

OVERVIEW of the Daf

1) **MISHNAH (cont.):** The Mishnah continues to contrast the prohibitions of blood and cheilev.

2) Me'ilah

The Gemara inquires after the source that cheilev of kodoshim kalim is subject to me'ilah.

R' Yannai cites the source for this ruling.

R' Chanina questions why R' Yannai did not cite a statement of Rabbi that seems to serve as the source that cheilev of kodoshim kalim is subject to me'ilah.

Abaye explains why both expositions are necessary.

R' Zevid and R' Ashi offer different explanations why the cheilev of the tail is permitted.

R' Ashi's explanation is challenged and the Gemara decides that R' Zevid's answer is more reliable.

3) Blood

The Gemara inquires after the source that blood of a korban is not subject to me'ilah.

Three different sources for this ruling are presented.

R' Yochanan's source is unsuccessfully challenged.

The necessity for three sources is explained.

הדרן עלך כל בשר

4) **MISHNAH:** The Mishnah begins with a list of items that combine for the volume necessary to convey tum'ah of foods but do not combine for the tum'ah of neveilah. A non-kosher animal that is slaughtered and is still convulsing conveys tum'ah of foods but not tum'ah of neveilah until it dies.

5) Protector

It is noted that the Mishnah rules in accordance with the statement of a Beraisa that the laws of protectors applies to tum'ah of foods but not to tum'ah of neveilah.

A Beraisa is cited that presents the source that the law of protectors applies to tum'ah of foods.

Another Beraisa is cited that presents the source that the law of protectors does not apply to tum'ah of neveilah. ■

Distinctive INSIGHT

Clarifying the laws of me'ilah

כל חלב לה' לרבות אימורי קדשים קלים למעילה, אמר אביי אצטריך

It is prohibited for a person to derive personal benefit from consecrated items. Rambam (Hilchos Me'ilah 1:1,3) explains that this restriction applies both to items to be used on the Altar, as well as items designated for the general fund of the Mikdash (בדק הבהית). One who uses property of the Mikdash and derives benefit worth the value of a peruta or more has violated this law. If it is done purposefully, the person is deserving of lashes, and he must pay back what he took. If it was done unintentionally, he must pay back that which he used, plus pay a penalty of an additional one-fifth, and he must bring a ram as an asham offering.

The Mishnah taught that the law of me'ilah applies to the cheilev of an animal brought for an offering. In the Gemara, R' Yannai identifies the verse in Vayikra 10:4 as the source for this law. While discussing the bull of the anointed kohen who sins, the verse compares it to a shelamim. The comparison teaches us that we know that me'ilah applies to the bull of the kohen, as the animal is kodshei kodoshim (Rashi) and it is completely burned, with nothing given to the kohen. So, too, the limbs of the shelamim are subject to me'ilah, once its blood is sprinkled.

R' Chanina expressed surprise that R' Yannai cited the verse which compares the bull of the kohen and a shelamim as the source of this halacha, when we have a more explicit lesson of Rebbe, that this is learned from the verse (Vayikra 3:16), "All the cheilev is for God." This teaches us that limbs of kodoshim kalim (such as shelamim) are subject to me'ilah.

Abaye responds to R' Chanina's comment and notes that both verses are necessary for the Torah to teach this law properly. The verse from Vayikra 10 teaches that me'ilah does not only apply to cheilev, but it also applies to other limbs, such as the diaphragm with the liver and the two kidneys. The verse from Vayikra 3 teaches that me'ilah applies also to the fat of the tail.

When this discussion appears in Massechta Me'ilah (15a), R' Yanni begins by stating that me'ilah only applies to items consecrated for the general upkeep of the Mikdash. He ends up admitting that me'ilah also applies to offerings, which are brought on the Altar, although these items are shared by the kohanim and the Altar itself. This, however, is learned from the verse cited by Rebbe, from Vayikra 3. Based upon this, Lev Aryeh asks why Abaye says that we learn about the fat of the tail from this verse, when the actual lesson from this verse is to include chattas and asham, which are kodshei mizbe'ach.

Based upon Tosafos (ibid.) he notes that the laws of me'ilah are not limited to cases where the offering is completely for the Altar, but even in cases where the kohen receives a portion. The verse of R' Yannai can be the source for the rule of me'ilah for chattas and asham, and the verse of "כל חלב" is thereby available. ■

Today's Daf Digest is dedicated

לעילוי נשמת

ישראל בן יוסף משה

HALACHA Highlight

Benefitting from the ashes of chometz that was burned

אין לך דבר שנעשה מצותו ומועלין בו

There is never a circumstance in which the mitzvah was done with an object and it is still subject to me'ilah

The Gemara teaches that once a sacred object was used for its designated purpose it is no longer subject to the me'ilah prohibition. Regarding the question of benefitting from chometz that was burned Tur¹ writes that it is subject to a dispute between Tannaim. According to R' Yehudah since the mitzvah of destroying chometz is to specifically burn the chometz it is permitted to benefit from the ashes. The reason is that any item that is prohibited for benefit and there is a mitzvah to burn that object the Gemara Pesachim (27b) declares that one may benefit from its ashes. According to Chachamim since the obligation to destroy chometz can be done in many different ways it turns out that chometz is not categorized as something that there is a mitzvah to burn, therefore the ashes are prohibited. Consequently, if one cooked a food or baked bread with ashes from chometz that food would be permitted for consumption according to R' Yehudah and prohibited according to Chachamim.

Mikor Chaim² disagrees with this analysis. Tosafos³ explains that the reason why the ashes of items that there is a mitzvah to burn are permitted is that the mitzvah was fulfilled and as we learned in our Gemara once an item was used for its

REVIEW and Remember

1. In what way is blood more stringent than cheilev ?

2. How do we know that blood of a korban is not subject to me'ilah ?

3. Why are three verses needed to exclude korban blood from the me'ilah prohibition ?

4. What is "tum'ah kalah" and what is "tum'ah chamurah" ?

mitzvah purpose the me'ilah prohibition disappears. Therefore, even according to Chachamim who maintain that it could be destroyed in any manner that destroys the object, the ashes should be permitted since burning it also fulfills the mitzvah. In this regard burnt chometz is different from other objects that are prohibited from benefit whose ashes would remain prohibited. The reason is that there is no mitzvah to destroy other objects prohibited from benefit. The only reason the object must be destroyed is out of concern that one may inadvertently benefit from that object. Since a mitzvah is not fulfilled when the object is burned its ashes are not permitted. ■

¹ טור או"ח סי' תמ"ה.
² מקור חיים סי' תמ"ה סק"א.
³ תוס' תמורה ל"ג: ד, ה הנשרפין. ■

STORIES off the Daf

Respectful Disposal

"מלמד שטעונין גניזה..."

On today's daf we find various things which require genizah.

A certain person's tefilin wore out after many years of excellent service. He procured a new pair and wondered what he should do with his old batim and retzuos, which were very worn and hardly useable. It didn't seem right to just put them in genizah with fragments of seforim and the like. After all, aren't tefilin much more holy than much of what is placed in genizah?

When this question reached Rav Moshe Sternbuch, shlit"a, he ruled that

indeed there should be a separation between genizos. "It seems obvious that today one should not put even tefillin straps in the regular genizah, especially since people put newspapers in genizah. These are filled with mundane information although they also contain a slight amount of Torah. Such papers do not actually require genizah, although they must be left to decompose and may not be thrown in the trash. Even worse, at times people put complete foolishness in genizah.

"If one places old mezuzos, tefillin straps, and batim in genizah with such newspapers, especially with printed items which have less kedushah and must only be kept from disgrace, this constitutes an insult to the retzuos and batim, since often these items are kosher and can still

be used. In this case they remain holy.

"Therefore one should have two separate places for genizah. One for regular genizah and one for worn Torah parchments, tefillin, mezuzos, batim, and straps, and a separate genizah for other items of regular sheimos.

"It is important to note that if one wraps old tefillin straps in paper or plastic, this may be enough to permit their being placed in regular genizah. This is the prevalent custom regarding terumos and ma'asros. Although it is forbidden to put terumos and masros into the trash, the custom is to wrap them and not worry about this prohibition. According to this same logic, it is plausible that one may put retzuos in genizah if they are wrapped." ■