

ומתוך ששינו מעשיהם שינה הקדוש ברוך הוא עליהם מעשה בראשית, והעלה מזל כימה ביום, ונטל שני כוכבים, והביא מבול לעולם.

בשלמא לרבי יהושע – היינו דכתיב "שני" אלא לרבי אליעזר מאי "שני" שני לדין.

בשלמא לרבי יהושע – היינו דשינה אלא לרבי אליעזר מאי שינה?

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תנו רבנן: חכמי ישראל מונין למבול כרבי אליעזר ולתקופה כרבי יהושע; חכמי אומות העולם מונין אף למבול כרבי יהושע.

"ולירקות". תנא: לירקות ולמעשרות, ולגידים. לירקות מאי נגהו? מעשר ירק.

היינו מעשרות! תנא דרבנן וקתני דאורייתא.

וליתני דאורייתא ברישא! אידי דחביבא ליה אקדמה. ותנא דין: תנא דרבנן וכל שכן דאורייתא.

But because the people changed their actions for the worse, the Holy One, Blessed be He, changed for them the acts of Creation and He caused the constellation of *Kima* to rise during the day, and He removed two stars from it and He brought a flood to the world.

The Gemara asks: **Granted, according to Rabbi Yehoshua**, who holds that the flood began in the month of Iyyar, **this is as it is written: "In the second month,"** which is referring to the month of Iyyar, the second month from Nisan. **But according to Rabbi Eliezer**, who holds that the flood began in the month of Marḥeshvan, **what is the meaning of "the second month"?**<sup>N</sup> The Gemara answers: It means **second to the month that includes the day of judgment**, which is the month of Tishrei.

The Gemara asks further: **Granted, according to Rabbi Yehoshua**, who holds that the flood began in the month of Iyyar, **this is what it means that He changed the acts of Creation with a flood**, as rain does not usually fall in Iyyar. **But according to Rabbi Eliezer**, who holds that the flood began in Marḥeshvan, **what did He change?**

The Gemara answers: Even according to Rabbi Eliezer a change was made, **in accordance with the statement of Rav Ḥisda**, as **Rav Ḥisda said: They sinned with boiling heat, and they were punished with boiling heat; they sinned with the boiling heat of the sin of forbidden sexual relations, and they were punished with the boiling heat of scalding waters.** This is derived from a verbal analogy. **It is written here**, with regard to the flood: **"And the waters abated"** (Genesis 8:1), **and it is written elsewhere**, with regard to King Ahasuerus: **"And the heated anger of the king abated"** (Esther 7:10), which implies that the word "abated" means cooled. This indicates that at first the waters of the flood had been scalding hot.

The Sages taught in a *baraita*: **The Jewish Sages count the years from Creation and the flood in accordance with the opinion of Rabbi Eliezer**, from Tishrei, and they calculate **the cycles of the sun and the moon in accordance with the opinion of Rabbi Yehoshua**, from Nisan.<sup>N</sup> **The sages of the gentile nations of the world**, on the other hand, **count both the years from Creation and the flood in accordance with the opinion of Rabbi Yehoshua**, from Nisan.

§ The mishna taught: **And the first of Tishrei is the new year for vegetables. It is taught in a baraita: The first of Tishrei is the new year for vegetables, and for tithes,<sup>N</sup> and for vows.** The Gemara asks: **What is meant by the term: For vegetables?** It means for the **vegetable tithe,<sup>N</sup> i.e., one may not take teruma or tithes from vegetables picked before Rosh HaShana in order to fulfill the obligation for vegetables picked after Rosh HaShana.**

The Gemara asks: If so, **this is the same as the meaning of the term for tithes**, and yet the *baraita* distinguishes between them. The Gemara answers: **The baraita taught first about a tithe that is by rabbinic law, i.e., the vegetable tithe, that its new year is the first of Tishrei, and then it teaches about a tithe that is by Torah law, i.e., the tithe of grain, wine, and oil, that its new year is also the first of Tishrei.**

The Gemara asks: If so, **let the tanna of the baraita teach that which is by Torah law in the first clause.** The Gemara explains: **Since the halakha with regard to vegetable tithes was dear to him, he mentioned it first.** He taught first about the tithe that is by rabbinic decree, as it involves a greater novelty, and afterward he taught about the tithe that is by Torah law. The Gemara asks further: **And with regard to the tanna of our mishna, who mentioned only vegetables but not tithes, what is his reasoning?** The Gemara explains: **He taught vegetable tithes, which are by rabbinic decree, and from which one may infer all the more so that the first of Tishrei is the new year for the tithe of grain, wine, and oil, which is by Torah law.**

NOTES

**מאי –** What is the meaning of the second month – **מאי** – *Tosafot* note that although Rabbi Eliezer holds that the creation of the world occurred in Tishrei, it is not self-evident that the months of the year must be counted from Tishrei. The Ramban states in his commentary on the Torah that until the exodus from Egypt, the months were counted from Tishrei. However, when the Jews left Egypt, they began counting the months from Nisan.

**למבול –** **ליתקופה** – From the flood and for the cycles – **ליתקופה**: The early authorities had difficulty with this statement. See the Rid, who writes that he does not understand either this phrase or Rashi's explanation of it. Some authorities relate this to the issue of counting the years from the time of Creation and determining the *molad*, the precise moment of the appearance of the new moon. It seems that there were two distinct ways of counting from the time of Creation, with a difference of one year between them. The beginning of one calculation is from the year that began with the conclusion of Creation, known as the first year, and the other calculation begins a year earlier, with the appearance of the new moon on a Monday, at five hours of the day and <sup>29</sup>/<sub>1040</sub> of an hour, which is known as the birth in chaos. Some have tried to resolve the dispute by omitting the year of the flood; others connect this to the disputes between Rabbi Yehoshua and Rabbi Eliezer. The *geonim* discuss this at length. With regard to the *halakha*, the years are counted from the *molad* of Tishrei, whereas the cycles of the sun, which have practical relevance only with regard to the blessing of the sun, are calculated from Nisan.

**לירקות ולמעשרות –** **לירקות ולמעשרות** – The Gemara does not ask for a source that the first of Tishrei is the new year for these because it relies on a previous derivation (see 8b) with regard to the Sabbatical Year based on a verbal analogy using the word year (Ran).

**מעשר ירק –** **מעשר ירק** – **Vegetable tithe** – The early authorities disagree, and it may also be a dispute between the Babylonian and Jerusalem Talmud, about which tithes are by Torah law and which are rabbinic in origin. They disagree not only about fruit, but about other produce as well. Produce from the ground is usually divided into three categories: The five types of grain: Wheat, spelt, barley, oats, and rye; legumes, produce of which the seeds are eaten; and vegetables, of which the leaves or stems of the plant are consumed. Some authorities hold that not only grain but also legumes must be tithed by Torah law. All agree, however, that tithing of vegetables is by rabbinic law.

NOTES

But let the *tanna* of the *baraita* teach thee... but let him teach vegetable – וְלִיתֵנִי מֵעֵשֶׂר... וְלִיתֵנִי יֶרֶק: The Ritva notes that this is not intended as a question but merely a clarification by way of question and answer, as a similar question is not raised about the plural formulation of Sabbatical Years, or Jubilee Years. In a place where a *halakha* can be derived from the plural formulation it is noted, but elsewhere it is not mentioned.

**Vegetables that are made into bundles – יֶרֶק הַנֶּאֱגָד:** All agree that a distinction must be made between two issues. The first issue is the year of the vegetable, calculated according to the time that the vegetable is picked, which determines which vegetables are from the new year and which are from the old year. This is significant in that one may not separate *teruma* and tithes from the vegetables of one year for the crop of the next year. The second issue is the time of tithing, i.e., the time when the harvest and gathering is complete. This is significant in that after this time one is obligated to tithe the produce and is prohibited from eating of it without tithing.

וְלִיתֵנִי מֵעֵשֶׂר! אֶחָד מֵעֵשֶׂר בְּהֶמָּה, וְאֶחָד מֵעֵשֶׂר דָּגָן. וְלִיתֵנִי יֶרֶק! תְּרֵי גוּוּנֵי יֶרֶק, דִּתְנֵנּוּ: יֶרֶק הַנֶּאֱגָד – מִשְׁאֵאֱגָד; וְשֵׂאִינוּ נֶאֱגָד – מִשְׁמִמְלָא אֶת הַכֶּלִי.

The Gemara raises a question about the *baraita*: **But let the *tanna* of the *baraita* teach: Tithe**, in the singular. Why teach tithes in the plural? The Gemara answers: He uses this formulation to include **both the animal tithe and the grain tithe**. The Gemara asks further: **But let him teach: Vegetable**,<sup>N</sup> in the singular. Why teach: Vegetables, in the plural? The Gemara answers: He means to include **two categories of vegetables, as we learned in a mishna: With regard to a type of vegetable that is usually made into bundles**<sup>N</sup> before being sold, the time of tithing is **from when it is bundled**; and with regard to a type of vegetable that is not usually made into such bundles, the time of tithing is **from when one fills a vessel with it**.<sup>H</sup>

תְּנֵנוּ רַבֵּנּוּ: לִיקַט יֶרֶק עֶרֶב רֵאשׁ הַשָּׁנָה, עַד שֶׁלֹּא תָבֵא הַשֶּׁמֶשׁ, וְחִזַּר וְלִיקַט

**S** The Sages taught in a *baraita*: **If one picked vegetables on the eve of Rosh HaShana before the sun had set, so that they belong to the previous year, and then he returned and he picked more vegetables**

HALAKHA

**Vegetables that are bundled and that are not bundled – יֶרֶק הַנֶּאֱגָד וְשֵׂאִינוּ נֶאֱגָד:** Different kinds of vegetables have different times when the work associated with each of them is considered to have been completed, at which point it is prohibited to eat them without first tithing them. With regard to vegetables that are usually made into bundles, the time of

tithing is from when they are bundled. With regard to vegetables that are not usually made into bundles, the time is from when the container into which they are being gathered is filled. If one does not fill the container, the time is from when one gathers all that he needs (Rambam *Sefer Zera'im, Hilkhot Ma'asrot* 3:9).

Perek I  
Daf 12 Amud b

NOTES

He picked after sunset – לִיקַט מִשְׁתָּבֵא הַשֶּׁמֶשׁ: The early authorities ask: After sunset the Festival has already begun; how, then, is it permitted to pick vegetables at that time? Some suggest that it is referring to one who picked the produce illicitly, whether intentionally or inadvertently, but the *halakha* governing the tithes does not change as a result (Ritva; *Meiri*). In the Jerusalem Talmud the question is avoided, and the case is described as that of a Jew picking the vegetables before sunset and then a gentile coming and continuing to pick after sunset. Some later authorities propose that a child picked the vegetables after sunset (Rav Ya'akov Emden). The author of the *Penei Yehoshua* argues that according to *Tosafot* (on *daf* 10b) there is no real question here, as the term picked is imprecise. The critical factor is actually whether the vegetable was sufficiently ripe to be picked before or after Rosh HaShana.

**Order of the tithes – סֵדֵר הַמַּעֲשוֹת:** *Terumot* and tithes must be separated in the following order: First, about one-fiftieth is set aside and consecrated as *teruma*, which is given to the priests. One-tenth of what remains is then set aside as first tithe, which is distributed to the Levites. They in turn must tithe the tithe they receive, and therefore one-tenth of first tithe is set aside and consecrated as *teruma* of the tithe, which has the same status as regular *teruma*. First tithe may be eaten by anyone, although it belongs to the Levites. One of the ordinances instituted by Ezra was regarding tithes, which by Torah law should be given only to Levites. According to one opinion, Ezra ordained that first tithe must be given only to priests and not to the Levites. According to another opinion, first tithe may be given to priests in addition to Levites. Finally, another tenth is set aside from the remaining produce. During the first, second, fourth, and fifth years of the Sabbatical cycle, this is second tithe, which must be brought to Jerusalem by the owner to be eaten there. Alternatively, it may be redeemed for money, which is then brought to Jerusalem and used to purchase food. During the third and sixth years of the Sabbatical cycle, it is poor man's tithe, which has no sanctity and must be distributed to the poor.

מִשְׁתָּבֵא הַשֶּׁמֶשׁ – אִין תּוֹרְמִין וּמַעֲשִׂין מִזֶּה עַל זֶה, לְפִי שֵׂאִין תּוֹרְמִין וּמַעֲשִׂין לֹא מִן הַחֲדָשׁ עַל הַיֶּשֶׁן וְלֹא מִן הַיֶּשֶׁן עַל הַחֲדָשׁ. אִם הֵיטָה שְׁנֵיהֶם נִכְנָסוּ לְשָׁלִישִׁית, שְׁנֵיהֶם – מֵעֵשֶׂר רֵאשׁוֹן וּמֵעֵשֶׂר שְׁנִי; שְׁלִישִׁית – מֵעֵשֶׂר רֵאשׁוֹן וּמֵעֵשֶׂר עֲנִי.

after sunset,<sup>N</sup> so that they belong to the new year, **one may not set aside *teruma* and tithe from the one to the other, as one may not set aside *teruma* and tithe from the new crop for the old nor from the old crop for the new**.<sup>H</sup> If it was the second year of the Sabbatical cycle going into the third<sup>H</sup> year, the *halakha* is: From what he picked in the second year he must set aside **first tithe**, which he gives to a Levite, and **second tithe**, which he eats in Jerusalem; from what he picked in the third year, he must set aside **first tithe and poor man's tithe**, which he gives to one who is needy.

מִנָּא הֵנִי מִלִּי? אָמַר רַבִּי יְהוֹשֻׁעַ בֶּן לֵוִי: "כִּי תִכְלֶה לַעֲשׂוֹת אֶת כָּל מַעֲשֵׂי תְּבוּאָתְךָ בַּשָּׁנָה הַשְּׁלִישִׁית שְׁנַת הַמַּעֲשֵׂר" – שְׁנָה שֵׂאִין בָּהּ אֵלֶּיךָ מֵעֵשֶׂר אֶחָד. הֲאֵי כִּי צִדְדָה מֵעֵשֶׂר רֵאשׁוֹן וּמֵעֵשֶׂר עֲנִי, וּמֵעֵשֶׂר שְׁנִי וּבִטְלָה.

From where are these matters derived that during the third year one must set aside poor man's tithe and not second tithe? **Rabbi Yehoshua ben Levi said:** The verse states: "When you have made an end of tithing all the tithes of your produce in the third year, which is the year of the tithe" (Deuteronomy 26:12). This is referring to a year when there is only one of the two tithes that had been given in the previous years. **How so?** One sets aside **first tithe and poor man's tithe**, which is explicitly mentioned in that section, and **second tithe is nullified that year**.<sup>NH</sup>

HALAKHA

**If one picked vegetables before and after Rosh HaShana – לִיקַט יֶרֶק לְפָנֵי וְאַחֲרֵי רֵאשׁ הַשָּׁנָה:** If one picked vegetables on the eve of Rosh HaShana close to sunset, and he picked more vegetables after nightfall, he may not set aside *teruma* and tithes from one for the other, as the first of Tishrei marks a new year for tithing grain and vegetables (*Shulhan Arukh, Yoreh De'a* 331:57).

man's tithe even if it reached its full size in the second year, which is a year of second tithe. Similarly, if he picked it on Rosh HaShana of the fourth year, it is obligated in second tithe and not poor man's tithe (*Shulhan Arukh, Yoreh De'a* 331:126).

**The second going into the third – שְׁנֵיהֶם נִכְנָסוּ לְשָׁלִישִׁית:** A vegetable is tithed in accordance with the year in which it was picked. Therefore, if one picked a vegetable on Rosh HaShana of the third year of the Sabbatical cycle, it is obligated in poor

**The years of tithing – שְׁנֵי הַמַּעֲשֵׂר:** In all years, one must set aside two tithes, apart from the Sabbatical Year, when there are no tithes. First tithe is separated every year; the other type of tithe is dependent on the year. In the first, second, fourth, and fifth years of the Sabbatical cycle, one sets aside second tithe, while in the third and sixth years, he sets aside poor man's tithe (*Shulhan Arukh, Yoreh De'a* 331:19).

**One need not – אינו צריך** – The early authorities point out that Rabbi Eliezer ben Ya'akov suggests a different source for this *halakha* because, according to its plain meaning, the verse that serves as the source for Rabbi Yehuda's derivation is referring to a Levite who comes with other poor Jews to receive poor man's tithe since the Levites have no portion in the land (Ritva).

**With regard to first tithe there is no interruption – מעשר ראשון אין לו הפסק**: The later authorities ask: How can it be said that first tithe has no interruption when no tithes are set aside in the Sabbatical Year? They suggest that it is referring to such time when the Sabbatical Year is not observed. Alternatively, it may be referring to places close to Eretz Yisrael where tithes are set aside but the Sabbatical Year is not observed (*Turei Even*). Another explanation is that since everyone is permitted to eat of the produce of the land during the Sabbatical Year, the Levite's inheritance is not interrupted (*Arukh LaNer; Yad David*).

**For vows – לנדורים**: The early authorities explain that vows are not mentioned in the mishna because with regard to vows, the first of Tishrei is an end rather than a beginning (*Tosafot; Ran; Ritva*). Others note that the matter does not require a special derivation, as it is based on the principle that vows are understood in accordance with the common usage of the language, and in common parlance the year begins on the first of Tishrei (*Tosafot Yeshanim*).

או אינו אלא אף מעשר ראשון נמי יבטל תלמוד לומר: "ואל הלויים תדבר ואמרת אליהם כי תקחו מאת בני ישראל את המעשר אשר נתתי לכם מאתם בנחלתכם" – הקישו הכתוב לנחלה, מה נחלה אין לה הפסק – אף מעשר ראשון אין לו הפסק.

Or perhaps it is not like this, but in fact even first tithe is nullified during the third year and only one tithe is set aside, i.e., the poor man's tithe. Therefore, the verse states: "Thus speak to the Levites, and say to them: When you take of the children of Israel the tithes which I have given you from them for your inheritance" (Numbers 18:26). The verse juxtaposes the first tithe that is given to the Levites to an inheritance of land: Just as with regard to an inheritance there is no interruption, as by Torah law a landed inheritance cannot be sold in perpetuity, but rather it passes from one generation to the next without interruption, so too, with regard to the first tithe that is given to the Levites there is no interruption, but rather it is taken every year.

תניא אידך: "כי תכלה לעשר" וגו' שנה שאין בה אלא מעשר אחד. הא כיצד? מעשר ראשון ומעשר עני, ומעשר שני יבטל. יכול אף מעשר ראשון נמי יבטל – תלמוד לומר: "ובא הלוי" – כל זמן שבא תן לו, דברי רבי יהודה.

The same *halakha* is taught in another *baraita*: The verse states: "When you have made an end of tithing all the tithes of your produce in the third year, which is the year of the tithe." This is referring to the year when there is only one of the two tithes that had been given in the previous years. How so? One sets aside first tithe and poor man's tithe, and second tithe is canceled. One might have thought that even first tithe is canceled during the third year. Therefore, the verse states: "And the Levite, because he has no part or inheritance with you, and the stranger, and the fatherless, and the widow, who are within your gates, shall come, and shall eat and be satisfied" (Deuteronomy 14:29). Whenever the Levite comes, give him; every year you must give the Levite his tithe. This is the statement of Rabbi Yehuda.

רבי אליעזר בן יעקב אומר: אינו צריך. הרי הוא אומר: "ואל הלויים תדבר ואמרת אליהם כי תקחו מאת בני ישראל את המעשר אשר נתתי לכם מאתם בנחלתכם" – הקישו הכתוב לנחלה, מה נחלה אין לה הפסק – אף מעשר ראשון אין לו הפסק.

Rabbi Eliezer ben Ya'akov says: One need not<sup>n</sup> learn this from here but from another source, as it says: "Thus speak to the Levites, and say to them: When you take of the children of Israel the tithes which I have given you from them for your inheritance." The verse juxtaposes the first tithe to an inheritance of land: Just as with regard to a landed inheritance there is no interruption, so too, with regard to first tithe there is no interruption.<sup>n</sup>

"ולנדורים" וכו'. תנו רבנן: המודר הנאה מחבירו לשנה – מונה שנים עשר חודש מיום ליום. ואם אמר "לשנה זו", אפילו לא עמד אלא בעשרים ותשעה באלול, כיון שהגיע יום אחד בתשרי – עלתה לו שנה.

It was taught in the *baraita* cited above: And the first of Tishrei is the new year for vows.<sup>n</sup> The Sages taught in a *baraita*: One who is prohibited by a vow from deriving benefit from another for a year<sup>h</sup> counts twelve months from day to day, from the day that the vow was taken. This applies whether one took a vow not to derive any benefit from another for a year, or he was the subject of someone else's vow prohibiting him from deriving any benefit from that individual's property for a year. But if, when he took the vow, he said: For this year, then even if he took the vow only on the twenty-ninth of Elul, once the first day of Tishrei, the following month, has arrived, it is counted as a year, and he is permitted to derive benefit from the other.<sup>h</sup>

אפילו למאן דאמר יום אחד בשנה אינו חשוב שנה – לצעוריה נפשיה קביל עליה, והא אצטער ליה.

The Gemara comments: This is true even according to the one who said that one day in a year is not considered a year, since in the case of a vow the person accepted upon himself to suffer affliction, and he has already achieved his goal and suffered affliction, and so he has fulfilled his vow.

#### HALAKHA

One who is prohibited by a vow from deriving benefit...for a year – המודר הנאה...לשנה: If one took a vow for a year, or if he accepted upon himself a vow for a year without further specification, he counts the year from the day on which he took the vow until the same date in the following year. In a leap year, the extra month is also subject to the vow (*Shulhan Arukh, Yoreh De'a 220:7*).

One who takes a vow for this year – הנודר לשנה זו: If one took a vow stating that it is prohibited for him to derive benefit from an item this year, the item is prohibited to him until the first of Tishrei of the following year. Even if he took the oath on the last day of Elul, the vow ends on the first of Tishrei (*Shulhan Arukh, Yoreh De'a 220:6*).



NOTES

Fenugreek from when it sprouts – התלתן משתצמח: The early authorities disagree about how to understand this section. Rashi and the Rambam agree that the new year for tithing is also the critical factor in determining the year of tithing and the year of the Sabbatical cycle. According to most authorities, the time that the fruit takes form and the time of tithing are identical. Some understand that according to Rashi, a distinction must be made between olives and other trees, with regard to which the time of tithing and the time when the fruit takes form are different.

According to the Ritva, with regard to the produce of trees, including olives, the halakha always follows the time that the fruit takes form, and the measure of one-third is relevant only for the time of tithing.

From when it sprouts for seed – משתצמח לזרעים: Rashi writes that this is when the plant reaches the state in which the developing seeds can be seen within it. However, most commentaries follow the Jerusalem Talmud, where this is understood as the time when the plant's seeds are sufficiently developed to sprout into another crop. Some understand that Rashi's explanation also follows the Jerusalem Talmud (Sefat Emet; Tiferet Yisrael).

From when they have reached one-third – משגיבאו שליש: The ge'onim and others explain that this period is calculated based on the time from when the fruit begins to ripen until it is completely ripened. According to the Jerusalem Talmud, this means that the unripened fruit reaches one-third of the weight of a completely ripened fruit (see Rabbeinu Hananel).

ואימא ניסן! בנדרים הלך אחר לשון בני אדם.

The Gemara asks: But say that a year with regard to vows ends in Nisan. The Gemara answers: The halakha is that with regard to vows, follow the ordinary language of people.<sup>H</sup> The meaning of a vow is understood in accordance with the way that the words are used in common speech, and when people speak of a year, they ordinarily count it from the beginning of Tishrei.

תנן התם: התלתן משתצמח: התבואה והזיתים – משגיבאו שליש.

We learned in a mishna there (Ma'asrot 1:3): From when is produce obligated in tithes? Fenugreek<sup>B</sup> is obligated from the time when it sprouts.<sup>N</sup> Grain and olives are obligated from the time when they have reached one-third of their growth.<sup>H</sup>

מאי משתצמח? משתצמח לזרעים.

The Gemara asks: What is the meaning of the phrase: From the time when it sprouts? Fenugreek begins to sprout almost immediately after it is planted. The Gemara answers: It means from the time when it sprouts for seed,<sup>N</sup> i.e., from the time that its seeds are sufficiently developed to sprout into another crop.

התבואה והזיתים משגיבאו שליש. מנא הני מילי? אמר רב אסי אמר רבי יוחנן, ומטו בה משמיה דרבי יוסי הגלילי: אמר קרא: "מקץ שבע שנים במועד שנת השמטה בחג הסוכות." שנת השמטה מאי עבדתיה בחג הסוכות? שמינית היא!

It was taught in the mishna: Grain and olives are obligated in tithes from the time when they have reached one-third<sup>N</sup> of their growth. The Gemara asks: From where are these matters derived, that the years of produce follow the first third of their growth? Rav Asi said that Rabbi Yohanan said, and some determined that this statement was said in the name of Rabbi Yosei HaGelili: The verse states: "At the end of every seven years, in the time of the year of release, in the festival of Sukkot" (Deuteronomy 31:10). What is the purpose of the Sabbatical Year being mentioned with the festival of Sukkot? The festival of Sukkot is already the eighth year.

אלא לומר לך: כל תבואה שהביאה שליש בשביעית לפני ראש השנה – אתה נוהג בו מנהג שביעית בשמינית.

Rather, it comes to tell you that the halakhot of the Sabbatical Year continue to apply on Sukkot of the following year, as you must treat all produce that reached one-third of its growth in the Sabbatical Year before Rosh HaShana with the sanctity of the Sabbatical Year, even if it fully grows and is able to be used only in the eighth year.

אמר ליה רבי זירא לרב אסי:

Rabbi Zeira said to Rav Asi:

HALAKHA

בנדרים – With regard to vows, follow the language of people – התלתן משתצמח: The meaning of vows is understood in accordance with the ordinary usage of the language by people in the place and time in which the vow is taken (Shulhan Arukh, Yoreh De'a 217:1).

of the Rambam, according to which the same principle applies to both the time of tithing and the count of the years for tithes and for the Sabbatical Year: With regard to trees in general, the year follows the time that the fruit takes form. With regard to olives and grain it follows the time that they reach one-third of their growth. For fenugreek, the critical time is when its seeds are sufficiently developed to sprout into another crop (Shulhan Arukh, Yoreh De'a 331:15).

עונת תלתן תבואה – The time of fenugreek, grain, and olives – הזיתים: The Shulhan Arukh rules in accordance with the opinion

BACKGROUND

Fenugreek – תלתן: Fenugreek, Trigonella foenum-graecum L., also known in modern Hebrew as hilbe, belongs to the legume family. It is a short plant, growing to less than 1 m high. The plant has hollow, hairy stems; light green leaves arranged in threes; and white flowers. The fruit is found in small pods up to 15 cm long, and contains flat seeds about 5 mm long. The plant is generally grown for its seeds, which are used as food and for preparing spices. The young branches are also edible when cooked. In some countries, fenugreek is used as animal fodder and as fertilizer.



Fenugreek leaves, seeds, and pods