim*, but they are not viewed as the Shavuot communal *shelamim*. Although one can eat the lambs, the loaves cannot be eaten because the correct service was not performed to them to allow them to be eaten.

Olives. As long as both cows were plowing, then people would eat their chametz. When one cow was taken away, the chametz would be suspended, meaning they would not eat the chametz nor burn it. When both cows were taken away, everyone began to burn their chametz. Why was such a strange symbol used to notify the people until when they were allowed to eat chametz? Perhaps the idea is that the Medrash states that the Torah alludes to Avraham as a bull, because regarding Avraham it is said: *and he took cattle*. Avraham hosted the angels on Pesach, and to commemorate the event that shaped the Jewish people's future, two cows were used to notify the Jewish People of the impending festival of Pesach.

<sup>20</sup> We see that according to the opinion of Rebbe, the loaves of a *todah* could receive *kedushas haguf* when the animals are slaughtered properly, and they cannot be redeemed.

<sup>21</sup> In the sense that the animal is unfit as a sacred offering which has become unfit. Yet it may not be eaten unless the blood is sprinkled.