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Avodah Zarah Daf 67

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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

### **Imparting Flavor**

The *Mishna* had stated: This is the rule: Whatever the flavor (of the prohibition) provides benefit (to the food), it is forbidden. Whatever does not provide flavor that is beneficial, it is permitted. Rav Yehudah said in the name of Shmuel: Like so is the *halachah*.

And Rav Yehudah said in the name of Shmuel: This teaching (that it is permitted when forbidden vinegar falls on split beans) only applies when the vinegar fell into hot split beans (for vinegar spoils hot beans); but if it fell into cold split beans (and improved the taste of the beans) and he then heated them, it is as if he improved them at first and in the end spoiled it, and therefore they are prohibited. Similarly, when Ravin came from *Eretz Yisroel*, he related that Rabbah bar bar Chanah said in the name of Rabbi Yochanan: This teaching only applies when the vinegar fell into hot split beans; but if it fell into cold split beans and he then heated them, it is as if he improved them at first and in the end spoiled it, and therefore they are prohibited. When Rav Dimi came from *Eretz Yisroel*, he also said this, and he added that they actually used to do this (add vinegar to cold split beans; thus proving that it does improve the taste) on Friday afternoons in Tzipori and they called the dish cress (for cress was made with vinegar). (67a)

### **Detrimental Flavor**

Rish Lakish said: When they use the phrase (to permit a mixture where something prohibited became mixed with it) ‘it imparts a flavor to the detriment of the mixture,’ they do

not mean merely that people say that this lacks salt or has too much salt, or lacks spice or has too much spice; but rather, they mean that this food is not lacking anything, and it nevertheless cannot be eaten because of this (detrimental flavor imparted from the prohibited food).

The *Gemora* cites another version of what Rish Lakish said: When they use the phrase (to permit a mixture where something prohibited became mixed with it) ‘it imparts a flavor to the detriment of the mixture,’ they do not mean merely that people say that this lacks salt or has too much salt, or lacks spice or has too much spice; but rather, they mean that now it has impaired the mixture (and it is therefore permitted). (67a)

### **Taste and Substance**

Rabbi Avahu said in the name of Rabbi Yochanan: Whenever the flavor and substance (of the prohibited item) in a mixture are intact it is prohibited, and one who eats the mixture is liable to the punishment of lashes; and this is where the *Halachah l’Moshe mi’Sinai* was stated that one who eats a quantity equal to the size of an olive (of the prohibited item mixed) in the time that it takes to eat a *peras* (half a loaf) is liable. If, however, the flavor (of the prohibited item) in a mixture is perceptible, but the substance is not intact (e.g., if milk or melted fat fell into a pot of meat and became absorbed into the permitted food), it is prohibited, but he is not punished with lashes. If the prohibited food intensified the flavor in a way that was detrimental to the mixture, then it is permitted to eat.



The *Gemora* notes that from the expression “intensified the flavor,” he is thereby informing us that it is so (*that the mixture is permitted*) even when there is another element (*besides the prohibited item*) in this mixture which impaired the flavor, and that the *halachah* is in accordance with the second version of Rish Lakish. (67a – 67b)

### **Impairing the Flavor**

Rav Kahana said: We learn from the words of all their statements that when the forbidden item impairs the flavor of the mixture, it is permitted.

Abaye said to him: There is no proof that Rish Lakish rules that way, for perhaps he was merely stating what the Rabbis said, but he personally does not hold that view.

The *Gemora* asks on Rav Kahana: Are we, then, to infer that there are those who maintain that when the forbidden item impairs the flavor of the mixture, it is prohibited?

The *Gemora* answers: Yes, for it has been taught in the following *braisa*: Whether the forbidden item imparts a taste that impairs the flavor of the mixture, or whether it improved its flavor, it is prohibited; these are the words of Rabbi Meir. Rabbi Shimon says: If the flavor has been improved, it is prohibited, but if it has been impaired, it is permitted.

The *Gemora* cites the sources for Rabbi Meir and Rabbi Shimon: Rabbi Meir derives it from the law regarding the emissions of vessels of idolaters (*where the Torah states that utensils used by the Midianites must be purged of all their non-kosher absorptions*). The vessels of idolaters, do they not impart a taste that impairs the flavor of the mixture (*for they have remained overnight in the walls of the vessels*), and yet the Torah forbade them?! Here also, it makes no difference, and it is prohibited.

Rabbi Shimon would answer like Rav Huna the son of Rav Chiya said, for he said that the Torah only forbade a vessel which had been used by an idolater that same day, where the

forbidden item does not impart a taste that impairs the flavor of the mixture.

Rabbi Meir would retort that even in the case of a pot used by an idolater on that very same day, it is impossible that it (*the flavor absorbed from the first cooking*) should not impair the flavor (*of the food during the second cooking*) a little.

Rabbi Shimon derives his view from the following *braisa*: *You shall not eat any neveilah; you may give it to the non-Jewish stranger that is within your gates* - whatever is fit for consumption by a stranger is called *neveilah*, and whatever is unfit for consumption by a stranger is not called *neveilah* (*and therefore any mixture that has been impaired is permitted*).

Rabbi Meir understands the verse to be referring to an animal that was tainted from the outset (*such as one that was afflicted with boils while it was alive*).

Rabbi Shimon says that an animal tainted from the outset does not require a verse to specially exclude it, because it is nothing more than earth. (67b – 68a)

### **INSIGHTS TO THE DAF**

#### ***The Novelty of the Midianite Utensils***

The *Gemora* had stated regarding the emissions of utensils used by idolaters that have been used within twenty-four hours, it is impossible that the absorption is not deemed slightly bad, and although with respect to all prohibitions, such a taste would be permitted, nevertheless, the Torah states that one is prohibited from using such a pot unless it is first scalded.

The Ramban asks: If in regards to those utensils used by idolaters, the flavor is regarded like the substance, how is it possible to say that with respect to other prohibitions, the flavor is not forbidden like the substance? Are the emissions

from the idolaters' utensils a distinct class of prohibition, different from any other prohibitions? The Midianite utensils were forbidden out of the concern that there were non-kosher foods cooked inside of it!

He answers that the Torah elevated its prohibition with respect of utensils that a utensil that absorbed flavor from a forbidden food is forbidden. And although the flavor that will be emitted from this pot will be slightly spoiled, and is not equivalent to the substance, nevertheless the Torah decreed that the flavor is not nullified and is forbidden. This is similar to the *halachah* that one must immerse in water a utensil purchased from an idolater even though it has not been used. There, if one would use it without immersion, the food would not be forbidden; here, it would be.

#### **A brief Description of a Treifah Utensil**

By: Meoros HaDaf HaYomi

**Utensils that have been used during the last day (*ben yomo*):** Food cooked in a utensil exudes its taste into the sides of the utensil and another food thereafter cooked therein absorbs that taste. The Torah forbids cooking in a utensil which was used to cook forbidden food as long as 24 hours have not elapsed since the time of cooking. Until then the utensil is called *ben yomo*. Afterwards, the taste in the utensil dissipates and becomes weaker and according to some Rishonim, becomes absolutely inferior. The utensil is then called *eino ben yomo*. Nonetheless, a rabbinical decree prevents us from using a utensil that is *eino ben yomo*.

**What is *hag'alah*?** Whether *ben yomo* or not, a utensil may be rendered kosher by *hag'alah*. *Hag'alah*, which means purging or "causing to exude," is accomplished by putting the utensil in boiling water (see *Remo*, *O.C.* 451:3), which causes the taste to be exuded from the utensil (*Meiri* and *Kolbo*). Therefore, the amount of water used to boil a *ben yomo* utensil must be 60 times the forbidden taste contained in the utensil. If not, the taste does not become *bateil* (insignificant)

and could even forbid the large vessel in which it is boiled (*Tevuos Shemesh*, 6).

**A *ben yomo* utensil should not be made kosher:** As for the *halachah*, the *Tur* and the *Remo* (*Y.D.* 121) assert that "one mustn't perform *hag'alah* to any utensil as long as it is *ben yomo*" lest the amount of water used won't be enough (*Mishnah Berurah*, 452, *S.K.* 20). Before Pesach we are even stricter: the large vessel used for *hag'alah* must itself be boiled **if we intend to use it during Pesach** unless it contained an amount of water 60 times that contained by all the utensils immersed therein (see *Hag'alas Keilim*, p. 225).

**Is *hag'alah* a mitzvah?** The Torah elucidates *hag'alah* (*Bemidbar* 31:22-23) and the *Semak* (195) and Rabeinu Tam (*Sefer Hayashar*, *Teshuvos*, 56) count it as a *mitzvah* (though not obligatory, it is like slaughtering, obliging for a person who wants to eat meat and we even pronounce a *berachah* on slaughtering). Still, most Rishonim do not count it as a *mitzvah*, explaining that the Torah just provides technical assistance to render utensils kosher. *Hag'alas Keilim* (Ch. 11, remark 10) relates the custom of the Indian Jews to pronounce a *berachah* on *hag'alah* but we do not since, as we said, it is not a *mitzvah* and we do not pronounce a *berachah* on avoiding a transgression (*Isur Veheteir*, *kelal* 58, §104).

#### **Food Deliberately Cooked in a Utensil that is not Ben Yomo**

In the above article we mentioned the *halachah* (*Shulchan Aruch*, *Y.D.* 122), enacted by *Chazal*, that one mustn't cook food in a utensil which is not *ben yomo* i.e. that in which a forbidden food was cooked more than 24 hours ago. Usually, if *Chazal* forbid a certain form of cooking, one mustn't eat the food thus cooked but in fact the *poskim* (*Pri Megadim*, *Y.D.* 99, *S.K.* 7) discuss if it is allowed to eat food deliberately cooked by a Jew in such a utensil. We shall examine the roots of this difference of opinions and thereby discover the reasons for the decree.

Our *sugya* explains that “the Torah only forbade a utensil which is *ben yomo*.” In other words, the Torah forbids cooking kosher food in a *ben yomo* utensil because the forbidden food’s taste became absorbed in the sides of the utensil and is exuded into food later cooked therein. The forbidden taste does not become insignificant (*batel*) in the ratio of 1:60 because the sides of the utensil are regarded as full of the forbidden taste and the contents of the utensil do not contain 60 times the volume of its sides. The *halachah* that regards a taste as the food itself is called *ta’am ka’ikar* – “the taste is like the food itself.”

However, after a day has elapsed, the Torah allows us to cook in the utensil and there are different opinions as to why. According to the *Ran*, after 24 hours the forbidden taste becomes inferior and is no longer considered *ta’am ka’ikar*. Nonetheless, *Chazal* forbade using a utensil which is not *ben yomo*, **lest people err and use a *ben yomo* utensil**, as attested by the Gemara in 76a (*Arugos HaBosem*, Y.D. 99, S.K. 3, based on other Rishonim). However, some texts omit the *Gemora’s* explanation (see *Beur HaGera*, Y.D. 122) and hold that the taste does not become completely inferior after 24 hours. It remains a forbidden taste but is weakened and doesn’t any more need a ratio of 1:60 but becomes *batel* in another food of greater volume than it. Still, *Chazal* forbade cooking in that utensil because there is a rabbinical decree (according to most Rishonim) that “one mustn’t intentionally mix *issur* with *heter* to render it *batel*” (Rashba in *Toras HaBayis Haaroch*, bayis 4, end of *sha’ar* 4).

We now return to the food deliberately cooked in a utensil which is not *ben yomo* and we discover that the *halachah* pertaining to the food depends on the above difference of opinions. If the decree was intended to prevent errors, there is no essential *issur* in the food and it is therefore permitted, though the cooker transgressed a decree (*Arugos HaBosem*, *ibid*). But if the decree was instituted because we must not deliberately make a forbidden food *batel*, the food is forbidden as the same rule enacts a *knas* – penalty, forbidding the resulting mixture (*Shulchan Aruch*, Y.D. 99:5,

and see *Tiferes LeMoshe*, Y.D. 94, and *Responsa Igros Moshe*, Y.D., II, 41).