

איבעי לך למרמא סנדלא. אמר ליה: עורקמא דמנא הוה באורחא. איבעי לך למעבריה דרך מלבוש. אמר ליה: לא סבר לה מר להא דאמר רב אשי, סנדל לבתחלה לא?

Rafraim said to Ravina: **You should have worn sandals, which leave the heel exposed. He said to him: There was a pool of water on the way that I would have had to cross. He said to him: You should have crossed it wearing the sandals. He said to him: Does the Master not hold with that which Rav Ashi said:**ⁿ One should not wear sandals when crossing a river on Shabbat, *ab initio*? From this conversation, the Exilarch understood that Ravina meant no disrespect in not attending the lecture.

תני יהודה בר גורגורות: אסור ליטוב על גבי טינא ביום הכפורים. אמר רבי יהושע בן לוי: ובטינא מטפחת. אמר אבמי: ובטפוח על מנת להטפית. אמר רב יהודה: מותר להצטנן בפירות. רב יהודה מצטנן בקרא.

§ The Gemara continues to discuss the laws of Yom Kippur: **Yehuda bar Gerogarat taught: It is prohibited to sit on damp clay on Yom Kippur. Rabbi Yehoshua ben Levi said:** This prohibition applies only when the clay is **dripping wet**, when one feels its wetness when touching it. **Abaye said in clarification:** It must be **dripping wet enough to make something else wet. Rav Yehuda said:** One is permitted to **cool off with fruit** on Yom Kippur,^h and it is not considered bathing. Similarly, when Rav Yehuda suffered from the heat on Yom Kippur he cooled off by putting a squash on himself.

רבה מצטנן בינוקא. רבא מצטנן בכסא דכספא. אמר רב פפא: כסא דכספא, מלא – אסור, חסר – שרי. דפחרא, אידי ואידי – אסור, משום דמישחל שחיל. רב אמר: כסא דכספא – חסר נמי אסור, משום דמזדריב.

Rabba cooled off by placing a baby [yanuka]ⁿ next to him, because a baby's body is cold. Rava cooled off with a silver cup. Rav Pappa said: If the silver cup is full, it is prohibited; however, if it is not full, it is permitted. With regard to a ceramic cup, both this and that are prohibited, since the water seeps through the cup, causing a violation of the prohibition of bathing. Rav Ashi said: A silver cup that is not full is also prohibited because it can slip [mizderiv]ⁿ from his hand and spill.

זעירא בר חמא אושפזיבנין דרבי אמי ורבי אסי ורבי יהושע בן לוי ודכולהו רבנן דקיסרי הוה. אמר ליה לרב יוסף בריה דרבי יהושע בן לוי: בר אריא! תא איתא לך מילתא מעלייתא דהוה עביד אבוך, מטפחת היה לו בערב יום הכפורים ושורה אותה במים ועושה אותה במין בלים נגובין, ולמחר מקנח בה פניו ידיו ורגליו. ערב תשעה באב שורה אותה במים, ולמחר מעבירה על גבי עינו.

Ze'ira bar Hama, the host of the home where Rabbi Ami, and Rabbi Asi, and Rabbi Yehoshua ben Levi, and all the Sages of Caesarea stayed, said to Rav Yosef, son of Rabbi Yehoshua ben Levi: Son of a lion, come, I will tell you about a wonderful custom that your father used to perform. He had a cloth that he would prepare on the day before Yom Kippur by soaking it in water and wringing it out, making it almost like a dried cloth. And the next day he wiped his face, hands, and feet with it. On the day before the Ninth of Av, on which the prohibition of bathing is by rabbinic law and not Torah law, he would soak the cloth in water and the next day pass it over his eyes.

וכן כי אתא רבה בר מרי אמר: בערב תשעה באב מביאין לו מטפחת ושורה אותה במים, ומנחה תחת מראשותיו, ולמחר מקנח פניו ידיו ורגליו. בערב יום הכפורים מביאין לו מטפחת ושורה אותה במים, ועושה אותה במין בלים נגובין, ולמחר מעבירה על גבי עינו. אמר ליה רבי יעקב לרבי ירמיה בר תחליפא: איפכא אמרת לן, ואותיבגך סחיתה.

Similarly, when Rabba bar Mari came from Eretz Yisrael he said: The day before the Ninth of Av they bring one a cloth, and he may soak it in water^h and place it under his head. The next day, when only some moisture remains, he may wipe his face, hands, and feet with it. On the day before Yom Kippur, they bring one a cloth, and he may soak it in water and wring it out to make it like a dried cloth. The next day, he may pass it over his eyes. Rabbi Ya'akov said to Rabbi Yirmeya bar Tahlfifa: You told us the opposite.ⁿ What you told us about Yom Kippur was really what he did on the Ninth of Av, and we objected to you with regard to the prohibition of wringing, since Yom Kippur has the same prohibition of wringing that Shabbat has.

אמר רב מנשיא בר תחליפא אמר רב עמרם אמר רבה בר בר חנה. שאלו את רבי אלעזר: תקון וישוב בישיבה צריך לטול רשות להתיר בכורות או אינו צריך?

§ Rav Menashya bar Tahlfifa said that Rav Amram said that Rabba bar bar Hana said: **They asked Rabbi Elazar ben Pedat: Must an Elder who sits and studies Torah in a yeshiva receive permissionⁿ from the Nasi to permit him to render firstborn animals permitted,^h like others who must get permission from the Nasi to render firstborn animals permitted,ⁿ or not?** A firstborn animal may not be eaten until it has a blemish. Knowing which blemishes are permanent and permit the animal to be eaten and which are temporary is specialized knowledge.

Does the Master not hold with that which Rav Ashi said – לא סבר לה מר להא דאמר רב אשי. The medieval commentaries point out that the Gemara earlier reported that Ravina himself crossed a river in sandals. Why does it seem that here he does not allow it? One solution to the apparent contradiction is that the Gemara is citing two different scholars named Ravina, Ravina the Elder and his nephew. Alternatively, perhaps Ravina made the statement to pacify the Exilarch (*Tosafot Yeshanim*). Or, it is possible that Ravina changed his opinion after hearing the position of Rav Ashi (*Sifah Yitzhak*).

By a baby [yanuka] – בינוקא: Commentaries explain that a baby was used because its skin is usually a little cold, or because one is permitted to bathe a baby to cool it off (*Min HaAnavim*). Others explain that *yanuka* is the name of a vessel with a long neck, and it is so named because one drinks from it by sucking [*yenika*] (*ge'onim*).

Slip [mizderiv] – מזדריב: The root of this word, *zarav*, is found in the Bible (Job 6:17). Its meaning is connected to the word for stealing.

You told us the opposite – איפכא אמרת לן: The rationale to be more stringent on the Ninth of Av is because the day is one of mourning and sorrow (*Me'iri*), or due to concern that people will disregard rabbinic mitzvot (*Tosafot Yeshanim*).

Permission from the Nasi – רשות מן הנשיא: In the early generations, the Sages needed authority only to rule on monetary issues, not on *halakhot* concerning ritual. However, a reform was made requiring permission in that area too, in order to ensure that the student knew the material well enough to rule. In order to raise the stature of the *Nasi*, it was instituted that he would be the one to grant such permission.

Permitting firstborn animals – התרת בכורות: In the times of the Temple, all firstborn animals were given to the priests. Unblemished ones were slaughtered in the Temple. Their blood was sprinkled on the altar, and the meat was given to the priests to eat. Blemished animals were given directly to the priests to eat. After the destruction of the Temple, all firstborn animals were given to the priests, but the animals were permitted to be eaten only if they were blemished. Since the priests had to take care of the animals but were not allowed to benefit from them until they became blemished, priests were sometimes suspected of intentionally causing the animals to become blemished.

HALAKHA

Cooling off on Yom Kippur – להצטנן ביום הכפורים: The prohibition of bathing on Yom Kippur does not include alternative ways of cooling off. One is therefore allowed to cool off using empty vessels, fruits, and babies. Cooling off using damp clay is prohibited, if the clay is wet enough to make something else wet by touching it. Furthermore, using a vessel that has water in it is prohibited, since it may spill and lead to bathing. It is prohibited to soak a cloth in water the day before and use it to cool off, since one may come to wring it out on Yom Kippur (Rema). However, if the cloth is dry and was already used the day before, one may wipe one's eyes with it on Yom Kippur (*Mishna Berura; Shulhan Arukh, Orach Hayyim 613:9*).

Cooling off with a cloth on the Ninth of Av – צנון במטפחת: The day before the Ninth of Av, one may soak a cloth in water and remove it from the water before the fast begins, in order to wipe oneself with it and cool off the next day (*Shulhan Arukh, Orach Hayyim 554:14*).

Permitting firstborn animals – התרת בכורות: A priest is not trusted to rule that a firstborn in his possession became blemished. Others, however, even a relative or another priest, are trusted to give such testimony (*Shulhan Arukh, Yoreh De'a 314:3*).

A prosthetic leg on Shabbat – קב הקיטע בשבת – Since a prosthetic leg is used just to provide the appearance of a leg, it is prohibited to walk into the public domain wearing one on Shabbat, lest it fall off and be carried. This follows Rabbi Yosei's opinion (*Shulhan Arukh, Oraḥ Hayyim* 301:15).

A prosthetic leg on Yom Kippur – קב הקיטע ביום הכפורים – If a prosthetic leg is covered in leather it is considered a type of shoe, and it may not be worn on Yom Kippur (*Shulhan Arukh, Oraḥ Hayyim* 614:2).

Young children on Yom Kippur – תינוקות ביום הכפורים – Young children are permitted to eat, drink, bathe, and smear oil on Yom Kippur; but they are not allowed to wear leather shoes, as a single day without wearing shoes will not cause children to suffer unduly. This ruling applies only to a child old enough to understand the mitzvot somewhat; a very young child may wear shoes. During times when children are not bathed or smeared with oil every day, it is appropriate to refrain from these activities on Yom Kippur (see *Mishna Berura; Shulhan Arukh, Oraḥ Hayyim* 616:1).

NOTES

The prosthetic leg is impure – הקב טמא: According to the *halakhot* of ritual purity and impurity, raw materials other than food and drink can become impure only if they are fashioned into vessels. Depending on the material, there is a range of definitions as to what constitutes a vessel in this area of law. For example, wooden utensils can become impure only if they have a hollow space in them; completely flat objects cannot be impure. Consequently, a prosthetic leg with a hollow space into which rags are placed is subject to impurity.

Young children are permitted to perform all of them – תינוקות מותרין בכלן: There are different opinions within the *halakha* with regard to young children. Children who have not reached the age of maturity are not obligated to fulfill mitzvot by Torah law. However, even before children reach this age, they must be educated by their parents, little by little, to follow *halakha*. Even so, there is no obligation to force very young children to keep the mitzvot.

In some situations, it is prohibited for adults to directly enable children to violate the *halakha*. For example, a parent may not directly feed a child non-kosher food. With regard to Yom Kippur, there is a question as to whether parents are permitted to do things for their children that they may not do for themselves. Since there is a fear of endangering the child through abstinence, the Gemara concludes that not only are children permitted to eat and drink, but that adults must make sure that they do so.

Cracked ceramic vessels – מאני גזי: Rabba's statement teaches about the prohibition against wanton destruction. Rabba bought his children pieces of broken pottery to smash rather than allowing them to break whole and usable utensils.

PERSONALITIES

My mother told me – אמרה לי אם – Abaye quotes the wisdom of his mother throughout the Gemara. However, this woman was not his biological mother, since it is known that she died during his birth. It seems that the woman he called mother was the wife of his uncle, Rabba bar Nahmani, who raised him. Abaye cites much of her advice for daily life and rearing children.

BACKGROUND

Kutaha – בתקא: In Hebrew this is *kutah*, a dip used in Babylonia. It was made mostly from bread crumbs and sour milk, with additional spices sprinkled in.

מתלב רמי בר חמא: הקיטע יוצא בקב שלו, דברי רבי מאיר. ורבי יוסי אוסר. ותמי עליה ושויין שאסור לצאת בו ביום הכפורים! אמר אביי: התם דאית ביה כתיבתו, ומשום תענוג.

אמר ליה רבא: ואי לאו מנא הוא – כתיבתו משוי ליה מנא? ועוד: כל תענוג דלאו מנעל הוא, ביום הכפורים מי אסור? והא רבה בר רב הונא הוה פריך סודרא אכרעיה ונפיק. ועוד: מדקתני סיפא אם יש לו בית קבול כתיבתו טמא, מכלל דרישא לאו בדאית ליה כתיבתו עסקינן!

אלא אמר רבא: לעולם דכולי עלמא מנעל הוא, ובשבת בהא פליגי: מר סבר: גורין דילמא משתמיט ואיתי לאתווי ארבע אמות, ומר סבר: לא גורין.

תנו רבנן: תינוקות מותרין בכלן, חוץ מנעילת הסנדל. מאי שנא נעילת הסנדל – דאמרי: אינשי עבדו ליה. הנהג נמי, אמרי: אינשי עבדו ליה. רחיצה וסיכה – אימר מאתמול עבדי ליה!

סנדל נמי, אימר מאתמול עבדי ליה. סנדל לא אפשר דמאתמול עבדי ליה, דאמר שמואל: האי מאן דבעי למיטעם טעמא דמיתותא – ליסיים מסאני וליגני.

והא מותרין לכתחלה קתני! אלא: הנהג דלאו רביתיהו – גרו בהו רבנן, הנהג דרביתיהו הוא – לא גרו בהו רבנן. דאמר אביי, אמרה לי אם: רביתיה דינוקא – מנא תמימי ומשא? גדל פורתא – בעיתא בכיתתא, גדל פורתא – תבורי מאני. כי הא דרבה ובין להו מאני גזי דפתחא לבניה, ומתברי להו.

Rami bar Hama raised an objection: We learned that an amputee may go out with his wooden prosthetic leg on Shabbat,⁴ since it is like a shoe; these are the words of Rabbi Meir. But Rabbi Yosei prohibits it. And a *baraita* was taught in that regard as an addendum to that mishna: And they agree that it is prohibited to go out wearing it on Yom Kippur.⁴ As this indicates that even wooden shoes are prohibited, the materials worn by the aforementioned *amora'im* should also be prohibited. Abaye said: There, in the case of Yom Kippur, it is prohibited because there are rags in the prosthesis. The prohibition is not due to the shoes but due to the pleasure of the comfort, which is prohibited on Yom Kippur.

Rava said to him: And if the prosthetic leg is not a garment, meaning that it is not a shoe, do the rags make it into a garment? Only shoes are forbidden, not other garments. And furthermore, any other kind of pleasure that is not the pleasure of wearing shoes, is it prohibited on Yom Kippur? Only certain afflictions are mandated on Yom Kippur; activities that are not specifically restricted by those afflictions are permitted. And Rabba bar Rav Huna would wrap a scarf on his feet and go out, demonstrating that the comfort provided by rags is permitted on Yom Kippur. Furthermore, the continuation of the *baraita* contradicts our explanation that the prohibition is due to the comfort provided by the rags. From the fact that it teaches in the latter clause: If the prosthetic leg has a receptacle designed for rags it is susceptible to ritual impurity like all wooden utensils which have receptacles,⁵ it may be inferred that in the first clause we are not dealing with a prosthetic leg that has a hollow space designed for rags. Abaye's position is thereby rejected.

Rather, Rava said: Actually, according to everyone, a prosthetic leg is considered to be a shoe, and with regard to Shabbat this is what they disagree about: One Sage, Rabbi Yosei holds that we decree a prohibition of wearing a prosthetic leg on Shabbat lest the leg slip off and one come to carry it four cubits in the public domain; and one Sage, Rabbi Meir, holds that we do not decree such a rule.

§ The Sages taught: Young children⁶ are permitted to perform all of the prohibited activities on Yom Kippur,⁶ except for wearing shoes. The Gemara asks: What is different about wearing shoes? It is because observers who see a child wearing shoes will say that adults did this for him, i.e., put them on for him, since he cannot do it for himself. But if that is the reason, with regard to those other prohibitions also, like bathing and smearing oil, they will say that adults did this for him, and children should be prohibited from those activities as well. The Gemara explains: With regard to bathing and smearing oil, they could say that they did this for him yesterday, since one cannot be certain when the child was bathed.

The Gemara asks: If so, we could say this with regard to shoes as well. They could say that they did this for him yesterday. The Gemara answers: In the case of shoes, it is impossible to say an adult did it for him yesterday, since the child would not have worn shoes at night. As Shmuel said: He who desires a taste of death should put on shoes and go to sleep.

The Gemara asks: But the mishna is teaching that they are permitted to wear shoes *ab initio*. If so, it is permitted for an adult to perform these acts for a child even on the day of Yom Kippur, and the observer will not think that the adult has done anything wrong. Rather, we must explain the mishna as follows: The Sages decreed against performing those actions that are not necessary for the child's growth, but the Sages did not decree against performing those actions that are necessary for the child's growth. As Abaye said: My mother told me:⁷ A child's growth requires hot water and oil for smearing. When he grows a little, he must eat egg with *kutaha*,⁸ a pickled dip made with milk. When he grows a little more, he must have vessels to break, since he will enjoy breaking them. This is like Rabba who bought cracked ceramic vessels⁹ for his children, and they broke them for their enjoyment.

NOTES

Who is the *tanna* of the mishna – מתניתין ממי – This question should not be understood as the usual attempt to clarify which Sage composed a specific mishna, since here Rabbi Eliezer is clearly identified as the author of the mishna. Rather, the issue here is whether all the views in the mishna with regard to the king, bride, and new mother are the opinion of only Rabbi Eliezer, or whether the Rabbis agree with Rabbi Eliezer in the first two cases. The Gemara therefore brings proof from the *baraita* that all three cases are the opinion only of Rabbi Eliezer and that the Rabbis argue with him on each issue (*Siah Yitzhak*). Furthermore, although the mishna is clearly the opinion of Rabbi Eliezer, the Gemara clarifies that it also is in accordance with the opinion of Rabbi Hananya ben Teradyon.

The king in his beauty – מלך ביופיו – It is a positive mitzva to instate a king who holds the people in awe. If the king's appearance is not impressive, this will detract from the fear he can instill in his subjects (*Sefer HaHashlama*).

HALAKHA

We do not prevent the bride from wearing perfumes – אין מונעין תבשיטין הבלה – A single woman may not adorn herself during her entire period of mourning, but a married woman is prohibited from adorning herself only during the first seven days of mourning. A bride who lost a close relative within thirty days of her wedding may adorn herself even during the first seven days of mourning. This follows the opinion of the Rosh, as stated in his commentary on tractate *Ketubot* (*Be'er Hagola; Shulhan Arukh, Yoreh De'a* 381:6).

Due to the danger of scorpions – מחמת סכנת עקרב – One is permitted to wear shoes to protect himself from scorpions or similar dangers and even to avoid getting dirty from mud (*Shulhan Arukh, Orach Hayyim* 614:4, and in the comment of the Rema).

Perek VIII
Daf 79 Amud a

HALAKHA

Volume of a date-bulk – שיעור כותבת – A date-bulk is slightly less than an egg-bulk. The *halakha* is in accordance with the opinion of Rav Ashi, that a large date-bulk is equivalent to the volume of a large date including its pit (see *Bah; Shulhan Arukh, Orach Hayyim* 612:1).

”המלך והכלה ירחצו את פניהם.” מתניתין ממי – רבי חנניא בן תרדיון היא. דתניא: המלך והכלה לא ירחצו את פניהם. רבי חנניא בן תרדיון אומר משום רבי אליעזר: המלך והכלה ירחצו את פניהם. החיה לא תנעול את הסנדל. רבי חנניא בן תרדיון אומר משום רבי אליעזר: החיה תנעול את הסנדל.

מאי טעמא מלך – משום דכתביב: ”מלך ביופיו תחוינה עיניך.” בלה מאי טעמא – בדי שלא תתנגנה על בעלה. אמר ליה רב רבי חייא: בלה עד כמה? אמר ליה, בדתניא: אין מונעין תבשיטין מן הכלה כל שלשים יום.

החיה תנעול את הסנדל – משום צינה.

אמר שמואל: אם מחמת סכנת עקרב – מותר.

”האוכל ככותבת הגסה.” בעי רב פפא:

§ We learned in the mishna that according to Rabbi Eliezer, the king and the bride may wash their faces on Yom Kippur. The Gemara asks: **Who is the *tanna* of the mishna?** The Gemara answers: It is the opinion of Rabbi Hananya ben Teradyon, as it was taught in a *baraita*: **The king and the bride may not wash their faces on Yom Kippur. Rabbi Hananya ben Teradyon says in the name of Rabbi Eliezer: A king and a bride may wash their faces.** The Rabbis said: **A new mother may not wear shoes on Yom Kippur. Rabbi Hananya ben Teradyon says in the name of Rabbi Eliezer: A new mother may wear shoes.**

The Gemara asks: According to Rabbi Eliezer's opinion, **what is the reason that the king may wear shoes? Because it is written: “Your eyes shall see the king in his beauty”^M (Isaiah 33:17).** A king should always look regal before his nation. **What is the reason that a bride may wash her face? So that she should not appear repulsive to her husband.** Since it is only the beginning of their marriage, her husband may be disgusted at seeing her otherwise. **Rav said to Rabbi Hiyya: For how long after her wedding is a woman considered a bride? He said to him: As it was taught in a *baraita*: If she becomes a mourner, we do not prevent the bride from wearing perfumes^H during the entire first thirty days of her marriage.** This shows that for the first thirty days, her appearance is most critical.

A new mother may wear shoes. What is the reason for this? **Due to the cold there is concern that she will become ill, as she is weak from the birth.**

Shmuel said: If a man is worried about walking barefoot on Yom Kippur due to the danger of scorpions,^H he is permitted to wear shoes, since one need not put himself in danger.

§ We learned in the mishna: On Yom Kippur, **one who eats food the volume of a large date is liable. Rav Pappa asked:**

ככותבת שאמר בגרעיניתה או בלא גרעיניתה? בעי רב אשי: עצם כשעורה בקליפתה או בלא קליפתה, בלחה או ביבשה? רב אשי לא מבעיא ליה הא דרב פפא – גסה איתמר, כל במה דגסה. רב פפא לא מבעיא ליה הא דרב אשי: לחה – שבולת מיקרי, שלא בקליפתה – או שלא מיקרי.

The large date-bulk^H that they said is the measure that determines liability for eating on Yom Kippur, does this refer to the volume of a large date with its pit or without its pit?^N **Rav Ashi** asked a similar question: The mishna that states that **a bone** that is a **barley-grain-bulk** imparts ritual impurity, does this refer to the volume of a barley grain with its husk or without its husk? And is that referring to a wet kernel or a dry one? The Gemara clarifies: **Rav Ashi did not ask the question that Rav Pappa** asked, regarding the size of the date-bulk on Yom Kippur because the answer was clear to him. Since **it is stated** in the mishna: **Large**, it means as large as possible, which must include the pit. Conversely, **Rav Pappa did not ask the question that Rav Ashi** asked regarding the size of the barley-grain-bulk because the answer was clear to him. **Wet barley is called *shabbolet*** and not barley; **without its shell** it is no longer called barley but is called *ushla*. Therefore, the mishna must be referring to dry barley within its shell.

NOTES

שיעור – Volume of a large date and the volume of its pit – מוכתבת הגסה ושיעור גרעיניתה – *Tosafot* ask why the Gemara poses this question when the mishna explicitly states that the pit is included. The commentator explains that the conjunctive *vav*, translated here as the word and, might actually mean or, so that the mishna does not read: The date and its pit, but rather: The date or its pit. In other words, the volume is the amount of food

equal to a large date or its pit, which are roughly the same size. Rav Nissim Gaon, cited in the *Arukh*, explains this differently: Since a date has three parts, the fruit, the pit, and the space between them, the Gemara is asking whether just the fruit and the pit are measured, or whether the space between them is included as well. This issue is also discussed in the Jerusalem Talmud, but a different conclusion is reached there (see *Bah*).

דְּבִהְכִי מִיִּתְבָּא דְעֵתִיָּה – With this amount the mind is settled – Although the Torah's measures are *halakha* transmitted to Moses from Sinai, the Gemara here suggests that the *halakha* only taught that there were different measures, and that it was up to the Sages to define the size of each measure. Therefore, the Gemara seeks a reason for this measure (*Davar Belto*).

מַעֲשֵׂה רַבִּי צְדוֹק – The incident was brought to show the other side of these *halakhot*. Just as some Sages wished to show how stringent they were, Rabbi Tzadok wished to illustrate the decree to which the law could be lenient in certain circumstances.

נָטְלוֹ בַמַּפָּה – He held it in a cloth – Rashi explains that Rabbi Tzadok did not want to touch the food with his hands due to his great sensitivity. *Tosafot*, however, explain that he ate food only if he was pure enough to eat *teruma*. In order not to become impure, he avoided touching food with his hands.

BACKGROUND

Tankard [*deli*] – דְּלִי – Although the word *deli* usually means pail, it seems there was also a smaller utensil with the same name, that may have been used to draw water from larger vessels in the house. It was also used as a large mug for drinking.

NOTES

The volume of an egg-bulk is required to be eaten in a *sukka* – הֲיָא כְּבִיזָה בְּעֵי סוּכָה: In tractate *Sukka*, this reasoning is refuted, although it seems that the argument cited there is forced. This Gemara is more logical (*Tosafot Yeshanim; Tosafot Rid*).

HALAKHA

פְּרִי לֹא בְּעוֹ סוּכָה – Fruit need not be eaten in a *sukka* – One should eat and drink in the *sukka* all seven days of the holiday. However, it is permitted to snack outside of a *sukka*. For bread to be considered a snack, it must be less than the volume of an egg-bulk. It is permitted to drink and to eat fruit outside of a *sukka*, but it is praiseworthy to be stringent and eat all food inside the *sukka* (*Shulhan Arukh, Orach Hayyim 639:2*).

אָמַר (רְבָא) אָמַר רַב יְהוּדָה: כּוֹתֶבֶת הַגִּסָּה שְׁאָמְרוּ – יִתְרִיָּה מִכְּבִיזָה, וְקִיָּם לְהוּ לְרַבְּנָן דְּבִהְכִי מִיִּתְבָּא דְעֵתִיָּה, בְּעִיר מְהִי – לֹא מִיִּתְבָּא דְעֵתִיָּה. מִיִּתְבִּי: מַעֲשֵׂה וְהִבְיָאוּ לְרַבְּנָן יוֹחֲנָן בֶּן זְבַדִּי לְטַעוּם אֶת הַתְּבַשִּׁיל, וְלְרַבְּנָן גַּמְלִיאֵל שְׁתֵּי כּוֹתֵבוֹת וְדִלִּי שֶׁל מַיִם, וְאָמְרוּ: הֲעֵלִים לְסוּכָה, וְתִנֵּי עֲלֵה: לֹא מִפְּנֵי שֶׁהִלְכָה בְּךָ, אֶלָּא שֶׁרָצוּ לְהַחֲמִיר עַל עֲצָמָן.

Rava said that Rav Yehuda said: The volume of a large date that they said is larger than an egg-bulk. The Sages have an accepted tradition that with this amount of food, the mind of the one who eats is settled,ⁿ and he is not afflicted. Less than this amount, the mind is not settled. The Gemara raises an objection from what we have learned: An incident happened on the festival of *Sukkot*. They brought a cooked dish to Rabban Yohanan ben Zakkai to taste, and they brought to Rabban Gamliel two dates and a tankard⁸ of water. Rabban Yohanan ben Zakkai and Rabban Gamliel said to them: Bring them up to the *sukka*, and we will eat there. And a *baraita* was taught in that regard: They did not act this way because that is the *halakha*, that such food must be eaten in the *sukka*. Rather, they wished to be stringent upon themselves and not eat anything outside of the *sukka*.

וּבְשִׁנְתָּנָה לֹא לְרַבִּי צְדוֹק אֹכֵל פְּחוֹת מִכְּבִיזָה, נָטְלוֹ בַמַּפָּה, וְאָכַל חוּץ לְסוּכָה, וְלֹא בִירֵךְ אַחֲרָיו.

On the other hand, the Gemara reports: And when they gave Rabbi Tzadokⁿ food that was less than an egg-bulk to eat, he held it in a clothⁿ and did not wash his hands. And he ate it outside of the *sukka* and did not recite Grace after Meals afterward.

Perek VIII

Daf 79 Amud b

הָא כְּבִיזָה – בְּעֵי סוּכָה. וְאִי סִלְקָא דְעֵתְךָ כּוֹתֶבֶת הַגִּסָּה שְׁאָמְרוּ יִתְרִיָּה מִכְּבִיזָה, הַשְּׁתָא שְׁתֵּי כּוֹתֵבוֹת בְּלֹא גְרִיעוּן – לֹא הוּוּ כְּבִיזָה, כּוֹתֶבֶת הַגִּסָּה וְגִרְעִינְתָהּ מִי הוּוּ יִתְרִיָּה מִכְּבִיזָה? אָמַר רַבִּי יְרֵמְיָה: אֵין, שְׁתֵּי כּוֹתֵבוֹת בְּלֹא גְרִיעוּן – לֹא הוּוּ כְּבִיזָה, כּוֹתֶבֶת הַגִּסָּה וְגִרְעִינְתָהּ – הוּוּ יִתְרִיָּה מִכְּבִיזָה. אָמַר רַב פֶּפְאֵ: הֵינֵנוּ דְאָמְרִי אֲנִישׁ: תְּרִי קְבִי דְתַמְרוּ, חַד קְבֵא דְקִשְׁוִיתָא וְסָרִיחַ.

The Gemara clarifies: Food that has the volume of an egg-bulk is required to be eaten in a *sukka*.ⁿ If it should enter your mind to say that the volume of the large date that they spoke of is larger than the volume of an egg-bulk, there is a contradiction. Now, comparing the two episodes, it seems that two dates without their pits are not the volume of an egg. If so, can the volume of a large date and its pit be greater than that of an egg-bulk? Rav Yirmeya said: Yes, although two dates without their pits are not equal to an egg-bulk, the volume of a large date and its pit are larger than an egg-bulk, since date pits are very large. Rav Pappa said: This explains the folk saying that people say: In two *kav* of dates there is one *kav* and more of pits, meaning that the volume of the pit is larger than that of the fruit itself.

רְבָא אָמַר: הָתָם הֵינֵנו טְעָמָא מְשוּם דְהוּוּ לִיָּה פִירִי, וּפִירִי לֹא בְּעוֹ סוּכָה. מִיִּתְבִּי, אָמַר רַבִּי: כְּשֶׁהֵינֵנו לְוִמְדִים תּוֹרָה אֶצְל רַבִּי אֶלְעָזָר בֶּן שְׁמוּעָה הִבְיָאוּ לְפָנֵינוּ תְאֵמִים וְעֲנָבִים, וְאֶכְלָנָם אֲכִילַת עֲרָאִי חוּץ לְסוּכָה. אֲכִילַת עֲרָאִי – אֵין, אֲכִילַת קְבֵע – לֹא! אֵימָא: אֶכְלָנָם כְּאֲכִילַת עֲרָאִי חוּץ לְסוּכָה.

Rava said: This entire line of questioning has no basis: There, in the incident of the *sukka*, this is the reasoning that the *halakha* permits eating the dates outside of the *sukka*, due to the fact that dates are fruit, and fruit need not be eaten in a *sukka*¹¹ but may be eaten outside of a *sukka*. The Gemara raises an objection. Rabbi Yehuda HaNasi said: When we would learn Torah with Rabbi Elazar ben Shamua, they brought before us figs and grapes, and we ate them as a casual meal outside of the *sukka*. The Gemara analyzes this: This implies that in the case of a casual meal, yes, it may be eaten outside of a *sukka*; but a fixed meal may not be eaten outside of a *sukka*. Therefore, a meal consisting of fruit must be eaten in a *sukka*. The Gemara rejects this: That is the wrong inference. Instead, say we ate them as if they were a casual meal, which may be eaten outside of the *sukka*, meaning that eating fruit is always considered a snack.

אִי בְּעֵית אֵימָא: אֶכְלָנָם אֲכִילַת קְבֵע, וְאֶכְלָנוּ פֶת אֲכִילַת עֲרָאִי בְהַדְדִיהוּ חוּץ לְסוּכָה.

If you wish, say instead that it can be understood in this way: We ate that fruit as a fixed meal, and we ate bread as a casual meal with the fruit, to temper their sweetness, outside of the *sukka*.

לימא מסייע ליה: לפיכך אם השלים במיני תרגימא – יצא. ואי סלקא דעתך פירי בעו סוכה – ליתני פירות! מאי מיני תרגימא – פירות. ואיבעית אימא: באתרא דלא שכיחי פירי.

The Gemara suggests: **Let us say that this baraita supports Rava.** It teaches: **Therefore, if one completed** consuming the amount that one is required to eat in the *sukka* **with types of sweets,ⁿ he has fulfilled** his obligation of sitting in the *sukka*. **If it should enter your mind to say that fruit is required** to be eaten in a *sukka*, then it should not say sweets; **let it teach fruit.** The Gemara rejects this proof: **What do the words types of sweets mean?** It means **fruit.** Therefore, this *baraita* is not a support for Rava's opinion. **And if you wish, say that this baraita is referring to a place where fruits are uncommon,** and therefore other sweet foods are eaten, but fruit can similarly complete the requirement. Consequently, no support can be brought from here.

רב זביר אמר: כותבת הגסה שאמרו חסרה מכביצה. דתנן, בית שמאי אמרו: שאור בכזית, חמץ בכבותבת.

Until now, the Gemara has assumed that the volume of a large date is more than that of an egg. **Rav Zevid** disagreed with what was mentioned earlier and **said:** This is not so. Rather, **the volume of a large date that they spoke of is less than an egg-bulk,** as we learned in a mishna: **Beit Shammai say:** With regard to leaven, the sourdough used to make dough rise, ownership of **the volume of an olive-bulk** violates the prohibitions in the following verses stated regarding Passover: “And no leavened bread shall be seen with you” (Exodus 13:7) and “Seven days shall there be no leaven found in your houses” (Exodus 12:19). However, the amount of **leavened breadⁿ** that must be owned to violate the prohibition is **the volume of a large date.**

והוינן בה: מאי טעמא דבית שמאי? נכתוב רחמנא חמץ, ולא בעי שאור, ואנא אמיינא: ומה חמץ שאין חמוצו קשה – אסור בכזית, שאור שחמוצו קשה – לא כל שכן. מדפלגיניהו רחמנא – לימדה לך: שיעורו של זה לא כשיעורו של זה שאור בכזית וחמץ בכבותבת.

The Gemara continues. **And we discussed it: What is the reason for the opinion of Beit Shammai?** If both leaven and leavened bread had the same measure that determines liability, **let the Merciful One write only: “Leavened bread,”** and He would not need to write: **“Leaven.”** I would say, based on logic: **If leavened bread, whose leavening ability is not as strong, is prohibited at an olive-bulk, all the more so should not leaven, whose leavening ability is strong** because it causes dough to rise, be also prohibited at an olive-bulk? Since **the Merciful One distinguishes between them** and states both “leaven” and “leavened bread,” **this taught you that the measure for one is not the same as the measure for the other.** The measure that determines liability for **leaven** is an **olive-bulk,** like in the case of most prohibitions from the Torah, and the measure that determines liability for **leavened bread,** whose leavening ability is weaker, is the **volume of a large date.**

ואי סלקא דעתך כותבת הגסה שאמרו ותידה מכביצה, מכדי בית שמאי אשיעורא דנפיש מבזית קא מהדרי – ליתני כביצה! ואי נמי כי הדדי נינהו – ניתני כביצה! אלא לאו שמע מינה: כותבת פחותה מכביצה.

The Gemara clarifies: **And if it should enter your mind to say: The volume of the large date that they spoke of is greater than an egg-bulk, since Beit Shammai are searching for the measure one size larger than an olive-bulk,ⁿ** as they proved that leavened bread must have a larger measure than an olive-bulk, and if the measure one size larger than an olive-bulk is an egg-bulk, then **let them teach an egg-bulk** and not a date. **Alternatively, if they are exactly the same volume, and the volume of a large date has the same volume as an egg-bulk, they should have taught an egg-bulk,** which is the more commonly used measure. **Rather, must one not conclude from here that the volume of a large date is less than an egg-bulk?**

NOTES

Sweet foods, fruit – פירות – מיני תרגימא, פירות – It seems that the Gemara maintains that the word fruit here is referring only to the seven species for which Eretz Yisrael is praised. According to this explanation, the Gemara's claim that in some places fruit is uncommon is better understood, since, although some fruit is found everywhere, these seven species are not universally available (*Tosefot Rid*).

size of an olive-bulk of either leaven or leavened bread. Rather, the subject here is the following prohibition: It shall not be seen and it shall not be found. Therefore, the Gemara states that leaven, which has greater leavening ability than leavened bread, should have a smaller measure that determines liability (*Tosefot Yom HaKippurim*).

Leaven and leavened bread – שאור וחמץ: The Gemara where this discussion originally appears gives a reason for Beit Hillel's approach. It raises an argument against Beit Shammai's opinion that the prohibited volume of leaven should be smaller than the prohibited volume of leavened bread: Leaven is not edible but leavened bread is. However, the discussion here is not about the prohibition of consuming these foods on Passover, since according to both opinions one is liable for consuming the

The measure one size larger than an olive-bulk – אשיעורא דנפיש מבזית: *Tosafot* point out that the Torah uses another measure, a dried fig-bulk, which is between the volume an olive-bulk and a large date. Nevertheless, a dried fig-bulk is not a measure used with regard to prohibitions of eating. Therefore, the Gemara sought a measure most similar to that of an olive-bulk, either an egg-bulk, which is the amount required for satisfaction, or the volume of a large date, which is the amount required to settle one's mind (see *Tosafot Yeshanim*).

They are equal and the mishna chose one of them – כי – הַדְרִי נִתְּנוּ וְחָדָא מִיַּיְהוּדָא נִקְטָא: The measure of a date was chosen, although it is equal to the more standard measure of an egg-bulk, because the first measure that determines liability, an olive-bulk for the prohibition of leaven, was based on one of the seven fruits of the land. The second measure that determines liability, for leavened bread, should be as well (*Tosefet Yom HaKippurim*).

An olive-bulk...an egg-bulk – עַד כְּבִיזָה: It seems that both approaches are referring to the rabbinic requirement to recite Grace after Meals. The Torah obligation applies only to one who has eaten and is full; however, the Sages established different, specific measures for eating and for satisfaction (*Tosefet Yeshanim*).

HALAKHA

The measure of food that requires a *zimmun* – שִׁיעוּר לְיִמּוֹן: One who eats less than the volume of an olive-bulk may not join a *zimmun* (*Shulḥan Arukh, Orah Hayyim 196:4*).

ממאי? דילמא לעולם אימא לך: בותבת הגסה שאמרו – יתירה מכביצה, הא סתמא – כביצה. ואי נמי: כי הדרי ניהו וחדא מינייהו נקט.

The Gemara rejects this: **From where is your proof? Perhaps I could actually say to you that the measure of the volume of a large date that they said is larger than an egg-bulk;** however, the volume of a date of **normal size is the same as an egg-bulk**, and Beit Shammai were referring to a normal-sized date. **Alternatively, say that the volume of a large date and an egg-bulk are equal, and the mishna chose to use one of them.**^N Either way, there is no proof from here that the volume of a large date is greater than an egg-bulk.

אלא מהכא: עד כמה מזמנין? עד כזית, דברי רבי מאיר. רבי יהודה אומר: עד כביצה. במאי קא מיפלגי? רבי מאיר סבר: "ואכלת" זו אכילה, "ושבעת" זו שתיה. ואכילה בכזית, ורבי יהודה סבר: "ואכלת ושבעת" – אכילה שיש בה שביעה, ואי זה – זה כביצה.

Rather, it cannot be proven from here. Proof can be found from here: **How much must one eat to obligate those with whom he ate in an invitation [zimmun]^H for Grace After Meals? An olive-bulk of food suffices to obligate those with whom they ate in a zimmun; these are the words of Rabbi Meir. Rabbi Yehuda says: An egg-bulk is the minimum measure to obligate those with whom they ate in a zimmun.**^N The Gemara clarifies: **With regard to what do they disagree? Rabbi Meir holds that the verse "And you shall eat and be satisfied and bless the Lord your God" (Deuteronomy 8:10) should be understood as follows: "And you shall eat"; this is referring to eating. "And be satisfied"; this is referring to drinking.** The definition of eating throughout the Torah is consuming an olive-bulk. Rabbi Yehuda holds: "And you shall eat and be satisfied" is referring to eating that causes satisfaction, and what is that? The volume of an egg-bulk. Less than that amount of food is not satisfying.

ואי סלקא דעתך בותבת הגסה שאמרו יתירה מכביצה – השתא כביצה שבועי משבעא, דעתא לא מיתבא? אלא לאו שמע מינה: בותבת הגסה שאמרו פחות מכביצה, כביצה – משבעא, ככותבת – מיתבא דעתיה.

And if it should enter your mind to say that the volume of the large date that they spoke of is larger than an egg-bulk, the following question can be asked: **Now that we have said that the volume of an egg-bulk satisfies, can we say that it does not settle the mind, and thereby remove the affliction of Yom Kippur? Rather, must one not conclude from this that the volume of a large date that they said is less than the size of an egg-bulk? Eating the larger amount of an egg-bulk satisfies a person, but eating the volume of a large date only settles his mind.**

תניא, רבי אומר:

It was taught in a *baraita*: Rabbi Yehuda HaNasi says:

Perek VIII

Daf 80 Amud a

כל השיעורין כולן בכזית, חוץ מטומאת אוכלין, ששינה הכתוב במשמען ושינו חכמים בשיעורן. וראיה לדבר יום הכפורים. מאי שינה הכתוב במשמעו – מ'לא תעונה', ומאי שינו חכמים בשיעוריה – ככותבת.

All the measures in the Torah connected to eating are the volume of an olive-bulk,^H except for the amount of food that renders objects impure, because the verse changed its expression in this case, and the Sages altered the measure^N accordingly. The proof of this, that the Sages gave it a different measure because the verse used different language for it, is from Yom Kippur. Also in the case of Yom Kippur the Sages assigned a different measure because the verse used a different phrase. The Gemara asks: **How did the Sages learn that the verse changed its expression? They learned from:** "Any soul which shall not be afflicted" (Leviticus 23:29). The verse does not state: Any soul that shall eat, but rather: "Any soul which shall not be afflicted." **How did the Sages change its measure? One does not violate the prohibition unless he has eaten the volume of a large date-bulk, as opposed to the usual olive-bulk.**

NOTES

The Sages altered the measure – שינו חכמים בשיעורן: The commentaries discuss (see *Tosefet Yom HaKippurim*) the terminology employed here, which gives the impression that the Sages determined the size of measures. That approach seems to contradict a statement of the Gemara later in the discussion that all measures are *halakha* transmitted to

Moses from Sinai. One resolution suggests that the measures themselves, e.g., an olive-bulk and an egg-bulk, were given to Moses at Sinai, but they were not linked to specific transgressions. It was the Sages who defined which measure is appropriate for which transgression (Rabbi Tzvi Hirsch Chajes).

HALAKHA

All the measures are the volume of an olive-bulk – כָּל – הַשִּׁיעוּרִין כּוֹלֵן כְּזִית: The measure for all prohibited foods in the Torah is the bulk of a medium-sized olive. This applies to transgressions punishable by lashes, *karet*, and death at the hand of Heaven. Excluded, however, are those cases where the verse employs unusual language (Rambam *Sefer Kedusha, Hilkhot Ma'akhalot Assurot 14:1*).

And what does the *baraita* mean when it says a proof for this – מאי ראיה לדבר – One commentator suggests that the term: Proof for this, indicates that the proof is not so clear, but that there is support for the approach. Therefore, the Gemara asks why the proof is insufficient. The response is that the Yom Kippur text is a weak proof, since the language used there is totally different. Eating is not mentioned there at all. This is not so with regard to impure foods (Rabbi Elyakim).

Ben pekua – בן פקועה: All organs of a slaughtered animal may be eaten. Given this, if a pregnant animal is slaughtered and a live fetus is found in its womb, the fetus is called a child of an animal who was ripped open [*ben pekua*], and it has the status of the mother's organs. Even if it is a viable animal and continues to live normally, it is considered already slaughtered based on its mother. It does not require an additional slaughtering to be eaten.

Requires cutting – טעון קריעה: One explanation of this phrase is that the *ben pekua* is alive, and the required cutting refers to slitting the throat of the animal, meaning that it must be killed before it can be eaten. Alternatively, the Gemara may be referring to a *ben pekua* that is already dead, and the cutting required is in order to prepare it for consumption, since nobody would eat it as it is (Rav Shmuel Strashun; see *Ohel Moshe*).

One who repents due to his awareness – תשוב מידיעתו: An example of this is one who habitually violates a particular *halakha* intentionally, but one time he transgressed unwittingly. When he later wishes to repent he is not obligated to bring an offering for his unwitting transgression. This is due to the fact that, at the time that he transgressed unwittingly, even had he become aware of his transgression he would not have repented. The *baraita* derives from the verse (Leviticus 4:27) that in such a case one does not bring an offering for the unwitting transgression.

HALAKHA

Impure foods the volume of an egg-bulk – טומאת אוכלין: Food of any size can become impure, but to transfer ritual impurity to something else it must be the bulk of an egg without its shell. This ruling is in accordance with the Gemara here and in tractate *Eiruvin* (Rambam *Sefer Tahara*, *Hilkhot Tumat Okhalin* 4:1 and *Kesef Mishne* there).

ומאי ראיה לדבר יום הכפורים? דאי מהתם – הוה אמינא: אורחא דקרא הוא.

טומאת אוכלין כביצה מנלן? אמר רבי אבהו אמר רבי אלעזר: דאמר קרא: "מכל האוכל אשר יאכל" – אוכל הבא מחמת אוכל, ואיזה זה – ביצת תרנגולת. ואימא גדלי מחוסר שחיטה. – ואימא בן פקועה! טעון קריעה.

ואימא ביצת בר יוכני! תפסת מרובה לא תפסת, תפסת מועט – תפסת. ואימא ביצתא דציפורתא, דזוטר טובא!

רבי אבהו דידיה אמר: "מכל האוכל אשר יאכל" – אוכל שאתה אוכלו בבת אחת, ושיערו חכמים: אין בית הבליעה מחזיק יותר מביצת תרנגולת.

אמר רבי אלעזר: האוכל חלב בזמן הזה צריך שיכתוב לו שיעור, שמה יבא בית דין אחר וירבה בשיעורין.

מאי ירבה בשיעורין? אי נמא דמחייבי קרבן אכזיית קטן – והתניא: "אשר לא תעשינה בשגגה ואשם" השב מידיעתו – מביא קרבן על שגגתו.

The Gemara asks: **And what** does the *baraita* mean when it says: **A proof for thisⁿ** is from **Yom Kippur**? Why is the verse pertaining to ritual impurity not sufficient to show that the Sages changed the measure based on the different words in the verse? The Gemara answers: **If we learned it only from there, the case of impurity, I would have said that that is the style of the verse, and no halakha can be derived from it.** Therefore, the verse pertaining to Yom Kippur teaches that whenever a verse deviates from the usual language, it implies a change in the *halakha* as well.

§ The Gemara asks: **From where do we derive that the measure for impure foods is the volume of an egg-bulk?**^h Rabbi Abbahu said that Rabbi Elazar said that the verse states: "Of all food [*okhel*] which may be eaten [*ye'akhel*], on which water comes shall be ritually impure" (Leviticus 11:34). The double usage of the root *akhal* teaches that the ritual impurity of food applies even to the amount which can be described as **food that comes on account of food**, i.e., food that comes from another food. **And which food is that? A chicken egg.** The Gemara asks: **And say** it is referring to a **kid**, which comes from a mother goat, and is therefore also food that comes from another food. The Gemara answers: **It lacks ritual slaughter.** The young goat is not yet food, since it is not edible until it has been slaughtered. The Gemara asks further: **And say** it is referring to a *ben pekua*.ⁿ Since the slaughter of its mother made it fit to eat, the fetus itself need not be slaughtered, even if it survives and continues to live independently of its mother. The Gemara answers: The calf still **requires cutting**,ⁿ since it cannot be eaten live, but it does not require ritual slaughter.

The Gemara asks: Even if we claim that the measure for impure foods is an egg-bulk, one could say it is referring to the giant **egg-bulk** of the bird called *bar yokhani*. The Gemara answers: **If you grasped many, you did not grasp anything; if you grasped few, you grasped something.** This means that in a case of doubt, take the smaller number, as it is included in the larger number. Therefore, the correct measure is the volume of a chicken egg. The Gemara questions this: If so, say it is referring to a **very small bird's egg**. Consequently, no proof can be brought from the verse that the volume of a chicken egg is the measure for ritual impurity.

Rabbi Abbahu himself said: The verse states: "Of all food which may be eaten." This is referring to **food that you can eat at one time.** The Sages estimated: **The esophagus cannot hold more than the volume of a chicken's egg, and therefore this is the measure used for the ritual impurity of foods.**

Incidental to the discussion on Torah measures, **Rabbi Elazar said: One who unwittingly eats forbidden fat even today must write down the exact measure that he ate, lest another court come in the future and increase the measure.**

The Gemara asks: **What does it mean to increase the measure? If we say that a future court will obligate him to bring an offering even for the bulk of a small olive, which is less than what is considered an olive-bulk today, he would not be liable to bring a guilt-offering. Wasn't it taught in a baraita:** It was said with regard to guilt-offerings: "And if any one of the common people sin through error, in doing any of the things which the Lord has commanded **not to be done, and be guilty**" (Leviticus 4:27)? This teaches that **one who repents due to his awareness**,ⁿ i.e., one who repents following becoming aware that he performed a transgression, **brings an offering for his unwitting transgression.**

לֹא שָׁב מִדִּיעָתוֹ – אִין מְבִיא קָרְבָן
עַל שִׁגְגָתוֹ.

However, one who does not repent due to his awareness that he sinned does not bring an offering for his unwitting action. Similarly, if one eats less than an olive-bulk, based on the current measures, he will not be obligated to bring a guilt-offering in the future if the measures change, even if the amount that he ate equals the volume of a revised olive-bulk. This is because the individual would not be bringing his offering because he became aware he had sinned, but because the Torah measures had been changed.

אֵלָּא, דְּלֹא מְחִיבֵי קָרְבָן עַד דְּאִיבָא
בְּזֵית גְּדוּלָּה.

Rather, it should be explained as follows: It is possible that in the future a court will not obligate one to bring an offering until he has eaten the bulk of a large olive, which is more than today's amount. One should write down how much he ate, since in the future a court might rule that the amount he ate is less than the size of an olive, and therefore he will not be obligated to bring an offering.^N

וְלִמָּאי דְּסָלִיק אֲדַעְתִּיהּ מְעִיקְרָא
דְּמַחֲבִיבֵי קָרְבָן אַכְזוּת קָטָן, מָאי "יִרְבֶּה
בְּשִׁיעוּרֵינוּ" – שְׂמָא יִרְבֶּה בְּקָרְבָנֹת
מַחֲמַת שִׁיעוּרֵינוּ.

The Gemara returns to its first suggestion: According to what entered his mind initially, that in the future a court might obligate him to bring an offering for the bulk of a small olive, what is the meaning of increase the measure? Rabbi Elazar should have said decrease the measure. The Gemara answers: The statement may have meant that perhaps there will be an increase in offerings that are brought due to the smaller measure for liability.

אָמַר רַבִּי יוֹחָנָן: שִׁיעוּרֵינוּ וְעוֹנְשֵׁינוּ הֵלֵכָה
לְמֹשֶׁה מִסִּינַי. עוֹנְשֵׁינוּ? מִכְּתָב כְּתוּבֵינוּ!
אֵלָּא הֵיךָ קָאָמַר: (אָמַר רַבִּי יוֹחָנָן,
שִׁיעוּרֵינוּ שֶׁל עוֹנְשֵׁינוּ הֵלֵכָה לְמֹשֶׁה
מִסִּינַי.)

With regard to this topic, Rabbi Yohanan said: Measures and punishments are *halakha* transmitted to Moses from Sinai. The Gemara expresses surprise at this: The punishments for all transgressions are written explicitly in the Torah, and therefore are not part of an oral transmission from Moses. Rather, this is what was said: Rabbi Yohanan said: Measures that determine liability for punishments^H are *halakha* transmitted to Moses from Sinai.

תַּנְיָא נְמִי הֵכִי: שִׁיעוּרֵינוּ שֶׁל עוֹנְשֵׁינוּ
הֵלֵכָה לְמֹשֶׁה מִסִּינַי, אַחֲרֵינוּ אוֹמְרִים:
בֵּית דִּינֵנוּ שֶׁל יַעֲבֹץ תִּיקָנוֹם, וְהַכְּתוּב:
"אֵלֹהֵי הַמִּצְוֹת" – שְׂאִין נְבִיא רִשְׁאִי
לְחַדֵּשׁ דְּבָר מֵעֵתָהּ! אֵלָּא: שְׂכַחוּם
וְחֹרְוֵי וִיסוּדֵינוּ.

The Gemara comments: This was also taught in a *baraita*: Measures of punishments are *halakha* transmitted to Moses from Sinai. Others say: These measures were instituted by the court of Jabez.^N The Gemara questions this: How can this be? Isn't it written: "These are the mitzvot which the Lord commanded Moses for the children of Israel at Mount Sinai" (Leviticus 27:34). The word "these" underscores that a prophet is not permitted to introduce any new element related to the Torah and its mitzvot from here on. Rather, over the course of time, the people forgot the measures; subsequently the prophets reestablished the measures and taught them to the masses.

"הַשּׂוֹתֶה מְלֵא לֹגְמִיו." אָמַר רַב יְהוּדָה
אָמַר שְׁמוּאֵל: לֹא מְלֵא לֹגְמִיו מִמֶּשֶׁה,
אֵלָּא כָּל שְׂאִילוֹ יִסְלַקְנוּ לְצַד אֶחָד
וְיִרְאֶה כְּמְלֵא לֹגְמִיו. וְהָא אֵין תַּנְן מְלֵא
לֹגְמִיו! אֵימָא: כְּמְלֵא לֹגְמִיו.

§ We learned in the mishna that one who drinks a cheekful on Yom Kippur is liable. Rabbi Yehuda said that Shmuel said: This does not mean two cheeks actually full. Rather, the measure that determines liability is the volume of liquid if one pushes the drink to one side of his mouth, and it appears as though his cheek were full. The Gemara questions this: Didn't we learn in the mishna: A cheekful, in the plural form, meaning two cheeks full? The Gemara answers: Say: Like two cheeks full in appearance. If viewed from only one side, one whose cheek is full appears as if his entire mouth is full.^H

One who repents due to his awareness – הַשָּׁב מִדִּיעָתוֹ: An example of this is one who habitually violates a particular *halakha* intentionally, but one time he transgressed unwittingly. When he later wishes to repent he is not obligated to bring an offering for his unwitting transgression. This is due to the fact that, at the time that he transgressed unwittingly, even had he become aware of his transgression he would not have repented. The *baraita* derives from the verse (Leviticus 4:27) that in such a case one does not bring an offering for the unwitting transgression.

Repentance and the changing of measures – שָׁב מִדִּיעָתוֹ – וְשְׁנוּי הַשִּׁיעוּרִים: Later commentaries identified two major problems with this passage. Firstly, tractate *Horayot* teaches that even if the transgression is based on a mistaken ruling from the court, subsequent repentance is nevertheless considered to be due to one's awareness. Secondly, according to Rabbi Yohanan, even a half-measure is prohibited, in which case one would have repented even if there had not been a later change of measure. These questions were answered in several ways, the primary solution being that one must differentiate between a mistake made by the court with regard to a matter of law and a court changing measures. With regard to the half-measure, the issue of repentance does not apply to the bringing of an offering but only to the recognition of sin (see *Tosefet Yom HaKippurim*; *Gevurat Ari*; *Derakhekha Shalom*; *Nimmukei Hayyim*).

The court of Jabez – בֵּית דִּינֵנוּ שֶׁל יַעֲבֹץ: Jabez is listed in the book of Chronicles among the sons of Judah (I Chronicles 2:55, 4:9–10). From the context, it seems he was among the leaders of the Jewish people in his generation. Some authorities say that Jabez is an alternative name for Othniel ben Kenaz, mentioned in the book of Judges (Rashi). The text is referring to: "And the families of the scribes that dwelt at Jabez," which suggests this individual led the scribes, who were the sages of his time.

HALAKHA

The measures for punishments – שִׁיעוּרֵי עוֹנְשִׁים: All the measures assigned to prohibited foods and all measures in the Torah are *halakhot* transmitted to Moses from Sinai, in accordance with the Gemara here (Rambam *Sefer Kedusha*, *Hilkhot Ma'akhalot Assurot* 14:2).

שִׁיעוּר אִיסוּר שְׂתִיָּה בְּיוֹם הַכִּפּוּרִים: One who drinks a cheekful on Yom Kippur is liable. The exact measure depends on the size of the person. A cheekful does not refer to filling both sides of the mouth, but rather is the amount that gives one the appearance of a full mouth when the liquid is pushed to one side of the mouth. For an average-sized person, the measure is smaller than a quarter-log (*Shulhan Arukh*, *Orah Hayyim* 612:9).

The measure for the prohibition of drinking on Yom Kippur –

A cheekful and a quarter-log – מלא לוגמיו ורביעית – See *Tosafot*. According to the Rid, the terminology of the Gemara and logic dictate that even filling both cheeks is less than a quarter-log. Therefore, Rav Hoshaya's question does not specifically relate to Shmuel's opinion, but to all the approaches, since even the basic meaning of the words of the *baraita* imply that this is one of Beit Shammai's leniencies.

מיתמיבי: כמה ישתה ויהא חייב? בית שמאי אומרים: רביעית, ובית הלל אומרים: מלא לוגמיו. רבי יהודה אומר משום רבי אליעזר: כמלא לוגמיו, רבי יהודה בן בתירא אומר: כדי גמיעה!

מי עדיפא ממתניתין, דאוקימנא כדי שיראה – הכי נמי – כדי שיראה. אי הכי היינו רבי אליעזר! איפא ביניהו מלא לוגמיו דחוק.

מתקיף לה רב הושעיא: אם בן הוה ליה מקולי בית שמאי ומחומרי בית הלל! אמר ליה:

The Gemara raises an objection to this from a *baraita*: How much does one need to drink on Yom Kippur to be liable? Beit Shammai say: A quarter-log, and Beit Hillel say: Two cheeks full. Rabbi Yehuda says in the name of Rabbi Eliezer: Like two cheeks full in appearance from the side, i.e. a single cheekful. Rabbi Yehuda ben Beteira says: The amount that one can swallow in one gulp. In this *baraita*, Beit Hillel's opinion is that the measure for drinking on Yom Kippur is a cheekful.^N This implies that a cheekful means an actual cheekful.

The Gemara expresses surprise: Is the *baraita* preferable to the *mishna*? Since it was established that the measure in the *mishna* is so that it appears like a cheekful, so too, the *baraita* can be explained as meaning an amount that looks like two cheeks full. The Gemara questions further: If so, Beit Hillel require an amount that appears like two cheeks full; this is identical with the opinion of Rabbi Eliezer, who says: Like two cheeks full. The Gemara answers: We could say that the practical difference between them is evident in the case of a paltry cheekful, which is not a complete mouthful but slightly less. According to Beit Hillel, one is not liable unless he drinks a full cheekful; but according to Rabbi Eliezer, one is liable even for a paltry mouthful.

Rav Hoshaya strongly objects to this understanding: If so, if Beit Hillel's measure is a single cheekful, then this is an instance of Beit Shammai's leniencies and Beit Hillel's stringencies, since the measure of a quarter-log is larger than a single cheekful. If so, why isn't this debate listed in tractate *Eduyyot*, which lists all the cases where Beit Shammai are more lenient than Beit Hillel? He said to him:

Perek VIII

Daf 80 Amud b

NOTES

What is different with regard to eating – מאי שגא אכילה – The connection between this question and the previous statement is as follows: At first, the Gemara thought that a cheekful is a fixed measure, based on the mouth of an average person and applying equally to a large and small person. However, once the Gemara explained that this measure varies from person to person, the question is posed as to why this should be only for drinking and not for eating (*Tosefet Yom HaKippurim*; *Sifah Yitzhak*).

Everyone of average size has his mind greatly settled – בגלי טובא עלקא טובא: It seems that this does not mean that the mind is settled only at the moment of eating. Rather, the food sits in one's stomach, and as such his mind is settled. Therefore, even Og, king of Bashan, in whom a small amount of food is digested quickly, has a settled mind for a short time (*Tosefet Yom HaKippurim*).

כי אתשיל – בעוג מלך הבשן אתשיל, דהוה ליה בית שמאי לחומרא.

מתקיף לה רבי זירא: מאי שגא אכילה – דכל חד וחד בכבותבת, ומאי שגא שתיה דכל חד וחד בדידיה? אמר ליה אבוי: קים להו לרבנן בכבותבת דבהכי מיתבא דעתיה, בציר מהכי – לא מיתבא בשתיה – בדידיה מיתבא דעתיה, בדחבריה לא מיתבא דעתיה.

מתקיף לה רבי זירא: וכל העולם כולו בכבותבת, ועוג מלך הבשן בכבותבת? אמר ליה אבוי: קים להו לרבנן דבהכי מיתבא דעתיה, בציר מהכי – לא מיתבא דעתיה. מיהו, בגלי עלקא – טובא, ועוג מלך הבשן – פורתא.

When this question with regard to the measure of liquid was asked, it was not asked about an average-sized person, for whom a mouthful is smaller than a quarter-log. Rather, the question was asked even about Og, king of Bashan, in which case, it is Beit Shammai who are stringent, for Og's cheekful is much more than a quarter-log.

Rabbi Zeira strongly objects to this *halakha* with regard to the measure for liability for drinking: What is different with regard to eating,^N in that all people have the same measure, the volume of a large date; and what is different with regard to drinking, where each and every person is liable according to his own measure, i.e., every individual's measure depends on the size of his own mouth? Abaye said to him: The Sages have an accepted tradition with regard to the volume of the large date, that eating this amount settles his mind, but less than this amount does not settle his mind. However, with regard to drinking, his mind is settled with the amount of his own cheekful, but his mind is not settled with the cheekful of his fellow who is smaller than him.

Rabbi Zeira strongly objects to this for a different reason: Is everyone of average size satisfied with eating the volume of a large date, and even Og, king of Bashan, is also satisfied with the volume of a large date? If not, there should also be relative measures for eating. Abaye said to him: The Sages have an accepted tradition that this amount settles his mind, but less than this amount does not settle his mind. However, everyone of average size has his mind greatly settled,^N whereas Og, king of Bashan, has his mind only a little settled. But even so, this measure settles the mind of any person and relieves his affliction.

Half of a half-loaf of bread in the time it takes to eat a half-loaf – חצי פרס בכדי אכילת פרס – The first challenge was with respect to Yom Kippur. The Gemara answered: Because the term affliction is stated, whether or not any given type of eating is prohibited depends upon the satisfaction derived from it. However, Rava's challenge is with respect to ritual impurity, which does not depend upon satisfaction. If so, he asks, why did the Sages establish the measure of half of a half-loaf in the time it takes to eat a half-loaf (*Me'il Shmuel*)?

Ritual impurity of the body – טומאת הגויה – Ritually impure foods and beverages render other foods and beverages impure, but not vessels or people. However, in order to prevent people from eating impure food while they drink *teruma* beverages, the Sages decreed a measure of food that can transfer second-degree ritual impurity to a person. The Sages fixed the amount of food that causes this impurity at half of a half-loaf of bread (see *Tosafo*). In tractate *Eiruvin*, there is a disagreement between the *tanna'im* about the measure of this loaf.

A vegetable and brine on Yom Kippur – ירק וציר ביום הכפורים – Reish Lakish emphasizes that this rule is for Yom Kippur, when the essential factor is settling the mind. With regard to other forbidden foods in other contexts, brine has the status of a drink and does not combine (*Tosefet Yom HaKippurim*).

HALAKHA

Ritual impurity of the body – טומאת גויה – The Sages decreed that one who ingests impure food or drink contracts impurity to the second degree and must immerse himself to be purified (Rambam *Sefer Tahara, Hilkhot She'ar Avot HaTumot* 8:10).

All foods combine – כָּל הָאוֹכְלִין – All types of food combine to reach the measure of a large date, including salt with meat and brine with a vegetable. Anything that prepares food has the status of food. Food and drink do not combine with each other. This ruling is in accordance with the opinion of Rav Pappa and Reish Lakish (*Shulhan Arukh, Orach Hayyim* 612:2).

מתקוף לה רבי זירא: בשר שמן – בככותבת, ולולי גפנים בככותבת? אמר ליה אביי: קים להו לרבנן דבהכי מיתבא דעתיה, בציר מהכי לא מיתבא דעתיה. מיהו, בשר שמן – טובא, לולי גפנים – פורתא.

Rabbi Zeira strongly objects to this further: If it is on account of settling one's mind, the following question can be raised: If one ate **fatty meat**, his mind would be settled with the **volume of a large date**, but if he ate **edible grapevine shoots**, would his mind similarly settled with the **volume of a large date**? **Abaye said to him: The Sages have an accepted tradition that with this measure one's mind is settled, but with less than measure his mind is not settled. However, with fatty meat, his mind is greatly settled; if one ate the same measure of grapevine shoots, his mind is only a little settled.**

מתקוף לה רבא: בזית בכדי אכילת פרס, וככותבת בכדי אכילת פרס? אמר ליה אביי: קים להו לרבנן דבהכי מיתבא דעתיה, בטפי מהכי – לא מיתבא דעתיה.

Rava strongly objects to this: For all prohibitions of eating, the measure that determines liability is the **volume of an olive-bulk consumed within the time it takes to eat a half-loaf of bread**. All forbidden food eaten within that period combines to the measure of an olive-bulk. However, one who eats an olive-bulk over a longer period is exempt. Yet, on Yom Kippur one who eats the **volume of a large date**, which is a larger measure, is culpable if this amount is eaten **within the time it would take to eat a half-loaf of bread**. This appears to be a leniency, since one must eat a larger measure in the same time period of time. Why is there not a longer period of time for liability on Yom Kippur, to reflect the larger measure? **Abaye said to him: The Sages have an accepted tradition that one who eats within this duration of time, his mind is settled; but one who eats within a longer duration of time, his mind is not settled, and he remains in a state of affliction.**

מתקוף לה רבא: (בכותבת) בכדי אכילת פרס חצי פרס בכדי אכילת פרס? אמר ליה רב פפא: הנח לטומאת גויה, דלאו דאורייתא היא.

Rava strongly objects to this: The measure for liability for eating on Yom Kippur is the **volume of a large date consumed within the time it takes to eat a half-loaf of bread**; but the measure for eating impure foods that render one ritually impure is **half of a half-loaf**, which is two egg-bulks, a much larger volume, and this must also be consumed **within the time it takes to eat a half-loaf of bread**. Rav Pappa said to him: Do not raise a challenge from here. Leave aside **ritual impurity of the body**^{NH} contracted through consuming impure foods because that is not by Torah law but by rabbinic law. The Sages were lenient in this matter. If one does not consume that amount of impure food within this time period, he is not rendered impure.

ומי אמר רב פפא הכי? והכתיב: "ולא תטמאו בהם ונטמתם בהם" ואמר רב פפא: מכאן שטומאת גויה דאורייתא! מדרבנן, וקרא אסמכתא בעלמא.

The Gemara challenges this: **But did Rav Pappa actually say that the rendering of ritual impurity of the body through the consumption of impure foods is by rabbinic law? But he appears to say the opposite in another statement: Isn't it written: "You shall not make yourselves detestable with any creeping thing that creeps, neither shall you make yourselves impure with them, that you should be impure thereby"** (Leviticus 11:43). **And Rav Pappa said: From here, from the Torah's usage of the word "impure" with regard to the prohibition of eating, we learn that ritual impurity of the body is by Torah law.** The Gemara answers: Rav Pappa did not mean that the law is actually Torah law. The law is indeed rabbinic law, and the verse brought as proof is a mere support.

"כל האוכלין". אמר רב פפא: אכל אומצא ומילחא – מצטרף ואף על גב דלאו אכילה היא, כיון דאכלי אינשי – מצטרפין. אמר ריש לקיש: ציר שעל גבי ירק מצטרף לככותבת ביום הכפורים. פשיטא! מהו דתימא: משקה הוא, קא משמע לן: כל אכשורי אוכלא – אוכלא הוא.

§ We learned in the mishna: **All types of foods combine**^H to form a measure of liability with regard to eating on Yom Kippur. **Rav Pappa said: If one ate meat and the salt that was on it, these combine to make the volume of a large date. Although** consuming salt alone is not considered eating, since people do eat meat with salt together, **they combine** into one measure. Similarly, **Reish Lakish said: Brine on a vegetable combines** with the vegetable to make the **volume of a large date** with regard to the prohibition of eating on Yom Kippur.^N The Gemara expresses surprise at this: **It is obvious.** Why should the brine not combine with the vegetable, considering that it is itself food? The Gemara answers: **Lest you say that brine is a beverage, and food and drinks do not combine, it teaches us that any item that prepares food for eating is considered a food.**

NOTES

Eats in an excessive manner – אובל אבילה גסה: Tosafot Yeshanim point out that there are several levels of excessive eating. There is excessive eating in which one keeps eating when he is already full, and there is a further stage in which one eats so much that he gags on what he is eating (see Nimmukei Haggim).

Excluding one who harms himself – פרט למזיק: Some commentaries explain that as such a person is not said to be eating but to be harming himself, the verse is not referring to him (Meiri).

HALAKHA

Excessive eating on Yom Kippur – בימים הכפורים: If one eats excessively on Yom Kippur, e.g., he finishes his meal on Yom Kippur eve and continues eating even though is too full to eat more, he is exempt. This ruling is in accordance with the opinion of Reish Lakish. If he ate tasty, fragrant food he is liable (Shulhan Arukh, Oraḥ Hayyim 612:6, and in the comment of the Rema).

A non-priest who ate teruma in an excessive manner – דר: שאכל תרומה אבילה גסה: One who eats teruma in an excessive manner does not pay an additional fifth, but only the principal. Such a person is considered to have damaged teruma rather than eaten it. This is also the rule for someone who chews raw barley, for this is not the usual way of eating (Rambam Sefer Zera'im, Hilkhot Terumat 10:8).

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NOTES

Who chews on barley of teruma – בוסס שעורים של תרומה: This is referring specifically to barley, which is normally considered to be animal food. One who eats unprocessed barley is not considered to have eaten. This is not the case with chewing wheat, which is considered the usual way of eating and should be preceded with a blessing. One who ate wheat of teruma pays the principal and a fifth (Siah Yitzhak; Gevurat Ari).

Food and drink do not combine – האוכל והשתה אין מצטרפין: The novel element in this halakha is understood by reading the following mishna: One who eats and drinks on Yom Kippur within one lapse of awareness is liable only for one sin-offering. Therefore, it is clear that eating and drinking are considered to be a single prohibition. They are both derived from the same verse, making them a single matter. Even so, they are treated as distinct here because they have different measures (Tosefot Rid).

Its type of ritual impurity and its measure – טומאתו ושיעורו: There are several distinct levels of ritual impurity. There are differences both in type of impurity, i.e., whether it is imparted by contact, carrying, or other means, and the severity of impurity, i.e., whether the impurity lasts only until evening or for seven days, or whether it renders only clothing impure. There are also distinctions in amounts required to transfer impurity: A dead creeping animal transmits impurity at the size of a lentil; an animal carcass does so at the size of an olive-bulk; and a corpse, depending on context, has various amounts in which it transmits impurity, from the size of a barley groat and upward. In order for two items to combine, they must be identical both in their type of impurity and their measure (see Rashi and Rambam).

אמר ריש לקיש: האוכל אבילה גסה ביום הכפורים פטור, מאי טעמא "אשר לא תעונה" כתיב, פרט למזיק.

אמר רבי ירמיה אמר ריש לקיש: דר: שאכל תרומה אבילה גסה – משלים את הקרן ואינו משלים את החומש, "כי יאכל" – פרט למזיק. אמר רבי ירמיה אמר רבי יוחנן: דר:

שבוסס שעורים של תרומה – משלים את הקרן ואינו משלים את החומש. "כי יאכל" – פרט למזיק.

אמר רב שיבוי אמר רבי יוחנן: דר: שבלע שזפין של תרומה, והקיאו, ואכלו אחר – ראשון משלים (את) קרן וחומש, שני אין משלים אלא דמי עצים לראשון בלבד.

"האוכל והשתה אין מצטרפין". מאן תנא? אמר רב חסדא: במחלוקת שנויה, ורבי יהושע היא. דתנן: בלל אמר רבי יהושע: כל שטומאתו ושיעורו שוה – מצטרף.

§ Reish Lakish said: One who eats in an excessive manner^N on Yom Kippur, to the degree that he forces himself to continue eating even when full is exempt,^H e.g., one who ate beyond being satiated on Yom Kippur eve and then ate something else as soon as the fast began. What is the reason for that? Because the Torah does not mention the prohibition of eating on Yom Kippur, but it was written "any soul which shall not be afflicted in that same day, he shall be cut off from his people" (Leviticus 23:29), excluding one who harms himself,^N e.g., one who does not enjoy his food at all.

Similarly, Rabbi Yirmeya said that Reish Lakish said: A non-priest who ate teruma in an excessive manner^H pays the principal, that which he took, and does not pay the additional fifth, which one who illegally eats teruma pays to the priest as a penalty. This is because it states about one who eats teruma: "And if a man eat of the sacred thing in error, then he shall add a fifth to it, and give the priest the sacred thing" (Leviticus 22:14). The word "eat" excludes one who is not eating but harming himself. He does, however, pay the principal, since he caused a loss to the priest. The fifth is only paid by one who eats normally, not excessively. Similarly, Rabbi Yirmeya said that Rabbi Yohanan said: A non-priest

who chews on barley of teruma^N that has not been ground or baked pays the principal and not an extra fifth. The reason is that it states "eats" (Leviticus 22:14), which excludes one who harms himself. Consuming raw barley is considered self-harm, not eating.

Rav Sheizvi said that Rabbi Yohanan said: In the case of a non-priest who swallowed plums of teruma^H whole and vomited them out, whereupon another person ate them, the first one pays the principal plus a fifth. When the first one benefited from the plums, he acquired them and must therefore pay for them, and the second one must pay their worth to the first one. Since they are only fit for fuel after the first one vomited them out, the second person is considered to have damaged their value as fuel. Therefore, he pays only the price of wood, i.e., fuel, to the first person.

§ It was taught in the mishna that food and drink do not combine.^N The Gemara asks: Who is the tanna who taught this? Rav Hisda said: This halakha is taught as a dispute, and the mishna is in accordance with the opinion of Rabbi Yehoshua. As we learned in a mishna: Rabbi Yehoshua stated a general principle: Any item that is identical to another item in its type of ritual impurity, e.g., impurity that lasts only until evening, and its measure^{NH} for impurity, e.g., an olive-bulk, combines with the other item to reach one measure to render other items impure. Therefore, two half olive-bulk pieces of two corpses or of two animal carcasses, or two half lentil-bulk pieces from two creeping animals all combine to render other items impure.

HALAKHA

A non-priest who swallowed plums of teruma – דר: שבלע דר: שאכל תרומה פטור: If a non-priest swallows plums of teruma and vomits them out, and then another person comes and eats them, the first person pays the principal value plus a fifth, and the second person pays the value of the plums as fuel (Rambam Sefer Zera'im, Hilkhot Terumat 10:9).

Any item that is identical to another item in its type of ritual

impurity and its measure – כל שטומאתו ושיעורו שוה: If several items are identical with respect to their type of ritual impurity and the measure at which they impart impurity to other items, they combine with each other to impart impurity. If their type of impurity is the same but not their measure, or their measure is identical but not their type of impurity, then they do not combine even to assume the status of the more lenient one (Rambam Sefer Tahara, Hilkhot Tumat Okhalin 4:11).

טומאתו ולא שיעורו, שיעורו ולא טומאתו, לא טומאתו ולא שיעורו – אין מצטרפין.

However, if one item is identical to another in **its ritual impurity but not its measure**, e.g., half a lentil-bulk of a creeping animal and half an olive-bulk of an animal carcass, which both impart impurity until nightfall; **or if its measure is identical but not its type of ritual impurity**, e.g., half an olive-bulk from a corpse, which imparts impurity for seven days, and half an olive-bulk from an animal carcass, which imparts impurity until nightfall; and all the more so, when **neither its ritual impurity nor its measure** are identical, then the items **do not combine**. Here, too, although both eating and drinking are prohibited on their own, they do not combine because they do not have the same measure that imparts impurity.

רב נחמן אומר: אפילו תימא רבנן. עד כאן לא קא אמרי רבנן היתם אלא לענין טומאה – דשם טומאה חד היא. אבל הכא – משום יתובי דעתא הוא, והאי לא מיתבא דעתיה.

Rav Nahman said: Even if you say that the mishna is in accordance with the opinion of the Rabbis, until now we have heard the Rabbis say there that items with different measures combine only with respect to ritual impurity. Since the phenomenon of ritual impurity is one concept, different types combine. But here, in the case of Yom Kippur, the measure that determines liability is set due to settling the mind, and this combination of eating and drinking together does not settle the mind.

וכן אמר ריש לקיש: במחלוקת שנייה, ורבי יהושע היא. דתנן: כלל אמר רבי יהושע בן לוי. ורבי יוחנן אומר: אפילו תימא רבנן, עד כאן לא קאמרי רבנן היתם אלא לענין טומאה, אבל הכא משום יתובי דעתיה הוא – והאי לא קא מיתבא דעתיה.

And similarly, Reish Lakish said: This question of whether food and drink combine to reach a measure that determines liability on Yom Kippur is taught as a dispute. The approach brought in the mishna that states that they do not combine is in accordance with the opinion of Rabbi Yehoshua, as we learned in a mishna: Rabbi Yehoshua stated a general principle with regard to whether items with different types of impurity and measures combine, as Rav Hisda explained above. And Rabbi Yohanan said in accordance with the opinion of Rav Nahman: Even if you say that the mishna is in accordance with the opinion of the Rabbis, until now we have heard the Rabbis say there that items with different measures combine only with regard to ritual impurity. But here, in the case of Yom Kippur, the measure that determines liability is set due to settling the mind, and this combination of eating and drinking together does not settle the mind.

מתני' אכל ושתה בהעלם אחד – אינו חייב אלא חטאת אחת. אבל ועשה מלאכה – חייב (שני) חטאות. אכל אוכלין שאינן ראויין לאכילה, ושתה משקין שאינן ראויין לשתיה, ושתה ציר או מוריים – פטור.

MISHNA If one ate and drank unwittingly within one lapse of awareness,^h e.g., he forgot that it is Yom Kippur, he is liable to bring only one sin-offering. However, if he ate and performed labor unwittingly, he is liable to bring two sin-offerings, as by doing so he violated two separate prohibitions. If he ate foods that are not fit for eating,^h or drank liquids that are not fit for drinking, or drank fish brine or the briny liquid in which fish are pickled,^h he is exempt, as that is not the typical manner of eating or drinking.

גמ' אמר ריש לקיש: מפני מה לא נאמרה אזהרה בעינוי – משום דלא אפשר. היכי נכתוב? נכתוב רחמנא לא יאכל – אכילה בכזוית, נכתוב רחמנא לא תעונה – קום אכול משמע.

GEMARA Reish Lakish said: Why is there no warningⁿ stated about affliction;ⁿ why did the Torah not state explicitly that it is prohibited to eat and drink on Yom Kippur? It is because it was not possible to write it that way. The Gemara explains: How could the Merciful One write it? Let the Merciful One write: One shall not eat on Yom Kippur. The term eat prohibits eating the amount of an olive-bulk, whereas on Yom Kippur the actual prohibited measure is a large date-bulk. Let the Merciful One write: Do not be afflicted. That indicates the opposite of affliction, and would mean: Get up and eat. Therefore, it is written: "For whatsoever soul it be that shall not be afflicted on that same day, he shall be cut off from his people" (Leviticus 23:29).

מתקיף לה רב הושעיא: נכתוב רחמנא "השומר פן לא תעונה!" אם כן נמיש להו לאוי.

Rav Hoshaya strongly objects to this: Let the Merciful One write it in this manner: Guard yourself lest you not be afflicted. The Gemara answers: If so, there would be too many negative mitzvot, as the following are all expressions of prohibition: Guard, lest, and not. One would then say that there are three prohibitions against eating.

HALAKHA

אכל – אכל If one ate and drank within one lapse of awareness – אכל: If one ate and drank on Yom Kippur within one lapse of awareness, e.g., if he forgot it was Yom Kippur, he is obligated to bring only one sin-offering (Rambam Sefer Korbanot, Hilkhot Shegagot 6:5).

אכל אוכלין – אכל If on Yom Kippur one ate foods that are not fit to be eaten or drank a beverage not fit to be drunk, he is exempt. However, it is prohibited to drink or eat such substances ab initio. One who does so receives lashes by rabbinic decree (Rambam Sefer Zemanim, Hilkhot Shevitat Asor 2:5; Shulhan Arukh, Orach Hayyim 612:6).

Drank fish brine or the briny liquid in which fish are pickled – שותה ציר או מוריים: If on Yom Kippur one drank fish brine or the briny liquid in which fish are pickled, he is exempt (Shulhan Arukh, Orach Hayyim 612:9, and in the comment of the Rema).

NOTES

Punishment and warning – עונש ואזהרה – The Gemara here and in many other places attempts to locate warnings that express particular prohibitions. This is because there is a principle that a punishment may be administered only if there is a warning. However, if the punishment is written explicitly in the Torah, why should a warning be sought? The Rambam explains in Sefer HaMitzvot that when a special verse that contains a warning is found, it adds to the clarity of the verses. However, according to Tosafot, if a written warning cannot be found, there may be no punishment of lashes, because lashes are given only for the transgression of prohibitions.

Why is there no warning stated about affliction – מפני – The later commentaries discuss how to understand the words of Reish Lakish, as it seems that according to all opinions there is in fact a warning with regard to affliction on Yom Kippur. Various solutions have been offered, the main point being that Reish Lakish does not dispute the fact that there is a warning about affliction on Yom Kippur; rather, he explains why this warning is not stated in the Torah as a prohibition but is only hinted at. Alternatively, Reish Lakish held that the Torah relied on the verbal analogy rather than writing it explicitly (Tosefet Yom HaKippurim; Kashot Meyushav).

מתקוף לה רב ביבי בר אבוי: נכתוב רחמנא
"השומר במצות עינוי!" אם בן השומר
דלאו - לאו, השומר דעשה - עשה. מתקוף
לה רב אשי: נכתוב: אל תסור מן העינוי!
קשיא.

ותנא מיייתי לה מהכא: "ועניתם את
נפשותיכם וכל מלאכה לא תעשו" יכול
יהא ענוש על תוספת מלאכה - תלמוד
לומר: "וכל הנפש אשר תעשה כל מלאכה
בעצם היום הזה", על עיצומו של יום -
ענוש כרת, ואינו ענוש כרת על תוספת
מלאכה.

יכול לא יהא ענוש כרת על תוספת
מלאכה, אבל יהא ענוש כרת על תוספת
עינוי - תלמוד לומר: "כי כל הנפש אשר
לא תעונה בעצם היום הזה ונכרתה", על
עיצומו של יום - ענוש כרת, ואינו ענוש
כרת על תוספת עינוי.

יכול לא יהא בכלל ענוש, אבל יהא מוזהר
על תוספת מלאכה - תלמוד לומר: "וכל
מלאכה לא תעשו בעצם היום הזה" על
עיצומו של יום הוא מוזהר, ואינו מוזהר
על תוספת מלאכה.

יכול לא יהא מוזהר על תוספת מלאכה,
אבל יהא מוזהר על תוספת עינוי. ודין
הוא: ומה מלאכה שנוהגת בשבתות ויום
טוב - אינו מוזהר עליה, עינוי שאינו נוהג
בשבתות ויום טוב - אינו דין שלא יהא
מוזהר עליו?

אבל אזהרה לעינוי של יום עצמו לא למדנו
מניין. לא יאמר ענוש במלאכה - דגמור
מעינוי, ומה עינוי שאינו נוהג בשבתות
ויום טוב - ענוש כרת, מלאכה שנוהגת
בשבתות וימים טובים - לא כל שכן!
למה נאמר? מופנה להקיש ולדין ממנו
גזרה שוה: נאמר ענוש בעינוי, ונאמר ענוש
במלאכה. מה מלאכה - לא ענוש אלא
אם בן הזהיר, אף עינוי - לא ענוש אלא
אם בן הזהיר.

Rav Beivai bar Abaye strongly objects to this: Let the Merciful One write: Guard yourself in the mitzva of affliction. The Gemara rejects this: If so, there is a principle: If the words guard yourself are written about a prohibition, it is considered to be a prohibition; if the words guard yourself are written about a positive mitzva, it is considered to be a positive mitzva. Had the Torah written it that way, one would understand that there is a positive mitzva of affliction, but there is no element of prohibition. Rav Ashi strongly objects to this: Let the Merciful One write: Do not stray from afflicting yourself, which would imply a negative mitzva. The Gemara says: Indeed, this is difficult. The Gemara concedes that it could have been written in this manner.

§ With regard to the prohibitions against eating and labor, the Gemara says: And a *tanna* cites the prohibitions relating to affliction on Yom Kippur from here: It is stated: "And you shall afflict your souls, you shall do no manner of labor" (Numbers 29:7). The Gemara considers: One might have thought that performing labor during the extension of the period of prohibition of labor, added before Yom Kippur actually begins, is punishable by *karet*. Therefore, the verse states: "And whatsoever soul it be that does any manner of labor on that same day" (Leviticus 23:30), which teaches that performing labor on that very day is punishable by *karet*, but labor performed during the extension of the period of prohibition of labor is not punishable by *karet*.

The *baraita* continues: One might have thought that performing labor during the extension of the period of prohibition of labor is not punishable by *karet*, but not afflicting oneself during the extension of the period of affliction is punishable by *karet*. Therefore, the verse states: "For whatsoever soul it be that shall not be afflicted on that same day, he shall be cut off from his people" (Leviticus 23:29), which teaches that not afflicting oneself on that very day is punishable by *karet*, but not afflicting oneself during the extension of the period of affliction is not punishable by *karet*.

The *baraita* continues: One might have thought that one who performs labor during the extension would not be included in the punishment of *karet*, but he would be warned against performing labor during the extension of the period of prohibition of labor with a prohibition incurring the punishment of lashes; therefore, the verse states: "And you shall do no manner of labor on that same day" (Leviticus 23:28). That teaches that he is warned not to perform labor on that very day, but he is not warned against performing labor during the extension of the period of prohibition of labor, and therefore he is not liable to receive lashes for doing so.

The *baraita* continues: One might have thought: He would not be warned with regard to performing labor during the extension of the period of prohibition of labor that it is a prohibition that incurs lashes; but he would be warned with regard to not being in a state of affliction during the extension of the period of affliction that it is a prohibition that incurs lashes. However, that is incorrect, and it is learned from a logical derivation that it is not so: Just as with regard to labor, whose prohibition is observed on both *Shabbatot* and Festivals, one is not warned about the extension added to the day, is it not logical that with regard to affliction, which is not observed on *Shabbatot* and Festivals, he should not be warned about or liable to receive lashes for the extension?

The *baraita* comments: But the warning about lashes during the very day itself we have not learned. From where is it derived? The Torah need not state the punishment of *karet* for performing labor, since one can learn it by logical derivation from the punishment of not being in a state of affliction, as follows: Just as the requirement of affliction, which is not observed on *Shabbatot* and Festivals, is punishable by *karet* on Yom Kippur, with regard to the prohibition of labor, which is observed on all *Shabbatot* and Festivals, is it not all the more so? If so, why is the punishment for labor stated explicitly? It is available to compare and learn a verbal analogy from it: A punishment with regard to affliction is stated, and a punishment with regard to labor is stated. Just as with regard to labor one is punished only if he was warned first with a negative mitzva, so too, with regard to affliction, one is punished only if he was warned.

איכא למיפרך: מה לעיניו – שלא הותר
מכללו, תאמר במלאכה – שהותרה
מכללה!

אלא: לא יאמר עונש בעיניו, דגמר
ממלאכה: מה מלאכה שהותרה מכללה –
עונש ברת, עיניו שלא הותר מכללו – לא
כל שכן? למה נאמר? מופנה להקיש
ולדון ממנה גזירה שוה: נאמר עונש בעיניו
ונאמר עונש במלאכה, מה מלאכה – עונש
והזהיר, אף עיניו – עונש והזהיר.

איכא למיפרך: מה למלאכה – שכן נזהגת
בשבתות וימים טובים, תאמר בעיניו –
שאינו נזהג בשבתות וימים טובים!

אמר רבינא: האי תנא "עצם" "עצם" גמר.
מופנה, דאי לא מופנה – איכא למיפרך
בדפרכינן.

לאיי אפנוי מופנה. חמשה קראי כתיבי
במלאכה, חד לאזהרה דיממא, וחד
לאזהרה דליליא, וחד לעונש דיממא, וחד
לעונש דליליא, וחד לאפנוי למגמר עיניו
ממלאכה בין דיממא בין דליליא.

רבי ישמעאל תנא: נאמר כאן עיניו, ונאמר
להלן עיניו, מה להלן – לא עונש אלא אם
בן הזהיר, אף כאן לא עונש אלא אם
הזהיר. רב אחא בר יעקב אמר: ילוי שבת
שבתון משבת בראשית, מה להלן – לא
עונש אלא אם בן הזהיר, אף כאן – לא עונש
אלא אם בן הזהיר.

רב פפא אמר:

The Gemara rejects this: **This comparison can be refuted.** How so? **Whereas affliction has no permitted exceptions from its general prohibition**, as the mitzva to afflict oneself applies to all the Jewish people, what can you say with regard to labor, which has permitted exceptions from its general prohibition? It is permitted to perform the Temple services on Yom Kippur, which include prohibited labors, e.g., slaughtering animals and offering incense. Consequently, there is no proof that the mitzva of affliction is more lenient than the prohibition of labor.

Rather, say as follows: The Torah need **not say the punishment for not being in a state of affliction, since one can learn it from the punishment for performing labor** through an *a fortiori* inference. How so? **Just as labor, for which exceptions from the general prohibition are permitted**, e.g., performing the Temple service on Yom Kippur, and yet labor is punishable by *karet*, with regard to not being in a state of affliction, which has no permitted exceptions from its general prohibition, is it not all the more so that one who does not afflict himself should be liable to receive *karet*? If so, why is it nevertheless stated? It is available to compare and learn a verbal analogy: Punishment is stated with regard to affliction, and punishment is stated with regard to labor. Just as for labor the Torah punished and warned, so too, for affliction the Torah punished and warned.

The Gemara rejects this: This comparison can be refuted, and one might say the opposite: **Whereas the prohibition of labor is observed on Shabbatot and Festivals, can you say the same about affliction, which is not observed on Shabbatot and Festivals?**

Ravina said: We did not properly understand the teaching of this *baraita*, as this *tanna* derived a verbal analogy from the words "on that same day" (Leviticus 23:29) stated with regard to affliction, and "on that same day" (Leviticus 23:28) stated with regard to labor. The Gemara comments: We must say that it is available, meaning that in both places, the phrase "on that same day" is unnecessary within its own context and comes only to teach this verbal analogy; as, if it were not available, it could be refuted, as we refuted it above.

The Gemara responds: **No, it is certainly available**, and we may learn from it, as five verses are written with regard to the prohibition of labor on Yom Kippur. **One** to teach a warning with regard to the prohibition of labor on the day of Yom Kippur itself; **and one** for a warning with regard to labor on the night of Yom Kippur;ⁿ **and one** for the punishment of *karet* for performing labor on the day; **and one** for the punishment for performing labor at night; **and one** verse to be available to derive the requirement of affliction from the prohibition of labor, both during the day and night, using a verbal analogy.

The school of Rabbi Yishmael taught an alternative verbal analogy for the derivation: "Affliction" is stated here, with regard to Yom Kippur, and "affliction" is stated later, with regard to a man who rapes a woman: "Because he has afflicted his neighbor's wife" (Deuteronomy 22:24). **Just as there**, in the case of rape, the Torah did not punish unless there was prior warning, **so too here**, in the case of Yom Kippur, the Torah did not punish unless there was prior warning. Rav Aha bar Ya'akov said a different proof: Derive a verbal analogy from the words "Shabbat of solemn rest" (Leviticus 16:31) written with regard to Yom Kippur from the words "Shabbat of solemn rest" (Exodus 31:15, 32:5; Leviticus 23:3) written with regard to the weekly Shabbat, which commemorates the Shabbat of Creation. **Just as there**, in the case of Shabbat, the Torah did not punish unless there was prior warning, **so too here**, in the case of Yom Kippur, the Torah did not punish unless there was prior warning.

Rav Pappa said:

NOTES

חד לייקמא תר – תר לייקמא תר: Tosafot Yeshanim point out that with regard to Shabbat and Festivals there is never a need to find a verse implying separate prohibitions for the night and for the day. In that case, why is it necessary for Yom Kippur? The suggested solution is that the term "on that same day" is stated explicitly several times with regard to Yom Kippur. Therefore, it seems that the whole mitzva relates to the daytime. Consequently, there was a need to cite special verses to show that the prohibition applies at night as well. Other commentaries have added that in fact it is the day of Yom Kippur, and not the night, that facilitates atonement (*Mishmerot Kehuna*).

HALAKHA

Extension of the period of affliction – תוספת עינוי: With regard to affliction on Yom Kippur, it is a mitzva to sanctify and append from non-sacred time to sacred time, both at the beginning of the holiday and at its end (Rambam *Sefer Zemanim, Hilkhot Shevitat Asor* 1:6; *Shulhan Arukh, Orah Hayyim* 608:1).

Appending from non-sacred time to sacred time on *Shabbatot* and Festivals – תוספת מחול על הקודש: Some commentaries write that the mitzva to sanctify and append non-sacred time to sacred time on *Shabbat* and Festivals is a rabbinic law, contrary to Rambam's opinion (see *Maggid Mishneh*; Rambam *Sefer Zemanim, Hilkhot Shevitat Asor* 1:6; *Beit Yosef, Orah Hayyim* 261). However, most *halakhic* authorities consider it a positive mitzva by Torah law, and therefore one should refrain from labor both at the start and the end of the day. This additional time lasts from sunset to twilight. Although any amount of added time fulfills the obligation, one may treat the entire span as sacred. Practically speaking, the custom is to begin this extra time just before sunset to fulfill all opinions. There are different customs with respect to how much to add and whether the entire community adds time. For example, in Jerusalem, women have the custom to add more time and light candles earlier than in other locations (see *Mishna Berura; Shulhan Arukh, Orah Hayyim* 261:2).

הוא גופיה שבת איקרי, דכתיב
"תשבתו שבתכם". בשלמא רב פפא
לא אמר ברב אחא בר יעקב – דקרא
דכתיב בגופיה עדות. אלא רב אחא
בר יעקב מאי טעמא לא אמר ברב
פפא?

מיבעי ליה לכדתניא: "ועניתם את
נפשותיכם בתשעה לחודש", וכול
יתחיל ויתענה בתשעה – תלמוד לומר
"בערב" אי בערב – יכול משתחשך –
תלמוד לומר "בתשעה". הא כיצד?
מתחיל ומתענה מבעוד יום. מכאן
שמוסיפין מחול על הקודש.

ואין לי אלא בכנסתו, ביציאתו מנין?
תלמוד לומר "מערב עד ערב". ואין
לי אלא יום הכפורים, (ימים טובים)
מניין? תלמוד לומר "תשבתו". אין
לי אלא (ימים טובים, שבתות) מנין?
תלמוד לומר "שבתכם". הא כיצד?
כל מקום שנאמר שבות – (מכאן ש)
מוסיפין מחול על הקודש.

ותנא ד"עצם" "עצם", האי "בתשעה
לחודש" מאי עביד ליה? מיבעי ליה
לכדתני חייא בר רב מדיפתא. דתני
חייא בר רב מדיפתא: "ועניתם את
נפשותיכם בתשעה" וכי בתשעה
מתענין? והלא בעשור מתענין!
אלא לומר לך: כל האוכל ושותה
בתשיעי – מעלה עליו הכתוב כאילו
התענה תשיעי ועשירי.

Yom Kippur itself is called "Shabbat," as it is written: "From evening until evening, you shall rest on your Shabbat" (Leviticus 23:32). The Gemara compares the various opinions. **Granted, Rav Pappa did not say as Rav Aḥa bar Ya'akov did because a verse that is written about the matter itself is preferable to a verbal analogy. But what is the reason that Rav Aḥa bar Ya'akov did not state his opinion in accordance with the opinion of Rav Pappa?**

The Gemara answers: **He requires this** verse of "keep your Shabbat" for that which was taught in a *baraita*: The verse states: "And you shall afflict your souls on the ninth day of the month at evening, from evening until evening, you shall rest on your Shabbat" (Leviticus 23:32). One might have thought that one should start to afflict oneself on the ninth of Tishrei; therefore, the verse states "at evening." If the Torah had stated only "at evening," one might have thought that the fast starts only when darkness falls; therefore, the verse states "on the ninth," implying that one begins to fast on the ninth of Tishrei. **How can these verses be reconciled? One begins to fast while it is still daytime; from here it is derived that one sanctifies and extends from the non-sacred weekday to the sacred day of Yom Kippur.**^H

I have derived only that one must add time at the beginning of Yom Kippur. From where do I derive that one adds time at the conclusion of Yom Kippur? The verse states: "From evening until evening"^N (Leviticus 23:32), implying that one adds at the end as well, just as he does at the beginning. And I have derived only the mitzva of adding to Yom Kippur; from where is it derived that one must also sanctify and append time before and after Festivals? The verse states: "You shall rest" (Leviticus 23:32), to teach that this rule applies even to Festivals, on which one is commanded to rest. I have derived only that one adds an extension to Festivals; from where do I derive that one must also sanctify and append to *Shabbatot*? The verse states: "Your Shabbat" (Leviticus 23:32). How so? Every place the term: Rest [*shvut*] is stated, it teaches from here that one sanctifies and appends from the non-sacred weekday to the sacred.^H

The Gemara asks: **And the tanna** who learns a verbal analogy from the words "that same day," "that same day," what does he do with the phrase: "On the ninth day of the month"? The Gemara answers: **He requires it, in accordance with that which Ḥiyya bar Rav of Difti taught. As Ḥiyya bar Rav of Difti taught:** It states: "And you shall afflict your souls on the ninth day of the month" (Leviticus 23:32). **But does one afflict oneself on the ninth of Tishrei? Doesn't one in fact afflict oneself on the tenth of Tishrei? Rather, the verse comes to tell you: Anyone who eats and drinks on the ninth of Tishrei and then fasts on the tenth, the verse ascribes him credit as though he fasted on both the ninth and the tenth.**^N The verse alludes to this when it states that the fast is on the ninth.

NOTES

מערב עד ערב – From evening until evening: It seems that the author of the *baraita* learned in accordance with the principle that "until" means: Up to and including. Therefore, the phrase "until evening" includes part of the evening as well (see *Gevurat Ari*).

כאילו התענה – As though he fasted on the ninth and the tenth: In explaining this matter, some simply say that since there is a mitzva to afflict oneself by fasting, one who prepares to fast by eating and drinking on the ninth also fulfills a mitzva (Rashi; *Me'iri*). Others explain that one who eats a great deal on

the ninth has a harder time fasting the next day, and therefore eating the day before is also considered affliction (*Eliya Rabba*). A third approach suggests that Yom Kippur is a Festival, and it would have been appropriate to eat and drink; however, since such activity is prohibited on the tenth, one creates a Festival by eating on the ninth. A final theory states that on the ninth, one is obligated to appease anyone he has injured and to make peace with all people. One with a full stomach will have an easier time being accommodating and less likely to engage in disputes, which is why it is a mitzva to eat on the ninth (*Sefat Emet*).

Pepper in Eretz Yisrael – פלפלין בארץ ישראל – This may refer to peppercorn, also called black pepper. The natural location for cultivation of this pepper is in tropical lands, and it is usually imported from India. However, there are isolated locations in Eretz Yisrael whose climate makes it possible to grow pepper.

The ginger plant and its flowers – צמח הונגביל ופרחו – Ginger, *Zingiber officinale*, is a perennial tropical grass from the ginger family, Zingiberaceae. Its height reaches 30–90 cm, and it has a thick aromatic rhizome. The plant originated in India, and it spread from there to other lands. The dried rhizomes are used as a spice for cakes, wines, and various types of liquor. It is also used as a medicine, and it is sometimes held in the mouth to relieve bad breath.



Ginger plant

Cooked ginger [himalta] – הימלתא – This is apparently a candy made from young ginger roots steeped in sugar. It is also called *zangvila retiva* in the Talmud.

LANGUAGE

Ginger [zangvila] – זנגבילא – The origin of the plant's name is Indian. In Sanskrit the spice is called *singavera*, which became *zangvil* via the common interchange of the letters *lamed* and *reish*.

HALAKHA

Chewing pepper and ginger on Yom Kippur – כסיסת פלפל – One who chews pepper or dried ginger on Yom Kippur is exempt. If they are moist and suitable for eating, one is liable (*Shulhan Arukh, Orah Hayyim* 612:8).

Cooked ginger – הימלתא – One recites the blessing: Who creates the fruit of the ground, over ginger that is prepared for eating (*Shulhan Arukh, Orah Hayyim* 203:6).

Leaves of reeds and grapevine shoots – עלי קנים וילבוי – One who eats reed leaves on Yom Kippur is exempt. One who eats grapevine shoots is exempt if they sprouted before Rosh HaShana; if they sprouted between Rosh HaShana and Yom Kippur he is liable (*Shulhan Arukh, Orah Hayyim* 612:7).

Vinegar on Yom Kippur – חומץ ביום הכפורים – One who drinks pure strong vinegar on Yom Kippur is exempt. The *Mishna Berura* explains that this is vinegar that bubbles when it falls to the ground. If it was mixed with water, one who drinks it is liable (*Shulhan Arukh, Orah Hayyim* 612:9 and in the comment of the Rema).

“אכל אוכלין שאין ראוי לאכילה.” אָמַר רבא: כּסּ פּלפּלי בּיומא דּכּפּורי – פּטור, כּסּ זנגבילא בּיומא דּכּפּורי – פּטור.

מיתבי: היה רבי מאיר אומר, ממשמע שנאמר: “וערלתם ערלתו את פרויו” איני יודע שיעץ מאכל הוא? אלא מה תלמוד לומר “עץ מאכל” – עץ ששעם יעצו ופריו שוה, הוי אומר – זה פלפלין. ללמדך שהפלפלין חייבין בערלה. ואין ארץ ישראל חסרה כלום, שנאמר: “לא תחסר כל בה.”

It was taught in the mishna: If one ate food that is not fit for eating, he is exempt. Rava said: If one chews raw pepper^b on Yom Kippur, he is exempt, since this is not considered eating. Similarly, if one chews ginger [zangvila]^{bl} on Yom Kippur, he is exempt.^h

The Gemara raises an objection to this. Rabbi Meir would say about the verse: “And when you shall come into the land, and shall have planted all manner of trees for food, then you shall count the fruit of it as forbidden [orla]; three years it shall be forbidden to you, it shall not be eaten” (Leviticus 19:23). From the implication of what is stated: “Then you shall count the fruit of it as forbidden,” do I not know that the verse is referring to “trees for food,” since it uses the word “fruit”? Rather, what is the meaning when the verse states “trees for food”? It includes a tree whose wood and fruit taste the same, i.e., a tree that is itself eaten in addition to its fruit. One must say that this is referring to pepperⁿ that grows on a tree, to teach you that even pepper is subject to the halakha of orla. And this also teaches that Eretz Yisrael lacks nothing, as even pepper can grow there, as it is stated among the listed praises of Eretz Yisrael: “You will not lack anything in it” (Deuteronomy 8:9).

לא קשיא: הא – ברטיבתא, והא – ביבישתא.

In any event, it has been derived that pepper is called food, which contradicts Rava’s statement. The Gemara answers: This is not difficult. This statement about edible pepper is referring to bell pepper, which is moist; and that halakha pertaining to Yom Kippur is referring to black pepper, which is dry and is not considered food.

אמר ליה רבינא למרימר, והאמר רב נחמן: האי הימלתא דאתי מבי הנידואי שריא, ומברכינן עליה “בורא פרי האדמה!” לא קשיא: הא – ברטיבתא, והא ביבישתא.

Ravina said to Mareimar: But didn’t Rav Nahman say that it is permitted to eat this cooked ginger [himalta]^{bh} that comes from India, and there is no concern that gentiles may have cooked it. And we recite the blessing: Who creates the fruit of the ground, over it. Apparently, ginger is edible. The Gemara answers: This is not difficult: This statement is referring to wet ginger, which is considered food; and that earlier statement pertaining to Yom Kippur, which maintained that ginger is not food, is referring to dry ginger.

תנו רבנן: אכל עלי קנים – פטור, לולבוי גפנים – חייב. אלו הן לולבוי גפנים? אָמַר רבי יצחק מגדלאה: כל שלבלבו מראש השנה ועד יום הכפורים. ורב כהנא אומר: כל שלשים יום. תנא כותיה דרבי יצחק מגדלאה: אכל עלי קנים – פטור, ולולבוי גפנים – חייב. אלו הן לולבוי גפנים – כל שלבלבו מראש השנה ועד יום הכפורים.

The Sages taught in a baraita: If one ate leaves of reeds on Yom Kippur, he is exempt, but if one ate grapevine shoots^{nm} he is liable. The Gemara clarifies: What are these grapevine shoots? Rabbi Yitzhak from the city of Migdal said: All shoots that sprouted between Rosh HaShana and Yom Kippur and are still very soft are considered food. And Rav Kahana said: All shoots that sprouted up to thirty days before Yom Kippur are considered food. The Gemara comments: It was taught in a baraita in accordance with the opinion of Rabbi Yitzhak from Migdal: If one ate leaves of reeds he is exempt, but if one ate grapevine shoots he is liable. What are these grapevine shoots? They are all those that sprouted between Rosh HaShana and Yom Kippur.

“שתה ציר או מורייס פטור.” הא חומץ – חייב. מתניתין מני – רבי היא, דתנא, רבי אומר: חומץ משיב את הנפש.

It was taught in the mishna that if on Yom Kippur one drank fish brine or the briny liquid in which fish are pickled, he is exempt. The Gemara comments: From the language of the mishna it may be inferred that if one drank vinegar, he is liable.^h Who is the tanna of the mishna? It is Rabbi Yehuda HaNasi, as it was taught in a baraita that Rabbi Yehuda HaNasi says: Vinegar revives the spirit and is therefore considered a beverage.

NOTES

One must say that this is pepper – הוי אומר זה פלפלין – Since the pepper vine is a small plant that does not look like a tree, one might have thought it was a type of vegetable, to which the halakhot of orla do not apply (Rashi on tractate Sukka).

Grapevine shoots, etc. – לולבוי גפנים וכו’ – The Talmud does not

deal with items that people do not eat at all and are in no way considered human food. Rather, the discussion is about items that are not considered substantial and that people eat from time to time but not on a regular basis. The Gemara questions whether or not one who ingests these foods is considered to be eating food subject to the usual prohibitions, e.g., those of Yom Kippur.