

OVERVIEW of the Daf

1) Changing the use of a food (cont.)

Abaye rejects Rava's explanation of the Beraisa and R' Sheishes suggests another explanation of the Beraisa.

This explanation is also rejected and Rava or R' Pappa offer another explanation.

Rava asserts that R' Yochanan who maintains that intent while produce is in the ground is not effective will agree that with regards to ma'aser intent is effective.

Rava suggests a proof for this contention.

R' Ashi rejects this proof and then challenges Rava from a Mishnah.

Rava responds to the challenge and cites proof for his response.

Ravina rejects this support.

R' Shimi bar Ashi cites support for Rava's assertion.

2) Dill

A Mishnah teaches that dill is subject to pe'ah.

The Gemara infers from this that dill must be subject to ma'aser. This conclusion is unsuccessfully challenged.

R' Ashi draws an inference from this and proves his inference from a Mishnah.

3) **MISHNAH:** The Mishnah presents two more cases where there can be one characteristic without the second but not the second without the first.

4) Clarifying the Mishnah

Points in the Mishnah are clarified.

5) **MISHNAH:** The Mishnah presents two more cases where there can be one characteristic without the second but not the second without the first.

6) Fins and scales

The Gemara searches for the reason why it was necessary for the Torah to mention that a kosher fish must have fins when requiring scales should be sufficient.

7) **MISHNAH:** The Mishnah presents one more case where there can be one characteristic without the second but not the second without the first.

8) Clarifying the Mishnah

The Gemara searches for the food that requires a beracha before eating but not after eating. ■

Distinctive INSIGHT

Laws regarding dill

והא שבת דמיחייב בפאה ומיחייב במעשר

The Mishnah (50a) taught that any produce which is obligated in pe'ah is also obligated to have ma'aser taken from it. Our Gemara cites a Mishnah from Pe'ah (3:2) in order to contrast some of the information found there with our Mishnah.

The Mishnah in Pe'ah teaches that if a person plants his field with a particular crop, and the crop ripens at different rates, the farmer might harvest scattered sections of the field at different times. Rabbi Akiva says that when this happens, and the farmer later comes to harvest the plants which have subsequently ripened, the previously-harvested areas serve to interrupt between the sections still growing. Therefore, each remaining section is required to have a corner left for pe'ah for the poor. Chachamim disagree and hold that the entire field was begun to be harvested together, so only one designation of pe'ah need be made for the entire area. The Mishnah teaches that Chachamim agree with R' Akiva regarding a field where dill is planted, that each section needs its own corner set aside for pe'ah. Dill is a spice, so it is planted in scattered areas around a field wherever there is room. Each patch of dill is independent, so each needs its own pe'ah.

This Mishnah in Pe'ah clearly teaches that dill is obligated in pe'ah. The rule in our Mishnah leads us to conclude that dill, which is obligated in pe'ah, is also obligated in ma'aser. This, in turn, leads us to say that dill is susceptible to tum'ah of food, as the Mishnah on 50a ruled, "all that is obligated in ma'aser is susceptible to food tum'ah." Yet, dill is not eaten as a food, but it is rather used for taste (a spice), and in the Mishnah in Uktzin (3:5) Rabbi Akiva rules that items that are only spices are not susceptible to food tum'ah.

R' Chisda answers that dill is used in different ways. The Mishnayos which said that dill is susceptible to food tum'ah is speaking about dill that is consumed as part of a kutach recipe. The Mishnah in Uktzin that refers to as a spice and that it cannot have food tum'ah is discussing dill that is used for flavor, but it itself is not eaten.

Rambam (Hilchos Tum'as Ochlin 1:7) writes that as soon as a person decides that he will use his dill just for taste, it immediately loses its designation as food, and it will not become tamei. Ra'aved disagrees and says that because we assume that dill will generally be eaten, this status remains in effect until the dill is actually placed into a pot as a spice, and not just when its owner thinks about what he will do with it. Mahar"i Korkus points out that the intent of Rambam is not clear. Are one's intentions to use dill as a spice enough to change its status even after it was planned to be eaten in a kutach recipe, or is intent only adequate at the planting or harvesting stage? This issue is discussed in the Achronim. ■

HALACHA Highlight

Reciting a beracha upon the completion of a mitzvah

דמברכי בתר דסליקו תפיליהו

Who recite a beracha after they remove their tefillin

The Gemara relates that in Eretz Yisroel when they would remove their tefillin they would recite the berachah: **אשר קדשנו** אשר קדשנו. במצותנו וצונו לשמור חקי. Tosafos¹ in the name of Rabbeinu Tam writes that they only recited a berachah when they would remove their tefillin since there is a mitzvah to remove one's tefillin before nightfall. The pasuk instructs us to watch our tefillin **מימים ימימה** which teaches that one may not fulfill the mitzvah of tefillin at night. Being that the pasuk that teaches this principle begins with the word **ושמרת** it constitutes a positive command to remove one's tefillin before night and thus warrants a berachah. Many other Rishonim disagree² and contend that the custom in Eretz Yisroel was to recite a berachah upon the completion of any mitzvah. The only unique aspect of the berachah upon the completion of the mitzvah of tefillin was that the wording of the berachah was **לשמור חוקי** rather than **לשמור מצותי** to parallel the use of the term **חק** in reference to tefillin.

Ra'avayah³ writes in the name of his father that there were people who would recite a berachah upon the completion of a mitzvah and he proves from our Gemara that this obligation was not limited to when one removes his tefillin. Tur⁴ rules that one should not recite this berachah when one removes his tefillin since the halachah does not follow the resi-

REVIEW and Remember

1. What three halachos apply to the neveilah of a kosher bird ?

2. What is R' Shimon's unique position concerning the mitzvah of reishis hageiz ?

3. What is an example of something that is subject to the priestly gifts but is not subject to reishis hageiz ?

4. What requires a berachah before it but not a berachah after it ?

dents of Eretz Yisroel who had this practice. He mentions that Rav Hai Gaon maintained that one who wants to recite the berachah may do so but Tur rejects this position. Once it is accepted that one is not obligated to recite this berachah it becomes prohibited to recite the berachah since it would constitute a berachah l'vatalah. Mishnah Berurah⁵ mentions in the name of Elya Rabba that on Rosh Chodesh people have the custom to remove their tefillin during U'va L'tzion when reciting the words **שנשמור חוקיך**. Aruch HaShulchan⁶ also records this opinion but questions whether the practice should be followed being that we do not follow this position of the residents in Eretz Yisroel. ■

¹ תוס' ד"ה ולבני.
² ריטב"א, רשב"א, רמב"ן.
³ ראב"י ח"א סי' קס"ח.
⁴ טור או"ח סי' כ"ט.
⁵ מ"ב סי' כ"ה ס"ק נ"ט.
⁶ ערוה"ש סי' כ"ט סעי' ג'.

STORIES off the Daf

In the Interest of Science

"כל שיש לו קשקשת..."

During 1967 a terrible scandal took place. Israeli doctors were caught administering autopsies on the deceased without bothering to ask the families' consent—which would never have been granted. When pictures of this fiasco got into the public's hands, there was a lot of angry protest until the doctors were forced to stop this practice.

When the Rebbe of Klausenberg, zt"l, met with Dr. Noach Kaplinsky, the

head of the doctor's union of that time, to speak about this issue, the doctor asked the rebbe a question on the minds of many of his colleagues.

"I would like to understand your point of view. Why are religious people preventing doctors from doing autopsies? Don't we find in the words of the sages of the Talmud themselves many things which clearly show they were in favor of finding out things about the human body? For example, they famously say that there are two hundred and forty-eight limbs and three hundred and sixty-five sinews in the human body. How did the sages know this if they didn't do autopsies themselves or ask those who had?"

"God forbid!" the rebbe immediately replied. "They knew this by way of the Divine inspiration in their hearts. I can prove this to you; in Niddah 51 we find that that every fish with scales has fins but not every fish with fins has scales. Can you tell me how they could possibly know this? There are so many types of fish that figuring out that this is true in their time through observation is impossible. This must be an example of ruach hakodesh. The statement you quote was also known to them through ruach hakodesh."¹ ■

¹ לפיד האש, ח"ב, ע' תר"ס

