



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

Pesachim Daf Lamed Beis

MISHNA

- One who eats chametz terumah on Pesach, if it was done b'shogeg (he didn't realize he was eating terumah), he must pay the principle plus a fifth. If it was done b'meidid (he knew it was terumah), he does not need to pay even principle, and if the terumah was tamei (in which case the Kohen may anyway only use it to fuel a fire) he need not pay its value as fuel.

GEMARA

- **Q:** When one has to pay a Kohen for the principle and a fifth for having eaten terumah b'shogeg, does he need to pay in produce of the same volume or does it need to be of the same value? If the value of the terumah eaten has decreased from the time of the eating, he surely must still pay the value at the time of the eating, just as would any thief. The question is when the value of the produce has increased. Must he give the same volume of produce even though that would now have a higher value, or may he give produce of the same value?
 - **A: R' Yosef** says we can answer this from a Braisa. The Braisa says, if one eats figs of terumah b'shogeg and repays the Kohen with dates, "tavo alav bracha" (he has done a good thing). This must mean that he pays back the same volume of the figs in dates. Since dates are more expensive, he has done a good thing. However, if we say he must only repay the value of what was eaten, why is it considered to be a good thing that he paid back the value in dates rather than figs? It must be that the repayment must be the same volume as what was eaten.
 - **Abaye** said this is not a proof. It could be that he only pays an amount of dates equal in value to the figs that were eaten. The reason it is considered to be a good thing is that dates are a more sellable item than figs, and therefore give the Kohen more opportunity to sell.
 - **A:** Our Mishna said that if one eats terumah of chametz on Pesach b'shogeg, he must pay principle and a fifth. Chametz has no value on Pesach, so it must be that he pays produce of the same volume, irrespective of value!
 - The Gemara says this is not a proof. Our Mishna may follow **R' Yose Haglili**, who says that one may benefit from chametz on Pesach, and therefore the chametz terumah does have value.
 - **Q:** If the Mishna follows **R' Yose Haglili**, why does it say that if he ate the terumah b'meidid he is patur from paying (presumably because it has no value, and when done b'meidid all agree that he only pays principle for the *value* of what was eaten)!? **A:** He holds like **R' Nechunia ben Hakana** who says that when one is chayuv a capital punishment and a financial punishment for the same act, he is patur from the financial punishment. Therefore, since he gets kares for eating the chametz, he is patur from having to pay the Kohen.
 - **A:** It may be that it is the subject of a machlokes Tanna'im. A Braisa says that **R' Akiva** said, one who eats chametz terumah on Pesach is patur from having to pay the Kohen. **R' Yochanan ben Nuri** said he is chayuv. **Abaye** explains, that both hold that chametz is assur b'hana'ah on Pesach. The machlokes is that **R' Akiva** says that one pays for the value of the terumah eaten, and since chametz on Pesach has no value, nothing needs to be repaid. **R' Yochanan ben Nuri** says that one pays for the volume of produce that he ate and he therefore must pay here as well.
 - A Braisa says, if one eats a kezayis of terumah b'shogeg, he must pay the principle and a fifth (the pasuk requiring payment of a fifth uses the terminology of "eating", which generally refers

to a kezayis). **Abba Shaul** says he must eat terumah in the value of a perutah (the pasuk says that the eater must “give” the fifth to the Kohen, and “giving” in a pasuk generally refers to the value of a perutah).

- **Q:** How does **Abba Shaul** deal with the terminology of “eating” used in the pasuk? **A:** He says that comes to exclude one who damages terumah (doesn’t consume it) from having to pay the additional fifth.
- **Q:** How does the **T”K** deal with the use of the word “give” in the pasuk? **A:** That teaches that the payment must be in a form that is fit to become kadosh as terumah (e.g. produce).
- A Braisa says, if one eats less than a kezayis of terumah b’shogeg, he must pay principle, but not the additional fifth.
 - **Q:** What is the case of the Braisa? If the terumah was worth less than a perutah, he should not even have to pay for the principle. If the terumah was worth a perutah, he should have to pay the fifth as well!? **A:** The case is that the terumah was worth a perutah. However, since it is smaller than a kezayis, he only needs to pay the principle.
 - The **Rabanan** said to **R’ Pappa**, this Braisa does not follow **Abba Shaul**, because according to him, since the terumah was worth a perutah, he should have to pay the additional fifth as well. **R’ Pappa** said, the Braisa may even follow **Abba Shaul**, because he holds that the terumah must be a kezayis *and* the value of a perutah in order to make him liable for the fifth.
 - **Q:** From the way the **Rabanan** answer **Abba Shaul** in a Braisa, it is clear that **Abba Shaul** only requires that the terumah be valued at a perutah to create liability of the fifth!? **A:** **TIYUFTA** of **R’ Pappa**.
 - **R’ Pappa** himself retracted his view that **Abba Shaul** requires that the terumah be valued at a perutah *and* that it be the size of a kezayis to create liability of a fifth. We find that **R’ Pappa** (while explaining a Braisa) clearly says that **Abba Shaul** only requires the terumah to be valued at a perutah to create liability for the additional fifth.