

OVERVIEW of the Daf

1) Placement of the ashes from the inner altar and menorah

R' Elazar identifies the source that the ashes from the inner altar are placed in the same location next to the outer altar as the ashes from the outer altar.

This exposition is unsuccessfully challenged.

The source that the ashes from the menorah are placed in the same location is identified.

2) MISHNAH: R' Shimon disagrees with the earlier Mishnah and he asserts that underage turtledoves and overage pigeons are subject to prohibition of me'ilah.

3) Rabanan's position

The rationale behind Rabanan's position that underage turtledoves and overage pigeons are subject to prohibition of me'ilah is explained.

4) Dead kodoshim

Ulla in the name of R' Yochanan rules that dead kodoshim are biblically exempt from the prohibition of me'ilah.

Ulla repeated this teaching which led to a discussion between himself and R' Chisda regarding the veracity of this ruling.

5) Bloodletting a korban

R' Huna in the name of Rav rules that blood that was let from a korban is prohibited for benefit and subject to the prohibition of me'ilah.

Two unsuccessful challenges to this ruling are presented.

It is noted that a ruling in the second Beraisa cited to challenge Rav's ruling is a support for a ruling of R' Elazar.

6) MISHNAH: The Mishnah discusses the me'ilah status of milk and eggs from sacred animals and birds.

7) Clarifying the Mishnah

In response to the Gemara's challenge R' Pappa explains that there is a section of the Mishnah that is missing. ■

Today's Daf Digest is dedicated
In memory of
מרת עלקא בת ר' מנחם מנדל, ע"ה

Today's Daf Digest is dedicated
By Mr. and Mrs. Joey Zimmerman
In memory of their son
יחיאל דוב, ע"ה בן ר' יוסף יהודה

Distinctive INSIGHT

Is a consecrated animal that dies permitted for benefit?

קדשים שמתו יצאו מידי מעילה דבר תורה

Ulla, in the name of R' Yochanan, teaches that a consecrated animal that dies no longer has the law of me'ilah apply to it. Rashi explains that once a consecrated animal dies it is no longer included in what the posuk (Vayikra 5:15) calls "the holy of God," because it is not fit for any purpose anymore. The carcass does not even have any salvage value in terms of being redeemed, because objects of the Mikdash may not be redeemed to be fed to dogs.

The Achronim discuss whether a consecrated animal that dies is prohibited from benefit. Mahari"t Algazi (5:37) and Minchas Chinuch (Mitzvah 441:2) write that although me'ilah no longer applies to this dead animal, nevertheless, such an animal is prohibited from benefit. Marhi"t Algazi explains that this animal still has upon it the restrictions of any consecrated animal which develops a blemish, which may not be fed to dogs.

Pnei Yehoshua and Chazon Ish explain that just as me'ilah no longer applies to this animal, so too is the animal permitted for benefit at this point.

Rashi (Kiddushin 57b) says that a consecrated animal that is shechted outside the courtyard of the Mikdash is prohibited from benefit because the sprinkling of the blood of this offering will not be performed properly, and me'ilah will therefore not be released. Tosafos notes a difficulty with Rashi's comment from our Gemara, where we see that me'ilah is released in the case of a consecrated animal that dies, even though the blood of the animal will never be sprinkled on the Altar. Mahara"m notes that we see, though,

Continued on page 2)

REVIEW and Remember

1. What is the point of dispute between Rabanan and R' Shimon?

2. Are korbanos that die subject to the prohibition of me'ilah?

3. What is the status of blood that was let from a korban?

4. Are the milk and eggs of sacred items subject to the me'ilah prohibition?

HALACHAH Highlight

Milk on Pesach from an animal that ate chometz

חלב המוקדשין

Milk from a sacred animal

The Gemara teaches that the prohibition of me'ilah does not apply to milk taken from a sacred animal. Tosafos¹ cites two reasons for this halacha. In the name of some commentators he writes that the milk of disqualified korbanos is permitted for benefit once it was milked from the animal. The Torah prohibited milking a disqualified korban but once the milk was extracted it is not prohibited. This is similar to the restriction against shearing a sacred animal. The restriction is the shearing but once the animal was sheared there is no restriction against using the sheared wool. The second opinion maintains that the milk is sacred; it is just not subject to the prohibition of me'ilah. The reason it is not subject to me'ilah is that it cannot be classified as something sanctified for God since it cannot be brought on the Altar and is not essential to the life of the animal. It is sacred, however, since it is derived from a sacred object.

Poskim write at great length about the topic of the permissibility of drinking milk on Pesach that was taken from an animal that ate chometz. Teshuvos Toras Chesed² contends that the milk is permitted since it was transformed from a chometz state into milk. One of the proofs he suggests for his position is the comments by Tosafos regarding our Gemara. He wonders why according to the first opinion cited in Tosafos milk taken from a sacred animal is permitted whereas the ashes of an item prohibited for benefit remains prohibited. He explains that the ashes of a prohibited item do not constitute a different item. They are merely the remains of the original prohibited

(Insight...continued from page 1)

from Rashi in Kiddushin, that if the blood of an animal is not to be sprinkled properly, the animal is prohibited from benefit. This would mean that in our case where the animal died, even though me'ilah is released, the animal is prohibited from benefit.

Several Achronim explain that Tosafos who challenges Rashi is of the opinion that a consecrated animal that is sheched outside the courtyard and a consecrated animal that dies are both permitted for benefit.

R' Chaim Soloveichik (cited in Kovetz Shiurim 2:21) and Achiezer prove that Tosafos in Zevachim (69b) holds that a consecrated animal that dies is prohibited from benefit. Tosafos seems to say that once an animal is consecrated, it becomes restricted and prohibited for civilian benefit, and this status continues until it is released. Even if the animal dies, and it is no longer eligible to be brought as an offering and it is no longer "the holy of God," so that me'ilah is released, it still remains prohibited from benefit. The Torah only permits such an animal when its mitzvah is complete, and when it dies this will not be the case. ■

item and as such remain prohibited. Milk produced by an animal, on the other hand, constitutes a complete transformation from the food that was originally eaten. Accordingly, even if the animal ate chometz the milk that is taken from that animal is a completely different product and as such is permitted. Even the second opinion in Tosafos that is stringent agrees to this principle; it is just that regarding sacred items the pasuk indicates that the milk of the disqualified korban remains sacred but when there is no such pasuk the milk is considered a completely new object. ■

1. תוס' ד"ה חלב.

2. שו"ת תורת חסד סי' כ"א. ■

STORIES Off the Daf

A Matter of Time

מחוסר זמן

On today's daf we find that an animal may not be offered until the time when it is fit to be sacrificed. The minimum age for an animal to be worthy of being sacrificed is seven days old (on its eighth day of life). The Midrash explains why with a story: "Rabbi Yehoshua d'Sakinin said: This can be compared to an earthly king who made a decree re-

garding who would see him. 'Let everyone who wishes to see me, first meet the queen.' Similarly, Shabbos is likened to God's queen. God commanded that we wait seven days before sacrificing any animal so that every sacrifice will first have experienced a Shabbos."¹

The Tzror Hamor, zt"l, wonders what this Midrash could mean. After all, what relevance does Shabbos have to animals, who surely do not perceive that it is Shabbos? His explanation teaches the pivotal role of Shabbos in every aspect of creation. "The reason why an animal must experience at least one Shabbos before it is fitting to be sacrificed is that Shabbos

gives existence to everything in the world. Even animals only exist in the merit of Shabbos."²

The Chizkuni, zt"l, gives another reason why a sacrifice must wait until it is seven days old before being sacrificed. "The animal was born from a place of defilement. It is only natural that it requires at least a full week to elapse before it is fitting to be brought into the camp of the Shechinah, to be used as a vehicle of revelation of the Divine presence in the world."³ ■

1. ויקרא רבה, כ"ז, י'

2. צרור המור, ויקרא, כ"ב, כ"ז

3. חזקוני, שם ■