

**מתני' הגורר מן הירק – מותר בדלועין, ורבי עקיבא אוסר. אמרו לו רבי עקיבא: והלא אמר אדם לשלוחו "קח לי ירק", והוא אומר "לא מצאתי אלא דלועין!"**

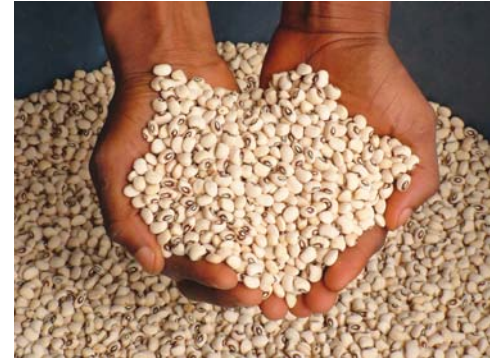
**אמר להם: בן הדבר, או שמא אומר הוא "לא מצאתי אלא קיטנית"? אלא שהדלועין בכלל ירק, וקיטנית אינו בכלל ירק. ואסור בפול המצרי לח, ומותר ביבש.**

**MISHNA** For one who vows that vegetables are forbidden to him,<sup>a</sup> it is permitted for him to eat gourds,<sup>n</sup> as people typically do not include gourds in the category of vegetables; and Rabbi Akiva prohibits him from eating gourds. The Rabbis said to Rabbi Akiva: But doesn't a person say to his agent: Purchase vegetables for me, and the agent, after failing to find vegetables, returns with gourds and says: I found only gourds? This indicates that gourds are not considered vegetables.

Rabbi Akiva said to them: The matter is so, and that proves my opinion; or perhaps, does the agent return and say: I found only legumes? Rather, it is apparent that gourds are included in the category of vegetables, although they differ from other vegetables, and therefore, the agent purchases gourds and explains that he found only gourds. And legumes are not included in the category of vegetables, and that is why the agent dispatched to purchase vegetables would not purchase legumes at all. And for one who vows that vegetables are forbidden to him, it is prohibited to eat the fresh cowpea,<sup>b</sup> which is considered a vegetable, and it is permitted to eat dry cowpea,<sup>n</sup> which is not a vegetable.

**BACKGROUND**

**פול המצרי** – *pol hamitzri*: According to the Jerusalem Talmud, it appears that this plant, *pol hamitzri*, an Aramaic term literally meaning Egyptian bean, is *Vigna unguiculata* of the Fabaceae, or pea family. The stems of the cowpea climb or spread out a considerable distance. The pods are 7–13 cm long, and the beans are small. The cowpea is edible fresh or dry. Today it is grown primarily as animal fodder, but it is still consumed by humans in some parts of the world.



Cowpea beans



Flower of cowpea plant

**HALAKHA**

**הגורר – מותר מותר הירק מותר בדלועין** – **מן הירק** For one who vows that vegetables are forbidden to him, without elaboration, only vegetables that are eaten raw are forbidden. If he vows that vegetables of a pot are forbidden to him, both cooked and pickled vegetables are forbidden. If he vows that vegetables that are cooked in a

pot are forbidden to him, pickled vegetables are permitted and cooked vegetables are forbidden. Gourds are included in this prohibition, in accordance with the ruling of Rabbi Akiva, as the Gemara deliberates with regard to his opinion, and in accordance with the conclusion of the Gemara (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 9:10; *Shulhan Arukh*, *Yoreh De'a* 217:4).

**NOTES**

**הגורר מן הירק מותר בדלועין – מותר מותר הירק מותר בדלועין** – The Ran cites two explanations for the fact that gourds are not considered vegetables. One approach is that the term vegetables in this context refers to leaves or other edible parts of a plant, and not its fruit; gourds are fruits. Later commentaries discuss whether edible roots and bulbs are in the category of vegetables. A second explanation is that vegetables are eaten raw, while gourds are eaten only cooked. There are certain difficulties with each of these explanations, and some commentaries combine the two approaches into a single definition. The Rid explains that in common parlance, the term vegetables refers to both edible leaves, whether eaten raw, e.g., lettuce, or cooked, e.g., spinach, and to fruits of plants that grow in the ground and are eaten uncooked. Gourds are fruits

that are eaten exclusively after cooking and therefore are not in that category. In the Jerusalem Talmud, it is stated that this applies only to the Egyptian gourd, which is not eaten raw at all. However, even the Rabbis concede that the Greek gourd, which is softer and eaten raw, is included in the category of vegetables.

**ומותר ביבש** – **ומותר ביבש** – The commentaries explain that the cowpea, or Egyptian bean, is a type of grain, consistent with Rabbi Meir's opinion in the next mishna. In the Jerusalem Talmud, it is stated that this distinction between fresh produce, which are vegetables, and dry ones, which are not, applies only to crops similar to the Egyptian cowpea, which are placed in a pile when dry. Other legumes, however, that are eaten raw when they are fresh, are considered vegetables even when dry.

Any item with regard to which an agent must consult – **כל מלתא דמימליך שליחא עליה** – With regard to any item concerning which an agent consults his employer about whether it is included in the category of items that he was sent to bring, the item is included in that vow (Rambam *Sefer Hafl'a'a*, *Hilkhot Nedarim* 9:6; *Shulhan Arukh*, *Yoreh De'a* 217:4).

An agent who performed his mission – **השליח שעשה שליחותו**: With regard to one who unwittingly gave his agent consecrated coins to purchase an item, if the agent fulfills his mission as instructed, the employer is liable for misuse of consecrated property and is liable to bring a guilt-offering. If the agent deviated from his mission, e.g., the employer instructed the agent to serve meat to his guests and he served them liver, or vice versa, the agent is liable (Rambam *Sefer Avoda*, *Hilkhot Me'ila* 7:1).

**גמ'** "הגודר מן הירק" כו'. והא מן ירק נדר! אמר עולא: באומר "ירקי קדרה עלי". ודילמא ירק הנאכל בקדרה קאמר? באומר "ירק המתבשל בקדרה עלי".

**GEMARA** We learned in the mishna: For **one who vows** that **vegetables** are forbidden to him, it is permitted to eat gourds, and Rabbi Akiva prohibits him from eating gourds. The Gemara questions Rabbi Akiva's ruling: **But** how can his vow include gourds, which are fruits and not vegetables; **didn't he vow to refrain from eating vegetables?**<sup>N</sup> **Ulla said:** The mishna is referring to **one who said: Vegetables cooked in a pot are forbidden to me**. Gourds are included in the category of vegetables cooked in a pot. The Gemara asks: **And** if that is what he said, **perhaps he is saying: A vegetable that is eaten in a pot, i.e., a vegetable that is added to flavor the food cooked in the pot, is forbidden to me?**<sup>N</sup> The Gemara answers: The mishna is referring to **one who said: A vegetable that is cooked in a pot<sup>N</sup> is forbidden to me**, a statement that can include gourds.

במאי קא מיפלגי? רבנן סבירי: כל מילתא דצריך שליחא לאמלוכי עליה – לאו מיניה הוא, ורבי עקיבא סבר: כל מילתא דמימליך שליחא עליה – מיניה הוא. אמר אביי: מודה רבי עקיבא לענן מלקות, שאינו לוקה.

The Gemara asks: **With regard to what principle do Rabbi Akiva and the Rabbis disagree?** The Gemara explains that **the Rabbis maintain: Any item with regard to which an agent must consult** the person who dispatched him before purchasing it, is **not** considered the same **type**. Since the agent must ask whether he can purchase gourds, apparently they are not a vegetable. **And Rabbi Akiva maintains: Any item with regard to which an agent must consult<sup>HN</sup> is considered the same type**. With regard to food of a different type, he does not consult. **Abaye said: Rabbi Akiva concedes with regard to lashes that the one who vowed is not flogged<sup>N</sup> if he ate gourds**, as the issue of whether or not he violated his vow is not entirely clear.

תנן התם: השליח שעשה שליחותו – בעל הבית מעל, לא עשה שליחותו – שליח מעל.

We learned in a mishna **there** (*Me'ila* 20a): With regard to **an agent who performed his mission<sup>H</sup> properly<sup>N</sup>**, if he was tasked to use a particular item, and the one who dispatched him forgot that it was a consecrated item, **the employer**, who dispatched him, **misused** the consecrated item and is liable, as the agent acted on his behalf. However, if the agent **did not perform his mission** properly, and the **agent misused** the consecrated item, he is liable, as once the agent deviates from his mission, he ceases to be an agent and his actions are attributable to him.

NOTES

**But didn't he vow to refrain from eating vegetables** – **והא – ויק נדר**: Almost all commentaries maintain that this poses a difficulty with regard to Rabbi Akiva's opinion: How can he say that gourds are included in the category of vegetables, when, as the Ran says in his first explanation, they are certainly a fruit, or, as the Ran states in his second explanation and as the Rosh likewise explains, a vegetable is eaten raw and gourds are cooked? Rabbi Akiva explains that gourds are considered vegetables because agents return to the one who dispatched them to purchase vegetables and say that they found only gourds. According to the understanding of the commentaries, the Rabbis consider this an unsatisfactory explanation, and they wonder how a plant that is not a vegetable can be included in the vow. Others claim that this is not the primary reason for Rabbi Akiva's opinion. The Meiri states that the difficulty is in the example cited by Rabbi Akiva, as the Gemara maintains that the agent does not consider gourds in the category of vegetables at all, and an agent would not consult the one who dispatched him in that case. See Rabbi Yitzhak Tzarfati, who contends that this poses a difficulty with regard to the opinions of both the Rabbis and Rabbi Akiva.

use is to flavor food cooking in a pot, rather than as foods in and of themselves (Rashi; *Tosafot*; see Ran). Others maintain that: A vegetable that is eaten in a pot, is referring to vegetables that are eaten both raw and after being cooked in a pot (Ritva; Ran). The Rosh explains that the reference is to vegetables typically pickled in a pot. Yet others state that it refers to vegetables cooked in a pot in their natural state, unlike gourds, which must first be peeled and chopped. Others explain that a vegetable that is eaten in a pot is cooked alone, as opposed to gourds, which require additional ingredients to enhance their taste.

**A vegetable that is cooked in a pot** – **ירק המתבשל בקדרה**: This is referring only to vegetables that must be cooked in a pot (Rashi), or that are generally and extensively cooked in a pot and are not eaten raw (Ran). The Rid writes that the Rabbis nevertheless maintain that the expression: Vegetables cooked in a pot, includes only vegetables that are cooked; gourds, however, are not categorized as vegetables at all.

**Any item with regard to which an agent must consult, etc.** – **כל מילתא דמימליך שליחא וכו'**: The Meiri claims that this applies only to an agent who was given a general directive, in a case where it can be said that his inquiry refers to an item that could be included in that category. If, however, he was instructed to acquire a specific item, e.g., cabbage, then even if the agent asks about a similar item, it is not included in the vow. Several early commentaries maintain that Rabbi Akiva stated this only with regard to the specific case of vegetables and gourds, but not other vows (Rashba; Ran). However, the Meiri and several

opinions cited in the *Shita Mekubbetzet* contend that according to Rabbi Akiva this applies in all cases.

**That the one who vowed is not flogged** – **שאינו לוקה**: Various explanations were suggested for this ruling. Some commentaries maintain that even according to Rabbi Akiva, there is uncertainty whether the vow includes gourds. Although that uncertainty is sufficient to render the gourds forbidden, it is an uncertainty with regard to a Torah prohibition: He shall not profane his word" (Numbers 30:3), and he is not flogged for an uncertain transgression (*Tosafot*). Others maintain that Rabbi Akiva ruled stringently only due to the severity of the prohibition against violating vows, but he too agrees that the fact that an agent asks about something does not mean that it is definitely classified as such (Rabbeinu Tam, *Sefer HaYashar*; Rosh). Rabbi Yitzhak Tzarfati states that the reason he is not liable to receive lashes is that the one who vowed can excuse himself by saying he did not have that food in mind, and since there is no way of proving his intention he cannot be warned with regard to lashes.

**An agent who performed his mission properly** – **השליח שעשה שליחותו**: Misuse of consecrated items is an exception to the principle: There is no agent for transgression. In most cases, the one who performs the action is liable even if he acted on behalf of another. However, it is derived from biblical verses that an agent who misuses consecrated items renders the one who dispatched him liable, just as one can acquire objects on his behalf in monetary cases and other areas of *halakha*.

Let the employer be liable for misuse of consecrated property – למעול בעל הבית – The early commentaries ask: In light of the ruling that Rabbi Akiva concedes that he is not flogged, why is the employer liable for misuse, which is a prohibition for which he is liable to bring a guilt-offering, and will result in the slaughter of a non-sacred animal in the Temple courtyard? *Tosafot* answer that this does not mean that the employer is actually guilty of misuse of a consecrated item. Rather, the emphasis is on the claim that the agent is not liable for misuse. Others explain that the ruling that he is not flogged refers only to the case of gourds and vegetables, as it is clear that gourds are not a type of vegetable. Liver, however, is a kind of meat, and included in the employer's instructions (*Tosafot*; Ran). The Rid explains that Rav Hisha disagrees with Abaye and holds that according to Rabbi Akiva he is liable to be flogged by Torah law in the case of gourds and vegetables.

מאן תנא? אמר רב חסדא: מתניתין דלא פריבי עקיבא. דתנן ביצד? אמר לו "תן בשר לאורחים" ונתן להם כבד: "תן כבד" ונתן להם בשר – השליח מעל. ואי רבי עקיבא – הא אמר רבי עקיבא: כל מילתא דממליך עליה שליח – מיניה הוא, למעול בעל הבית ולא למעול שליח!

The Gemara asks: Who is the *tanna* who taught this *halakha* in the mishna? Rav Hisha said: The mishna is not in accordance with the opinion of Rabbi Akiva as we learned in the mishna: How so? If the employer said to the agent: Give meat to the guests, and he gave them liver; or if he said: Give them liver, and he gave them meat, the agent has misused the consecrated item, as he deviated from his mission. And if this were in accordance with the opinion of Rabbi Akiva, didn't Rabbi Akiva say: Any matter with regard to which an agent must consult is considered the same type? Since based on that criterion, liver is certainly considered meat, let the employer be liable for misuse of consecrated property<sup>N</sup> and let the agent not be liable for misuse of consecrated property, as he fulfilled his mission.

אמר אביי: אמילו תימא רבי עקיבא,

Abaye said: Even if you say that the mishna is in accordance with the opinion of Rabbi Akiva,

## Perek VII

### Daf 54 Amud b

מי לא מודה רבי עקיבא דצריך אימלוכי? איתמר שמעתא קמיה דרביא. אמר להון: שפיר אמר נחמני.

doesn't Rabbi Akiva concede<sup>N</sup> that the agent must consult his employer? Because he failed to do so and acted on his own, he is not considered to have performed his mission. This *halakha* was stated before Rava. He said to those who stated the *halakha* before him: Nahmani,<sup>N</sup> i.e., Abaye, spoke well.

מאן תנא דפליג עליה דרבי עקיבא – רבן שמעון בן גמליאל היא. דתנא: הנודר מן הבשר – אסור בכל מיני בשר, ואסור בראש וברגלים ובקנה ובכבד ובלב ובועופות, ומותר בבשר דגים וחקגבים.

§ The Gemara asks: Who is the *tanna* who disagrees with the opinion of Rabbi Akiva<sup>N</sup> in the mishna here? The Gemara answers: It is Rabban Shimon ben Gamliel, as it is taught in a dispute in the *baraita*: For one who vows that meat is forbidden to him,<sup>H</sup> it is prohibited to eat all types of meat, and it is prohibited for him to eat meat of the head, and of the feet, and of the windpipe, and of the liver, and of the heart, although people do not typically eat meat from those parts of the body. And it is prohibited for him to eat meat of birds, as it too is popularly called meat. However, it is permitted for him to eat of the meat of fish and grasshoppers, as their flesh is not called meat.

## NOTES

Doesn't Rabbi Akiva concede – מי לא מודה רבי עקיבא – According to this, the halakhic distinction between vows and misuse of consecrated property by means of an agent is clear. Any item with regard to which an agent would consult his employer is in the category of foods forbidden by that vow. However, with regard to the *halakhot* of misuse, since the agent failed to consult his employer, he is considered to have acted on his own, and therefore, he alone is liable (Rashi; Ran).

Nahmani – נחמני – The tradition of the *ge'onim* is that Abaye's real name was Nahmani, but since he was raised by his uncle, Rabba bar Nahmani, he was called Abaye, which is a variation of the word *avi*, my father. He was called this either affectionately or because Rabba did not wish to call him by his father's name. The Ran, however, maintains that Nahmani was not his real name. It was a name he received because he was raised in the house of Rabba bar Nahmani.

Who is the *tanna* who disagrees with the opinion of Rabbi Akiva – מאן תנא דפליג עליה דרבי עקיבא – According to most

commentaries, the question is: Who is the first *tanna* in the mishna, who disagrees with Rabbi Akiva with regard to vows? However, with regard to misuse of consecrated property, everyone agrees that even items with regard to which an agent consults his employer are not considered the same type. Rabbi Yitzhak Tzarfati agrees that the question is: Who is the first *tanna* who disagrees with Rabbi Akiva with regard to vows? However, he holds that he is the same *tanna* that taught the unattributed mishna in tractate *Me'ila*. That *tanna* maintains that even items with regard to which an agent consults his employer are not considered the same type. Rabbi Akiva disagrees. The Rashash writes that there are three opinions with regard to these *halakhot*. According to the first *tanna*, gourds are not considered vegetables, but liver is in the category of meat. Rabbi Akiva maintains that gourds are in the category of vegetables. Rabban Shimon ben Gamliel holds that liver is not in the category of meat, and all the more so, gourds are not in the category of vegetables.

## HALAKHA

One who vows that meat is forbidden to him – הנודר מן הבשר: For one who vows that meat is forbidden to him, and therefore he will refrain from eating meat, he is prohibited from eating bird meat and the innards of an animal. If he resided in a place where an agent instructed to purchase meat would consult his employer about whether he should purchase fish, the meat of a fish is also prohibited by the vow, unless it is evident that when he vowed he meant to include only the meat of animals and birds. The *halakha* is in accordance with the opinion of Rabbi Akiva, the unattributed *baraita*, and the statement of Abaye (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 9:6; Shulhan Arukh, *Yoreh De'a* 217:8).

Innards – קרבבים: Not only in the talmudic period, but even until recent generations the internal organs of an animal were deemed insignificant relative to the main parts of the animal, i.e., the muscle and even the fat. Therefore, not only the trachea, and to a certain extent the gullet, but also the liver, spleen, heart, lungs, and other organs were eaten by the poor, who could not afford actual meat. The ethnic Jewish dishes prepared from these organs were originally eaten exclusively by the poor, or underwent special preparation for specific uses, e.g., as remedies.

רבן שמעון בן גמליאל אומר: הנוֹדֵר מן הַבָּשָׂר – אָסוּר בְּכָל מִינֵי בָשָׂר, וּמוֹתֵר בְּרֹאשׁ וּבְרִגְלִים וּבְקִנָּה וּבְכַבֵּד וּבְלֵב וּבְעוֹפוֹת, וְאִין צְרִיךְ לוֹמַר בָּשָׂר דְּגִים וְחֲגָבִים. וְכֵן הִיָּה רַבֵּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל אֹמֵר: קַרְבִּיִּים לֹא בָשָׂר, וְאוֹכְלֵיהֶן לֹא בְרֵי אִינְשׁ. אוֹכְלֵיהֶן – כְּבָשָׂר, לְעֵנֵן וְבֵינֵי – לֹא בְרֵי אִינְשׁ.

מֵאֵי שְׁנָא בָשָׂר עוֹף לְתַנָּא קַמָּא דְאַסִּיר – דְּעֵבִיד שְׁלִיחָא דְמִמְלִיךְ עֲלֵיהּ. בָּשָׂר דְּגִים נְמִי עֵבִיד שְׁלִיחָא דְאִי לֹא מְשַׁבַּח בִּישְׂרָא מִמְלִיךְ עֲלֵיהּ, דְאַמַּר: אִי לֹא מְשַׁבַּחֲנָא בִישְׂרָא – אִיִּתְּמֵי דְגִים? וְלִיתְסְרוּ!

Rabban Shimon ben Gamliel says: One who vows that meat is forbidden to him, is forbidden in all types of meat, and is permitted to eat meat of the head, and of the feet, and of the windpipe, and of the liver, and of the heart and of birds, and needless to say he may also partake of fish and grasshoppers. And Rabban Shimon ben Gamliel would likewise say: Innards<sup>8</sup> are not considered meat, and one who eats them is not a person, meaning that the innards are not fit for human consumption. The Gemara elaborates: With regard to one who eats them, in terms of the *halakhot* related to their consumption, e.g., vows, they are considered as meat. However, with regard to purchase,<sup>N</sup> one who purchases them is not a person. In any case, apparently, Rabban Shimon ben Gamliel disagrees with Rabbi Akiva, as he maintains that although if an agent fails to find meat he is required to consult his employer before replacing it with liver, it is not considered meat with regard to vows.

The Gemara asks: What is different about the meat of a bird according to the first *tanna*, that he prohibits it since it is considered meat, due to the fact that when the agent fails to find meat, he tends to consult his employer about it? The same should be true of the meat of fish too.<sup>N</sup> If the agent does not find meat, he tends to consult his employer about it, as he says: If I do not find<sup>N</sup> meat, should I bring fish? And therefore, let fish also be forbidden according to the first *tanna*.

## NOTES

With regard to one who eats them they are considered as meat; with regard to purchase, etc. – אוֹכְלֵיהֶן כְּבָשָׂר לְעֵנֵן וְבֵינֵי – וְכֵן: This is a difficult passage and is omitted in variant readings cited by many commentaries. Rashi explains that innards are considered meat with regard to vows, as they are fatter than other interior organs. Even Rabban Shimon ben Gamliel agrees that they are in the category of meat (see Rashba). With regard to purchase, however, one who buys innards at the price of meat is not considered levelheaded. Rabbi Avraham min HaHar questions Rashi's difficult explanation. He explains that the term innards refers to the previously listed internal organs, the windpipe, liver, heart, etc. All these are not in the category of meat with regard to vows, and likewise one who purchases them is not a person. A similar explanation appears in the *Berit Ya'akov*, citing the *ge'onim*. The Meiri adds that innards are not in the category of meat, in the sense that one who stipulated to give meat to another may not give him innards. Likewise they differ from meat in the sense that they do not strengthen the heart at all. The author of the *Berit Ya'akov* adds that for that reason one should not eat innards after bloodletting.

Meat of fish too – בָּשָׂר דְּגִים נְמִי: The Rambam rules in accordance with the opinion of Rabbi Akiva that any item with regard to which the agent consults his employer is considered the same type with regard to vows. However, in the case of

meat he distinguishes between the meat of birds, which is certainly in the category of meat, and the meat of fish and grasshoppers, whose status depends on whether an agent would consult his employer about them. The early commentaries question the ruling of the Rambam, as it is clear from the Gemara that only in rare cases, e.g., that it is not to be eaten after bloodletting, fish does not fall under the category of meat. Some authorities rejected the Rambam's ruling in accordance with the opinion of Rabbi Akiva (see *Shita Mekubbetzet*); others rejected his opinion with regard to fish (Rashba). According to other commentaries, the Rambam's ruling is based on an unattributed mishna in *Hullin* (104a), where it is stated that for one who vows that meat is forbidden to him, it is permitted for him to eat fish and grasshoppers. They contend that the contrary opinion in the Gemara here is merely a refutation of the previous statement, and not a normative halakhic ruling (Rabbi Avraham min HaHar). See the Meiri, whose opinion differs slightly from that of the Rambam.

As he says: If I do not find – דְאַמַּר אִי לֹא מְשַׁבַּחֲנָא: The Maharik in his responsa explains that the employer says to himself that if his agent fails to find meat he should buy fish. Therefore, the agent who senses his employer's wishes consults him in that regard.

And eats the meat of the bird – **אֵיכָל בִּישׂוּרָא דְצִפְרָא** – Rabbi Yitzhak Tzarfati states that this is referring only to the meat of small birds, which does not satiate the one who eats it. The meat of large birds certainly falls under the category of meat in this regard (see Rabbi Eliezer of Metz, cited in *Shita Mekubbetzet*). As for the expression: His heart flies like a bird, Rabbi Eliezer of Metz explains that his pulse will begin racing like the pulse of a bird.

Nor before eating salted meat – **וְלֹא עַל בֶּשֶׂר מְלִיחַ** – The Ran explains that despite this ruling, salted meat is included in the prohibition of the vow. The criterion for inclusion in the vow of the agent consulting his employer applies only to those items that are not obviously included in the original vow. However, when the vow is stated in general terms, everything subsumed under that general category is included unless he specifies otherwise.

The latter stages of the eye infection [*ukhla*] – **סוּף אוּכְלָא** – The commentary attributed to Rashi explains that fish is an effective remedy at the latter stages of an infection, but not at the outset. In tractate *Me'ila*, however, Rashi explains that the opposite is true. This is just one of myriad proofs that the Commentary on *Nedarim* attributed to Rashi was written not by Rashi but by his student. The *Arukh* explains, similar to the commentary attributed to Rashi here, that the phrase: The latter stages of the infection, refers to the stage when the infection is healed but there is residual pain in the eyes. Rabbi Yitzhak Tzarfati explains the term differently. In his opinion, *ukhla* does not mean infection. Rather, it means: The end of his meal. Fish eaten at the end of a meal have a salutary effect on the eyes.

אָמַר אַבְיִי: כְּגוֹן שֶׁהִקְיָו דָּם, דְּלֹא אָכִיל דְּגָיִם. אִי הִכִּי אָפִילוּ עוֹפוֹת נִמֵּי לֹא אָכִיל, דְּאָמַר שְׁמוּאֵל: דְּמִסּוּכְרֵי אָכִיל בִּישׂוּרָא דְצִפְרָא – פְּרַח לִבִּיהָ כְּצִפְרָא. וְתַנְיָא: אִין מְקַיֵּין לֹא עַל דְּגָיִם וְלֹא עַל עוֹפוֹת וְלֹא עַל בֶּשֶׂר מְלִיחַ. וְתַנְיָא: הִקְיָו דָּם – לֹא יֵאכַל לֹא חֵלֶב, וְלֹא גְבִינָה, וְלֹא בִיצִים, וְלֹא שְׁחָלִיִּים, וְלֹא עוֹפוֹת, וְלֹא בֶּשֶׂר מְלִיחַ! שְׂאֵי עוֹפוֹת דְּאָפְשָׁר עַל יְדֵי שְׁלִיקָה.

Abaye said: This is referring to a case where he let his blood<sup>B</sup> when he vowed, as a person in that condition does not eat fish. It was common knowledge then that eating fish after bloodletting is harmful. The Gemara asks: **If so, he would not eat birds either, as Shmuel said: With regard to one who lets blood and eats the meat of a bird,<sup>N</sup> his heart rate accelerates and flies like a bird.<sup>B</sup>** Clearly, bird meat too is deleterious for his health. **And it is taught in a *baraita*: One neither lets blood before eating fish, nor before eating birds, nor before eating salted meat.<sup>N</sup> And it is taught in another *baraita*: If one let blood, he may eat neither milk, nor cheese, nor eggs, nor cress,<sup>B</sup> nor birds, nor salted meat.** The Gemara answers: **Meat of birds is different, as it is possible to eat it safely after bloodletting by means of thoroughly boiling it.**

אָבְיִי אָמַר: כְּגוֹן דְּכִיבִין לִיהַ עֵינַיהּ, דְּדָגִים קָשִׁין לְעֵינַים. אִי הִכִּי אָכִיל דְּגָיִם, דְּהָא אָמַר שְׁמוּאֵל: גּוֹן סַמֵּךְ עֵינַיִן – נִנְא סַמָּא לְעֵינַים! הֵהוּא סוּף אוּכְלָא.

Abaye said: This is referring to a case where his eyes hurt him, as fish are harmful for eyes. Therefore, meat of birds is permitted, but not fish. The Gemara asks: **If so, and he is suffering from eye pain, he should eat fish, as Shmuel said an acronym: *Nun, samekh, ayin*, which stands for: *Nuna samma la'einayim*, which means: Fish is a medicine for eyes.** The Gemara answers: **That statement of Shmuel is referring to the latter stages of the eye infection.<sup>N</sup>**

#### BACKGROUND

**Let blood – דָּם הִקְיָו:** Throughout history, bloodletting was considered effective in maintaining one's health, and many people would let their blood on occasion. Performed in some places by means of leeches, bloodletting was also considered an effective cure for various illnesses. Because the loss of a significant amount of blood causes fatigue, after undergoing bloodletting, one would eat foods that were believed to restore the lost blood to the body. As a rule, the advice was to eat foods with nutritional value, as well as foods that were easily digested and high in sugar content, to provide an immediate burst of energy. The foods listed as deleterious after bloodletting are foods that were believed to take a while to digest slowly and are low in calories.



Bloodletting depicted on an ancient Greek urn

**Cress – שְׁחָלִיִּים:** This plant, known today as garden cress, *Lepidium sativum* L., is an annual plant with green-blue leaves that reaches a height of approximately 60 cm. It is cultivated primarily for its branches, which are prepared as a spice or added to salads. For that purpose the plant is cut to a height of approximately 10 cm above the ground. It then grows again and is cut once more.

The crushed fruit of the cress can be used for medicinal purposes. That was its typical use in the talmudic period, when the fruit was mixed with wine or vinegar.



Cress

**Heart rate accelerates and flies like a bird – פְּרַח לִבִּיהָ כְּצִפְרָא:** The flying of the heart, cited in several places in the Talmud, is the sensation felt by a person on the verge of losing consciousness, a phenomenon that is liable to follow significant blood loss, accompanied by an accelerated heartbeat and unusual feeling of lightheadedness or flying. Eating bird meat, considering that birds then were significantly smaller than modern-day chickens, was insufficient to facilitate recovery, especially if the meat was cooked in a way that was not digested quickly. Therefore, the Gemara distinguished between roasted or fried bird meat and chicken boiled extensively, which is quickly digested.