

**מתני'** ביצה שנוֹלְדָה ביום טוב, בית שמאי אומרים: תֹּאכַל, ובית הלל אומרים: לא תֹּאכַל. בית שמאי אומרים: שאור בכזית, וחמץ בככותבת, ובית הלל אומרים: זה וזה בכזית.

השוחט חיה ועוף ביום טוב, בית שמאי אומרים: יחפור בדקר ויכסה, ובית הלל אומרים: לא ישחוט אלא אם כן היה לו עפר מוכן מבעוד יום. ומודים, שאם שחט – שיחפור בדקר ויכסה, שאפר כירה מוכן הוא.

**גמ'** במאי עסקינן? אילימא בתרנגולת העומדת לאכילה – מאי טעמייהו דבית הלל? אוכלא דאפרת הוא.

**MISHNA** With regard to an egg that was laid<sup>N</sup> on a Festival (*Eduyyot* 4:1), Beit Shammai say: It may be eaten<sup>N</sup> even on that day, and Beit Hillel say: It may not be eaten, as the Gemara will explain at length. Apropos this exceptional case, in which Beit Shammai are lenient and Beit Hillel are strict, the mishna cites additional *halakhot* of the Festivals in which this unusual phenomenon occurs (*Yoma* 79b). Beit Shammai say: Leaven, i.e., dough that has leavened to such an extent that it is no longer used as food but as a leavening agent for other dough, is prohibited on Passover in the measure of an olive-bulk.<sup>BN</sup> However, the measure for edible leavened bread is greater, that of a large date-bulk.<sup>B</sup> And Beit Hillel say: For both this and that, the measure is that of an olive-bulk.<sup>H</sup>

Furthermore, with regard to one who slaughters an undomesticated animal or a bird on a Festival (*Eduyyot* 4:2), in which case there is a mitzva from the Torah to cover the blood after slaughtering (Leviticus 17:13), Beit Shammai say: He digs earth with a shovel and covers the blood with that earth *ab initio*. And Beit Hillel say: He may not slaughter *ab initio*, unless he had earth prepared for that purpose while it was still day. But even Beit Hillel concede that if one already slaughtered the animal or the bird, then he should dig with a shovel and cover the blood.<sup>H</sup> Additionally, they agree that the ashes of a stove are considered prepared for the use of covering blood, as will be explained by the Gemara.

**GEMARA** The Gemara inquires: With what case are we dealing in this mishna? If we say that the mishna is referring to a chicken that is designated for eating, i.e., one planned to slaughter and eat a chicken that laid an egg, what is the reason that Beit Hillel prohibit eating the egg? It is food that has been separated [*de'ifrat*].<sup>NL</sup> The entire chicken is considered food, as it is designated for eating, and this egg is simply a part that became detached. Just as one may partake of the chicken itself on a Festival, its egg should likewise be fit for consumption.

**BACKGROUND**

**Olive-bulk** – כְּזֵית: This is one of the most fundamental halakhic units of volume. By Torah law, eating is defined as swallowing one olive-bulk, and virtually every *halakha* that commands or prohibits eating refers to this quantity. The measure is defined in terms of the water displacement of a particular strain of olive, and the precise size of this measurement is not clear. One talmudic passage indicates that an olive-bulk is almost half the size of an egg, whereas it can be inferred from another discussion that it is less than a third of the size of an egg. As there is a wide range of views about the size of an egg, there are also multiple opinions about the size of an olive-bulk, ranging from 15–50 cc.

**Large date-bulk** – כְּכֹתֶבֶת: This unit is larger than an olive-bulk but smaller than an egg. One is liable to receive *karet* if on Yom Kippur he eats an amount of food that is at least the volume of a large date-bulk.

**HALAKHA**

**שיעור – The measures of leavened bread and leaven** – חמץ ושאור: An olive-bulk is the minimum measure for both leavened bread and leaven, in terms of both the obligation to remove them as well as the prohibition against consuming them, in accordance with the opinion of Beit Hillel (*Shulḥan Arukh, Orach Ḥayyim* 442:7).

**Slaughtering and covering blood on a Festival** – שחיטה וביסוי ביום טוב: One may slaughter an undomesticated animal or bird on a Festival only if he has earth with which to cover the blood. According to one opinion, this earth must be loose (*Mishna Berura*). In a case where one slaughtered the undomesticated animal or bird without preparing earth beforehand, he may cover the blood only if he had a shovel stuck in the ground from the day before. If not, he must wait until nightfall to cover it, in accordance with the opinion of Beit Hillel (*Shulḥan Arukh, Orach Ḥayyim* 498:14).

**LANGUAGE**

**That has been separated** [*de'ifrat*] – דאפרת: From the Aramaic *perat*, which is similar to the Hebrew *paras* and *parash*, meaning cut or separate.

**NOTES**

**An egg that was laid** – ביצה שנוֹלְדָה: As is often the case, the tractate does not begin with the main *halakhot* of the Festival, but with a unique *halakha* that has interesting and novel features, in order to pique the interest of the students.

**It may be eaten** – תֹּאכַל: *Tosafot* ask why the mishna doesn't use the standard terms of prohibited and permitted. Some explain, along the lines suggested by *Tosafot*, that the mishna sought to underscore the extent of Beit Shammai's lenient ruling: Not only did they permit the egg to be handled, but they even allowed it to be eaten (*Shitta Mekubbetzet*). Other commentaries state that the phrase: It may not be eaten, would indicate that it is prohibited only on that day, but not afterward. Although the term prohibited is also used in instances where the object is prohibited only on that day, this caveat is always stated explicitly in those cases (*Meiri*). Yet others maintain that no conclusions can be drawn from this inference, as the Mishna uses both expressions interchangeably (*Rashba*).

**Leaven of an olive-bulk, etc.** – שאור בכזית וכו': Rashi explains that these three *halakhot*, all of which deal with a Festival, are cited in the same mishna because they share the unusual feature that

Beit Hillel's opinion is more stringent than that of Beit Shammai. Furthermore, they appear together in tractate *Eduyyot*, where there is an extensive list of those disputes in which the opinion of Beit Hillel is the stringent one. Although the *halakhot* of leaven on Passover are not in effect on the other Festivals, Passover is a Festival (Rabbi Aharon HaLevi). Some note that even this *halakha* of leaven has ramifications that apply to the *halakhot* of Festivals in general: If a certain amount of leaven is prohibited, it must be eliminated when it is discovered, even if it is discovered on a Festival. However, if the leaven discovered is less than that measure, the prohibition is not in effect, and one who burns that leaven performs a prohibited labor on the Festival (*Hatam Sofer*).

**Food that has been separated** – אוכלא דאפרת: In this case, the egg cannot be considered to be an object that came into being on that day, because, as the Gemara states (see 2b), the egg was completely formed the day before. Since the entire chicken was designated as food, anything inside it is also considered to be food (*Rid*; see *Tosafot*). Merely emerging from the chicken is not considered coming into being. Only if there was a change in the object itself is it considered *nolad* (Rabbi Aharon HaLevi).

NOTES

Perhaps Beit Shammai do not hold that there is a prohibition of *muktze* – דלמא בית שמאי לית להו מוקצה – *Tosafot* ask: Isn't it clear from the mishna concerning dovescotes (see 10a) that Beit Shammai hold the prohibition of *muktze*. Some explain that in this particular case Beit Shammai hold the prohibition of *muktze* due to the mitzva to rejoice on a Festival. If one failed to designate the dovescote in advance, he might find the doves in a weakened state or discover that the dovescote is destroyed, which could spoil his enjoyment of the festive meal (Rabbi Zerahya HaLevi). Alternatively, some reverse the opinions of Beit Shammai and Beit Hillel in that mishna (Rashba).

**Muktze and came into being [nolad]** – מוקצה ונולד: There are many categories of *muktze*, most of which are subject to tannaitic dispute. All are based on the assumption that one sets aside these items because he does not plan on using them on Shabbat or a Festival, or because he explicitly set them aside for a different purpose. However, *nolad* refers to an object that is not dependent on the individual, as it is an item that did not previously exist in its current state and therefore everyone agrees that it is *muktze* (see *Meiri*).

**A chicken designated for laying eggs – תרנגולת העומדת לגדל ביצים**: If an animal is designated for milking, milk produced on the Festival is permitted, provided that the animal was milked in a halakhically permitted manner. However, the difference between milk and eggs is that an animal provides milk every day, whereas a chicken does not necessarily lay an egg on a daily basis (Rid). Some commentaries maintain that if a chicken has been designated for laying eggs, its eggs are actually permitted, as they were labeled for that use. However, not all eggs are eaten; some eggs are designated for hatching, and it is those eggs that are classified as *muktze* (Rabbi Zerahya HaLevi, see Rabbi Aharon HaLevi).

**The Sage who holds that there is a prohibition of *muktze* also holds that there is a prohibition of objects that came into being – ודאית ליה מוקצה אית ליה נולד** – Several commentaries ask why the Gemara accepts this conclusion. After all, it is possible that Beit Shammai do not accept the prohibition of *muktze* and yet they nevertheless maintain that there is a prohibition of *nolad*. Some explain that were the Gemara to make that distinction, a difficulty would arise with regard to the opinion of Rav Nahman that Beit Hillel hold in accordance with the opinion of Rabbi Shimon. The result would be that the opinion of Rabbi Yehuda, who holds that there is a prohibition of *muktze*, would correspond with neither the ruling of Beit Hillel nor that of Beit Shammai (*Mishnat Aharon*). See the Maharsha, whose opinion is discussed by the later commentaries at length.

**One may remove bones, etc. – מגביהין...עצמות וכו'** – See *Tosafot*, who ask why the board is not considered the base of a prohibited object, which itself may not be moved, in accordance with the prohibitions associated with *muktze*. Some explain that the prohibition with regard to a base of a prohibited object applies only to a case where one specifically intended to place the object on that surface (Rabbeinu Peretz). Alternatively, this principle does not apply to an item of minimal importance (*Meiri; Shitta Mekubbetzet*).

**We have nothing other – אנו אין לנו אלא** – Rashi explains that this does not mean that Rav Nahman's teachers taught him directly that the attribution of opinions in the mishna must be reversed. Rather, because Rav Nahman learned from his teacher that Rabbi Shimon's opinion is in accordance with that of Beit Hillel, there was no choice other than to emend the text (Maharam; Maharsha).

LANGUAGE

**Board [tavla]** – טבלא: From the Latin *tabula* or the Greek *τάβλα*, *tabla*, meaning a board, plank, or tablet.

אָלאַ בתרנגולת העומדת לגדל ביצים –

מאי טעמיהו דבית שמאי? מוקצה היא! ומאי קושיא? דלמא בית שמאי לית להו מוקצה?

קא סלקא דעתין: אפלו מאן דשרי במוקצה – בנולד אסר, מאי טעמיהו דבית שמאי?

אמר רב נחמן: לעולם בתרנגולת העומדת לגדל ביצים, ודאית ליה מוקצה אית ליה נולד, ודלית ליה מוקצה לית ליה נולד, בית שמאי כרבי שמעון ובית הלל כרבי יהודה.

ומי אמר רב נחמן הכי? והתנן: בית שמאי אומרים: מגביהין מעל השולחן עצמות וקליפין, ובית הלל אומרים: מסלק את הטבלא כולה ומנערה.

ואמר רב נחמן: אנו אין לנו אלא בית שמאי כרבי יהודה, ובית הלל כרבי שמעון.

Rather, the mishna must be referring to the case of a chicken designated for laying eggs. Since the owner of this chicken decided not to eat it on the Festival, it is classified as set-aside [*muktze*], and *muktze* items may not even be moved, let alone eaten. Since the chicken itself is *muktze*, its egg is *muktze* as well.

The Gemara asks: If so, what is the reason of Beit Shammai for permitting one to eat the egg? After all, it is *muktze*. The Gemara expresses surprise at this question: **And what is the difficulty? Perhaps Beit Shammai do not hold** that there is a prohibition of *muktze*?<sup>N</sup> There are different opinions with regard to the scope of the prohibition of *muktze*. It is possible that Beit Shammai, like other *tanna'im*, maintain that there is no prohibition of this type of *muktze*. Perhaps this is the subject of their dispute with Beit Hillel.

Before stating its proposed solutions for this difficulty, the Gemara notes: **It enters our mind** to say that **even one who permits** moving an item that was **set aside** by its owners on a Festival or Shabbat **prohibits** the owners from doing so with an object that **came into being [nolad]**<sup>N</sup> on a Festival. One may not move an object that came into being on a Festival or Shabbat, since the owner never entertained the notion that he would be able to use it. This egg is certainly an object that came into being on the Festival. **What, then, is the reason of Beit Shammai?**

**Rav Nahman said: Actually**, the mishna is referring to a **chicken designated for laying eggs**.<sup>N</sup> However, our previous assumption was mistaken, as the Sage who holds that there is a prohibition of *muktze* in general also holds that there is a prohibition of objects that **came into being**,<sup>N</sup> while one who does not hold that there is a prohibition of *muktze* likewise does not hold that there is a prohibition of objects that **came into being** (*Shabbat* 45b). Consequently, the dispute can be summed up as follows: **Beit Shammai hold in accordance with the opinion of Rabbi Shimon**, who maintains that there is no prohibition of *muktze*; **and Beit Hillel hold in accordance with the opinion of Rabbi Yehuda**, who rules that there is a prohibition of *muktze*.

The Gemara is puzzled by this explanation: **And did Rav Nahman actually say** that Beit Hillel hold in accordance with the opinion of Rabbi Yehuda? **But didn't we learn** in a mishna (*Shabbat* 143a) that **Beit Shammai say: One may remove bones<sup>N</sup> and shells<sup>H</sup> left from the meal from the table**, despite the fact that they are inedible and are *muktze*. **And Beit Hillel say:** It is prohibited to do so; rather, **one may remove the entire board [tavla]**<sup>L</sup> that is the table surface, which is a vessel that may be carried, **and shake it all at once**. By moving the table, which is not *muktze*, one is able to shake off the bones and shells, but he may not move the items themselves.

**And Rav Nahman said:** That version of the mishna is not in accordance with the *halakha*; rather, the opinions should be reversed, as we have **nothing other<sup>N</sup>** than the following version of this dispute: **Beit Shammai hold in accordance with the opinion of Rabbi Yehuda**, who maintains that the prohibition of *muktze* applies, while **Beit Hillel hold in accordance with the opinion of Rabbi Shimon**, who maintains that the *halakha* of *muktze* does not apply. Why, then, does Rav Nahman explain that the ruling of Beit Hillel in the case of the egg in the mishna is based on the opinion of Rabbi Yehuda, who holds that there actually is a prohibition of *muktze*?

HALAKHA

**One may remove bones and shells – מגביהין...עצמות וקליפין** – With regard to bones and shells remaining on a table after a meal: If they are fit for animal consumption, they may be carried on Shabbat by hand; if not, they may be removed by means of another object or by shaking the table, which may be handled

due to the bread left on it. If a sizable amount of objectionable waste accumulates on the table, one is permitted to remove it even by hand, in accordance with the opinion of Rav Nahman, who ruled in accordance with Beit Hillel (*Shulhan Arukh, Oraḥ Hayyim* 308:27).

NOTES

Pumpkins – דלועין: Some commentaries add that one might have thought this is prohibited due to the great effort required to slice up pumpkins.

HALAKHA

One may cut pumpkins...and an animal carcass – מחתכין את הדלועין...ואת הנבלה: It is permitted to cut hard pumpkins on Shabbat to feed them to an animal. Similarly, one may cut up an animal carcass to feed to his dogs, even if the animal died that day (*Shulhan Arukh, Orah Hayyim 324:6-7*).

NOTES

What is different... that he stated the unattributed opinion – מאי שנא...דסתם: Some commentaries explain that the *tanna'im* themselves did not differentiate between Shabbat and a Festival. Rather, anyone who prohibits *muktze* on Shabbat also prohibits it on a Festival; and, likewise, anyone who permits it, does so in all cases. However, Rabbi Yehuda HaNasi stringently applies this decree to a Festival but not to Shabbat (*Rashba*). Several early commentaries register surprise at this: How can the *halakha* of a Festival be more stringent than that of Shabbat? One explanation is that the *halakhot* of *muktze* with regard to Festivals deal only with cases that are not applicable to Shabbat, as they involve prohibited labor on Shabbat (*Rabbi Zerahya HaLevi*).

Shabbat, which is stringent, etc. – שבת דחמירא וכו': Unlike other Festivals, with regard to Yom Kippur the ruling is lenient and *muktze* does not apply, because the prohibitions of Yom Kippur are as severe as those of Shabbat.

The Rambam explains why people may come to treat the Festivals with contempt: Because labor required for the preparation of food is permitted on a Festival and many labors of this kind are performed to enhance rejoicing on the Festival, this might lead people to take liberties with other actions that are actually prohibited. This explains why Rabbi Yehuda HaNasi and Beit Hillel distinguish between Shabbat and a Festival. One can suggest that Beit Shammai accept the opposite logic: They add stringencies and prohibitions to Shabbat due to its inherent severity, whereas they exempt Festival prohibitions from their decrees due to their lighter status (*Maharam; Mishhat Aharon*).

אמר לך רב נחמן: גבי שבת, דסתם לן תנא כרבי שמעון, דתנן: מחתכין את הדלועין לפני הבהמה, ואת הנבלה לפני הכלבים –

The Gemara answers that Rav Nahman could have said to you in reply: With regard to Shabbat, this is a case where the *tanna* taught us an unattributed mishna, which is generally accepted as the *halakha*, in accordance with the opinion of Rabbi Shimon, as we learned in a mishna (*Shabbat 156b*): One may cut pumpkins<sup>N</sup> before an animal to facilitate their consumption, and likewise one may cut up an animal carcass<sup>H</sup> before dogs, even if the animal died on Shabbat, to enable them to consume it. Although that carcass is classified as *muktze*, it may be moved on Shabbat.

מוקים לה לבית הלל כרבי שמעון. אבל

The Gemara concludes: That unattributed mishna in tractate *Shabbat* is in accordance with the opinion of Rabbi Shimon. For this reason, Rav Nahman establishes that the dispute between Beit Hillel and Beit Shammai should be understood to mean that Beit Hillel hold in accordance with the opinion of Rabbi Shimon, whom the *halakha* apparently follows, as there is a principle that the *halakha* is always in accordance with Beit Hillel's opinion. However,

Perek I  
Daf 2 Amud b

גבי יום טוב דסתם לן תנא כרבי יהודה, דתנן: אין מבקעין עצים מן הקורות ולא מן הקורה שנשברה ביום טוב, מוקים לה לבית הלל כרבי יהודה.

with regard to a Festival, the *tanna* taught us an unattributed mishna in accordance with the opinion of Rabbi Yehuda (*Shabbat 156b*), as we learned in a mishna in this tractate: One may not chop wood<sup>H</sup> on a Festival from beams prepared for use in construction work, nor may one chop kindling wood from a beam that broke on a Festival. As the beams were not prepared for this use when the Festival began, they are classified as *muktze*; this demonstrates that an unattributed mishna prohibits *muktze* on a Festival. Consequently, Rav Nahman establishes the opinion of Beit Hillel in accordance with the opinion of Rabbi Yehuda, who prohibits *muktze*. He does so by asserting that the mishna is referring to the case of a chicken designated for laying eggs, which is *muktze*. This concludes the Gemara's explanation of Rav Nahman's rendering of the tannaitic dispute.

מבדי, מאן סתמיה למתניתין – רבי, מאי שנא בשבת דסתם לן כרבי שמעון, ומאי שנא ביום טוב דסתם לן כרבי יהודה?

The Gemara asks: Now since, i.e., consider the following: Who is the one who wrote and edited the Mishna, and arranged the unattributed *mishnayot*? It was Rabbi Yehuda HaNasi. Since the same Sage formulated the statements in both tractates, the question arises: What is different with regard to the *halakhot* of Shabbat, that he stated the unattributed opinion<sup>N</sup> and ruled for us in accordance with the opinion of Rabbi Shimon, and what is different with regard to the *halakhot* of a Festival, that he stated the unattributed opinion and ruled for us in accordance with the opinion of Rabbi Yehuda?

אמרי: שבת דחמירא ולא אתי ללוליה ביה – סתם לן כרבי שמעון דמיקל, יום טוב דקיל ואתי ללוליה ביה – סתם לן כרבי יהודה דמחמיר.

They answer and say: In the case of Shabbat, which is stringent<sup>NH</sup> with regard to its punishments (see 35b), and therefore people will not come to treat it with contempt, Rabbi Yehuda HaNasi taught us the unattributed mishna in accordance with the opinion of Rabbi Shimon, who rules leniently. Conversely, with regard to a Festival, which is lenient, as certain labors may be performed on a Festival, and therefore people will be more likely to come to treat it with contempt, he stated the unattributed opinion for us in accordance with the opinion of Rabbi Yehuda, who rules stringently.

HALAKHA

One may not chop wood – אין מבקעין עצים: On a Festival, it is prohibited to chop wood for kindling from beams that have been set aside for construction work, as they are set aside due to monetary loss. Furthermore, one may not utilize for this purpose a beam that broke on a Festival, as it was set aside at twilight (*Shulhan Arukh, Orah Hayyim 501:1*).

not prepared the day before is considered *muktze* and prohibited on a Festival, despite the fact that it is permitted on Shabbat, as the Sages were more stringent with regard to a Festival to prevent people from treating it with contempt. Some authorities maintain that any *muktze* articles that are permitted on Shabbat are permitted on a Festival as well (*Tur*, based on *Ba'al Halakhot Gedolot; Tosafot; Shulhan Arukh, Orah Hayyim 495:4*, and in the comment of Rema).

Shabbat, which is stringent – שבת דחמירא: An object that was



**HALAKHA**

An egg that was laid on a Festival – ביצה שזולדה ביום – טוב: An egg that is laid on a Festival that occurs immediately after Shabbat, or on a Shabbat that occurs after a Festival, is prohibited until nightfall, even if the chicken was designated for food. Due to the prohibition against making preparations on Shabbat or a Festival for the following day, the Sages decreed that this egg is likewise prohibited on every Festival and Shabbat, due to those cases when one holy day follows another (Rambam *Sefer Zemanim, Hilkhot Yom Tov* 1:19).

**BACKGROUND**

A fully developed egg – גמר הביצה: The halakhic definition of a fully developed egg is not entirely clear. From a biological perspective, it takes twenty-four hours from the time the egg leaves the ovary until it completes the stages of fertilization and the growth of a shell. In other words, the preparation of an egg occurs the day before it is laid, as stated by Rabba.

When an egg is released from the ovary, it descends down the oviduct. This process is usually one-directional, and the egg is laid soon after it reaches the lower part of the oviduct. Fully developed eggs, i.e., eggs covered with shells, are in the lower part of the oviduct for a relatively short time, which is why it is rare to discover eggs of this kind inside a slaughtered chicken.



Chicken eggs at various stages of development

במאי אוקימתא – בתרגולת העומדת לגדל ביצים ומשום מוקצה, אי הכי אדמפליג בביצה לפלגו בתרגולת.

להודיעך כחן דבית שמאי דבנולד שרי.

ולפלוגי בתרגולת להודיעך כחן דבית הלל דבמוקצה אסרי. וכי תימא פח דהתירא עדיף – ונפלוג בתרווייהו:

תרגולת העומדת לגדל ביצים, היא וביצתה, בית שמאי אומרים: תאכל, ובית הלל אומרים: לא תאכל.

אלא אמר רבה: לעולם בתרגולת העומדת לאכילה, וביום טוב שחל להיות אחר השבת עסקינן, ומשום הכנה.

וקסבר רבה: כל ביצה דמתילדא האידינא – מאתמול גמרה לה.

The Gemara asks: **In what manner did you ultimately establish the mishna?** It was established as referring to a chicken designated for laying eggs, and the prohibition is due to *muktze*. **If so, rather than disputing with regard to an egg laid on a Festival, let them dispute with regard to the chicken itself.** Instead of considering the secondary detail of an egg, Beit Shammai and Beit Hillel could discuss whether or not the chicken itself may be slaughtered on a Festival.

The Gemara answers: Beit Shammai and Beit Hillel also disagree with regard to the chicken, but the dispute was phrased in this manner **to convey the far-reaching nature<sup>N</sup> of the opinion of Beit Shammai.** The formulation of the mishna emphasizes the extent of Beit Shammai's lenient opinion, **that even in the case of an egg, which is not a regular *muktze* item but an item that came into being, an especially stringent type of *muktze*, Beit Shammai nevertheless permit it.** By stating the dispute with regard to an egg, the mishna stresses Beit Shammai's lenient opinion.

The Gemara raises an objection: **And let them disagree with regard to a chicken, rather than an egg, to convey the far-reaching nature of the opinion of Beit Hillel, who prohibit its use even in the more lenient case of *muktze*.** **And if you say it is better to present the dispute as in the mishna, so as to clarify the more lenient opinion, as the strength of leniency is preferable (*Berakhot* 60a),<sup>N</sup> there is another option: **And let them disagree with regard to both of these cases.<sup>N</sup>****

The mishna could have said: With regard to a chicken designated for laying eggs, it and its eggs, Beit Shammai say: **It may be eaten, and Beit Hillel say: It may not be eaten.** In this manner, the mishna could have referred to all aspects of the dispute, without the need for any lengthy addition. Consequently, Rav Nahman's explanation of the mishna is inadequate.

Rather, Rabba said: **Actually, the above explanation should be rejected. We are dealing with a chicken designated for food and we are dealing with an egg that was laid on a Festival<sup>H</sup> that occurs after Shabbat, i.e., on a Sunday. And the relevant issue is not the *halakhot* of *muktze*; rather, one may not eat the egg due to the prohibition against preparation from Shabbat to a Festival.**

**And in this regard, Rabba holds that any egg<sup>N</sup> laid now was already fully developed<sup>B</sup> yesterday,<sup>N</sup> and merely emerged from the chicken today.** Consequently, an egg laid on a Festival that occurred on a Sunday may not be eaten, as it was prepared on Shabbat, despite the fact that it was prepared naturally, by Heaven, rather than by man.

**NOTES**

**To convey the far-reaching nature – להודיעך כחן:** It is a general principle in the Talmud that *tanna'im* phrase their opinions in the shortest possible manner. They do not list all the cases relevant to their dispute, but only the example that presents their opinion at its most extreme. It is assumed that students will apply the same logic to simpler cases.

**The strength of leniency is preferable – כחן דהתירא עדיף:** Rashi explains that no special analysis is required to issue a prohibition, whereas a Sage must be convinced of his opinion before he can rule that a certain action or object is permitted. Therefore, it is preferable to state an extreme case involving a leniency rather than one that entails a stringent ruling. The *Tziyyun LeNefesh Hayya* suggests an alternative explanation: If there is nothing stated explicitly with regard to a certain issue, one would act stringently due to the uncertainty; therefore, it is more important to teach the extent of the lenient opinion. According to this interpretation, the principle that the strength of leniency is preferable applies only to prohibitions that are by Torah law, as in cases involving Torah law the ruling is stringent in situations of uncertainty. This whole issue is the subject of much analysis on the part of the later commentaries.

**And let them disagree with regard to both of these**

**cases – ונפלוג בתרווייהו:** According to *Tosafot*, if this suggestion is accepted, the principle that one should state the more lenient ruling would never be applied in practice, as one could always contend that both the lenient and the stringent opinions should be mentioned. One explanation is that when each of the two cases, the stringent case and the lenient case, requires a separate discussion, one case is cited, and the lenient one is preferred. In this case, though, where it is possible to discuss both scenarios together, both should be mentioned (Rabbeinu Tam in *Sefer HaYashar*). Others suggest that here this is a unique situation, as the opinion of Beit Hillel, which is the accepted *halakha*, must be fully elucidated; therefore, the Gemara suggested analyzing the dispute in both cases (Rid; Rav Yitzhak Abuhav).

**And Rabba holds that any egg, etc. – וקסבר רבה כל ביצה וכו':** According to the *Meiri*, it is necessary for the Gemara to explain Rabba's opinion on this manner, as one might otherwise say that the egg was completed and prepared on the Festival for the Festival itself, which is not prohibited. Many authorities, however, do not accept this interpretation.

**Was fully developed yesterday – מאתמול גמרה לה:** A manuscript version of *Tosefot HaRosh* cites a tradition that an egg is usually fully developed twenty-four hours before it is laid.

וְרַבָּה לְטַעְמֵיהּ, דְּאָמַר רַבָּה: מַאי דְּכָתִיב "וְהָיָה בַּיּוֹם הַשְּׁשִׁי וְהִכִּינוּ אֶת אֲשֶׁר יִבְיֹאוּ" – חוֹל מִכֵּין לְשַׁבָּת, וְחוֹל מִכֵּין לְיוֹם טוֹב. וְאִין יוֹם טוֹב מִכֵּין לְשַׁבָּת, וְאִין שַׁבָּת מִכֵּינָה לְיוֹם טוֹב.

The Gemara comments: **And Rabba**, who prohibits one to derive benefit even from something that was not prepared by man, conforms to his standard line of reasoning. **As Rabba said: What is the meaning of that which is written<sup>h</sup>** with regard to the manna: **"And it shall come to pass on the sixth day, that they shall prepare that which they bring in"** (Exodus 16:5)? According to Rabba, it can be inferred from this verse that on an ordinary weekday, "the sixth day," one may prepare what is needed for Shabbat, and similarly, on an ordinary weekday one may prepare what is needed for a Festival. However, on a Festival one may not prepare for Shabbat, and likewise on Shabbat one may not prepare for a Festival.<sup>N</sup>

אָבַיֶּה לֵיהּ אָבִי: אֲלָא מַעֲתָהּ, יוֹם טוֹב בְּעֵלְמָא תְּשַׁתְּרִי! גּוֹרָה מְשׁוּם יוֹם טוֹב אַחַר הַשַּׁבָּת. שַׁבָּת דְּעֵלְמָא תְּשַׁתְּרִי. גּוֹרָה מְשׁוּם שַׁבָּת אַחַר יוֹם טוֹב.

Abaye said to Rabba: **However, if that is so**, and the concern is only due to preparation, let an egg laid on a regular Festival, one that does not occur on a Sunday, be permitted.<sup>N</sup> Rabba responded: That egg is not prohibited by Torah law, but by rabbinic decree, due to the case of a Festival that occurs after Shabbat. Abaye asked: On a regular Shabbat, one that does not occur after a Festival, let it be permitted<sup>N</sup> to eat an egg that was laid on that day, provided that one does not cook it. Rabba similarly answered: It is a decree due to a Shabbat that occurs after a Festival.

וּמִי גּוֹרִינָן? וְהָא תַנְיָא: הַשּׁוֹחֵט אֶת הַתְּרִגְוֹלָתָא וּמְצָא בָּהּ בִּיצִים גְּמוּרוֹת – מוֹתְרוֹת לְאֶכְלָן בַּיּוֹם טוֹב. וְאִם אֵיתָא, לִיגוֹר מְשׁוּם הַנֶּךְ דְּמַתְּיָלְדִין בַּיּוֹמֵיהּ.

Abaye further asked: **And do we issue a decree** of this kind? **But isn't it taught** in a *baraita* (see 6b): In the case of one who slaughters a chicken on a Festival and finds inside it fully developed eggs with their shells, it is permitted to eat them on the Festival. **And if it is so**, that that the aforementioned decree is in effect, let him issue a decree and prohibit these eggs found inside the chicken, due to those that are laid on that day.

אָמַר לֵיהּ: בִּיצִים גְּמוּרוֹת בְּמַעֲי אֲמֵן מִילְתָּא דְּלֹא שְׂכִיחָא הִיא, וּמִילְתָּא דְּלֹא שְׂכִיחָא – לֹא גּוֹרוּ בָּהּ רַבָּנִין.

Rabba said to him: This is not difficult, as the case of fully developed eggs<sup>h</sup> found inside their mother is an uncommon matter, and in a case of an uncommon matter the Sages did not issue a decree as a preventive measure (*Eiruvin* 63b). The Sages issued their decrees only for usual situations, in which people might err, but they did not apply them to rare cases. This concludes the Gemara's discussion of Rabba's explanation.

רַב יוֹסֵף אָמַר: גּוֹרָה מְשׁוּם פְּרוֹת הַנוֹשְׂרִין.

The Gemara proceeds to explain other interpretations of the mishna. **Rav Yosef said:** An egg laid by a chicken designated for food is prohibited for a different reason: It is a decree due to fruits that fall<sup>h</sup> from a tree (*Eiruvin* 39b). Fruits that fall from a tree on Shabbat or a Festival may not be eaten, and the same applies to eggs that emerge from a chicken.

אָמַר לֵיהּ אָבִי: פְּרוֹת הַנוֹשְׂרִין טַעְמָא מַאי?

Abaye said to Rav Yosef: With regard to fruits that fall, what in fact is the reason that the Sages prohibited them?

NOTES

דְּאָמַר רַבָּה מַאי – דְּכָתִיב: This interpretation actually appears in a *baraita* in tractate *Eiruvin* (38b), and is not a statement of Rabba himself. However, as it presents a matter of dispute among *tanna'im*, the statement is attributed to Rabba, who consistently follows this opinion (*Shitta Mekubbetzet*).

הַכְּנָה דְּרַבָּה – Preparation according to the opinion of Rabba: The early commentaries disagree with regard to Rabba's opinion on this issue. Rashi explains that Rabba derives from the verse that the prohibition of *muktze* applies to both Shabbat and Festivals. Others, however, question this interpretation, as even Rabba apparently concurs that the prohibition of *muktze* is rabbinic rather than from the Torah. Most commentaries maintain that the phrase "they shall prepare," is cited as a mere support, as the prohibition is actually by rabbinic law (see *Rid* the Younger; *Rashba*). Yet others state that Rabba holds that the Torah does not prohibit one from benefitting from preparation performed on a Festival for Shabbat. He holds that the Torah prohibited only benefitting from preparation that occurs on its own, e.g., the descent of the manna, or items that emerge on their own (*Rashba*). This explanation also resolves the question that *Tosafot* ask: If preparing on a Festival

for Shabbat is prohibited by Torah law, how can it be permitted by preparing a joining of cooked foods?

יוֹם טוֹב בְּעֵלְמָא תְּשַׁתְּרִי – Let a regular Festival be permitted: Some commentaries explain that Abaye bases his objection on the fact that the mishna does not specify a particular case. Others maintain that his question stems from his observation that in practice we do treat eggs laid on a regular Festival as prohibited (*Shitta Mekubbetzet*; see *Tziyyun LeNefesh Hayya*).

שַׁבָּת דְּעֵלְמָא תְּשַׁתְּרִי – On a regular Shabbat let it be permitted: The Maharam Schiff asks: How can Abaye entertain this possibility? If the chicken itself may not be eaten on Shabbat, why should its egg be permitted? See the *Etz Yosef*, who cites three resolutions to this difficulty by the early commentaries. Others pose the following question: Since Abaye already knew Rabba's answer with regard to a regular Festival, why did he find it necessary to inquire concerning Shabbat as well? One answer is that because this egg can only be eaten raw on Shabbat, which is not the normal way to eat an egg, it might be thought that this is one of those uncommon occurrences to which the Sages did not apply their decrees (*Tziyyun LeNefesh Hayya*; see *Hatam Sofer*).

בִּיצִים גְּמוּרוֹת – Fully developed eggs in a chicken: One who slaughters a chicken on a Festival and discovers fully developed eggs inside it may eat the eggs immediately, as the Sages did not apply their decrees to uncommon cases (*Shulhan Arukh, Oraḥ Hayyim* 513:7).

פְּרוֹת הַנוֹשְׂרִין – Fruits that fall from a tree on Shabbat or a Festival may not be eaten on that day. This prohibition applies even to fruit with regard to which there is uncertainty whether it fell that day (Jerusalem Talmud; *Shulhan Arukh, Oraḥ Hayyim* 322:3).