



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

### Avodah Zarah Daf Samach Aleph

#### MISHNA

- If a Yid produces the wine of goy in a state of tahara (i.e. so that it is not yayin nesech) and leaves the wine in the reshus of the goy (with the understanding that the Yid will sell the wine as kosher wine and will pay the goy for the wine after the Yid sells it) in a structure whose opening faces the reshus harabim, if there are Yidden along with the goyim who live in that city, the wine is mutar. If there are no Yidden in the city the wine is assur unless he appoints a Jewish watchman to guard the wine. The watchman need not stay there constantly. Rather, even if he comes and goes the wine would be mutar. **R' Shimon ben Elazar** says "the domains of goyim are all one".
- If a Yid produces the wine of goy in a state of tahara and leaves the wine in the reshus of the goy (with the understanding that the Yid will sell the wine as kosher wine and will pay the goy for the wine after the Yid sells it), and the goy writes him a receipt saying that he has received payment (even though he has not, but the receipt makes the amount owed into a general loan), the wine is mutar (as long as it is locked or sealed). However, if the arrangement is such that if the Yid wanted to take the wine away he would not be allowed to unless he pays the goy the money (i.e. the goy is holding the wine as security), then it would be assur, as the **Rabanan** said in an actual case in She'an that happened like this.

#### GEMARA

- **Q:** Even in a city that has no Yidden the wine should be mutar, because there are Jewish peddlers who travel in the reshus harabim, which should make the goy scared to touch the wine, for fear of being caught by the Jewish peddlers!? **A: Shmuel** said, the Mishna is talking about a case where the city had gates with locks and before any outsiders were let in, the people in the city were informed. That is why the goy would have no fear of being caught by surprise.
- **R' Yosef** said, a window of a Jew's house that could see the entrance of the structure which housed the wine gives it the status of a structure that opened to the reshus harabim. Also, if the garbage dump (where people would go to use as a bathroom) is in view of the structure, it would have the status of the reshus harabim. Also, if the palm tree of a Jew faces the entrance of the structure it has the status of the reshus harabim.
  - If the top of the palm tree was cut off (thus stopping the tree from bearing fruit), there is a machlokes between **R' Acha and Ravina** – one says the wine would be assur and one says it would be mutar. The one who says it would be assur says there is no longer a reason for the Yid to climb to the top of the tree, and the goy is therefore not afraid of getting caught. The one who says it is mutar holds that the Yid still may climb the tree if he is looking for his lost animal, and the goy is therefore still afraid to go and touch the wine.
- A Braisa says, if a Yid buys or rents a house in the chatzer of a goy and fills the house with wine, and there is a Yid who lives in that chatzer, the wine is mutar. This is so even if the house is not sealed or locked. If a Yid lives in another chatzer the wine is only mutar if the house was sealed or locked. If a Yid produces the wine of goy in a state of tahara and leaves the wine in the reshus of the goy and a Yid lives in that chatzer, the wine is mutar, but only if the wine is sealed or locked up. [**R' Yochanan** told the Tanna to teach that it is mutar even if there is no seal or lock on the wine.] If a Yid only lives in another chatzer, **R' Meir** says the wine is assur even if it is sealed or locked. The **Chachomim** say it is assur unless there is a watchman to guard the wine, or a person who at least comes at set intervals.

- **Q:** On which part of the Braisa are the **Chachomim** coming to argue? It can't be that they are arguing on **R' Meir**, because he also said it is assur unless there is a watchman. They can't be arguing on the earlier part of the Braisa where there is a Yid living in that chatzer, because **R' Yochanan** told the Tanna to teach that there need not even be a seal or lock on the wine, which means we are lenient in that case, so the **Chachomim** would not have said to be so machmir!? **A:** Rather, they must be going on the earlier part of the Braisa, where there is no Yid living in that chatzer, but there is a Yid in another chatzer, and the Braisa said that it is mutar if there is a seal or lock on the wine. It is on this that the **Chachomim** argue and say that it is only mutar if there is a watchman or someone who comes in at set intervals.
  - **Q:** Set intervals are worse, because the goy knows when to expect them and is not afraid of being caught!? **A:** We must read the Braisa as saying that they hold there must be an appointed person who comes in *not* at set intervals.

R' SHIMON BEN ELAZAR OMER RESHUS OVDEI KOCHAVIM ACHAS HEE

- **Q:** Is **R' Shimon** coming to be meikel or to be machmir? **A:** **R' Yehuda in the name of Ze'iri** said he is coming to be meikel, and **R' Nachman in the name of Ze'iri** said he is coming to be machmir. **R' Yehuda in the name of Ze'iri** said he is coming to be meikel, and the Mishna is to be understood as follows. The **T"K** said that the wine is assur whether it is stored in the house of the goy who is the owner of the wine or in the house of another goy, because we are concerned that the goyim do reciprocating favors for each other. To this, **R' Shimon** asked, are the reshusim of all goyim the same? Rather, it is only assur when in the reshus of the goy who owns the wine, and we are not concerned for reciprocating favors. **R' Nachman in the name of Ze'iri** said he is coming to be machmir, and the Mishna is to be understood as follows. The **T"K** said that the wine is assur only when kept in the house of the goy who owned the wine, because we are not concerned for reciprocating favors. To this, **R' Shimon** said that the reshusim of all goyim are considered one and the same, because we are concerned for reciprocating favors.
  - There is a Braisa that supports the understanding of **R' Nachman in the name of Ze'iri**.
  - The household of Parzak the governor once had their wine processed so that it not have a problem of yayin nesech and then stored the wine in the reshus of their sharecropper. The **Rabanan** said to **Rava**, presumably we are only concerned for reciprocal favors in a case where the goy who is storing the wine will one day have his wine stored by the goy who today is the wine owner (that is why we are concerned that he will allow the owner access today so that he is allowed access at a later date). However, since it is unlikely that a sharecropper will have wine and store it by Parzak, we should not be concerned for reciprocal favors. **Rava** said, the opposite is true! In this case, since the sharecroppers are afraid of Parzak, there is more concern that they will give them access.
  - There was a city in which the wine of a Yid was stored, and goyim were found to be walking among the barrels. **Rava** said, if the situation is such that these goyim would be arrested as robbers if they were caught touching the wine, then the wine is mutar. If not, the wine is assur.

**HARDAN ALACH PEREK R' YISHMAEL!!!**