

Today's Daf Digest is dedicated
 לעילוי נשמת צבי בן יחזקאל יוסף גרין, מחסידי דעעש
 From the Grin family, Sao Paulo, Brazil

OVERVIEW of the Daf

1) Combining permitted and prohibited (cont.)

Abaye continues his unsuccessful challenge to R' Dimi's assertion that one violates a Biblical prohibition if he eats an olive's volume within the time span of **כדי אכילת פרס**.

Abaye questions the assumption that the word **משרת** teaches that permitted and prohibited items combine and suggests that it teaches that taste is equivalent to substance **טעם כעיקר**.

A possible inconsistency in Abaye's questioning is noted and resolved.

A Baraisa is cited that, in fact, uses the word **משרת** to teach that taste is equivalent to substance and thus Abaye's challenge is completed.

One of the rabbis suggested that R' Avahu, who originally cited R' Yochanan, followed the opinion of R' Akiva who disagrees with the previously-cited Baraisa.

The Gemara identifies the statement of R' Akiva that differs with this Baraisa.

2) Taste is equivalent to substance

R' Acha the son of R' Avya asks R' Ashi what will be the source for the principle that flavor is equivalent to substance according to R' Akiva.

The Gemara suggests that the source will be meat and milk and then proceeds to explain why Rabanan do not use meat and milk as the source for this principle.

Since R' Akiva is forced to agree that meat and milk cannot be the source for this principle, the Gemara suggests that the source comes from kashering utensils used by non-Jews.

Using the halacha of kashering the utensils of non-Jews is

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Distinctive INSIGHT

Is Abaye citing a Baraisa?

דלמא ליתן טעם כעיקר הוא דאתא, לכדתניא משרת ליתן טעם כעיקר
 שאם שרה וכו'

Rebbe Avahu taught that the verse of "כל משרת ענבים לא ישתה" teaches that the permissible food combines with the prohibited substance to comprise a full volume. Abaye questions whether this is the genuine lesson learned from the verse, as we have a Baraisa (**תניא**) which indicates that this verse comes to teach **טעם כעיקר**—the taste of a food or substance has the status of the food or substance itself. For example, if someone soaked grapes in water, and the grapes were then removed, even if only the taste of the grapes (or wine) can still be discerned in the water, a nazir would be liable if he consumes the water.

Tosafos (**ד"ה שרה**) points out that the accurate text of the Gemara should not read "לכדתניא," as Abaye himself earlier had questioned Rav Dimi and wondered whether eating an olive-volume within **אכילת פרס** is a Torah law, as Rav Dimi had said. Now, if Abaye proposes that **כזית בכדי אכילת פרס** is not Torah mandated, Abaye would certainly not recognize **טעם כעיקר** as being a Torah law derived from a verse. If this is a Baraisa, Abaye was not aware of it, and therefore, the question of Abaye above is not his quoting a Baraisa, but rather part of Abaye's personal words.

Rashbam (cited in Tosafos, 36b, **ד"ה וכזית**) explains that Abaye is, in fact, quoting a Baraisa in our Gemara. The question Abaye posed to Rav Dimi earlier was that although we certainly know that **אכילת פרס** is Torah mandated, perhaps this is only where a person consumes the **כזית** in one act, and not when it is done gradually. Similarly, Abaye may agree that **טעם כעיקר** is derived from a verse, as we find in the Berissa, but this only applies when a person eats a full volume of **טעם** at one time, and not gradually. ■

REVIEW and Remember

1. Explain the principle of **טעם כעיקר**.
2. What is the novelty of the meat and milk prohibition?
3. What is the principle of **נותן טעם לפגם**?
4. What does the word **יקדש** mentioned by the chatas teach?

HALACHAH Highlight

Does the quality of Yissochor's Torah study impact Zevulun's reward?

”יקדש” להיות כמוה

”It shall be holy” teaches that meat that absorbed from chatas meat is treated as if it is chatas meat

A question that arises concerning people who make a Yissochor-Zevulun agreement is whether Zevulun's reward is directly linked to Yissochor's learning. In other words, if Yissochor does not learn lishma does that negatively impact the reward that Zevulun hopes to collect? Rav Avrohom Falaghi¹ demonstrated from our Gemara that Zevulun's reward cannot possibly be greater than the reward of Yissochor. Our Gemara states that meat that touches Chatas meat will become similar to the Chatas meat and no stronger, so too, Zevulun, who receives reward from Yissochor's learning, cannot receive reward greater than Yissochor.

Teshuvos Afraksta D'Any² disagrees with this conclusion and writes that even if Yissochor does not study Torah lishma, nonetheless, Zevulun's reward remains intact and unaffected by Yissochor's failure. In this instance we can apply the dictum that Hashem combines good intention to one's actions and He puts together Zevulun's good intention with the learning done by Yissochor to maximize Zevulun's reward. Teshuvos Beis Shlomo³ also writes that Zevulun's reward will not be negatively impacted if Yissochor does not study Torah lishma and explains a fundamental difference between those who study Torah and those who support Torah study. Regarding those who study Torah, Chazal teach that for those who study lishma the Torah takes on medicinal characteristics (סם החיים)

unsuccessfully challenged.

Rabanan explain why the halacha of kashering utensils of non-Jews is not a valid source for the principle that flavor is equivalent to substance.

3) Combining permitted and prohibited (cont.)

R' Acha the son of R' Avya questions why R' Akiva does not generalize the principle that permitted and prohibited items combine even for other prohibitions.

R' Ashi answers that this principle is taught in the context of nazir and chatas and thus cannot be applied to other contexts.

The exchange between Rabanan and R' Akiva about the combination principle is recorded.

An unsuccessful challenge to R' Akiva's position is presented. ■

but it becomes poison (סם המות) for those who study Torah that is not lishma. The verse related to those who support Torah states without qualification, “It is a tree of life for those who support it- עץ חיים היא למחזיקים בה.”

Sefer Toraso Yeh'geh⁴ cites other authorities who agree with the approach of R' Avrohom Falaghi and put forward the following parameters. If Yissochor studies Torah in a way that does not produce reward, Zevulun cannot possibly receive reward for that Torah study since it did not produce reward. The reward that Zevulun will receive will come from his intention to do a mitzvah. Although circumstances beyond his control prevent him from fulfilling that mitzvah, he will nevertheless receive reward for the effort to fulfill the mitzvah. ■

1. ויקרא אברהם סי צ"ו פסקא ה'.
2. שו"ת אפרקסתא דעניא ח"א סי נ"ז.
3. שו"ת בית שלמה יו"ד ח"ב סי צ"ד.
4. ספר תורתו יהגה ח"ג עמ' פ"ח. ■

STORIES Off the Daf

The Fruits of Orlah

”וה"ה לערלה בשמים...”

The three years of orlah can be a very challenging time for people who are starting a vineyard and the like. To a farmer it might feel frustrating to leave the produce for animals. One such farmer asked a local Rabbi if he could do anything with the orlah. “I'll even donate it,” he said. “The main thing is that it shouldn't go to waste.

What about תשחית, isn't that also wrong? Surely there is some halachic way out of this problem.”

The Rabbi thought that there was, but since he had never heard of this he decided to consult with the author of Yehudah Ya'aleh, zt"l. “Why can't we use the produce of orlah for mitzvos? Does it not say that mitzvos were not given for pleasure? Why not use wine of orlah for kiddush, havdalah, or the four cups of wine on Seder night?”

“His honor could suggest such a thing only because he is not learning enough,” chided the Yehudah Ya'aleh.

“One cannot do any mitzvah with isurei hana'ah. This is so obvious that no proof is necessary. But I will write proofs, so you can focus on the places where this halacha is readily apparent. In Pesachim 44, Kedushin 38 and Nazir 37, we find that orlah has two of the stringencies of kelaim. One of them is that their prohibition is forever. Both Rashi and the Ri in Tosafos explain that fruits of orla remain prohibited.

The Yehudah Ya'aleh concluded, “If you say that they may be used for kiddush and havdalah, how can you say this is truly prohibited?” ■

