



Daf In Review – Weekly Chazarah

Maseches Avodah Zarah, Daf טו – Daf עב

Daf In Review is being sent l'zecher nishmas R' Avrohom Abba ben R' Dov HaKohen, A"H
vl'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

-----Daf טו---59-----

- **R' Chiya bar Abba** was in Gavla and saw that Jewish girls were pregnant from men who had gotten a bris but who had not yet gone to the mikvah for geirus. He also saw that non-Jews would dilute the wine for the Yidden to drink. He also saw that non-Jews would cook the beans for the Yidden to eat. He didn't say anything to these people. He later told **R' Yochanan** about these matters, and **R' Yochanan** told him to announce that these children are mamzeirem (**R' Yochanan** holds that the geirus is not complete until there is tevila and a bris, and as such the children are from a goy and a Jewess, which he holds are mamzeirem), that this wine is assur as yayin nesech (although the goy may not have touched the wine, we must be goizer and say this is assur, because the force of his pouring has moved the wine), and that the beans are assur as bishul akum (we must be goizer, because these people were not bnei Torah).
 - **Q:** Is this to say that if they were Bnei Torah the beans would be mutar? **R' Shmuel bar Yitzchak in the name of Rav** said, anything that cannot be eaten raw and is cooked by a goy becomes assur as bishul akum!? **A:** **R' Yochanan** holds like another version of **Rav**, in which he says, if something is not significant enough to be served to kings, it does not become assur if cooked by a goy.
- They asked **R' Kahana**, what is the halacha if a goy carries grapes to the winepress? He said, it is assur as a gezeira that we don't want the goy to have anything to do with our wine.
 - **Q:** **R' Yemiar** asked **R' Kahana**, a Braisa says, if a goy carried grapes to the winepress in baskets or small barrels, even if there is juice in the keili, it is mutar!? **A:** **R' Kahana** said, you are bringing me a Braisa that discusses a case b'dieved. I was talking about whether it may be done l'chatchila.
- There was once an esrog that fell into a barrel of wine and a goy put his hand into the wine to catch the esrog before it sank. **R' Ashi** told the people who were there to grab the goy's hand so that he not move the wine, and then tilt the barrel and pour off wine until the wine level is below the goy's hand.
- **R' Ashi** said, if a goy poured the wine of a Yid with intention for avoda zara, although the Yid may not sell that wine even to a goy, he may take money for it from the goy who made it into yayin nesech. The reason is, that the money he gets is viewed as payment for damage, not as a sale of the wine.
 - **R' Ashi** said, we can learn from a Braisa which says that if a goy poured the wine of a Yid while not in the presence of an avoda zara, the **T"K** says it is still assur. **R' Yehuda ben Bava** and **R' Yehuda ben Beseira** say it does not become assur for two reasons: 1) it only becomes assur when done in front of an avoda zara, and 2) a person cannot make assur something that does not belong to him. Now, although we don't pasken like **R' Yehuda ben Bava** and **R' Yehuda ben Beseira**, we can accept their argument enough to allow him to collect payment from the goy who made it assur.

-----Daf עו---60-----

- There was a barrel that had its spigot fall out. A goy ran and put his hand there to prevent all the wine from pouring out. **R' Pappa** said, the wine that is by the hole where the spigot was, is assur. The rest of the wine is mutar (even to drink). **Others** said that **R' Pappa** said all the wine from the top of the barrel until the level of the spigot hole is assur and the rest is mutar.
 - **R' Yeimar** said, this is actually the subject of a machlokes. A Mishna says, if there is a hole in a barrel of terumah wine and a "tvul yom" (a person who has gone to the mikvah but needs the sun to set before he is fully tahor) touches the wine at the hole, whether the hole is at the top of the barrel, the bottom, or the side, all the wine is tamei. **R' Yehuda** says, that if the hole is on top or on bottom, all the wine is tamei. However, if the hole is on the side, only the wine at the hole is tamei. Based on this, we can say that **R' Pappa** holds like the view of **R' Yehuda**.

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- **R' Pappa** said, if a goy is pouring wine from a barrel into a keili that is being held by a Yid, the wine is assur, because it is the force of the goy that is pouring the wine. If the Yid is pouring the barrel into the keili held by a goy, the wine is mutar. However, if the goy shook the keili, the wine is assur (either because the case is where it was filled to the top and we are therefore concerned that the shaking made him touch the wine, or just the fact that he shakes the cup and moves the wine makes it assur).
- **R' Pappa** said, if a goy is carrying the leather keili containing a Yid's wine, and the Yid is walking behind him making sure that the goy does not open the keili, the halacha is that if the keili is full with wine, the wine is mutar, because it could not be shaken. If it is only partially filled the wine is assur because we are concerned that the goy shook it with intent for avoda zara. If the goy is carrying an open jug of a Yid's wine, then if it is full it is assur, because we are concerned that he touched the wine. If it is less than full it is mutar, because we don't have that concern. **R' Ashi** says, with regard to a leather keili, in either case the wine is mutar, because it is not the normal way of offering wine to an avoda zara.
- With regard to a wine press operated by a beam crushing the grapes (instead of the person walking on them), if the beam is lowered by a goy **R' Pappi** said the wine is mutar, and **R' Ashi or R' Simi bar Ashi** said it is assur.
 - If the beam is lowered by the direct force of the goy (e.g. he stands on the beam) all agree that it would be assur. The machlokes is where it is lowered with the "force of his force" (he turns the screw that lowers the beam onto the grapes). **Others** say that if it is lowered with the "force of his force" all would agree that it is mutar. The machlokes would be where it is done with his direct force.
 - There was an incident where a goy lowered the beam with the "force of his force" and **R' Yaakov of Nehar Pekod** said the wine was assur.
 - There was once a barrel that split down its length, and a goy came and wrapped his arms around it to hold the barrel together and save the wine. **Rafraim bar Pappa or R' Huna the son of R' Yehoshua** said the wine was mutar to be sold to goyim.
 - This is only because the barrel split in its length. Had it split along the width, the wine would have been mutar even to drink, because in this case the goy is acting like a simple weight to hold the top against the bottom.
 - There was once a goy who was found standing next to the winepress of a Yid (the press had no wine but had some residue left on the bottom). **R' Ashi** said, if the residue is moist enough to make something else moist, then the winepress must be washed and needs "niguv" (a process used to purge the yayin nesech from a press). If not, then a simple washing is enough.

MISHNA

- If a goy is found standing next to the bor of a Yid, then if the Yid owed the goy money, the wine is assur. If he did not owe him money, the wine is mutar.
- If a goy fell into the bor of a Yid and climbed out, or if he measured the wine with a reed, or he hit a hornet out of it with a reed, or he if touched the foam on top of foaming wine – there were actual incidents of all these cases and the **Rabanan** said that the wine may be sold to a goy. **R' Shimon** said the wine was even mutar to drink.
- If a goy took a barrel of wine, and out of anger he threw it into the bor of wine, there was an incident like this and they said that the wine in the bor is mutar to drink.

GEMARA

- **Shmuel** said, the Mishna is referring to where the goy has a lien on that wine in the bor.
 - **R' Ashi** said the next Mishna supports this. The Mishna says, if a Yid produces the wine of goy in a state of tahara and leaves the wine in the reshut 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

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the **Rabanan** said in an actual case that happened like this in She'an. Now, it seems that it is assur because the goy had a lien on this wine, but if he did not, it would be mutar. We see that in order for the wine to be assur we need there to be a lien on that wine. SHEMA MINAH.

NAFAL L'BOR V'ALAH

- **R' Pappa** said, it is only mutar to be sold when the goy came out of the wine dead. However, if came out alive the wine is assur b'hana'ah, because he surely used some of the wine as an offering of thanks to his avoda zara.

MEDADO B'KANEH KOL EILU HAYA MAASEH...

- **R' Ada bar Ahava** said, **R' Shimon** should be blessed, because when he is matir wine, he is matir it even for drinking, and when he says wine is assur, he says it is even assur b'hana'ah.
- **R' Chiya the son of Abba bar Nachmeini in the name of R' Chisda in the name of Rav** (or in the name of **Ze'iri**) said the halacha follows **R' Shimon**. Others say that **R' Chisda** said that **Abba bar Chanan** told him that **Ze'iri** said the halacha follows **R' Shimon**. However, the Gemara says that the halacha does not follow **R' Shimon**.

NATAL CHAVIS UZRAKA BACHAMASO L'BOR...

- **R' Ashi** said, any form of contact that when made by a zav makes the thing that was touched tamei, would make wine so contacted by a goy into yayin nesech. Any form of contact that when made by a zav does not make the thing that was touched tamei, would not make wine so contacted by a goy into yayin nesech.
 - **Q: Ravina** asked **R' Ashi**, our Mishna says that when the goy threw the barrel in a fit of anger the wine in the bor does not become yayin nesech. This suggests that if it was not done in a fit of anger the wine would become yayin nesech. Now, this is so even though if a zav threw something it would not make the thing that it was thrown into tamei!? **A:** The Mishna is talking about a case where the goy rolled the barrel all the way into the bor. When that is not done in a fit of anger we are concerned that when he got close to the bor he touched the wine, and that is why we consider it to be yayin nesech.

-----Daf 61-----

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 reshut 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 reshut 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 reshut 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 reshut 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 reshut 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 reshut harabim. Also, if the palm tree of a Jew faces the entrance of the structure it has the status of the reshut harabim.

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- 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.

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HARDAN ALACH PEREK R' YISHMAEL!!!

-----Daf 20--62-----

PEREK HASOCHER ES HAPEOL -- PEREK CHAMISHI

MISHNA

- If a goy hired a Yid to do work with his yayin nesech (to pour from one keili to another, or to transport barrels of wine actually offered to avoda zara), the wages are assur b'hana'ah. If he hired him to do other work, then even if the goy then told him to transport a barrel of yayin nesech for him, the wages would be mutar.
- If a goy rented the donkey of a Yid to transport yayin nesech, the fee received is assur. If he rented it to ride on it, but then transported yayin nesech with it, the fee would be mutar.

GEMARA

- **Q:** Why is it that the wages are assur b'hana'ah? You can't say it is because the wine itself is assur b'hana'ah, because orlah and klayim are also assur b'hana'ah, and yet a Mishna says that if one sold orlah or klayim and then was mekadesh a woman with that money, the kiddushin would be valid!? You also can't say that since the money from a sale of yayin nesech is assur b'hana'ah, just like the money earned from the sale of an avoda zara itself, therefore the wages are assur, because the money from sale of shmitta produce is assur, and yet the wages for working a field during shmitta is not assur!? **A: R' Avahu in the name of R' Yochanan** said, the **Rabanan** instituted a knas on donkey drivers and on those who work with yayin nesech.
 - **Q:** The case of those who work with yayin nesech is the subject of our Mishna. What is the knas on donkey drivers? **A:** There is a Braisa that says that the wages of the donkey drivers who work with shmitta produce are shmitta. **Rava** explained this to mean that the wages given to them take on the restrictive status of shmitta produce. Although a Mishna says that the wages of a worker who worked a field during shmitta do not have the status of shmitta, that is because wages of a worker are small compared to the fee of a donkey driver, and therefore the **Rabanan** only levied a knas on the donkey driver. This is the knas that is referred to by **R' Yochanan**.
 - The reason the knas was levied on the wages of a worker who worked with yayin nesech is due to the severe stringency of yayin nesech, which the **Rabanan** felt required them to levy a knas even there as well.
- **Q:** What is the status of wages of a worker who worked with the regular wine of a goy (it was not known to be offered to avoda zara)? Do we say that since the issur on such wine is as stringent as the issur on yayin nesech, the wages earned from this work is likewise assur, or do we say that since their regular wine is not given the status of tumas meis, although true yayin nesech is given that status of tumah, maybe the wages do not become assur? **A:** There was an incident where a person rented his boat for transport of the regular wine of a goy and he was paid with wheat. **R' Chisda** told him the wheat must be burned and the ashes buried. We see the fee was assur b'hana'ah like the fee for true yayin nesech.
 - **Q:** Why couldn't **R' Chisda** tell him to simply scatter the wheat (why the need to burn it)? **A:** He was concerned that people who didn't know it was assur would gather the wheat and benefit from it.
 - **Q:** Why couldn't he tell him to burn it and scatter the ashes? Why did he have to bury the ashes? **A:** He was concerned that people would fertilize their fields with those ashes.
 - **Q:** Why couldn't he tell him to simply bury the wheat without burning it? A Braisa says that the items used by Beis Din to carry out the death penalty (and which are assur b'hana'ah) are buried along with the person put to death. We see that we are not concerned that a buried item that is assur b'hana'ah will be dug up and used!? **A:** In that Braisa the items are buried in the cemetery where Beis Din buries the people who have been put to death. Therefore, all will know that these items are assur b'hana'ah. In our case, if a person finds buried wheat he will think that a person must have stolen the

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wheat and buried it there to hide it. Therefore, he will not know it is assur b'hana'ah and the only way to make sure that noone will benefit from this wheat is to have it burned and then bury the ashes.

- The household of **R' Yannai** would borrow the produce of shmitta from poor people (this was done before the time of "bi'ur", and the produce was therefore still legally owned by their poor owners) and would pay them back in the 8th year, with produce that was not of shmitta (this benefitted the poor people by getting useable produce in exchange for their soon-to-be unusable produce of shmitta). People went to **R' Yochanan** and told him what was being done. **R' Yochanan** said this "exchange" was done properly (because the repayment was done at a time when the shmitta produce no longer existed, and therefore it is not viewed as a true "exchange" for shmitta produce). He then said that the same would hold true for the payment for a zonah, that if the payment was not given at the time of the zenus, but was rather given at a later time, if payment was given in the form of an animal, the animal would be mutar to be brought on the Mizbe'ach. We see this from a Braisa that says that if payment is given to a zonah but he was not mezaneh with her, or if he was mezaneh with her but payment was not given, it may be used for a korbon on the Mizbe'ach. Now this can't be understood literally, because in the first case why would we think it is assur, and in the second case there is no payment that was even given! Rather, the Braisa must mean that if payment was given *before* he was mezaneh with her or *after* he was mezaneh with her, the payment (if it is an animal) may even be offered on the Mizbe'ach.
 - **Q:** In the first case of the Braisa why don't we say that when he is eventually mezaneh with her the payment gets the status of "payment for a zonah" retroactively? **A:** **R' Elazar** said, the Braisa is discussing a case where she went and offered the animal as a korbon before the zenus actually took place.
 - **Q:** What is the case? If he had told her to be koneh the animal at the time he gave it to her, then it is obvious that it is mutar to be brought, because at that time there was no issur associated with that animal! If he didn't tell her to be koneh then, then she does not own the animal and a pasuk teaches that one can only be makdish something that he owns!? **A:** The case is that he told her to hold onto the animal until the act of zenus takes place, but that if she needs it she can be koneh it. We would think that since there is a clear connection to the zenus, it would be assur to be brought as a korbon. The Braisa therefore teaches that it can still be brought as a korbon if it is brought before the act of zenus takes place.

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- The Gemara quoted a Braisa which said in part, that if a person gives an animal as payment to a zoneh before the zenus takes place, the animal is not assur to be brought on the Mizbe'ach as "the payment of a zonah". **R' Elazar** said, the Braisa is discussing a case where she went and offered the animal as a korbon before the zenus actually took place.
 - **Q:** **R' Hoshaya** asked, what would be the halacha if she was makdish the animal before the zenus, but it was not yet offered as a korbon? Do we say that since the verbal declaration to give something to hekdes is as effective as actually giving something over to a private person, we give the animal the status as if it has already been offered, or maybe we say that in this case the animal still exists at the time of the zenus and therefore it is assur?
 - **Q:** Why can't we answer based on **R' Elazar**, who gives the case of where it is *actually* offered, which would imply that if it was only verbally given to hekdes it would not be mutar for the Mizbe'ach!? **A:** **R' Hoshaya** was unsure how to understand **R' Elazar**. Does **R' Elazar** mean to say that he is certain that it is only mutar when it was actually offered, or does **R' Elazar** mean to say that he is certain when it was offered before the zenus, and uncertain whether simply being makdish would be effective as well.
 - The Gemara leaves the question with a **TEIKU**.

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- The Braisa then said that if he was mezaneh with the zonah and only afterward gave her an animal as payment, this animal is mutar to be brought on the Mizbe'ach (it is not "payment for a zonah", because it was not given at the time of the zenus).
 - **Q:** A Braisa says, that if he was mezaneh with the zonah and only afterward gave her payment, even if it was 3 years after the act of zenus, the payment is assur as "payment for a zonah"? **A: R' Nachman bar Yitzchak in the name of R' Chisda** said, the Braisa that says it is assur is discussing a case where he told her "Be mezaneh with me for *this* animal" (in that case it is assur whenever it is eventually given to her, because she is koneh the animal from the time of the zenus). The Braisa that says it is mutar is discussing a case where he told her "Be mezaneh with me for an animal" (without specification, because she is not koneh the animal until it is actually given to her).
 - **Q:** Even if he says "for *this* animal" she is not koneh yet, because she has not yet done meshicha!? **A:** The Braisa is referring to a non-Jewish zonah, who is not koneh with meshicha (a goy can't be koneh with meshicha according to some views), but is rather koneh with payment (and she is therefore koneh when she agrees to be mezaneh with him). **A2:** The Braisa is referring even to a Jewish zonah, and is talking about a case where the animal is standing in her reshus at the time of the zenus, and her chatzer is therefore koneh for her at that time even without meshicha.
 - **Q:** If the animal is in her reshus, how does the Braisa describe the case as one where "he is mezaneh with her and then later gives her payment"? **A:** The case is that he made the animal to be an "apotiki" for her. He said, if I bring you payment in the next 30 days, great. If not, this animal will be your payment. This is why it is not considered to be paid to her until a later time, but since it was in her reshus at the time of the zenus, it is assur as payment for a zonah.
- The Gemara earlier said that the household of **R' Yannai** would borrow the produce of shmitta from poor people (this was done before the time of "bi'ur", and the produce was therefore still legally owned by their poor owners) and would pay them back in the 8th year with produce that was not of shmitta (this benefitted the poor people by getting useable produce in exchange for their soon-to-be unusable produce of shmitta). People went to **R' Yochanan** and told him what was being done. **R' Yochanan** said this "exchange" was done properly (because the repayment was done at a time when the shmitta produce no longer existed, and therefore it is not viewed as a true "exchange" for shmitta produce).
 - **Q: R' Sheishes** asked, a Braisa says, a person may tell his donkey drivers and workers "Go eat and drink with this dinar that I am giving you" and he need not be concerned regarding produce of shmitta, regarding maaser, or regarding yayin nesech. However, if he says to them, "Go eat and drink and I will pay" he does need to be concerned regarding produce of shmitta, regarding maaser, or regarding yayin nesech. We see that even though the employer would pay for the food after it was already consumed, the money would be considered assur as shmitta money, as being exchanged for shmitta produce. This refutes **R' Yochanan**, who said that when the shmitta is no longer in existence it is not considered to be an exchange and is mutar!? **A: R' Chisda** explained, that the Braisa is discussing where the food is brought from a storeowner who regularly extends credit to the employer, and therefore he gets a right of encumbrance in the employer's property equal to the value of the food as soon as the food is taken from him. Therefore, it is viewed as an exchange when the shmitta produce is still in existence.
 - **Q:** According to this, if it was not a storeowner who regularly extends credit to the employer, it would even be mutar for the employer to pay the storeowner directly for the food taken by the workers. If so, instead of the Braisa making the differentiation between the case of where he gives the money to the workers and where he gives the money to the storeowner, why didn't it stay consistent with the case of where he gives the money directly to the storeowner, and then say that it is only assur when it is a storeowner who regularly extends credit to the employer, but if it is not such a storeowner it would be mutar!? **Q2:** Why does **R' Chisda** assume that when dealing with a storeowner that does not regularly extend credit, the storeowner will not have an encumbrance on the property of the employer? **Rava** has said that in a similar case (where

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person A says he will give something to person B so that person B give something to person C, person C is koneh the items from person A) the person would be koneh and create an encumbrance even when it is not someone who regularly extends credit!? **A:** Rather, **Rava** said, whether the storeowner regularly extends credit or does not, the reason why it was mutar for **R' Yannai** to do what he did is because even though an encumbrance was created at the time that the shmitta produce was still in existence, since the item that would be used for payment was not designated, the produce that he eventually used to pay the debt does not become assur as having been exchanged for shmitta produce.

- **Q:** If so, why does the Braisa say that the employer can't later pay the storeowner, since in this case as well the item to be used for payment has not been designated!? **A:** **R' Pappa** said, the Braisa is talking about a case where the employer gave a dinar to the storeowner *before* the workers came in and took food. That is why it is considered to be a true exchange.
 - **R' Kahana** repeated this answer to **R' Zvid of Neharda'ah**, who asked, if that is the case, the Braisa shouldn't say that the employer told the workers to go get food and he will then *pay*, it should say and he will then *calculate* the value of the food taken against what was already paid!? **R' Kahana** said, that is exactly how the Braisa should be emended and read.
 - **R' Ashi** answered that the Braisa is referring to where the employer took the food with his own hands from the storeowner and gave it to his workers to eat. That is why it is assur. **R' Yannai** did not do this, and that is why what he did was mutar. **R' Yeimar** said to **R' Ashi**, if that is the case, the Braisa shouldn't say that the employer told the workers to go get food and he will then pay, it should say that he told the workers "come and take food"!? **R' Kahana** said, that is exactly how the Braisa should be emended and read.

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- **R' Nachman, Ulla, and Avimi bar Pappi** were sitting together and **R' Chiya bar Ami** was sitting near them. They asked, what is the halacha if a Jew was hired by a goy to break and destroy barrels of yayin nesech – would the wages be mutar? Do we say that the Yid wants this wine to continue to exist until he is able to break them, and therefore the wages are assur, or maybe we say that it is mutar to do anything that will help to destroy assur things like avoda zara, and therefore the wages are mutar? **R' Nachman** said, he should go and break them, and may he be blessed for doing so.
 - **Q:** Maybe we can say that a Braisa supports **R' Nachman**. A Braisa says we may not dig the ground for a goy for the sake of klayim, but we may uproot klayim plants for him to destroy them. Now, the ones who offered this Braisa as a support felt that the Braisa follows **R' Akiva**, who says that it is even assur to *maintain* klayim (and one who does so would get malkus), and yet he allows working with klayim for the purpose of destroying them (even though the Yid wants this klayim to continue to exist until he is able to destroy them). Presumably, the same would be true for working with yayin nesech! **A:** It may be that the Braisa only follows the **Rabanan** who argue on **R' Akiva** and hold that it is mutar to maintain klayim, and that is why it is mutar to work to destroy them, but yayin nesech would be different.
 - **Q:** If the Braisa follows the **Rabanan**, why does it only teach that we may uproot klayim? According to them it is even mutar to maintain klayim!? **A:** The Braisa is talking about a case where he does the work for free, and the Braisa follows **R' Yehuda**, who says it is assur to give gifts to goyim. The Braisa teaches that if the Yid destroys the klayim, it is mutar.
 - The Gemara says, from Braisa's ruling according to the view of **R' Yehuda** we can also infer what **R' Akiva** would hold. Even though **R' Yehuda** holds it is assur to do something for free for a goy, he says it is mutar if the Yid is destroying the klayim. Similarly, although **R' Akiva** holds that maintaining klayim is assur, he would agree that if the intent is to destroy the klayim, it is mutar.

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Therefore, even if the Braisa follows the view of the **Rabanan**, we can see what **R' Akiva** would hold, and the same would hold true for klayim. Therefore, this Braisa is a proof for **R' Nachman's** ruling.

- This same group then asked, if a goy sold an avoda zara, does the money become assur as the avoda zara itself or not? **R' Nachman** said, it makes sense that the money is not assur. We can see this from **Rabbah bar Avuha**, who told people who came to him to convert to Yiddishkeit that they should first sell their avoda zaras and then convert, so that the money will be mutar.
 - **Q:** It may be that in that case it is not assur, because the fact that they were converting means that they most definitely were mevatel their avoda zara, and that is why the money is mutar! **A:** Rather, we can learn that the money is mutar from a Braisa. The Braisa says, if a Yid is owed money by a goy, and the goy sells his avoda zara or yayin nesech and brings the money to the Yid, the money is mutar. However, if he told the Yid, wait until I sell my avoda zara or yayin nesech and will bring you the proceeds, the money would be assur. We see from the first case that the money from the sale of the avoda zara is mutar!
 - **Q:** What is the difference between the first and second case of the Braisa? **A:** **R' Sheishes** said, in the second case the Yid wants the avoda zara to continue to exist, and that is why it is assur.
 - **Q:** Wanting the avoda zara to exist in this way is not assur!? A Mishna says that when a ger inherits his father along with his father's other son (who is a goy), he may suggest that the estate be divided so that the goy ends up with the avoda zara or the yayin nesech and the ger ends up with other items of value in its place. We see that desiring the avoda zara to continue to exist in this way is mutar!? **A:** **Rava bar Ulla** said, the Mishna is talking about a case where the avoda zara has value even when it is broken in pieces (e.g. it is made of gold). Therefore, the ger does not care if the avoda zara remains intact.
 - **Q:** This answer can work in a case of avoda zara, but it cannot work in a case of yayin nesech, because in that case if the barrels break all the wine (and the value) will be lost!? **A:** The Mishna is talking about where the wine is in Hadriyani earthenware keilim, which absorb the wine very much, and broken pieces of this keili are then placed in water, turning it into wine
 - **Q:** Although he doesn't care if the barrels stay whole, he does care about its existence with regard to it being stolen or lost (he doesn't want it lost in that way), and still we see that it is mutar for him to take other assets instead of that wine!? **A:** Rather, **R' Pappa** said, you can't bring a proof from the inheritance by a ger, because the **Rabanan** were very meikel in that case so that the ger should not return to the ways of a goy in order to obtain his full inheritance. In fact, a Braisa suggests this as well.
- This same group then asked, can a ger toshav be mevatel an avoda zara? Do we say that only one who worships avoda zara can be mevatel avoda zara, and since a ger toshav does not worship avoda zara he can't be mevatel it, or do we say that since a ger toshav is a goy he can be mevatel? **R' Nachman** said, it makes sense to say that only one who worships can be mevatel.
 - **Q:** A Braisa says, if a Yid finds the avoda zara of a goy he may instruct a goy to be mevatel it before it comes into his (the Yid's) hands. Once it comes into his hands he can no longer instruct a goy to be mevatel. For the **Chachomim** said that a goy can be mevatel his own avoda zara and the avoda zara of another goy, whether he worships it or not. Now, what does the Braisa mean "whether he worships it or not"? It can't be referring to a goy who worships a different avoda zara, because that is already included in "the avoda zara of his friend"! Rather, it must be referring to a ger toshav, and we see that a ger toshav can be mevatel an avoda zara!? **A:** It may be that this is not referring to a ger toshav. Rather, the Braisa first makes reference to a goy being mevatel the avoda zara of his friend when the two of them worship the same avoda zara, and the Braisa then makes reference to a goy being mevatel the avoda

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zara of his friend when the two of them worship different avoda zaros. However, no reference is made to a ger toshav.

- **Q:** A Braisa discusses a number of halachos regarding a ger toshav and then discusses the status of his wine. The Braisa then says, that with respect to all other matters the ger toshav has the status of a goy. Presumably this refers to the fact that he can be mevatel an avoda zara like a goy!? **A: R' Nachman bar Yitzchak** said, this doesn't refer to being mevatel an avoda zara. This refers to his inability to relinquish his rights in a chatzer to allow Yidden to carry in that chatzer on Shabbos. A Braisa teaches that only a Yid can relinquish his rights, but a goy cannot.

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- **R' Yehuda** sent a gift to a goy named Abidarna on the goy's holiday. **R' Yehuda** explained that he knew that Abidarna did not worship avoda zara, and therefore a present to him on that day was mutar. **R' Yosef** asked, a Braisa says that a ger toshav is one who accepts in front of a Beis Din that he will not worship avoda zara. This suggests that anyone else is considered to be a goy who worships avoda zara!? **R' Yehuda** said, that Braisa is referring to the obligation to sustain a ger toshav – for that he must accept in front of a Beis Din of 3. However, to lose the status of an idol worshipper he does not need such an acceptance.
 - **Q:** We have learned that **Rabbah bar bar Chana in the name of R' Yochanan** said, if a ger toshav does not fully convert to Yiddishkeit within 12 months, he is considered like a min of the worshippers of avoda zara. Since Abidarna did not convert, he gets this status, so how was **R' Yehuda** allowed to give him a gift? **A: R' Yochanan** was talking about a case where the ger toshav accepted to get a bris milah and then did not. However, if he makes no commitment, he would not get that status.
- **Rava** gave a gift to Bar Sheishach the goy and explained he was allowed to do so, because Bar Sheishach did not worship avoda zara. **Rava** found Bar Sheishach sitting in the bathhouse with rose petals up to his neck, surrounded by zonos. He asked **Rava**, is Olam Habbah as pleasurable as this? **Rava** said it is more pleasurable, because there will not even be the fear of the kingdom there, but here you still have the fear of the kingdom. Bar Sheishach said that he does not fear the kingdom. Just then, a messenger came from the king that demanded that he appear before the king.

SECHARO LAASOS IMO MELACHA ACHERES

- **Q:** This suggests that it would be mutar even if he was asked to do the work with the yayin nesech during the work day. However, a Braisa says, if a goy hires a Yid to do mutar work and towards evening (after the work day) he tells the Yid to transport a barrel of yayin nesech, the wages are mutar. This suggests that the wages are mutar only because the work with the yayin nesech was done after the work day!? **A: Abaye** said, our Mishna is also referring to where the work was done after the work day. **A2: Rava** said, the Braisa is where the deal was that he would be paid 100 perutos to transport 100 barrels of wine. The payment is only when all 100 barrels are moved. If one of them is yayin nesech, the entire wage would be assur. The Mishna is discussing a case where he was asked to move each barrel for a perutah. Therefore, if one of the barrels are yayin nesech, it is only the wage for that barrel that is assur.
 - A Braisa says like **Rava**.

HASOCHER ES HACHAMOR L'HAVI ALEHA YAYIN NESECH...

- **Q:** This case seems to be practically identical to the first case of the worker!? **A:** The Mishna does not need to teach that the fee would be assur. The Mishna needs to teach that even if the goy put his flask of yayin nesech on the donkey, the fee is mutar, because the fee paid does not allow for placement of one's flask on the donkey.
 - **Q:** A Braisa says, if someone rented a donkey to ride on, he may load it with clothing, the flask, and the food that he will need for the entire journey. If he wants to load anything more than that, the donkey owner may stop him from doing so. The donkey driver may put barley and straw on the donkey, and his own food for that day. With regard to anything more, the renter may stop him from doing so. We see that the renter has the right to put his flask on the animal!? **A: Abaye** said, he has the right to do so, but if he does not do so he does not receive any discount. Therefore, we see that no part of the fee is given for the right to place the flask on the animal.

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- **Q:** What is the case? If there will be places to buy food along the way, why can't the owner stop the renter from taking more than food for one day? If there is no place to stop and get food, the renter should not be able to prevent the donkey driver from taking enough food for the entire journey!? **A: R' Pappa** said, the case is that there is food available for someone who will search for it when they stop at an inn. It is normal for a donkey driver to do so, and therefore he can't take more than he needs for one day. It is not normal for a renter, and therefore he is allowed to take enough for the entire trip.
- The father of **R' Acha the son of R' Ika** would pour wine into bottles for goyim and would then transport them across the river to them. In return, he would get the earthenware barrels in which the wine was stored. People told **Abaye** about this. **Abaye** said this was mutar, because when **R' Ika** dealt with the wine, it was mutar wine.
 - **Q: R' Ika** wanted the wine in the bottles to remain in existence, because if they would break he would have to use his barrels to save the wine!? **A: R' Ika** had made a tnai with them that he would not have to use his barrels to save the wine. **A2:** The goyim would have empty keilim with them in case the bottles would break.
 - **Q:** By transporting it across the river he was working with assur wine!? **A:** He had others do it for him.

MISHNA

- If yayin nesech fell onto grapes, they can be rinsed and are mutar. If the grapes were cracked, they are assur. If the wine fell onto figs or dates, if the wine gives a flavor in them, they are assur.
 - It once happened with Baisus ben Zunan, that he brought dried figs on a ship and yayin nesech fell on them. He asked the **Chachomim** and they were matir it for him.
 - The general rule is, if the flavor given by an assur thing is a good flavor, the item is assur. If it is not a good flavor, the item is mutar – like if vinegar fell onto beans.

GEMARA

- **Q:** The story seems to contradict the halacha taught earlier in the Mishna!? **A:** The Mishna is missing words and should say, "if the flavor given is a bad flavor, it is mutar, and it once happened..."
- There was a pile of wheat onto which yayin nesech spilled and **Rava** allowed the wheat to be sold to goyim. **Rabbah bar Leivai** asked **Rava**, a Braisa says that if a thread of klayim is lost in a garment, it may not be sold to a goy. Presumably this is because the goy would then possibly sell it to an unsuspecting Yid. If so, the same should be true for selling this wheat to a goy, and it should therefore be assur!? **Rava** then said, it would be mutar to grind the wheat and bake it and sell the bread to a goy when a Yid is not around (a Yid would not buy it from him, because the bread of a goy is assur).
 - **Q:** Our Mishna said that the grapes are mutar when yayin nesech falls on them as long as the grapes are then rinsed. If so, the same should be true for wheat!? **A: R' Pappa** said, the indentations in wheat make it like they have cracks.