



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

### Bava Basra Daf Tzaddik Hey

MARTEIF SHEL YAYIN...

- **Q:** What are the circumstances of this sale? If the seller said "I am selling a cellar of wine", there is a difficulty, if he said "I am selling you *this* cellar of wine", there is a difficulty, and if he said "I am selling you this cellar" there is also a difficulty, based on a Braisa. The Braisa says, if a seller says "I am selling you a cellar of wine", it must all be good quality, with no souring at all. If a seller says "I am selling you this cellar of wine" he can give wine in the quality normally sold in the shops (it is at the point of souring). If a seller says "I am selling you this cellar", even if the cellar contains all vinegar, that is what is sold. In no case does the Braisa say like the Mishna that it must be 90% high quality wine and may be 10% souring wine!? **A:** The Mishna's case is where he says "I am selling you a cellar of wine", and the Braisa's first case should say "and the buyer must accept 10% of the barrels to be souring wine".
  - **Q:** Is that true that in such a case the buyer must accept any souring wine? **R' Chiya** has taught a Braisa that says that if one sells a barrel of wine, it must be superior quality wine!? **A:** Dealing with a single barrel is different, because the entire barrel will be of the same quality (and the buyer need not accept his entire purchase of inferior wine).
  - **Q:** **R' Zvid** taught a Braisa from the yeshiva of **R' Oshaya** that says, if a seller said "I am selling you a cellar of wine", he must give him all superior quality wine, but if the seller said "I am selling you *this* cellar of wine" he must give him all superior quality wine, but the buyer must accept 10% of the barrels to be of souring wine, and this second case is the storeroom that is referred to in our Mishna. We see from this that when a seller says "a cellar of wine" the buyer need not accept any low quality wine, and we see further that the Braisa clearly says that the Mishna is referring to the case of where the seller said "*this* cellar of wine"!? **A:** Rather, the Mishna must be talking about where the seller said "I am selling you *this* cellar of wine", in which case the buyer must accept 10% of the barrels to be of inferior wine.
    - **Q:** There is a contradiction between the two Braisos in the case of where the seller says "I am selling *this* cellar of wine"!? **A:** The Braisa of **R' Zvid** is discussing where the seller said that the wine is suitable for cooking, and therefore the buyer need not accept any inferior wine. The first Braisa is discussing where the seller never said that, and therefore the buyer must accept 10% in the form of souring wine.
    - Based on all this, we can say the following: if a seller says "I am selling you a cellar of wine" and also tells the buyer that it is suitable for cooking, he must give him all superior wine; if he tells him "I am selling you this cellar of wine" and also tells him that it is suitable for cooking, he must give superior wine, but the buyer must accept 10% of the wine in the form of souring wine; if the seller says "I am selling you this cellar of wine" but did not say that it is suitable for cooking, he may give wine in the quality that it is sold in the shops.
    - **Q:** They asked, what if the seller said "I am selling you a cellar of wine", but did not say that it is suitable for cooking? **A:** **R' Acha and Ravina** argue – one says the buyer must accept some souring wine and the other says he need not accept any souring wine. The one who says that the buyer must accept some souring wine infers this from the Braisa of **R' Zvid**, which said that when the seller says "I am selling you a cellar of wine" he must give all superior wine, and we said that this Braisa is discussing where the seller said that the wine is suitable for cooking. This suggests that if he did not say it is suitable for cooking, the buyer would have to accept some souring wine. The one who says that the

buyer need not accept any souring wine infers this from the first Braisa, which said that when the seller says "I am selling you a cellar of wine" he must give all superior wine, and we said that this Braisa is discussing where the seller said that the wine is suitable for cooking.

- The one that infers his view from the Braisa of **R' Zvid** will say that the first Braisa is missing words, and should say, "this halacha is only when the seller said that the wine is suitable for cooking". This would suggest that if he didn't say so the buyer would have to accept some souring wine, and if the seller said "this cellar of wine" and didn't say it was suitable for cooking, the seller would be able to give wine of the quality normally sold in shops.
- The one that infers his view from the first Braisa will say that in the Braisa of **R' Zvid**, even if he did not say that it was suitable for cooking, the buyer would not have to accept any souring wine. The reason that we explained this Braisa as referring to where the seller did say it was suitable for cooking was only to try and resolve the contradiction with the other Braisa.
- **R' Yehuda** said, on wine that is sold in the shops (which is the low quality, souring wine), one would make the bracha of borei pri hagafen. **R' Chisda** said, why would we make this bracha on wine that has soured. Rather, the proper bracha is shehakol nihiyah bidvaro.
  - **Q:** A Braisa says, on moldy bread and sour wine and spoiled food one makes the bracha of shehakol!? **A:** **R' Zvid** said, **R' Yehuda** would agree that on wine from pressed kernels, which is extremely low quality, one would make a shehakol. The machlokes is only regarding wine that still looks and tastes like wine, but has begun to smell like vinegar.