



## OVERVIEW of the Daf

### 1) Identifying the author of the Mishnah (cont.)

R' Nachman in the name of Rabba bar Avuha explains that the dispute in the Mishnah in Ma'asros relates to where the temed has fermented and our Mishnah follows R' Yehudah.

This explanation of the Mishnah in Ma'asros is echoed by R' Yosi the son of R' Chanina.

### 2) Temed

R' Nachman in the name of Rabba bar Avuha rules that if one purchased temed with ma'aser sheni funds and it later fermented, the temed acquires ma'aser sheni sanctity.

This ruling is challenged from the Mishnah.

Rabbah and Rava offer alternative resolutions for this challenge.

### 3) Identifying the author of the Mishnah (cont.)

It is noted that the explanation of the Mishnah in Ma'asros by R' Nachman in the name of Rabba bar Avuha is at odds with R' Elazar's explanation.

### 4) Temed

A Baraisa discusses whether temed could be used in a mikveh.

Rava qualifies the ruling of the Baraisa.

This qualification is challenged.

5) **MISHNAH:** The Mishnah teaches that the age at which a father has the right to sell his daughter as a maid-servant and the age at which he has a right to collect her fine are exclusive of one

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## Distinctive INSIGHT

When three log of colored water falls into a mikveh

שלושה לוגין מים חסר קורטוב שנפל לתוכן קורטוב יין וכו' לא פסלוהו

Funds obtained for redemption of ma'aser sheni fruits must be taken to Yerushalayim to be used to purchase food. One of the restrictions of this money is that it may not be used to purchase water. *Temed* is a colored beverage obtained by pouring water on grapes, but it is legally categorized as water. If, after buying *temed*, the *temed* fermented and became wine, the ma'aser purchase becomes justified, as we see that this potential to become wine was inherent in this beverage. The money used to buy it becomes released from its ma'aser status.

Rava explains that the opinion which considers this colored water to be wine is that of R' Yochanan ben Nuri in a Mishnah (Mikva'os 7:5), who judges the status of a beverage based upon its appearance. The Mishnah discusses where just under three log of drawn water has a bit of wine or milk fall into it. The combined amount of three log of colored water falls into a mikveh that is deficient. Tanna Kamma holds that whether wine or milk fell into this less-than-three-log water, if the combination falls into a mikveh, the mikveh is not disqualified. R' Yochanan b. Nuri says that the colored water retains the status of its color. Therefore, where wine fell in, he agrees that the three log of colored water is like wine, and the mikveh is kosher. Where milk fell in, this water-colored mixture of three log is considered water, and here R' Yochanan disagrees with Tanna Kamma and he holds that the mikveh is invalid, as drawn water may not be used to complete the forty se'ah necessary for immersion.

The text our Gemara cites in the Mishnah from Mikva'os is where the water with which we began started was less than three log, and the wine which fell in supplemented the drawn water to arrive at the three-log limit. Rabeinu Gershom and Rashba have a text that reads that the original drawn water was already a full three log, and the wine which fell in which colored it was in addition to this amount. Yet, the colored mixture does not ruin the mikveh because R' Yochanan ben Nuri judges the liquid based upon its color alone, which, in this case, appears like wine.

The Rishonim point out an issue in the opinion of Tanna Kamma. R' Nachman held that wine-colored *temed* which has not fermented is considered to be water, because we do not judge it by its color alone, but by its consistency. Rava said that R' Nachman agrees with our Tanna Kamma and not R' Yochanan. Why, then, is the mikveh kosher when we have three log of water with some wine added which falls into it? The water is enough to ruin the mikveh, and the color is not significant according to Tanna Kamma. The Rishonim answer that in regard to the status of a mikveh, the rabbis only were strict when three log of water itself falls in, but not with water that has wine mixed into it. ■

## REVIEW and Remember

1. How much is a קורטוב?
2. What is חשקה?
3. What is the point of dispute between R' Meir and Chachamim?
4. What is the point of dispute between R' Yehudah and R' Assi?

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# HALACHAH Highlight

## Does soda invalidate a mikveh?

התמד עד שלא החמיץ וכו'

*Temed that has not yet fermented etc.*

The Gemara discusses disqualifications of a mikveh and it teaches that if one has a mikveh with less than the minimum forty seah and three log of drawn water is poured into the mikveh so that it now has the minimum quantity necessary for a mikveh it is invalid. If, however, the drawn water was transformed so that it is no longer considered water it does not invalidate a mikveh if three log are poured in. Thus, for example, temed, a drink that is made by soaking grape seeds or wine sediment in water, does not invalidate a mikveh. This ruling is codified in Shulchan Aruch as well. Shulchan Aruch<sup>1</sup> rules that temed that did not ferment, and thus remains classified as water, invalidates a mikveh if three log are poured into a mikveh that did not previously contain forty seah. Temed that did ferment and is thus classified as wine does not invalidate the mikveh if three log are poured into a mikveh that did not previously contain forty seah. Although temed does not invalidate the mikveh it does not contribute towards the requisite forty seah. Thus, if a mikveh contained only thirty-nine seah of water and one poured a seah of fermented temed the mikveh is not yet valid.

Teshuvah Mishnah Halachos<sup>2</sup> was asked about the effect that soda would have on a mikveh. Is soda classified as water and three log of soda would invalidate a mikveh, or not? He answered that soda is certainly classified as water for all matters of halacha. He explained that soda is no different than colored water which Shulchan Aruch categorizes as drawn water. It is in essence club soda with some color and flavor added but those additives do not transform it into an important drink. Although temed is primarily water, as a result of its fermentation it becomes a more important drink. Soda, however, does not become more important and as such remains categorized as water. ■

# STORIES Off the Daf

## Time for Repentance

"כל מקום שיש תקיעה אין הבדלה..."

The Ohr Hachaim HaKadosh, ז"ל, writes that one can only do teshuvah if he first recognizes the gravity of his sin.<sup>1</sup>

A certain person committed a sin. When Rav Mordechai Aryeh Halevi Horowitz, ז"ל, gently nudged him to repent the sinner displayed his relaxed attitude towards teshuvah. "Why repent now? Soon enough it will be Elul, the season when the shofar is sounded to remind us to do teshu-

vah. Can't my teshuvah wait until then?"

Rav Horowitz rejected this attitude out of hand. "As is well known, the main element in teshuvah is havdalah, separating between what is proper and what is not. It is only by determining which actions lead to darkness and which generate light that we act as is fitting. Even if a person with understanding falls to sin chas v'shalom, he knows to repent and change his ways. But many people wait until Elul to do teshuvah. After all, isn't that when we are aroused to repentance by the shofar as the Rambam writes?

"We find in the Mishnah in Chulin 26 that whenever the Shofar is sounded we do not say havdalah. Conversely, whenever we

say havdalah we do not sound the shofar. Although on a simple level this is a sign for when they would blow the shofar to signify the onset of Shabbos or Yom Tov, this statement also teaches a lesson about teshuvah. When one feels justified waiting to do teshuvah until the shofar is sounded during Elul, this shows he lacks understanding. He does not comprehend the gravity of sins since this leads to havdalah, healthy separation between what is right and what is wrong. One who has fitting discrimination between good and bad doesn't wait to hear the shofar to repent!"<sup>2</sup> ■

1. אור החיים, שמות, ל': י"ב

2. בשם מרדכי, ע' שמ"ז

(Insight...continued from page 1)

another.

### 6) Identifying the author of the Mishnah

R' Yehudah in the name of Rav asserts that the Mishnah reflects the opinion of R' Meir because according to Chachamim the two ages overlap.

After the relevant Baraisa is cited the Gemara explains Chachamim's statement.

7) **MISHNAH:** The Mishnah teaches that the age of meiun and the age of chalitzah are exclusive of one another.

### 8) Identifying the author of the Mishnah

R' Yehudah in the name of Rav asserts that the Mishnah reflects the opinion of R' Meir because according to Chachamim the two ages overlap.

9) **MISHNAH:** The Mishnah teaches that when Shabbos and Yom Tov run consecutive to one another there is either a havdalah to be recited or a hornblast to be sounded. The exact wording of havdalah is debated.

### 10) Hornblasts

R' Yehudah and R' Assi debate how the hornblasts are sounded.

The Gemara unsuccessfully challenges both opinions.

### 11) Havdalah

R' Yehudah and R' Nachman maintain that the special wording for havdalah when Shabbos goes into Yom Tov is said at the end of the beracha.

R' Sheishes and R' Idi assert that it is added to the beginning of the beracha but the Gemara rejects their position.

The Gemara states that halacha does not follow R' Dosa's view in the Mishnah.

R' Zeira teaches the correct wording for havdalah following a Yom Tov that occurs in the middle of the week. ■

הדרן עלך הכל שוחטין

1. שו"ע יו"ד סי' ר"יא סעי' כ"ד.

2. שו"ת משנה הלכות חיי"ג סי' קמ"ד. ■

