

OVERVIEW of the Daf

1) **MISHNAH:** The Mishnah discusses the effect that nessech wine has when mixed with other foods.

2) Nullifying nessech wine

R' Dimi in the name of R' Yochanan rules that nessech wine becomes nullified in kosher wine.

Two unsuccessful challenges to this ruling are presented.

R' Yitzchok bar Yosef in the name of R' Yochanan presents a qualified version of this ruling.

Ravin offers a third version of R' Yochanan's teaching which is dramatically different than the others.

R' Shmuel bar Yehudah qualifies this latest version of R' Yochanan's position.

According to a second version R' Shmuel bar Yehudah was commenting on the Mishnah rather than in reference to Ravin's ruling.

The difference between these two versions is explained.

The Gemara presents a dispute regarding a case where nessech wine fell into kosher wine and a flask of water fell there as well. Chizkiyah maintains that the status of the mixture is determined by the last liquid that fell in whereas according to R' Yochanan it will always be permitted.

R' Yirmiyah suggests that this same issue was disputed by R' Eliezer and Rabanan.

The suggestion is discussed but rejected.

3) Nullification

Rav and Shmuel maintain that mixtures of similar kinds prohibit the mixture in the smallest amounts but mixtures of dissimilar kinds prohibit the mixture only when the prohibited taste is detectable.

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REVIEW and Remember

1. How much nessech wine is needed to prohibit a mixture?

2. What is the difference between the two versions of R' Shmuel bar Yehudah's statement?

3. Explain the principle of רואין.

4. Why is tevel treated so stringently?

Distinctive INSIGHT

Discussing the halacha of nullification

רב ושמואל דאמרי תרווייהו כל איסורין שבתורה במינן במשהו
 שלא במינן בנותן טעם

The Mishnah had concluded with a general and encompassing rule regarding two items which become combined, one which is prohibited and the other which is permitted. If the prohibited item which mixes in is the same type as the permitted food (מין במינו), even a minute amount will cause the mixture to be prohibited. If the prohibited item which mixes in is not the same type as the original, permitted item, the prohibited item only causes the mixture to be prohibited if it contributes a taste, which is defined as being one-sixtieth or more of the volume of the permitted product. The special general rule at the end of the Mishnah teaches us that this rule applies to all categories of prohibited items in the Torah.

Ritva discusses how the rule of Rav and Shmuel can be used in reference to the Mishnah in Masseches Orlah (2:1-3). There, we find that if teruma falls into a pile of regular grain (חולין), the teruma can be nullified if it is outnumbered one-hundred to one. If orlah or kilayim fruit in a vineyard becomes mixed with a permitted pile, it can be nullified if it is outnumbered two-hundred to one. The question is that if these fruits fell into a collection of their type (other fruits), why should the halacha be more lenient than other areas of prohibited mixtures where we prohibit the product when there is even a trace amount (משוהו) of the prohibited food? And if the fruits fell into and mixed with a quantity of something other than its type (שאינו מינו), why should we be more strict and require more than a sixty-to-one ratio in order to nullify the prohibited substance?

Ritva offers two approaches to explain this halacha. It is possible that we are speaking about a case where the fruit fell into a pile of its type. However, Rav and Shmuel were speaking about a situation of liquid falling into liquid, for example where nessech wine falls into permitted wine. This is where a trace amount is enough to prohibit the mixture. Here, the mixture here is of dry with dry (fruit with fruit), where the prohibited item is nullified with a simple majority. It is only in the cases of teruma and orlah that we are strict and require nullification of one hundred or two hundred to one.

Alternatively, we may say that there is no difference between where liquid falls into liquid or where dry mixes with

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HALACHAH Highlight

Nullifying fish in meat

כל איסורים שבתורה בין במינן בין שלא במינן בנותן טעם
All prohibitions of the Torah, whether with their kind or not with their kind [the mixture is prohibited if the prohibited substance] imparts flavor

Taz¹ in the name of Darchei Moshe asserts that the principle of *bitul* – nullification – is effective on prohibited foods but *bitul* is not effective on mixtures that are considered dangerous. For example, if some fish becomes intermingled with meat the mixture is prohibited even if the meat is sixty times the fish. Even if a very small piece of fish falls into a large pot of meat the entire mixture is prohibited. The basis of this position is the principle **חמירה סכנתא מאיסורא** – matters related to danger are treated more stringently than matters related to prohibitions. Shach² disagrees and writes that the principle **חמירה סכנתא מאיסורא** applies only to circumstances of doubt. In other words, when there is a circumstance of doubt whether there is something dangerous one is obligated to be stringent but regarding the principle of *bitul* there is no reason for there to be a distinction between matters of prohibition and matters of danger and in both cases the principle of *bitul* is effective. Teshuvot Shevet Halevi³ rules in accordance with Shach's position that dangerous mixtures are nullified at

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R' Yochanan and Reish Lakish maintain that generally prohibited ingredients prohibit a mixture only when they impart taste except for *tevel* and *nessech* wine that prohibit a mixture in the smallest amount when mixed in a similar kind.

Each Amora cites a Baraisa in support of his position.

The reason why *tevel* is treated so stringently is explained. ■

a ratio of sixty to one. One explanation for his conclusion is that this position is the one followed by the majority of Poskim. Especially, when it comes to fish and meat since the danger is not evident and it is possible that nature has changed from the time of Chazal and the mixture may not even be dangerous in our times.

Pischei Teshuvah⁴ writes that according to the opinion that maintains that dangerous mixtures can be nullified at a ratio of sixty to one it is even permitted to intentionally nullify the dangerous mixture. The injunction against intentionally nullifying food is limited to foods that are prohibited. There is no restriction against intentionally nullifying a dangerous mixture since the only issue is the potential danger it poses and once it is nullified it does not pose a danger. ■

1. ט"ז יו"ד סי' קט"ז סק"ב.
2. ש"ך שם בנקה"כ.
3. שו"ת שבט הלוי ח"ג סי' ק"ג אות ד' וח"ו סי' קי"א אות ג'.
4. פת"ש יו"ד סי' קט"ז סק"ג. ■

STORIES Off the Daf

"One Type Has Found its Cohort..."
"מצא מין את מינו וניעור"

Many people wonder why eating kosher is so important. After all, if idolaters can eat non-kosher food with impunity, how bad can it be for Jews? When the Chasam Sofer, zt"l, was asked this question he offered a very inspiring answer. "A Jew's body is very distinguished since it is a vessel for a Jewish neshamah which is a chelek Eloak mima'al. Because of its holiness a Jewish body is lowered by the defilement imparted by eating arthropods and other non-kosher foods. Consuming such foods blunts one's natural sensitivity to holiness. Idolaters have a lower body and can therefore eat non-kosher food with no ill ef-

fect.

"But one must understand that even if a Jew fell and ate non-kosher food, chas v'shalom, this can never damage his soul since it immediately flees the place of wrongdoing. Instead, it damages the physical body. Doing this sin causes the process found in Avodah Zarah 73, **מצא מין את מינו וניעור**, the bad finds the evil within and joins with it making it much more difficult to serve Hashem..."¹

Interestingly, the Baal Shem Tov, zt"l, teaches that this Talmudic dictum also has a positive meaning as well. "When one takes a fruit or any other food in his hand and says a brochah with kavanah he causes a great rectification. When he says Hashem's Name, he arouses the Divine vitality that is giving existence to this fruit. Of course everything was created with Hashem's name, and so **מצא מין את מינו וניעור**—the

spiritual vitality in what he is about to eat joins the Name he has just pronounced and gives life to his neshamah.

"Obviously, this is only true if one eats kosher food which Hashem commands us to eat in order to elevate us from material to spiritual..."² ■

1. חת"ס עה"ת, פרשת שמייני
2. בעש"ט עה"ת, פרשת עקב ■

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dry. In both cases, the product is prohibited even where we have even a trace of the forbidden substance. The Mishnah of *teruma* and *orlah* is dealing with a case where the fruit fell into a mixture of items which were not its type. Although all that should be necessary is a sixty-to-one ratio to nullify it, we are strict in cases of *teruma* and *orlah* and we require a hundred or two hundred to one. ■