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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

Mishna

If a woman brought a *chatas* offering of a bird by reason of a doubt (a woman who gives birth must offer a lamb as an olah and a dove as a chatas; if she miscarried and there is doubt whether a birth took place, she offers the olah with the stipulation that it shall be a donated offering in case of her being exempt, and the chatas she offers out of doubt without any stipulation, but it is not eaten). If prior to the *melikah* (the Kohen “slaughters” the bird by piercing the back of the bird’s neck with his thumbnail) she learned that the birth was a certainty, she shall offer it as a definite *chatas*, for that which she offers in the case of certainty (the *chatas* bird) is of the same species as that which she offers in the case of doubt.

If there was a piece of *chullin* (nonconsecrated) meat and a piece of consecrated meat, and a person ate one of them and does not know which one of them he ate, he is exempt (according to the Sages who maintain that there is no *asham taluy* offering for a doubt arising in a *me’ilah* situation). Rabbi Akiva declares him liable to an *asham taluy* (for the possible *me’ilah* transgression). If he then ate the second piece (meaning that he definitely committed *me’ilah*), he is liable to a definite *asham*. If he ate one piece and another person came and ate the other piece, each of them is liable to an *asham taluy* (for the possible *me’ilah* transgression); these are the words of Rabbi Akiva. Rabbi Shimon says: They together bring one *asham* (with the stipulation that the one who did not eat the consecrated meat and is therefore exempt from a *korban* relinquishes his portion of the sacrifice to the other fellow; it emerges that the violator brings the entire sacrifice). Rabbi Yosi said: Two people cannot bring one *asham* (for a stipulation is not effective when the sacrifice requires prior knowledge of the transgression).

If there was a piece of *cheilev* (forbidden fat) and a piece of permitted fat, and a person ate one of them and does not know

which one of them he ate, he is obligated to bring an *asham taluy* (for the possible *cheilev* transgression). If he then ate the second piece (meaning that he definitely ate *cheilev*), he is liable to a *chatas*. If he ate one piece and another person came and ate the other piece, each of them is liable to an *asham taluy* (for the possible *cheilev* transgression). [This is according to Rabbi Akiva, for he maintains that even if there is only one piece before him (after the first fellow ate the first piece), if one eats it, he brings an *asham taluy*.] Rabbi Shimon says: They together bring one *chatas* (with the stipulation that the one who did not eat the *cheilev* and is therefore exempt from a *korban* relinquishes his portion of the sacrifice to the other fellow; it emerges that the violator brings the entire sacrifice). Rabbi Yosi said: Two people cannot bring one *chatas* (for a stipulation is not effective when the sacrifice requires prior knowledge of the transgression).

If there was a piece of *cheilev* (forbidden fat) and a piece of consecrated fat (*shuman* – permitted fat), and a person ate one of them and does not know which one of them he ate, he is obligated to bring an *asham taluy* (for the possible *cheilev* transgression). If he then ate the second piece (meaning that he definitely ate *cheilev* and he definitely ate *kodesh*), he is liable to a *chatas* and a definite *asham* (for the *me’ilah* violation). If he ate one piece and another person came and ate the other piece, each of them is liable to an *asham taluy* (for the possible *cheilev* transgression). Rabbi Shimon says: They together bring one *chatas* (for the *cheilev*) and one *asham* (for the *me’ilah*). Rabbi Yosi said: Two people cannot bring one *chatas* or one *asham*.

If there was a piece of *cheilev* and a piece of consecrated *cheilev*, and a person ate one of them and does not know which one of them he ate, he is obligated to bring a *chatas* (for the definite *cheilev* transgression). Rabbi Akiva declares him liable to an *asham taluy* as well (for the possible *me’ilah* transgression). If he then ate the second piece (meaning that he definitely ate two pieces of

cheilev and he definitely ate kodesh), he is liable to two *chatas* offerings (for the two *cheilev* violations) and a definite *asham* (for the *me'ilah* violation). If he ate one piece and another person came and ate the other piece, each of them is liable to a *chatas* (for the definite *cheilev* transgression). Rabbi Akiva declares each of them liable to an *asham taluy* offering as well (for the possible *me'ilah* transgression). Rabbi Shimon says: Each of them is liable to a *chatas* (for the definite *cheilev* transgression) and together they bring one *asham* (for the *me'ilah*). Rabbi Yosi said: Two people cannot bring one *asham*.

If there was a piece of *cheilev* and a piece of *nossar* (leftover from a consecrated offering) *cheilev*, and a person ate one of them and does not know which one of them he ate, he is obligated to bring a *chatas* (for the definite *cheilev* transgression) and an *asham taluy* as well (for the possible *nossar* transgression). If he then ate the second piece (meaning that he definitely ate two pieces of *cheilev* and he definitely ate *nossar*), he is liable to three *chatas* offerings (for the two *cheilev* violations and one *nossar* violation). If he ate one piece and another person came and ate the other piece, each of them is liable to a *chatas* (for the definite *cheilev* transgression) and an *asham taluy* as well (for the possible *nossar* transgression). Rabbi Shimon says: Each of them is liable to a *chatas* (for the definite *cheilev* transgression) and together they bring one *chatas* (for the *nossar*). Rabbi Yosi said: Regarding any *chatas* that comes on account of a sin, two people cannot bring one. (22b – 23a)

Nossar

Rava said to Rav Nachman: According to Rabbi Yosi (in the second case, where there was a piece of *cheilev* and a piece of permitted fat, and a person ate one of them and another person came and ate the other piece, R' Yosi ruled that two people cannot bring one *chatas*, the Gemora infers from there that) it is only a *chatas* that cannot be brought by two people, but an *asham taluy* must be brought by each of them. Is this, then, not identical with the opinion of the *Tanna Kamma* (the first opinion mentioned in the *Mishna*)? And should you say that they differ as to whether one out of two pieces is required (in order to bring an *asham taluy*, or perhaps, even if there is only one piece, and there is an uncertainty regarding its status, one who eats it would be required to bring an *asham taluy*, and R' Yosi would be ruling that the second person, who finds only one piece before him, would not be required to bring

an *asham taluy*); this cannot be, for it has been taught in a *braisa*: Rabbi Yosi rules that each of them is obligated to bring an *asham taluy*!?

He replied: The *Mishna* is informing us that the *Tanna Kamma* is Rabbi Yosi.

Rava said to Rav Nachman: Let him (in the *Mishna's* case where there was a piece of *cheilev* and a piece of *nossar*, and one person ate both pieces, he is liable to three *chatas* offerings - for the two *cheilev* violations and one *nossar* violation) also bring a definite *asham* offering, for the *nossar* is at the same time consecrated (and he has thus committed *me'ilah*)?

He replied: The *Mishna* is referring to a case where the food was not worth a *perutah* (and there is no *asham* requirement for a trespass of such a small amount).

Rava counters: But in the *Mishna's* earlier case (where there was a piece of *cheilev* and a piece of consecrated *cheilev*) we were dealing with food worth at least a *perutah*, for the *Mishna* stated that he is obligated to bring a definite *asham* (for *me'ilah*, so how can you explain the other ruling in the *Mishna* to be referring to a case where the food was worth less than a *perutah*)?

He replied: In that instance, where it was not *nossar*, it was worth a *perutah* (but where it was *nossar*, it was not worth a *perutah*, for *nossar* meat is forbidden for benefit).

Rava asks: But what of the case (mentioned in a *Mishna* above) One may by a single act of eating ... which speaks of *nossar* as one of the trespasses involved, nevertheless it states that he is liable to four *chatas* offerings and one *asham* offering? [We see that there is an *asham* for *me'ilah* even though the meat is *nossar*!?!]

Rav Nachman answers: That *Mishna* refers to a large meal (of *cheilev* – which would have been worth more than a *perutah* if not for the fact that it was *nossar*); our *Mishna* refers to a scanty meal (where the *cheilev* is worth less than a *perutah* even without being *nossar*). Alternatively, that *Mishna* relates to the winter season (where the meat does not spoil even when it was leftover), our *Mishna* refers to the summer season (when the meat spoils quickly, and therefore it was worth less than a *perutah*). (23a)

Prohibition Taking Effect upon Another

[R' Shimon holds in the last case of the Mishna that a second *chatas* is to be brought because of the *nossar* violation, even though before it became *nossar*, it was already forbidden as *cheilev*.] Rava said to Rav Nachman: And does Rabbi Shimon indeed hold that a prohibition can take effect upon an existing prohibition? Has it not been taught in a *braisa*: Rabbi Shimon says that one who eats *neveilah* (carcass of an animal that was not slaughtered properly) on *Yom Kippur* is exempt from bringing a *korban chatas* (for eating on *Yom Kippur*, since it was forbidden from beforehand).

Rav Sheishes the son of Idi said: Our *Mishna* refers to one who ate the kidney with the *cheilev* attached to it (so the *nossar* is on account of the kidney, not for the *cheilev*).

The *Gemora* asks: But even in the case of the kidney with the *cheilev* attached to it, is it not subject to prohibition of offerings (relating to all things that must be offered upon the altar)? How then, can the prohibition regarding *nossar* take effect on it?

And should you argue that Rabbi Shimon maintains that the prohibition relating to *nossar* is a severe one (for it entails *kares* and a *chatas*) and it therefore takes effect on the existing lighter prohibition of offerings; behold the prohibition of *neveilah* is a light one, and that of *Yom Kippur* is a severe one, and yet the *Yom Kippur* prohibition does not take effect on *neveilah*!

The *Gemora* answers: One must say that in connection with consecrated things, the Torah has revealed that one prohibition can take effect on an existing prohibition, for it has been taught in a *braisa*: 'that is to Hashem' includes the sacrificial parts (of *kodashim kalim* - sacrifices of a lesser sanctity; they may be eaten anywhere within the city of *Yerushalayim* - that cannot be eaten by someone who is *tamei*). Now these portions are subject to the prohibition of offerings, and the *cheilev* of these parts are subject to a prohibition involving *kares*, and yet the prohibition regarding *tumah* takes effect on them!

A further proof that this is so is from the following: Behold, Rebbe is of the opinion that one prohibition can take effect upon another

existing prohibition, provided that it is a severe prohibition being applied to an existing light one, and not a light one to a severe one, yet in the matter of consecrated things he maintains that even a light prohibition can take effect on a severe one. For the prohibition of *me'ilah* is light, as it entails death by the hands of Heaven (and not *kares*), whereas the prohibition relating to the consuming of offerings is severe, involving *kares*; yet the prohibition involving death takes effect on the prohibition involving *kares*, as has been taught in a *braisa*: Rebbe says: The verse, 'all *cheilev* is for Hashem' includes the sacrificial parts of *kodashim kalim* – that they are subject to the law of *me'ilah*. Now, *me'ilah* is a prohibition involving death (a relatively light one), and yet it takes effect on the prohibition of *cheilev* which involves *kares*. This proves that the Torah revealed a special case with regard to consecrated things.

The *Gemora* asks: But has it not been taught in a *braisa*: Rabbi Shimon says: Neither the law of *piggul*, nor that of *nossar* applies upon the prohibition of offerings?

The *Gemora* answers: This is a matter of a *Tannaic* dispute and according to Rabbi Shimon; there are those who hold that in relation to consecrated things a prohibition can take effect upon an existing prohibition, but others hold that even in relation to consecrated things, a prohibition cannot take effect upon an existing prohibition. (23a – 23b)