



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

Pesachim Daf Chuf Gimmel

- The Gemara continues to ask on the views of **R' Avahu** and **Chizkiya** (from the previous Daf).
 - **Q:** The Torah says that a non-Kohen may not eat terumah, and yet a Mishna says that a non-Kohen may use terumah to make an eiruv!? **A: R' Pappa** said, benefit is allowed by terumah because the pasuk says "terumas'chem" – it is *your* terumah to use.
 - **Chizkiya**, who doesn't need the pasuk to permit benefitting from the terumah, says the pasuk says "terumas'chem" in reference to all the Levi'im of Klal Yisrael, but there is no lesson being taught.
 - **Q:** The Torah says that a nazir may not eat grapes or drink wine, and yet a Mishna says that a nazir may use wine to make an eiruv!? **A: Mar Zutra** said, the pasuk says "nizro" – it is *his* nezirus to benefit from. **A2: R' Ashi** said, the pasuk says that the hair on the nazir's head shall be kadosh. This teaches that his hair shall be kadosh and is assur to benefit from, but nothing else shall be assur in that way.
 - **Q:** The pasuk doesn't say that nothing else should be kadosh!? **A:** We must revert back to **Mar Zutra's** answer.
 - **Q:** The Torah says that one may not eat chadash, and yet a Mishna says that it is permitted to benefit from the chadash!? **A: R' Shmaya** said, the pasuk there says "ketzirchem" – what you cut shall be yours to use.
 - **Chizkiya** says "ketzirchem" refers to the cutting of all of Klal Yisrael, but there is no lesson being taught.
 - **Q:** The Torah says that sheratzim shall not be eaten ("lo yei'acheil"), and yet a Mishna says that if one intended to catch other animals and sheratzim ended up in his trap, he may sell it to a goy!? **A:** The pasuk there says "**lachelm**", which teaches that it shall be yours to benefit from.
 - **Q:** If so, why can't one catch sheratzim l'chatchila!? **A:** The pasuk says "yihiyu", which teaches that it should be assur to benefit from. Therefore, we learn that it is assur l'chatchila only.
 - **Q:** According to **Chizkiya**, why does the Torah write "lo yei'acheil" which tells us that it is assur to benefit, and then writes "lachelm" to tell us that it is mutar? The Torah should not use the verbiage of "lo yei'acheil" and then wouldn't have to write "lachelm" either!? **A: Chizkiya** would say, this is where we see that when the Torah says "lo yei'acheil", it means that it is assur to benefit unless the Torah specifically allows it.
 - **Q:** The Torah says that chametz shall not be eaten ("lo yei'acheil"), and yet **R' Yose Haglili** says in a Braisa that chametz is mutar b'hana'ah!? **A:** The pasuk there says "lo yeirah **lecha**", which teaches that it is yours to benefit from.
 - The **Rabanan**, who argue and say that chametz is assur b'hana'ah, say that "lecha" teaches that one may not see his own chametz, but he may see the chametz of a goy or of hekdesch.
 - **R' Yose Haglili** learns this din from the second mention of "lecha" in the pasuk.
 - The **Rabanan** say, both mentions are needed: one to teach that you may see the chametz of a goy who is under Jewish control, and one to teach that the din applies to a goy not under Jewish control.
 - **R' Yose Haglili** learns this from a third mention of the word "lecha".
 - The **Rabanan** use this to learn that the halacha applies to edible chametz (which one must be afraid he may come to eat) and to yeast (which is not edible, but can make other things chametz).

- A Braisa says, the pasuk regarding neveilah says that the cheilev (fats) of a neveilah (which the Torah says may not be eaten) may be used for “any purpose”. **R’ Yose Haglili** says that this teaches that it may even be used for mundane use, not only for purposes of kodashim. **R’ Akiva** says it teaches that not only is it not considered tamei when used on chullin, it is even true when used on kodashim.
 - **Q:** Maybe the basis for the machlokes is **R’ Avahu’s** din? **R’ Yose Haglili** holds that because it is assur to eat, it is also assur to benefit from, so the pasuk is therefore needed to allow benefit. **R’ Akiva** holds that the issur to eat does not mean there is an issur to benefit from, and the pasuk therefore must be teaching a din regarding tumah!? **A:** It could be that all agree with **R’ Avahu’s** din. **R’ Yose Haglili** holds that when the pasuk allows benefitting from a neveilah, it only allowed benefitting from the meat, not the fats or the gid. Therefore, we need this pasuk to permit benefit of the fats. **R’ Akiva** says that the permit of benefit by a neveilah already allowed benefit of the fats and gid. Therefore, this pasuk must be teaching a din regarding tumah.
 - **Q:** According to **R’ Yose Halgili**, benefitting from the gid should be assur, because there is no specific permit like there is regarding the fats!? **A:** He would say that benefitting from the gid is assur. **A2:** He uses a kal v’chomer to say, that if fats (which carry a kares penalty) may be benefitted from, surely the gid (which does not carry the kares penalty) may be benefitted from.
 - **R’ Shimon** (who says one may not benefit from the gid) would say the kal v’chomer is not valid, because we find that fats are more lenient in that the fats of a wild animal are permitted to eat.
 - **R’ Yose Haglili** would say that this is not a leniency, because the fats of a domesticated animal are never allowed.
 - **Q:** We seem to have always found a reason why benefit would be permitted when the pasuk says “do not eat” (except for chametz and an ox stoned by Beis Din). What is the practical difference between **Chizkiya** and **R’ Avahu**!? **A:** The difference would be the Gemara discussed last Daf. **Chizkiya** uses the word “oso” regarding a treifah to teach that chullin slaughtered in the Azarah is assur b’hana’ah. **R’ Avahu**, according to **R’ Yehuda**, needs the word “oso” to teach his din that every issur of eating is also an issur of benefitting. He will therefore say that benefitting from chullin that was slaughtered in the Azarah is only assur D’Rabanan.
 - One of the **Rabanan** told **R’ Shmuel bar Nachmeini**, that **R’ Yehoshua ben Levi** learned that chametz and an ox stoned by Beis Din are assur b’hana’ah based on a different source (**R’ Yehoshua ben Levi** says that “lo yei’acheil” does not mean a prohibition of benefit, that the pasuk of neveilah is used like **R’ Yehuda** suggests, and that the “oso” of treifa teaches about chullin slaughtered in the Azarah – he therefore needs a source for the prohibition of benefit). He says, the pasuk about a korbon chatas whose blood was applied to the wrong Mizbe’ach says that it must be burned in fire. We already know that halacha. Therefore, it must be that the pasuk is teaching regarding other issurin in the Torah, and it must be teaching that they are assur b’hana’ah.
 - **Q:** If so, these issurin which we are learning are assur b’hana’ah should have to be burned (like the pasuk says)!? **A:** The pasuk says “Bakodesh...ba’eish tisareif” – only kodesh must be burned, not these other items.
 - **Q:** **R’ Shimon** says these words are needed to teach a different halacha, so they are not available to teach that other issurin are assur b’hana’ah!? **A:** **R’ Yonasan** says that the source for the prohibition of benefit is from a pasuk that says that leftovers of the korbon must be burned and may not be eaten (“lo yei’acheil”). We already know from another pasuk that it must be burned (and therefore not eaten), so this pasuk must be teaching regarding other items that are assur to eat and teaches that they are assur b’hana’ah as well.
 - **Q:** Based on the pasuk, these other items should have to be burned!? **A:** The pasuk says “v’sarafa es hanosar” which teaches that only the leftover korbonos must be burned.
 - **Q:** **R’ Elazar** says that “lo yei’acheil” of this pasuk teaches that one who eats a passul korbon transgresses a “lo sasei” as well as an “asei”, and is therefore not available to be the source of the prohibition on benefit!?