



OVERVIEW of the Daf

1) Sealing a puncture with fat (cont.)

Two explanations regarding the point of dispute between the traditions of Eretz Yisroel and Bavel concerning the question of whether chimtza fat seals a puncture are presented.

Incidents related to this topic are recounted.

2) Punctured intestines

A Baraisa cites R' Shimon ben Gamliel that a puncture in the intestines could be sealed by the sticky fluid of the intestines.

R' Yochanan is cited as ruling in accordance with R' Shimon ben Gamliel's opinion regarding tereifah and R' Shimon with regards to mourning.

R' Shimon's mourning related halacha is cited.

Someone asked R' Abba the son of R' Chiya bar Abba about his ruling on this matter and he offered a different account regarding his position.

The Gemara states that halacha does not follow R' Shimon ben Gamliel but it does follow R' Shimon's position regarding the mourning halacha.

3) Comparing punctures

R' Shimi bar Chiya states that we can compare punctures to determine the time of the original puncture.

A related incident is recorded.

R' Yochanan and R' Elazar state that we can compare punctures in the lung.

Rava qualifies this ruling.

The final halacha about this matter is recorded.

Abaye and Rava rule that one may compare holes in the trachea.

R' Pappa qualifies this ruling and the Gemara issues a final ruling about the matter.

4) A puncture in the rectum

Zeiri rules that a puncture in the rectum does not render the animal a tereifah.

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REVIEW and Remember

1. What liquid can seal a puncture in the intestines?
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2. Which lung punctures may be compared to one another?
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3. What is the "inner paunch"?
.....
4. What size puncture in the outer paunch renders the animal a tereifah?
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Distinctive INSIGHT

A hole in the intestinal wall—can it be corrected?

תניא רשב"ג אומר בני מעיים שניקבו וליחה סותמתן כשרה. מאי ליחה? אמר רב כהנא שירקא דמעייא דנפיק אגב דוחקא

The Baraisa teaches in the name of Rabban Shimon ben Gamliel that if the intestines become punctured, and a fluid fills the hole and seals it, the animal is no longer a tereifah, and it is kosher. The Gemara clarifies that the type of fluid we are speaking about is a sticky fluid from the intestine itself, the type that only oozes out when under pressure. Rashi to Pesachim (68a) and Rabeinu Gershom explain that this is a substance which only can be removed from the intestine by scraping it out with a knife. Because this substance seals the hole very well, the tereifah is corrected and the animal is kosher. Any other fluid which fills this hole is not considered adequate to correct this defect.

Tif'eres Yaakov analyzes this halacha in light of the general rule of the poskim that once an animal has an indication that it is a tereifah, the situation is irreversible. How, then, can we say that the plugging of this hole in the intestine can correct this problem? He explains that the only type of hole which can be plugged with this sticky fluid is a hole which is caused from the outside of the intestinal wall. If the intestine and the sticky fluid layer have not been fully punctured, and they are still intact, this indicates that the hole did not fully penetrate the wall of the intestine and its fluid layer. The animal was never a complete tereifah in the first place. If, however, the hole was caused by something from the inside, and the hole began by a puncture through the fluid layer and into the intestinal layer beyond, in this case the animal is a tereifah, and it will not be adequate if the fluid plugs this puncture.

Alternatively, he explains that the Baraisa means to say that if the outer layer of the intestine becomes diseased and it deteriorates, even if a hole develops, the animal is not a tereifah as long as the fluid layer remains intact.

Finally, Tif'eres Yaakov suggests that the Gemara means to say that while it is true that once an animal is a tereifah this status can never be reversed, this is only where the condition is not fully healed and corrected. However, in the case of the hole in the intestine, when this sticky fluid plugs the hole, Rabban Shimon ben Gamliel is of the opinion that the situation is completely and totally corrected, and the animal's condition of being a tereifah is no longer present. ■

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Rabbi and Mrs. Shiya Wechsler
In loving memory of his mother
מרת פרומט בת ר' אהרן ע"ה

HALACHAH Highlight

Milk from an animal whose stomach was punctured to release air

הכרס הפנימי

[If the] inner paunch [was punctured]

A common procedure to alleviate an animal's suffering that results from becoming bloated with air from too much eating or drinking is to pierce the stomach. Experts perform this procedure in a manner that heals within a few days of the procedure. Halachically, it is problematic since it is clear from our Gemara that if the keres of an animal is pierced the animal is a tereifah. Teshuvos Yehudah Ya'aleh¹ was asked whether milk from an animal that had this procedure is prohibited as well. The first point that he made in his response was that an animal that had this procedure is definitely a tereifah rather than a doubtful tereifah as Binas Ha'adam maintains. Therefore it is clear that the milk is prohibited and one may not even sell the milk to a gentile out of concern that he will resell it to a Jew as kosher milk. The only option is to kill the animal and sell it to a gentile as a neveilah.

Aruch Hashulchan² disagrees and accepts Binas Ha'adam's position that the animal is only a possible tereifah. Accordingly, he rules that the first twelve months after the procedure the milk is prohibited. During that period of time if the animal was to die it would be clear that the animal was a tereifah. Since that possibility exists one must be stringent and the milk is prohibited. After twelve months if the animal is still alive it becomes evident that the animal was not a tereifah and as such the milk is now permitted. Teshuvos Maharsham³ also assumed that an animal that has this procedure only makes the animal a possible tereifah. Therefore, when there was someone who purchased

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Further discussion qualifying this ruling is recorded.

5) Inner paunch

Different definitions are offered for the Mishnah's reference to the "inner paunch."

It is reported that in Nehardea they followed Rabba bar R' Huna's definition.

R' Ashi and Ameimar have a conversation regarding Nehardea's practice.

6) The outer paunch

R' Binyomin bar Yefes in the name of R' Elazar explains the Mishnah's intent by the term large and small.

The novelty of this ruling explained.

Genivah in the name of R' Assi rules that a hole the size of a selah renders an animal a tereifah since it could be stretched into a tefach.

Further explanation of this ruling is recorded.

7) Reticulum

A Baraisa begins to discuss the halacha of an animal if a needle is found in the reticulum. ■

milk from a gentile dairy farmer who had some animals that had received this procedure he ruled that the milk was permitted. His reasoning was that the animals that had this procedure were in a minority and thus Biblically are nullified in the majority of kosher animals. Rabbinically, the animal is not nullified but since the restriction against milk from animals is also only Rabbinic (due to the possibility that it may be a tereifah) Chazal were not stringent in this case of doubt if the animal is nullified in the majority. ■

1. שו"ת יהודה יעלה יו"ד סי' ס'.

2. ערוה"ש יו"ד סי' מ"ח סעי' י"ד.

3. שו"ת מהרש"ם ח"ג סי' קכ"ט. ■

STORIES Off the Daf

Different Traditions

ולדין מיסתם נמי לא סתים

An engagement was declared. Two families of the best yichus gave their blessing and their children were duly engaged. After they signed the betrothal agreement, the kalla's side heard a nasty rumor. Someone claimed that the father of the chosson abandoned his "first" family overseas and came to their country pretending to be unmarried. He married a second wife who, unaware of his past, bore him several children. Although this was a well kept secret for years, the chos-

son's father's confidant eventually spoke up and suggested that there was a yichus problem. "After all, these children were born by violating the cherem of Rabbeinu Gershom," the man said.

The family accepted the report of the secret-bearer and wished to break off the engagement. Of course, once the betrothal agreement is signed it is impossible to break off an engagement unless it was an actual case of fraud. The girl's family claimed their situation certainly qualified as fraud.

When this question reached Rabbi Chaim Sofer, zt"l, however, he disagreed. "It is not as though the cherem of Rabbeinu Gershom was a blanket prohibition that was taken on by everyone.

Some communities accepted it but others did not. In addition, some rule that the cherem was only for a thousand years. Although it is forbidden for us to take a second wife due to the cherem, one who does so has not stigmatized his children."

He continued, "This is clear from the Gemara in Chullin 50. There we find that chelev which they refrained from eating in Bavel but was eaten in Eretz Yisrael could be relied upon to seal a hole that would otherwise have rendered the animal tereifah. Similarly in our case, since this is not a blanket prohibition on all Jews, we can at least rely on the lenient authorities regarding the yichus of the children!"¹ ■

1. שו"ת מחנה חיים, ח"ב, אבה"ע, ס' א' ■