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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

The Mishnah had stated: If the animal was slaughtered etc. What is the issue between them? — Rabbah said: They differ as to whether the animal can be regarded as serving as a handle to a limb;<sup>1</sup> one<sup>2</sup> holds that the animal can be regarded as a handle to a limb,<sup>3</sup> and the other<sup>4</sup> holds that the animal cannot be regarded as a handle to a limb.

Abaye said: They differ as to the ruling in the case where by taking hold of the smaller part of a thing the greater part does not come away with it; one<sup>5</sup> is of the opinion that where by taking hold of the smaller part of a thing the greater part does not come away with it, it is regarded like it,<sup>6</sup> but the other<sup>7</sup> is of the opinion that where by taking hold of the smaller part of a thing the greater part does not come away with it, it is not regarded like it.

Rabbi Yochanan also maintains that they differ as to the ruling in the case where by taking hold of the smaller part of a thing the greater part does not come away with it. For

<sup>1</sup> Both agree that moistening the handle of foodstuffs renders the whole foodstuff susceptible to tumah, but the question is whether the major portion of a thing can in any way be said to serve as a handle to the lesser portion, so that by moistening the bulk the handle is regarded as made susceptible to tumah.

<sup>2</sup> Rabbi Meir.

<sup>3</sup> So when the animal was rendered susceptible to tumah the hanging limb was likewise rendered susceptible.

<sup>4</sup> Rabbi Shimon.

<sup>5</sup> Rabbi Meir.

<sup>6</sup> I.e., the smaller part is still considered as part of the whole. It is agreed to by all that the animal cannot serve as a handle to the limb, but Rabbi Meir and Rabbi Shimon differ in this: Rabbi Meir maintains that whatever still hangs on to the whole is regarded as part of the whole; for, granted that the hanging limb cannot pull with it the rest of the animal, the animal when taken up would certainly take with it

Rabbi Yochanan pointed out a contradiction in the views of Rabbi Meir. Did Rabbi Meir say, where by taking hold of the smaller part of a thing the greater part would not come away with it, it is to be regarded like it? But there is a contradiction to it for we have learned: If a foodstuff [of terumah] was divided, but was still attached in part, Rabbi Meir says: If by taking hold of the smaller part the greater part comes away with it, it is regarded like it;<sup>8</sup> otherwise it is not regarded like it.<sup>9</sup> Whereupon Rabbi Yochanan suggested that he in this case changed his opinion!<sup>10</sup>

The Gemara asks: But what was [Rabbi Yochanan's] difficulty? Perhaps Rabbi Meir distinguishes between the tumah of a tevul yom<sup>11</sup> and other tumah?

this hanging limb. Rabbi Shimon, however, does not accept this argument.

<sup>7</sup> Rabbi Shimon

<sup>8</sup> And if a tevul yom (i.e., one who has immersed himself by day but is not regarded as absolutely tahor until sunset) touched either part, the whole is rendered invalid (i.e., it is tamei, but it cannot convey the tumah).

<sup>9</sup> And only the part touched by the tevul yom is rendered invalid but not the other.

<sup>10</sup> Rabbi Meir in the case of the tevul yom adopted a different view, but generally he is of the opinion that where by taking hold of the smaller part the greater part does not come away with it, the former is regarded as part of the whole.

<sup>11</sup> In the case of a tevul yom Rabbi Meir adopts a less strict view, since the tumah of such a person is only Rabbinic.

The Gemara answers: [This surely is not the case for] it was taught: Rebbe says: It is all one whether the tumah was that of a tevul yom or any other tumah.<sup>12</sup>

The Gemara asks: But perhaps Rebbe draws no distinction [between the tumah] but Rabbi Meir does?

Rabbi Yoshiyah said: This is what Rabbi Yochanan meant to say. According to Rebbe's view he [Rabbi Meir] in this case changed his opinion.

Rava said: They differ as to whether the law of handles applies only in respect of conveying the tumah but not in respect of rendering [the bulk] susceptible to tumah [or whether it applies to both];<sup>13</sup> one<sup>14</sup> holds that the law of handles applies only in respect of conveying the tumah but not in respect of rendering [the bulk] susceptible to tumah, but the other<sup>15</sup> holds that the law of handles applies both in respect of conveying the tumah and of rendering [the bulk] susceptible to tumah.

Rav Pappa said: They differ as to the ruling in the case where [the limb] was rendered susceptible [to tumah] before any intention [was formed of using it as food].<sup>16</sup> For it was taught:

<sup>12</sup> I.e., what is regarded as contact with the whole in the case of other sources of tumah is also regarded as contact with the whole by a tevul yom.

<sup>13</sup> They both, however, agree that the animal can serve as a handle to the limb.

<sup>14</sup> Rabbi Shimon.

<sup>15</sup> Rabbi Meir.

<sup>16</sup> Since the limb was hanging loose from the living animal it is forbidden, even after the slaughtering, to be eaten by all, Jew and gentile alike; consequently it is not regarded as a foodstuff unless an express intention was formed to that effect. In this case, however, at the time of slaughtering when the animal was rendered susceptible to tumah by the blood, no such intention was expressed. Later when it is intended to be used as food the question arises whether the first moistening has effectively rendered it susceptible to tumah or not. They both, however, agree that a part can serve as a handle both for the purposes of tumah and of rendering it susceptible to tumah.

<sup>17</sup> In villages fat was not counted as a foodstuff for it was not usually eaten, either because the villagers could not afford to buy it, or

Rabbi Yehudah said: Rabbi Akiva used to teach as follows: The forbidden fat of a slaughtered animal, in villages,<sup>17</sup> needs intention [to be used for food], but does not need to be made susceptible to tumah, since it has already<sup>18</sup> been made susceptible by the slaughtering. Thereupon I said to him: Master, did you not teach us that if a man gathered endives, washed them for [feeding] cattle, and then determined to use them as food for man, they again need [to be moistened in order] to be rendered susceptible to tumah?<sup>19</sup> Rabbi Akiva then retracted and taught according to Rabbi Yehudah. The one<sup>20</sup> accepts the original [teaching of Rabbi Akiva].<sup>21</sup> The other<sup>22</sup> [the teaching] after he retracted.

Rav Acha the son of Rav Ikka said: They differ in the case where the blood was wiped away [from the limb] between the cutting of the first and second pipes [of the throat];<sup>23</sup> one<sup>24</sup> maintains that the term shechitah applies to the entire process of slaughtering from beginning to end, consequently this [blood that was upon the limb] was the blood of slaughtering; the other<sup>25</sup> maintains that the term shechitah applies only to the last stage of the slaughtering, consequently this [blood that was upon the limb] was the blood of a wound.<sup>26</sup>

because there was no need for it because of their abundant supply of meat.

<sup>18</sup> Prior to the intention.

<sup>19</sup> For the first washing by water, since it preceded the intention to use them as a foodstuff, will not serve to render them susceptible to tumah.

<sup>20</sup> Rabbi Meir.

<sup>21</sup> That moistening by water of any matter, even before the intention was formed to use it as a foodstuff, renders it susceptible to tumah.

<sup>22</sup> Rabbi Shimon.

<sup>23</sup> They both hold that although the animal serves as a handle to the limb, it can only serve as such for the purposes of tumah but not for the purpose of rendering the limb susceptible to tumah; in other words the limb must itself be moistened. Now in this case some blood of the slaughtering splashed upon this loose limb but it was wiped off before the slaughtering was completed.

<sup>24</sup> Rabbi Meir.

<sup>25</sup> Rabbi Shimon.

<sup>26</sup> Which cannot render aught susceptible to tumah.

Rav Ashi said: They differ as to whether the slaughtering only and not the blood renders susceptible to tumah.<sup>27</sup>

Rabbah raised the following question: Can the living animal serve as a handle to the limb or not?<sup>28</sup> — It is left unresolved.

Abaye said: Behold they have said: If a man planted a cucumber in a plant-pot and it grew and spread outside the pot, it is tahor.<sup>29</sup> Rabbi Shimon said: How does this come to be tahor? Rather what is tamei<sup>30</sup> remains tamei and what is tahor<sup>31</sup> remains tahor. Now, asked Abaye, [according to Rabbi Shimon] can it serve as a handle to the rest?<sup>32</sup> — It is left unresolved.

Rabbi Yirmiyah said: Behold they have said that if a man bowed down to half a pumpkin he has thereby rendered it

forbidden.<sup>33</sup> Now, asked Rabbi Yirmiyah, can it serve as a handle to the other [half]?<sup>34</sup> — It is left unresolved.

Rav Pappa said: Behold they have said: If a branch of a fig-tree was broken off but it was still attached by the bark, [and tamei matter came into contact with it,] Rabbi Yehudah declares it to be tahor;<sup>35</sup> but the Sages say: If it can live,<sup>36</sup> it is tahor; but if not, it is tamei. Now, asked Rav Pappa, can it serve as a handle to the rest?<sup>37</sup> — It is left unresolved.

Rabbi Zeira said: Behold they have said: As to a stone that is in a corner,<sup>38</sup> when it must be taken out<sup>39</sup> the whole of it must be taken out, and when [the house] must be pulled down<sup>40</sup> a man need pull down only his own [half of the stone] but

<sup>27</sup> It is agreed by all that the animal cannot serve as a handle to the limb for the purpose of rendering it susceptible to tumah; it is therefore suggested that the limb was splashed with the blood of the slaughtering which was not wiped off at all. Rabbi Shimon nevertheless maintains that the limb was not thereby rendered susceptible, for he holds that it is the act of slaughtering and not the blood which renders the animal susceptible to tumah, and this being so, the act of slaughtering must be a valid act such as renders the animal fit for food, which is not the case with regard to this limb.

<sup>28</sup> This question is founded upon the view of Rabbi Meir who, on Rabbah's interpretation, holds that the slaughtered animal serves as a handle to the loose limb. If it is held that the living animal can also serve as a handle to the loose limb, then the position would be that if a tamei matter came into contact with the body of the animal, although it could not itself contract tumah thereby for it is alive, it could nevertheless act as a 'handle' to convey the tumah to the loose limb (provided the limb was first moistened by water).

<sup>29</sup> Whatever is planted in a plant-pot which is not perforated is not regarded as attached to the soil in any way; it is therefore susceptible to contract tumah, or if the plant was tamei before planting, it retains the tumah (which is not the case if the plant was planted in the ground). If, however part of the growth of the plant spread outside the pot this part clearly draws nourishment from the earth and the effect is that the whole plant, even that which is inside the pot, is insusceptible to tumah, or if the plant, before planting, was tamei, it is now tahor.

<sup>30</sup> Sc., that which is inside the pot, for it is not regarded as attached to the soil.

<sup>31</sup> Sc., that which is outside the pot, and which draws sustenance from the soil and so is regarded as attached to the soil.

<sup>32</sup> To convey tumah to what is inside the pot although it itself cannot contract tumah.

<sup>33</sup> Inasmuch as it is forbidden to derive any benefit whatsoever from the object worshipped, the half pumpkin is no longer, according to the view of Rabbi Shimon, regarded as a foodstuff, and so cannot contract tumah.

<sup>34</sup> I.e., if tamei matter came into contact with the forbidden half, can it, seeing that it cannot contract tumah itself, serve as a handle to convey the tumah to the other half or not?

<sup>35</sup> For it is still regarded as part of the tree and therefore cannot contract tumah.

<sup>36</sup> I.e., if when tied to the tree it can produce fruit.

<sup>37</sup> I.e., can this branch which has been tied to the tree and continues to produce fruit, (in which case it cannot contract tumah itself,) serve as a handle, if tamei matter came into contact with it, to convey the tumah to a smaller branch broken away from it and which cannot live and produce fruit? This is the first interpretation of Rashi, and it is similar the previous questions that were raised. A simpler interpretation is: can the tree, which does not contract tumah, convey the tumah which came into contact with it to the branch which has broken away and which cannot revive even when tied to the tree?

<sup>38</sup> I.e., a stone which forms part of two adjoining houses and which was infected with tzaraas: if the plague had spread after the house had been shut up for seven days the infected stones must be removed and replaced by others, and if after a further period of seven days the plague appears upon the new stones then the entire house must be pulled down.

<sup>39</sup> Viz., after the first seven days.

<sup>40</sup> Viz., after the second period of seven days.

leaves his neighbor's [half]. Now, asked Rabbi Zeira, can it serve as a handle to the rest?<sup>41</sup> — It is left unresolved.

The Mishnah had stated: If the animal died. What difference is there between a limb torn from a living animal and a limb torn from a dead animal? — The difference is where some flesh is severed from the limb; for flesh severed from the limb torn from a living animal is not rendered tamei, but [flesh severed] from the limb torn from a dead animal is rendered tamei. And where is there proof in Scripture that a limb torn away from a living animal renders tamei? — Rav Yehudah said in the name of Rav: It is written: And if there shall die from an animal.

The Gemara asks: But surely this verse is required for the other teaching of Rav Yehudah in the name of Rav; for Rav Yehudah said in the name of Rav, (others say: It was so taught in a Baraisa): It is written: And if there shall die from an animal, [he that touches its carcass shall be tamei,] that is to say, some animals render tamei and some do not, and which are they [that do] not render tamei? They are tereifah animals that have been slaughtered.

The Gemara answers: If that were so, Scripture should have stated *mi'beheimah* – from animals; why does it state *min habeheimah* (using two words)? You may therefore infer two results from it.

The Gemara asks: Then in that case even flesh [severed from the living animal] should also [render tamei], should it not?

The Gemara answers: You cannot say so, for it has been taught: I might think that flesh severed from the living animal

should also be tamei, Scripture therefore states: And if there shall die from an animal: as death cannot be replaced so everything that [is severed and] cannot be replaced [renders tamei]; these are the words of Rabbi Yosi HaGelili. Rabbi Akiva says: It is written: 'An animal': as the animal is made up of veins and bones so everything [severed] must be made up of veins and bones [in order to render tamei]. Rebbe says: 'An animal': as the animal is made up of flesh and veins and bones so everything [severed] must be made up of flesh and veins and bones [in order to render tamei].

Where is there a difference between Rebbe and Rabbi Akiva? — In the case of the lower joint [of the leg].<sup>42</sup> And where is there a difference between Rabbi Akiva and Rabbi Yosi HaGelili? — Rav Pappa answered: In the case of the kidney and the upper lip.<sup>43</sup>

The same has also been taught with regard to *sheratzim* (creeping things), viz., I might think that flesh severed from [living] *sheratzim* should also be tamei, Scripture therefore states: When they are dead: as death cannot be replaced so everything that [is severed and] cannot be replaced [renders tamei]; these are the words of Rabbi Yosi HaGelili. Rabbi Akiva says: It is written: A *sheretz*: as the *sheretz* is made up of veins and bones so everything [severed] must be made up of veins and bones [in order to render tamei]. Rebbe says: 'A *sheretz*': as the *sheretz* is made up of flesh and veins and bones so everything [severed] must be made up of flesh and veins and bones.

Between Rebbe and Rabbi Akiva there is a difference with regard to the lower joint [of the leg]; and between Rabbi

living animal render tamei, and so too according to Rabbi Yosi; but according to Rebbe these are not limbs.

<sup>43</sup> These are without bones, but obviously once cut away the animal cannot get another kidney or upper lip. According to Rabbi Yosi's definition these are regarded as limbs, but not so according to Rabbi Akiva's definition.

<sup>41</sup> It is established that stones infected with *tzaraas* render everything in the 'tent', i.e., under the same roof-space tamei. The question, therefore, is: can the other half of the stone which remains, i.e., his neighbor's half, since it is *tahor* itself, serve as a handle in order that the *tumah* may pass from his house into his neighbor's house.

<sup>42</sup> Sc., the tarsus; these consist entirely of bones and veins without flesh. According to Rabbi Akiva, these are limbs and if severed from the

Akiva and Rabbi Yosi HaGelili there is a difference with regard to the kidney and the upper lip.

Now both teachings were necessary. For if it had been taught only with regard to animals I should have said that the reason [why the flesh torn from] the living animal does not render tamei was that [the animal when dead] does not render tamei by a lentil's bulk of it,<sup>44</sup> but in the case of a sheretz, since [when dead] it renders tamei by a lentil's bulk of it, I should have said that the flesh of the living [sheretz] should render tamei. And if it had been taught only with regard to sheratzim, I should have said that the reason [why the flesh torn from] the living sheretz does not render tamei was that sheratzim do not convey tumah by carrying, but in the case of animals, since they do convey tumah by carrying, I should have said that even [the flesh torn from] the living animal should render tamei. Therefore both teachings were necessary.

Our Rabbis taught: Where a man cut off an olive's bulk<sup>45</sup> of flesh from a limb that was severed from a living animal, if he first cut it off and then intended it as food,<sup>46</sup> it is tahor;<sup>47</sup> but if he first intended it as food and then cut it off, it is tamei.<sup>48</sup>

<sup>44</sup> There must be at least an olive's bulk of it.

<sup>45</sup> The words 'an olive's bulk' are omitted in some texts. Rashi also adopts the reading without these words and he quotes the Tosefta in support. The reason for the omission is, that for a foodstuff to contract tumah and to convey tumah, there must be at least an egg's bulk.

<sup>46</sup> For a non-Jew.

<sup>47</sup> For a morsel of flesh which has been cut away from a limb that was severed from a living animal has no tumah of its own; and at the moment that this morsel comes to be regarded as a foodstuff it was then separated from the limb or from any source of tumah, hence it is tahor.

<sup>48</sup> Inasmuch as this morsel was regarded as a foodstuff while still joined to the limb, it has always borne tumah; for when joined to the limb it bore the graver tumah (which can render men and vessels tamei), and when separated from it, it thereby loses the graver tumah but bears the lighter tumah (which can render tamei only foodstuffs and liquids) because of its contact with the limb.

<sup>49</sup> The contact between the morsel and the limb was made only at the place where subsequently the severance is to be made, and that contact was not exposed.

Rav Assi was once absent from the Beis Hamidrash. He later met Rabbi Zeira and asked him: What was said in the Beis Hamidrash? Said the other: And what was your difficulty? He said: Well, it has been stated: If he first intended it as food and then cut it off, it is tamei. But it had only [made] covert [contact with] tumah<sup>49</sup> and covert [contact with] tumah does not render tamei? Said the other: I, too, had this difficulty and I put it to Rabbi Abba bar Mamal, and he told me that this ruling was in accordance with Rabbi Meir's view who maintains that covert [contact with] tumah does render tamei. He said: Indeed on many occasions he told me that too, but I replied to him that Rabbi Meir surely made a distinction between that which needed to be rendered susceptible [to tumah by a liquid] and that which did not need to be so rendered susceptible.<sup>50</sup>

Rava said: But what was the objection, perhaps it was rendered susceptible to tumah?<sup>51</sup> Whereupon Rabbah son of Rav Chanan asked Rava: Why is it at all necessary that it be rendered susceptible? Originally it conveyed the graver tumah!<sup>52</sup> He replied. But then it served only as wood.<sup>53</sup>

Abaye said: Behold they have said that if a man especially set aside a lump of leaven to be used as a seat, he has thereby

<sup>50</sup> Rabbi Meir would agree that where after severance from the limb the part has to be rendered susceptible to tumah by water or some other liquid, as is the case here, the covert contact with the tumah would not render tamei. Contrast the case stated above, where the fetus in the womb was already rendered susceptible to tumah by the slaughtering of its mother before the tamei protruding limb was cut off.

<sup>51</sup> I.e., the morsel before it was severed from the limb was moistened with water.

<sup>52</sup> The morsel when joined to the limb was regarded as a primary source of tumah to convey the graver tumah, and it is established that whatever will convey the graver tumah later on does not require to be rendered susceptible to tumah by water; how much more so this morsel which in the past did convey the graver tumah!

<sup>53</sup> I.e., it had no individual character but formed together with the bones and sinews an entire limb. It is only now on being severed from the limb that it assumes a new character, viz., that of a foodstuff, and like all foodstuffs it requires moistening in order to be rendered susceptible to tumah.



nullified it.<sup>54</sup> Its tumah [I say] is not decreed by Biblical law; for should you say it is so by Biblical law, then we should have a case of foodstuffs being able to convey the graver tumah [later on]<sup>55</sup> — [No. Not necessarily so]. For it now serves as wood.<sup>56</sup>

## INSIGHTS TO THE DAF

### A bird that grows on a tree!

**“A mouse that is half flesh and half earth.” Such a creature exists.**

This past week Daf HaYomi learners discovered in our mishnah, that there is a type of mouse which doesn't conceive like other creatures but develops from the ground. Our *sugya* addresses the halachic status of such a mouse that died while it was being created, half dust and half earth. Food that touches a dead crawling creature (*sheretz*) becomes impure and we must ascertain the halachah of food that touched the part of the mouse that is still dust.

To remove any doubt from those who wonder about the existence of this creature, Rambam states in his commentary on the mishnah: “It is a very well-known matter; countless people have told me that they saw such.” Many years later the *Tiferes Yisrael* (*Bo'az, os 2*) was also compelled to reject the skeptics' claims and supported his contention by citing Link, a famous gentile scientist in Germany, who testified in his *Urwelt* as to the existence of such a mouse.

In consequence to the discussion in our Gemara about the nature of this rare creature, the *Mordechai* mentions (735) another animal that comes into being by spontaneous generation. He describes a certain species of bird that grows

from trees! It remains attached by its bill to the tree until it falls into the water and begins to live (see *Darchei Teshuvah, 84, os 170*). This bird has kosher signs and opinions differ as to how to regard it. Is it an ordinary bird permitted for eating, but must be slaughtered, or is it a *sheretz* forbidden to eat, or is it not defined as an animal at all but is a fruit that requires no slaughtering, as it grew from a tree.

The *Mordechai* states that his father informed him in Rabeinu Tam's name that our *sugya* proves that this bird is certainly not regarded as something that grows from a tree, but as an animal. It is clear in our Gemara that the mouse which grows from the ground renders food impure after it becomes flesh and dies. If it were classed a vegetable species, it wouldn't render food impure. It is interesting that Rabbi Yosef Karo found it fitting to devote a paragraph in *Shulchan Aruch* to this halachah (*Y.D. 84:15*): “Species of birds growing from trees and hanging on to the tree by their bills are forbidden as a *sheretz* that creeps on the ground.”

## DAILY MASHAL

**The creation of the world *ex nihilo*:** The author of *Tosfos Yom Tov* mentions that the existence of these creatures refutes those who “believe” that the world always existed because they refuse to accept that stated in the Torah, “...the earth will bring forth a living soul” (*Bereishis 1:24*), that animals were created from the earth. But here we see life created from dust *ex nihilo*, similar to what occurred at the creation of the world.

<sup>54</sup> I.e., it no longer counts as leaven and by using it on the Passover one does not transgress the prohibition of chametz, for it is no longer a foodstuff but converted into a seat. As a seat it would contract midras tumah (which is a grave tumah) if a zav sat upon it.

<sup>55</sup> Which would conflict with the principle laid down above.

<sup>56</sup> When converted into a seat it has lost all the characteristics of a foodstuff and has become quite a new article, and as such can convey the graver tumah. Accordingly the tumah spoken of can well be by Biblical law.