

VI

BAVLI MENAHOT CHAPTER SIX

FOLIOS 63B-72B

6:1

- A. R. Ishmael says, "The offering of the first sheaf of barley was brought
- B. (1) "on the Sabbath from three seahs [of barley],
- C. (2) "and on a weekday, from five."
- D. And sages say, "All the same are the Sabbath and the weekday: from three [seahs] was it brought."
- E. R. Hananiah, Prefect of the Priests, says, "On the Sabbath it [the barley] was reaped
- F. (1) "by one man, and with one sickle, and into one basket,
- G. (2) "and on a weekday by three men, into three baskets, with three sickles."
- H. And sages say, "All the same are the Sabbath and the weekday: [it is done] by three men, into three baskets, with three sickles."
- I.1 A. [R. Ishmael says, "The offering of the first sheaf of barley was brought on the Sabbath from three seahs of barley, and on a weekday, from five." And sages say, "All the same are the Sabbath and the weekday: from three seahs was it brought:"] *Now there is no unclarity about the position of rabbis. They take the view that the tenth ephah of finest flour can be gotten out of three seahs of grain, and therefore it makes no difference whether it is a Sabbath or a weekday. But from the perspective of R. Ishmael, what is his premise? If he takes the view that a tenth ephah of finest flour can come only from five seahs of grain, then even on the Sabbath, that is the volume to be cut. And if it can derive from three, then even on a weekday, that is the volume that should be cut!*
- B. *Said Raba, "R. Ishmael takes the view that a tenth ephah of the finest flour with no excessive work at all derives from five, but with excessive labor it will derive from three. So on a weekday we bring it from five, for this would be the most desirable result, but on the Sabbath, it is better that a single form of labor should be performed to excess, namely, sifting a lot, rather than violating the Sabbath by many distinct acts of labor, each performed only once."*

- I.2.** A. Said Rabbah, “R. Ishmael and R. Ishmael b. R. Yohanan b. Beroqah have made the same statement. *For it has been taught on Tannaite authority:*
- B. “‘If the fourteenth of Nisan coincided with a Sabbath, one may flay the Passover offering only as far as the breast [to take the sacrificial portions out of the lamb; the rest of the flaying, to prepare the meat for eating, is left over until the evening],’ the words of R. Ishmael b. R. Yohanan b. Beroqah.
- C. “And sages say, ‘One may do so until he flays the whole of the beast.’
- D. “*Now has not R. Ishmael b. R. Yohanan b. Beroqah in that case that so far as one can manage, we do not undertake troublesome work in violation of the Sabbath?’*”
- E. *Why so? Perhaps R. Ishmael b. R. Yohanan b. Beroqah takes the position that he does here [that we do not do more work than we have to do on the Sabbath] since there is no consideration of treating Holy Things in a disgraceful manner, but there, where there is the consideration of treating Holy Things in a disgraceful manner, [64A] I might say to you that he accords with the position of rabbis. Furthermore, perhaps R. Ishmael b. R. Yohanan b. Beroqah takes the position that he does in that other case only because the requirements of the Most High are being carried out [by removing the sacrificial portions], so it is not necessary to violate the Sabbath any further, but here, since the requirements of the Most High have not yet been carried out, so that there still is a need to profane the Sabbath, I might suppose that he accords with sages.*
- I.3.** A. Said Rabbah, “R. Ishmael and R. Hananiah, Prefect of the Priests have made the same statement. *For we have learned in the Mishnah: R. Hananiah, Prefect of the Priests, says, “On the Sabbath it [the barley] was reaped by one man, and with one sickle, and into one basket, and on a weekday by three men, into three baskets, with three sickles.” And sages say, “All the same are the Sabbath and the weekday: by three men, into three baskets, with three sickles.” Now has not R. Hananiah, Prefect of the Priests, stated there that, since it is possible to get by, we do not perform an excess of labor on the Sabbath; here too, since it is possible to get by with less, we do not undertake troublesome work in violation of the Sabbath.*”
- B. *Why so? Perhaps R. Ishmael takes the position that he does here [that we do not do more work than we have to do on the Sabbath] since there is no public knowledge of the matter, but there, where there is public knowledge of the matter, I might say to you that he accords with the position of rabbis. Furthermore, perhaps R. Hananiah, Prefect of the Priests, takes the position that he does in that other case only because whether one or three men are doing the work, the requirements of the Most High are being carried out in accord with the religious duty pertaining thereto, so it is not necessary to violate the Sabbath any further, but here, since the requirements of the Most High are being carried out in accord with the religious duty pertaining thereto, I might suppose that he accords with sages.*
- I.4.** A. Rather, said R. Ashi, “R. Ishmael and R. Yosé have said the same thing. *For we have learned in the Mishnah: Whether [the new moon] appeared clearly or did not appear clearly, they violate the [prohibitions of] the Sabbath on its account. R. Yosé says, “If it appeared clearly, they do not violate the*

prohibitions of the Sabbath on its account” [M. R.H. 1:5A-C]. *Now has not R. Yosé maintained in that case that, so far as it is possible without to manage without excess trouble, we do not undertake excess work in violation of the Sabbath. Here too, since it is possible to manage without an excess of labor, we do not undertake more work than is absolutely necessary.”*

- B. *Why so? Perhaps R. Ishmael takes the position that he does here [that we do not do more work than we have to do on the Sabbath] since there is no possibility of maintaining, as we do there, [M'SH S: More than forty pairs of witnesses came forward. But R. Aqiba kept them back at Lud. Rabban Gamaliel said to him,] “If you keep back the people, you will turn out to make them err in the future” [M. R.H. 1:6A-C]. But there, where is the possibility of maintaining, you will turn out to make them err in the future, I might say that he takes the position of rabbis. Furthermore, perhaps R. Yosé, takes the position that he does in that other case only because no need pertaining to the Most High is in play, so there is no basis for overriding the prohibitions of the Sabbath, but here, where there is a clear and present need of the Most High in play, it is permitted to override the prohibitions of the Sabbath, so I might say that he takes the same position as do sages.*

I.5. A. *It has been stated:*

- B. If one slaughtered two animals as sin offerings in behalf of the community but requires only one of them —
- C. Said Rabbah, and some say, R. Ammi, “He is liable for slaughtering the second but not for slaughtering the first, even though atonement has been achieved for him through the second, and even though the first turned out to be scrawny.”
- D. *But has Rabbah made such a statement? And did not Rabbah say, “If [on the Sabbath, when offerings may be presented only if they are required] before a person were two animals designated as sin offerings, one robust the other scrawny, and he slaughtered the robust one and afterward slaughtered the scrawny one, he is liable. If he slaughtered the scrawny one and afterward the robust one, he is exempt. And not only so, but they instruct him, ‘Present the robust one to begin with and slaughter it.’”*
- E. *If you wish, I shall explain: delete “scrawny” from the clause on the scrawny beast in the initial version, or, if you prefer, you may say, “the first statement was taught by R. Ammi [not Rabbah].”*

I.6. A. Rabina asked R. Ashi, “If after slaughtered the second beast the first beast turned out to be scrawny in its entrails, what is the law? *Do we We adopt as our criterion the intention of the person, and this person obviously intended to perform a forbidden act? Or are we guided by the actuality of the deed, which turns out not to have been forbidden after all?”*

- B. *He said to him, “Is this not precisely what is at issue in the dispute between Rabbah and Raba? For it has been stated: ‘If [on the Sabbath] one heard that a child had been lost at sea and cast his nets to catch fish and caught fish, he is liable. If his intention was to catch fish in his nets and he brought up both fish and the child — Raba said, “He is liable.” And Rabbah said, “He is exempt.”’ Now Rabbah declared the man exempt only*

because the man had heard the news, and we maintain that he was thinking also about retrieving the body. But if the man had not heard the news, then he is assuredly liable no matter what.” [Cashdan: therefore in the case stated by Rabina, since he did not know of the unfitness of the first beast when he slaughtered the second, he is liable according to all views.]

- C. *There are those who report the matter as follows:*
- D. *He said to him, “Is this not precisely what is at issue in the dispute between Rabbah and Raba? For it has been stated: ‘If [on the Sabbath] one heard that a child had been lost at sea and cast his nets to catch fish and caught fish, he is liable. If his intention was to catch fish in his nets and he brought up both fish and the child — Rabbah said, “He is exempt.” And Raba said, “He is liable.” Rabbah said, ‘He is exempt:’ we are governed by the actual deed of the person. Raba said, ‘He is liable:’ we are governed by the intention of the person [not only by what he actually has done].”*

I.7. A. Said Rabbah, “If for a sick person a single fig was prescribed [on the Sabbath, as a means of saving a life], and ten people ran and came back together with ten figs, they are not liable, and that is the ruling even if one came in sequence after the other, and even if the men got better after eating the first fig.”

B. *Asked Raba, “If for a sick person two figs were prescribed [on the Sabbath, as a means of saving a life], and there were two figs on two stalks and three figs on one stalk, which one should be brought back? We bring back two for him, because that is what is appropriate for him? Or perhaps we bring back three for him, for then there is less picking of produce on the Sabbath?”*

C. *It is obvious that they bring back three for him.*

D. **[64B]** *For R. Ishmael took the position that he did [R. Ishmael says, “The offering of the first sheaf of barley was brought on the Sabbath from three seahs [of barley], and on a weekday, from five”] only since if one uses less, one reaps less, but in this case, where the less one uses, the more one has to pluck, we certainly will bring the three figs.*

6:2

- A. **The requirement of the offering of the first sheaf of barley is to bring it from [barley growing] nearby to Jerusalem.**
- B. **[If] it [the crop] did not ripen near Jerusalem [in time for use on Nisan 16] [however,] they bring it from any place.**
- C. **M'SH S: It was brought from Gaggot Serifin, and [the grain for] the two loaves [Lev. 23:17] from the valley of En Sokher.**

- I.1** A. **[The requirement of the offering of the first sheaf of barley is to bring it from barley growing nearby to Jerusalem:] how come?**
- B. *If you like, I shall reply, because it is written, “Fresh grain you shall bring” (Lev. 2:14).*

- C. *And if you like, I shall say, "Because of the rule, One must not ignore the first change one gets to carry out a religious duty" [and the ones growing near the city should be used on that account].*

II.1 A. M'SH S: It was brought from Gaggot Serifin, and [the grain for] the two loaves [Lev. 23:17] from the valley of En Sokher:

- B. *Our rabbis have taught on Tannaite authority:*
- C. When the kings of the Hasmonean house fought one another, Hyrcanus was outside and Aristobulus was inside [Jerusalem]. Every day [the people inside] would lower a basket of *denars*, and those outside would raise up animals for the daily whole-offering. There was there [among the besieging forces] an elder, who was familiar with Greek learning. He spoke with them concerning Greek learning, saying to them, "So long as they carry out the Temple service, they will not be given over into your hands."
- D. The next day when the insiders lowered a basket of *denars*, the outsiders sent up a pig.
- E. When the pig got half way up the wall, it dug its hoof into the wall. The land of Israel quaked and moved four hundred square *parasangs*.
- F. At that time they ruled, "It is cursed for someone to raise pigs, and it is cursed for anyone to teach Greek learning to his son."
- G. Concerning that year, we have learned: **It was brought from Gaggot Serifin ["roofs of cone shaped huts"], and [the grain for] the two loaves [Lev. 23:17] from the valley of En Sokher ["Eye Socket"].**

**How to determine the meanings of unfamiliar words:
testimony of native speakers**

II.2. A. ["roofs of cone shaped huts:"] *When the time for presenting the sheaf of first barley-grain, they did not know whence they would get it. They issued a proclamation. A deaf-mute came forward and made a gesture with one hand toward the roof, and with the other toward a cone-shaped hut.*

- B. *Said Mordecai to them, "Is there any place around here that is called Gaggot Serifin or Serifin Gaggot?"*
- C. *They went out looking and found it."*

II.3. A. ["Eye Socket:"] *When the time for presenting the sheaf of two loaves of bread, they did not know whence they would get it. They issued a proclamation. A deaf-mute came forward and made a gesture with one hand toward this eye, and with the other toward the socket of a bolt.*

- B. *Said Mordecai to them, "Is there any place around here that is called En Sokher or Sokher Ein?"*
- C. *They went out looking and found it."*

II.4. A. *There were these three women who brought three pairs of doves. One said, "It is for my flux," the next, "it is for my sea," and the third, "it is for my season."*

- B. *The officiating priests supposed that by "my flux" was meant her actual flux [uncleanness, Lev. 15], by "my sea" was meant her stream [of excessive issue], and by "my period" was meant her menstrual period['s having ended and seven clean days having passed, she is now bringing her purification offering, Lev. 15:28, 29].*

Therefore they imagined that of each pair of doves, one was for a sin offering, the other for a burnt offering [as at Lev. 1:30].

- C. Said to them Mordecai, “Perhaps this one had been endangered by flux, the second endangered by a sea journey, the third endangered by an eye infection [“eye” and “period” sharing the same consonants]. *Then all of the doves are intended to be burnt offerings*” [e.g., by reason of vows or in gratitude for having been delivered from danger (Cashdan)].
- D. *They inquired and found that that was indeed the fact.*
- E. **[65A]** *That [reference to the wit of Mordecai in connection with the bird offerings] is in line with what we have learned in the Mishnah: **These are they who are appointed who were in the sanctuary [as its officers]: (1) Yohanan b. Pinhas is in charge of the seals. (2) Ahiah is in charge of the drink offerings. (3) Matthew b. Samuel is in charge of the lots. (4) Petahiah is in charge of the bird offerings — Petahiah is the same as Mordecai, and why is he called Petahiah? Because he is able to open questions and expound them and knows seventy languages. [M. Sheq. 5:1].***

- II.5.** A. *So everyone on the Sanhedrin knew seventy languages just as well! For said R. Yohanan, “They seat on a sanhedrin only people of stature, wisdom, good appearance, mature age, who can recognize sorcery, and speak seventy languages, so that there should be no need of a sanhedrin to listen to testimony through an interpreter.”*
- B. *Rather, he could jumble up various words and interpret them, and that is in line with what is written of Mordecai, “he was a linguist” (Neh. 7: 7).*

6:3

- A. **How did they do it?**
- B. **Agents of the court go forth on the eve of [the afternoon before] the festival [of Passover].**
- C. **And they make it into sheaves while it is still attached to the ground, so that it will be easy to reap.**
- D. **And all the villagers nearby gather together there [on the night after the first day of Passover], so that it will be reaped with great pomp.**
- E. **Once it gets dark [on the night of the sixteenth of Nisan], he says to them, “Has the sun set?”**
- F. **They say, “Yes.”**
- G. **“Has the sun set?”**
- H. **They say, “Yes.”**
- I. **“[With] this sickle?”**
- J. **They say, “Yes.”**
- K. **“[With] this sickle?”**
- L. **They say, “Yes.”**
- M. **“[With] this basket?”**
- N. **They say, “Yes.”**
- O. **“[With] this basket?”**

- P. They say, "Yes."
- Q. On the Sabbath, he says to them, "[Shall I reap on] this Sabbath?"
- R. They say, "Yes."
- S. "[Shall I reap on] this Sabbath?"
- T. They say, "Yes."
- U. "Shall I reap?"
- V. They say, "Reap."
- W. "Shall I reap?"
- X. They say, "Reap"-
- Y. three times for each and every matter.
- Z. And they say to him, "Yes, yes, yes."
- AA. All of this [pomp] for what purpose?
- BB. Because of the Boethusians, for they maintain, "The reaping of the [barley for] the offering of the first sheaf of barley is not [done] at the conclusion of the festival."

I.1 A. *Our rabbis have taught on Tannaite authority:*

- B. *These are the days on which there is to be no fasting, and on some of them also, mourning is forbidden as well:*
- C. *from the first until the eighth day of Nisan, during which the Daily Whole Offering was set up, mourning is forbidden;*
- D. *from the eighth of Nisan until the close of the Festival of Passover, during which time the date for the Festival of Pentecost was reestablished, fasting is forbidden.*

I.2. A. *from the first until the eighth day of Nisan, during which the Daily Whole Offering was set up, mourning is forbidden:*

- B. for the Sadducees said, "A private person may voluntarily present a daily whole offering."
- C. *What was the exegesis of Scripture that supported their claim?*
- D. "The one lamb you shall offer in the morning and the other lamb you shall offer at dusk" (Num. 28: 4) [the "you" is singular, hence an individual may provide the daily whole offering].
- E. *And what did the other side answer?*
- F. "My food which is presented to me for offerings made by fire, of a sweet savor to me, you shall observe" (Num. 28: 2) [and the "you" here is plural].
- G. This indicates that all of them should derive from funds taken up from the public funds in the chamber.

I.3. A. *from the eighth of Nisan until the close of the Festival of Passover, during which time the date for the Festival of Pentecost was reestablished, fasting is forbidden:*

- B. For the Boethusians say, "The festival of Pentecost must always coincide with a Sunday [seven full weeks after the offering of the first sheaf of barley-grain, which in their view was offered only on a Sunday].
- C. Rabban Yohanan ben Zakkai engaged with them and said to them, "You total and complete schmucks! How do you know it?"

- D. Not a single one of them could answer, except a doddering old fool, who stumbled and mumbled against him, saying, “Our lord, Moses, loved Israel and knew that Pentecost lasted for only one day, so he therefore made sure to place it on a Sunday, so that Israel would have a two day vacation.”
 - E. He recited in his regard the following verse: “It is an eleven day journey from Horeb to Kadesh Barnea by way of Mount Seir” (Deu. 1: 2).”
 - F. **[65B]** “Now if our lord, Moses, really loved Israel all that much, why did he delay them in the wilderness for forty years!”
 - G. He said to him, “My lord, do you think you can get rid of me with that kind of garbage?”
 - H. He said to him, “You total schmuck! Are you going to treat the complete Torah that is ours like the idle nattering and chattering that is all you can throw up? One verse of Scripture says, ‘You shall count for yourself fifty days’ (Lev. 23:16), and another verse states, ‘Seven weeks shall be complete’ (Lev. 23:15). So how about that? The one verse refers to a case in which the festival day coincides with the Sabbath, the other, when a festival day coincides with a week day.” [Pentecost may coincide with any day of the week.]
- I.4.** A. R. Eliezer says, “That proof is not necessary. Lo, Scripture says, ‘You shall count for yourself fifty days’ (Lev. 23:16) — the counting depends upon the court, [the court fixed the days of the festivals, so they tell the community the time from which to commence counting the days of the waving of the sheaf of barley], and, it follows, the meaning of ‘Sabbath’ cannot be the Sabbath that commemorates creation, for then the counting would be in the hands of just anybody [and not the court in particular. Everybody could do it.]” [Cashdan: if the counting starting on Sunday, after the Sabbath that commemorates creation, everybody could do it just as well.]
- I.5.** A. R. Joshua says, “The Torah has said, ‘count a month of days [Num. 11:20], and [after counting twenty nine days, the thirtieth day] is to be sanctified as the new moon, and, further, ‘sanctify the festival of Pentecost’ [Lev. 23:15-16]. Just as on the occasion of the new moon, something new takes place at the beginning of the counting” [Cashdan: namely, the new moon, for the twenty nine days are counted from the first day of the new month], so with Pentecost something new takes place [Cashdan: namely, the festival of Passover. Now if the counting always commenced on Sunday, nothing new would take place.]
- I.6.** A. R. Ishmael says, “The Torah has said, ‘Present the sheaf of first barley on Passover and the two loaves on the festival of Pentecost. Just as the latter are offered on the Festival, at the start of the Festival, so the former is presented on the Festival, at the start of the Festival [and that is not always on a Sunday].”
- I.7.** A. R. Judah b. Betera says, “Here we find a reference to the Sabbath [in regard to Pentecost, ‘unto the morrow of the seventh Sabbath, Lev. 23:16] and we find a reference to the Sabbath there as well [with reference to the sheaf of barley, ‘on the morrow after the Sabbath,’ Lev. 23:11]. Just as in the first instance, the festival day, indeed the commencement thereof, is near the Sabbath [starting as it does immediately after the Sabbath, meaning, the week], so the festival in the latter case must commence near the offering of the barley sheaf, indeed at the beginning

of the festival” [Cashdan: thus the festival of Passover is immediately to precede the offering of the sheaf of barley; Sabbath in context clearly means the festival day.]

I.8. A. *Our rabbis have taught on Tannaite authority:*

- B. “And you shall count for yourself” (Lev. 23:15) — the duty of counting is incumbent on every person.
- C. “On the morrow after the Sabbath” (Lev. 23:16) — that is, on the day after the festival [of Passover].
- D. But perhaps that refers to the day after the Sabbath that commemorates creation?
- E. R. Yosé bar Judah says, “Lo, Scripture says, ‘You shall count fifty days’ (Lev. 23:16) — every time you make a count, it shall not be for more than fifty days. Now if you maintain that the cited verse speaks of the day after the Sabbath, meaning, after the Sabbath of creation, then sometimes the count might reach fifty one, or fifty-two, or fifty-three, or fifty-four, or fifty-five, or fifty-six!”
- F. R. Judah b. Batera says, “That proof is hardly required. [66A] Lo, Scripture says, ‘And you shall count for yourself’ (Lev. 23:15) — the duty of counting is incumbent on every person. So the counting depends upon the decision of the court, and the meaning cannot be the Sabbath that commemorates creation, in which case the counting would be in everybody’s hands.”
- G. R. Yosé says, “‘On the morrow after the Sabbath’ (Lev. 23:16) — that is, on the day after the festival [of Passover]. You say that it is on the day after the festival [of Passover]. But perhaps that refers to the day after the Sabbath that commemorates creation?
- H. “Can you really say so? Now does Scripture say, ‘from the morrow after the Sabbath with respect to Passover’? And is not ‘from the morrow after the Sabbath’ stated without further explanation?
- I. “Now is not the entire year filled with Sabbaths? Then go and reckon what Sabbath is under discussion?
- J. “And, furthermore, here we find a reference to ‘from the morrow after the Sabbath,’ and elsewhere we find the same language [‘counting fifty days to the morrow after the seventh Sabbath’].
- K. “Just as ‘from the morrow after the Sabbath’ refers to a festival day and the beginning of the festival day [specifically, Pentecost, to which reference is made here],
- L. “so ‘on the morrow after the Sabbath’ used here refers to the festival and the beginning of the festival [hence, the morrow after the Sabbath that is the first day of Passover].”
- M. R. Simeon b. Eleazar says, “One verse of Scripture says, ‘Six days you will eat unleavened bread’ (Deu. 16: 8), and another verse says, ‘Seven days you will eat unleavened bread’ (Exo. 12:15).
- N. “How are these two verses of Scripture to be sustained despite their contradiction?

- O. "It must be unleavened bread that you cannot prepare and eat from new grain all seven days but only for six days, which is to say, unleavened bread made from grain of the new growing season may be eaten [only from the second day of the festival of Passover onward].
- P. "Then how am I to interpret 'on the morrow of the Sabbath?
- Q. "'on the morrow' after the festival day."
- R. "from the day that you brought the sheaf of the wave offering; seven full weeks shall they be, counting:"
- S. might one suppose that one may harvest, bring the sheaf of first grain, and count, whenever one wants to do so?
- T. Scripture says, "You shall count seven weeks; begin to count the seven weeks from the time you first put the sickle to the standing grain [then you shall keep the feast of weeks to the Lord your God with the tribute of a freewill offering from your hand" (Deu. 16:9-10).
- U. If "from the time you first put the sickle to the standing grain," might one suppose that one should indeed reap the sheaf and do the counting, but make the presentation whenever he wants to do so?
- V. Scripture says, "from the day that you brought the sheaf of the wave offering; seven full weeks shall they be, counting fifty days to the morrow after the seventh Sabbath; then you shall present a cereal offering of new grain to the Lord."
- W. Might one suppose that one reaps, counts, and makes the presentation by day?
- X. Scripture says, "seven full weeks shall they be."
- Y. When are they full? When one begins in the [prior] evening.
- Z. Then might one suppose one should reap by night, count by night, and make the presentation by night also?
- AA. Scripture says, "from *the day* that you brought...."
- BB. The presentation takes place only by day.
- CC. How so?
- DD. The reaping and the counting are by night, and the presentation by day [Sifra CCXXXII:I.1-6].
- I.9.** A. *Said Raba, "All of the proposed proofs are subject to refutation except for the last two named authorities of the first, and the last two named authorities of the second formulation [Yosé's second contribution and Simeon b. Eleazar's], which cannot be refuted.*
- B. "Now as to the demonstration of Rabban Yohanan ben Zakkai, here is the refutation: perhaps the harmonization of the conflicting verses is in line with what Abbayye said, for said Abbayye, "The religious duty is to count the days and also the weeks" [Cashdan: one verse speaks of counting days, the other, weeks].
- C. "As to the demonstration of R. Eliezer and R. Joshua, "How do you know that when reference is made to the festival day, it is to the first day of the festival? It could speak of the last day of the festival."

- D. *“As to the proof of R. Ishmael and R. Judah b. Batera, these are beyond refutation. For if it is from R. Yosé bar Judah’s reading, there is this refutation: perhaps the fifty days excludes the six days you list. And if from the view of R. Judah b. Batera, here is the refutation: how do we know that reference is made to the first day of the festival, perhaps it is to the last day of the festival. So R. Yosé himself perceived the same problem, which is why he added the second interpretation, ‘and furthermore.’”*

I.10. A. *Reverting to the body of the foregoing:*

- B. *Said Abbayye, “The religious duty is to count the days and also the weeks.”*
C. *the rabbis of the household of R. Ashi counted the days and also the weeks.*
D. *Amemar counted the days but not the weeks, saying, “This is a memorial to the sanctuary.”*

6:4A-J

- A. **They reaped it,**
B. **and they put it into baskets,**
C. **They brought it to the court [of the Temple].**
D. **“They did parch it in fire, “so as to carry out the requirement that it be parched with fire [Lev. 2:14],” the words of R. Meir.**
E. **And sages say, “With reeds and with stems of plants do they [first] beat it [to thresh it], so that it not be crushed.**
F. **“And they put it into a tube.**
G. **“And the tube was perforated, so that the fire affect all of it.”**
H. **They spread it out in the court, and the breeze blows over it.**
I. **They put it into a grist mill and took out therefrom a tenth ephah, which is sifted through thirteen sieves [M. 6:7].**
J. **And the residue is redeemed and eaten by anyone.**
K. **And it is liable for the dough offering, but exempt from tithes.**
L. **R. Aqiba declares it liable for both dough offering and tithes.**

I.1 A. *Our rabbis have taught on Tannaite authority:*

- B. **“... new ears parched with fire” (Lev. 2:14) — this refers to fresh ears of grain.**
C. **This teaches the following:**
D. **“They parched it in fire, so as to carry out the requirement that it be parched with fire,” the words of R. Meir.**
E. **And sages say, [66B] “The language at hand does not bear the meaning of parching, but it bears a different meaning. [On the problems of the text here, see Finkelstein, *Sifra*, p. 95, ns. to ls. 31-34].**
F. **“With reeds and with stems of plants they beat it first, so that it is not crushed. And they put it into a tube, and the tube was perforated, so that the fire affects all of it” [Sifra XXVI:IV.1].**

I.2. A. **“... new ears parched with fire:”**

- B. I do not know whether the fresh ears of grain must be parched, or crushed grain must be parched. It is to be as grits, in such a way that the ear itself is parched.
- C. Scripture says, “with fire,” and that breaks off the subject [Cashdan: hence it cannot refer to the subsequent expression but only to the one preceding, so the fresh ears of grain must be parched.]

I.3. A. “grits of the fresh grain:”

- B. Tender, yet brittle [Jastrow, s.v., ML, p. 785b].
- C. And so Scripture says, “A man came from Baalshalishah, bringing the man of God bread of the first fruits, twenty loaves of barley, and fresh ears of grain in his sack” (2Ki. 4:42).
- D. “Fresh ears of grain” means that they were tender, yet brittle.
- E. “In his sack:”
- F. He came and poured out for us and we ate and it was fine.
- G. And likewise we find the following: “Let us solace ourselves with love” (Pro. 7:18).
- H. That is, Let us talk together and then let us go up on the couch and rejoice and revel in caresses.
- I. And so too, “The wing of the ostrich beats joyously,” (Job. 39:13), meaning, it carries the egg, flies upwards with it, and deposits it in the nest.
- J. And so Scripture says, “Because your way is perverse before me” (Num. 22:32):
- L. The ass feared when she saw the angel and she turned aside [Sifra XXVI:V.1-2].

4. A. *The Tannaite authority of the household of R. Ishmael:* “‘Karmel’ means ‘rounded and full.’”

II.1 A. And the residue is redeemed and eaten by anyone. And it is liable for the dough offering, but exempt from tithes. R. Aqiba declares it liable for both dough offering and tithes:

- B. Said R. Kahana, “R. Aqiba would say, ‘Smoothing the pile of grain [which is the moment at which, when owned by an ordinary Israelite, the grain becomes subject to the tithes] that belongs at that time to the Temple does not exempt the grain from having to be tithed [when an Israelite later on buys it].’”
- C. *Objected R. Sheshet,* “‘What did they do with the left over of the three seahs of grain that were reaped for the making of the sheaf of barley grain? It was redeemed and available for eating for anybody, and, bread made from that grain, while was liable to dough offering, it was exempt from tithes. R. Aqiba declares it liable for both dough offering and tithes.’ They said to him, “Let what is redeemed from the possession of the Temple treasurer prove the matter [that grain grown by the Temple and then purchased by an Israelite would be exempt from tithes]. For bread made from that grain, while liable to dough offering, is exempt from tithes.’”
Now if it is the fact that smoothing the pile of grain [which is the moment at which, when owned by an ordinary Israelite, the grain becomes subject to the tithes] that belongs at that time to the Temple does not exempt the grain from

having to be tithed [when an Israelite later on buys it], *what is the point of the argument? It is just the same case twice* [for just as Aqiba declares the remainder of the barley for the sheaf of first barley liable to tithes, he would declare any grain redeemed from the Temple treasurer liable, so the proof of sages is not acceptable to him; it merely restates their opinion (Cashdan)].”

- D. *And, in addition, R. Kahana bar Tahalipa objected to R. Kahana, “R. Aqiba declares it liable for both dough offering and tithes, for Temple money is permitted to be used only for what is necessary [for the Temple’s own purpose, in this case, for the grain for the barley offering; the rest of the grain that has been prepared is not covered by Temple money and is not consecrated and it is subject to tithes; if the grain was produced by Temple authorities and the pile was smoothed while it belonged to the Temple, it would still be exempt from tithes (Cashdan)].”*
- E. Rather, said R. Yohanan, “It is a fact of learning that is routine in R. Aqiba’s parlance, ‘for Temple money is permitted to be used only for what is necessary [for the Temple’s own purpose]’” [and that refutes Kahana (Cashdan)].

II.2. A. *Said Raba, “It is obvious to me that the smoothing down of the pile of grain that is sanctified exempts the grain from the obligations of tithing [should an Israelite later purchase it, since, when the grain was smoothed down and so rendered liable to tithes, it belonged to the sanctuary and was exempt].*

- B. “And even R. Aqiba declares it liable in that case only on the principle, ‘for Temple money is permitted to be used only for what is necessary [for the Temple’s own purpose].’ But, in general, all concur that the smoothing down of grain in the possession of the Temple exempts it from the obligation of tithes [as what is exempt at the moment at which the obligation pertains remains so thereafter].”

II.3. A. *As regards the rule pertaining to smoothing the pile of grain that belongs at that moment to a gentile [and whether or not the gentile’s ownership renders the grain exempt from the obligation of tithing], there is a conflict of Tannaite formulations, for it has been taught on Tannaite authority:*

- B. “They separate tithes from [produce grown in the Land of Israel on farms] of Israelites for [produce] of gentiles, from [produce] of gentiles for [produce] of Israelites. from [produce] of Israelites for [produce] of Samaritans, [and] from [produce] of Samaritans for [produce] of [other] Samaritans [M. Dem. 5:9A-C], and from produce purchased from any classification just listed for produce bought from any classification,” the words of R. Meir and R. Judah.
- C. R. Yosé and R. Simeon say, “They separate tithes from produce belonging to an Israelite in behalf of produce belonging to an Israelite, produce of gentiles for that of Samaritans and of Samaritans for that of gentiles, but not from produce belonging to Israelites for that belonging to gentiles or to Samaritans, and not from produce belonging to gentiles or to Samaritans for that of Israelites.” [Produce that became liable to tithes while belonging to a gentile or Samaritan is exempt from tithes, and what is exempt cannot be given as tithe for what is liable (Cashdan).]

- II.4.** A. [67A] Rolling out dough belonging to the Temple at the time [of rolling out, at which the dough is liable to the separation of dough offering] leaves the dough permanent exempt from dough offering. *For we have learned in the Mishnah:*
- B. [If] she dedicated her dough to the Temple before she rolled [it] out, [subsequently] redeemed it [(M. Hal. 1:3B7), and only then rolled it out], it is subject [to dough offering, since the dough was no longer consecrated at the point at which liability to dough offering took effect (M. Hal. 1:3A-B)]. [If she dedicated her dough to the Temple] after she rolled [it] out, and [subsequently] redeemed it, it is subject [to dough offering, for the same reason explained at A]. [If] she dedicated it to the Temple before she rolled [it] out, and the [Temple] treasurer rolled it out, and she subsequently redeemed it, it is exempt [from dough offering], for at the point at which its liability [to dough offering normally would have taken effect, the dough] was exempt [since it already was property of the Temple] [M. Hal. 3:3].
- II.5.** A. *Raba raised this question: “What affect upon the status of the dough as to liability to tithes does the rolling out of the dough by a gentile produce?”*
- B. *We have learned in the Mishnah: A convert who converted [to Judaism] and had dough in his possession [at the time he converted] — [if the dough] was prepared before he converted, it is exempt [from dough offering]. But [if it was prepared] after he converted, it is subject [to dough offering]. And if it is uncertain [whether the dough was prepared before or after he converted], it is subject [to dough offering] [M. Hal. 3:6A-C].*
- C. *Now who is the authority for this rule?*
- D. *It is the unanimous opinion of all authorities. And even R. Meir and R. Judah, who declare liability to pertain in the afore-cited rule, declare the dough exempt in the present case. The reason is that in that other instance [grain belonging to a gentile when it becomes liable to the tithe], Scripture refers to “your grain” several times [Deu. 12:17, 14:23, and 18:4], each one excluding grain owned by a gentile. So in that case there is an exclusionary clause followed by another exclusionary clause, and whenever we have an exclusionary clause followed by another, the upshot is only to encompass under the law what would otherwise have been excluded, so that even the gentile-owned grain is liable to tithe. Here, however, “your dough” is stated only two times (Num. 15:20 and 15:21), the first statement of “your dough” then excluding that of a gentile, the second, that which belongs to the Temple.*
- E. *But [responding to the same question, Now who is the authority for this rule?, in a different way,] perhaps we have the opinion here only of R. Yosé and R. Simeon. And they declare exempt the produce of a gentile only in that other case. But R. Meir and R. Judah declare the gentile’s dough liable, on the basis of a verbal analogy created by the reference to “the first” in respect to both dough offering [Num. 15:20] and tithe of grain [Deu. 18:4].*
- F. *Said Raba, “May it please God that I may see in a dream the solution to this problem!”*
- G. *Then Raba retracted and said, “One who takes the position that smoothing of the grain pile that belongs to a gentile at that moment leaves the grain exempt; rolling*

out the dough that belongs to a gentile at that time leaves the dough exempt. *And one who takes the position that smoothing of the grain pile that belongs to a gentile at that moment imposes liability to tithes upon the grain ; rolling out the dough that belongs to a gentile at that time imposes liability to dough offering the dough."*

- H. *To that solution to the problem proposed by Raba objected R. Pappa, "A gentile who later converted to Judaism who designated a firstling of a clean animal, the firstling of an ass, or dough offering — they notify him that he is not liable to separate these offerings. They put the animal the gentile has set aside to work and shear it in order to show that the animal does not have the status of a first born, but then they accept the animal from him, and the dough offering may be eaten by non-priests [T. Ter. 4:13A-D]. Lo, the heave offering that he designated for his grain is forbidden [to non-priests, even though at the time that it became liable, he was a gentile (Cashdan)]. And yet this same authority takes the position that, while the smoothing down of the grain pile of a gentile does not exempt the grain from liability to tithes, the rolling out of the dough belonging to a gentile and done by him does exempt the dough from liability to dough offering."*
- I. *Furthermore to the solution to the problem proposed by Raba objected Rabina, "As regards sough offering separated by a gentile in the Land of Israel or heave offering separated by a gentile outside the land [and in each case the gentile afterward converted to Judaism], they notify him that he is not liable to separate these offerings, and the dough offering may be eaten by non-priests, and the heave offering that he has designated, if mixed with other produce, does not subject the other produce to the status of heave offering [as if would if it were validly designated heave offering] [T. Hal. 2:6E-G]. Lo, it follows, heave offering designated by him in the land of Israel itself is indeed forbidden, and it does subject the other produce to the status of heave offering. And yet this same authority takes the position that, while the smoothing down of the grain pile of a gentile does not exempt the grain from liability to tithes, the rolling out of the dough belonging to a gentile and done by him does exempt the dough from liability to dough offering."*
- J. It is only on the authority of rabbis [that this ruling is made, for in fact his heave offering is classified as ordinary food and may be eaten by non-priests]. That is a precautionary decree, taken against self-serving actions of large scale wholesalers [who would buy grain from Jews and non-Jews; if what they purchase from non-Jews is exempt from heave offering and tithes, they might treat what they purchase from Jews in the same manner].
- K. **[67B]** *If that is the case, then the same rule should pertain to dough offering.*
- L. *In any event it is possible to evade the requirement of setting apart dough offering by baking it in pieces that are less than five fourths of a qab and a bit more of flour [the minimum quantity that is liable to begin with].*
- M. *Well, then, as to heave offering, it is always possible to act in accord with R. Oshaia, for said R. Oshaia, "One may practice the legal fiction concerning his crop, so exempting it from liability to tithe, of bringing it in for storage together*

with chaff, so that his cattle may eat it. He may bringing in, along these same lines and with the same result, through the roof or the back enclosure.”

- N. *In that instance, the action is done in public, so one would be ashamed to do it, but in the case of dough, it is done in private, and one would not be ashamed to do it.*

6:4L-O, 6:5A-C

- L. **He came [on the sixteenth of Nisan] to the tenth [ephah of flour], and put in its oil and frankincense [M. 6:3]].**
- M. **He poured in [oil] and mingled it and waved it.**
- N. **And he brought it near [M. 5:6] and took out the handful and offered it up.**
- O. **And the residue is eaten by the priests.**

6:5A-C

- A. **After the offering of the first sheaf of barley was offered, they go out and find the market of Jerusalem full of meal and parched grain [of new produce] —**
- B. **“not with the approval of sages,” the words of R. Meir.**
- C. **R. Judah says, “With the approval of sages did they do so.”**

I.1 A. *But does R. Judah not make a precautionary decree to take account of the fact that people may eat the produce before the offering of the first sheaf of barley, which is what marks the point at which it is permitted to eat produce of the new growing season? Then it may be objected: R. Judah says, “They seek out [leaven] (1) on the night of the fourteenth, (2) on the fourteenth in the morning, and (3) at the time of removal.” [Cashdan: if one did not search for leaven at the first time, he does it the second or third. After the sixth hour on the fourteenth of Nisan, he does not search for it, since if during the search he finds leaven, he might eat it and so violate the law; this contradicts the position of Judah in our rule.] And sages say, “[If] one did not seek out [leaven] on the night of the fourteenth, he may seek it out (1) on the fourteenth. If he did not seek it out on the fourteenth, let him seek it out (2) at the appointed time [11 A.M. to 12 noon on the fourteenth]. [If] he did not seek it out at the appointed time, let him seek it out (3) after the appointed time [to nightfall].” And what he wishes to hold over [for food until the time for burning leaven], let him leave in a discrete place, so that it shall not require examination afterward [M. Pes. 1:3A-E].*

- B. *Said Rabbah, “The case of the new produce is different, [68A] for, since the man is permitted to pluck the grain only by hand [but not to reap it in an ordinary manner with a sickle (Cashdan)], he will remember [not to eat while plucking it].”*
- C. *Said to him Abbayye, “That poses no problem as to reaping the grain. But what will you say about grinding and sifting it [so how will the person be reminded that it is new produce, which cannot be eaten]?”*
- D. *That poses no problem. Grinding could be done on a handmill, sifting on the back of the sieve [and these variations of the normal procedure would produce the same effect].*
- E. *And what about the matter of irrigated fields, where it is permitted to reap prior to the presentation of the sheaf of first barley? For we have learned in the*

Mishnah: They reap [the crop before the omer] in irrigated fields in valleys, but they do not heap it up [M. Men. 6:8A]. What is to be said in that regard?

- F. *Rather, said Abbaye, "People will ordinarily keep far from new produce prior to the waving of the sheaf of first barley, but they will not ordinarily keep far from eating leaven [which they are accustomed to do]."*
- G. *Said Raba, "Do the two statements of R. Judah conflict, but do the two statements of anonymous rabbis vis à vis R. Judah not conflict? That would be an absurd result."*
- H. *Rather, said Raba, "The two statements of R. Judah do not conflict, as we have explained [in what Abbaye has said], and the two statements of anonymous rabbis vis à vis R. Judah do not conflict. The only purpose of the search for leaven is for the man to burn it himself, so he's obviously not planning to eat it."*
- I. *R. Ashi said, "The two statements of R. Judah do not conflict, for our Mishnah has addressed **meal and parched grain**." [These cannot be eaten if not cooked, and hence there will be no problem about forgetting not to eat the food prior to the presentation of the sheaf of first barley.]*
- J. *But this statement of R. Ashi is preposterous. For that poses no problem if the grain has been parched, but what is to be said about the period prior to the parching of the grain [when it can be eaten without further processing]? And should you maintain that, here too, the grain will only be plucked by hand and not reaped, as Rabbah proposed, then there is this question: what about grain from an irrigated field, where it is permitted to reap in the normal way? It must follow, therefore, that his statement of R. Ashi is preposterous.*

6:5D-I

- D. **After the offering of the first sheaf of barley was offered, new produce was permitted forthwith.**
- E. **And [for] people who are distant [from Jerusalem] it is permitted from noontime and thereafter [on the sixteenth of Nisan].**
- F. **After the Temple was destroyed, Rabban Yohanan b. Zakkai ordained that the day of waving [of the offering of the first sheaf of barley, the second day of Passover] should be wholly prohibited [in respect to new produce].**
- G. **Said R. Judah, "And is it not so that it is prohibited by the Torah, as it is said, 'To this selfsame day' (Lev. 23:14)?"**
- H. **On what account are those who are distant [from Jerusalem] permitted [to make use of new produce] from noontime and thereafter?**
- I. **Because they are certain that the court is not slovenly in dealing with it.**
- I.1 A. *Both Rab and Samuel said, "When the house of the sanctuary was standing, the offering of the sheaf of first barley served to permit new produce. In the time in which the house of the sanctuary is not standing, daybreak on the sixteenth of Nisan is what renders the new produce permitted. On the basis of what reading of Scripture does this ruling stand? There are two pertinent clauses: 'Until you have presented' (Lev. 23:14), and 'Until this selfsame day' (Lev. 23:14). How so? The one speaks of the age in which the house of the sanctuary stood, the other, of the age in which the house of the sanctuary did not stand."*

- B. *Both R. Yohanan and R. Simeon b. Laqish said, “Even when the house of the sanctuary was standing, it was daybreak on the sixteenth of Nisan that rendered the new produce permitted.”*
- C. *But is it not written, “Until you have presented”?*
- D. *That serves only as an account of the ideal way in which the rite is to be carried out [but it is not indispensable to carrying out the obligation].*
- E. ***How about After the offering of the first sheaf of barley was offered, new produce was permitted forthwith?***
- F. *That serves only as an account of the ideal way in which the rite is to be carried out [but it is not indispensable to carrying out the obligation].*
- G. ***The offering of the first sheaf of barley did render [new produce] permitted in the country, and the Two Loaves [of Pentecost/Shabuot, Lev. 23:16, rendered new produce permitted for the meal offering] in the sanctuary.***
- H. *That serves only as an account of the ideal way in which the rite is to be carried out [but it is not indispensable to carrying out the obligation].*
- I. ***[68B] After the Temple was destroyed, Rabban Yohanan b. Zakkai ordained that the day of waving [of the offering of the first sheaf of barley, the second day of Passover] should be wholly prohibited [in respect to new produce].***
- J. *What is the operative consideration? It is the concern that, if the Temple is promptly rebuilt, people will say, “Last year, didn’t we eat the new produce at dawn on the sixteenth? Now too let’s eat it at that same time.” But they won’t realize that last year there was no presentation of the sheaf of first barley, so dawn permitted the eating of the new crop, while this year, when there will be the presentation of the sheaf of first barley, it is the sheaf of first barley that permits the eating of the first grain. But if, as you claim, all this restriction amounts to is an account of the ideal way in which the rite is to be carried out [but it is not indispensable to carrying out the obligation], on account of such an ancillary consideration are we going to go and impose a precautionary decree?*
- K. *Said R. Nahman bar Isaac, “Rabban Yohanan ben Zakkai made that ruling within the theory later enunciated by R. Judah, who said, ‘By the law of the Torah by the law of the Torah eating new grain on the entirety of the sixteenth of Nisan is forbidden, since, after all, it is said, “until this selfsame day,” which means, “until the day itself.”’ He further took the position that, in this context, the meaning of ‘until’ is inclusive.”*
- L. *But did Rabban Yohanan b. Zakkai really concur with the principle later enunciated by R. Judah? And lo, in point of fact, he rejects that position, for we have learned in the Mishnah: **After the Temple was destroyed, Rabban Yohanan b. Zakkai ordained that the day of waving [of the offering of the first sheaf of barley, the second day of Passover] should be wholly prohibited [in respect to new produce].** Said R. Judah, ‘And is it not so that it is prohibited by the Torah, as it is said, “To this selfsame day”’ (Lev. 23:14)? ”*
- M. *It was R. Judah’s error. He thought that Rabban Yohanan b. Zakkai made his statement within the premise that the rule was in accord with the*

authority only of rabbis [but not of the Torah], but that is not the case; he made that statement within the authority of the Torah itself!

N. *But the language used here is **ordained** [and if the basis for the ruling was the law of the Torah, it was not a mere ordinance, it was law from of old]!*

O. The sense of **ordained** is, he interpreted Scripture and so ordained the law.

2. A. *R. Pappa and R. Huna b. R. Joshua would eat new grain only on the night of the sixteenth of Nisan, [which of course marks the beginning of the seventeenth of Nisan].*

B. *That is because they took the position that the prohibition of new grain outside of the Land of Israel is only on the authority of rabbis, and so the matter of doubt [as to whether it was the sixteenth or the seventeenth, the uncertainty of the lunar calendar being what it was] was not to be taken into account.*

C. *And rabbis of the household of R. Ashi would eat it on the morning of the seventeenth, for they take the view that the prohibition of the new crop prior to the presentation of the sheaf of first barley is on the authority of the Torah, while the ruling of Rabban Yohanan b. Zakkai was on the authority only of rabbis, in consequence of which the ordinance pertained only to the day on which the sheaf was waved, but not to a day the status of which was subject to doubt.*

D. *Rabina said, "My mother told me that your father did not eat grain of the new crop until the night of the seventeenth that marks the start of the eighteenth of Nisan, for he takes the same position as does R. Judah, and he also takes in account the fact that the status of the day is subject to doubt."*

6:6

A. **The offering of the first sheaf of barley rendered [the produce of the new crop] permitted in the country, and the Two Loaves [of Pentecost/Shabuot, Lev. 23:16,] rendered new produce permitted for the meal offering] in the sanctuary.**

B. **Before the offering of the first sheaf of barley, they do not bring [from new produce, grain that is to be used for] meal offerings, first fruits, and the meal offering which accompanies [drink] offerings along with beasts.**

C. **And if one brought [grain for any of these before the offering of the first sheaf of barley], it is invalid.**

D. **[As to bringing grain for any of these items of B] before the two loaves — one should not do so [Lev. 23:16].**

E. **And if one brought grain from the new crop for use in preparing them, it is valid.**

I.1 A. **[...one may not bring from new produce, grain that is to be used for] meal offerings, first fruits, and the meal offering which accompanies drink offerings along with beasts. And if one brought grain for any of these before the offering of the first sheaf of barley, it is invalid. As to bringing grain for any of these items of B before the two loaves — one should not do so. And if one brought grain from the new crop for use in preparing them, it is valid:]**
R. Tarfon was in session, raising this problem: "What is the reason for the

contrast between the law on what is offered prior to the presentation of the sheaf of first barley and what is offered before the presentation of the two loaves?"

- B. *Said before him Judah bar Nehemiah, "Well, while you may say that what is offered before the presentation of the sheaf of first barley is invalid, it is a simple fact that there is no exception to that rule so far as a private person is concerned, but can you say the same of what is presented before the two loaves, for, after all, there is an exception to that rule so far as a private person was concerned?"* [Cashdan: after the barley sheaf an individual may make use of the new crop; the restriction governs the Temple alone.]
- C. *R. Tarfon shut up. R. Judah grinned broadly.*
- D. *Said to him R. Aqiba, "Judah, you're grinning because you put down the elder. I'll be amazed if you live long."*
- E. *Said R. Judah bar Ilai, "That took place a couple of weeks before Passover. When I went up for Pentecost, I asked about where Judah b. Nehemiah was, and they told me he had dropped dead."*
2. A. *Said R. Nahman bar Isaac, "From the perspective of Judah b. Nehemiah, drink offerings of wine that were made from first fruits that had ripened prior to the offering of the sheaf of first barley and presented before the offering of the sheaf are valid." [His position is that if the prohibition of the new crop allows for an exception for an individual, then whatever is offered is valid, then these drink offerings are valid; the prohibition of the firstfruits applies in any event only to grain, but not to fruit.]*
- B. *So what else is new!*
- C. *Not at all, not at all! What might you otherwise have thought? Only in the case [in which meal offerings are presented before the two loaves] is the offering valid, because the prohibition allows an exception for the individual; but here, where the prohibition yields no exceptions, that would not be the case. So he tells us that, all the more so in this case where there is no prohibition at all [since before the offering of the sheaf of first barley, wine or fruit is not prohibited anyhow]!*
3. A. *Rami bar Hama raised this question: "If the two loaves are presented not in the proper order, what is the law on their permitting what is forbidden before that time?" [Cashdan: in the ordinary course grain is sown sometime before the offering of the sheaf of new barley, so that before the grain is permitted for use as meal offerings, that is, after the offering of the two loaves, the two periods affecting grain have passe din normal sequence; first the offering of the sheaf of barley, second, the offering of the two loaves. What if the grain always permitted for meal offerings after these two points have passed, without regard to the sequence?]*
- B. *What sort of case is contemplated by this question?*
- C. *For instance, grain was sown in the spell between the offering of the sheaf of first barley and the offering of the two loaves, and then the time for offering the two loaves and the next sheaf of barley passed. Do we say that the two loaves permit use of the new crop only when the offerings follow the usual order but not when*

they do not follow the usual order, or do they permit the use of the new grain for the meal offerings even when not in the usual order?

- D. Said Rabbah, “Come and take note:”
- E. **“If you bring a meal offering of first fruits to the Lord, [you shall bring new ears parched with fire, grits of the fresh grain, as your meal offering of first fruits]:”**
- F. **This refers to the meal offering that is the sheaf of first grain.**
- G. **And whence does it derive? From barley.**
- H. **You say that it derives from barley. Might one suppose that it derives from wheat?**
- I. **R. Eliezer says, “Here the word ‘new ears’ is used here and also with reference to the events in Egypt.**
- J. **“Just as, with reference to the events in Egypt, the word ‘new ears’ refers to barley, so here it refers to barley [so we find at Exo. 9:31: ‘The flax and the barley were ruined, for the barley was in the ear and the flax was in bud. But the wheat and the spelt were not ruined, for they are late in coming up’].”**
- K. **R. Aqiba says, “In regard to a communal offering the bringing of first fruits at Passover is noted, and the bringing of first fruits at Pentecost as well. Of the species of grain from which the individual person brings her obligatory offering [that is, the wife accused of adultery], the community brings its offering of first fruits at Passover, and so too, from the species of grain from which the individual brings her obligatory offering, the community likewise should bring its first fruits at Pentecost.**
- L. **“Now what is the species from which the individual brings his obligatory offering? It is barley [that is, the barley offering of the wife accused of adultery], and so too the community should present its offering from barley.**
- M. **“And do not object by appealing to the analogy to the obligatory offering of the community in connection with the two loaves of bread [which form a meal offering, and which is obligatory, and which derives from wheat], for the two loaves of bread do not fall into the category of first fruits [and so do not present a relevant analogy]” [Sifra XXVI:III.1-2].**
- N. *[Rabbah now continues:] “Now if it were the fact that the two loaves permit use of the new crop even when not in the usual order, then how can you claim that the two loaves are not classified as first fruits at all [for the two loaves of bread do not fall into the category of first fruits]? For it can come about that the sheaf of first barley is presented out of the grain that took root before the presentation of the two loaves but after the presentation of the sheaf of first barley for the prior year, and the grain used for the two loaves of the grain that had taken root prior to the presentation of this year’s sheaf of first barley but after last year’s two loaves.*
- O. *But do you really suppose that [69A] we require the two loaves to derive from first fruits of any particular fruit [Cashdan: and therefore as long as no grain of any particular sowing has been used in the temple, the two loaves may serve as first fruits]? That is not the case. We require them to be firstfruits of the altar*

[that is, first fruits of the year's produce to be offered on the altar (Cashdan)], *and in this case the altar has consumed this year's produce* [Cashdan: for wheat used for the sheaf of barley was of this year's produce, even though of an earlier sowing].

4. A. *Rami bar Hama raised this question: "Does the presentation of the two loaves permit for use in the Temple what is only in bud, or solely what is fully formed?"* [Cashdan: only the first that had shown a distinct shape at the time of the presentation of the two loaves may be brought later as first fruits, but not produce that was then only in bud.]
- B. *What is the definition of "only in bud" and of "fully formed"?*
- C. *If we say that the reference is to the budding of the fruit and distinct formation of the fruit, then [how is that a problem, since] if the presentation of the two loaves permits the use of what has merely taken root, can there be any question of its permitting the use of what is only in bud or fully formed!*
- D. *So it must refer to the budding of leaves and the full formation of leaves, and at issue in the question is which of these stages in the formation of the plant corresponds to the taking root of grain.*
- E. *So the question stands anyhow.*

**COMPOSITE OF OTHER THEORETICAL QUESTIONS ON THE STATUS OF GRAIN,
FORMED MAINLY AROUND THE NAME OF RAMI BAR HAMA,**

AND SUBORDINATE QUESTIONS SECONDARY TO HIS

5. A. *Raba b. R. Hanan raised this question: "Does the presentation of the sheaf of first barley permit the use of wheat that has been sown in the ground already, or is that not the case?"*
- B. *How shall we imagine the case? If it has taken root* [Cashdan: and the question is whether the growth is permitted by the offering of the sheaf of first barley], *then we have learned the answer to the question in the Mishnah. If it has not yet taken root, we also learn the answer in the Mishnah, in so many words in the coming Mishnah-paragraph: **If they took root before the offering of the first sheaf of barley, the offering of the first sheaf of barley renders them permitted [for reaping]. And if not, they are prohibited until the coming offering of the first sheaf of barley will have been brought.***
- C. *The question is required to address the question of a case in which one has reaped the wheat and resowed the grain prior to the offering of the sheaf of first barley. Then the offering came and went. At issue now is this: may one take up the seed grain and eat it, on the theory that they were just lying in a pitcher, so the offering of the first barley has classified them as permitted, or perhaps we hold that they have become absorbed into the soil* [Cashdan: and they are regarded as a new growth, to be permitted only a year later at the next presentation of the first barley sheaf]?
6. A. [As to wheat grain sown in the soil as seed:] *does the law against overreaching [which does not pertain to real estate] apply to wheat that has been sown in the ground or is that not the case?*
- B. *How shall we imagine the case? If we claim that the farmer said, "I sowed six measures of grain," but witnesses come forward to testify that he sowed only five,*

has not Raba said, "In the case of fraud as to measure, weight or number, even though it does not reach the standard that defines overreaching, one can retract"! So the case must be one in which the farmer said, "I sowed as much as was required," and witnesses came up to testify that he did not sow as much as was required. At issue is then: does the law against overreaching [which does not pertain to real estate] apply to wheat that has been sown in the ground, in which case the seed grain is classified as though it were just lying in a pitcher, or is it classified as absorbed into the soil [and so is classified as is the real property and not subject to such a claim]?

or is that not the case?

- 7.** A. *Is an oath taken concerning wheat that has been sown or is that not the case? [An oath is not imposed concerning transactions of real estate; is what is sown in the ground classified as real estate or not?]*
B. *Is the seed grain classified as though it were just left lying in a pitcher, in which case it is deemed movable property, and an oath is taken on account of a claim involving the grain? Or perhaps it is classified as absorbed into the soil, in which case it is classified for the purposes of the oath as real estate, on account of which no oath may be imposed on its account?*
C. *The question stands.*
- 8.** A. *Rami bar Hama raised this question: "What is the law about grains of wheat found in cattle dung, or grains of barley found in animal dung?"*
B. *For what purpose is the question raised? If we should say that the question has to do with whether or not these things are subject to uncleanness by reason of being food, we have learned on Tannaite authority: **Grains of wheat in cow shit or of barley in cowshit — if one had the intentionality concerning them of treating them as food for eating, they still do not contract uncleanness as food, but if it was for food for a child, they do contract uncleanness as food [T. Toh. 9:13A-D].** If, furthermore, we say that the point of the question concerns use of this grain for meal offerings, it is perfectly obvious that such grain is unsuitable: "Present it now to your governor, will he be pleased with you? or will he accept you" (Mal. 1: 8)!*
C. *Not at all, the question is required to deal with a case in which one collected the grain and sowed it for seed grain, and now, out of the new growth, the farmer proposes to take up grain for presentation as a meal offering. And this is the issue: what is the operative consideration? If it is because the grain is revolting, once these are sown, their repulsive quality is null? Or perhaps it is because they are poor seed, and now too the growth is sapped of nutrients [the seed having been digested by the beast, so the new growth is inferior]?*
C. *The question stands.*
- 9.** A. *Rami bar Hama raised this question: "What is the law if an elephant swallowed an Egyptian basket and excreted it?"*
B. *For what purpose is the question raised? If we should say that the question addresses the issue of whether or not the susceptibility of the basket to uncleanness has been nullified, we have learned as a Tannaite statement, **All utensils descend into the power of their uncleanness with thought but do not***

ascend from the power of their uncleanness except by an act which changes them. For the act cancels both an act and intention, but intention does not cancel either an act or intention [M. Kel. 25:8C-D]. [This basket is unchanged.]

- C. *Not at all. The question is required to deal with a case in which the elephant swallowed twigs and when they passed out his ass, they were turned into an Egyptian basket. So here is what is at issue: are the wigs regarded as having been digested, so what has been made from them is classified [69B] as a utensil made of cow shit or dirt, which is not susceptible to uncleanness, a master having said, Vessels [made] (1) of dung, vessels (2) of stone, vessels (3) of earth [not fired], vessels (4) of [fired] clay, and vessels (5) of alum crystal; [vessels made from] (6) bones of the fish, and (7) its skin; (8) bones of an animal which is in the sea [mammals] and (9) its skin; D. and (10) [those] wooden vessels do not contract uncleanness [M. Kel. 10:1A-D], either by reason of the authority of the Torah, or by reason of a decree of rabbis. Or perhaps they are not classified as having been digested?*
- D. *But solve the problem on the basis of what Ulla said in the name of R. Simeon bar Yehosedeq: “There was a case in which wolves swallowed two children in Transjordan and excreted them. The case came before sages, who declared the meat clean [having been digested, so it is no longer corpse matter]. [Here too, the twigs are regarded as having been digested.]*
- E. *Meat is different from twigs, because it is soft and digestible.*
- F. *Then solve the problem from the next line of the same case: But they declared the bones that were excreted to be unclean.*
- G. *Bones are different from twigs, because they are exceptionally hard, [so we do not have a precedent to deal with our case].*
10. A. *R. Zira raised this question: “If wheat fell from the clouds, what is the law?”*
- B. *For what purpose is the question raised? If we should say that the question addresses the issue of using the grain for meal offerings, who should we think it is not to be used?*
- C. *Rather, the question concerns using the grain for the two loaves of bread, on the basis of this question: when Scripture stated, “out of your dwellings” (Lev. 23:17), that serves to exclude grain that derives from land outside of the Land of Israel, but grain that derives from the clouds would be permitted for such a perhaps? Or perhaps when Scripture says, “out of your dwellings” (Lev. 23:17), it is exclusive, so even what comes from the clouds also would be forbidden for use in that connection?*
- D. *So anyhow, could such a thing ever really happen?*
- E. *Sure could — once to Bar Addai, the Tai tribesman, wheat up to the height of a handbreadth and spread over an area of three parasangs came down from the clouds.*
11. A. *R. Simeon b. Pazzi raised this question: “If an ear of grain that had reached a third of its growth prior to the presentation of the sheaf of first barley was plucked out before that time and was replanted after that time and it grew some more, what is the law? Is the operative criterion the status of the root of the grain, so the*

offering of the first sheaf of barley has permitted use of the grain? Or perhaps the operative criterion is the status of the additional growth of the plant, so that it is permitted only after the next year's offering of first barley is presented?"

- B. *But why not solve the problem on the basis of what R. Abbahu said R. Yohanan said, "If a young shoot bearing fruit was grafted onto an old tree, even if the fruit expanded after the grafting by two hundredfold, the fruit is still forbidden [the fruit's increase being attributed to the stock that has been grafted, so we take as our operative criterion the classification of the stock]"? And further said R. Samuel bar Nahmani said R. Jonathan, "An onion that one planed in a vineyard, and the vineyard was torn up leaving the onion, and afterward the onion expanded by two hundred times its former size, is nonetheless prohibited [as mixed seeds in a vineyard]"?*
- C. *These very rulings are what made him raise the question, along these lines: was it so self-evident to the rabbis [Abbahu, Samuel bar Nahmani] that we take as our operative criterion the status of the root, so that there is no differentiating between rulings that yield a lenient decision and a strict one? Or perhaps they were in doubt, so that, when we will produce a strict ruling, we are guided by the stated criterion, but when the result will be a lenient ruling, we are not guided by that criterion?*
- D. *The question stands.*
12. A. *Raba raised this question: "What is the rule with regard to tithing?"*
- B. *For what purpose is the question raised?*
- C. *For example, a case in which [70A] an estimate of the tithe of the ears of grain was made by conjecture, and the rest was re-sown as seed and increased in growth. [Cashdan: the question is: must that increase, over and above the stock that was re-sown, be tithed, or is it exempt by reason of the original tithing of the stock?] And if you should take the position that we do not adopt as our criterion the classification of the root, so the additional growth has to be tithed, the question will stand: what about the root itself? [Cashdan: does the original seed have to be tithed again or not?]*
- D. *Said to him Abbaye, "So what's the difference between this case and any case of wheat or barley in general [which have been tithed, then sown for seed, and then produced a crop that obviously has to be tithed on its own]?"*
- E. *He said to him, "Well, I'm not bothered by the problem of sowing seed that decays in the ground [the produce of which obviously has to be tithed, being wholly fresh]. What I am asking concerns something the seed of which does not decay in the ground. What is the rule?"*
- F. *So why not solve that problem on the basis of what R. Isaac said R. Yohanan said, "In the case of a liter of onions that was tithed and then planted again, tithe must be taken once more from the entirety of the growth [both the root and the increase, so with the ears of grain, both the original ear and the increase must be tithed (Cashdan)]"?*

- G. *But in that case, that's how people plant onions, but in the case at hand, that is not how people ordinarily sow grain [since people do not replant the whole ear but only the grain].*
13. A. *R. Hanina b. Minyumi raised this question to Abbaye, "As to a plant growing in a pot that had no hole, what is the law?" [The pot seals off this plant from the ground. May one tithe produce grown in another such pot in behalf of what is grown in this pot.]*
- B. *But if the pot has no hole, it's got no hole! So perhaps you have in mind the case of a pot that had no hole but later on got one? [in which case, may one give as tithe what grew earlier in behalf of what grew after the hole was made. If we say that we do not regard the root as the principal, then we have to take account of the later growth, so the latter must be tithed in its own terms, and the root may not serve for it. If we regard the increase as the main growth, then the whole growth, including the root, must be tithed, and the one may therefore serve for the other (Cashdan)].*
- C. *[Since I have to differentiate this case from the one presented by Raba's question, I distinguish as follows:] here there is only a single act of sowing, which has now been joined to the earth through the hole in the pot and is now growing [Cashdan: so it is right to take account of the earlier and later growth as one growth for purposes of tithing], while in the other case, there were two acts of sowing seed [the ears of grain were sown once, tithed, then re-sown, so the root and the increase are two distinct growth, which raises that question].*
14. A. *R. Abbahu raised this question: "If an ear of grain that had been in the pile when the pile was smoothed off was replanted and then designated as heave offering while it was attached to the ground, what is the law? Is it that, once one smoothed out the pile, the ear of grain was classified as grain that was liable to tithing but not yet tithed at all, so therefore, when it was later on classified as heave offering, even though it was in the ground, it is sanctified [and thus, correctly designated as heave offering]? Or perhaps since it was replanted when in the classification of grain that was liable to tithing but not yet tithed at all, that status has been removed?"*
- B. *So rabbis said to Abbaye, "But if we say that it is sanctified as heave offering even though it is in the ground, we have a case in which produce that is in the ground is sanctified as heave offering, contrary to what we have learned as a Tannaite rule: We find no case of imparting to what is in the ground the status of heave offering!"*
- C. *He said to them, "That rule pertains only for the purpose of assigning the death penalty to someone who deliberately eats that produce that, while in the ground, has been classified as heave offering, as well as the requirement of paying the added fifth. [Cashdan: these penalties apply only to what has been plucked from the ground; what is still attached is classified as heave offering, but these sanctions do not apply.] For if one plucked the produce out of the ground and ate it, one has entered the status of one who has eaten heave offering that has been detached from the soil; if one bent down and ate it, he has not eaten the produce in the ordinary manner [and that is not an act of eating that is punishable, and the*

listed penalties do not pertain; they would apply only when what is forbidden is eaten in the ordinary manner]”

- D. *How does this case then differ from that which was written down in Ilfa’s notes, as follows: Eggs that were partly extruded from the carrion of a clean bird and partly inside — the yoke of the part that is inside the carrion imparts uncleanness while it is in the gullet to the clothing of one who eats it [for the inside part is classified along with the carrion, and whoever eats it imparts uncleanness to his clothing], but eating the yoke of the part that is outside of the bird does not impart uncleanness to the clothing that one is wearing when the yoke is in the esophagus.” [Sticking the head into the innards to eat the yoke inside the hen is not an ordinary way of eating an egg.]*
- E. *While what is not attached to the soil may sometimes be eaten in an odd way, such as has been imagined in the foregoing case, eating what is attached to the soil is never eaten in such an odd way [so we take account of the one as eating, but not of the other].*
15. A. Said R. Tabyomi b. Qisna said Samuel, “He who sows mixed seeds in a pot that has no hole — the crop that grows is nonetheless forbidden.”
- B. *Said Abbayye, “Now if we are supposed to infer from that ruling that the sanction is a flogging for disobedience to a rabbinical ruling [for rabbis rule that even a pot with no hole is deemed a place for growth, so that it is forbidden to sow mixed seeds in such a pot], there is no problem in that statement. But then what is the meaning of the use of the word ‘forbidden’?”*
- C. *It is that by the rule of rabbis, this is regarded as an act of sowing? That we have already learned in the Mishnah: **A perforated pot — behold, this is like the earth. [If one] separated heave offering from [produce grown in] the earth for [produce grown in] a perforated pot, or from [produce grown in] a perforated pot for [produce grown in] the earth, his [act of separating] heave offering is [deemed a valid separation of] heave offering. [If he separated heave offering] from [produce grown in a pot] which is not perforated for [produce grown in one] which is perforated, it is [deemed to be] heave offering, but he should again separate heave offering [from the produce grown in the perforated pot]. [If he separated heave offering] from [produce grown in a pot] which is perforated for [produce grown in one] which is not perforated, it is [deemed to be] heave offering, but it should not be eaten [by a priest] until he shall have separated for it [for the newly designated heave offering] heave offering and tithes [from other produce] [M. Dem. 5:10].***

6:7

- A. **[Loaves of bread made from] wheat, barley, spelt, oats, and rye are liable to dough offering.**
- B. **And they join together with one another [to form the volume of dough liable to the dough offering].**
- C. **And they are prohibited as to [the prohibition of] new produce before the offering of the first sheaf of barley, and [are prohibited] to be reaped before the offering of the first sheaf of barley.**

- D. And if they took root before the offering of the first sheaf of barley, the offering of the first sheaf of barley renders them permitted [for reaping].
- E. And if not, they are prohibited until the coming offering of the first sheaf of barley will have been brought.

I.1 A. *A Tannaite statement:* spelt is classified as wheat; oats and rye are classified as barley; **[70B]** spelt is the same as *gulba*; oat is the same as *dishra*; rye is the same as foxtail.

2. A. Only these [**Loaves of bread made from wheat, barley, spelt, oats, and rye are liable to dough offering**], but not loaves of bread made from rice or millet.

B. *How on the basis of Scripture do we know that fact?*

C. Said R. Simeon b. Laqish, “There is a verbal analogy established by the word ‘bread’ used with respect to unleavened bread. Here it is written, ‘It shall be when you eat of the bread of the land’ (Num. 15:190) and there, ‘the bread of affliction’ (Deu. 16: 3).” [Only these kinds of grain produce unleavened bread, so too for passover.]

D. *And how in that context do we know the rule [that unleavened bread can be made only of these five kinds of grain]?*

E. *Said R. Simeon b. Laqish, and so a Tannaite authority of the household of R. Ishmael reported, and so a Tannaite authority of the household of R. Eliezer b. Jacob said, “Said Scripture, ‘you shall not eat leavened bread with it, seven days shall you eat unleavened bread with it, even the bread of affliction’ (Deu. 16: 3) — with grain that can be leavened one carries out his obligation to eat unleavened bread on Passover, and that excludes these other grains, which cannot be leavened but which when left only decay.”*

II.1 A. **And they join together with one another [to form the volume of dough liable to the dough offering]**

B. *A Tannaite statement:* grain, flour, and dough are deemed joined together [to form a single entity].

C. *For what purpose is this rule required?*

D. Said R. Kahana, “It has practical implications in connection with new produce [e.g., made up of grain, flour, and dough, equalling all together an olive’s bulk, prior to the offering of the first sheaf of barley].”

E. R. Joseph said, “It has practical implications in connection with eating what is leavened on Passover.”

F. R. Pappa said, “It has practical implications in connection with eating food in the status of second tithe [which has to be eaten within the walls of Jerusalem]. *For if one were to eat the requisite volume outside of the wall of Jerusalem, he would incur a flogging.*”

G. Raba said, “It has practical implications in connection with whether or not the mixture is of sufficient volume to contract uncleanness as food. *And thus we are informed that grain and flour, to be reckoned as food for purposes of contracting uncleanness, must be comparable to dough. Just as the latter is entirely a foodstuff, so the former must be entirely a foodstuff. So too it has been taught on Tannaite authority: a grain of wheat, whether peeled or not peeled, joins together*

with other things as food to form the requisite volume; a grain of barley when peeled also is deemed to joint together with other foodstuffs to form the requisite volume, but not if it is not peeled.”

- H. *Is that so? But has it not been taught on Tannaite authority by a Tannaite authority of the household of R. Ishmael, “‘Upon any sowing seed that is to be sown’ Lev. 11:37) — seed such as people use for sowing, e.g., wheat in its husk, barley in its husk, lentils in their husks”?* [Seeds in their husks are taken into account in assessing the volume requisite for contracting uncleanness as food.]
- I. *No problem! The one [Ishmael] speaks of what is fresh, the other what is dry [and inedible].*

III.1 A. And they are prohibited as to [the prohibition of] new produce before the offering of the first sheaf of barley:

- B. *How on the basis of Scripture do we know that the prohibition of new produce prior to the waving of the sheaf of first barley pertains solely to the five kinds of grain that are listed before us?*
- C. Said R. Simeon b. Laqish, “There is a verbal analogy established by the word ‘bread’ used with respect to unleavened bread. Here it is written, ‘It shall be when you eat of the bread of the land’ (Num. 15:190) and there, ‘the bread of affliction’ (Deu. 16: 3).”

IV.1 A. ...and [are prohibited] to be reaped before the offering of the first sheaf of barley:

- B. *How on the basis of Scripture do we know that the prohibition of reaping new produce prior to the waving of the sheaf of first barley pertains solely to the five kinds of grain that are listed before us?*
- C. Said R. Yohanan, “There is a verbal analogy established by the appearance of ‘first’ both here and in the law on dough offering [Lev. 23:10). [As dough offering is required only from dough made of these five kinds of grain, so the prohibition of reaping prior to the barley sheaf’s presentation applies only to these five grains.]”

2. A. What is the meaning of before the offering of the first sheaf of barley?

- B. R. Jonah said, “Before the reaping of the barley for the sheaf.”
- C. R. Yosé bar Zabeda said, “Before the actual presentation of the sheaf of first barley.”
- D. *We have learned in the Mishnah: And they are prohibited as to [the prohibition of] new produce before the offering of the first sheaf of barley, and [are prohibited] to be reaped before the offering of the first sheaf of barley. From the perspective of him who has said, Before the actual presentation of the sheaf of first barley, that is why the two prohibitions are not amalgamated and presented as a single one [for the remission of one prohibition is at a time different from the remission of the other, reaping, right after reaping the barley for the first sheaf, but eating the new produce only after offering the sheaf of first barley]. But from the perspective of him who has said, Before the actual presentation of the sheaf of first barley, since the prohibitions of each are lifted simultaneously, who not amalgamate the two prohibitions and present them as a single one, using something like the following language: They are forbidden by*

reason of being crop of the new growing seasons and they are forbidden as to being reaped prior to the presentation of the first sheaf of barley of the new crop?

- E. *Then if the dispute was reported, it must have concerned this clause of our Mishnah: **And if they took root before the offering of the first sheaf of barley, the offering of the first sheaf of barley renders them permitted [for reaping]. And if not, they are prohibited until the coming offering of the first sheaf of barley will have been brought.***
- F. *What is the meaning of **before the offering of the first sheaf of barley**?*
- G. R. Jonah said, "Before the reaping of the barley for the sheaf."
- H. R. Yosé bar Zabeda said, "Before the actual presentation of the sheaf of first barley."

- V.1 A.** [**And if they took root before the offering of the first sheaf of barley, the offering of the first sheaf of barley renders them permitted [for reaping]. And if not, they are prohibited until the coming offering of the first sheaf of barley will have been brought:**] *Said R. Eleazar to [71A] R. Josiah, the one who was his contemporary, "You are not to go into session until you have explained to me the following: how on the basis of Scripture do we know that the offering of the first sheaf of barley renders permitted only what has taken root by that time []?"*
- B. *"How on the basis of Scripture? It is written, 'grain in the ear' (Lev. 2:14)! [Cashdan: only grain in the ear may be taken for the sheaf of first barley, but what is still in the ground will be permitted by the presentation of that sheaf.] Now the implicit negative tells us there is that which is not yet grain in the ear, permitted by the offering of the sheaf."*
- C. *But perhaps the negative inference is that there is grain not yet in the ear that has reached a third of its growth that is permitted by the sheaf of first barley [but what is merely taken root is not]?*
- D. *Rather, said Samuel, "The language, 'from the time that you begin to put the sickle' (Deu. 16: 9) [which refers to the reaping of the barley for the sheaf of first barley] represents an implicit negative, which tells us that there is something that is not yet ready for the sickle, but that is permitted by the presentation of the sheaf of first barley."*
- E. *But maybe the sense is, there is something not yet ready for the sickle but fit for fodder [that is permitted]?*
- F. *Rather, said R. Isaac, "The reference to 'standing grain' (Deu. 16: 9) contains an implicit negative, that is, there is something that is not yet standing grain that is permitted by the presentation of the first barley."*
- G. *Perhaps the inference is that there is that which is not yet at the stage of standing grain that is permitted, namely, that which at least at the stage of grass!*
- H. *Rather, said Raba, "The rule derives from the language, 'that which you sow' (Exo. 23:16), meaning, from the time of sowing."*
- I. *Said R. Pappa to Raba, "If so, then even if it has not taken root at all, it should be permitted by the presentation of the first sheaf of barley!"*

- J. He said to him, “Smart aleck! It is written, ‘in the field’ (Exo. 23:16) [meaning, it has taken root in the field].”

6:8-9

6:8

- A. [Before the presentation of the first sheaf of barley,] they may reap [the crop] in irrigated fields in valleys, but they may not heap it up.
- B. The people of Jericho reap, with sages’ approval,
- C. and they heap up [the grain], not with sages’ approval.
- D. But sages did not stop them.
- E. [Before the presentation of the first sheaf of barley,] one reaps unripe grain and feeds it to cattle.
- F. Said R. Judah, “Under what circumstances? When one begins [to reap] before the crop reaches a third of its full growth.”
- G. R. Simeon says, “Also: [before the presentation of the first sheaf of barley,] one may reap and feed [it to cattle] even after it has reached a third of its full growth.”

6:9

- A. [Before the presentation of the first sheaf of barley,] they reap [if the ground is needed] for seedlings,
- B. or as a station for mourning,
- C. [or] to prevent the interruption [of the activity] of the house of study.
- D. One should not [however] make them into bundles, but he leaves them in small heaps.
- E. The correct execution of the requirement of the offering of the first sheaf of barley is that it be brought from standing grain.
- F. [If] one did not find [standing grain], he may bring it from sheaves.
- G. The correct execution of the requirement is that it come from fresh grain.
- H. [If] one did not find [fresh grain], he may bring it from dried [grain].
- I. The correct execution of the requirement is that one reap it by night,
- J. [If] it is reaped by day, it is valid.
- K. And it overrides [the rules of] the Sabbath.

I.1 A. *It has been taught on Tannaite authority:*

- B. R. Benjamin says, “One verse of Scripture states, ‘When you reap the harvest thereof, then you shall bring the sheaf’ (Lev. 23:10) [so it is permitted to reap prior to presenting the sheaf of first barley], and another verse states, ‘The first of your reaping unto the priest’ (Lev. 23:10) [so the barley that is cut for the sheaf must be the first that is reaped, and there may be no reaping prior to that]. How so? From an area from which you may present the grain,^k you are not permitted to reap prior to that, but from an area that will not produce the grain that you are going to present, you may reap prior to the presentation of the sheaf.”
- C. *But might I say matters along these lines:* From a species from which you may present the grain, you are not permitted to reap prior to that, but from a species

that will not produce the grain that you are going to present, you may reap prior to the presentation of the sheaf”?

- D. *You may not state matters in that way on account of what R. Yohanan said [which has already proved that point on other grounds].*

II.1 A. The people of Jericho reap, with sages’ approval, and they heap up [the grain], not with sages’ approval. But sages did not stop them:

- B. *From whom have you heard a statement that in some cases, sages stopped people from doing something, and in others they didn’t?*
- C. It is R. Judah.
- D. *But then does R. Judah take the view that the reaping done by the people of Jericho was done with sages’ approval? Lo, it has been taught on Tannaite authority:*
- E. **“The men of Jericho did three things [M. Pes. 4:8A], three in accord with the wishes of sages, three not in accord with the wishes of sages. And these are in accord with the wishes of sages: they grafted palms on the fourteenth of Nisan for the whole day; they did not make the prescribed divisions in the recitation of the Shema, and they reaped and stacked wheat before the offering of the first sheaf of barley. And these are not in accord with the opinion of sages: they permit use of Egyptian figs from stems that had been dedicated to the Temple; they ate on the Sabbath fruit that fell from the tree on that day; and they made holes in the garden and orchards walls so the poor could come in and eat the fallen fruit on Sabbaths and festivals in a time of drought [Tosefta: the left over the corner of the field in the case of vegetables],” the words of R. Meir.**
- F. Said R. Judah, “If it is in accord with the opinion of sages, then let everybody do it. But both these and those actions were done not with the approval of sages. But in the case of three, they stopped them, and in the case of three, they did not: namely, in these cases they did not stop them: they grafted palms on the fourteenth of Nisan for the whole day; they did not make the prescribed divisions in the recitation of the Shema, and they reaped and stacked wheat before the offering of the first sheaf of barley. And in the case of these, they stopped them: **[71B]** (1) they permit use of Egyptian figs [from stems which had been] dedicated to the Temple; (2) they eat on the Sabbath fruit which had fallen under a tree; and (3) they leave over the corner of the field [peah] in the case of vegetables — and sages did reprove them [T. Pes. 3:19].
- G. *But according to your reasoning, the passage poses problems, since it says, “six” but counts seven [reaping and stacking being distinct entries]! So delete reaping from the list [since sages approved it].*

III.1 A. One reaps unripe grain and feeds it to cattle:

- B. *We have learned in the Mishnah: And these [landmarks] establish [the boundaries of a field] for [purposes of designating] peah: (1) a river, (2) pond, (3) private road, (4) public road, (5) public path, (6) private path that is in use in the hot season and in the rainy season, (7) uncultivated land, (8) newly broken land, (9) and [an area sown with] a different [type of] seed.*

And [as regards] one who harvests young grain [for use as fodder — the area he harvests] establishes [the boundaries of a field],” the words of R. Meir. But sages say, “[The area he harvests] does not establish [the boundaries of a field], unless he has also ploughed [the stubble] under” [M. Peah 2:1]. [Cutting down unripe grain for fodder is not regarded as reaping (Cashdan).]

- C. Said Rabbah bar bar Hannah said R. Yohanan, “R. Meir has made his statement within the principle of R. Simeon, who said, ‘**Also: [before the presentation of the first sheaf of barley,] one may reap and feed [it to cattle] even after it has reached a third of its full growth.**’ *Therefore he takes the view that any cutting of unripe grain for fodder is not classified as reaping.*”
- D. *Rabbah went into session and repeated this statement. R. Aha bar Huna objected to Raba, “As regards an area in a field that grasshoppers ate or edible locusts ate or ants destroyed or wind or cattle destroyed, all concur that if the farmer ploughed the stubble under, the newly broken ground that he creates establishes a boundary; if the farmer did not plough the stubble under, that area that was destroyed does not establish a boundary [T. Pa. 1:8G-I]. Now who is this ‘all concur’? It is obviously R. Meir! Now, if you maintain that the cited paragraph of the Mishnah speaks of unripe grain that had not reached a third of its full growth, while the cited qualification, if the farmer did not plough the stubble under, that area that was destroyed does not establish a boundary, refers to unripe grain that had reached a third of its growth, then there are no problems. [Cashdan: Meir holds that where the grain has not reached a third of its growth, reaping it is not classified as reaping, so it can form a division in the field; if it has reached a third of its growth, then reaping is classified as reaping, and there is no division of the field unless it is actually ploughed.] But if you hold that the passage of the Mishnah also speaks of a field of grain that had reached a third of its growth, then if that is the case, where the reaping was done by a human being, R. Meir classifies it as not reaping; so that is surely the case here as well! [Cashdan: where the grain was broken down by locusts or ants; this should then not be classified as reaping, yet all agree that it is classified as reaping and so does not constitute a division in the field.]*
- E. *Then you have to maintain that R. Meir made his ruling within the principle of R. Judah, who said, “Under what circumstances? When one begins [to reap] before the crop reaches a third of its full growth.”*
- F. *Well, I can grant that you have heard that R. Judah takes that position when the grain is cut for fodder, but have you heard him take that position with respect to grain that is cut for food for man? For if that were the case [that cutting grain that has not reached a third of its growth is not classified as reaping], then we should have three, not two Tannaite authorities in disagreement on this matter! [Cashdan: the initial authority in our Mishnah-paragraph explicitly states that what is cut for cattle fodder is not classified as reaping; Judah holds that that is so if it has not reached a third of its growth, even though it is cut as food for a human being; Simeon holds that even if it has reached a third of its growth and is cut for food for a human being, it is still not classified as reaping. But that three positions are at hand is not possible, for whenever Judah says, ‘under what circumstances?’ his intent is to amplify but not disagree with what has just been said.]*

- G. *Rather, when R. Dimi came, he said, “R Meir made his statement within the principle of R. Aqiba, his master, who takes the view that even though grain not at a third of its growth was cut as food for a human being, this still is not classified as reaping], in line with what we have learned in the Mishnah: **One who reaps the ripe portions of his field and leaves the unripe stalks — R. Aqiba says, “He designates [a separate portion of produce as peah from each and every area, as he harvests it “ But sages say, “He designates peah from one area on behalf of all of the areas together.” And sages concede to R. Aqiba regarding one who sows dill or mustard in three places, that he designates a separate portion of produce as peah from each and every plot [M. Peah 3:2]. [Cashdan: accordingly Aqiba holds that cutting the grain which has not reached a third of its growth, even though it is intended as food for man, is not classified as reaping.] And said R. Judah said Samuel,”R. Aqiba declares liability to give peah from each portion only in a case in which the farmer reaps the grain in the field in stages for roasting, but not when he reaps it in stages for storing.” [Cashdan: that is, when it is reaped after it has reached a third of its growth.]***
- H. *Now is that so! And when Rabin came, he said R. Yohanan said, “R. Aqiba declares liability to give peah from each portion even when when he reaps it in stages for storing.”*
- I. **[72A]** *[Meir] concurs with [Aqiba] in one point but differs in the other. [He agrees when the grain has reached a third of the growth that cutting the grain is not classified as reaping, and when it has reached a third of the growth, Aqiba says cutting is not classified as reaping, and Meir holds that it is (Cashdan)].*

IV.1 A. [Prior to the presentation of the meal offering under discussion,] they reap [if the ground is needed] for seedlings, or as a station for mourning, [or] to prevent the interruption [of the activity] of the house of study:

- B. *What is the scriptural basis for that ruling?*
- C. *“The first of your reaping” (Lev. 23:10) — that is, reaping for your own purposes, but not for holy purposes.*

V.1 A. One should not [however] make them into bundles, but he leaves them in small heaps:

- B. *How come?*
- C. *So far as possible, we do not do onerous work in this regard prior to the presentation of the first sheaf of barley.*

VI.1 A. The requirement of the offering of the first sheaf of barley is that it be brought from standing grain. If one did not find standing grain, he may bring it from sheaves. Its requirement is that it come from fresh grain. If one did not find fresh grain, he may bring it from dried grain:

- B. *Our rabbis have taught on Tannaite authority:*
- C. *“And when you bring a meal offering of first fruits” (Lev. 2:14):*
- D. *What is the purpose of this statement?*
- E. **Since the requirement of the offering of the first sheaf of barley is that it be brought from standing grain, how do I know that, if one did not find standing grain, he may bring it from sheaves?**

- F. Scripture states, “you bring.”
- G. Another matter:
- H. “And when you bring a meal offering of first fruits” (Lev. 2:14):
- I. Since **its requirement is that it come from fresh grain**, how do I know that, **if one did not find fresh grain, he may bring it from dried grain**?
- J. Scripture states, “you bring.”
- K. Another matter:
- L. “And when you bring a meal offering of first fruits” (Lev. 2:14):
- M. Since **its requirement is that one reap it by night**, how do I know that, **if it is reaped by day, it is valid**?
- N. Scripture states, “you bring.”
- O. “You bring:” whatever it is. “...you bring” from any source. “...you bring” even on the Sabbath. “...you bring” even in a condition of uncleanness..

VII.1 A. [If] it is reaped by day, it is valid:

- B. *But have we not learned in the Mishnah: The entire night is valid for (1) cutting the wheat for the omer, and for offering up (2) the fats and (3) the sacrificial parts. This is the governing principle: Any act whose religious requirement applies by day is valid when done at any time of the day, and a matter whose religious requirement applies by night is valid when done at any time of the night [M. Meg. 2:6]? Now the passage therefore treats as equivalent the night and the day, so that, just as what is to be done by day is not valid when done by night, so what is to be done by night is not valid when done by day!*
 - C. *Said Rabbah, “There is no contradiction. The one represents the position of Rabbi, the other of R. Eleazar b. R. Simeon. For it has been taught on Tannaite authority: If the priest was standing at the altar and offering the meal offering of the sheaf of first barley and it became unclean, if there is another at hand, he should be told, ‘present the other instead.’ If not, he should be instructed, ‘Get smart and shut up,’” these are the words of Rabbi.*
 - D. *R. Eleazar b. R. Simeon says, “One way or the other, he should be instructed, ‘Get smart and shut up,’ for the grain for the first sheaf of barley that was reaped not in accord with its religious requirement is not valid.”*
- 2. A.** *Said Rabbah bar bar Hannah said R. Yohanan, “R. Eleazar b. R. Simeon follows the principle of R. Aqiba, his father’s master. For we have learned in the Mishnah: An operative principle did R. Aqiba state, “Any sort of labor [in connection with circumcision] which it is possible to do on the eve of the Sabbath does not override [the restrictions of] the Sabbath, and that which it is not possible to do on the eve of the Sabbath does override [the prohibitions of] the Sabbath” [M. Shab. 19:1]. And he furthermore takes the position of R. Ishmael, who has said that reaping the barley for the sheaf of first barley is a religious duty. For we have learned in the Mishnah: R. Ishmael says, “[Rather the verse teaches us that] just as ploughing, [which] is a voluntary act, [is prohibited on the Sabbath] so [only] harvesting [which likewise] is voluntary [is prohibited on the Sabbath]. This excludes harvesting the first sheaf [and is therefore permitted even on the Sabbath]” [M. Shebiit 1:4K-L]. Now if you*

were to imagine that if the barley for the sheaf of first barley that has not been reaped in accord with the religious duty that pertains to it is valid, why in the world should it override the Sabbath? Do it the eve of the Sabbath. And since it does override the restrictions of the Sabbath, it must follow that he holds that if it was reaped not in accordance with its prescribed rite, it is invalid [and the time is strictly limited to the night after the first day of the festival of Passover; hence it cannot be reaped earlier, that is, on the eve of the Sabbath, nor by day (Cashdan)].

- B. *But was not Rabbi the disciple of R. Simeon? For it has been taught on Tannaite authority, **Said Rabbi, “When we were study Torah with R. Simeon in Teqoa, we used to bring oil in an unguent from the courtyard to the roof, and from the roof to the shed, and from one shed to another, until we got to the spring, and there we would wash ourselves using the oil we had carried” [T. Erub. 5:24L-M].***
- C. *Well, he follows the reasoning of another teaching of R. Simeon, for it has been taught on Tannaite authority: said R. Simeon, “Come and take note of how valued is a religious duty that is done in its proper time. For lo, it is entirely proper to burn up the sacrificial fat and limb at any time during the night, but to burn them up the priests did not even wait until nightfall.” [Cashdan: similarly with the reaping of the barley for the sheaf of first barley, although it could be reaped earlier, on the eve of the Sabbath, the precept is valued most when it is carried out at its proper time, which is on the Sabbath.] **[72B]** Now did not R. Eleazar b. R. Simeon know this teaching of his father? [Obviously he did, so how could he invoke the fact that reaping the barley overrides the Sabbath to make the point that if this was done not in accordance with the prescribe rite is invalid?]*
- D. *Sure he did, but the case is different, since the act of slaughtering the animal always has overridden the prohibitions of the Sabbath.*
- E. *And Rabbi? Doesn't he also know that the act of slaughtering the animal always has overridden the prohibitions of the Sabbath? So it must follow that Rabbi takes the view that reaping the barley for the first sheaf of grain does not override the prohibitions of the Sabbath.*
- F. *So it doesn't, does it not? But have we not learned in the Mishnah in so many words: **And sages say, “All the same are the Sabbath and the weekday: by three men, into three baskets, with three sickles” [M. 6:1D].***
- G. *That does not conform to Rabbis' position.*
- H. **On the Sabbath, he says to them, “[Shall I reap on] this Sabbath?” They say, “Yes” [M. 6:3Q].**
- I. *That does not conform to Rabbis' position.*

VIII.1 A. [If] it is reaped by day, it is valid. And it overrides [the rules of] the Sabbath:

- B. *Which authority have you heard to take the position that if it is reaped by day, it is valid? It is Rabbi. And yet it is stated, **And it overrides [the rules of] the Sabbath** [so that is because it can only be done then]. Now that speaks of reaping the barley, does it not? [But we just said that in Rabbi's view, reaping the barley for the sheaf of first grain does not override the Sabbath!]*

- C. *No, reference is made here to offering the sheaf of first barley on the Sabbath. But reaping the barley does not override the Sabbath.*
- D. *But has it not been taught on Tannaite authority:*
- E. **Rabbi says, “What is the meaning of the statement, ‘Thus Moses declared to the people of Israel the appointed feasts of the Lord’ (Lev. 23:44)?**
- F. **“The reason is that we have solid proof only that Passover [Exo. 12:1ff.] and the daily whole offering [Num. 28:2] override the restrictions of the Sabbath and of uncleanness, since in both cases the language of ‘in its season’ is used [hence specifying that the offering is to be made even on the Sabbath].**
- G. **“And as to all other public offerings, how do we know that that is the case?**
- H. **“As it is said, ‘These you shall offer to the Lord in your appointed seasons’ (Num. 29:39).**
- I. **“As to the waving of the sheaf and what is offered with it, the Two Loaves of bread and what is offered with them, we have up to now had no evidence.**
- J. **“Thus, when Scripture says, ‘Thus Moses declared to the people of Israel the appointed feasts of the Lord,’ an appointed time was imposed in all such cases [so that they too are offered even on the Sabbath]” [Sifra CCXXXIX:III.2].** *Now for what particular action is the prohibition of the Sabbath to be ignored? If you say it is for the act of making the offering, as a matter of fact the Two Loaves are not offered on the altar at all [being leavened]. So reference must be made to grinding and sifting the grain. And so too in the case of the barley, the counterpart action being reaping, that is the act that overrides the Sabbath.*
- K. *Not at all, the presentation of the first sheaf of barley overrides the Sabbath in particular in regard to the act of offering the sheaf, and the two loaves override the Sabbath that the counterpart rite is baking, for Rabbi takes the position that baking them in the oven of the sanctuary sanctifies them; if they had been baked the previous day, by being kept overnight, they would then [having been sanctified] now be invalid.*
- L. *But is it really Rabbi’s view that baking the loaves in the sanctuary’s oven sanctifies them? And has it not been taught on Tannaite authority:*
- M. The lambs that are presented at Pentecost sanctify the bread only when they are slaughtered.
- N. How so?
- O. “If the officiating priest slaughtered them for the classification for which the beasts were originally designated, and tossed their blood for the classification for which the beasts were originally designated, the bread is likewise sanctified.
- P. “If the officiating priest slaughtered them not for the classification for which the beasts were originally designated, and tossed their blood not for the classification for which the beasts were originally designated, the bread is not sanctified.
- Q. “If the officiating priest slaughtered them for the classification for which the beasts were originally designated, and tossed their blood not for the classification for which the beasts were originally designated, the bread is sanctified but not sanctified,” the words of Rabbi.

- R. R. Eleazar b. R. Simeon says, “Under no circumstances is the bread sanctified unless the officiating priest slaughtered them for the classification for which the beasts were originally designated, and tossed their blood for the classification for which the beasts were originally designated.”
- S. Said R. Nahman bar Isaac, “The sense of Rabbis’ statement is, they are both assigned to the lambs that were slaughtered and also not.” [Cashdan: the sanctification by slaughtering referred to only means that the loaves are thereby assigned to the lambs that are slaughtered, so that if subsequently the lambs were lost, these loaves could not be used with other lambs, and where the lambs were not slaughtered for the classification for which they were originally designated, the loaves are not thereby assigned for them but may be used with other lambs. The real sanctification of the loaves, however, is effected only by the baking in the oven of the sanctuary.]