

לֹא יֹאמֵר...weigh for me – אָמַר לֹא יֹאמֵר...שָׁקוּל לִי אָדָם...: *Tosefot Yom Tov* raises the following question: This mishna appears to teach the same *halakha* that was taught in the previous *mishnayot*; what novel idea is presented here? One suggestion is that the mishna here is referring to a case where the parties had already agreed on a price the day before, and now the buyer wishes to take a particular portion of the meat of defined monetary value (*Bah; Rishon LeTziyyon*). Others explain that in this case the purchaser does not wish to receive a large portion of the animal in partnership but merely to take a small part of it (*Meleket Shlomo*).

אָמַר רַב חִינָנָא בְּרִיהַ דְּרַב אִיקָא: שְׁפוּד, שְׁפָחוֹת, וְגוֹמוֹת – רַב מַלְכִּיָּו,

Apropos Rav Malkiyu, to whom only a few *halakhot* are attributed, the Gemara mentions that Rav Hinnana, son of Rav Ika, said: The *halakha* with regard to a skewer that had been used for roasting meat but no longer has an olive-bulk of meat on it, that it may be moved to a corner; and likewise, the *halakha* concerning maidservants, that even if a woman brought one hundred maidservants into the marriage as her dowry, her husband may nevertheless compel her to perform some sort of work so that her boredom not bring her to sin (*Ketubot* 61b); and finally, the *halakha* with regard to follicles, that if a girl has two hair follicles in her pubic region, even if there are no hairs growing from them, she is considered to have reached majority and may perform *halitza*; these three *halakhot* were all stated by Rav Malkiyu.

בְּלוֹרִית, אִפְרָו מְקַלָּה, וְגַבְיָה – רַב מַלְכִּיָּו.

However, the *halakha* concerning a forelock, that a Jew who cuts the hair of a Samaritan must stop before he reaches his forelock at a distance of three fingerbreadths on every side, as the Samaritans would grow their forelocks for idolatry, and the Jew must not appear as if he were dressing the forelock for idolatrous purposes; and likewise, the *halakha* concerning burnt ashes, that one may not place them on a wound, as it looks like a tattoo; and finally, the *halakha* with regard to cheese made by a gentile, that it is forbidden because gentiles smooth the surface of their cheese with lard; these three *halakhot* were all stated by a different Sage named Rav Malkiya.

רַב פָּפָא אָמַר: מִתְּנִיתִין וּמִתְּנִיתָא – רַב מַלְכִּיָּו, שְׁמַעְתָּתָא – רַב מַלְכִּיָּו, וְסִימְנִיד: מִתְּנִיתִין מַלְבָּתָא. מֵאֵי בִינְיָהוּ? אִיכָּא בִינְיָהוּ שְׁפָחוֹת.

Rav Pappa said a different principle: The teachings mentioned above that relate to a *mishna* or a *baraita* were stated by Rav Malkiya, whereas *halakhot* that are not related to a *mishna* or *baraita* were taught by Rav Malkiyu. And your mnemonic to remember this is: The *mishna* is a queen [*malketa*]; the comments that are referring to a *mishna* were made by Rav Malkiya, whose name is similar to the Aramaic term for queen. The Gemara asks: What is the practical difference between Rav Hinnana and Rav Pappa? The Gemara answers: There is a practical difference between them with regard to the *halakha* concerning maidservants. According to Rav Hinnana, this *halakha* was stated by Rav Malkiyu, whereas Rav Pappa holds that it was taught by Rav Malkiya, since it is referring to a dispute in a *mishna*.

מִתְּנִי לֹא יֹאמֵר אָדָם לְטַבַּח "שָׁקוּל לִי בְדִינָר בְּשָׂר", אֲבָל שׁוֹחֵט וּמַחְלֵק בִּינְיָהוּ.

MISHNA A person may not say to a butcher on a Festival: Weigh for meⁿ a dinar's worth of meat, since if he mentions a sum of money, it looks like a commercial transaction. But the butcher may slaughter an animal and apportion it among his customers without stipulating a price.

גַּמ' הִכִּי עֵבִיד? בִּי הָא

GEMARA The Gemara asks: What should one do if he wishes to take part of an animal on a Festival, but is barred from mentioning its price? The Gemara answers: As

Perek III

Daf 29 Amud a

דְּבִסְרוּא אָמְרִי: תְּרֻטָא וּפְלָגוּ תְּרֻטָא, בְּנֶרֶשׁ אָמְרִי: חֲלֻקָא וּפְלָגוּ חֲלֻקָא, בְּפּוּמְבְּדִיתָא אָמְרִי: אוּזְיָא וּפְלָגוּ אוּזְיָא, בְּנֶהַר פְּקוּד וּבְמִתָּא מְחֻסְיָא אָמְרִי: רְבַעָא וּפְלָגוּ רְבַעָא.

they would say in Sura: Give me that cut of meat called a *tarta*^{nl} or half a *tarta*, without naming a price. In Neresh they would say in reference to those same portions: A part or half a part. In Pumbedita they would say: An *uzya* or half an *uzya*. In Nehar Pekod and in Mata Mehasya they would say: Give me a quarter or half a quarter, thereby establishing the size of the portion without mentioning its price.

NOTES

Tarta, etc. – תְּרֻטָא וכו': Some explain that *uzya* means one-sixth; a part is one-fifth, and a *tarta* is one-third. Others say that a part refers to one half, while an *uzya* is one-fifth (*Arukh*), and still others hold that these are the names of the vessels that were common in each of the places (Rabbeinu Hananel).

LANGUAGE

Tarta – תְּרֻטָא: Probably from the Greek τριτή, *tritè*, meaning one-third.

NOTES

One person may say – אומר אדם: The author of the Penei Yehoshua asks why this halakha is not taught as part of the halakhot of Shabbat, as this halakha is not exclusive to a Festival. It has been proposed that since this halakha is applicable to other cases as well, e.g., the addition of spices to a pot, it is cited among the halakhot of Festivals (Tziyyun LeNefesh Hayya). Alternatively, it is mentioned here in order to emphasize that although there are many leniencies with regard to a Festival, this case is prohibited even on a Festival (Bigdei Yom Tov).

There was an incident involving Abba Shaul – מְעֵשָׂה אָבָא שְׂאוּל: This incident is cited in support of Rabbi Yehuda's view that one may not measure with a measuring utensil on a Festival at all (Rabbi Aharon HaLevi). According to this approach, the comment of the Rabbis at the end of the mishna should be understood as a retort to Rabbi Yehuda's proof: The fact that Abba Shaul acted in the same manner during the week proves that his concern was not about acting in a weekday manner on a Festival, but rather about stealing (Meiri).

HALAKHA

Fill this vessel for me – מְלֵא לִי כֵלִי הֵּהּ: One person may say to another on a Festival: Fill this vessel for me, even if it is designated for measuring, in accordance with the opinion of the first tanna and Rava, the latest authority to express his opinion on the matter. This applies only if the buyer takes the seller's measuring utensils home with him, and certainly if the buyer brings a vessel from home. However, according to the Sephardic custom it is prohibited to measure with a utensil designated for measuring and then pour the merchandise into the customer's container, even if no measure is stipulated, although Ashkenazic communities are lenient, based on the Rema, and permit this as well. Some are stringent and are careful not to fill the entire container (Shulhan Arukh, Oraḥ Hayyim 323:1).

PERSONALITIES

Abba Shaul ben Botnit – אָבָא שְׂאוּל בֶּן בּוֹטְנִית: One of the earliest tanna'im, Abba Shaul was probably a contemporary of Hillel the Elder. His outstanding integrity is recalled in several accounts, which also mention his position as a grocer in Jerusalem. The term Abba is a title of honor bestowed upon early Sages, similar to the later use of the title Rabbi.

מתני' אומר אדם לחברו: מלא לי כלי זה, אבל לא במדה. רבי יהודה אומר: אם היה כלי של מדה – לא ימלאנו. מעשה באבא שאול בין בטנית שהיה ממלא מדותיו מערב יום טוב ונותן ללקוחות ביום טוב.

אבא שאול אומר: אף במועד עושה כן. מפני ברורי המדות. וחכמים אומרים: אף בחול עושה כן, מפני מצוי המדות.

גמ' מאי "אבל לא במדה"? אמר רב יהודה אומר שמואל: אבל לא בכלי המיוחד למדה. אבל כלי העומד למדה – ימלאנו. ואתא רבי יהודה למימר: אפילו כלי העומד למדה לא ימלאנו.

אלמא: גבי שמחת יום טוב – רבי יהודה לחומרא, ורבנן לקולא. והא אבא שאול שמיטת להו. דתנן, רבי יהודה אומר: שוקל אדם בשר כנגד הכלי וכנגד הקופיץ, וחכמים אומרים: אין משגיחין בכף מאוננים כל עיקר. אלמא: רבי יהודה לקולא ורבנן לחומרא. קשיא דרבי יהודה אדרבי יהודה, קשיא דרבנן אדרבנן.

דרבי יהודה אדרבי יהודה לא קשיא: התם – בשאינו עומד למדה, הכא – בעומד למדה.

דרבנן אדרבנן נמי לא קשיא: התם – קא עביד כדעבדין בחול, הכא – לא קא עביד כדעבדין בחול.

רבא אומר: מאי "אבל לא במדה" – שלא יזכור לו שם מדה, אבל כלי המיוחד למדה – ימלאנו. ואתא רבי יהודה למימר: כלי המיוחד למדה – לא ימלאנו.

MISHNA One person may sayⁿ to another on a Festival: Fill this vessel for me,^h and I will return its contents or reimburse you after the Festival, but he may not ask him to fill the vessel in a particular measure. Rabbi Yehuda says: If it was a measuring utensil, he may not fill it. There was an incident involving Abba Shaulⁿ ben Botnit,^p a Sage who was also a grocer, who would fill his measures on the eve of a Festival and give them to his customers on the Festival. In this way he would know exactly how much he had given each person, without conducting any measurements on the Festival itself.

Abba Shaul, a Sage distinct from Abba Shaul ben Botnit, says: He would do this even on the intermediate days of a Festival because of the clarity of the measures, i.e., in order to clarify precisely how much must be given to each customer, since the measurement is more precise once the foam of the liquid being measured has subsided. And the Rabbis say: Even on a weekday it is proper to do so, because of the draining of the measures. This method allows all the liquid to drain fully out of the seller's measuring utensil so that the amount is exact.

GEMARA The Gemara asks: What is the meaning of the phrase: But not in a measure? Rav Yehuda said that Shmuel said: But not with a vessel designated for measuring; however, in the case of a vessel that can be used for measuring but has yet to be used for this purpose, he may fill it. According to this, Rabbi Yehuda comes to disagree and say that he may not fill even a vessel that can be used for measuring.

The Gemara asks: Apparently, Rabbi Yehuda is stringent with regard to the joy of the Festival in that he prohibits the use of any sort of measuring utensil, while the Rabbis are lenient. But didn't we hear them state the opposite, as we learned in an earlier mishna (28a) that Rabbi Yehuda says: A person selling meat on a Festival may weigh the meat against a vessel or against a cleaver, and the Rabbis say: One may not look at the pans of a balance scale at all? Apparently, here, the opinion of Rabbi Yehuda is lenient, while the opinion of the Rabbis is stringent. Therefore, there is a contradiction between the one statement of Rabbi Yehuda and the other statement of Rabbi Yehuda, as well as a contradiction between the one statement of the Rabbis and the other statement of the Rabbis.

The Gemara answers: With regard to the contradiction between the one teaching of Rabbi Yehuda and the other teaching of Rabbi Yehuda, this is not difficult. There, where he is lenient, he is dealing with a vessel that cannot be used for measuring on a regular basis at all, whereas here, he is referring to a vessel that can be used for measuring, and therefore he is stringent even if the vessel has not yet actually been used in this capacity.

With regard to the contradiction between the one statement of the Rabbis and the other statement of the Rabbis, it is also not difficult. There, he is acting in a weekday manner, and consequently they prohibit the weighing, whereas here, he is not acting in a weekday manner, as the vessel is not a measuring utensil, and consequently they permit him to use it. This completes the Gemara's discussion of Shmuel's explanation of the mishna.

The Gemara offers a second explanation of the mishna. Rava said: What is the meaning of the phrase: But not by measure? It means that he may not mention to him the name of the measure. For example, he may not say: Fill for me one kav, or two kav. However, he may fill a vessel even if it is designated for measuring. And Rabbi Yehuda comes to say: He may not fill a vessel designated for measuring, even if he does not stipulate a particular measure.

Collected...due to the clarity of the measures – **כִּנְסוּ...מִבְּרוּי הַמְּדוּת**: If, as explained by the Rabbis, he would measure the day before on weekdays as well, how did he collect wine to which he thought he was not entitled due to the clarity of the measures? It is possible that when he had a large number of customers, there were times when he did not have sufficient measuring containers available and could not prepare them all the day before. Therefore, he calculated how much he thought he had unfairly profited on those occasions (*Tosefot Rid*).

And his colleagues collected – **וְחִבְרֵי כְּנִסוּ**: The Gemara does not specify the identity of these colleagues. According to an alternative reading, there was only one colleague, whom the Jerusalem Talmud identifies as Rabbi Elazar, son of Rabbi Tzadok, who was also a grocer in Jerusalem at that time.

Use them for communal needs – **עָשׂוּ מֵהֶם צָרְכֵי רַבִּים**: Rashi explains that these pious individuals approached the treasurers and did not sanctify the goods directly, because they were concerned that they might be stolen property. Even if they acquired the stolen goods when those items changed possession and the original owners despaired of getting them back, it would nevertheless be inappropriate to dedicate stolen items to God (see the *Hatam Sofer*). Even after the treasurers assured them that there was no cause for concern, the grocers chose to go beyond the letter of the law and donate the wine and oil to the public good because their customers had not explicitly waived their rights to it.

אֵלֶּמָּא: גְּבִי שְׂמֹחַת יוֹם טוֹב רַבִּי יְהוּדָה לְחוּמְרָא וּרְבֵּנָן לְקוּלָּא? וְהָא אִפְכָּא שְׂמֵעִינָן לְהוּ. דְּתַנְּנָן, רַבִּי יְהוּדָה אָמַר: שׁוֹקֵל אָדָם בְּשׂוֹר כְּנָגֵד הַכְּלִי וְכָנְגֵד הַקּוּפִיץ, וְחִכְמִים אָמְרִים: אֵין מִשְׁגִּיחִין בְּכַף מֵאוּנִים כָּל עֵיקָר. אֵלֶּמָּא: רַבִּי יְהוּדָה לְקוּלָּא וּרְבֵּנָן לְחוּמְרָא, קִשְׂיָא דְרַבִּי יְהוּדָה אֲדַרְבָּנָן יְהוּדָה, קִשְׂיָא דְרַבְּנָן אֲדַרְבָּנָן.

דְּרַבִּי יְהוּדָה אֲדַרְבָּנָן יְהוּדָה לֹא קִשְׂיָא: הֵתָם – בְּשִׂאֵינוּ מִיּוּחָד לְמַדְהָ, הֵכָא – מִיּוּחָד לְמַדְהָ. דְּרַבְּנָן אֲדַרְבָּנָן נָמִי לֹא קִשְׂיָא: הֵתָם – קָא עֲבִיד כְּדַעְבְּדִין בַּחוּל, הֵכָא – לֹא קָעִבִיד כְּדַעְבְּדִין בַּחוּל, דְּעַבְדִי אֵינְשֵׁי דְמַקְרְבֵי חֲמָרָא בְּמִנָּא דְכִילָא וְשָׂתוּ.

”מַעֲשֵׂה בָּאֵבָא שְׂאוּל בֶּן בְּטַנִּית”. תַּנָּא: אִף בְּמוֹעֵד עוֹשֶׂה כֵּן, מִפְּנֵי בְּטוּל בֵּית הַמְּדֻרָּשׁ.

תָּנוּ רַבְּנָן: הוּא כְּנִס שְׁלֹשׁ מֵאוֹת גְּרָבֵי יַיִן מִבְּרוּי הַמְּדוּת, וְחִבְרֵי כְּנִסוּ שְׁלֹשׁ מֵאוֹת גְּרָבֵי שְׁמֹן מִמְּצוֹי הַמְּדוּת, וְהִבִּיאוּם לְפָנֵי הַזְּבוּרִים לִירוּשָׁלַיִם.

אָמְרוּ לָהֶם: אֵי אַתֶּם זְקוּקִים לְכֶךָ. אָמְרוּ לָהֶם: אִף אָנוּ אֵין רְצוּנָנוּ בְּכֶךָ.

אָמְרוּ לָהֶם: הוּאִיל וְהִתְחַמְרְתֶּם עַל עַצְמְכֶם – עָשׂוּ מֵהֶם צָרְכֵי רַבִּים. דְּתַנָּא: גִּזְלָאֵינוּ יוֹדְעֵי לְמִי גִזְלָא – יַעֲשֶׂה בְּהֶם צָרְכֵי רַבִּים. מֵאִי גִינְהוּ? אָמַר רַב חֲסִידָא: בּוֹרוֹת שִׁיחִין וּמְעָרוֹת.

The Gemara asks: Apparently, with regard to the joy of the Festival, Rabbi Yehuda is stringent, and the Rabbis are lenient. But didn't we hear them state the opposite, as we learned in an earlier mishna (28a) that Rabbi Yehuda says: A person may weigh meat against a vessel or against a cleaver, and the Rabbis prohibit this and say: One may not look at the pans of a balance scale at all? Apparently, Rabbi Yehuda is lenient, while the Rabbis are stringent. Therefore, there is a contradiction between one statement of Rabbi Yehuda and the other statement of Rabbi Yehuda, and there is also a contradiction between one statement of the Rabbis and the other statement of the Rabbis.

The Gemara answers: With regard to the contradiction between one teaching of Rabbi Yehuda and the other teaching of Rabbi Yehuda, this is not difficult. There, with regard to weighing meat against a vessel, he is dealing with a vessel that is not designated for measuring, and therefore he is lenient, whereas here, he is referring to a vessel that is designated for measuring, with regard to which he is stringent. With regard to the contradiction between one statement of the Rabbis and the other statement of the Rabbis, this is also not difficult. There, he is acting in a weekday manner, and consequently they prohibit the weighing, whereas here, he is not acting in a weekday manner, as people are accustomed to offer their friends wine in a measuring utensil and drink. Since the use of such a vessel is not exclusive to commercial transactions, the Rabbis permitted it here as well.

§ The mishna recounted an incident involving Abba Shaul ben Botnit, a Sage who was also a grocer, who would fill his measures on the eve of a Festival and give them to his customers on the Festival. A *tanna* taught in a *baraita*: He would do this even on the intermediate days of a Festival, in order to prevent dereliction of Torah study in the study hall. Since he wanted to spend most of his day in the study hall and not have to interrupt his study to carry out measurements, he would measure for his customers at night, when it was not a time of study.

The Sages taught in a *baraita*: Abba Shaul ben Botnit collected three hundred earthenware jugs of wine, to which he thought he was not entitled due to the clarity of the measures,ⁿ as he thought that he had unfairly profited from the foam at the top of the liquid he measured. And his colleagues, similarly God-fearing grocers, collectedⁿ three hundred earthenware jugs of oil, which they thought were not rightly theirs due to the draining of the measures; they were concerned that because they had measured for their customers using their own vessels, they might not have drained the entire measure from their containers into the customers' vessels. And they brought these jugs of wine and oil to Jerusalem before the Temple treasurers, as they did not want to benefit from possibly stolen goods.

The treasurers said to them: You need not do this, as all buyers take into account the foam and what is left in the sellers' vessels and pay with this in mind. They said to them: Just like the buyers give up their claim to it, we too do not wish to benefit from this, even if strictly speaking it is not considered stolen property.

The treasurers said to them: Since you are so stringent with yourselves, use the wine and oil for communal needs.ⁿ As it is taught in a *baraita*: If one stole and does not know from whomⁿ he stole, he should use the stolen items for communal needs, thereby repaying all of the Jewish people. The Gemara asks: What are communal needs? Rav Hisda said: He should finance the digging of cisterns, ditches, and caves, for storing water for travelers.

HALAKHA

גִּזְלָאֵינוּ יוֹדְעֵי לְמִי – If one stole and does not know from whom he stole faces obstacles to repentance, as he does

not know to whom he should pay restitution. The remedy is to use the money for communal needs, e.g., cisterns from which all may drink (*Shulḥan Arukh, Hoshen Mishpat 366:2*).

HALAKHA

A person may not measure barley – לא ימדוד אדם שעורים: One may not measure barley on a Festival to place before his animal. Rather, he should estimate the required amount, in accordance with the explanation of the Rif (Shulhan Arukh, Oraḥ Hayyim 324:2, 517:4).

A baker may measure spices – נחתום מודד תבלין: On a Festival it is permitted to measure the spices that one wishes to add to a pot, so that he not come to ruin the food. Some authorities say that this is permitted only to a baker. Nowadays, when spices are generally added by estimate even on a weekday, one may not measure them on a Festival (Magen Avraham). It would appear that in a place where people measure spices on weekdays, it is permitted to do so on a Festival as well (Arukh HaShulhan; Shulhan Arukh, Oraḥ Hayyim 504:4).

NOTES

He may cut out [koder] – קודר: Rashi explains that this is referring to digging out produce from the pile with a measuring utensil without intending to measure it. According to this explanation, koder is used in its usual sense as meaning burrowing. The Rif and others, however, explain that koder means taking without the use of a measuring implement, but merely by means of estimating the amount required for one's animal.

LANGUAGE

Cut out [koder] – קודר: In the Arukh and elsewhere koder is synonymous with koded, from the root k-d-d, or the Arabic كَدَّ, meaning to pierce. Some, however, associate koder with the Arabic root قَدَّر, meaning thought, and in this context indicating estimation; one does not actually measure but rather estimates the amount he wishes to take.

Perek III

Daf 29 Amud b

NOTES

The practical halakha – הלכה למעשה: This should be understood as follows: Since the lenient baraita was taught in Shmuel's school, he must have been aware of this lenient opinion. Therefore, his ruling was a kind of stringent decree, and it is proper to follow his opinion (Maharsha).

One may sift flour a second time – שזין קמח: Rashi explains that this is permitted because the flour has already been sifted properly, and therefore no excessive effort is involved. Rabbi Aharon HaLevi and others explain that flour may be sifted a second time only when it will be used on the same day, and therefore it is a full-fledged labor for the purpose of food preparation that is permitted. By contrast, the first sifting [harkada] is not considered one of those labors permitted for the sake of food preparation (Rabbi Zerahya HaLevi and others).

But if a pebble...fell – אבל נפל צרור: Most commentaries explain that according to Ravina it is prohibited to remove the pebble or wood chip by hand, but it is permitted to sift it out. The Meiri, however, understands the Gemara in the opposite manner, i.e., that there is more reason to prohibit a second act of sifting performed in order to remove a pebble or wood chip, and that it is preferable to do so by hand. See also the Rif and the Rambam, and the later authorities who challenge their opinion (see the Rishon LeTziyyon).

אדבריה רב חסדא לרבנא עוקבא, ודרש: לא ימדוד אדם שעורים ויתן לפני בהמתו ביום טוב, אבל קודר הוא קב או קבים ונותן לפני בהמתו, ואינו חושש. והנחתום מודד תבלין ונותן לתוך קדרתו כדי שלא יקדיח תבשילו.

אמר רב ירמיה בר אבא אמר רב: מודדת אשה קמח ביום טוב ונותנת לתוך עיסתה, כדי שתטול חלה בעין יפה. ושמואל אמר: אסור. והא תנא דבי שמואל מותר!

אמר אביי: השתא דאמר שמואל אסור, ותנא דבי שמואל מותר,

Rav Hisda authorized Rabbana Ukva to give a public lecture, and he taught the following: A person may not measure barley^h and place it before his animal on a Festival, but he may cut out [koder]^{nl} a hole in the pile of grain by means of a vessel of one kav or two kav, and place the barley before his animal, and he need not be concerned about the measuring this entails, as he does not transgress the prohibition against using a measuring utensil if he is not particular about measuring precisely. And a baker may measure spices^h and put them in his pot, so as not to spoil his dish, since if he puts in too much he will ruin the food.

Rav Yirmeya bar Abba said that Rav said: A woman may measure flour on a Festival and put it into her dough in order to separate halla generously, because if she knows the exact amount of dough she can separate the proper amount of halla. And Shmuel said: It is prohibited, as she can estimate the amount that must be set aside as halla. The Gemara asks: But didn't a Sage of the school of Shmuel teach a baraita stating that this is permitted?

Abaye said: Now that it is known that Shmuel said it is prohibited and a Sage of the school of Shmuel taught a baraita that it is permitted,

שמואל הלכה למעשה אתא לאשמעינן.

תנו רבנן: אין שזין קמח ביום טוב, משום רבי פפייס ורבי יהודה בן בתירא אמרו: שזין. ושזין, שאם נפל לתוכן צרור או קיסם – ששזין.

תני תנא קמיה דרבנא: אין שזין קמח ביום טוב, אבל נפל צרור או קיסם – בורר בידו. אמר ליה: כל שכן דאסור, דהוה ליה כבורר.

it is reasonable to conclude that Shmuel came to teach us the practical halakha.^{nh} Knowing that a baraita permits the practice, Shmuel found it necessary to state that the halakha is otherwise.

The Sages taught in a baraita: One may not sift flour a second time on a Festival, as this involves unnecessary extra effort. They said in the name of Rabbi Papeyyas and Rabbi Yehuda ben Beteira: One may sift flour a second time.^{nh} However, they all agree that if a pebble or a wood chip fell into the flour after it had been sifted the previous day, one may sift it a second time in order to remove the items.

A tanna taught the following baraita before Ravina: One may not sift flour a second time on a Festival, but if a pebble or a wood chip fellⁿ into the flour after the first sifting, he may remove it with his hand. Ravina said to him: All the more so is the latter procedure prohibited, as it is similar to the prohibited labor of selecting. It is therefore preferable to sift the flour with a sieve, and the unwanted items will thereby be removed.

HALAKHA

Shmuel came to teach us the practical halakha – שמואל: Although the ge'onim disagree with regard to whether the halakha is ruled in accordance with Rav or Shmuel, the consensus among the authorities is to prohibit measuring flour on a Festival. If one uses a utensil designed for measuring, he should make sure not to fill it exactly according to the measure. Some are lenient if he requires an exact measure (Peri Megadim; Shulhan Arukh, Oraḥ Hayyim 506:1).

One may sift flour a second time – שזין קמח: It is prohibited

to sift flour on a Festival ab initio, even in an unusual manner. However, if it was already sifted beforehand one may sift it a second time, but with a minor change, e.g., sifting onto a table (Rema). If a pebble fell into the flour, one may sift the flour in the regular manner, although some require that one deviate from the usual manner. Similarly, one may not remove the pebble by hand (Rema; Peri Hadash). Some permit the sifting of flour nowadays, as flour is generally sifted before it is sold (Magen Avraham); other authorities, however, prohibit it (Mishna Berura and others; Shulhan Arukh, Oraḥ Hayyim 506:2).

כַּמָּה מְהוֹלְתָא הֶדְרִין – *hadran*: How many sieves circulate [hadran]. There is a variant reading of this word as *rakdan*. The Rashba explains that the different readings have halakhic ramifications, as *hadran* means return, meaning that the flour is sifted a second time, whereas *rakdan* refers to the first act of sifting, which according to one approach may be performed in an unusual manner (see *Tosafot*).

רְפֵתָא מְעֵלִיתָא בְּעֵינָא – *Rava bar Rav Huna the Short taught at the entrance to Neharde'a: One may sift flour a second time on a Festival.* Some explain that when the underside of the sieve is used, some of the flour falls without being sifted since the sieve has no sides to contain all the flour, and this diminishes the quality of the bread (*Shitta Mekubbetzet*). Others explain in the opposite manner, that Rav Yosef did not come to permit an action for his wife but rather to instruct her to sift a second time, even though sifting on the back of a sieve involves extra effort (*Yam Shel Shlomo*).

רַב אֲשִׁי'ס וִיבָהּ – *Rav Ashi's wife*: Some explain that when Rav Ashi said that his wife may be relied upon, he meant it as a leniency rather than a stringency. In other words, it is not necessary to make a great adjustment, as Rav Yosef's wife did; a minor modification such as the use of a table is sufficient, as she must have seen it done in this fashion in her father's house (*Rosh; Maharam*).

שָׂבִין דְּרַךְ בַּעַל – *As it is the manner of a homeowner to count*: In other words, counting is not necessarily considered an act of commerce, as people generally count food items in their own homes. However, mentioning a measure or weight, and certainly a sum of money, is viewed as a commercial activity and is prohibited, or must be performed in an unusual manner, so that one not act in a weekday manner (*Tosefot Rid*).

סְכוּמֵי מִקְחָא – *The amount [sekhum] of the purchase*: See *Tosafot*, who agree with the explanation of Rabbeinu Hananel that *sekhum* does not mean merely the mention of a purchase, but rather the totaling of the purchase; the *ge'onim* explain likewise. This refers to a calculation by which one adds this amount to the total sum of money he owes from other purchases.

LANGUAGE

גְּלוֹסְקָא – *Cake [geluska]*: From the Greek κόλλιξ, *kollix*, meaning a large, round loaf.

HALAKHA

כִּי יִצְדֵּק לְיָדָא מִחֲנִינִי – *How may one purchase from a grocer*: One is permitted to say to another person or to a grocer: Give me a certain number of eggs or nuts, provided that he does not mention a price or a measure or sum up how many items for which he now owes payment. Some rule leniently and state that mentioning a sum of money is permitted provided he does not make a full calculation but merely states: Give me in exchange for such-and-such an amount (*Rema*). This ruling is followed in some places, but most communities are more stringent (*Taz; Arukh HaShulhan*). These rulings apply to a Jewish grocer. With regard to a gentile grocer, one is permitted to act in the same manner, provided that he does not take items that might have been detached from the ground or trapped on that day (*Ba'al Halakhot Gedolot; Shulhan Arukh, Orah Hayyim 323:3-4, 517:1*).

דְּרַשׁ רַבָּא בַר רַב הוּנָא זוּטֵי אִפְתָּחָא
דְּנִהַרְדֵּעָא: שׁוֹנֵין קִמַּח בְּיוֹם טוֹב. אָמַר
לְהוּ רַב נַחְמָן: פּוֹקוּ וְאִמְרוּ לֵיהּ לְאַבָּא:
שְׂקִילָא טִיבּוּתְךָ וְשׂוּדֵי אַחֲזִירִי, פּוֹק חֲזוּ
כַּמָּה מְהוֹלְתָא הֶדְרִין בְּנִהַרְדֵּעָא.

דְּבִיתָהּ דְּרַב יוֹסֵף נִהְלָא קִמַּחָא אֲגַבָּא
דְּמִהוֹלְתָא, אָמַר לָהּ: חֲזוּ, דְּאָנָא רְפֵתָא
מְעֵלִיתָא בְּעֵינָא. דְּבִיתָהּ דְּרַב אֲשִׁי
נִהְלָא קִמַּחָא אֲגַבָּא דְּפִתּוּרָא, אָמַר רַב
אֲשִׁי: הָא דִּינִין – בְּרִיתָהּ דְּרַמִּי בַר חַמָּא,
וְרַמִּי בַר חַמָּא מְרָא דְּעוֹבְדָא הוּהוּ, וְאִי
לָאו דְּחֻוּיָא מִבֵּי נִשְׂאָא לָא הוּהוּ עֲבָדָא.

מִתְנִי' הוֹלֵךְ אָדָם אֶצֶל חֲנֻנֵי הַרְגִיל
אֶצֶּל, וְאֹמֵר לוֹ: תֵּן לִי בִיצִים וְאֲגוּזִים
בְּמִנְיָן, שָׂבִין דְּרַךְ בַּעַל הַבַּיִת לְהִיּוֹת מוֹנֵה
בְּתוֹךְ בֵּיתוֹ.

גַּמ' תְּנוּ רַבְנָן: הוֹלֵךְ אָדָם אֶצֶּל רוּעָה
הַרְגִיל אֶצֶּל, וְאֹמֵר לוֹ: תֵּן לִי גְדִי אֶחָד
אוֹ טֶלֶה אֶחָד; אֶצֶּל טַבַּח הַרְגִיל אֶצֶּלוּ
וְאֹמֵר לוֹ: תֵּן לִי בֶּף אַחַת אוֹ יָרֵךְ אַחַת;
אֶצֶּל פֶּטֶם הַרְגִיל אֶצֶּלוּ וְאֹמֵר לוֹ: תֵּן לִי
תוֹר אֶחָד אוֹ גּוֹזֵל אֶחָד; אֶצֶּל נַחְתוּם
הַרְגִיל אֶצֶּלוּ וְאֹמֵר לוֹ: תֵּן לִי כֶּבֶד אֶחָד
אוֹ גְּלוֹסְקָא אַחַת;

וְאֶצֶּל חֲנֻנֵי הַרְגִיל אֶצֶּלוּ וְאֹמֵר לוֹ: תֵּן
לִי עֶשְׂרִים בִּיצִים אוֹ חֲמִשִּׁים אֲגוּזִים,
עֶשְׂרֵה אֶפְרֹסְקִין וְחֲמִשָּׁה רְמוּנִים וְאֶתְרוּג
אֶחָד, וּבִלְבָד שְׁלֵא יוֹבִיר לוֹ סְכוּם מְדָה.
רַבִּי שְׁמַעוֹן בֶּן אֱלֵעָזָר אוֹמֵר: וּבִלְבָד
שְׁלֵא יוֹבִיר לוֹ סְכוּם מְקָח.

הדרן עלך אין צדין

Rava bar Rav Huna the Short taught at the entrance to Neharde'a: One may sift flour a second time on a Festival. Rav Nahman said to the students standing before him: Go out and say to Abba, i.e., to Rava bar Rav Huna, as Rava is a shortened form of Rav Abba: Your good has been removed and cast upon thorns, meaning that your teachings are not needed. Go out and see how many sieves circulate^N in Neharde'a, as all the women already know that this is permitted.

The Gemara relates that Rav Yosef's wife was once sifting flour in an unusual manner on the reverse side of a sieve. He said to her: Look, I want good-quality bread,^N hinting that she need not invert the sieve but may sift the flour in her regular fashion. The Gemara likewise relates that Rav Ashi's wife^N was once sifting flour onto a table, rather than into a bowl in the usual manner. Rav Ashi said: This one of ours, my wife, is the daughter of Rami bar Hama, and Rami bar Hama is a master of good deeds who is meticulous in his performance of mitzvot. Had my wife not observed this practice in her father's house, she would not have acted in this manner. Therefore, one can learn the halakha in practice from her actions.

MISHNA A person may go on a Festival to a grocer from whom he is accustomed to buy and say to him: Give me eggs and nuts of such-and-such a number, as it is the manner of a homeowner to count^N this way in his own house. Counting eggs or nuts is not considered a commercial activity, as people regularly mention the number of eggs and nuts that they need.

GEMARA The Sages taught in the *Tosefta*: A person may go on a Festival to a shepherd with whom he is accustomed to deal and say to him: Give me one kid, or one lamb. Similarly, one may go on a Festival to a butcher from whom he is accustomed to buy and say to him: Give me one foreleg of an animal, or one thigh. Likewise, one may approach one who deals in fattened fowl from whom he is accustomed to buy and say to him: Give me one dove or one pigeon. He may also visit a baker from whom he is accustomed to buy and say to him: Give me one loaf or one cake [*geluska*].^L

And one may go on a Festival to a grocer from whom he is accustomed to buy and say to him: Give me twenty eggs, or fifty nuts, or ten peaches, or five pomegranates, or one *etrog*, provided that he does not mention any measure. In other words, he must not specify a unit of measurement, e.g., a *kav*; rather, he must state a number, which is not the usual manner of making a purchase.^H Rabbi Shimon ben Elazar says: This is permitted, provided that he does not mention the amount of the purchase,^N meaning that he must not mention the sum of money that he is spending, but rather he must take what he needs and after the Festival they will calculate how much he owes.

מתני' המביא כדים יין ממקום למקום – לא יביאם בסל ובקופה, אבל מביא הוא על כתפו, או לפניו. וכן המוליך את התבן – לא יפשיל את הקופה לאחוריו, אבל מביאה הוא בידו. ומתחילין

MISHNA One who brings wine jugs^H from one place to another place may not bring a large number of them in a basket or in a tub in the usual weekday manner on a Festival, as this is disrespectful of the Festival; but he may bring one or two barrels on his shoulder or carry them in front of himself. Similarly, one who brings straw^N for kindling or for feeding animals may not place the tub behind him while carrying it, as this is the usual weekday manner; but he may transport it in front of him in his hand,^N in an unusual fashion. And one may begin taking straw^N for kindling

HALAKHA

Bringing jugs – **הקבאת כדים**: Although carrying is permitted on a Festival, one may not carry large burdens in a weekday manner; rather, an adjustment must be made to the usual procedure. For example, one who transports wine jugs should not carry several of them in a tub or a basket but should bear them on his shoulder. Inside a house, one may act in the usual manner (Rema). If he is in a hurry, e.g.,

if he has guests to whom he must attend, he may act in the usual fashion. Some hold that it is preferable to minimize the amount that one walks by taking everything in a single basket (*Tosafot*). This is the proper way to proceed when there are not many people present (*Magen Avraham; Shulhan Arukh, Orah Hayyim 323:5, 510:8*).

NOTES

One who brings straw – **המוליך את התבן**: In the Jerusalem Talmud it is noted that this follows the view that activities related to the preparation of food for an animal may also be performed on a Festival.

On his shoulder... in his hand – **בידו... על כתפו**: *Tosefot Yom Tov* is puzzled by this *halakha*. Some explain that a barrel is usually carried in two hands, and therefore carrying it on one's shoulders is considered a modification. A tub, however,

has a handle and can be carried in one hand. Therefore, one may not carry it on his shoulders in the manner of a burden (*Peri Hadash*).

One may begin taking straw – **מתחילין בתבן**: Kindling is not the topic of the mishna. However, since the mishna mentioned carrying large quantities of straw, it also mentions beginning to remove straw from a storehouse for this purpose (*Meiri*).