



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

Chullin Daf Samach Tes

- **Q: R' Chanina** asked, what is the halacha if the fetus of a korbon stuck out its leg from its mother in the Azarah? Do we say that since the Azarah is a boundary for purposes of shechting the korbon it also acts as the boundary for the fetus as well, and that leg may therefore be eaten, or do we say that for purposes of the fetus the boundary is its mother and therefore this leg may not be eaten? **A: Abaye** asked, you should have this same question regarding an animal of kodshei kalim that is inside the walls of Yerushalayim and its fetus sticks out its leg there!? The reason you don't ask that is, because you feel that the walls of Yerushalayim are only boundaries for purposes of the korbon, not for purposes of the fetus. The same is true regarding the walls of the Azarah.
- **Q: Ilfa** asked, what is the halacha if the fetus stuck out its leg between the shechita of the first siman and the second siman? Is the cutting of the two simanim combined for purposes of saying that it prevents the leg from becoming tamei as a neveila or not? **A: Rava** said, we can make a kal v'chomer – if the cutting of the two simanim combine to allow the meat to be eaten, certainly it combines to prevent the leg from becoming tamei as neveila.
- **Q: R' Yirmiya** asked, if a "ben pakuah" (an animal found in the stomach of a mother that was shechted) had stuck out its leg before the shechita, and this ben pakuah then grew up and produced offspring of its own, is the leg of the offspring assur like the leg of its ben pakuah father?
 - **Q:** What is the case? If the mother of this new offspring was a regular animal (not a bas pakuah), then there is a problem even if the father had not stuck out its leg from its mother, because **R' Mesharshiya** said, that according to the view that an offspring is considered to be the offspring of the father as well, the offspring of a father who was a ben pakuah cannot become mutar to be eaten!? **A: R' Yirmiya** is referring to case where this animal (the ben pakuah that had stuck its leg out of its mother before her shechita) was the father and a bas pakuah was the mother. The question is, do we say that each limb of the offspring is created by the corresponding limb of the father, and therefore the leg of the offspring would be assur (like that of the father), so we must cut it off and can then eat the rest of the animal, or do we say that the zerah of the father is mixed into the entire being of the offspring and therefore the entire offspring is assur?
 - Later he said that it is obvious that the zerah of the father is mixed into the entire being of the offspring, because if not, every blind animal should only have offspring that are blind, and every lame animal should only have offspring that are lame. Rather, his question is, every animal is born from a father that has assur parts to him – cheilev and blood – and yet this does not make the offspring assur. Do we say that same thing when it has an assur leg (it is no different than the cheilev and blood), or do we say that the offspring is only mutar when there are two issurim that contribute to his development (cheilev and blood), but not when there are three issurim (the third being the leg of the father ben pakuah)?
 - **Q:** According to who would this question apply? It can't apply according to **R' Meir**, because he says that a fully developed ben pakuah found in a shechted cow needs its own shechita (and there would therefore not be an issur regarding its leg that was stuck out)!? It also can't apply according to **R' Yehuda**, because he says that there is no issur of cheilev on a ben pakuah!? According to both, there is never a situation where there are 3 issurim!? **A:** Rather, we certainly do not say that the offspring of the ben pakuah that stuck out its leg would be assur. The

question that was asked is, if a bas pakuah had stuck out its leg from its mother before the mother's shechita and that bas pakuah then matured, may one drink its milk? Do we say that all milk of a cow is somewhat like eiver min hachai and yet it is mutar, and this case is no different, or do we say that in a normal case the issur on the cow can be rectified with a shechita, but this animal's issur (the leg that was stuck out) cannot? **TEIKU**.

CHOTEICH MEI'UBAR...

- **Q:** How do we know that if one cut off a piece of the fetus and left it inside the mother and then shechted the mother, that the piece becomes mutar with the mother's shechita? **A:** The pasuk says "v'chol beheima mafreses parsah...babeheima" – the words "beheima...babeheima" (an animal...within an animal) comes to include a fetus found in a shechted mother as being mutar.
 - **Q:** If a fetus is referred to as an animal (beheima) then why does a Mishna say that a fetus cannot be the subject of temurah? **A:** Rather the drasha to permit a fetus found in a shechted mother is based on the word "v'chol beheima", but the fetus itself is not referred to as an animal.
 - **Q:** If the word "v'chol" teaches that anything found in a shechted animal is mutar, then even if one cuts off a piece of an animal's spleen or kidneys and leaves it inside until after the shechita, the pieces should be mutar, and yet the Mishna said that it is not!? **A:** The word "osah" in the pasuk excludes a piece of the animal itself.
 - **Q:** If the word "v'chol" teaches that anything found in a shechted animal is mutar, then even if one finds something that looks like a dove in a shechted cow it should be mutar. Why did **R' Yochanan** say that this would be assur? **A:** The fetus must have hooves to be mutar, and this thing does not have hooves.
 - **Q:** If so, if a fetus that doesn't have split hooves is found in a shechted cow it should be assur!? **A:** A Braisa taught by the yeshiva of **R' Yishmael** follows the view of **R' Shimon ben Yochai** who darshened the pasuk "parsah...babeheima...tocheilu" to teach that even if the fetus has "one hoof" (not split hooves) it is mutar.
 - **R' Simi bar Ashi** said, the drasha that permits the fetus is as we stated originally ("beheima...babeheima"). The reason why the Mishna says a fetus cannot be the subject of temurah is because the Mishna follows the view of **R' Shimon**, who compares temurah to animal maaser, and just as animal maaser doesn't apply to a fetus, temura does not either.
 - **Q:** How do we know this is the view of **R' Shimon**? **A:** The Mishna regarding temurah says that **R' Yose** responds (to a Tanna that he presumably was discussing this with) that one should be able to make even a limb temurah, since we find that if one gives one leg of an animal as an olah, the entire animal becomes an olah. The same should therefore apply to temurah. Now, who was he responding to? It can't be **R' Meir** and **R' Yehuda**, because they say in a Braisa that in that case the animal would *not* become an olah. Rather, it must be that he was responding to **R' Shimon**, who says in the Braisa that the entire animal would become an olah, and we see that **R' Yose** knew that **R' Shimon** held that temurah does not apply to limbs or fetuses.
 - The Gemara says this is not a proof. It may be that **R' Yose** was making a statement, and was not responding to a previous Tanna. Therefore, that Tanna's reason for not applying temurah to a limb or fetus may not be based on a comparison to maaser, but may instead be based on the fact that he holds that a fetus is not an "animal".

MISHNA

- If an animal is having a difficult labor with its first child (which would therefore be a bechor), one may cut off each limb as it comes out of the womb and throw it to the dogs (because it does not get the kedusha of a bechor until the majority or its head come out of the womb). If the majority

came out of the womb whole, and then a person cut it up, it must be buried. The mother's next offspring is patur from being a bechor.

GEMARA

- If a third of a bechor came out of the womb and the owner sold it to a goy, and then another third came out, **R' Huna** says it has kedushas bechor, because he holds that once a majority is born it becomes kadosh retroactively to when any of it was born, which means that he had no rights to sell to the goy when a third was already born. **Rabbah** says it does not have kedushas bechor, because he holds that it only gets kedusha from this point and forward, and therefore when one a third was born he had rights to sell it to the goy.
 - They follow their views of elsewhere, where a bechor was born one third through a Cesarean Section and two thirds by natural birth, in which case **R' Huna** says it is not a bechor and **Rabbah** says it is. **R' Huna** holds that we look retroactively, and at the point that a majority was born that majority was born less than 50% from the womb. Therefore, it is not a bechor. **Rabbah** holds that we look from this point and forward, and since there was a majority that was born via the womb, it becomes kadosh at that time.
 - Both cases are needed. If we only had the first case, we would think that **R' Huna** holds that way there, because saying like **Rabbah** leads to a kulah, but in the second case where **Rabbah** leads to a chumrah we would think that **R' Huna** agrees with him. If we only had the second case, we would think that **Rabbah** only holds that way there, because it leads to a chumra, but in the first case, where his view leads to a kulah we would think to say that he may agree with **R' Huna**. This is why both cases are needed.
 - **Q:** Our Mishna says, if an animal is having a difficult labor with its first child (which would therefore be a bechor), one may cut off each limb as it comes out of the womb and throw it to the dogs. Presumably, this means that he cuts off the pieces and leaves them lying there and then throws them all to the dogs when he is done cutting. Now, according to **R' Huna** we should say that it becomes retroactively kadosh as a bechor and it should need to be buried!? **A:** The case is that he cuts each piece and immediately throws it to the dog before cutting the next piece.
 - **Q:** That means that if he would leave them there without throwing each one to the dog as it is cut, he would have to bury them. If so, when the Mishna wants to contrast and give a case of where the bechor would have to be buried, instead of giving the case of where the majority emerged whole, why doesn't it continue to give the case of where it was cut into pieces, but where the pieces were still lying there!? **A:** That is actually what the Mishna is saying. The Mishna is saying that if the pieces are all lying there it is *as if* the majority emerged whole, and the pieces must be buried.