

Winnow – מנפה: Although winnowing is itself a form of selecting, since the food was basically prepared and ready before the Festival, this action was not considered significant enough for the Sages to prohibit it (Rid).

A little at a time – על יד על יד: This phrase literally means: One hand at a time. Rashi and the *Meiri* maintain that in the case of Shabbat the correct version is: From hand to hand, i.e., it is permitted to rub the grains together only by passing them from one hand to another.

אם כן מצינו – אם כן מצינו: Some ask: Why didn't the Gemara pose this question earlier, as the *baraita* itself apparently contradicts the mishna? They answer that it might have been thought that the *halakha* of rubbing grain is referring only to a small quantity, for which one is not obligated to separate *teruma*. After clarifying the *baraita*, the question is more appropriate (Rav Yitzhak Abuhav). For an alternative answer, see the *Mishnat Aharon*.

LANGUAGE

Tray [kanon] – קטן: From the Greek *κανών*, *kanoun*, which means a basket, primarily a bread basket. These baskets were probably woven and came in various sizes, and they were also used for winnowing grain.

HALAKHA

Winnowing kernels of grain – גיפוי מלילות: If one husked kernels of grain before Shabbat, he may not winnow them with a tray or a large vessel, nor may he do so with both hands. However, he may use one hand (*Shulhan Arukh, Oraḥ Hayyim* 319:7).

איתבייה אביי: המולל מלילות מערב שבת, למחר מנפח מיד ליד ואוכל, אבל לא בקנן ולא בתמחוי.

Abaye raised an objection to Rava from a *baraita*: In the case of one who husks kernels of grain on Shabbat eve, on the following day, on Shabbat itself, he may winnow^N the chaff in an irregular manner by passing the kernels from hand to hand and then eat them. However, one may not do so, neither by means of a tray [*kanon*]^L that is occasionally used for sorting and separating the chaff nor with a large vessel.^H

המולל מלילות מערב יום טוב, למחר מנפח על יד על יד ואוכל, אפילו בקנן ואפילו בתמחוי, אבל לא בטבלא ולא בנפה ולא בכברה. מערב יום טוב – אין, ביום טוב – לא.

With regard to one who husks kernels of grain on a Festival eve, on the following day, he may winnow a little grain at a time^N and eat, even with a tray or a large vessel. However, he may not do so with a tablet, nor with a winnow, nor with a sieve. Since these vessels are designed for winnowing, they are used only for large quantities, and therefore it will appear as though he were preparing for after the Festival, which is certainly prohibited. In any case, the wording of the *baraita* indicates: **On a Festival eve, yes, one may husk or crush legumes; on the Festival itself, no, it is prohibited to do so.**

אפילו תימא ביום טוב, ואידי דתנא רישא מערב שבת – תנא סיפא נמי מערב יום טוב.

The Gemara refutes this: **Even if you say that it is permitted on a Festival, the *baraita* can be understood.** The reason is as follows: **Since he taught in the first clause of the *baraita*: On Shabbat eve, as husking grain may not be performed on Shabbat itself, for it might lead to a prohibited labor on Shabbat, he also taught in the latter clause: On a Festival eve.** However, this does not mean that rubbing or crushing legumes is prohibited on the Festival itself.

אם כן מצינו תרומה שזכאי בהרמטה, ותנן: לא. אם אמרתם בתרומה שאינו זכאי בהרמטה וכו'.

Abaye raises a difficulty against the opinion of Rava from a different angle: **If you say so, we have thereby found a case of *teruma*^N for which separation is allowed on a Festival.** Before being rubbed, the grains of wheat were certainly not fit to be eaten, and therefore there was no obligation to separate *teruma* from them. Now that one has prepared them as food by rubbing them, he is obligated to separate *teruma* from them, and if one is permitted to eat them, he must be permitted to separate *teruma* from them first. **And we learned explicitly in the mishna: No, if you said that you derive the halakha from *teruma*, where its separation is not allowed on the Festival.** This statement indicates that even Beit Hillel agree that one may not separate *teruma* of any kind on a Festival.

לא קשיא:

The Gemara refutes this challenge: This is **not difficult**.

Perek I

Daf 13 Amud a

הא – רבי, הא – רבי יוסי ברבי יהודה. דתנא: הכנים שבלין לעשות מהן עיסה – אוכל מהן עראי ופטור.

This source, the *baraita*, is in accordance with the opinion of **Rabbi Yehuda HaNasi**, who holds that one must separate *teruma* from kernels of grain on the stalk, and one may separate *terumot* on a Festival. That source, the mishna, is in accordance with the opinion of **Rabbi Yosei, son of Rabbi Yehuda**,^N who maintains that there is no need to separate *teruma* from kernels of grain on the stalk, **as it is taught in a *baraita*: If one brought inside his house stalks of grain in order to grind them into flour and to make dough from them, he may eat from them, as a snack, before they are ground, and he is exempt from *teruma*.** Provided that the grain has not yet been fully processed, the obligation to separate *teruma* does not apply. The Sages decreed that such produce may only be consumed casually and not as part of a regular meal.

NOTES

This is Rabbi Yehuda HaNasi and that is Rabbi Yosei, son of Rabbi Yehuda – הא רבי הא רבי יוסי ברבי יהודה – The later authorities are puzzled by this terminology, as the Gemara is not trying to resolve a contradiction between two *mishnayot* or *baraitot* in this case, but is merely attempting to find a source for Rava's opinion. Some relate this to the general question of whether the opinions of Beit

Hillel and Beit Shammai should be reversed in these *mishnayot*, in which case an answer must be sought for both opinions (see *Sefat Emet*). *Tziyyun LeNefesh Hayya* writes that since the opinions of Rabbi Yehuda HaNasi and Rabbi Yosei, son of Rabbi Yehuda, are not entirely clear, as indicated below, the Gemara wishes to state that Rava's opinion fits in with at least one opinion.

NOTES

Rabbi Yehuda HaNasi... and Rabbi Yosei, son of Rabbi Yehuda – רבני... רבני יוסי ברבי יהודה – Rashi and *Tosafot*, along with Rabbeinu Hananel and others, dispute whether this mishna is in accordance with the opinion of Rabbi Yehuda HaNasi or that of Rabbi Yosei, son of Rabbi Yehuda. According to Rashi, Rabbi Yehuda HaNasi maintains that one is obligated to separate *teruma* from stalks of grain, and therefore it is necessary to separate *teruma* from them on that day. *Tosafot* hold that as Rabbi Yehuda HaNasi obligates one to separate *teruma* when he brings the stalks into the house to rub and eat as grain, the obligation came into effect on the eve of the Festival, and consequently it is prohibited to separate *teruma* from them on the Festival itself. Apparently, there were different versions of this discussion, and the text in the printed Gemara: And according to the opinion of Rabbi Yosei, son of Rabbi Yehuda, you can also find, is in accordance with Rashi's explanation. *Tosafot*, Rabbeinu Hananel, and others read: And according to the opinion of Rabbi Yehuda HaNasi you can also find.

Pound and...calculates – כותש ומחשב: It is clear from the continuation of the discussion that this pounding must be performed as a penalty. The early authorities are puzzled by this, as one apparently benefits from his actions, since beforehand he was obligated to separate the gift from all the produce, including the stalks, whereas after he has pounded he need take only the seeds into account. Therefore, some commentaries explain that this penalty does not refer to pounding in particular, but to the general principle that the Levite must provide the priest with a finished product. Consequently, if he received grapes he must turn them into wine; likewise, he must turn olives into oil (Rabbeinu Peretz). Others explain that were it not for the penalty, the Levite could choose the state from which he wishes to separate the *teruma* of the tithe, but the Sages decreed that he must pound the produce, whether he wishes to do so or not (Rashba).

לְמוֹלֵלִין בְּמִלִּילוֹת – רַבִּי מְחַיֵּב וְרַבִּי יוֹסִי בְּרַבִּי יְהוּדָה פּוֹטֵר.

וְלִרְבֵּי יוֹסִי בְּרַבִּי יְהוּדָה נִמְי מִשְׁבַּחַת לָהּ, כְּגוֹן שֶׁהַכֹּהֲנִים שֶׁבָּלִין לַעֲשׂוֹת מִהֶן עִסָּה, וְנִמְלֵךְ עֲלֵיהֶן לְמוֹלֵלִין בַּיּוֹם טוֹב, דְּטַבְּלָא בַּיּוֹמִיהּ.

אֵלָּא מֵאֵי תְרוּמָה – רוּב תְרוּמָה.

אָמַר אַבְיִי: מִחֻלּוֹקֶת בְּשֶׁבֶלִין. אֲבָל בְּקַטְנוּת – דְּבַרִּי הֲכַל אֶסְרוּיָתָא טַבְּלָא.

לִימָא מְסִיעֵה לֵיהּ: מִי שְׁהִיוּ לוֹ חֲבִילֵי תִלְתָן שָׁל טַבֵּל – הָרִי זֶה כּוֹתֵשׁ, וּמְחַשֵּׁב כְּמָה זֶרַע יֵשׁ בָּהֶם, וּמְפָרִישׁ עַל הַזֶּרַע וְאֵינוֹ מְפָרִישׁ עַל הָעֵץ. מֵאֵי לָאוּ רַבִּי יוֹסִי בְּרַבִּי יְהוּדָה הֵיא, דְּאָמַר הָתָם לֹא טַבְּלָא, הָכָא טַבְּלָא –

However, if from the outset one brought in the stalks of grain not to grind them but to husk the kernels and eat them a little at a time, Rabbi Yehuda HaNasi obligates him to separate *teruma* from them and prohibits him from partaking of the grain until he has done so. And Rabbi Yosei, son of Rabbi Yehuda,^N exempts him from the obligation of *teruma*. He maintains that not even this intention renders one obligated to separate *teruma*, as the obligation for *teruma* applies only to fully processed grain.

The Gemara challenges this: And according to the opinion of Rabbi Yosei, son of Rabbi Yehuda, you can also find a case when one must separate *teruma* from grain that has not been fully processed. How so? For example, if one brought inside his house stalks of grain to make dough from them, thereby rendering himself obligated to separate *teruma* from them, and he reconsidered and decided to husk them in order to eat the kernels on a Festival. In that case, the prohibition of untithed produce takes effect on that day and one is obligated to separate *teruma*, only afterward is he permitted to eat the kernels.

Rather, one must say: What is the *teruma*^B that Beit Shammai and Beit Hillel agree may not be separated on a Festival? It is referring to most *teruma*, e.g., grain that has been threshed and gathered into piles on the eve of the Festival. They do, however, admit that there are exceptional cases in which one may separate *teruma* on a Festival.

Abaye said: This dispute, concerning when the obligation to separate *teruma* and the prohibition of untithed produce takes effect, is referring only to stalks of grain, which are typically brought into a granary, where they are processed in a standard manner. Until that point, the grain is not prohibited as untithed produce. However, with regard to legumes, everyone agrees that the bundles are already regarded as untithed produce, and *teruma* must be separated from them at that stage.^H

The Gemara suggests: Let us say that the following mishna supports him (*Terumot* 10:6): With regard to one who had bundles of fenugreek,^B a type of legume, of untithed produce,^B he may pound these bundles to remove the seeds from them. And he calculates^N how many seeds the bundles contain and separates *teruma* based on the quantity of seeds, but he does not calculate and separate *teruma* based on the quantity of stalks. Although the stalks and leaves are also used for cooking, it is not necessary to separate *teruma* from them. What, is it not the case that this *halakha* is in accordance with the opinion of Rabbi Yosei, son of Rabbi Yehuda, who said: There, with regard to stalks of grain, it is not yet ready to be tithed, and therefore not prohibited as untithed produce, whereas here, i.e., with regard to the bundles of fenugreek, it is ready to be tithed and therefore prohibited as untithed produce?

BACKGROUND

Teruma – תְרוּמָה: Whenever the term *teruma* appears without qualification, it refers to *teruma gedola*. The Torah commands that “the first fruit of your grain, of your wine, and of your oil” be given to the priest (Deuteronomy 18:4; see Numbers 18:12). The Sages extended the scope of this mitzva to include all produce grown in Eretz Yisrael. *Teruma* is sacred and may be eaten only by a priest and his household while they are in a state of ritual purity (see Leviticus 22:9–15). The Torah does not specify the amount of *teruma* that must be given; theoretically, one may fulfill his obligation with even a single kernel of grain from an entire crop. However, the Sages established particular measures: One-fortieth for a generous gift, one-fiftieth for an average gift, and one-sixtieth for a miserly gift. Today, since *teruma* cannot be eaten because there is no way to ensure that the priest who eats it is ritually pure, the *halakha* reverts to Torah law; and, in practice, only a minimal portion of the produce is separated.

One should not separate the other tithes until he has set aside *teruma*. Today, *teruma* is not given to priests, as they have no definite proof of their priestly lineage. Nevertheless,

there remains an obligation to separate it, alongside the obligation to separate tithes; and the consumption of produce from which *teruma* and tithes have not been separated is prohibited.

Fenugreek [tiltan] – תִּלְתָן: In the language of the Sages, *tiltan* refers to what is today called fenugreek, *Trigonella foenum-graecum*, a plant less than 1 m in height from the legume family. Its stalks are hollow and furry, with triangular, light-green leaves and white flowers. The fruit is contained in thin pods, up to 15 cm in size, which contain flat seeds of roughly 5 mm. Fenugreek is usually cultivated for its seeds, which are eaten and used in the preparation of many seasonings. Its young stalks are also used as seasoning. It originates from the Mediterranean, but is now cultivated in many places. In previous eras, it was also used medicinally as a cure for various illnesses; today, it is used in this fashion mainly for animals. In various countries, fenugreek is used as fodder as well as fertilizer. It is typically a cultivated plant that is grown in heavy soil, although a wild strain has also developed in certain regions.



Fenugreek leaves, seeds, and pods

Untithed produce – טַבְּלָא: This refers to produce from which the priestly dues of *teruma* and other tithes have not been separated, or dough from which *halla* has not been separated. The Torah prohibits the consumption of untithed produce. However, once tithes have been separated, even if they have not yet been given to those for whom they are designated, the produce is no longer classified as untithed, and it may be eaten.

Some say – איכא דאמרי – Tosafot are puzzled by this expression, as the two different versions of the same discussion do not usually differ so widely. Others add that the discussion also poses logical difficulties, as the two versions apparently disagree over the factual question of whether it is customary to bring in stalks of grain before threshing. Arguments of this kind are rare in the Gemara (Rabbeinu Peretz).

Pound and calculate – כותש ומחשב: It is clear from the continuation of the discussion that this pounding must be performed as a penalty. The early authorities are puzzled by this, as one apparently benefits from his actions, since beforehand he was obligated to separate the gift from all the produce, including the stalks, whereas after he has pounded he need take only the seeds into account. Therefore, some commentaries explain that this penalty does not refer to pounding in particular, but to the general principle that the Levite must provide the priest with a finished product. Consequently, if he received grapes he must turn them into wine; likewise, he must turn olives into oil (Rabbeinu Peretz). Others explain that were it not for the penalty, the Levite could choose the state from which he wishes to separate the *teruma* of the tithe, but the Sages decreed that he must pound the produce, whether he wishes to do so or not (Rashba).

HALAKHA

בבבלי תלתן – Bundles of fenugreek of untithed produce: If one separates the first tithe while the produce is still stalks of grain, before one could separate *teruma*, the tithing is effective and *teruma gedola* is not separated from that grain. However, the Sages penalize one who does this by prohibiting him from separating the *teruma* of the tithe in its current state. Instead, he must thresh and winnow it and separate the *teruma* of the tithe from the grain. In that case, he is not required to give the priest any of the stalks or chaff. If one violated this ruling and separated *teruma* of the tithe from the stalks, he must pound the stalks and then give the priest both the grain and the stalks or, in the case of legumes like fenugreek, the seeds and the stalks. The *halakha* is in accordance with the *baraita*, as explained by the Gemara (Rambam *Sefer Zera'im, Hilkhot Terumot* 3:14).

Its name renders it untithed produce – שמו טובלו: If one separated the first tithe while it was still stalks of grain, he may not partake of it before separating *teruma* of the tithe (Rambam *Sefer Zera'im, Hilkhot Ma'asrot* 3:19).

BACKGROUND

Teruma of the tithe – תרומת מעשר: The Levites are commanded to separate one-tenth of the tithe they receive and to give it to the priests (Numbers 18:26–32). All the *halakhot* that apply to *teruma* apply equally to *teruma* of the tithe. Even today, *teruma* of the tithe must be separated from produce, although it cannot be used, as it is in a state of ritual impurity.

לא, רבי היא. אי רבי היא. מאי איריא תלתן? אפילו שבלין נמי.

The Gemara rejects this contention: **No**, this is no proof, as it can be claimed that the mishna dealing with fenugreek is in accordance with the opinion of **Rabbi Yehuda HaNasi**, who obligates one to separate *teruma* in the case of stalks of grain. The Gemara challenges this: **If it is** in accordance with the opinion of **Rabbi Yehuda HaNasi**, what novel element does the mishna provide? **Why specifically discuss fenugreek?** According to **Rabbi Yehuda HaNasi**, the same *halakha* applies **even to stalks of grain as well**.

אלא מאי – רבי יוסי ברבי יהודה, לשמעין שאר מיני קטניות וכל שבלן תלתן.

The Gemara rejects this: **Rather, what** then? Is the mishna in accordance with the opinion of **Rabbi Yosei, son of Rabbi Yehuda**? If so, **let him teach us this halakha** with regard to **other types of legumes**, i.e., that they have the status of untithed produce when placed in bundles. **And all the more so** this would apply to **fenugreek**, which is eaten only in small quantities and is not processed in the manner of grain.

אלא, תלתן אצטרביא ליה, סלקא דעתך אמינא: הואיל וטעם עצו ופריו שיה לפרוש נמי אעצו, קא משמע לך.

Rather, it cannot be proven that the mishna follows either the opinion of **Rabbi Yosei, son of Rabbi Yehuda**, or that of **Rabbi Yehuda HaNasi**, as it was **necessary** for the *tanna* to state the case of **fenugreek** for a different reason: It could **enter your mind to say: Since** in the case of fenugreek **the taste of its stalk and its fruit are identical**, as the branches of the fenugreek add flavor to a dish, perhaps one should **also separate teruma** based on the quantity of fenugreek stalks, as well. The *tanna* of the mishna therefore **teaches us** that there is no obligation to do so, and this is the novel element of his statement.

איכא דאמרי, אמר אבוי: מחלוקת בשבלין, אבל בקטניות – דברי הכל אסורייתא לא טבלא. מיתבי: מי שהיו לו תבילי תלתן של טבל הרי זה כותש ומחשב כמה זרע יש בהן, ומפריש על הזרע ואינו מפריש על העץ. מאי לאו – טבל טבול של תרומה!

Some sayⁿ that **Abaye** said the following: This **dispute** between **Rabbi Yosei, son of Rabbi Yehuda**, and **Rabbi Yehuda HaNasi** is referring to stalks of grain; **however**, with regard to **legumes, everyone agrees** that the **bundles** are not yet ready to be tithed and are therefore **not prohibited as untithed produce**. The Gemara **raises an objection** to this: With regard to **one who had bundles of fenugreek of untithed produce,^h he may pound them and calculateⁿ how many seeds they contain and separate teruma** based on the quantity of seeds, **but he does not separate** based on the quantity of stalks. **What, is this not referring to the normal case of untithed produce of teruma, i.e., produce from which the regular teruma, the initial portion taken from produce as the priests' portion, must be separated?**

לא, טבל טבול של תרומת מעשר.

The Gemara rejects this: **No**, it is referring to a different case, that of first tithe that is still regarded as **untithed produce**, because of **teruma of the tithe^b** that must still be separated from it. First tithe is given to the Levites, who must separate ten percent as *teruma* of the tithe, to give to the priests. Before *teruma* of the tithe is separated, the first tithe may not be eaten.

וכדרבי אבהו אמר רבי שמעון בן לקיש. דאמר רבי אבהו אמר רבי שמעון בן לקיש: מעשר ראשון שהקדימו בשבלין –

And this statement is in accordance with the opinion that Rabbi Abbahu said that **Rabbi Shimon ben Lakish** said, as **Rabbi Abbahu** said that **Rabbi Shimon ben Lakish** said: It can occur that a Levite might take the **first tithe before the teruma** is separated, **while** the grain is still **on the stalks**. The correct procedure is: After collecting the grain in a pile in the granary, one first separates *teruma*, and only afterward separates first tithe to give to the Levites.

שמו טובלו לתרומת מעשר.

If this order was not followed, and the first tithe was separated first while the grain was still attached to the stalks, **Rabbi Shimon ben Lakish** maintains that the following *halakha* applies: **Its name**, i.e., the fact that it has been designated first tithe, **renders it ready to be tithed** and therefore prohibited as **untithed produce^h**, as pertains to **teruma of the tithe** that must still be separated from it. This shows that there can be a separation of a type of *teruma*, specifically the *teruma* of the tithe, even before work on the produce has been completed, and this is the case to which the previously quoted mishna is referring.

NOTES

Penalty – קנסא: The Rambam, in his Commentary on the Mishna, explains that the Levite is penalized because his early separation causes the priest to forfeit the *teruma gedola* that would have been taken from the separated portion. Since he has caused the priest a loss, the Levite is required to process the separated portion.

בּוֹתֵשׁ לְמָה לֵי? לֵימָא לֵיה: כִּי הֵיכִי דִיִּהְבוּ לֵי – הֵכִי יְהִיבְנָא לָךְ. אָמַר רַבָּא: קִנְסָא.

The Gemara challenges this interpretation: If first tithe is considered untithed produce when it is named, why do I need the act of **pounding**? Let the Levite say to the priest: As they gave to me stalks of grain, or unprepared bundles, so I am giving them to you in the same state. Rava said: It is a penalty.^N In other words, the Levite should indeed be entitled to issue this claim; however, as he acted improperly by taking his tithe prematurely, the Sages decreed that he may not separate the priest's portion in its current state, but must first improve it.

תֵּנִיא נְמִי הֵכִי; בְּן לֵוי שְׁנַתְנוּ לוֹ שְׁבִלִין בְּמַעֲשֵׂוֹתָיו – עוֹשָׂה אוֹתָן גֹּרָן, עֲנָבִים – עוֹשָׂה אוֹתָן יַיִן, וַיִּתֵּים – עוֹשָׂה אוֹתָן שֶׁמֶן וּמְפָרִישׁ עֲלֵיהֶם תְּרוּמַת מַעֲשֵׂר, וְנוֹתֵן לְכֹהֵן. שְׂכֻשָׁם שְׁתְּרוּמָה גְדוּלָה אֵינָה נִטְלָת

The Gemara comments: That opinion is also taught in a *baraita*. With regard to a Levite who was given stalks of grain as his tithes, he renders them into a granary, i.e., he must thresh and process them in the usual manner. Similarly, if he was given grapes, he renders them wine; if he was given olives, he renders them oil; and afterward he separates *teruma* of the tithe for them and gives them to a priest. For just as *teruma gedola*, i.e., standard *teruma*, is not separated from unprocessed produce,

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PERSONALITIES

Abba Elazar ben Gimmel – אַבָּא אֶלְעָזָר בֶּן גִּמְלָא: This is the only *halakha* attributed to this Sage, although it is cited in several places due to its importance. Ben Gimmel is a rare rendering. Some versions read ben Gommel or ben Gamla. These are all apparently variations of a kind of nickname, shortened forms of ben Gamliel, as he is called in the *Sifrei*. A Sage by this name is depicted as arguing with the *tanna* Rabbi Yishmael, a younger contemporary of Rabbi Akiva, which indicates that Abba Elazar ben Gimmel lived during the same period. This is also indicated by the term Abba, an honorific bestowed upon several early Sages.

HALAKHA

Teruma gedola is separated by estimation – תְּרוּמָה גְדוּלָה נִטְלָת בְּאֹמָד: One may not separate *teruma gedola* by measurement, weight, or number. Rather, one must estimate the size of the portion he wishes to give and separate it (Rambam *Sefer Zera'im, Hilkhot Terumat* 3:4).

אֶלָּא מִן הַגֹּרָן וּמִן הַיֶּקֶב, כִּךְ תְּרוּמַת מַעֲשֵׂר אֵינָה נִטְלָת אֶלָּא מִן הַגֹּרָן וּמִן הַיֶּקֶב.

but only from the granary and the winepress, so too, *teruma* of the tithe is separated only from the granary and the winepress.

מִחֻשָּׁב? הָא מְדִידָה בְּעֵי.

The Gemara asks: If the mishna is referring to produce from which *teruma gedola* has not been separated, it is appropriate to use the term: Calculates. However, according to the suggestion that it is referring to a first tithe, from which *teruma* of the tithe must be separated, why does the mishna state: **Calculates**? The *tanna* of the mishna should have said: **Measures**.^N The amount of *teruma gedola* to be separated is calculated by estimation, as there is no fixed amount for this *teruma* according to Torah law. With regard to the *teruma* separated from first tithe, however, the Torah established the fixed amount of one-tenth, and one is required to measure precisely.

הָא מִנֵּי – אַבָּא אֶלְעָזָר בֶּן גִּמְלָא הִיא. דְּתֵנִיא, אַבָּא אֶלְעָזָר בֶּן גִּמְלָא אָמַר: "וְנִחְשָׁב לָכֶם תְּרוּמַתְכֶם" – בְּשֵׁיתֵי תְּרוּמוֹת הַכֶּתֵיב מְדַבֵּר, אַחַת תְּרוּמָה גְדוּלָה וְאַחַת תְּרוּמַת מַעֲשֵׂר. כִּשְׁם שְׁתְּרוּמָה גְדוּלָה נִטְלָת בְּאֹמָד וּבְמַחֲשָׁבָה – כִּךְ תְּרוּמַת מַעֲשֵׂר נִטְלָת בְּאֹמָד וּבְמַחֲשָׁבָה.

The Gemara explains: In accordance with whose opinion is this mishna? It is in accordance with the opinion of Abba Elazar ben Gimmel,^P as it is taught in a *baraita*: Abba Elazar ben Gimmel says: The verse states: "And your *teruma* shall be reckoned to you as though it were the corn of the granary and as the fullness of the winepress" (Numbers 18:27). The verse speaks of two *terumot*. One is *teruma gedola*, and the other one is *teruma* of the tithe. Just as *teruma gedola* is separated by estimation^H and is not measured exactly, and it is enough to separate it by thought,^N as the word "reckoned" implies that the mere intention to separate a particular portion serves to remove the rest of the produce from its untithed state, so too, *teruma* of the tithe^N can also be separated by estimation and by thought.

NOTES

Should have said, measures – מְדִידָה בְּעֵי: In the Jerusalem Talmud, it is stated: One who counts, i.e., separates tithes by the number of sheaves or bundles, is praiseworthy; one who measures by volume is more praiseworthy; and one who weighs is the most praiseworthy of all.

it is sufficient if one makes an internal decision that a certain portion is considered *teruma* (Rashba).

Is separated by estimation and by thought – וּבְמַחֲשָׁבָה: Some commentaries explain that this phrase is actually a single expression, meaning: One may make an estimate by calculating (Rid). Others, however, claim that there is a distinction between the two. By estimation means without precise measurement; whereas by thought is referring to the *halakha* that one does not have to separate the portion in practice, as

The Rambam rules in accordance with the opinion of Abba Elazar ben Gimmel that this is not merely an option but a mitzva: One must estimate, not make an exact calculation. Other commentaries claim that the same applies to *teruma* of the tithe. Although the Torah established a fixed amount for this gift, it is the donor's obligation to ensure that his estimation is not less than the required amount, and he is held responsible if he failed to take sufficient care in this regard (*Meiri*).

Just as *teruma gedola*...so too *teruma* of the tithe – כִּשְׁם: *Tosafot* point out that the verse:

"And your *teruma* shall be reckoned to you" (Numbers 18:27) is referring to *teruma* of the tithe. How, then, can this verse be cited as a source for *teruma gedola*? The early authorities add that the basic statement concerning separation by estimate certainly cannot refer to *teruma* of the tithe, as the Torah prescribes a fixed amount for that gift. However, some early authorities, including the Rashba, citing *Tosafot*, suggest a more straightforward answer. They point out that the wording of the verse: "And your *teruma* shall be reckoned to you; as though it were the corn of the granary, etc.," compares the *halakhot* of *teruma* of the tithe with those of *teruma gedola*, which indicates that the *halakhot* of *teruma gedola* can serve as a source for *halakhot* of *teruma* of the tithe.

אָמַר רַבָּא הוּאִיל וכו' – Rava said, since, etc. Some commentaries are puzzled by Rava's comment, as his statement does not appear to add anything significant to that of Reish Lakish. One suggestion is that Rava means to add that the source for this *halakha* is derived from the verse, which calls the *teruma* of the tithe "a tenth part of the tithe" (Numbers 18:26), indicating that anything regarded as a tithe is obligated in *teruma* of the tithe (Rashba).

מְקַלְף אַחַת אַחַת – Although peeling is similar to the prohibited labor of threshing in that it involves removing an unwanted outer husk, peeling the kernels one by one is permitted because it is performed in an unusual manner.

קָלְף וְנָתַן לְתוֹךְ יָדוֹ – Most early authorities maintain that one who gathers together many kernels of grain causes the obligation to tithe to go into effect. This is not because this constitutes a fixed meal, but because he has formed a kind of pile. This is similar to the completion of the processing of grain, which is defined as gathering the threshed grain in a pile on the threshing floor. At that point, the obligation to separate *teruma* and tithes takes effect and the grain may not be eaten, even as a snack.

HALAKHA

מַעֲשֵׂר – First tithe in a case in which the Levite preceded the priest while the grain was on the stalks – **רֵאשׁוֹן שֶׁהִקְדִּימוּ בְּשִׁבְלִים**: If a Levite took the first tithe from stalks of grain, before *teruma gedola* had been separated, he is obligated to give a priest only *teruma* of the tithe, not *teruma gedola*, in accordance with the opinion of Reish Lakish (Rambam *Sefer Zera'im, Hilkhot Ma'aser* 3:19).

הַיּוֹב מַעֲשֵׂר בְּמִקְלָף שְׁעוּרִים – The obligation of tithes with regard to one who peels barley – One who peels barley grains one by one and consumes them may do so without separating *terumot* and tithes, as this is considered a casual manner of eating. However, if he peels and gathers them in his hand, he must separate tithes. Likewise, one who husks grains of wheat may winnow the grain from the chaff, by passing the grains from one hand to another; but if he winnowed them into his lap, he must separate tithes before eating (*Shulhan Arukh, Yoreh De'a* 331:87).

מְלִילוֹת בְּשַׁבָּת – Husking grain on Shabbat – One may not husk grain on Shabbat in the usual manner. Rather, he must alter his method of removing the husks, e.g., use the tips of his fingers (*Shulhan Arukh, Orah Hayyim* 319:6).

וּפָא, אָמַר רַבִּי אַבְהוּ אָמַר רַבִּי שִׁמּוֹן בֶּן לָקִישׁ: מַעֲשֵׂר רֵאשׁוֹן שֶׁהִקְדִּימוּ בְּשִׁבְלִין – שָׁמוּ טוֹבְלוֹ לְתְרוּמַת מַעֲשֵׂר. מֵאֵי טַעְמָא? אָמַר רַבָּא: הוּאִיל וַיֵּצֵא עָלָיו שֵׁם מַעֲשֵׂר.

Since it was mentioned incidentally, the Gemara discusses the matter itself: **Rabbi Abbahu said that Rabbi Shimon ben Lakish said:** With regard to first tithe, in a case in which the Levite preceded the priest while the grain was still on the stalks, its name renders it untithed produce, until he separates from it the *teruma* of the tithe. The Gemara asks: **What is the reason for this halakha?** Rava said: **Sinceⁿ the name of the first tithe was called upon it,** the obligation of the *teruma* of the tithe takes effect as well.

אָמַר רַבִּי שִׁמּוֹן בֶּן לָקִישׁ: מַעֲשֵׂר רֵאשׁוֹן שֶׁהִקְדִּימוּ בְּשִׁבְלִין – פְּטוּר מִתְרוּמָה גְדוּלָה.

The Gemara cites a similar *halakha* that **Rabbi Shimon ben Lakish said:** With regard to first tithe, in a case in which the Levite preceded the priest while the grain was still on the stalks,^h before it was threshed and turned into a pile, the owner separated first tithe before *teruma*. In that case, the separated tithe is exempt from *teruma gedola*. Although *teruma gedola* should have been separated from the produce first, and it should have included some of the produce taken as the first tithe, the Levite is nevertheless exempt from separating this *teruma*.

שְׁנַאֲמַר וְהִרְמוּתָם מִמֶּנּוּ תְרוּמַת ה' מַעֲשֵׂר מִן הַמַּעֲשֵׂר מִן הַמַּעֲשֵׂר אֲמַרְתִּי לָךְ, וְלֹא תְרוּמָה גְדוּלָה וְתְרוּמַת מַעֲשֵׂר מִן הַמַּעֲשֵׂר.

This is because it is stated: **"And you shall set apart from it a *teruma* for the Lord, even a tenth part of the tithe"** (Numbers 18:26), which indicates: **A tenth part of the tithe, i.e., the *teruma* of the tithe, I, God, said to you that you must separate it, and you are not obligated in both *teruma gedola* and *teruma* of the tithe from the first tithe.**

אָמַר לֵיהּ, רַב פָּפָא לְאַבְי: אֵי הָכִי, אֶפְיָלוּ הִקְדִּימוּ בְּכַרִּי נְמִי. אָמַר לֵיהּ: עָלֶיךָ אָמַר קָרָא "מִכֹּל (מַעֲשְׂרוֹתֵיכֶם) תְּרִימוּ אֶת כָּל תְּרוּמַת ה'".

Rav Pappa said to Abaye: **If so,** if there is a source for this *halakha* in the Torah, **even if the Levite preceded the priest, i.e., first tithe was separated after the grain had been threshed and the kernels of grain placed in a pile, then it should also be exempt from *teruma gedola*.** Abaye said to Rav Pappa: **With regard to your claim, the verse states: "From all that is given you, you shall set apart that which is the Lord's *teruma*"** (Numbers 18:29). This verse indicates that God's *teruma*, i.e., *teruma gedola*, must be taken from all the produce, including the tithe.

וּמַה רְאִיתָ? הָאֵי אֲדָגְן, וְהָאֵי לֹא אֲדָגְן.

The Gemara asks: **And what did you see** that led you to require the separation of *teruma gedola* from first tithe that was taken from processed grain piled in the granary but not from first tithe that was taken from grain on stalks? Abaye answers: **This,** grain that has been threshed and placed into piles, is completely processed and **has become grain, and that,** grain that remains on the stalk, **has not yet become grain.** Until the grain is threshed and assembled in a pile, the obligation to separate *teruma* does not take effect, as it is not considered grain. When such unprocessed grain is designated first tithe, it ceases to be untithed produce and the opportunity to separate *teruma* from it has been missed. However, once the grain has been processed, and the obligation to separate *teruma* has taken effect, it is as if the *teruma* is already mixed in, and the obligation to separate it cannot be overridden by the fact that this produce has been designated first tithe.

תַּנּוּ הַתָּם: הַמְקַלְף שְׁעוּרִין מְקַלְף אַחַת אַחַת וְאוֹכֵל, וְאִם קָלְף וְנָתַן לְתוֹךְ יָדוֹ – חַיִּיב. אָמַר רַבִּי אֶלְעָזָר: וְכֵן לְשַׁבָּת.

We learned in a mishna there (*Ma'asrot* 4:5): **One who peels grains of barley to eat them raw may peel them one by oneⁿ and eat them immediately without tithing them,** as this is considered a casual manner of eating. **But if he peeled and placed several of them into his hand,ⁿ he is obligated to separate tithes.** **Rabbi Elazar said: And a similar halakha applies to Shabbat.** Peeling grains of barley one by one is not considered threshing, and it is permitted; if a whole handful of grains are peeled together, this does constitute the prohibited labor of threshing.

אֵינִי? וְהָאֵי רַב מְקַלְפָא לֵיהּ דְּבִיתָהּ כְּסִי, וְרַבִּי חַיִּיא מְקַלְפָא לֵיהּ דְּבִיתָהּ כְּסִי, כְּסִי אֶלְא, אֵי אֲתַמַּר אֶסְיָפָא אֲתַמַּר: הַמּוֹלֵל מְלִילוֹת שֶׁל חֲטִיִּים – מְנַפֵּחַ עַל יַד עַל יַד, וְאוֹכֵל, וְאִם נִפַח וְנָתַן לְתוֹךְ חִיקוֹ – חַיִּיב. אָמַר רַבִּי אֶלְעָזָר: וְכֵן לְשַׁבָּת.

The Gemara asks: **Is that so? But didn't Rav's wife peel for him barley on Shabbat by the cupful? And likewise Rav Hiyya's wife would peel barley for him on Shabbat by the cupful.** Rather, if Rabbi Elazar's comment was stated in this context, **it was stated with regard to the latter clause of that same mishna** (*Ma'asrot* 4:5): **With regard to one who husks kernels of wheat by hand, he may blow onto the chaff to disperse it a little at a time and eat the kernels without separating tithes.^h But if he blows on the kernels and puts a large amount of them into his lap, he is obligated to separate tithes from the food.** It was with regard to this teaching that **Rabbi Elazar said: And a similar halakha applies to Shabbat.^h**

LANGUAGE

From when one trims [misheyefaksu] – מְשִׁיפְקֵסוּ: Probably from the Greek πόκος, pokos, meaning wool. In this context, the Gemara is likely referring to the hair that grows on various types of cucumbers and gourds. This hair either falls off by itself as the fruit ripens or it is removed manually before it is sold.

HALAKHA

The granary of cucumbers with regard to tithes – גֹּרֵן: With regard to the separation of tithes, cucumbers and gourds reach the completion of their processing when one rubs and removes the hair-like material that covers them. This is called their granary, a term borrowed from the processing of grain. If one does not rub them, they are considered processed when he gathers them into a pile (Rambam Sefer Zera'im, Hilkhot Ma'asrot 3:8).

The granary of onions with regard to tithes – גֹּרֵן בְּצִלִּים: With regard to tithes, onions reach the completion of their processing when one removes the leaves and dry peels. If he does not remove the leaves and dry peels, the onions are considered fully processed when he gathers them into a pile (Rambam Sefer Zera'im, Hilkhot Ma'asrot 3:12).

Planned constructive labor on Shabbat – מְלָאכֶת מְחֻשְׁבֶּת: On Shabbat, the Torah prohibits only constructive labor, performed with the intention of achieving predefined goals. If one performed one of the thirty-nine labors prohibited on Shabbat accidentally, or under the impression that he was doing something else, he is exempt (Rambam Sefer Zemanim, Hilkhot Shabbat 1:9).

NOTES

How may one husk – בִּיצֵד מוֹלֵל: The early authorities dispute the precise meaning of this question. Rashi, Tosafot, and others explain that it is referring to a Festival. Others maintain that it concerns the husking of grain on Shabbat (Rabbi Aharon HaLevi). According to their opinion, one may husk in the regular manner on a Festival. This ruling is cited by the Meiri, and the Rambam indicates likewise (see Rishon LeTziyyon).

מִתְקִיף לָהּ רַבִּי אַבְבָּא בַר מִמֶּל: וְרִישָׁא, לְמַעֲשֵׂר – אִין, לְשַׁבַּת לָא? וְנִי אִיכָא, מִיְדֵי דְלַעֲנֵן שַׁבַּת לָא הוּי גְמַר מְלָאכָה, וְלְמַעֲשֵׂר הוּי גְמַר מְלָאכָה?

מִתְקִיף לָהּ רַב שֵׁשֶׁת בְּרִיהַ דְרַב אִידִי: וְלָא? וְהָא גְרָנָן לְמַעֲשֵׂר, דְתַנְנִי: אִיזְהוּ גְרָנָן לְמַעֲשֵׂר? הֲקָשׁוּאִין וְהַדְלֹעִין מְשִׁיפְקֵסוּ, וְשִׁלָּא פְקָסוּ – מְשִׁינְעֵמִיד עֲרֻמָּה. וְתַנְנִי נְמִי גְבִי בְצִלִּים: מְשִׁינְעֵמִיד עֲרֻמָּה. וְאֵלוּ גְבִי שַׁבַּת – הֲעֵמְדַת עֲרֻמָּה פְטוּר!

אֵלֹא מֵאֵי אֵית לָךְ לְמִימַר – מְלָאכֶת מְחֻשְׁבֶּת אֶסְרָה תוֹרָה, הֲכָא נְמִי: מְלָאכֶת מְחֻשְׁבֶּת אֶסְרָה תוֹרָה.

בִּיצֵד מוֹלֵל? אַבְיִי מְשַׁמֵּיָה דְרַב יוֹסֵף אָמַר: חֲדָא אַחְדָּא, וְרַב אֲוִיָּא מְשַׁמֵּיָה דְרַב יוֹסֵף אָמַר: חֲדָא אַתְרֵתִי. רַבָּא אָמַר: בֵּינָן דְמְשַׁנֵּי – אֶפִּילוּ חֲדָא אַכּוּלְהוּ נְמִי.

בִּיצֵד מְנַפֵּחַ? אָמַר רַב אֲדָא בַר אֲהֵבָה אָמַר רַב: מְנַפֵּחַ

Rabbi Abba bar Memel strongly objects to this: And with regard to the first clause of the mishna, one should conclude: Yes, if one peeled a handful of barley, it is considered prepared with regard to tithes, but no, it is not considered threshing with regard to Shabbat? But is there anything that, with regard to Shabbat, is not considered the completion of the labor and may be performed; and yet, with regard to tithes, it is considered the completion of the labor? Isn't the prohibition against work on Shabbat far more stringent than tithes in all its details?

Rav Sheshet, son of Rav Idi, strongly objects to this claim: And is there no example of a halakha in which tithes are treated more stringently than Shabbat? And is there not the halakha of their granary for tithes, as we learned in a mishna (Ma'asrot 1:5): What is the equivalent of their granary, i.e., the point at which the processing of various vegetable is completed so that they become obligated in tithes? With regard to cucumbers and gourds, they become obligated from when one trims the thin hairs that cover them [misheyefaksu],^l and for those he did not trim, from when he assembles them in a pile.^h And we also learned in a mishna (Ma'asrot 1:6), with regard to onions, that it is from when one assembles them in a pile.^h Whereas with regard to Shabbat, one who assembles produce in a pile is exempt, as this is not a prohibited labor on Shabbat.

Rather, what have you to say? Why is one exempt if he forms a pile on Shabbat? The Torah prohibited only planned, constructive labor^h on Shabbat, the type of work that involves the creation of something new, and the formation of a pile is not considered that kind of labor. Here too, with regard to peeling barley, the Torah prohibited creative work. Although collecting the peeled barley in one's hand is considered the completion of the labor in respect to tithes, it is not prohibited labor on Shabbat.

Apropos husking kernels on Shabbat, the Gemara asks: How may one huskⁿ grain on a Festival? Abaye said in the name of Rav Yosef: One finger on another, i.e., one may place the kernels between two fingers and rub. And Rav Avya said in the name of Rav Yosef: One may even do so one on two, i.e., between the thumb and two fingers. Rava said: Since he alters the manner in which he performs the activity, he may even do so with one finger on all the rest.

The Gemara further asks: How may one blow on the grain, to winnow it in a permitted manner on Shabbat? Rav Adda bar Ahava said that Rav said: One blows

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From the joints of his fingers and above – מִקְשָׁרֵי אֶצְבָּעוֹתָיו: Some commentaries explain that this is not referring to the fingertips. On the contrary, one may use only the palm of the hand (Rid).

מִקְשָׁרֵי אֶצְבָּעוֹתָיו וְלַמַּעְלָה.

from the joints of his fingers and above,ⁿ i.e., he does not place the kernels mixed with chaff in his palm but on his fingers, which is an unusual way to hold them.

מְחַכּוּ עֲלֶיהָ בְּמַעְרְבָא: בֵּינָן דְמְשַׁנֵּי – אֶפִּילוּ בְכוּלָהּ יָדָא נְמִי. אֵלֹא אָמַר רַבִּי אֶלְעָזָר: מְנַפֵּחַ בְּיָדוֹ אַחַת וּבְכָל כּוּחוֹ.

They laughed at this explanation in the West, Eretz Yisrael, saying: Since he alters his behavior from the usual method, doing so even with his entire hand should be permitted as well. Rather, the halakha is as Rav Elazar said: One may blow while holding the grain with one hand but not two, and he may even do so with all his strength, as this is not considered similar to a prohibited labor at all.