



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

Chullin Daf Pey Gimmel

MISHNA

- There are 4 times during the year when one who sells an animal must tell a buyer of the sold animal's mother or offspring that the mother or offspring was sold to be shechted today. The 4 times of the year are: Erev Shmini Atzeres, Erev Pesach, Erev Shavuot, and Erev Rosh Hashanah. According to **R' Yose Haglili** there is a 5th day: Erev Yom Kippur in the Galil.
 - **R' Yehuda** said, this is when the two sales take place on the same day, but if they were not on the same day, he does not have to notify the purchaser that the other animal was sold. **R' Yehuda** agrees that if the mother animal is sold to a chosson and the offspring animal is sold to his kallah that the seller would have to notify the second buyer even if the sales took place on different days, because it is known that they both purchased the animals to be shechted on the same day.
 - During these 4 times we force a butcher to shecht his animal against his will if someone has paid for even a small portion of the meat. Even if the ox is worth 1,000 dinar and a buyer has paid 1 dinar, we force the butcher to shecht the animal. Therefore, if the animal died before it was shechted (after the customer paid) it is the customer who suffers the loss for what he paid. However, during the rest of the year it is not so (we do not force a butcher to shecht before he has enough interest to make it worth his while). Therefore, if the animal died before it was shechted, it is the seller who suffers the loss (and he must refund the money to the buyer).

GEMARA

- A Braisa says, if a seller does not tell a buyer that he sold the animal's mother or offspring that day, the buyer may shecht the animal and need not be concerned for the possibility that the mother or offspring was shechted that day.

AMAR R' YEHUDA EIMASAI...

- **Q:** Why does the Mishna say that the mother animal is purchased by the chosson and that the offspring is purchased by the kallah? **A:** The Mishna is teaching in passing that it is customary for the chosson's family to put more effort into the wedding than the kallah.

B'ARBA'AH PERAKIM EILU...

- **Q:** The buyer did not do "meshicha" and therefore was not koneh (transfer of money alone is not a kinyan), so why is the butcher forced to shecht for him and if there is a loss it is the buyer who suffers the loss!? **A: R' Huna in the name of Rav** said, the Mishna is discussing where the buyer did do meshicha.
 - **Q:** If meshicha was done, why is it that at other times of the year if the animal dies it is the seller who suffers the loss!? **A: R' Shmuel bar R' Yitzchak** said, the Mishna is discussing cases where meshicha was not done, but rather the seller had a third party to be "zocheh" for the buyer. Therefore, during these 4 times of the year, where it is considered a benefit to buy meat, we follow the rule that one can be zocheh on behalf of someone else even without the recipient's knowledge and he is therefore koneh. At other times of the year it is not considered a benefit to buy the meat, and we therefore follow the rule that one cannot detriment for someone else without his consent, and therefore the buyer is not koneh the meat until he actually does meshicha.
 - **A: R' Elazar in the name of R' Yochanan** said, during these 4 times of the year the **Rabanan** established that the halacha should follow the D'Oraisa rule, that mere payment of money makes a kinyan. It is only a gezeira of the **Rabanan** that at all other times a buyer is not koneh until he does meshicha.

MISHNA

- When we say that a mother and offspring may not be shechted on “one day”, that day follows the night (the night and the following day make up “one day”).
 - **R’ Shimon ben Zoma** darshened, regarding Creation the pasuk says “yom echad” and regarding oso v’es beno the pasuk says “yom echad” – just as in Creation the night and the following day make up “one day”, so too regarding oso v’es beno the night and the following day make up “one day”.

GEMARA

- A Braisa says, **R’ Shimon ben Zoma** darshened, since the pasuk of oso v’es beno is written in the parsha of korbanos, and regarding korbanos the night follows the day, we would think that this is true for oso v’es beno as well. However, we have a gezeira shava that teaches that this is not the case. Regarding Creation the pasuk says “yom echad” and regarding oso v’es beno the pasuk says “yom echad” – just as in Creation the day follows the night, the same is true for oso v’es beno. **Rebbi** says, the pasuk of oso v’es beno says “yom echad”, which teaches that there are only specific days that require a seller to announce that the animal was sold that day. From here the **Rabanan** have said that there are 4 times during the year that a seller must tell the buyer of an animal if the animal’s mother or offspring had previously been sold that day.

HADRAN ALACH PEREK OSO V’ES BENO!!!

PEREK KISUY HADAM -- PEREK SHISHI

MISHNA

- “Kisuy hadam” (the requirement to cover the blood) applies in EY and in chutz laaretz, when the Beis Hamikdash is standing and after the Churban, and applies to animals of chullin, but not to animals of kodashim. It applies to chayos and birds, whether they are owned or are from the wild, and applies to a kvi, because it is a safek and may be a chaya. A kvi may not be shechted on Yom Tov, and if one did shecht it on Yom Tov, we may not cover its blood.

GEMARA

- **Q:** Why does kisuy hadam not apply to kodashim? Don’t say it is based on **R’ Zeira** who darshens the pasuk of “be’afar” to teach that the blood must be covered with dirt from underneath and on top, and that can’t be done on the Mizbe’ach – if we put earth on the Mizbe’ach and make it batel to the Mizbe’ach we have thereby added onto the structure, which we may not do, and if we don’t make it batel, we have created a chatzitza with the Mizbe’ach – because we learn from a ruling of **R’ Yonason ben Yosef** in a Braisa that if a chaya was shechted in the same place that a beheima was shechted (so that the blood of the chaya pours onto the blood of the beheima) there is a chiyuv to cover the blood from on top. Based on this, even though by kodashim we would not be able to have earth on the bottom, since we can still put earth on top there should be an obligation of kisuy hadam!? **A:** The reason why putting earth on top by kodashim would not work is based on another statement of **R’ Zeira**, where he says regarding a korbon mincha - if a mincha is fit to be mixed, mixing is not essential, but if it is not fit to be mixed, mixing is essential. Similarly here, since it is not possible to put earth on the Mizbe’ach, that requirement is essential. Since this cannot be done, it is impossible to do kisuy hadam on kodashim and they are therefore not included in the obligation of kisuy hadam.
 - **Q:** Why can’t he squeeze the blood onto the Mizbe’ach and then scrape it off and put it onto earth and cover it with more earth? A Mishna says that blood on a knife must be covered, which means that it must be scraped and covered, so why don’t we say the same thing here? **A:** That would be true for kodashim that are going on the Mizbe’ach, which would therefore be chayuv in kisuy hadam. The Mishna is referring to animals of bedek habayis (from which one may not have hana’ah, and the shechita done on them is not considered to be a shechita for purposes of kisuy hadam, because it doesn’t make it mutar to be eaten, and that is why there is no kisuy hadam).
 - **Q:** Why can’t he redeem the shechted animal, making it mutar to be eaten, and then cover its blood? **A:** An animal must be stood up and assessed before it can be redeemed, so a shechted animal can’t be redeemed.

- Q:** According to this, who does the Mishna follow? It can't follow **R' Meir** who says that even an animal of hekdesch must be stood up and assessed before it can be redeemed, because he holds that a shechita that does not make the animal mutar to be eaten is considered to be a shechita and therefore it would need to have the blood covered!? It also can't follow **R' Shimon**, for although he holds that a shechita that does not make the animal mutar to be eaten is not considered to be a shechita, he holds that even a shechted animal can be redeemed, and therefore it should be subject to kisuy hadam!? **A:** **R' Yosef** said, the Mishna is the view of **Rebbi**, who holds like **R' Shimon** regarding what is considered to be a shechita, and holds like **R' Meir** regarding the requirement for the animal to stand and be assessed before it is redeemed. **A2:** We can also say that the Mishna follows the view of **R' Shimon**. Although he holds that the shechted animal can be redeemed, the reason it is not subject to kisuy hadam is that the pasuk says "v'shafach v'kisah", which means that only something whose blood can be spilled and then covered is subject to kisuy hadam. This excludes the case of hekdesch, which would require spilling, *then redemption*, and then covering.

 - Once we have this last answer we can even say that the Mishna refers to kodashim that are to go on the Mizbe'ach, and the reason the blood is not subject to kisuy hadam is that these kodashim would require spilling, *then scraping*, and then covering.
- Mar bar R' Ashi** said, the pasuk regarding kisuy hadam says "chaya oy oif". We darshen, that just as a chaya is something which is not of kodashim (a chaya cannot be brought as a korban), so too the bird is a bird that is not of kodashim.