



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

### Pesachim Daf Yud Aleph

- **Q:** How can we say that **R' Yehuda** is goizer against doing a bedika after the time for issur chametz because we are afraid that he may eat from the chametz that he finds? A Mishna says, as soon as the Korbon Omer was brought (permitting the new grain), the markets of Yerushalayim were full of flour and grain dried in an oven from the new crop. (This means the produce was cut, grinded and dried before Yom Tov began, when eating from this produce was assur). **R' Meir** says this was done against the will of the **Chachomim**. **R' Yehuda** says, the **Chachomim** did not have a problem with this. We see from here that **R' Yehuda** is not goizer that they may come to eat from the produce as they are handling it!? **A: Rabbah** said, since before the bringing of the Korbon Omer one may only detach the new produce from the ground by pulling it out of the ground by hand, that unusual method will remind him that he may not eat from it.
  - **Q: Abaye** asked, that would help during the time that he is pulling it out of the ground, why was **R' Yehuda** not goizer against grinding and sifting of the flour!? **A:** These processes were also done in an unusual manner (the grinding was done with a hand grinder and the sifting was done on an upside-down sifter) which act as a reminder for him not to eat from the new produce.
  - **Q:** A Mishna says that one may cut produce from irrigated fields and fields in the valley in the usual manner (although it is assur to eat that produce before the bringing of the Omer), although he may not pile the produce, and the Gemara there establishes that the Mishna follows **R' Yehuda**. We see that he is not goizer that they may come to eat from the produce that they are handling in a normal manner!? **A: Abaye** explains that people separate themselves from eating chadash and will therefore not come to eat from it. However, people are accustomed to eating chametz all year long and we must therefore be concerned that one will eat from the chametz.
- **Q: Rava** asked, the Gemara said that the **Rabanan** allow a bedika to be done after the issur chametz has begun and we are not concerned that he will come to eat from it. Yet, the **Rabanan** (the shita of **R' Meir**) did not allow the handling of the new produce out of concern that one would come to eat from it!? **A:** The **Rabanan** say, with regard to chametz, the person is searching for it to destroy it! He will therefore certainly not come to eat from it.
  - **A: R' Ashi** said, the reason **R' Yehuda** is not goizer in the case of flour and dried grain of the new produce is because those are not fit to be eaten, so there is no reason to be goizer.
    - The Gemara says that this is a mistaken answer, because the raw produce (before it is grinded or dried) is fit to be eaten.
- **Q:** How can we say that **R' Yehuda** is goizer in a situation where people are accustomed to doing a particular thing? A Mishna says that although the **Rabanan** do not allow it, **R' Yehuda** allows one to fill an eggshell with oil so that it drips into an oil lamp on Shabbos, and he is not concerned that the person will take some of that oil for eating (which is something people are accustomed to do), which would be an issur D'Oraisa of extinguishing!? **A:** Over there he is not goizer, because the stringency of Shabbos will prevent one from doing that.
  - **Q:** A Braisa says that the **Rabanan** allow one to tie the broken rope of a pail with a bow (they are not goizer that one may come to make a knot) and **R' Yehuda** does not allow a bow to be made (we see he is goizer for Shabbos)!? **A:** The **Rabanan** are goizer in the case of the oil because people would confuse one oil for the other and may come to use the oil from the eggshell. However, people would not confuse the allowance to make a bow as an allowance to make a knot as well. With regard to **R' Yehudah**, the reason he

does not allow a bow is not because of a gezeirah, it is because he holds that a bow is considered to be a knot and is assur D'Oraisa.

- **Q:** A Mishna says that the **Rabanan** do not allow using a rope to tie the pail even if it is a rope that will not be left there permanently (so would not lead to a knot which would be assur D'Oraisa). We see they are goizer even in this case! **A:** They are goizer because people would confuse allowing the tying of a rope that will not be left permanently with the tying of a rope that will be left there permanently.
- **Q:** How can we say that **R' Yehuda** is not goizer whenever people are not accustomed to doing a particular thing? A Braisa says that **R' Yehuda** prohibits letting blood from a bechor, even though the bechor may die if it is not done, because he is goizer that one may make a permanent "mum" in the bechor, which would be assur. He is goizer even though people typically are "separated" from kodashim! **A:** He is goizer in that case, because the person is very worried about the animal dying and the financial loss that would entail. In that state he may come to make a "mum".
  - **Q:** We see from a Braisa that **R' Yehuda** does not say that the loss of money is a reason to be goizer, because he allows combing an animal with a comb that has thick teeth (which won't make a wound to the animal) but doesn't allow using a comb with thinner teeth, although the **Rabanan** allow neither to be used! **A:** In that case, the combing alleviates the animal's pain, but the animal is never at risk of dying, that's why he is not in a state that would cause us to be goizer.
  - **Q:** Why is **R' Yehuda** goizer by chametz but not by combing? **A:** People do not confuse the 2 types of combs. They would get confused with the chametz since they eat it all year long.

#### MISHNA

- **R' Meir** says one may eat chametz the entire 5<sup>th</sup> hour of Erev Pesach, and must burn the chametz at the beginning of the 6<sup>th</sup> hour (even though D'Oraisa it is mutar to eat chametz throughout the entire 6<sup>th</sup> hour). **R' Yehuda** says one may eat the entire 4<sup>th</sup> hour, the 5<sup>th</sup> hour is "left hanging" (he may not eat chametz but he may benefit from the chametz by giving it to his animals, etc.) and he must burn the chametz in the beginning of the 6<sup>th</sup> hour.
- **R' Yehuda** also said, they would place 2 challos from a passul Korbon Todah on a bench on the Har Habayis on Erev Pesach. As long as both were there, people knew they were allowed to eat chametz. At the beginning of the 5<sup>th</sup> hour, Beis Din would send someone to remove one challah, and all would know that eating chametz is no longer permitted, but benefitting from the chametz was still allowed. At the beginning of the 6<sup>th</sup> hour, the second challah would be removed, and all would know to begin burning their chametz.
- **R' Gamliel** says, chullin may be eaten throughout the entire 4<sup>th</sup> hour, terumah may be eaten throughout the entire 5<sup>th</sup> hour, and all must be burned at the beginning of the 6<sup>th</sup> hour.

#### GEMARA

- A Mishna says, if 2 witnesses say testimony on an occurrence, but their versions of the story differ as to the time that the occurrence took place, **R' Meir** says, if one said it happened in the second hour of the day and the other said it happened in the 3<sup>rd</sup> hour of the day, the testimony is accepted (because they are saying the same testimony and one or both is mistaken as to the time). If one says in the 3<sup>rd</sup> and the other says in the 5<sup>th</sup>, it is not accepted (such a discrepancy is beyond the amount of time that people make a mistake). **R' Yehuda** says, in that case the testimony is accepted as well. But, if one says it took place during the 5<sup>th</sup> hour and one says during the 7<sup>th</sup> hour, the testimony is not accepted, because during the 5<sup>th</sup> hour the sun is in the east and during the 7<sup>th</sup> the sun is in the west. We cannot attribute the difference to a mistake in telling time.
  - **Abaye** said, upon analysis we can see that **R' Meir** says that people don't err in telling time, and the reason the testimony is accepted when one says "in the 2<sup>nd</sup> hour" and the other says "in the 3<sup>rd</sup>" is because, although they were referring to the exact same moment, one referred to it as the end of the 2<sup>nd</sup> hour and the other referred to it as the beginning of the 3<sup>rd</sup> hour. **R' Yehuda** says that people err in telling time up to half an

hour. The incident actually took place at the middle of the 4<sup>th</sup> hour. One erred a half hour early and said that it happened at the end of the 3<sup>rd</sup>. The other erred a half hour late and said that it occurred at the beginning of the 5<sup>th</sup>.

- [Another version of **Abaye** is that he says, according to **R' Meir**, a person only errs in telling time by a slight amount. The incident took place either at the end of the 2<sup>nd</sup> hour or the beginning of the 3<sup>rd</sup> hour, and one of the witnesses was off by a slight amount. According to **R' Yehuda**, a person can err in telling time by up to an hour and a slight amount. The incident took place either at the end of the 3<sup>rd</sup> hour or at the beginning of the 5<sup>th</sup> hour, and one of the witnesses was off by an hour and a slight amount.]
- Q: **Rava** asked, by assuming that when the witness said “the 3<sup>rd</sup> hour”, he meant the end of the 3<sup>rd</sup> hour, and that the witness who said “the 5<sup>th</sup> hour” meant the beginning of the 5<sup>th</sup> hour, we would kill someone based on that!? It’s possible that he meant the beginning of the 3<sup>rd</sup> hour or the end of the 5<sup>th</sup> hour, in which case the testimony would not be accepted! A pasuk teaches that we look for ways to prevent their testimony from punishing someone, so how can we say that we accept their testimony in this case!? A: **Rava** therefore said, according to **R' Meir** a person can err up to 2 hours less a slight amount (and therefore a difference in the testimony of this amount will still have the testimony accepted). The incident took place at the beginning of the 2<sup>nd</sup> hour or at the end of the 3<sup>rd</sup>, and one of the witnesses is mistaken by slightly less than 2 hours. According to **R' Yehuda**, a person can err by slightly less than 3 hours. The incident took place either at the beginning of the 3<sup>rd</sup> or at the end of the 5<sup>th</sup>. One of the witnesses is off by slightly less than 3 hours. The testimony is accepted because they both saw the incident and are just mistaken as to the time.