

V.

Bavli Abodah Zarah Chapter Five

Folios 62A-76B

5:1

- A. [62A] A [gentile] who hires an [Israelite] worker to work with him in the preparation of libation wine —
- B. [the Israelite's] salary is forbidden.
- C. [If] he hired him to do some other kind of work,
- D. even though he said to him, "Move a jar of libation wine from one place to another,"
- E. his salary is permitted.
- F. He who hires an ass to bring libation wine on it —
- G. its fee is forbidden.
- H. [If] he hired it to ride on it,
- I. even though the gentile [also] put a flagon [of libation wine] on it,
- J. its fee is permitted.

I.1 A. *What is the reason that the Israelite's salary is forbidden?*

- B. *If one should propose that, since libation wine is forbidden as to any sort of benefit, so, too, his salary deriving from working on it is forbidden as well, lo, there are*

the cases of orlah produce [deriving from a fruit tree in the first three years after it is planted], and mixed seeds in a vineyard, which are forbidden as to any sort of benefit whatsoever, *and yet we have learned on Tannaite authority*: if one sold them and betrothed a woman with the proceeds, she is sanctified.

- C. *If, further, one should propose that the operative consideration is that his money derives from libation wine, so it is in the classification of an idol itself, lo, there is the case of produce of the Seventh Year, in which case the proceeds derived from the sale derive from the Sabbatical Year, and yet we have learned in the Mishnah: One who says to his worker, “Here is an issar for you and gather vegetables [of the Sabbatical Year] for me today” — his payment is permitted. [If, however, he said], “For this [issar], gather vegetables for me today” — his payment is forbidden [since the payment is specified as wages for services rendered] [M. Sheb. 8:4A-D]!*
- D. Said R. Abbahu said R. Yohanan, “It is an extrajudicial sanction that sages have imposed on ass drivers and on matters involving libation wine.”
- E. *As to the matter involving libation wine, it is as we have just said. As to the matter involving ass drivers, what is it?*
- F. *It is in accord with that which has been taught on Tannaite authority:*
- G. Ass drivers who were doing work involving produce of the Sabbatical Year — their salary is subject to the restrictions of the Sabbatical Year.
- H. *What is the meaning of* their salary is subject to the restrictions of the Sabbatical Year?
- I. *Should one propose that they are paid their salary out of produce of the Sabbatical Year, then one party turns out to pay off what he owes through produce of the Sabbatical Year, and the Torah has said, “And the Sabbath of the land shall be for food” (Lev. 25: 6), — and not for commercial transactions.*
- J. *Rather, the meaning must be, their salary is sanctified as the produce of the Sabbatical Year is sanctified.*
- K. *But is that deemed sanctified? And have we not learned in the Mishnah: One who says to his worker, “Here is an issar for you and gather vegetables [of the Sabbatical Year] for me today” — his payment is permitted. [If, however, he said], “For this [issar], gather vegetables for me today” — his payment is forbidden [since the payment is specified as wages for services rendered] [M. Sheb.*

8:4A-D. [So there are conditions in which the salary is not deemed sanctified and so forbidden.]

L. *Said Abbaye, "In point of fact, we do pay his salary out of produce of the Sabbatical Year, and, as to your question, deriving from the exegesis, "And the Sabbath of the land shall be for food" (Lev. 25: 6) — and not for commercial transactions, it is assumed that he paid the salary in a proper way, as we have learned in the Mishnah: A man may not say to his friend, "Take this produce [in the status of second tithe] up [62B] to Jerusalem [in order] to divide [it between us]." But he says to him [to the friend], "Take this [produce] up [to Jerusalem] so that we may eat of it and drink of it [together] in Jerusalem." Truly they give [produce] to one another as a gift [M. Maaser Sheni 3:1A-E]."*

M. *And Raba said, "In point of fact the money is subjected to the sanctification affecting produce in the Sabbatical Year, and as to the question that you raise concerning the teaching about the workman [who gathers produce in that year], in the case of the workman, who gets a pittance, rabbis did not impose an extra-judicial sanction, but in the case of ass drivers, whose wages are substantial, rabbis did impose an extrajudicial sanction, and as to our Mishnah passage as well, the rule governing libation wine is likewise exceptionally strict."*

I.2 A. *The question was raised: "If one has hired the workman to work on wine belonging to gentiles that has not been used for libation wine in particular, what is the law on the disposition of the salary? Do we maintain that, since the prohibition of such wine belonging to gentiles [but not used for libation wine in particular] is as strict as that applying to libation wine, the wage is also prohibited [as before], or do we hold that just as the power of such wine in regard to uncleanness is mitigated, the wage for working on it likewise is subjected to a less strict rule?"*

B. *Come and take note: Someone hired out his boat to carry wine belonging to gentiles that has not been used for libation wine in particular. They paid him wheat as his salary. He came before R. Hisda.*

C. *He said to him, "Go, burn it, and bury it in a graveyard."*

D. *But why not instruct him just to scatter the grain?*

E. *On account of the ground [unknowingly] people might stumble.*

- F. *But why not then burn it and scatter the ashes?*
- G. *People might use it for manure.*
- H. *Then why not bury it as is, for have we not learned on Tannaite authority: The stone with which a person was stoned, the tree on which he was hanged, the sword with which he was decapitated, and the sheet with which he was strangled all are to be buried with him [so we do not take account of the possibility that people will disinter these forbidden objects].*
- I. *In that case, since they are buried by the court, it is common knowledge that they were executed by the court, but in the case at hand, people might not commonly know why the grain has been buried, and someone might suppose that the wheat had been stolen and brought here to be buried.*

I.3 A. *Members of the household of R. Yannai would borrow from the poor produce of the Sabbatical Year and then repay in them in the eighth year [to help them in the year when the harvest would be meager; but the lenders thus exchanged produce for produce of the Sabbatical Year, and that is not allowed].*

B. *They came and told R. Yohanan about it. He said to them, "Well and good have they done [Cohen: because it was not actually a case of exchange, since the produce of the eighth year did not exist at the time that the fruits of the Sabbatical Year were borrowed, so the holiness of the Sabbatical Year did not affect what the people ate in the eighth year]."*

C. *And the correct analogy is in the case of the harlot's hire, which is permitted [for use in the Temple], for it has been taught on Tannaite authority:*

D. *If the john gave her the animal but did not come on top of her, or came on top of her but did not give her a fee, her fee is legitimately set on the altar.*

E. *If the john gave her the animal but did not come on top of her — that is obvious! Since he has not had sexual relations with her, it is just a gift [so do you call that a whore's fee]?*

F. *And furthermore, if he came on top of her but did not give her a fee — what in the world has he given her anyhow! And since he has not given her anything, what “harlot’s hire” is in play here in any event?*

G. *But the sense of the passage is as follows:*

H. If he gave her an animal as a fee and afterward came upon her, or if he came upon her and afterward gave her an animal, her fee is permitted.

I. *But if he gave her an animal as a fee and afterward came upon her, [63A] let the classification of a whore’s fee apply to the beast retroactively!*

J. Said R. Eleazar, “We deal with a case in which she went and offered the lamb in advance [of having sexual relations with the john].”

K. *How may we imagine such a case? Shall we say that he gave her title to the beast forthwith? Then it is obvious that the beast is permitted for the altar, since it was not in existence at the time that they had sexual relations, so it was merely in the status of a gift [since up to this moment he has not come upon her]. Rather, it is a case in which he said to her, “You will not acquire title to the beast until we have had sex.”*

L. *But under such circumstances, can she offer the animal?* Scripture has said, “And when a man shall consecrate his house to be holy to the Lord” (Lev. 27:14), [with the following result:] just as his house falls within his domain, so whatever falls within his domain [may be consecrated, excluding that to which a person does not in fact have title].

M. *The rule was required to cover a case in which he said to her, “You will not acquire title to the beast until we have sex, but if you really need it,*

then you may have title to it from this point onward.” [The upshot is that she has title such as to be able to dedicate the animal, since she can use it if she is in need. The beast is not deemed the hire of a harlot if she went ahead and offered it prior to having sexual relations with the customer.]

- N. R. Hoshaia raised the following question: “If she went ahead and consecrated the animal prior [to having sex], what is the law? Since a master has said, **An oral statement in respect to consecrating something is equivalent to an act of actual transmission in a private transaction [and one cannot retract]** [M. Qid. 1:6H], so it is as though she had offered it up. Or perhaps now, in any event, the animal still is in existence at the time of sexual relations?
- O. Why not solve the problem by reference to that which R. Eleazar said, for R. Eleazar said, “If she went ahead and offered the animal [in advance of having sexual relations with the john, it is acceptable]”? If she offered it, it is acceptable for the altar, because at the time of intercourse, it is not in existence at all; this then implies that if she dedicated it, since at the moment of intercourse, the animal was in existence, it is forbidden for use on the altar.
- P. That is precisely what R. Eleazar himself was asking: If it is clear to R. Eleazar that she offered it up, then the law applies [for it is not in existence at the time of sexual relations, so the animal is

acceptable for the altar]. But if she had consecrated it at the time of sexual relations, that is not the case [and the animal would be forbidden for the altar], for the animal was not in existence at the time of sexual relations? Or perhaps if she offered it up, then it is self-evident to him, but if she consecrated the beast, it is a matter of doubt to him?

Q. *The question stands.*

- I.4** A. "He came upon her and afterward gave her an animal, her fee is permitted":
- B. *But an objection was raised [better: has it not been taught on Tannaite authority]:*
- C. If he came upon her and gave her the animal, even after three years, the animal is in the category of a harlot's hire and is forbidden.
- D. *Said R. Nahman bar Isaac said R. Hisda, "There is no contradiction. In the one case he said to her, 'Have sex with me in exchange for this lamb,' and in the other, he said to her, 'Have sex with me for a lamb,' without further stipulations."*
- E. *[But even if he said to her, "Have sex with me in exchange for this lamb,"] what difference does it make? For still there has been no act of drawing the animal [and thereby acquiring title to it]!*

- F. *We deal with a gentile whore, who does not acquire title to something by an act of drawing the object.*
- G. *If you prefer, I shall explain that we deal even with an Israelite whore, for example, when the beast is standing in her own courtyard [which effects acquisition in the woman's behalf of title to the beast].*
- H. *If that's the case, then surely he handed it over to her at the beginning of the transaction [before having sexual relations with her, since the animal has been put in her own courtyard. So how come we claim that he had sexual relations and then handed over the lamb?]*
- I. *It is a case in which he first of all made over to her the animal as security for his debt and said to her, "If I pay you by such and such a day, well and good, and if not, the lamb will be your fee."*

I.5 A. R. Sheshet objected [to Yannai's household's borrowing produce of the Sabbatical Year and repaying in the eighth year, by citing the following]: **A person may say to his ass drivers and his workers, "Go and get yourselves some food with this *denar*," "Go and get yourselves some wine with this *denar*," and he does not scruple [63B] because of tithes, a violation of the rules governing the Seventh Year; or the prohibition of wine used for libations. But if he had said to them, "Go and eat a loaf of bread, and you pay for**

it,” lo, this one then must take account of the matter of tithes, produce of the Seventh Year, and use of libation wine [T. A.Z. 7:10M-O]. *Therefore when he paid them, he has paid them with funds that are subject to a prohibition, and here, too, when he pays them, he pays them with funds that are subject to a prohibition.*”

- B. *R. Hisda explained the matter in these terms: “The cited passage deals with a shopkeeper who gives the employer credit, so that he is indebted to him.”* [Cohen: As soon as the employees receive the food and drink, so that it is as though the shopkeeper had handed the goods to the employer], *and since it was the custom to give him credit, it is as though the latter had bought food for a denar from him.* [Cohen: If therefore the foodstuff was prohibited, the employer exchanged his money for what was illegal; in the case of Yannai’s household, the poor were not accustomed to give credit, so we do not have an instance of unlawful exchange]. *If he does not give him credit, however, what is the law? It is permitted.*”
- C. *If [matters rest on whether or not he gives him credit,] then, when the Tannaite authority formulates the rule, “Go and get yourselves some food with this denar,” “Go and get yourselves some wine with this denar,” he should distinguish in the following way: “Under what circumstances? In the case of a storekeeper who gives him credit, so that he is indebted to him [and in that case the transaction is forbidden]. But in the case of a storekeeper who does not give him credit, the transaction is permitted.” Furthermore, in the case of a storekeeper who does not give him credit, is the employer not indebted to him? But has not Raba said, “He who says to his fellow, ‘Give a maneh to so-and-so, and let all my property be surety to you [for the loan,]’ — the lender has acquired title to them by the law of surety”* [Cohen: As soon as the loan is made, the lender is technically owner of what has been given as surety;

therefore when the shopkeeper gives the workmen the food, he is technically owner of the employer's denarius, whether he is in the habit of giving him credit or not].

- D. *Rather, said Raba, "There is no distinction to be drawn between his giving credit to him and his not giving credit to him. In any event, nonetheless, he is indebted to him. The reason is that he does not specify the particular denarius that he owes. The transaction is not prohibited. Why then in the setting at hand [when the employer adds the words "and I will pay" should he be concerned about their eating and drinking produce of the Sabbatical Year, if he does not specify in what particular he is indebted!]"*
- E. Said R. Pappa, "Here it is, when for example he paid him the denar in advance" [Cohen: and then told his men to get food for it; in this case he must be concerned about unlawful foodstuff].
- F. *Said R. Kahana, "I stated this tradition before R. Zebid of Nehardea. He said to me, 'If so, then instead of the Tannaite authority's framing matters as, **Go and get yourselves some food with this denar, Go and get yourselves some wine with this denar,** and I shall pay, it should read, **Go and get yourselves some food** and I shall have a reckoning with the storekeeper" [Cohen: I will set off what you have had against the money that I have already given to the shopkeeper]."*
- G. *He said to him, "Reformulate the Tannaite version as, "Go and get yourselves some food and I shall have a reckoning with the storekeeper."*
- H. R. Ashi said, "The ruling would pertain when the employer took the food from the shopkeeper and passed it out to the workmen" [Cohen: In that case the employer became owner of the

foodstuffs and must be concerned about their legality, whether or not he took them on credit].”

I. *Said R. Yemar to R. Ashi, “If so, instead of formulating the Tannaite statement as, ‘Go and eat, go and drink,’ it should have stated, ‘Take and eat, take and drink.’”*

J. *He said to him, “Reformulate the Tannaite version as, ‘Take and eat, take and drink.’”*

I.6 A. R. Nahman, Ulla, and Abimi b. Pappi were in session, and R. Hiyya bar Ammi was in session with them. They were in session and raised this question: “If an Israelite was hired to break a cask of libation wine and pour out its contents, what is the law? Do we maintain that, since he has an interest in the cask [specifically, being paid to break it], the salary is forbidden? Or perhaps any action that serves to diminish impropriety in the world is praiseworthy?”

B. Said R. Nahman, “Let him break the cask, and a blessing be on him for doing so.”

C. *May one say that support for this ruling derives from the following: **They do not hoe diverse kinds in the field of a gentile [cf. T. Kil. 2:16G], [64A]** but they may uproot them together with him so as to diminish impropriety in the world.*

D. *They took the view, Who is the authority of this statement? It is R. Aqiba, who has said, “He who helps preserve mixed seeds is subject to the penalty of a flogging.” For it has been taught on Tannaite authority: **He who sows, weeds, or covers over seeds of diverse kinds transgresses a negative commandment. R. Aqiba says, “Even he who sustains plants of diverse kinds transgresses a negative commandment” [T. Kil. 1:15A-B].***

E. *What is the scriptural basis of the position of R. Aqiba?*

F. *Scripture has said, “You shall not sow your field with two kinds of seed” (Lev. 19:19) — I know only that culpability applies to sowing. How on the basis of Scripture do I know that culpability extends even to preserving them? Scripture states, “...not...with diverse kind” (Lev. 19:19) — yielding the result that if the purpose is to diminish impropriety, the action is permitted [Cohen: although it is in the worker’s interest that they should be cultivated, since he would have employment].*

- G. *Lo, who is the authority behind this exegesis? It is rabbis [and not Aqiba]. [Rabbis are unconcerned about the man's interest in the preservation of the mixed seeds in order to earn money from their eradication; as regards idolatry, they would agree that it is forbidden to accept payment when it involves the wish to preserve idolatry, so Cohen.]*
- H. *If it were rabbis, then why specify uprooting the plants? Even preserving the plants would be subject to their position!*
- I. *Here with what sort of case do we deal? For example, with a case in which the worker worked for nothing, and represented before is the position of R. Judah, who has said, "[Even] giving gentiles a gift [at no reward whatsoever] is forbidden."*
 - J. *From R. Judah's statement can we not infer R. Aqiba's position as well? Specifically, has not R. Judah said, "[Even] giving gentiles a gift [at no reward whatsoever] is forbidden"? But then, if the point is to diminish impropriety in the world, that is a wholly acceptable action! And so, too, with R. Aqiba, even though he has ruled **"Even he who sustains plants of diverse kinds transgresses a negative commandment,"** if the point is to diminish impropriety in the world, that is a wholly acceptable action. And that suffices. [Cohen: Nahman permits breaking the cask and finds support in this formulation, whoever the author may be.]*

- I.7** A. *Again, the same authorities were in session and raised the following question: "As to funds deriving from the sale of an idol in the possession of a gentile, what is the law? Does the prohibition affect the money that is in the hand of the gentile, or is that not the case?"*
- B. *Said R. Nahman to them, "It stands to reason that funds deriving from the sale of an idol in the possession of a gentile are permitted."*
 - C. *That is in line with the case of some [would-be proselytes] who came before Rabbah b. Abbuha, and he instructed them, "Go and sell everything that you have and then — but only then! — come and convert."*

- D. *Now what is the reason for his giving such instructions? It is on account of his holding the view that funds deriving from the sale of an idol in the possession of a gentile are permitted.*
- E. *But perhaps that case was exceptional because the gentiles were planning to convert, so the gentiles surely nullified their idols beforehand?*
- F. *Rather, the pertinent case is as follows: An Israelite who has a claim for a maneh upon a gentile, and the debtor sold an idol or libation wine and brought him the proceeds — the money is permitted. But if the gentile had said, “Wait until I sell an idol or libation wine and I’ll bring you the proceeds,” the money is forbidden.*
- G. *What differentiates the second from the first case and its rule?*
- H. *Said R. Sheshet, “In the latter case, the proceeds are forbidden, for the Israelite then wants the idol to be preserved [until it is sold].”*
- I. *But even if the Israelite wants the idol to be preserved, in such a case are the proceeds forbidden? But have we not learned in the Mishnah: **A proselyte and a gentile who inherited [the property of] their father, [who was] a gentile — he [the proselyte brother] may say to him [the gentile brother], “You take the idols and I [will take] the coins; you [take] the libation wine and I [will take] the produce.” And if [he said this] after it [the property] came into his possession, this [arrangement] is forbidden [M. Dem. 6:9A-E].***
- J. *Said Raba bar Ulla, “The Mishnah speaks of an idol that can be divided up in pieces [Cohen: a golden image which is broken up, and the metal shared between them, because the proselyte would have no objection to the idol’s being destroyed].”*
- K. *Granted that that solution works with the idol, but as to the libation wine, what is there to be said?*
- L. *It speaks of wine preserved in Hadrianic earthenware [which absorbs the wine and is later on soaked to release what has been absorbed].*
- M. *But does not the Israelite want to preserve the property so that it is not stolen or lost?*

- N. *Rather, said R. Pappa, “Have you raised the matter of the inheritance that is coming to a proselyte? But that is exceptional, for in that case rabbis have made a lenient rule, lest the proselyte fall back into his error.”*
- O. **[64B]** *It has been taught on Tannaite authority along these same lines: Under what circumstances? In a case of inheritance. But in a case of mere partnership, such an arrangement is forbidden [and the proselyte may not derive benefit from an idol or libation wine].*

- I.8** A. *Again, the same authorities were in session and raised the following question: “As to a resident proselyte, what is the law on his nullifying an idol? One who bows down to an idol can nullify it, and one who does not bow down to an idol may not nullify it? Or perhaps the rule is that anyone who is one of them [a gentile, whether or not an idolator] can nullify it, and this one is one of them?”*
- B. *Said to them R. Nahman, “It stands to reason that [the operative criterion is,] one who bows down to an idol can nullify it, and one who does not bow down to an idol may not nullify it.”*
- C. *An objection was raised: **An Israelite who in the marketplace has found an idol before it has come into his domain may tell a gentile to nullify it. Once it has come into his domain, he may not tell a gentile to nullify it. For they have said that a gentile has the power to nullify an idol, whether it belongs to him or to his fellow [M. 4:4C], whether it is an idol which has been worshipped or whether it is one which has not been worshipped, [whether it [the act of worship] is inadvertent or deliberate, whether it is under constraint or willingly. But an Israelite who made an idol — it is prohibited, even though he has not worshipped it [versus M. 4:4B]. Therefore he has not got the power to nullify it] [T. A.Z. 5:4C-J]. Now what is the meaning of whether it is an idol which has been worshipped or whether it is one which has not been worshipped? If one says that both refer to a gentile, then that is the same as an idol that belongs to him and one that belongs to his fellow. But rather does not whether it is an idol which has been worshipped mean, by an idolator, and whether it is one which has not been worshipped, a resident proselyte? That then proves that a resident proselyte also has the power to nullify the idol!***

- D. *No, in point of fact both passages refer to a gentile. And as to your objection, "If one says that both refer to a gentile, then that is the same as an idol that belongs to him and one that belongs to his fellow," in the first clause, the meaning is that each one of them worships Peor, or each one of them worships Merkolis, while in the second clause, the sense is that one of them worships Peor and the other, Merkolis.*
- E. *An objection was raised: What is the definition of a resident proselyte? "It is any that has taken upon himself, in the presence of three faithful observers of the law, not to worship an idol," the words of R. Meir. And sages say, "It is any that has taken upon himself the seven religious obligations that the children of Noah took upon themselves." Others say, "Persons of neither the one nor the other classification fall under the rubric of a resident proselyte. Rather, what is the definition of a resident proselyte? This is a proselyte who, though eating carrion, still has accepted upon himself the obligation to observe all of the religious duties that are mentioned in the Torah except the prohibition of eating carrion. With such a person one may leave wine alone, but with such a person one does not leave wine on deposit, even in a town the majority of the population of which is Israelite. But he is left alone with wine, even in a town the majority of the population of which is gentile. His olive oil is in the status of his wine." Do you really think that his olive oil is in the status of his wine! Can olive oil be used for a libation? [Obviously not!] Rather: "His wine is in the status of his olive oil. And as to other matters, he is classified as a gentile." Rabban Simeon b. Gamaliel says, "His wine is in the status of libation wine." There are those who state his position in this way, "It is permitted to drink his wine." Now in any event, it is repeated as a Tannaite formulation, "And as to other matters, he is classified as a gentile"! Now for what purpose is such a law set forth? Is it not for the purpose of indicating that he has the power to nullify an idol just like a gentile?*
- F. Said R. Nahman bar Isaac, "No, it is to give him the power to hand over or to nullify ownership, *as it has been taught on Tannaite authority*: An apostate Israelite who nonetheless publicly keeps his Sabbath [however he may violate the law in private] has the right to nullify ownership, while one who does not publicly keep the Sabbath has not got the power to nullify ownership, for they have said, an Israelite has the power to hand over or to nullify ownership, and in the case of a gentile, this can be done only by renting his property. How so? An Israelite may say to another Israelite, "My title is acquired by you, my title

is renounced in your favor,” at which point the latter has acquired title to the property, without the necessity of a formal transfer of ownership.

I.9 A. *R. Judah sent a present [65A] to Abidarna on one of their festival days, saying, “I know that he does not worship idols.”*

B. *Said to him R. Joseph, “But has it not been taught on Tannaite authority: What is the definition of a resident proselyte? It is any that has taken upon himself in the presence of three faithful observers of the law not to worship an idol?”*

C. *He said to him, “When that was set forth as a Tannaite formulation, it had to do with providing him with sustenance [a gentile who gave up idolatry and fell into need must receive support from the Jewish community (Cohen)].”*

D. *But has not Rabbah bar bar Hana said R. Yohanan said, “A resident proselyte who has allowed twelve months to pass without getting circumcised — lo, he is classified as an apostate among idolators [and nothing more].”*

E. *[Judah] replied, “That would speak of a case in which he had undertaken to be circumcised but did not actually go through the rite.”*

I.10 A. *Raba sent a present to Bar Shishakh on one of their festival days, saying, “I know that he does not worship idols.”*

B. *He went and found him sitting up to his neck in a bath of rose water, with naked whores standing in front of him. He said to him, “Do you people have anything like this in the world to come?”*

C. *He said to him, “Ours is even better than that!?”*

D. *He said to him, “Does it really get better than this?”*

E. *He said to him, “For you, there will still be fear of the government, but for us [Israel], there will no longer be fear of the government.”*

F. *He said to him, “Yeah, but as for me, what fear of the government do I have even now anyhow?”*

G. *While they were still jabbering, a royal gendarme [parastak] came along and said to him, “Come on, because the king wants you.”*

H. *When he was going to leave, he said to him, “May the eye burst that wants to see evil happen to you.”*

I. *Raba replied to him, “Amen.”*

J. *The eye of Bar Shishakh burst.*

- K. *Said R. Pappi, “He should have replied to him, ‘Kings’ daughters are for your honor, at your right hand stands the queen in gold of Ophir’ (Psa. 45:10).” [Cohen: The point of the verse is that Israelites in the world to come will be attended by noble women, and not surrounded by harlots as this heathen was.]*
- L. *Said R. Nahman bar Isaac, “He should have replied to him by citing this verse: ‘No eye has seen what God, and nobody but you, will work for him who waits for him’ (Isa. 54: 3).”*

II.1 A. [If] he hired him to do some other kind of work, even though he said to him, “Move a jar of libation wine from one place to another,” his salary is permitted:

- B. *But is his wage permitted, even if he did not ask him to move the libation wine only towards evening [after he had done the day’s work? Then the fee is for moving the libation wine as part of the day’s work!]*
- C. *And an objection was raised: [A gentile] who hires a worker to do work with him toward evening, and he said to him, “Bring this flagon to that place,” even though an Israelite is not permitted to do so — his wages are permitted [T. A.Z. 7:10I-M]. The operative consideration then is that it was toward evening. But if it were at any point during the entire day, that would not have been the rule.*
- D. *Said Abbaye, “When our Mishnah made the statement that it did, the intention was to say, ‘toward evening.’”*
- E. *Raba said, “In point of fact there is no problem. The one speaks of a case in which he said to him, ‘Move for me a hundred casks for a hundred pennies,’ the other in which he said to me, ‘Move for me casks for a penny each; [in which case, as the Mishnah maintains, he can throw away the forbidden penny and keep the rest].”*
 - F. *And so it has been taught on Tannaite authority: He who hires a worker and said to him, “Move for me a hundred casks for a hundred pennies,” and among the casks is found a jug of libation wine — his salary is forbidden. If the condition was, “...at one cask per penny,” and among the casks is found a jug of libation wine — his salary is permitted [except for one penny].*

III.1 A. He who hires an ass to bring libation wine on it — its fee is forbidden:

- B. *Now why do I need yet another statement of the same matter? Is not the latter formulation the same as the former?*
- C. *It was necessary because of what was to follow: [If] he hired it to ride on it, even though the gentile [also] put a flagon [of libation wine] on it, its fee is permitted.* [Cohen: Consequently it is considered that the owner of the ass receives pay only for the man riding on it, and the jar is not taken into account.]
- D. *That then bears the implication that the flagon is not ordinarily put on it [or taken into account]? And an objection is to be raised: He who rents out an ass — the one who hires it out may put on the ass his clothing, flagon, and food, for that journey. From that point onward, the ass driver may stop him. The ass driver may put on it barley, straw, and fodder for that day. From that point, the one who rents the beast may stop him. [So the one who rents the ass is paying, in part, for the ass's carrying the burden of his flagon.]*
- E. *Said Abbaye, "While, to be sure, it is lawful for him to put the flagon on the beast, if he does not put it on the beast, do we say to him, 'Deduct the fee for the carriage of the flagon [that you have not put on the beast?]' Obviously not!"*

III.2 A. [Contrasting the right of the one who hires the ass to put on food for the whole journey, while the ass driver gets to bring only food for that day,] *how is such a case to be treated? If there will be food to buy, the ass driver should be permitted to object [and say, stopping to buy food prolongs the journey], and if there is no food for the ass driver to buy, then the one who hires the ass should not be allowed to object [to the driver's carrying food for the whole journey]!*

B. *Said R. Pappa, "The case is required to cover a case in which with a certain amount of trouble one can make purchases of food from station to station. An ass driver is used to doing it that way, while the one who hires the beast is not used to it [and may take food for the whole trip]."*

III.3 A. *The father of R. Aha b. R. Iqa [65B] would pour out wine for gentiles into their own utensils and would carry the wine across the ford for them, getting the jars back as the fee for doing so. People told it to Abbaye, who said to them, "When he did the work, he did what was permitted [pouring the wine into their jugs]."*

- B. *“But he wants to preserve what is prohibited, specifically, so that the jugs not split!”*
- C. *“He stipulated with them [that even if the bottles broke, he could have the jugs]; or they brought barrels with them [to preserve the wine if the jugs broke].”*
- D. *“But since he carried them across the ford for them, he did work with what was forbidden.”*
- E. *“He told the ferryman to begin with [to carry them across, before the jugs were filled]; or they carried with them certain identification marks [so the ferryman knew what to do without being told, and Iqa did nothing against the law].”*

I.1 identifies the (obvious) operative consideration and conducts an investigation into cases that are quite distinct from the present one, in which the same operative consideration should pertain. No. 2 then produces a clarificatory question, building on the foregoing, and No. 3, continued by a long footnote that is completed at No. 4, provides a case report. No. 5 reverts to the matter that was broken off, namely the conduct of Yannai's household. Only at No. 6 do we recover the main stream of inquiry precipitated by the Mishnah's rule. We find now that interstitial and second-level question that the Talmud characteristically fabricates. Nos. 7, 8 carry forward the formulation and the mode of inquiry of No. 6. No. 9 provides a footnote to No. 8, and No. 10 is tacked on to No. 9 because of the congruence of the opening statement. II.1 clarifies the rule of the Mishnah. III.1 asks the necessary question of why a further example is required. No. 2 provides a footnote to No. 1. No. 3's case is yet another illustration of the basic conception of the Mishnah. No. 3 pursues the usual interstitial problem, which the framers of the Talmud liked to contribute.

5:2

- A. **Libation wine which fell on grapes —**
- B. **one may rinse them off, and they are permitted.**
- C. **But if [the grapes] were split, they are prohibited.**
- D. **[If] it fell on figs or dates, if there is sufficient [libation wine absorbed] to impart a flavor [to them], they are forbidden.**
- E. **There was the case of Boethus b. Zonen, who brought dried figs by ship, and a jar of libation wine broke open and dripped on them, and he asked sages, who permitted [the figs, once they had been rinsed].**

- F. This is the governing principle: anything which bestows benefit through imparting a flavor is forbidden, and anything which does not bestow benefit through imparting a flavor is permitted —
- G. for example, vinegar [from libation wine] which falls on crushed beans.

I.1 A. *Is the purpose of the cited case [E] to contradict the rule [C-D]?*

B. *There is a lacuna in the text, and this is how the passage should read: [If] it fell on figs or dates, if there is sufficient [libation wine absorbed] to impart an injurious flavor [to them], they are permitted. And there was the case involving Boethus b. Zonen, who brought dried figs by ship, and a jar of libation wine broke open and dripped on them, and he asked sages, who permitted [the figs, once they had been rinsed].*

I.2 A. *There was a cask of libation wine that fell on a heap of wheat. Raba permitted selling it to gentiles.*

B. *Rabbah b. Livai objected to Raba, “A garment in which mixed fabrics [linen and wool] were hidden — lo, one may not sell it to a gentile, nor may one even make it a pack saddle for an ass. But one may make with it shrouds for the neglected corpse. Then why not sell it to a gentile? It is because he may sell it to an Israelite. And here, too, he may turn out to sell it to an Israelite!”*

C. *Raba then went and permitted the Israelite to mill it, bake it, and sell the bread to gentiles not in the presence of Israelites [and that solved the problem.]*

D. *We have learned in the Mishnah: Libation wine which fell on grapes — one may rinse them off, and they are permitted. But if [the grapes] were split, they are prohibited. So if the grapes were split, they are forbidden, but if not split, they are not forbidden [and that rule should apply also to wheat]!*

E. *Said R. Pappa, “The case of wheat is exceptional, since on account of the slit in the ears, they are classified as slit in any event.”*

I.3 A. **[66A]** *Vintage wine that falls on grapes, all concur, prohibits the grapes if [the volume is such that] the wine imparts a flavor.*

B. *As to new wine that falls on grapes —*

C. *Abbayye says, “The requisite volume is any small amount at all.”*

- D. And Raba said, “[The requisite volume is such that] the wine imparts a flavor.”
- E. Abbayye says, “The requisite volume is any small amount at all”: *we are guided by the criterion of flavor, and since both this kind of wine and that have the same flavor, it is a case in which we have a mixture of two substances of the same species, and, in such a case, the requisite volume is any small amount at all.*
- F. And Raba said, “[The requisite volume is such that] the wine imparts a flavor”: *we are guided by the criterion of the classification, and since each is subject to a different classification, it is a case in which two distinct substances are mixed, and, in such a case, [the requisite volume is such that] the wine imparts a flavor.*
- G. *We have learned in the Mishnah: Libation wine which fell on grapes — one may rinse them off, and they are permitted. But if [the grapes] were split, they are prohibited. [If] it fell on figs or dates, if there is sufficient [libation wine absorbed] to impart a flavor [to them], they are forbidden. On the premise that we speak of new wine falling on grapes, is the requisite volume not such that the wine imparts a flavor [as is explicitly stated]? Lo, since it is stated as the Tannaite formulation of the final clause, This is the governing principle: Anything which bestows benefit through imparting a flavor is forbidden, and anything which does not bestow benefit through imparting a flavor is permitted, it follows that we deal with a case in which the operative criterion is imparting a flavor.*
- H. *And Abbayye?*
- I. *Our Mishnah passage deals with vintage wine that fell on grapes.*
- I.4** A. *Wine vinegar that was mixed with malt vinegar, or wheat yeast with barley yeast [the wine vinegar being classified as libation wine, the wheat leaven being classified as food in the status of priestly rations or heave-offering] —*
- B. Abbayye says, “The requisite volume is any small amount at all, *we are guided by the criterion of flavor, and since each has its own flavor, it is a case in which two distinct substances are mixed, and, in such a case, the requisite volume is such that] the wine imparts a flavor.*”

- C. And Raba said, “The requisite volume is any small amount at all. *We are guided by the criterion of the classification, and since this is called vinegar and that is called vinegar, this is called yeast and that is called yeast, it is a case in which two like substances are mixed, and, in such a case, the requisite volume is any small amount at all.*”
- D. Said Abbayye, “*On what basis do I maintain that we invoke the criterion of flavor? It is in line with that which we have learned in the Mishnah: [As regards] spices — If two or three different types of prohibitions pertain to one kind of spice, or to three distinct kinds of spices — it is forbidden, for the spices join together [to render forbidden that which they flavor]. R. Simeon says, “Two or three [different types of prohibitions which pertain] to one kind [of spice, or two different kinds of spices subject to one type of prohibition] do not join together to render forbidden the food which they flavor” [M. Orl. 2:10A-E]. And said Hezekiah, ‘Here we deal with several types of sweeteners; since all of them are suitable for sweetening what is in the pot, [they join together as specified].’ Now, as a matter of fact, if you maintain that we invoke the criterion of flavoring the mixture, then all of these substances possess the same flavor. But if you maintain that we invoke the criterion of classification, then each of these items is classified in its own species.*”
- E. And Raba will say to you, “*Whose opinion is represented here? It is solely that of R. Meir. For it has been taught on Tannaite authority: R. Judah says in the name of R. Meir, ‘How on the basis of Scripture do we know that all things that are prohibited in the Torah join together [to form the volume requisite to impart a prohibition]? As it is said, “You shall not eat any abominable thing” (Deu. 14: 3) — everything that I have declared abominable falls into the law that ‘you shall not eat.’” [Cohen: Consequently the criterion is neither species nor taste; the fact that the several spices are prohibited suffices to form of them a single mixture.]*
- I.5** A. If vinegar [that was forbidden] fell into wine [that was permitted], all parties concur that the operative criterion is whether or not the vinegar imparts a flavor to the wine. If forbidden wine fell into permitted vinegar —
- B. Abbayye said, “The requisite volume is any amount at all.”

- C. And Raba said, “The operative criterion is whether or not the wine imparts a flavor to the vinegar.”
- D. Abbayye said, “The requisite volume is any amount at all”: **[66B]** *since if the fragrance of the wine is the same as the fragrance of the vinegar, and the taste of the wine is the same as the taste of vinegar, it is a case in which one species is mixed with another of the same kind, and in that case, the requisite volume is any amount at all.*
- E. Raba said, “The operative criterion is whether or not the wine imparts a flavor to the vinegar”: *for if the fragrance of the wine is that of vinegar, but the taste of wine is that of wine, then we have a case of a species being mixed with another species, and where one species is mixed with another, the operative criterion is whether or not the forbidden species imparts a flavor to the mixture.*
- I.6** A. *A gentile [smelled the wine] of an Israelite through the bung hole [to see whether the wine had matured] — it is all right. If an Israelite smelled the wine of a gentile —*
- B. Abbayye declared the wine prohibited.
- C. Raba declared the wine permitted.
- D. Abbayye declared the wine prohibited, *in the theory that fragrance is a matter of substance.*
- E. Raba declared the wine permitted, *in the theory that fragrance is not a matter of substance.*
- F. *Said Raba, “On what basis do I take the view that fragrance is not a matter of substance? As we have learned in the Mishnah: [As regards] an oven which one fired with cumin in the status of heave-offering and baked in it — the bread is permitted [for consumption by a nonpriest]. For the flavor of cumin is not [imparted to the bread] but, [rather,] the smell of cumin [M. Ter. 10:4A-C]. [Hence the fragrance is not a matter of substance since it is not taken into account.]”*
- G. *And Abbayye?*
- H. *That case is exceptional, because the prohibited component of the mixture is burned up.*
- I.7** A. *Said R. Mari, “At issue between the two authorities is what divides the following Tannaite masters as well:*

One who scrapes hot bread [from the side of an oven] and places it on top of a jug of wine in the status of heave-offering — R. Meir deems [the bread] forbidden [for consumption by nonpriests] But R. Judah deems [it] permitted. R. Yosé deems [it] permitted in [the case of] bread made from wheat, but deems [it] forbidden in [the case of] bread made from barley, for barley absorbs [the wine vapor] [M. Ter. 10:3A-F]. *Is it not the case, then, that what is at issue among them is this: One authority maintains that fragrance is a matter of substance, and the other maintains that that fragrance is not a matter of substance?*”

- B. *From Raba’s perspective that is indeed what is at issue among the Tannaite authorities. But from Abbayye’s position, shall we say that that is what is at issue among them? [Cohen: Abbayye may maintain that even Judah regards the smell as substantial, but here the loaf does not absorb the fumes of the wine.]*
- C. *Abbayye can say to you, “Has it not been stated in this connection, ‘Said Rabbah bar bar Hana said R. Simeon b. Laqish, “When at issue here are a hot loaf of bread and an open jug, [67A] all parties concur that it is forbidden. When at issue are a cold loaf of bread and a sealed jug, all parties concur that it is permitted. The dispute concerns only a case in which the loaf of bread is hot but the jug is sealed, or the loaf of bread is cold but the jug is open.”’ And in the case to which I make reference, the parallel is to a loaf that is hot and a jug that is open.”*

II.1 A. This is the governing principle: Anything which bestows benefit through imparting a flavor is forbidden, and anything which does not bestow benefit through imparting a flavor is permitted — for example, vinegar [from libation wine] which falls on crushed beans:

- B. *Said R. Judah said Samuel, “That is indeed the law [Cohen: that when wine or vinegar causes deterioration in the value of food stuff, the food is permitted].”*

- C. And said R. Judah said Samuel, “That rule applies only when the vinegar fell into hot crushed beans [which then are spoiled]. But if it fell into cold split beans [so improving the flavor] and then the man warmed them up [to remove the vinegar], it is treated as a case in which the effect was first of all to improve the broth and only at the end to leave it deteriorated, and so they are forbidden.”
- D. *And so, too, when Rabin came he said Rabbah bar bar Hana said R. Yohanan [said],* “That rule applies only when the vinegar fell into hot crushed beans [which then are spoiled]. But if it fell into cold split beans [so improving the flavor] and then the man warmed them up [to remove the vinegar], it is treated as a case in which the effect was first of all to improve the broth and only at the end to leave it deteriorated, and so they are forbidden.”
- E. *And so when R. Dimi came, [he said,] “[That rule applies only when the vinegar fell into hot crushed beans [which then are spoiled]. But if it fell into cold split beans [so improving the flavor] and then the man warmed them up [to remove the vinegar], it is treated as a case in which the effect was first of all to improve the broth and only at the end to leave it deteriorated, and so they are forbidden.] And so did they do in Sepphoris on Sabbath eves [Fridays], and they called the mixture ‘cress dish.’”*

II.2 A. Said R. Simeon b. Laqish, “When they spoke of **not bestowing benefit through imparting a flavor**, it is not that people determine, this broth needs salt, this broth has too much salt, this broth needs spices, this broth has too much spice. Rather, it is any that lacks for nothing but still is not eaten on account of this mixture [Cohen: The bad taste resulted from the mixture with the disqualifying matter; only in that circumstance does it become permitted].”

B. There are those who say, said R. Simeon b. Laqish, “When they spoke of **not bestowing benefit through imparting a flavor**, it is not that people determine, this broth needs salt, this broth has too much salt, this broth needs spices, this broth has too much spice. *Rather, now in any event it has deteriorated [only because of the admixture].*”

II.3 A. Said R. Abbahu said R. Yohanan, “In any case in which the flavor and the substance [of the prohibited component of the mixture are perceptible], it is forbidden, and one who eats it is subject to flogging. And that is a quantity equal to the volume of an olive [of the prohibited component] mixed with a quantity equal to the value of a half a loaf of bread. **[67B]** If, however, the taste is perceptible but the substance is not to be discerned [having dissolved in the mixture], while the mixture is prohibited, one is not flogged on account of

eating it. And if, finally, the taste of the mixture have been intensified by the forbidden component in such a way as to spoil the broth, then it is permitted.”

- B. *And why not formulate the matter in this way: **And anything which does not bestow benefit through imparting a flavor is permitted?***
- C. *By formulating matters as he does, he lets us know that that is the rule even when there is yet another component of the mixture that spoils the taste. And further, he lets us know that the decided law accords with the second of the two versions of R. Simeon b. Laqish’s statement.*

II.4 A. Said R. Kahana, “From the statements of all of them [Judah, Dimi, Simeon b. Laqish, Abbahu] we learn that **anything which does not bestow benefit through imparting a flavor is permitted.**”

- B. *Said to him Abbayye, “Now as to all of the others, the matter is well and good, but as to R. Simeon b. Laqish, since he says, ‘When rabbis use the phrase...,’ it follows that that is not his own view.”*
- C. *Shall we then draw the conclusion that some hold the view that when the forbidden component of the mixture worsens the flavor of the broth, the broth is still forbidden?*
- D. *That is indeed the case, for so it has been taught on Tannaite authority, “All the same is a case in which the forbidden element adds a flavor in such wise as to spoil the mixture, and all the same is a case in which the forbidden component of the mixture improves the flavor of the mixture — it is forbidden,” the words of R. Meir. R. Simeon says, “If it improves the flavor, the broth is forbidden, but if it spoils the flavor, the broth is permitted.”*
- E. *What is the analogical basis for the position of R. Meir?*
- F. *He draws an analogy to the utensils of gentiles. Utensils of gentiles — do they not spoil the flavor of food that is cooked in them? And yet the All-Merciful has forbidden using them [unless they are properly rinsed with boiling water, so Num. 31:23]. Here, too, there is no difference [between the affect upon the flavor, and it is prohibited, by that analogy].*
- G. *And the other party?*
- H. *It is in accord with R. Huna b. R. Hiyya, for said R. Huna b. R. Hiyya, “The Torah has prohibited use only of a utensil used by a gentile on that same day, and that is in a case in which the*

effect of the utensil that he has used is not to worsen the flavor.”

- I. *And the other party?*
- J. *Even in the case of a utensil that a gentile has used only on that day, it is not possible that such a utensil should not at least in some small measure spoil the flavor of what is cooked in it.*
- K. *And what is the analogical basis for the position of R. Simeon?*
- L. *It is in accord with that which has been taught on Tannaite authority: “You shall not eat anything that dies of itself, you may give it to the stranger that is within your gates” (Deu. 14:21) — whatever is fit for you by a stranger is classified as carrion, [68A] and what is not fit for use by a stranger [having completely deteriorated] is not classified as carrion.*
- M. *And R. Meir?*
- N. *That serves to exclude what is to begin with rotten.*
- O. *And R. Simeon?*
- P. *What is rotten to begin with does not require a specific exclusionary statement on the part of Scripture.*

II.5 A. Said Ulla, “The dispute [between Meir and Simeon] deals with a case in which the forbidden component of the mixture at first improved the mixture but only in the end spoiled it. But if to begin with it spoiled the mixture, all parties concur that the mixture is permitted.”

- B. *R. Hagga raised this objection to Ulla on the basis of the following: “Libation wine that fell into lentils, or libation vinegar that fell into split beans — the mixture is forbidden. But R. Simeon permits. Now here is a case in which the forbidden component of the mixture spoils the mixture to begin with, and yet there is a dispute.”*
- C. *Said Ulla, “Hagga simply does not know about what the rabbis are talking here, and yet he cites the passage as an objection! Here with what case do we deal? It is*

a case in which, for example, the wine fell into cold split beans and then the cook warms them, which improves them, but only at the end they deteriorate, and in any event the broth is forbidden.”

- D. [In opposition to A,] R. Yohanan said, “The dispute concerns a case in which the forbidden substance that is added causes a deterioration of the flavor to begin with.”

II.6 A. *The question was raised: Is the sense that there is a dispute when the flavor is spoiled to begin with, but if it was improved and then spoiled, all parties concur that the mixture is forbidden, or perhaps one way or the other, there is a dispute?*

B. *The question stands.*

II.7 A. Said R. Amram, “Is it at all possible that R. Yohanan’s statement should have any standing at all and yet there should be no Tannaite formulation of the matter in a Mishnah passage?” So he went forth and found the following, which we have learned in the Mishnah: **Leaven of common produce which fell into dough, and there is enough of it to leaven [the dough], and afterwards [but before the dough had risen] leaven of heave-offering or of diverse kinds in a vineyard fell in, and there is enough of [this leaven] to leaven [the dough] — [the dough] is forbidden [under the restrictions pertaining to heave-offering or diverse kinds]. [As regards] leaven of common produce which fell into dough and leavened it, and afterward leaven of heave-offering or leaven of diverse kinds in a vineyard fell in, and there is enough of this [leaven] to leaven [the dough] — [the dough] is forbidden. R.**

Simeon permits [M. Orl. 2:8-9]. *Now here is a case in which the prohibited element spoiled the flavor to begin with, and there is such a dispute [which supports the view of Yohanan].*

- B. *Said R. Zira, “But the case of dough is exceptional, because it has the power to ferment many other pieces of dough [so the yeast that fell into the dough caused deterioration of the dough, but it made the dough leaven for other pieces of dough (Cohen)].”*
- C. *Come and take note [of a passage that supports Yohanan’s view]: Yeast in the status of heave-offering and yeast that was unconsecrated, which fell into a mass of dough — in the former is sufficient to leaven the dough, and in the latter is sufficient to leaven the dough, and they caused the dough to leaven — the mixture is forbidden. R. Simeon permits it. If yeast in the status of heave-offering fell in first, however, all parties maintain that the dough is forbidden. If the yeast that was unconsecrated fell in and afterward the yeast that was in the status of heave-offering, or if the product of mixed seeds of a vineyard fell in, the mixture is forbidden. And R. Simeon permits. Now here is a case in which the prohibited element spoiled the flavor to begin with, and there is such a dispute [which supports the view of Yohanan]. And should you say here, too, the answer is [68B] in accord with the statement of R. Zira’s explanation, then come and note the continuation: If wine in the status of libation wine fell into lentils or vinegar into split beans, it is forbidden. R. Simeon permits. And should you say here, too, the answer is in accord with the statement of what Ulla said to R. Hagga, that is, where the forbidden mixture first improved the broth and*

only later on spoiled it, do they differ in a case in which it first improves and only then spoils the flavor? For lo, it is taught on Tannaite authority, If yeast in the status of heave-offering fell in first, however, all parties maintain that the dough is forbidden. Does it not follow then that there is a difference of opinion even when the flavor is spoiled to begin with?

D. *It does indeed follow.*

II.8 A. [With reference to the three different cases, that is, [1] Yeast in the status of heave-offering and yeast that was unconsecrated, [2] If yeast in the status of heave-offering fell in first, and [3] If wine in the status of libation wine fell into lentils or vinegar into split beans] *what need did I have for all three cases to be raised? As to the third paragraph, there is no problem, for by citing it the framer of the passage tells us that there is a dispute where the prohibited element of the mixture causes deterioration right from the outset. The second paragraph, too, is important to tell us the rule if the mixture improved but then deteriorated, that all concur that the mixture is nonetheless forbidden. But what need do we have for the first clause? Since in the third case, where there is no improvement at all, rabbis prohibit the mixture, how much the more so must they prohibit the mixture where the prohibited element of the mixture improved the mixture?*

B. *Said Abbayye, "The first part of the passage was required on account of R. Simeon, and this is what rabbis said to*

R. Simeon: ‘This dough ought to have leavened in two hours. What made it leaven in one hour is then forbidden.’”

- C. *And as to R. Simeon?*
- D. When there is improvement, it is both types of yeast that have caused the improvement, and when there is deterioration, it is both types of yeast that have caused the deterioration.
- E. *Then from R. Simeon’s perspective, why not treat as a single mass the prohibited and the permitted yeast?*
- F. *R. Simeon is consistent with views expressed elsewhere, which is that even two components that are respectively forbidden are not to be combined together. For we have learned in the Mishnah: **Orlah [fruit] and [fruit prohibited under the laws of] diverse kinds in a vineyard are neutralized in [a ratio of] one [part of either of these] to two hundred [parts of permitted produce]. And they join together. But it is not necessary to remove [a like quantity of produce from the mixture]. R. Simeon says, “Orlah [fruit] and diverse kinds do not join together [to create the quantity of forbidden produce which renders forbidden permitted produce with which they are mixed]” [M. Orl. 2:1D-G].***

II.9 A. *A mouse fell into a keg of beer. Rab prohibited the beer. Rabbis reported this decision before R. Sheshet, “Might we say that he*

was of the opinion that when the forbidden element imparts a worsened flavor, it nonetheless is prohibited?”

- B. *Said to them R. Sheshet, “In general Rab takes the view that when the forbidden element imparts a worsened flavor, the mixture is permitted. But here he innovates, for we deal with something that is repulsive, from which people recoil, and even then the Torah has forbidden that thing, with the result that, even though it imparts a worsened flavor, the mixture nonetheless is forbidden.”*
- C. *Said rabbis to R. Sheshet, “Then according to your reasoning a creeping thing should impart uncleanness whether it is wet or dry. But how come we have learned in the Mishnah: ...the creeping thing, carrion, and semen impart uncleanness when they are wet and do not impart uncleanness when they are dry [M. **Nid. 7:1C-D**]? And according to your reasoning, semen likewise should impart uncleanness whether it is wet or dry. But how come we have learned in the Mishnah: ...the creeping thing, carrion, and semen impart uncleanness when they are wet and do not impart uncleanness when they*

are dry [M. **Nid. 7:1C-D**]? But what can you say? Semen of which the All-Merciful speaks is the kind that can cause fertilization. Here, too, creeping things of which the All-Merciful speaks are of the kind that are 'dead' [Lev. 11:32, at which point they convey uncleanness], meaning, when they look dead."

- D. Objected R. Shimi of Nehardea, "But is the mouse all that repulsive? Is it not served on the table of kings?"
- E. There is no real contradiction. What is served at their meals is the field mouse, but what fell into the beer is the house mouse.
- F. Said Raba, "The decided law is that if the forbidden element of the mixture imparts a worse flavor to the mixture, the mixture is permitted. But as to Rab's ruling for forbidding it in the case in which a mouse fell into beer, I don't know why. It may have been because he took the view that even if the forbidden element of the mixture spoiled the flavor of the mixture, the mixture is forbidden, in which case the decided law is not in accord with his position. Or it might have been because he took the position that while if the forbidden element of the mixture imparts a worsened flavor, the

mixture is permitted, a mouse in beer in point of fact improves the flavor.”

II.10 A. *The question was raised, [69A] “If a mouse fell into vinegar, what is the law?”*

B. *R. Hillel said to R. Ashi, “There was such a case at the household of R. Kahana, and R. Kahana forbade the mixture.”*

C. *He said to him, “In that case it is possible that the mouse had dissolved into pieces [Cohen: and Kahana prohibited the vinegar out of fear that a piece might be swallowed, so no answer to the question can be inferred from that case].”*

D. *So Rabina considered imposing the standard of a hundred and one, since the case is not less than one in which heave-offering was mixed, as we have learned in the Mishnah: R. Eliezer says, “Heave-offering is neutralized takes on the status of unconsecrated produce when one part of heave-offering is mixed] in a total of a*

hundred and one [parts of produce.” R. Joshua says, “It is neutralized when there is one part of heave-offering in a hundred parts of produce plus a bit more. And this more has no fixed measure.” R. Yosé b. Meshullam says, “This more is an additional qab per hundred seahs, which equals one-sixth of the quantity of heave-offering in the mixture” [M. Ter. 4:7A-D].”

- E. *Said R. Tahalipa bar Giza to Rabina, “But perhaps the correct analogy is to be drawn to spices of heave-offering that fell into a pot of food, the taste of which is not neutralized.”*
- F. *R. Ahai estimated that in the case of vinegar, the proportion must be fifty to one.*
- G. *R. Samuel b. R. Iqa estimated that in the case of beer the ratio must be sixty to one.*
- H. *The decided law in both the one case and the other case is that the proportion is sixty to one,*

and that is the rule for all things that are forbidden by the Torah.

I.1 asks a pressing question, since on the face of it the story contradicts the law. No. 2 then gives us a case, and No. 3 asks about the contradiction that is implicit. No. 4 moves on from the principles of No. 3 and shows how each party follows a consistent principle to produce a conflicting result. No. 5, part of the same coherent composite, then shows the Tannaite foundations for the two Amoraites' distinct positions. Nos. 6, 7 go forward along these same lines. No. 8 forms a footnote to No. 7. II.1 commences with a decision on the law at issue. No. 2 proceeds to clarify the language used in the Mishnah. No. 3 proceeds to amplify the same rule. No. 4 then summarizes and works the foregoing into a single coherent statement of its own. No. 5 forms a footnote to No. 4. But it is entirely relevant to the composite as a whole. No. 6 then clarifies the foregoing. No. 7 continues with a further amplification of the foregoing. No. 8 is a footnote to No. 7. No. 9 then presents a case that illustrates the rule of the Mishnah and how it is applied; the upshot is to give us a rule for yet another interstitial situation. No. 10 raises a secondary question along the same lines.

5:3-5
5:3

- A. A gentile who with an Israelite was moving jars of wine from place to place —
- B. if [the wine] was assumed to be watched, it is permitted.
- C. If [the Israelite] informed him that he was going away [the wine is prohibited if he was gone] for a time sufficient to bore a hole [in a jug of wine] and stop it up and [for the clay] to dry.
- D. Rabban Simeon b. Gamaliel says, "Time sufficient to open [the jar] and stop it up and for the clay to dry."

5:4

- A. He who leaves his wine on a wagon or in a boat and went along by a shortcut, entered into a town and bathed — it is permitted.
- B. But if he informed [others] that he was going away,
- C. [the wine is prohibited if he was gone] for a time sufficient to bore a hole and stop it up and for the clay to dry.
- D. Rabban Simeon b. Gamaliel says, "Time sufficient to open [the jar] and stop it up and for the clay to dry."

- E. He who leaves a gentile in a store,
- F. even though he is going out and coming in all the time —
- G. it is permitted.
- H. But if he informed him that he was going away,
- I. [the wine is prohibited if he was gone] for a time sufficient to bore a hole and stop it up and for the clay to dry.
- J. Rabban Simeon b. Gamaliel says, “Time sufficient to open [the jar] and stop it up and for the clay to dry.”

5:5

- A. [If an Israelite] was eating with [a gentile] at the same time, and he put a flagon [of wine] on the table and a flagon on a side table, and he left it and went out —
- B. what is on the table is forbidden.
- C. But what is on the side table is permitted.
- D. And if he had said to him, “You mix and drink [wine],” even that which is on the side table is forbidden.
- E. Jars which are open are forbidden.
- F. And those which are sealed [are forbidden if he was gone] for a time sufficient to bore a hole and stop it up and for the clay to dry.

- I.1** A. *What is the meaning of if [the wine] was assumed to be watched?*
- B. *It is in accord with that which has been taught on Tannaite authority:*
- C. **If one’s asses and workers were bearing foods that were in the condition of cultic cleanness and passing some distance before him, even if they were more than a mile away, lo, these are clean, because they are assumed to be watched. If he said to them, “Go out, and I shall come after you,” once they have left his eyesight, lo, these are unclean [T. [Tohorot 6:16A-C](#)].**
- D. *What differentiates the first from the second case [in that the former case involves unclean people, but they are not assumed to have imparted uncleanness to the foods that they are carrying]?*
- E. Said R. Isaac, “In the former case, he has made his ass drivers and workers pure to carry out the task [and that is why they do not impart uncleanness to the food].”

- F. *If so, the second case also [should involve the same preparation, so why in the second case are the foodstuffs now deemed unclean]?*
- G. A person not meticulous about preserving the cultic cleanness of food will not be meticulous about contact with his [unclean] fellow.
- H. *If so, the first case also should involve the same consideration!*
- I. Said Raba, [69B] “We deal with a case in which the owner could come upon them by some circuitous route [so the workers would know that they are being watched].”
- J. *If so, then the same consideration should apply in the second case!*
- K. *Since he has said to them, “Go out, and I shall come after you,” they rely on his statement [and would be careless.]* Cohen: Accordingly, the phrase, ‘under supervision,’ means that the gentile is afraid to tamper with the wine because he might be observed by the owner.]

II.1 A. He who leaves his wine on a wagon or in a boat....He who leaves a gentile in a store....:

- B. *It is necessary to specify both cases. For if the Tannaite framer of the passage had made reference only to the gentile [conveying jars of wine], the operative consideration might have been that, since he was thinking, “Perhaps he will come and see me,” [I shall be careful not to pollute the wine with my touch],” but in the case of a wagon or a boat, I might have supposed that since the gentile might cast off the moorings of the boat and do whatever he wanted, [I might have thought that that is not the rule]. And if the Tannaite framer had made reference only to the case of the wagon or the boat, I might have thought that the operative consideration is that he might have been thinking, “Perhaps he may come by some other way or stand on the bank and see me,” but if the gentile was left in his shop, he would have supposed that he can shut the door and do anything he wanted. So we are informed that in that setting, too, the wine is not prohibited.*

III.1 A. [With reference tothe wine is prohibited if he was gone for a time sufficient to bore a hole and stop it up and for the clay to dry. Rabban Simeon b. Gamaliel says, “Time sufficient to open the jar]and stop it up and for the clay to dry”:] Said Rabbah bar bar Hana said R. Yohanan, “The dispute concerns a stopper made of lime, but as to one made of clay, all parties concur that he must have been away for a span of time **sufficient to bore a hole and stop it up and for the clay to dry.**”

- B. *An objection was raised:* Said Rabban Simeon b. Gamaliel to sages, “But will not the stopper be discerned either on the outside [the new material will be readily distinguished from the rest] or on the inside [even if the outside was smoothed over, he could not smooth over the inside].” [Cohen: Simeon then holds the new stopper can always be detected, so why does he differ from rabbis?] *Now if you maintain that the dispute concerns a stopper of mud, that is in line with what the Tannaite formulation reads, namely, “But will not the stopper be discerned either on the outside [the new material will be readily distinguished from the rest] or on the inside [even if the outside was smoothed over, he could not smooth over the inside]?” But if you hold that the dispute pertains to one of lime, then there should be no problem, since, so far as the inside is concerned, it can be discerned, while as to the outside, it is not going to be perceived.*
- C. *Rabban Simeon b. Gamaliel was not certain of what precisely rabbis meant to say, so this is what he was trying to say to them: “If you speak of a stopper of clay, then the stopping up can be discerned on both the outside and the inside; but if you speak of one of lime, while it cannot be discerned on the outside, yet it can be discerned on the inside.”*
- D. *And as to rabbis, since it cannot be discerned if located on the outside, under such conditions it would not enter his mind to reverse the stopper and inspect it; or also sometimes the new stopper hardens [on both top and bottom, so the detection is difficult].*

- III.2** A. *Said Raba, “The decided law accords with the position of Rabban Simeon b. Gamaliel, since we have learned in the Mishnah an anonymous formulation of the rule that accords with his position, for we have learned in the Mishnah: [If an Israelite] was eating with [a gentile] at the same time, and he put a flagon [of wine] on the table and a flagon on a side table, and he left it and went out — what is on the table is forbidden. But what is on the side table is permitted. And if he had said to him, “You mix and drink [wine],” even that which is on the side table is forbidden. Jars which are open are forbidden. And those which are sealed [are forbidden if he was gone] for a time sufficient to bore a hole and stop it up and for the clay to dry.”*
- B. *It is obvious [from the italicized words that the anonymous formulation accords with Simeon b. Gamaliel’s rule]!*

- C. *[Had Raba not drawn attention to that fact,] what might you have said? The whole of the passage at hand was formulated by Rabban Simeon b. Gamaliel. So we are informed that that is not the fact [and from “if an Israelite was eating...,” is not part of Simeon’s statement; but it accords with his view and therefore indicates that the decided law is in line with his opinion].*
- D. *Now, since as a matter of fact we stand with Rabban Simeon b. Gamaliel, who holds that we do not take account of the possibility of a hole’s being bored in a jar, and, further, since the law also accords with R. Eliezer, who maintains that we do not take account of the possibility of the seal’s having been fraudulently forged, why is it that these days we still do not leave stopped casks in the care of gentiles?*
- E. *It is on account of the vent [through which the fumes escape; he might draw off some wine through that].*

III.3 A. *Said Raba, “In the case of a gentile whore, with Israelites reclining at table with her — the wine is permitted. The reason is that, granting that desire would be strong in them, [70A] the desire for libation wine would not be strong in them [and they would stop her from touching the wine].*

B. *“In the case of an Israelite whore with gentiles reclining at table with her — the wine is forbidden. What is the reason? Since she is held in contempt by them, she would be drawn after them.”*

III.4 A. *In a certain house wine belonging to an Israelite was stored. A gentile came in and locked the door behind him. Through a crack in the door the gentile was found standing among the jugs.*

B. *Said Raba, “Whatever is in the area opposite the crack is permitted, but the jugs on either side are forbidden.”*

III.5 A. *Israelite wine was stored in a house in which an Israelite dwelled upstairs, a gentile downstairs. They heard the racket of a fight. They went out. The gentile came back first, locking the door behind him.*

B. *Said Raba, “The wine is permitted. For the gentile surely would have supposed, ‘Just as I came in first, so the Israelite might have come back first and he might be sitting upstairs watching me.’”*

III.6 A. *At an inn was stored wine belonging to an Israelite, and a gentile was turned up among the jugs.*

- B. *Said Raba, "If he could be arrested for theft, the wine is permitted, but otherwise it is forbidden."*

III.7 A. *In a house in which wine was stored a gentile was discovered among the jugs.*

- B. *Said Raba, "If he had an excuse for being there, the wine is forbidden; otherwise it is permitted."*

C. *An objection was raised: "If the inn was locked up, or if someone had said to him, "Watch it," the wine is forbidden. Does this not mean that, even though the gentile had no excuse for being there [the wine is forbidden]?"*

- D. *No, it means that he had an excuse for being there.*

III.8 A. *An Israelite and a gentile were sitting and drinking wine together. The Israelite heard the sound of prayer in the synagogue, so he got up and went.*

- B. *Said Raba, "The wine is permitted. The other will say, 'Any minute he will remember his wine and come back.'"*

III.9 A. *An Israelite and a gentile were sitting on a ship. The Israelite heard the sound of the ram's horn, proclaiming the advent of the Sabbath, so he left and went ashore.*

- B. *Said Raba, "The wine is permitted. The other will think, 'Any time he will remember his wine and come back.'"*

C. *But if on account of the Sabbath [someone might imagine the gentile would not have any such consideration in mind], lo, has not Raba said, "Issur the convert once told me, 'While we were still gentiles, we reached the conclusion that the Jews do not keep the Sabbath, for if they really kept the Sabbath, how many purposes would be found in the street!' For at that time we did not know that we accept the opinion of R. Isaac.""*

- D. *For said R. Isaac, "He who on the Sabbath finds a purse may carry it less than four cubits." [That he may repeat until he gets home.]*

III.10 A. *Once a lion roared in an Israelite's wine press, and a gentile worker heard it and hid among the kegs.*

- B. *Said Raba, "The wine is permitted. He would have thought, 'Just as I hid out, so the Israelite has hidden out behind me, and lo, he is watching me.'"*

- III.11** A. *Some thieves went up to Pumbedita and opened up a great many jugs of wine.*
- B. *Said Raba, "The wine is permitted. What is the reason? The majority of thieves around here are Israelites."*
- C. *The same thing happened in Nehardea, and said Samuel, "The wine is permitted."*
- D. *In accord with whom is that decision?*
- E. *It is in accord with R. Eliezer, who has said, "If there is a matter of doubt about whether a cultically clean person has entered a cultically unclean place, he is held to be clean." For we have learned in the Mishnah: **One entered the valley during the rainy season — and the uncleanness is in a certain field, and he said, "I walked in that place, but I do not know whether I entered that particular field, or whether I did not enter [it]" — R. Eliezer says, "If the matter of doubt concerns whether he has entered the field, he is clean; if the matter of doubt concerns whether he has touched the source of uncleanness, he is unclean"** [M. **Tohorot 6:5A-E**].*
- F. *Not at all, for that case involving thieves is exceptional, because in the case of thieves, some open the jugs in search of money, and so there is an uncertainty about a matter that itself is uncertain [and in this case, even rabbis who differ from Eliezer will concur that the wine is permitted].*

- III.12** A. **[70B]** *A gentile girl was found standing among jugs of wine, holding some of the froth in her hand.*
- B. *Said Raba, "The wine is permitted. I maintain that she might have gotten the wine from the outside of the jug, and even though there was none left when she was discovered, I maintain that she happened earlier to have found some of the froth."*

- III.13** A. *A platoon of soldiers came into Nehardea and opened up a great many jugs of wine.*
- B. *When R. Dimi came, he said, "There was a case before R. Eleazar, and he permitted the wine. But I don't know whether it was because he took the position of R. Eliezer, who held, **"If the matter of doubt concerns whether he has entered the field, he is clean; if the matter of doubt concerns whether he has touched the source of***

uncleanness, he is unclean” [M. **Tohorot 6:5A-E**], or whether it was because he held that the vast majority of those who were in the platoon were Israelites.”

- C. *If so, then the matter of doubt concerned not uncertainty about whether they had entered, but uncertainty about whether they ‘had touched the casks [and here Eliezer, too, takes the strict position, since the doubt is whether it was Jews who had opened the jugs]!*
- D. *Since they had opened the jugs, you should conclude that it was to search for money, and so it is in the classification of a case of uncertainty about whether or not they had come in [and Eliezer takes the lenient view; the wine then is permitted].*

- III.14** A. *An Israelite woman who traded in wine handed over the key to the door of the wine cellar to a gentile woman.*
- B. *Said R. Isaac said R. Eleazar, “There was such a case in the house of study, and they ruled, ‘She handed over to her only charge of the key alone.’”*
 - C. *Said Abbaye, “So we, too, have learned in the Mishnah: **He who gives over his key to an am haarets — the house is clean, for he gave him only [the charge of] guarding the key [M. **Tohorot 7:1E-F**].** Now if foods that were to be preserved in a state of cultic cleanness remain clean, all the more so must that rule apply to the matter of libation wine!”*
 - D. *Is that to imply that the rules governing cultic cleanness are enforced more strictly than those of libation wine?*
 - E. *Indeed so, for it has been stated: A courtyard [occupied by both a person meticulous about cultic cleanness and one who was not] that was divided merely by pegs —*
 - F. *Rab said, “Foods that were prepared in conditions of cultic cleanness in point of fact are unclean, but a gentile living on the other side of the inadequate partition does not impart the status of libation wine to the Israelite’s wine.”*
 - G. *And R. Yohanan said, “Also the foods that were prepared in conditions of cultic cleanness in point of fact are clean.”*
 - H. *An objection was raised: **[In the case of two courtyards, one within the other], the inner one belonging to a person meticulous about cultic cleanness of his secular food, the***

outer one belonging to one not so meticulous — the one who is meticulous may lay out his produce there and leave utensils there, even though the hand of the person who is not meticulous can reach the produce [cf. T. **Tohorot 9:11**]. *This contradicts the statement of Rab.*

- I. *Rab may say to you, “That case is exceptional, because he might be arrested as a thief [which is not the case if the courtyard is divided off merely by pegs].”*
- J. *Come and take note: **Rabban Simeon b. Gamaliel** says, “If the roof of the person meticulous about cultic cleanness is higher than the roof of the person not so meticulous, the person who is meticulous may lay out utensils there and leave food prepared in conditions of cultic cleanness there, on condition that the person who is not meticulous cannot stretch out his hand and touch the possessions of the other” [T. **Tohorot 9:11G-I**]. *This contradicts the position of R. Yohanan.**
- K. *R. Yohanan may say to you, “That case is different, since he has an excuse, saying, ‘I was intending only to take measurements [from my roof, to construct a building, and that is why I stretched out my hand].”*
- L. *Come and take note: **The roof of a person meticulous about cultic cleanness beside the roof of a person not meticulous about it — the person who is meticulous lays out utensils there and leaves food prepared in conditions of cleanness there, even though the person who is not meticulous can reach out his hand and touch** [T. **Tohorot 9:11A-C**]. *This contradicts the statement of Rab.**
- M. *Rab may say to you, “Is there not the position of **Rabban Simeon b. Gamaliel**, who concurs with my position? I made my statement within the framework of the position of **Rabban Simeon b. Gamaliel**.”*

I.1 clarifies the meaning of the language used in the cited passage of the Mishnah. II.1 accounts for the inclusion of more than a single case. III.1 then explains what is at issue in the Mishnah paragraph's dispute. No. 2 provides an argument on how the decided law is to be determined. No. 3 provides an illustration of a rule that the Mishnah's framers have

not invited; but it is thematically entirely a propos. Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 present a sequence of generally relevant cases, the larger part of them formed around rulings of Raba.

5:6

- A. A band of gentile [raiders] which entered a town in peacetime —
- B. open jars are forbidden, closed ones, permitted.
- C. [If it was] wartime, these and those are permitted.
- D. because there is no time for making a libation.

I.1 A. [71A] *An objection was raised: A town that was conquered in a siege — all women married to priests in the town are disqualified to their husbands [assumed to have been raped by men whom they may not legally marry] [M. Ket. 2:9D]!*

- B. Said R. Mari, “For making a libation of wine, there is no opportunity, but there is plenty of opportunity for rape.”

The contradiction is ironed out.

5:7A-B

- A. Israelite craftsmen, to whom a gentile sent a jar of libation wine as their salary, are permitted to say to him, “Give us its value.”
- B. But if it has already entered their possession, it is prohibited.

I.1 A. Said R. Judah said Rab, “A person is permitted to say to a gentile, ‘Go and pay off the government’s share of the crop for me’ [even though the gentile will then use libation wine, from which an Israelite may derive no benefit, to pay the share of the crop that the Israelite and gentile owe as joint holders].”

- B. *An objection was raised:* One may not say to a gentile, “Go in my place and pay a bribe to the official!”
- C. *Rab said to him, “Do you cite the statement, ‘Go in my place and pay a bribe to the official’? The case is hardly parallel. Where I give permission is exceptional, along the lines of:* he may, however, say to him, ‘Save me from the official’ [so if the gentile gave him wine, he is not the Jew’s agent in giving the wine and the transaction is permitted].”

Once more we harmonize two contradictory formulations.

5:7C-E

- C. He who sells his wine to a gentile [and] agreed on a price before he had measured it out —
- D. proceeds paid for it are permitted.
- E. [If] he had measured it out before he had fixed its price, proceeds paid for it are prohibited.

- I.1** A. Said Amemar, “The act of drawing an object in the case of a gentile effects the transfer of title. *You may know that that is the case, for the Persians send gifts to one another and never retract.*”
- B. R. Ashi said, “In point of fact I shall tell you that the act of drawing an object in the case of a gentile does not effect the transfer of title. *The reason that they do not retract in the case of gifts is that they are captives of the spirit of pride.*”
- C. Said R. Ashi, “On what basis do I make this statement? It is because Rab said to Israelite wine sellers: ‘When you measure out wine to gentiles, take the money from them, then pour the wine, and if they do not have the money with them, then lend it to them and collect later on, so that it should be loan with them; if you do not act in such a way, then, when it becomes libation wine, it will have been classified as yours, and so, when you are paid back, it will be for libation wine.’ Now if it should enter your mind that the act of drawing an object in the case of a gentile effects the transfer of title, **[71B]** then as soon as the gentile drew the wine to himself, he will have acquired title to it, but in point of fact [in accord with these instructions] it did not become libation wine until he had actually touched it.”
- D. If the wine had been measured and poured by the Israelite into the Israelite’s own utensil [then the wine would not become libation wine until after it had passed into the gentile’s possession, through his touching it (Cohen)], but in the present case it is necessary to suppose that the Israelite measured and poured out the wine into the gentile’s utensil. [Cohen: The wine would then become libation wine as soon as it was poured out, because the utensil is prohibited and forthwith communicates the prohibition to the wine, even before the gentile drew it towards himself, so there is nothing to prove that the acquisition of title through drawing the object does not apply to a gentile.]

- E. *In any event, when the wine enters the contained space of the utensil, the gentile acquires it [should he be holding the utensil while the wine is poured in], but the wine does not become libation wine until it has reached the bottom of the utensil. [Cohen: Why then should Rab require the money to be paid first, seeing that the wine does not become libation wine until after it has passed into the possession of the gentile?] Does that not yield the inference that the flow of wine forms a connective [between the two utensils, and conveys the prohibition of the gentile's utensil to the Israelite's, from which it is poured out, making the wine libation wine even before it has been acquired by the gentile]?*
- F. *Not at all. If the gentile was holding the utensil in his hand, that would not be the case. So one has to suppose that the utensil was resting on the ground [while the wine was poured out, and in that case Rab prohibits the money if the wine is paid for first, since the wine becomes libation wine while still in the possession of the Israelite, by being poured into the utensil].*
- G. *But [while the wine is poured out], let the gentile's utensils acquire title to the wine in his behalf. [Cohen: Why then should Rab demand payment in advance?] Does this not bear the inference that a purchaser's utensils located in the domain of the seller do not effect transfer of title to the purchaser? [Cohen: ...the purchaser does not own the contents that the seller has put into the utensils even before the purchaser takes hold of the utensils, so the wine becomes libation wine even before it passes into the possession of the gentile].*
- H. *No, in point of fact I may say to you that the purchaser indeed has acquired title, but here, with what case do we deal [to explain why Rab wanted payment in advance? It is not based on the law of effecting transfer of title through drawing, but is to be explained in another way altogether]? It is one in which there is some wine held back on the mouth of the smaller utensil [the gentile's, into which wine is poured from the Israelite's utensil; these drops retained on the rim are libation wine before the wine enters the contained space of the utensil and so becomes the possession of the gentile]. Through that wine the wine becomes libation wine even before it enters the gentile's utensil [since every bit of the wine passing over the brim in that way becomes contaminated through these drops].*

- I. *In accord with what authority is this account of matters? It is not in accord with Rabban Simeon b. Gamaliel, for if the rule were in accord with him, lo, he has said, “**Let the whole of it be sold to a gentile, except for the value of that of libation wine which is in it.**” [Libation wine that fell into a vat — the whole of the vat is forbidden for benefit. Rabban Simeon b. Gamaliel says, “**Let the whole of it be sold to a gentile, except for the value of that of libation wine which is in it**” (M. 5:10)]. [Cohen: Likewise the money of all the wine apart from the value of the drops retained on the brim should be permitted.]*
- J. *Now in point of fact against whom is this argument directed if not against Rab? But has not Rab himself stated, “The decided law accords with Rabban Simeon b. Gamaliel when you have a jug of libation wine mixed with other jugs of wine, but not when libation wine is mixed with other wine [and undifferentiated from it].”*
- K. [Against the position that the act of drawing an object in the case of a gentile effects the transfer of title,] *an objection was raised:* He who purchases scrap metal from a gentile and found in it an idol, if the purchaser had made formal acquisition through the rite of drawing an object to himself prior to having turned over the money, he may return the purchased metal. But if this was after he had given over the money, he has to toss it into the Salt Sea [and may not return the idol and get his money back. *Now if you should imagine* that the act of drawing an object in the case of a gentile effects the transfer of title, *why should he return the purchased metal at all?*
- L. *Said Abbaye, “It is because it appears to be a purchase made in error.”*
- M. *Said Raba, “Is it possible that we invoke the consideration of a purchase made in error in the first of the two cases but not in the second? [Obviously not].” Rather, said Raba, “Both the first and the second of the two cases involve a purchase made in error. In the first case, since he has not handed over any money, it does not appear to be an idol in the domain of an Israelite, while in the second case, since he has paid over the money, it does appear to be an idol in the domain of an Israelite.”*

- N. *Said Mar Qashisha b. R. Hisda to R. Ashi, "Come and take note: **He who sells his wine to a gentile [and] agreed on a price before he had measured it out — proceeds paid for it are permitted.** Now if you maintain that the act of drawing an object in the case of a gentile does not effect the transfer of title, why are the proceeds paid for it permitted?"*
- O. *[He said to him,] "Here with what case do we deal? With a case in which he paid him the denar in advance."*
- P. *[He said to him,] "If so, then I call attention to the latter part of the same paragraph: **[If] he had measured it out before he had fixed its price, proceeds paid for it are prohibited.** If he had paid him the denar in advance, then why should the purchase money now be prohibited?"*
- Q. *[He said to him,] "But in accord with your position, which holds that the act of drawing an object in the case of a gentile does effect the transfer of title, why should it be the case in the first clause that **proceeds paid for it are permitted?** And why should it be the case in the second clause that **proceeds paid for it are prohibited?** Rather, what can you say? When he settled on the price, he determined to acquire the wine, and if he had not settled on the price, he is not determined to acquire the wine. And along the same lines, according to my position, even if he has paid him the denar in advance, if he has settled on the price, he determined to acquire the wine, and if he has not settled on the price, he is not determined to acquire the wine."*
- R. *Said Rabina to R. Ashi, "Come and take note of what R. Hiyya bar Abba said R. Yohanan [said, 'A son of Noah is put to death for stealing what is worth even less than a penny. He is not subjected to the requirement of making restitution. Now if you hold that the act of drawing an object in the case of a gentile does not effect the transfer of title, why should he be put to death [since he has not made acquisition of the stolen property anyhow]?"*
- S. *It is because of the anguish that he has caused the Israelite [in endangering his life].*

- T. **[72A]** *And what is the meaning of the statement, He is not subjected to the requirement of making restitution?*
- U. *He is not subject to the law governing restitution.*
- V. *If so, then note the remainder of the same passage: If his fellow came and stole the property from him, the other likewise is subject to the death penalty on that account. Now while the opening clause may be explained, namely, it is because of the anguish that he has caused the Israelite [in endangering his life], what has he done in the context of the concluding clause to warrant such a penalty? Does it not yield the result that the act of drawing an object in the case of a gentile does effect the transfer of title?*
- W. *It does indeed yield that conclusion.*

- I.2** A. *There was someone who said to his fellow, "If I sell this piece of land, it is to you in particular that I shall sell it." Then he went and sold it to someone else.*
- B. *Said R. Joseph, "The first party has acquired title to the land."*
- C. *Said to him Abbaye, "But lo, he has not agreed on a price?"*
- D. *"And how do you know that in any case in which the parties have not agreed on a price, there is no transfer of title?"*
- E. *"It is in accord with that which we have learned in the Mishnah: **He who sells his wine to a gentile [and] agreed on a price before he had measured it out — proceeds paid for it are permitted. [If] he had measured it out before he had fixed its price, proceeds paid for it are prohibited.**"*
- F. *"So what difference does this make?"*
- G. *"So what difference does this make? It is as we have stated [which is that the criterion is settling the price]."*
- H. *"But perhaps the stringent rules that pertain to libation wine make this an exceptional case!"*

- I. *Come and take note: For said R. Idi bar Abin, "There was a case [like the one involving the field] at the household of R. Hisda, and R. Hisda addressed it to the household of R. Huna, who found the answer in that which has been taught on Tannaite authority: If one draw into his possession the other's asses and workers and brought them into his household, whether he had agreed on a price prior to measuring the produce, or measured the produce prior to having settled on a price, he has not acquired title to them, and either party can retract. If, however, he had unloaded the asses and brought them into his household, then, if he has settled on the price before he measured the produce, neither party can retract, and if he has measured them before settling on a price, both parties can retract." [The criterion is settling on the price, and the man cannot claim the field in the case before us.]*

I.3 A. *There was a man who said to his fellow, "If I sell this field, it is to you that I'll sell it, for a hundred zuz." He went and sold it to someone else for a hundred and twenty.*

B. *Said R. Kahana, "The first party has acquired title to the land."*

C. *Objected R. Jacob of Nehar Peqod, "But as to the one who sold the field, he was compelled to do as he did by the higher price."*

D. *The decided law accords with the position of R. Jacob of Nehar Peqod.*

I.4 A. *If he said to him, "When the article has been valued by three persons, [we will have our price], then even if two of the three concur, the price must be accepted; but if he had said, "As three will declare the price,] then there must be three who concur on that price.*

B. *If he said to him, "When it has been assessed by four persons," then four have to agree on the price, and all the more so if he said to him, "As four will declare the price to be."*

- C. *If he said to him, “When the article will have been assessed by three,” and three came and valued it, and then the other said, “Let three others come, who are better qualified,”*
- D. *R. Pappa said, “He has the right to object [and ask for three more].”*
- E. *R. Huna b. R. Joshua objected, “How do we know that the latter three will be better qualified? Perhaps the first three were the better choice?”*
- F. *The decided law accords with R. Huna b. R. Joshua.*

The reason for including at I.1 the debate on whether or not the act of drawing an object in the case of a gentile effects the transfer of title clearly derives from the use of our law as a case in the argument of the principle at hand. No. 2, 3+4 are included only because our Mishnah’s rule serves as illustration for that secondary and unrelated issue.

5:7F-J

- F. **[If] he took the funnel and measured it out into the flask of the gentile and then went and measured wine into the flask of an Israelite,**
- G. **if there remained [in the funnel] a drop of wine [from what had been poured into the gentile’s flask, then what is in the Israelite’s flask] is forbidden.**
- H. **He who pours [wine] from one utensil to another —**
- I. **that from which is emptied [the wine] is permitted.**
- J. **But that into which he emptied [the wine] is forbidden.**

- I.1** A. *There in the Mishnah we have learned: A jet [of liquid], [water on] an incline, and flowing liquid — they are not a connector either for uncleanness or for cleanness. The rut [of water] is a connector for uncleanness and for cleanness [M. **Tohorot 8:9D-F**].*
- B. Said R. Huna, “A jet of liquid, water on an incline, and flowing liquid for purposes of determining whether wine has been made into libation wine indeed do form connectors.”
- C. *Said R. Nahman to R. Huna, “How do you know it? If it is from the passage of the Mishnah that we have learned, A jet [of liquid], [water on] an incline, and flowing liquid — they are not a connector either for uncleanness or for cleanness, yielding the argument, ‘as to uncleanness and cleanness, they do not form connectors, but as to libation wine, they do form connectors,’ then let me call your attention to the concluding clause, The rut [of water] is a connector for uncleanness and for cleanness [M. **Tohorot 8:9D-F**], yielding the argument, ‘as to uncleanness and cleanness, it does form a*

connector, but as to libation wine, it does not form a connector'! So there is no usable inference to be drawn here."

- D. [In defense of Huna's proposition, we proceed:] *We have learned in the Mishnah: [If] he took the funnel and measured it out into the flask of the gentile and then went and measured wine into the flask of an Israelite, [72B] if there remained [in the funnel] a drop of wine [from what had been poured into the gentile's flask, then what is in the Israelite's flask] is forbidden. Now as to the wine left in the funnel, how has it been made prohibited? Is it not through the outflow? Then one must draw the conclusion that the outflow is a connector.*
- E. *It has been taught as a Tannaite formulation by R. Hiyya, [Our Mishnah speaks of a case in which] his flask forced the wine back [since the gentile's flask was full, some wine flowed back into the funnel, so the wine in the funnel was contaminated not because the outflow formed a link, but by direct contact]. Then if his flask did not force the wine back, what would be the conclusion to be drawn? It is not prohibited, which then yields the inference that the outflow is not deemed a connector.*
- F. *No, it proves that, when the flask forced the wine back, it is forbidden, but the question of whether or not the outflow forms a connector stands!*
- G. *Come and take note: He who pours [wine] from one utensil to another — that from which is emptied [the wine] is permitted. Lo, that which is between the two utensils is forbidden, which yields the inference that the outflow forms a connector.*
- H. *But if the outflow is a connector, then even what is in the first utensil also should be forbidden!*
- I. *No, that poses no problem, because [in the case at hand] he cuts off the outflow. So in any event, the outflow forms a connector.*
- J. *But according to your reasoning, then let me cite the conclusion of the same passage: But that into which he emptied [the wine] is forbidden! Lo, that which is between the two utensils is permitted. It follows that no conclusions may be drawn from the cited passage of the Mishnah.*
- K. *Come and take note: He who pours out liquid from a jug into a vat [that contains libation wine] — the jet of liquid that descends from the rim of the cask is forbidden [so the flow is a connector].*

- L. *R. Sheshet interpreted this passage to speak of a gentile who was pouring out the liquid, in which case the flow derives from his action [and the reason the wine is prohibited is the act of the gentile, not the contents of the vat].*
- M. *If the case involves a gentile who was doing the pouring, then even what is in the jug should likewise be forbidden [not merely by the outflow; we refer to the prohibition only of the outflow]?*
- N. *The disqualification of what has been done by the action of a gentile derives only from rabbis, who made their decree only against what is poured out of the cask and not against what is inside it.*

I.2 A. *Said R. Hisda to Israelite wine dealers, “When you pour out wine for gentiles, cut off the flow or pour it in with a splash [to avoid a connecting flow; it does form a link].”*

B. *Said Raba to Israelite wine dealers, “When you pour out wine, don’t let gentiles come and help, lest you forget and leave the utensil resting on his hands, so that the pouring derives from his action and the wine then would be forbidden.”*

I.3 A. *Somebody was drawing wine [from a full cask to an empty cask], with a siphon made up of a large tube and a small tube. A gentile came and put his hand on the large tube [that is, the side from which the wine was flowing into the empty cask]. Raba forbade all the wine.*

B. *Said R. Pappa to Raba, — some say, R. Adda b. Mattena to Raba, another version, Rabina to Raba, “How come? Is it because of the outflow? Then that bears the inference that the outflow forms a connector.”*

C. *He said to him, “This case is exceptional, because all the wine is drawn through the siphon [so it is as though he touched all the wine, not merely what was in the tube (Cohen)].”*

I.4 A. *Said Mar Zutra b. R. Nahman, “A utensil that holds several straws — it is permitted to drink therefrom [even including a gentile], so long as the Israelite stops drinking first, but not if the gentile stops drinking first [since what he had drawn into his straw would flow back].”*

B. *Rabbah b. R. Huna visited the household of the exilarch. He permitted them to drink from a utensil that held several straws.*

C. **[73A]** *Some say that Rabbah b. R. Huna himself drank from a utensil that held several straws.*

The analysis at I.1 comes right to the problem of physics that is implicit in the law of the Mishnah. Nos. 2, 3 then present relevant cases. No. 4 adds yet another rule, with a case attached as well.

5:8

- A. Libation wine is forbidden and imparts a prohibition [to wine with which it is mixed] in any measure at all.
- B. [If it is] wine [poured] into wine, or [libation] water [poured] into water, in any quantity whatever [it is forbidden].
- C. [If it is] wine [poured] into water or water [poured] into wine, [it is forbidden] if it imparts flavor.
- D. This is the governing principle: [If it is] one species [poured] into its own species [B], [it is forbidden] in any measure at all.
- E. [If it is] not [poured] into its own species [C], it is forbidden if it imparts flavor.

I.1 A. *When R. Dimi came, he said R. Yohanan [said], “He who pours out libation wine from a jug into a vat, even if he does so all day long, as each drop falls into the vat, it is nullified.” [Cohen: Each portion of libation wine is absorbed as it falls into the vat, however large the aggregate may be.]*

- B. *We have learned in the Mishnah: Libation wine is forbidden and imparts a prohibition [to wine with which it is mixed] in any measure at all. Does this not mean when the forbidden component falls into the permitted component [in contradiction to the cited statement of Yohanan]?*
- C. *No, it refers to a case in which the permitted element falls into the prohibited [just as in Yohanan’s case].*
- D. *Come and take note: [If it is] wine [poured] into water or water [poured] into wine, [it is forbidden] if it imparts flavor. Is this not a case in which forbidden wine falls into permitted water?*
- E. *No, it refers to a case in which permitted wine falls into prohibited water [just as in Yohanan’s case].*
- F. *But if the opening clause deals with water that is forbidden, the concluding one likewise deals with water that is forbidden, yet in the second clause it is stated as the Tannaite formulation: or water [poured] into wine, [it is forbidden] if it imparts flavor!*

G. *R. Dimi can reply to you, "The entire Mishnah paragraph refers to pouring a liquid that is permitted into a liquid that is forbidden. And in the first clause, wine that is permitted is poured into water that is forbidden, while in the second clause, water that is permitted falls into wine that is forbidden."*

I.2 A. *When R. Isaac bar Joseph came, he said R. Yohanan [said], "He who pours libation wine from a small cooler into a vat, even if he does so all day long, as each drop falls into the vat, it is nullified."*

B. *"But that is so in particular in a case of a small cooler, the jet of which is not abundant, but not to a cask, the jet of which is abundant."*

I.3 A. *When Rabin came, he said R. Yohanan [said], "Libation wine that fell into a vat, and a flask of water also fell into it, we regard the permitted part of the wine [in the vat] as though it were not present, and as for the rest, the water forms a greater portion of the whole than the [libation] wine and therefore nullifies it."*

B. *When R. Samuel bar Judah came, he said R. Yohanan [said], "They have repeated [that statement as a Tannaite formulation] only in the case in which the flask of wine fell in first. But if the flask of wine fell did not fall in first, then the principle concerning a species that has found its own species is invoked [If it is one species poured into its own species, it is forbidden in any measure at all] [Cohen: so that the two combine, and the wine is disqualified even if the quantity of water that mixes with it subsequently is sixty times the libation wine]."*

C. *There are those who repeat that formulation with reference to the clause of our Mishnah paragraph, **If it is wine poured into wine...in any quantity whatever it is forbidden.***

D. *When R. Samuel bar Judah came, he said R. Yohanan [said], "They have repeated that statement as a Tannaite formulation only in the case in which the flask of a flask of water did not fall in. But if a flask of water fell in, we regard the permitted part of the water as though it were not present, and the rest of the water is more abundant than it and nullifies it."*

E. *What difference does it make whether [Samuel's statement] applies to our Mishnah paragraph or to the statement of Rabin?*

F. *The one who repeats that statement in connection with our Mishnah does not impose the requirement that the flask of*

water fall in first, but one who repeats that statement in connection with Rabin's allegation requires that the water fall in first.

I.4 A. *It has been stated:*

- B. In the case of libation wine that fell into a vat, and afterward a flask of water fell into it —
- C. **[73B]** said Hezekiah, “If the mixture in the vat was increased through the admixture of the forbidden element, it is all forbidden. [Cohen: The water fell into the pure wine, and then the libation wine fell into it; although the water is more than sixty times the forbidden element, the whole is prohibited, contrary to Rabin.] If it was increased through the admixture of the permitted element, it is permitted.” [The pure wine fell in last; then the libation wine was nullified by the water before the other wine fell into it, and so the mixture is permitted.]
- D. R. Yohanan said, “Even if it was increased through the admixture of the prohibited element, it is permitted.” [Cohen: Since the water fell in first, it is not a case of a species meeting with its own species.]
- E. *Said R. Jeremiah to R. Zira, “May one say that Hezekiah and R. Yohanan are engaged by the same issue that is subject to debate between R. Eliezer and rabbis? For we have learned in the Mishnah: **Leaven of common produce and [leaven] of heave-offering which fell into dough, [and there is] not enough of either to leaven [the dough], [but] they combined and leavened [it] — R. Eliezer says, “I rule [on the status of the dough] according to the last [leaven which fell in].” But sages say, “Whether the prohibited [leaven] fell in first or last, it does not render [the dough] prohibited unless there is enough of it to leaven [by itself]” [M. **Orl. 2:11A-E**]. [Cohen: Hezekiah concurs with Eliezer, that the criterion is which element entered last, and Yohanan will agree with sages.]***
- F. *And do you reason matters out in such a way, and has not Abbayye said, “The Tannaite formulation [of Eliezer's view] is repeated only in connection with a case in which one first went and removed the disqualifying component of the mixture. But if he did not first remove the disqualifying component, [whichever fell in last] the dough is forbidden”?*
- G. *Then with whom will Hezekiah concur? [Cohen: According to Eliezer the contents of the vat would be prohibited, whichever fell in last, since*

the forbidden element has not been removed; according to rabbis it would be allowed in any event.] *Rather, here what is at stake is whether [when we calculate the proportions of the mixture, specifically, whether the water is sixty times more than the libation wine that fell into the vat], we consider [the uncontaminated wine as though it were not present]. Hezekiah holds that [when we calculate the proportions of the mixture, specifically, whether the water is sixty times more than the libation wine that fell into the vat], we do not consider [the uncontaminated wine as though it were not present]. R. Yohanan maintains that [when we calculate the proportions of the mixture, specifically, whether the water is sixty times more than the libation wine that fell into the vat], we do consider [the uncontaminated wine as though it were not present].*

- H. *But is it the fact that R. Yohanan maintains that [when we calculate the proportions of the mixture, specifically, whether the water is sixty times more than the libation wine that fell into the vat], we do consider [the uncontaminated wine as though it were not present]? For lo, R. Assi asked R. Yohanan the following question: “In the case of two cups, one containing unconsecrated wine, the other containing wine in the status of priestly rations [heave-offering], if someone has first diluted them with water, then mixed the two together, what is the law?” And he did not settle the question [so he had not decided whether or not when we calculate the proportions of the mixture, specifically, whether the water is sixty times more than the libation wine that fell into the vat, we consider [the uncontaminated wine as though it were not present]!*
- I. *True enough, to begin with he did not settle the question, but in the end he did settle the question. So, too, it has been stated: Said R. Ammi said R. Yohanan, and some say, said R. Assi said R. Yohanan, “In the case of two cups, one containing unconsecrated wine, the other containing wine in the status of priestly rations [heave-offering], if someone has first diluted them with water, then mixed the two together, we regard the permitted component as though it were not present, and as for the rest, the water is deemed more abundant than the wine and so nullifies it.”*

- II.1 A. This is the governing principle: If it is one species poured into its own species, it is forbidden in any measure at all. If it is not poured into its own species, it is forbidden if it imparts flavor:**
- B. *Both Rab and Samuel say, “In the case of all those things that are forbidden in the Torah, if there is a mixture of the same species, then the volume of disqualification is any small amount at all; if it is a mixture of two different species, then the mixture is forbidden when the prohibited component imparts its flavor to the whole. As to the language, **This is the governing principle: What does this phrase serve to encompass?** It serves to encompass all those things that are forbidden in the Torah.”*
- C. *Both R. Yohanan and R. Simeon b. Laqish say, “As to all those things that are forbidden in the Torah, whether a mixture is of two components made of the same species or of two different species, the mixture is forbidden if the prohibited element imparts a flavor, excepting only produce from which heave-offering has not yet been designated and libation wine. In these cases, if there is a mixture of the same species, then the volume of disqualification is any small amount at all; if it is a mixture of two different species, then the mixture is forbidden when the prohibited component imparts its flavor to the whole. As to the language, **This is the governing principle: What does this phrase serve to encompass?** It serves to encompass produce from which heave-offering has not yet been designated.”*
- D. *It has been taught on Tannaite authority in accord with the position of Rab and Samuel, and it has been taught on Tannaite authority in accord with the position of R. Yohanan and R. Simeon b. Laqish.*
- E. *It has been taught on Tannaite authority in accord with the position of Rab and Samuel: In the case of all those things that are forbidden in the Torah, if there is a mixture of the same species, then the volume of disqualification is any small amount at all; if it is a mixture of two different species, then the mixture is forbidden when the prohibited component imparts its flavor to the whole.*
- F. *And it has been taught on Tannaite authority in accord with the position of R. Yohanan and R. Simeon b. Laqish: As to all those things that are forbidden in the Torah, whether a mixture is of two components made of the same species or of two different species, the mixture is forbidden if the prohibited element imparts a flavor, excepting only produce from which heave-offering has not yet been*

designated and libation wine. In these cases, if there is a mixture of the same species, then the volume of disqualification is any small amount at all; if it is a mixture of two different species, then the mixture is forbidden when the prohibited component imparts its flavor to the whole.

- G. *Now there is no problem in understanding the exception made of libation wine, since in general a strict rule is applied to any case involving idolatry. But what is the explanation for the application of so strict a rule to produce from which heave-offering has not been designated?*
- H. The conditions that pertain to rendering the produce permissible are the same as the conditions that pertain to rendering it forbidden, in line with that which Samuel has said, “A single grain of wheat renders the entire wheat pile exempt from further separation of heave-offering.” [Likewise the presence of a single grain that has not yet been tithed in a mixture of grain suffices.]
- I. *So, too, we have learned in the Mishnah: **One who removes [dough for use as] leaven from [a batch of] wheat dough [the dough-offering of which has not yet been separated] and adds it to [a batch of] rice dough — if [the rice dough now] has the taste of cereal, it is subject to dough-offering. But if not, it is exempt. If that is the case, why did they say, “Untithed food in any amount, [when mixed with tithed food,] renders [the entire mixture] forbidden [until tithes have been properly removed]”? [That refers to mixtures of] the same species. But [in cases of mixtures of] different species, [the untithed food renders the whole forbidden] only when it imparts [its] flavor [to the whole] [M. Hal. 3:10A-F].***

The power of the theoretical proposition treated at I:1 is to link our specific rule to a broader problem of physics, namely, the affect of a mixture upon the prohibited component thereof. Nos. 2, 3, 4 form part of the same composition. II.1 addresses the language of the Mishnah and in so doing clarifies not the Mishnah paragraph but the entire range of the law.

5:9

- A. [74A] These are forbidden and impose a prohibition in any measure at all:
- B. (1) libation wine, (2) an idol, (3) hides with a hole at the heart, (4) an ox which is to be stoned, (5) a heifer, the neck of which is to be broken, (6) birds belonging to a mesora', (7) the hair cut off a Nazir (Num. 6:18), (8) the [unredeemed] firstborn of an ass (Exo. 13:13), (9) meat in milk, (10) the goat which is to be sent forth, (11) unconsecrated beasts which have been slaughtered in the Temple courtyard —
- C. lo, these are forbidden and impose a prohibition in any measure at all.

- I.1 A. *On what foundation does the Tannaite authority of this rule enumerate the items that he does? If he counts objects that are commonly numbered [so each one is deemed a separate entity, on which basis a single one of them may impart a prohibition to however large a volume of that same species], then he should also include on his list pieces of meat from carrion. If he has in mind the enumeration of objects that may not be used in any wise, then he should include leaven during Passover.*
- B. *Said R. Hiyya bar Abba, and some say, R. Isaac Nappaha, "This Tannaite authority invokes items that are subject to the two different considerations, first of all, he lists items that are counted out one by one, and, further, he lists items that may not be put to any use or benefit by Israelites."*
- C. *Then he should also include on his list nuts of Perekh and pomegranates of Baddan, for these are commonly counted out one by one, and they may not be put to any beneficial use by Israelites!*
- D. *The Tannaite authority of our Mishnah has dealt with these items elsewhere: For R. Meir would say, "Whatever normally is counted [when being sold] renders [other food mixed with it] sanctified [forbidden, so that all of the food in the mixture must be burned]." But sages say, "Only six foods render [other foods] sanctified. And R. Aqiba says, "Seven [foods render others forbidden]. And these are they [sages' six foods]: (1) nuts from Perekh, (2) pomegranates from Baddan, (3) sealed jars [containing forbidden wine], (4) beet shoots, (5) cabbage stalks and (6) Greek gourds" R. Aqiba says, "Also (7) loaves [of bread] of a householder." To those [among these items] to which the [restrictions of] orlah are applicable, the [restrictions of] orlah [apply]. To that to which the prohibition of diverse*

kinds in a vineyard is applicable [D4-6, E7], the prohibition of diverse kinds in a vineyard [applies] [M. [Orl. 3:7A-G](#)].

- E. *Then the Tannaite authority should include also the loaves of a householder with reference to the law prohibiting leaven on Passover [which are subject to both criteria as well]?*
- F. *Whom have you heard who repeats that rule? It is R. Aqiba, and the Tannaite authority of the passage at hand indeed includes, R. Aqiba says, “Also (7) loaves [of bread] of a householder.”*

II.1 A. Lo, these are forbidden and impose a prohibition in any measure at all:

- B. *What does this further statement serve to exclude?*
- C. *It serves to exclude something that is counted out one by one but is not prohibited so far as Israelite use or benefit is concerned, or, likewise, to exclude something that is forbidden for all Israelite use or benefit but is not something that is counted out.*

I.1 asks for the ruling consideration that is in operation in forming our Mishnah paragraph's catalogue. II.1 follows suit, building on the foregoing.

5:10

- A. Libation wine that fell into a vat —**
- B. the whole of [the vat] is forbidden for benefit.**
- C. Rabban Simeon b. Gamaliel says, “Let the whole of it be sold to a gentile, except for the value of that of libation wine which is in it.”**

- I.1** A. Said Rab, “The decided law accords with the opinion of Rabban Simeon b. Gamaliel if it is a case in which a jug of wine was confused with other jugs of wine, but not when it is wine mixed with other wine.”
- B. And Samuel said, “Even if it is wine mixed with other wine.”
- C. And so did Rabbah bar bar Hana say R. Yohanan said, “Even if it is wine mixed with other wine.”
- D. And so said R. Samuel bar Nathan said R. Hanina, “Even if it is wine mixed with other wine.”
- E. And so said R. Nahman said Rabbah bar Abbuha, “Even if it is wine mixed with other wine.”
- F. Said R. Nahman, “As to the practical law, however, if the mixture is wine with other wine, it is forbidden; if it is a jug of wine with other jugs of wine, it is

permitted. If it is a mixture of wine that is classified as neither Israelite nor libation wine, if it is ordinary wine mixed with other wine of the same classification, it is permitted [as to benefit].”

The qualification of the law and the provision of a decision form the purpose of **I.1**.

5:11

- A. [74B] A stone wine press which a gentile covered with pitch –
- B. one scours it, and it is clean.
- C. And one of wood —
- D. Rabbi says, “Let him scour it.”
- E. And sages say, “Let him scale off the pitch.”
- F. And one of earthenware —
- G. even though one has scaled off the pitch, lo, this is forbidden.

- I.1** A. Said Raba, “That is the rule, in particular, if he covered it with pitch, but not if he trod his grapes in it [without coating it; then rinsing is enough (Cohen)].”
- B. *That is obvious, for we have learned in the Mishnah that very language, namely, which a gentile covered with pitch!*
- C. *What might you have said? That is the rule even if he has tread on his grapes in it, and the reason that the passage speaks of his coating it with pitch is only because that is the ordinary practice [namely, to toss in some wine after coating it with pitch]. So we are informed that that is not the case.*
- D. *There are those who say: Said Raba, “That is the rule, in particular, if he covered it with pitch, but not if he trod his grapes in it [without coating it] rinsing is not enough.”*
- E. *That is obvious, for we have learned in the Mishnah that very language, namely, which a gentile covered with pitch!*
- F. *What might you have said? That is the rule even if he has tread on his grapes in it, and the reason that the passage speaks of his coating it with pitch is only because that is the ordinary practice [namely, to toss in some wine after coating it with pitch]. So we are informed that the rule applies in particular to his having coated the vat with pitch, but if he treads his wine in it, it is not sufficient merely to scour the vat.*

- I.2** A. *This is in line with the case of someone who came before R. Hiyya. He said to him, "Give me someone to purify my wine press."*
- B. *He said to Rab, "Go with him and see that there not be a basis for complaint against me in the house of study [so that the cleaning is done properly and the man's wine is not prohibited]."*
- C. *He went. He saw that the sides of the press were very smooth. He said, "In this case, it surely suffices simply to scour the walls." Then as he went along, he saw a crack at the bottom that was full of wine. He said, "Here it will certainly not be sufficient to scour it off, but it will have to be scraped. And this is what my beloved [uncle] meant when he said to me, 'See that there not be a basis for complaint against me in the house of study [so that the cleaning is done properly and the man's wine is not prohibited].'"*

I.3 A. *Our rabbis have taught on Tannaite authority:*

- B. As to a gentile's wine press, ladle, and funnel —
- C. Rabbi permits using them after they have been scoured.
- D. Sages forbid.
- E. Rabbi concurs in the case of jugs belonging to a gentile that they are forbidden.
- F. What difference is there between the one thing and the other?
- G. In the case of jugs he puts wine in to preserve it, but in the case of the press, ladle, or funnel he does not put wine in to preserve it.
- H. And as to the wine press, ladle, and funnel that are made of wood or stone, he scours them. But if they were covered with pitch, they are forbidden.
- I. *But have we not learned in the Mishnah: **A stone wine press which a gentile covered with pitch — one scours it, and it is clean!***
- J. *Our Mishnah speaks of a case in which the gentile had not trod grapes in it, and the cited external Tannaite formulation speaks of a case in which he had trodden grapes in it.*

I.4 A. A master has said, "As to a gentile's wine press, ladle, and funnel — Rabbi permits using them after they have been scoured. Sages forbid."

- B. *But have we not learned in the Mishnah: **And one of earthenware — even though one has scaled off the pitch, lo, this is forbidden!***

- C. Said Raba, "The concluding lines of our Mishnah passage are in accord only with the position of rabbis."

I.5 A. *Raba expounded the law, "Scald the vat [of a gentile before using it]."*

- B. *When Raba would send empty jugs to Harpania, he would put them mouth downwards in sacks, sealing the hem. He took the view that rabbis made a decree concerning every utensil into which wine even temporarily is put for keeping by a gentile."*
- C. With what is one to scour them?
- D. Rab said, "With water."
- E. Rabbah bar bar Hana said, "With ashes."
- F. [Is the meaning then as follows:] Rab said, "With water": — not with ashes. Rabbah bar bar Hana said, "With ashes": — not with water?
- G. Rather, **[75A]** Rab said, "With water and the same goes for ashes," and Rabbah bar bar Hana said, "With ashes and the same rule applies with water."
- H. *There really is no point of difference between these two formulations, since one spoke of what is dry, the other, of what is moist.* [Cohen: If the traces of the wine had dried in the vat, it is rinsed with water and then rubbed with ashes; but if the moisture of the wine is still present, the order is reversed.]

I.6 A. *It has been stated:*

- B. *The household of Rab in the name of Rab say, "[The number of steps in cleansing is] two and three."* [Cohen: If the traces of the wine had dried in the vat, it is rinsed with water and then rubbed with ashes, but if the moisture of the wine was still present, the order was reversed.]
- C. And Samuel said, "Three, four" [Cohen: With a moist vat first ashes, then water; with a dry vat, first water, then ashes, and again water.]
- D. *That is how the matter was repeated in Sura. In Pumbedita they repeated it as follows:*
- E. *The household of Rab in the name of Rab say, "[The number of steps in cleansing is] three, four."*
- F. *And Samuel said, "Four, five."*
- G. *But these versions really do not differ. One authority takes the view that rinsing with water is a separate process, the other does not take that view.*

- I.7** A. *This question was addressed to R. Abbahu: “As with wicker nets used by Aramaeans, what is the law [about cleaning them for Israelite use; they are placed over grapes to prevent them from being scattered during pressing (Cohen)]?”*
- B. **Said to them R. Abbahu, “You have repeated as a Tannaite formulation: He whose wine vats and olive presses were unclean and who wants to clean them — the boards and the two posts supporting the beams of the press and the troughs does he dry, and they are clean. The cylinders of twigs and of hemp he must dry. As to those of bast of reeds, he must leave them unused. And how long does he leave them unused? Twelve months. Rabban Simeon b. Gamaliel says, “From one wine vintage to the next, or from one pressing season of olives to the next.”**
- C. *But [the opinion of Simeon b. Gamaliel] is the same as that of the initial authority [Cohen: since the interval was twelve months, why is it mentioned separately]?*
- D. *At issue between them is early or late ripening of the grapes. [Cohen: The time of pressing varies according to the state of ripening, and it may not be exactly twelve months.]*
- E. **R. Yosé says, “He who wants to clean them forthwith should pour over them boiling water or scald them with water of olives.”**
- F. **Rabban Simeon b. Gamaliel says in the name of R. Yosé, “He places them a whole season in a river whose waters flow or under the spout whose waters flow.”**
- G. And how long?
- H. For “a span of time.”
- I. **And just as he dries them for cleanness, so he dries off wine used for idolatrous purposes] [T. A.Z. 8:3A-I].”**
- J. *But is not the order reversed, since we deal here with purification?*
- K. Rather: Just as he dries them off for libation wine, so is the rule for purposes of cleanness.
- I.8** A. How long is “a span of time”?
- B. Said R. Hiyya bar Abba said R. Yohanan, “Either a day or a night.”

- C. R. Hana Sheina — some say, R. Hana b. Sheinah — said Rabbah bar bar Hana said R. Yohanan said, “Half a day and half a night.”
- D. *Said R. Samuel bar Isaac, “But they do not differ. The one speaks of the spring and autumn equinox, the other, the summer and winter solstice.”* [Cohen: The one speaks of when day and night are equally long, the other, either a day or a night, since they are unequal, hence half a day and half a night will be twelve hours].

- I.9** A. *Said R. Judah, “As to filter bags used by gentiles, if they are made of hair, they are to be rinsed; if they are made of wool, they must be scoured; if they are made of flax, they are to be left unused for twelve months; if there are any knots in them, they must be untied before being rinsed or scoured.”*
- B. *“As to wicker baskets and strainers of gentiles, if they are plaited from strips of palm fibre, they must be rinsed; [75B] if they are made of twigs, they must be scoured; if they are made of flax, they must be left unused for twelve months; if there are any knots in them, they must be untied before being rinsed or scoured.”*

I.10 A. *It has been stated:*

- B. A person not meticulous about cultic cleanness who stretched out his hand into a wine press and touched one of the clusters —
- C. Rabbi and R. Hiyya —
- D. One said, “The grapecluster and everything about it are unclean, but the entirety of the wine press is clean.”
- E. And the other said, “The entire wine press likewise is unclean.”
 - F. *In the view of him who has said, “The grapecluster and everything about it are unclean, but the entirety of the wine press is clean,” how is this case different from the following, which we have learned in the Mishnah: The [dead] creeping thing which is found in the millstones — unclean is only the place which it touches. [If] it was running liquid — the whole is unclean. [If it is found on the leaves [which cover up the mass of olives, let them ask the olive press workers to state, “We did not touch.” If it was touching the mass, even if it is the size of a barley grain — it is unclean] [M. **Tohorot 9:1A-H**].*

- G. *In that case, there is no division of any kind.* [Cohen: The olives are not in clusters where the twigs separate one from the other as with grapes, and the oil unites them together, therefore defilement affects them all.]
- H. *Rabbis instructed R. Jeremiah — others say, the son of R. Jeremiah — in accord with the opinion of him who says, “The grapecluster and everything about it are unclean, but the entirety of the wine press is clean.”*

I.1 clarifies the case to which the Mishnah’s rule pertains, and No. 2 supplements No. 1 with a case. Nos. 3, 4 then introduce and analyze a Tannaite complement to our Mishnah’s rule. No. 5 provides an account of how, exactly, the law is to be applied. No. 6 then is tacked on to No. 5. No. 7 proceeds to expand the range of the law to cover areas not treated in the Mishnah and its Tannaite complement. No. 8 presents a footnote to No. 7. Nos. 9, 10 continue the work of No. 7.

5:12

- A. He who purchases utensils [for use with food] from a gentile —**
- B. that which is usually immersed one must immerse.**
- C. That which is usually scalded one must scald.**
- D. That which is usually heated to a white-hot flame one must heat to a white-hot flame.**
- E. A spit or gridiron one must heat to a white-hot flame.**
- F. A knife one must polish, and it is clean.**

- I.1** A. *A Tannaite statement:* And all of them in any event require immersion in forty seahs of water.
- B. *What is the source of this rule?*
- C. *Said Raba, “It is because Scripture has said, ‘Every thing that can stand the fire you shall pass through fire and it shall be clean’ (Num. 31:23) — Scripture has thus added an additional purification process for you [to carry out].”*
 - D. *Bar Qappara repeated as a Tannaite statement, “Since it is said, ‘Nevertheless it shall be purified with the water of separation’ (Num. 31:23), I might have inferred that a gentile’s utensil has to be sprinkled with this water on the third and seventh day [as is a utensil made unclean with corpse uncleanness]. The word ‘nevertheless’ is*

used to distinguish [the process at hand from the one that applies to gentiles' utensils]. If so, then, why does Scripture also state, 'with the water of separation'? It speaks of the kind of water in which a woman who has been separated by reason of menstrual uncleanness is supposed to immerse [and indicates that that form of purification is required here as well]. One must then say, it is forty seahs of still water."

- E. *And Scripture had to write both clauses, the one involving "it shall be clean," the other, "with the water of separation." For had Scripture written only, "it shall be clean," I might have drawn the conclusion that "it shall be clean" by means of any volume of water whatsoever, so Scripture wrote also "with the water of separation." And had Scripture written only, "with the water of separation," I might have supposed that the object becomes cultically clean only at sunset, as is the case with the woman who has purified herself after her menstrual period. So the All-Merciful wrote, "and it shall be clean," meaning, immediately.*

I.2 A. Said R. Nahman said Rabbah bar Abbuha, "Even new utensils are covered, since when old utensils are made white hot, they are regarded as new, and nonetheless they have to be immersed [so entirely new utensils have also to be immersed]."

- B. R. Sheshet objected to this statement, "If so, then even shearing scissors should have to be immersed [if purchased from a gentile]!"
- C. He said to him, "The passage of Scripture addresses utensils that are used in preparation of a meal."
- D. Said R. Nahman said Rabbah b. Abbuha, "The teaching pertains to utensils that are purchased within the governing paradigm of the incident at hand [that is, acquisition of utensils from the Midianites, to which the prooftext refers; that is, only if they belong to the Israelite must they be cleaned by him], but not those that are borrowed."

I.3 A. R. Isaac b. Joseph bought from a gentile a utensil made from a mixture of earth and cow shit and considered immersing it.

- B. Said to him one of the rabbis, R. Jacob by name, "To me the matter has been explained by R. Yohanan: 'The passage of Scripture refers only to utensils of metal' [these alone have to be immersed when purchased from gentiles.]"

I.4 A. Said R. Ashi, “As to glass utensils, since, when they are broken, they can be repaired, *are in the classification of metal utensils.*”

B. *As to a glazed utensil —*

C. *R. Aha and Rabina differed —*

D. *One said, “It is to be treated in accord with its classification to begin with [as an earthenware utensil, and it does not have to be immersed when purchased from a gentile].”*

E. *And the other said, “It is to be treated in accord with its classification at the end of the manufacturing process [as a metal utensil, lead being used for the glaze, and so it does have to be immersed when purchased from a gentile].”*

F. *And the decided law is that it is to be treated in accord with its classification at the end of the manufacturing process [as a metal utensil, lead being used for the glaze, and so it does have to be immersed when purchased from a gentile].*

I.5 A. *The question was asked: As to a new utensil that was handed over by a gentile as a pledge, what is the law?*

B. *Said Mar b. R. Ashi, “To my father a gentile deposited a silver cup as a pledge, and he immersed it and drank from it, but I don’t know whether it was because what is received as a pledge is classified as an object that has been purchased, or whether he thought that the intention of the gentile was to leave it with him and not redeem it.”*

I.6 A. *Our rabbis have taught on Tannaite authority:*

B. **He who purchases utensils from gentiles [M. 5:12A] —**

C. **in the case of things which one knows have not been used, one immerses them, and they are clean.**

D. **In the case of things which one knows have been used for cold things,**

E. **in the instance of cups and flasks,**

F. **one rinses them in cold water and immerses them and they are clean [M. 5:12B].**

G. **If they were used for hot things, such as pitchers and water kettles, frying pans, kettles, one rinses them in boiling water and immerses them and they are clean [M. 5:12C].**

- H. In the case of things that were used in fire, such as knives, spits, and grid irons, one heats them to a white heat, and immerses them and they are clean [M. 5:12D].
- I. In the case of all of them which have been used, before they have been polished, if one has scalded, immersed, or heated them to white heat,
- J. *one Tannaite version has*, this is forbidden.
- K. *And another Tannaite version has*, **lo, this is permitted** [T. A.Z. 8:2].
- L. *But there is no conflict between the two versions. The one accords with him who has said*, “If the forbidden component imparts a flavor so ruining the broth, it is nonetheless forbidden,” *and the other takes the view of him who has said*, “If the forbidden component imparts a flavor so ruining the broth, it is permitted.”
- I.7** A. *But from the perspective of him who takes the view of him who has said*, “If the forbidden component imparts a flavor so ruining the broth, it is permitted,” *then where shall we find a case in which Scripture’s prohibition against the use of gentiles’ utensils can ever apply?*
- B. *Said R. Hiyya b. R. Huna*, “The Torah has prohibited use only of a utensil used by a gentile [76A] on that same day, and that is in a case in which the effect of the utensil that he has used is not to worsen the flavor.”
- C. *But utensils that had been used from then on ought to be permitted [without any process of purification at all]!*
- D. A precautionary decree covering a utensil that a gentile has not used that day has been made on account of a utensil that a gentile had used on that day.
- E. *And the other party?*
- F. *A utensil that a gentile had used that day also imparts a bad taste to the broth.*
- I.8** A. *R. Amram cited in contradiction to the view of R. Sheshet* [2.B above] *the following passage, which we have learned in the Mishnah*, **A spit or gridiron one must heat to a white-hot flame. But with reference to Holy Things, we have learned in the Mishnah: The spit and the grill used for a sin-offering one puts into scalding water** [M. Zebahim 11:7F5].”
- B. *He said to him*, “Amram my son, what has a law pertaining to Holy Things to do with utensils that belong to gentiles? The former have

absorbed what is permitted, the latter have absorbed what is forbidden!”

- C. *Said Raba, “Nonetheless, when they discharge a fluid that they have absorbed, it is a forbidden substance that in either case they discharge!”*
- D. *Rather, said Raba, “What is the meaning of ‘scalding’? It means ‘rinsing and washing.’”*
- E. *Said to him Abbaye, “Are rinsing and washing in the case of what has been used for cold really to be compared to scalding in the case of what is used for hot things?”*
- F. *Rather, said Abbaye, “‘Let the passage that is adjacent impart meaning to the passage under discussion’: Here the Tannaite formulation refers to ‘white hot’ with the clear implication that scalding also pertains, and there in the case of Holy Things, the Tannaite formulation refers to ‘scalding,’ but making them white hot also pertains.”*
- G. *Said to him Raba, “If so, then the Tannaite formulation should have encompassed the whole lot of them in a single formulation, and then one of them in the other passage, so that one could argue, ‘Let the passage that is adjacent impart meaning to the passage under discussion.’”*
- H. *Rather, said Raba, “The reason that explains the rule in the case of Holy Things is in accord with that which R. Nahman said Rabbah bar Abbuha said, for he has said, ‘Day by day a scalding was carried out with regard to the offerings made on the preceding day.’” [Cohen: The cooking of each day served to clean away what the utensil had absorbed on the preceding day before it actually entered the category of what has been left over, so that nothing could remain beyond the prescribed period. For that reason the process of making it white hot was not required with the spit or grill and scalding sufficed.]*
- I. *That poses no problem when we speak of peace-offerings, for, since they may be eaten for two successive days after the sacrificial act, the scalding would be carried out before the traces of the offering had entered the status of what has been left over. But in the case of a sin-offering, which has to be eaten on the selfsame day as the sacrifice and on the following night, when the sin-offering is cooked today,*

there would be traces of leftover meat. Further, if one cooked on the next day either a peace-offering or a sin-offering, then what was left over of today's sin-offering would be discharged into the sin-offering or peace-offering of the next day [Cohen: because before the daily scalding occurred, the time limit of the preceding day's offering would have expired].

- J. *I may reply that that is not an ineluctable problem, for if one today cooks a sin-offering and then again today cooks a peace-offering [Cohen: so that the time limit of the next day's sin-offering and the peace-offering of the preceding day will expire at the same time], then he may cook in it the peace-offering of the next day [so there is no problem of left over].*
- K. *If so, then why bother with a scalding anyhow?*
- L. *That's a real problem.*
- M. *R. Pappa said, "The one is encrusted, the other is not encrusted."* [Cohen: The gentile's utensil, which is used constantly, is encrusted and must be made white hot. Sacred utensils are used every day and will not be encrusted, and scalding therefore suffices.]
- N. *R. Ashi said, "In point of fact matters are as we set them forth to begin with, that is, in the one case [utensils used for Holy Things] the utensils have absorbed what is permitted, in the latter case the utensils have absorbed what is forbidden, and as to your objection, that what it discharges is forbidden, the answer is that, at the time of discharge, there is nothing apparent that is prohibited."* [Cohen: For what is left over is nothing more than the vapor of the cooked meat, and that is not taken seriously.]

II.1 A. [With reference to the clauses, **That which is usually scalded one must scald....That which is usually heated to a white-hot flame one must heat to a white-hot flame,**] how long must the metal utensils be made white hot?

- B. Said R. Mani, "Until the accretion falls off."
- C. And how does one scald them?
- D. Said R. Huna, "A small pot must be put inside a big pot."
- E. *So what do you do with a big pot?*

- F. *Come and take note of the case of a pot in the house of R. Aqabiah that had to be scalded. He made for it [76B] a rim of dough around the mouth, and filled it with water, which he boiled.*
- G. *Said Raba, "Who is so sage as to do such a thing, except for R. Aqabiah, who is a preeminent authority! He takes the view that as a utensil absorbs, so it discharges; as the rim absorbs splashings of the food that is cooked in the pot, so boiling water would cause the rim to discharge the same splashings."*

III.1 A. A knife one must polish, and it is clean:

- B. *Said R. Uqba bar Hama, "He sticks it into the ground ten times."*
- C. *Said R. Huna b. R. Joshua, "It must be into untilled soil."*
- D. *Said R. Kahana, "It must be a knife that is in good shape and has no notches."*
 - E. *So, too, it has been taught along these same lines on Tannaite authority:*
 - F. *In the case of a knife in good shape and without notches, one sticks it into the ground ten times.*
 - G. *Said R. Huna b. R. Joshua, "That is to eat cold things with it."*

- ### **III.2 A. That is in line with what happened with Mar Judah and Bati b. Tobi.**
- They were seated before King Shapur. A citron was brought before them. The king cut a slice and ate it, and then he cut a slice and handed it to Bati b. Tobi. Then he stuck the knife into the ground ten times, cut a slice of the citron, and handed it to Mar Judah.*
 - B. *Said Bati b. Tobi to the king, "Am I not an Israelite?"*
 - C. *He said to him, "Concerning him I am confident [that he keeps the law of Judaism], but concerning you I am not confident."*
 - D. *Another version: "Remember what you did last night [with the slave girl that I sent you; but he did nothing]."*

I.1 asks the obvious question of whether, in addition to these processes, the usual immersion is required, and answers that it is. No. 2 complements the foregoing, and No. 3 clarifies the prior materials by presenting a case that reinforces the point of the foregoing. No. 4 then moves on to the purification of utensils of other materials, besides metal. No. 5 concludes the matter with a secondary question, and No. 6 then introduces new Tannaite materials. No. 7 is a secondary footnote for No. 6. No. 8 brings us back to the point from which we have wandered, which is No. 2. II.1 glosses the next clause of the

Mishnah, and III.1 does the same for what follows. No. 2 presents a story that exemplifies the rule of No. 1.