

OVERVIEW of the Daf

1) Assisting on the threshing floor (cont.)

The reason the Tanna focused on the gift of terumah to the kohen rather than any of the other gifts is explained.

Rava asserts that the restriction against "assisting on the threshing floor" does not apply to terumah of produce grown outside of Eretz Yisroel.

A related incident is cited.

2) Rabbinic terumah

Shmuel rules that terumah grown outside of Eretz Yisroel becomes nullified in a majority of grain.

Two related applications of this ruling are presented.

Shmuel rules that concerning terumah grown outside of Eretz Yisroel it is acceptable to eat first and separate the terumah later.

Shmuel limits the tum'ah prohibition to terumah grown outside of Eretz Yisroel.

Ravina applies this ruling to a niddah.

A related incident is recorded.

Rav's ruling that one who became tamei from a corpse may immerse and immediately eat terumah that was grown outside of Eretz Yisroel is rejected.

Mar Zutra in the name of R' Sheishes rules that one who is tamei from a sheretz may eat terumah that was grown outside of Eretz Yisroel but this ruling is rejected.

3) Calculating a bechor's year

The Gemara infers from the wording of the Mishnah that we count the bechor's year since its birth.

R' Yehudah in the name of Rav identifies the source for this position.

D'vei Rav suggests an alternative exposition of this pasuk.

The source for calculating a bechor's age according to D'vei Rav is identified.

Rav's source that a bechor is eaten for two days and a night is identified. ■

Distinctive INSIGHT

Counting the year of a bechor

למימרא דלשנה דידיה מנינן. מנא הני מילי?

The Mishnah taught that the mitzvah of eating a bechor, whether it be blemished or unblemished, should be during its first year of life. If an animal develops a blemish, the animal may be kept alive until *its* twelve months are about to elapse. The Gemara notes that this halacha and the wording of the Mishnah indicate that the "years" of a bechor are counted subjectively, from twelve months of its birth. Had the Mishnah said that we may keep it until the end "of twelve months," we would have used an objective measure to say that it may be eaten until the end of the calendar year, no matter whether the year's end be one month or many months away. In the Gemara, R' Yehuda in the name of Rav clarifies that the source for this halacha is a posuk (Devarim 15:20) that teaches that a bechor is eaten "year to year." What does the phrase "year to year" mean? It refers to the first year of life of a bechor which begins from its birth, as the animal's first twelve months will likely straddle two calendar years.

In Meromei Sadeh, Netzi"v asks why the Gemara requires a posuk to teach this rule, when it is apparent that the year of a bechor must be counted as twelve months from its birth. If we would consider the year of a bechor to end with the calendar year for ma'aser, which is Rosh Chodesh Elul, Netzi"v illustrates that this would result in a dilemma. If a bechor was born the final week of the month of Av, less than eight days before Rosh Chodesh Elul, this animal would not be eligible for ma'aser before it is eight days old, and after that its year would end. This animal would have no solution to deal with it. Logic demonstrates, therefore, that the year of bechor must follow its own twelve months from birth and not that its year ends with the coming Rosh Chodesh Elul. Why, then, does the Gemara report that this halacha is learned from a posuk?

Netzi"v answers based upon the Gemara in Rosh HaShana (6b) that a bechor's year does not begin with its birth, but rather with the day it is fit for an offering, which is its eighth day. In the illustration we considered, the animal would only begin its year after the Rosh Chodesh Elul after its birth, and it would be counted for the next year. The posuk teaches that we do not count the year objectively until Rosh Chodesh Elul.

Netzi"v also notes that Tosafos in Rosh HaShana (ibid.) cites the Yerushalmi which says that a bechor begins his year from birth. Our Gemara (Bavli) which learns that we count the animal's year from its eighth day uses the verse in Devarim to teach that the year follows the animal's own year. The Yerushalmi uses the verse for a different lesson (see D'vei Rav in our Gemara). Therefore there is no proof whether a bechor's year begins at birth or at eight days. ■

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חיים ראובן בן ישראל צדוק

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HALACHA Highlight

Immersing after contact with a corpse

טמא מת מהו שיטבול וכו'

Is someone who is tamei from a corpse permitted to immerse etc.

Teshuvos Torah Lishmah¹ raised the question whether nowadays there is any reason for one who becomes tamei from a corpse to immerse in a mikvah. For example, if a kohen accidentally comes in contact with a corpse or if he becomes tamei for one of his relatives for whom he is permitted to be tamei, is there a reason for him to immerse in a mikvah or perhaps since we do not have the ashes of a parah adumah for one to become completely tahor there is no advantage to immersing in a mikvah following contact with a corpse? Similarly, there are pious people who immerse after coming in contact with a corpse and the question is whether there is any value to this practice or immersing in a mikvah for corpse tum'ah without parah adumah ashes has no value whatsoever?

He answers his inquiry from an incident presented in our Gemara. The Gemara relates that R' Nachman, R' Amram and Rami bar Chama were travelling by boat. During the time that R' Amram had gone to relieve himself a woman asked whether a kohen who is corpse tamei may immerse in a mikvah and eat produce grown outside of Eretz Yisroel before nightfall. R' Nachman asserted that since we do not have sprinkling of parah adumah ashes nowadays there is no reason to wait until nightfall before eating the produce grown outside of Eretz Yisroel. Rami bar Chama contended that they should not answer

REVIEW and Remember

1. What leniencies are applied to produce grown outside of Eretz Yisroel ?

2. Is it necessary to separate terumah before eating from produce ?

3. What is the source that a bechor's age is calculated according to its year ?

4. For how long may one eat a bechor ?

the woman's inquiry until R' Amram returns. Upon his return R' Amram also ruled that one who came in contact with corpse tum'ah may immerse and eat produce grown outside of Eretz Yisroel without waiting until nightfall. Rashi² explains that the essence of the question was whether it was necessary for the person who was tamei from a corpse to wait until nightfall before eating the produce but it was obvious that immersion was necessary. This clearly demonstrates that immersion has value even though we do not have parah adumah ashes. Gaon Chida³ also relates that after visiting the graves of the Rama and Ramaz he immersed himself in a mikvah. ■

¹ שו"ת תורה לשמה סי' ל"ה.
² רש"י ד"ה וכי וד"ה טובל.
³ ספר מעגל טוב השלם עמ' 94. ■

STORIES off the Daf

A Family Custom?

"יהיב ליה לשמעיה..."

There are many quaint customs that get passed on from father and mother to son and daughter. Some of these practices are minhag Yisrael which developed for various reasons. Others are firmly based on halachah. Still others are sometimes misapplications of both.

A new school is always an adjustment. Especially if one commutes, it is hard to know just how much food one needs for his grueling day. One commut-

ing student was somewhat hungry and had nothing left from his lunch. A kindly student—an Israeli of Sefardic descent—shared an apple with the new student. To the recipient's surprise, there was a bit cut away from the apple. "Why is some cut away?" he asked his friend.

"My parents do that to all of the produce which comes through our house," the boy explained. "It is a way of fulfilling the mitzvah of tithing produce."

"What, in chutz l'aretz?" wondered the surprised boy.

"That is our custom," was his friend's simple reply.

In addition to a snack, the recipient had also received much food for thought.

When he got older he learned the

probable source of this custom was a misapplication of a practice during the times of chazal which is not relevant in most places today. In the word of the Beis Yosef, ז"ל¹: "Since the custom is not to take terumos and maasros in these lands, I do not wish to discuss these halachos at length. Although we find in Bechoros 27—and other places in the Talmud—that they used to take terumos and ma'asros outside of Israel, the Ri, ז"ל¹, explains that this only applies to lands which are close to Eretz Yisrael. Tosafos in Avodah Zarah writes the same, as does the Rambam in the beginning of Hichos Terumah..."¹ ■

¹ בית יוסף, יו"ד, ריש סי' של"א ■

