



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

Pesachim Daf Chuf Daled

- **Abaye** said that **R' Yehoshua ben Levi's** source is from the pasuk suggested initially regarding a korbon chatas whose blood was wrongly placed on the inside Mizbe'ach. However, the extra words which are **R' Yehoshua's** source are not the "b'aishtisaref" as originally thought (which led to the question that they are needed to teach a different lesson). The extra words are the "lo sei'acheil", because we already know from **R' Elazar's** drasha that it is assur to eat. Therefore, these words must be teaching about other issurim (i.e. chametz on Pesach and an ox stoned by Beis Din) that they are assur b'hana'ah.
 - **Q: R' Pappa** asked, maybe the words are teaching that there is an issur to eat them, and the reason we can't rely on **R' Elazar's** teaching is that it would not result in a malkus penalty (it is a general lav). Therefore we need this pasuk to assign a malkus penalty, and it is not available to be **R' Yehoshua's** source!? **A: R' Pappa** therefore says that **R' Yehoshua's** source is the pasuk that says that the meat of a korbon that became tamei may not be eaten and must be burned in fire. We already know that this meat may not be eaten based on a kal v'chomer from ma'aser sheini. If ma'aser sheini cannot be eaten when tamei, surely a korbon cannot be eaten when tamei. In fact, there is a hekesh between ma'aser and korbanos, which would alleviate the issue that we don't give punishment based on a kal v'chomer. If so, the "lo yei'acheil" in the pasuk is extra and can be used as the source for **R' Yehoshua**.
 - **Q: Ravina** asked **R' Ashi**, maybe the pasuk teaches that there is a second lav that one transgresses for eating a tamei korbon!? We find that the Torah does this regarding the various sheratzim!? **A: R' Ashi** said, if there is a drasha to make, we make it rather than to say that there is a second lav.
 - The pasuk quoted by **R' Pappa** says "v'habasar" that becomes tamei shall not be eaten. The word "v'habasar" comes to include that the wood and levonah of hekdesch can also become tamei (even though they are not food). The pasuk ends off that "v'habasar" that is tahor may be eaten by tahor people. That word "v'habasar" teaches that one who eats of the parts of a tamei korbon that were meant to go onto the Mizbe'ach, is included in the lav and gets malkus.
 - **Q:** This last halacha is learned from a different pasuk!? **A:** The other pasuk teaches that if a tamei person eats from a korbon he gets kares. This pasuk teaches that if the korbon is tamei and the person is tahor, he would get malkus.
- **R' Avahu in the name of R' Yochanan** said, one gets malkus for eating anything that the Torah says is assur to eat, only if eaten in the normal way they are eaten. As an example of what this is meant to exclude, **R' Simi bar Ashi** said, this excludes eating raw fats.
 - **Another version** was that **R' Avahu in the name of R' Yochanan** said, one gets malkus for benefitting from something that the Torah says may not be benefitted from, only if it is done in the normal way of benefit. As an example of what this is meant to exclude, **R' Simi bar Ashi** said, this excludes one who benefits from the fats of a stoned ox by placing it on a wound to heal it.
 - **Abaye** says, that one would get malkus for benefitting from kilayim of the vineyard even if it is done in an abnormal way, because this issur hana'ah is not learned from the Torah saying it is assur to eat.
 - **Q:** A Braisa says, **Isi ben Yehuda** says, we learn that meat cooked in milk is assur to eat from a gezeirah shava from treifa. We learn that it is assur b'hana'ah from a kal v'chomer: if orlah, which does not come about through an aveirah, is assur to benefit from, meat cooked in milk, which is done through an aveirah, surely will be assur b'hana'ah. **Isi ben Yehuda** continues, you may try to refute this kal

v'chomer by saying that orlah never had a time during which it was permitted (which is why it is assur b'hana'ah), but milk and meat were permitted before they were cooked!? To that we can answer that chametz was permitted before Pesach and yet it is assur b'hana'ah on Pesach! You may try to ask that chametz carries a kares penalty (which may be why it is assur b'hana'ah), but meat cooked in milk does not!? To this we can answer that kelayim of the vineyard does not carry the kares penalty and yet it is assur b'hana'ah! Now, if **Abaye** is correct, we should ask that kilayim of the vineyard is more stringent because one gets malkus for benefitting from it even in an unusual way!? **A: Abaye** says that one gets malkus even for benefitting in an unusual way from meat cooked in milk as well (because it too is not learned from an issur of eating)!