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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

### **Classifying Tereifos**

[*The Mishna categorized the tereifos according to the part of the animal; Ulla classifies them according to the type of defect.*]

Ulla said: Eight types of *tereifos* were communicated to Moshe at Mount Sinai: If an organ was (1) punctured, (2) severed, (3) removed, (4) deficient, (5) torn, (6) clawed, (7) fallen, (8) fractured, the animal is rendered a *tereifah*.

The *Gemora* notes: This excludes a case of disease mentioned by Rachish bar Pappa (*with regards to the kidney*).

Chiya bar Rav said: There are eight cases of *tereifah* included under the category of "puncturing." [They are: the esophagus, membrane of the brain, heart, lung, abomasum, intestines, inner paunch, omasum and reticulum (which are regarded as one – based on the *Gemora* above).] And if you will object that, in fact, there are nine (that were enumerated in the *Mishna*), I will answer you that the puncturing of the gallbladder is a *tereifah* according to Rabbi Yosi the son of Rabbi Yehudah only, for it was taught in a *braisa*: If the abomasum or the intestines were punctured, it is a *tereifah*. Rabbi Yosi the son of Rabbi Yehudah says: Even if the gallbladder was punctured. (43a)

### **Rabbi Yitzchak the son of Rabbi Yosef in the name of Rabbi Yochanan**

[*The Gemora presents five rulings of Rabbi Yitzchak the son of Rabbi Yosef in the name of Rabbi Yochanan: The mnemonic for these five statements is: The halachah of the colleague; an olive's volume of the gallbladder and the gizzard.*]

Rabbi Yitzchak the son of Rabbi Yosef in the name of Rabbi Yochanan said: The *halachah* follows the view of Rabbi Yosi the son of Rabbi Yehudah (*that even if the gallbladder was punctured, it is a tereifah*).

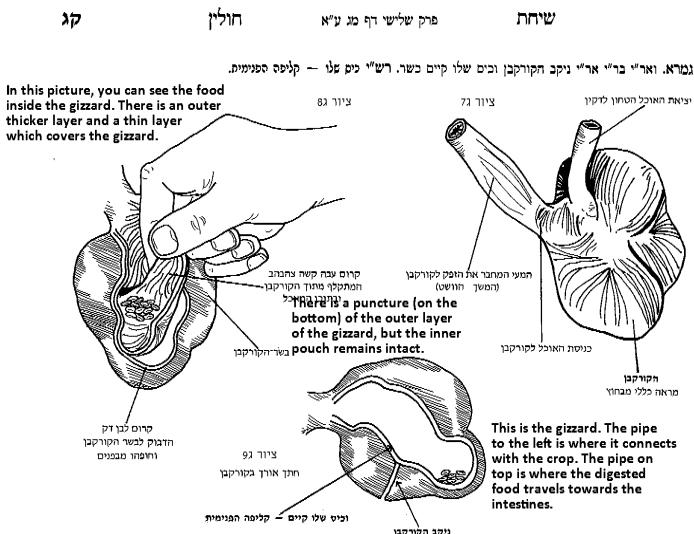
Rabbi Yitzchak the son of Rabbi Yosef in the name of Rabbi Yochanan said: What was the reply of the colleagues of Rabbi Yosi the son of Rabbi Yehudah (*to prove their opinion that a punctured gallbladder is not a tereifah*)? They said: It is written: *He pours out my gall upon the ground*, and nevertheless *Iyov* (*Job*) continued to live! He replied: Do not quote miraculous events in support of an argument. For if you do not say like that, it is written (*in that very same verse*): *he splits my kidneys and does not spare* - could he then continue to live? You must therefore admit that a miracle is different. Proof that it was miraculous can be brought from that which is written: *Only spare his life*. [*Hashem gave permission for Satan to mortally wound Iyov, but not to kill him.*]

Rabbi Yitzchak the son of Rabbi Yosef in the name of Rabbi Yochanan said: The *halachah* follows the view of the one who says 'an olive's volume.' [*If the liver is removed, it is only a tereifah if less than an olive's volume of the liver remains.*]

The *Gemora* questions this: But did Rabbi Yochanan really say this? Didn't Rabbi Yochanan say that the *halachah* is always in accordance with the ruling of an anonymous *Mishna*? And we have learned (*in an anonymous Mishna*): If the liver was removed and nothing remained (*it is a tereifah*)? Now, it follows that if something remained, even less than an olive's volume, it is kosher (*and not a tereifah*)!?

The *Gemora* answers: *Amoraim* differ as to Rabbi Yochanan's view.

Rabbi Yitzchak the son of Rabbi Yosef in the name of Rabbi Yochanan said: If the gallbladder was punctured but the liver closed it up (*in a place where the liver and gallbladder lie adjacent to each other*), it is kosher.



[These illustrations are taken with permission from the Sefer: *Sichas Chullin*; I added some English explanations.]

Rabbi Yitzchak the son of Rabbi Yosef in the name of Rabbi Yochanan said: If the (*outer muscular covering of the*) gizzard was punctured, but the inner lining was intact, it is kosher.

They inquired: What is the law if the inner lining was punctured, but the muscular covering was intact?

The Gemora says: Come and hear from that which Rav Nachman taught: If one was punctured, but not the other, it is kosher. [*Evidently, it is not a tereifah unless they are both punctured.*] (43a)

### **Two Layers of the Esophagus**

Rabbah said: The esophagus has two layers; the outer one is red and the inner one is white. If one was punctured but not the other, it is kosher.

The Gemora notes that this last statement teaches us that if these layers interchanged, it is a *tereifah*.

They inquired: What is the law if both layers were punctured; however, the hole in one did not coincide with the other?

Mar Zutra said in the name of Rav Pappa: In the esophagus it would be kosher, but in the gizzard, it would be a *tereifah*. [*This is because the food gathers in the gizzard, and it will keep pushing out until it finds the outer hole.*]

Rav Ashi asked: On the contrary! As the esophagus contracts and expands when the animal eats or bellows (*for it is connected to the trachea*), it may sometimes happen that one hole will coincide with the other; whereas the gizzard is at rest (*it doesn't move*) and the holes will always remain where they are.

Rav Acha the son of Rav Yosef said to Rav Ashi: We have heard that Mar Zutra reported in the name of Rav Pappa as you have said (*that the two unaligned holes by the esophagus is a tereifah, but by the gizzard, it is kosher*).

Rabbah said: A scab which was formed in consequence of a wound in the esophagus is not a "good" scab (*for it will not endure, and the animal remains a tereifah*).

And Rabbah said as well: The esophagus cannot be examined (*for a red spot*) from the outside (*of the red skin of the outer layer*), but only from the (*white skin of the*) inside.

The Gemora explains that this examination is necessary for the case of an animal that there arose a doubt whether it was clawed or not. [*It is necessary to examine the esophagus for any red spots, which would indicate that a lion or other animal clawed. The reddening is a sign that it was poisoned. If the reddening is found on one of the pipes, it is deemed a tereifah. The examination of the esophagus can only be carried out by inspecting the inner layer which is white; but it is useless to inspect the outer layer, since it is red, and a drop of blood would not be discernible there.*]

There once was an incident where a bird, about which there arose a doubt whether it was clawed or not, came before Rabbah, and he examined the esophagus from the outside. Abaye said to him: Did the master not say that the esophagus cannot be examined from the outside but only from the inside? Rabbah at once turned it inside out and examined it and found upon it two spots of blood, so he declared it *tereifah*. Rabbah, however, merely wanted to sharpen Abaye (*and that is why, he initially examined the outside*). (43a – 43b)

### ***Thorn in the Esophagus***

Ulla said: If a thorn (which the animal had swallowed) was lodged in the esophagus (*but there was no hole visible on the outside, nor was there any blood spots on the inside*), there is no concern that it was punctured and now healed (*which would not be valid; rather, we say that the thorn did not cause a puncture in the first place*).

[The following mnemonic represents various challenges to Ulla's ruling: Clawed; Pieces; With a knife; that was Tamei.]

The Gemora asks: But why is this case different from that of an animal about which there arose a doubt whether it had been clawed or not? [*Just as there – the suspicious circumstances require that it be examined, and if not, it is deemed a tereifah; so too here, it should be the same!?*]

The Gemora answers: Ulla is of the opinion that we are not worried about an animal regarding which there arose a doubt whether it had been clawed or not. [*Rather, Ulla holds like Rav below that the animal retains its permissive status.*]

The Gemora asks: And why is it different from the case of two pieces of fat, where one was *cheilev* (forbidden fat) and the other was *shuman* (permitted fat)? [*If one ate one of these two pieces, not knowing which, he is liable to bring an asham taluy offering for this doubt; evidently, there is room to be apprehensive!*]

The Gemora answers: In that case the *cheilev* is clearly established, but here the prohibition is not clearly established.

The Gemora asks: And why is it different from the case of one who slaughtered with a (checked) knife which was found afterwards to have a nick in it? [*The halachah there is that the slaughtering is invalid, although it is a case of doubt, and although the prohibition was not clearly established!*]

The Gemora answers: In that case there had arisen a defect in the knife. [*The knife now possesses a definite defect, and the doubt is whether it was in this condition during the slaughtering or not. In Ulla's case, however, the thorn may not have punctured through the esophagus at all.*]

The Gemora asks: And why is it different from the case of a doubt concerning *tumah* which occurred in a private domain which is regarded as *tamei*?

The Gemora answers: But according to your own reasoning, it should be analogous with the case of a doubt concerning *tumah* which occurred in a public domain which is regarded as *tahor*? Rather, the law concerning *tumah* is different, for it is derived by analogy from the case of a woman suspected of adultery.

A certain Rabbi was sitting before Rav Kahana and reported as follows: The ruling of Ulla applies only to the case where the thorn was found in the esophagus, but where it was lodged in the esophagus, we are concerned (*that it actually punctured the esophagus, and it is therefore a tereifah*). Rav Kahana said to his students: Do not pay any attention to this Rabbi, for the ruling of Ulla was stated concerning a thorn that was lodged in the esophagus; for if it were merely found in the esophagus, it would not have been necessary for Ulla to state it, since all animals that pasture in the meadows and fields eat thorns. (43b)



## INSIGHTS TO THE DAF

### Milk Cows

Our *Gemora* stated that a scab that forms on the esophagus due to a wound is not regarded as a proper scab (*and is therefore deemed a tereifah*).

Rabbi Yaakov Lach, in his masterpiece sefer on *Chullin*: *Chullinh illuminated*, discusses the issue of the milk controversy applicable today. Operations are performed on cows with inflated stomachs, and incisions in the abdominal muscles are commonly made, and sometimes, the abomasums are punctured as well. The cuts are later sewn with stitches or sealed by other medical procedures. The question is: Do we regard these closures as halachically valid to remove the *tereifah* status of the animal?

After a lengthy and thorough discussion of the topic, and after careful analysis of the *Rishonim* on our sugya, he summarizes as follows: Rashi by us could be saying that a scab is not a good covering, for it will eventually fall off. This would be different than an organ proximate to the puncture, which could be a valid blockage, for it naturally belongs there, and will not fall off. Accordingly, these milk cows can be kosher, for their incisions are permanently stitched, and will not fall off. However, an alternate understanding of Rashi is that any blockage—even a permanent one, must be there at the moment of the puncture, so that the animal was not regarded as a *tereifah* for one moment. This can be accomplished by an organ which is nearby. However, regarding the milk cows, whose stitches were applied after the operation, would be regarded as a *tereifah*. The *poskim* debate this issue at length.

### A Discussion about Fattened Geese

In this article we shall address the halachic dispute about the *kashrus* of force-fed geese, based on our *sugya* (concerning cruelty to animals, see *Meoros HaDaf HaYomi*, Kiddushin 82a, in the article “Medical Research on Laboratory Rabbits”).

**22 kilograms of corn in 30 days:** To explore the depth of the issue, we must first describe the method of fattening geese. Fattening geese is meant to enlarge the liver as much as possible. The shorter the fattening period, the more desirable is the result as in prolonged fattening some of the fat is absorbed in the body and not in the liver, but with concentrated fattening the liver becomes very fat. For a goose to gain one kilogram, it must eat six kilograms of corn (maize) – the usual fattening material. As the desired added weight for a goose is about four kilograms, it should be fed about 22 kgs of corn over a month. A goose cannot eat this tremendous amount alone so therefore it is force-fed directly into the esophagus.

**The force-feeding method:** The beak is opened and corn is thrown in and pushed into the esophagus with a stick. In our era the method has been improved: the fattening is done by machine but the result is the same: the esophagus is exposed to repeated injury. These injuries are caused by the fattening pipe inserted into the esophagus or by the corn kernels if they’re not soft enough or by pushing the kernels into the esophagus, which can tear it (*Mazon Kasher min HaChai*, III, Ch. 13).

**Holes in the inner layer of the esophagus:** Because of the well-based suspicion of holes in the esophagus of a fattened goose, we cannot rely on the healthy nature of most geese but must examine the esophagus for holes (*Remo*, 33:9). A goose’s esophagus is comprised of two layers connected by a loose membrane. If a hole is discovered that passes through both layers, the goose is *tereifah* according to all opinions. The issue concerns most cases of holes in geese, when a hole is discovered only in the inner layer, as will be explained.

In our *Gemora* Ulla ruled that an animal is not declared *tereifah* if a thorn is found in its esophagus as long as it doesn’t have a hole. An Amora called by the *Gemora* “that one of the *rabanan*” explained that Ulla’s statement refers to a situation where the thorn is found in the hollow of the esophagus, but if it is stuck in the esophagus itself, the animal should be declared *tereifah* though no penetrating hole was found. We suspect that the thorn perforated the esophagus throughout and has been

partially covered (see Rashi, s.v. *Ein chosheshin*). However, Rav Kahana disagrees, asserting that even if the thorn is stuck in the esophagus, the animal is not *tereifah* if the outer side of the esophagus has no hole.

**The disagreement of *Shulchan 'Aruch* and the *Remo* about fattened geese:** As for the *halachah*, there are different opinions. *Shulchan 'Aruch* rules (*Y.D.* 33:9) according to "that one of the *rabanan*" and the *Remo* (*ibid*) maintains the opinion of Rav Kahana and expresses it concerning fattened geese. If a hole is found in the inner layer of the esophagus, it is as if a thorn were found stuck there as the hole was obviously made by forced feeding and, apparently, this case is also subject to the disagreement of Rav Kahana and "that one of the *rabanan*", as to whether a hole in the inner layer is considered *tereifah*. The *Remo* states that in his town the practice was to be lenient in such cases because they ruled that if a thorn is found, one needn't suspect that there's a penetrating hole. Similarly if a hole is found in the inner layer of the esophagus, one doesn't suspect that the outer layer also has a hole. However, many *Rishonim* (Tosfos; Rif; Rambam in *Hilchos Shechitah* 23:1; *Tur*, *Y.D.* 33 in the name of most of the *poskim*) and *Shulchan 'Aruch* (*ibid*) rule that if a thorn is found stuck in the esophagus, one does suspect that there's an invisible hole. Apparently, according to them a goose with a hole in the inner layer of its esophagus should be declared *tereifah* (*Bach*, *ibid*, and many other *poskim*).

Still, some *Acharonim* distinguish between a hole in the inner layer of the esophagus of a fattened goose and an esophagus with a thorn. Indeed, if a thorn is found stuck in the esophagus, we should suspect that it made a penetrating hole. But a hole caused by force-feeding is not created at once but by a process: the skin is slowly worn away and perforated. Therefore, if we see that the outer layer is whole, there's no reason to suspect a hole there, as the process of perforation did not spread to it (*Taz*, *ibid*, and see *Darchei Teshuvah*, *ibid*, *S.K.* 130-131, that the *poskim* discussed if force-feeding should be considered as an illness or a thorn).

The author of *Shevus Ya'akov* (*Responsa*, II, 56) adds that in the case of an esophagus with a thorn, we should suspect that there's a penetrating hole but that it's covered by a membrane that grew over it (according to Rashi's first explanation). The matter differs concerning a goose's esophagus where the act of fattening was continuous. If a penetrating hole had occurred, it never had a chance to be covered by a membrane as the cause of the hole is present every day and, on the contrary, the hole should have widened. As it cannot be that it healed and was covered by a membrane, we assume there is no hole.

The *poskim* devoted much discussion to fattening geese and though the custom was to allow it in certain countries, in our generation the *poskim* avoid giving a *hechsher* to food produced from fattened geese as it is extremely hard to fatten them in a way that won't cause *tereifah* and other suspicions (see *Responsa Tzitz Eli'ezer*, XI, 49 and XII, 52).

#### DAILY MASHAL

The eyes of an older reader, with whom we spoke in preparation of this article, sparkled with nostalgia when he remembered the face of a worker in Hungary at the onset of the Second World War who would be paid with three thick slices of bread spread with goose fat mixed with fattened goose liver. In certain countries fattened goose liver was an honored feature of the menu but in other countries fattened geese were considered *tereifah*.

#### Proof from a *Piyut*

When a question arose about instituting a fast in remembrance of troubles affecting the community, HaGaon Rav Yitzchak Zeev of Brisk zt"l claimed that the *Kinos* for Tisha B'Av state that it is forbidden to decree additional fasts than those instituted by the prophets. When he heard that someone said that proof cannot be brought from the *Kinos*, he insistently replied that Tosfos bring proof from the *piyutim* (liturgical poems).