



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

Zevachim Daf Samach Tes

- **R' Yitzchak** said, I heard two rulings – one about the kemitza of a non-Kohen and one about the melika of a non-Kohen. Regarding one, the ruling was that if it was brought up onto the Mizbe'ach it would have to be taken off, and regarding the other, the ruling was that it would not have to be taken off. However, I don't remember which ruling was said for which case. **Chizkiya** said, it makes sense to say the kemitza would have to be brought down and that the melika would stay up on top.
 - **Q:** Why is melika different? If it is because it was done by a non-Kohen on a bamah, a kemitza was also done by a non-Kohen on a bamah! You can't say that he holds that there were no menachos brought on bamos, because **R' Sheishes** has said that whoever holds there were no menachos on bamos also holds that there were no birds brought on bamos! **A:** Rather, the mincha on a bamah was done without putting it into a kli shareis, and therefore it is different than the mincha brought on the Mizbe'ach, and can't serve as a basis for allowing it to stay up on top.

MALAK BISMOL OY BALAYLA...

- A Braisa says, we would think that a passul melika done in the Azarah would make the bird give off tumah when swallowed. The pasuk therefore says "neveila", which excludes a bird killed with melika. [**Q:** The Gemara asks, a bird killed with melika is also a "neveila"! **A:** The Braisa is darshening the word "treifa", not "neveila".] The Braisa continues, we learn from the word treifa that just as becoming a treifa is something that does not make anything mutar that was assur until then, so too, the only killing of a bird that makes it have tumah is a killing that doesn't make anything mutar that was assur until then. This excludes even a passul melika which makes the bird be allowed to stay on top of the Mizbe'ach if it was brought up and therefore a bird killed with a passul melika in the Azarah would not have tumah. At the same time, this drasha comes to include the cases of melika done to a bird of kodashim outside the Azarah, and to a melika on a bird of chullin whether inside or outside the Azarah – since the melika is not matir anything it makes the bird have tumas neveila when swallowed.
 - Another Braisa says, we would think that if a chullin bird is shechted in the Azarah, or if a bird of kodashim is shechted inside or outside of the Azarah, that it should get tumas neveila, the pasuk therefore says "neveila", which excludes these cases. [**Q:** The Gemara asks, a bird killed with shechita when it is not appropriate is also a "neveila"! **A:** The Braisa is darshening the word "treifa", not "neveila".] The Braisa continues, we learn from the word treifa that just as becoming a treifa is something that is the same whether it happens in the Azarah or outside, so too, the only killing of a bird that makes it have tumah is a killing that is the same whether done inside or outside. This excludes a chullin bird shechted inside the Azarah and a bird of kodashim shechted inside or outside, since they are not the same when done inside and outside, and they therefore don't give off tumah when swallowed.
 - **Q:** The shechting of a chullin bird is not the same when done inside and outside, but the shechting of a kodashim bird is the same in both places!? **A: Rava** said, if shechting a bird of kodashim outside the Azarah can make the person chayuv kares, it most definitely must be significant enough of an act to remove the bird from becoming tumas neveila. Based on this, the shechting inside and outside will not be the same, and therefore it will also not bring tumas neveila.
 - **Q:** Based on this we should say that melika on kodashim outside the Azarah should not make the bird have tumas neveila since it is not the same inside and outside the Azarah!? **A: R' Simi bar Ashi** said, the Braisa means to compare the inside and outside when they are both done in a way in which it is passul.

Melika inside is valid, and therefore we would not learn melika outside from melika inside.

- **Q:** A Braisa learns from bamah that something of kodashim that was taken outside of the Azarah and is then brought up onto the Mizbe'ach is not taken down, even though by a bamah this is perfectly valid!? **A:** The Tanna actually learns this halacha from the pasuk of "zos Toras ha'olah".

MISHNA

- If a Kohen did melika and the bird was found to be a treifa, **R' Meir** says the bird would not give off tumas neveila when swallowed, but **R' Yehuda** says that it would.
 - **R' Meir** said, I base this on a kal v'chomer – if the neveila of an animal, which gives off tumah when touched or carried, and yet shechita will prevent a treifa from becoming tamei, then with regard to a bird, whose neveila does not give off tamei through touch and carrying, certainly a shechita will prevent a treifa from becoming tamei. Now, just as a shechita permits it to be eaten and prevents the treifa from becoming tamei, so too a melika, which permits the bird to be eaten, will also prevent a treifa from becoming tamei.
 - **R' Yose** said, it is enough ("dayo") to compare the birds to the animals – just as by an animal it is only a shechita (not a melika) that prevents it from becoming neveila, so too by a bird, it is only a shechita that will prevent it from becoming a neveila.

GEMARA

- **Q:** Does **R' Meir** not hold of the concept of limiting a kal v'chomer based on "dayo"? We learn in a Braisa that this is a D'Oraisa concept!? **A:** **R' Yose the son of R' Avin** said, **R' Meir** actually learned the halacha regarding melika from a pasuk that makes a hekesh between an animal and a bird, not from a kal v'chomer. He says the hekesh comes to teach that anything that would make it mutar to eat also makes it not become tamei as a neveila.
 - **Q:** What does **R' Yehuda** hold? **A:** He says the word "treifa" in the pasuk regarding kosher birds is extra, because a treifa would already be covered by the word "neveila", and teaches that the shechita of a treifa bird will not prevent it from having tumas neveila.
 - **Q:** **R' Shizbi** said, if this drasha is proper, then when the pasuk says that the cheilev of a neveila and the cheilev of a treifa are not tamei, we should also say that "treifa" is extra and should say that it comes include a treifa that was shechted, which would mean that only the cheilev of a treifa that was shechted is not tamei, but the meat it tamei. However, this can't be right, because **R' Yehuda in the name of Rav** (or a Braisa) darshened the pasuk of "v'chi yamus min habeheima" to teach that only some animals become tamei and not others – the others being a treifa that was shechted! Rather, the word "treifah" regarding the cheilev comes to exclude the cheilev of a non-kosher animal. Similarly, we would say that the word "treifah" regarding the birds comes to exclude non-kosher birds from making tamei when it is swallowed. Therefore, this word is not extra!? **A:** **R' Yehuda** learns to exclude a non-kosher bird from the word "neveila" (therefore "treifa" is extra), as he says in a Braisa that "neveila" teaches that only something that is assur to eat because it is a neveila becomes tamei as a neveila. A non-kosher animal is assur to eat because it is non-kosher and therefore would not become tamei as a neveila.
 - **Q:** If so, the "neveila" regarding cheilev should also be able to teach this using the same logic, and if so the word "treifa" in that pasuk is extra as well!? **A:** **R' Yehuda** says, the word "treifa" regarding cheilev teaches that the cheilev of a chaya also does not become tamei as a neveila. We would have thought that the pasuk only refers to cheilev that is normally assur to eat, but the cheilev of a chaya, which may be eaten, is not included in the pasuk.

- **Q:** Why should the cheilev of a chaya not become tamei? We have a pasuk that suggests that it does become tamei neveila!?