

NOTES

A primary source of impurity by Torah law – אב הטומאה – דאורייתא: See Rashi. Some commentaries maintain that certain primary sources of impurity are by rabbinic decree, such as the impurity of a *beit haperas*, a field in which there is a grave or a corpse that cannot be located, and the impurity of the land of the nations, i.e., all lands outside Eretz Yisrael (*Tosafot*).

אָלָא שְׁמַע מִיָּנָה: דְּאִוְרֵייתָא הִיא.

The Gemara concludes: **Rather, learn from the fact that Rabbi Akiva did not cite the example of oil that became impure through contact with an item with first or second-degree ritual impurity that Rabbi Akiva holds that the *halakha* that liquids transmit impurity to other items is by Torah law.**

”אָמַר רַבִּי מַעִיר מִדְּבָרֵיהֶם לְמַדְּנָו וְכוּ’.” מִדְּבָרֵיהֶם דְּמֵאן? אֵילִימָא מִדְּבָרֵי רַבִּי חֲנִינָא סְגַן הַכֹּהֲנִים – מִי דְּמִי? הֵתָם – טָמֵא וְטָמֵא. הֵכָא – טָהוֹר וְטָמֵא.

It was taught in the mishna that **Rabbi Meir said: From their statements we learned** that one may burn ritually pure *teruma* with impure *teruma* when removing leaven on Passover eve. The Gemara asks: **From whose statements** was this conclusion inferred? **If you say** that this conclusion is inferred **from the statement of Rabbi Hanina, the deputy High Priest, is Rabbi Meir’s statement comparable to that case?** **There,** Rabbi Hanina said that one may burn one **ritually impure item and another ritually impure item together**, whereas **here,** Rabbi Meir is referring to burning **pure and impure *teruma* together.**

וְאֵלָא מִדְּבָרֵי רַבִּי עֲקִיבָא – מִי דְּמִי? הֵתָם – פְּסוּל וְטָמֵא. הֵכָא – טָהוֹר וְטָמֵא.

But rather, Rabbi Meir’s conclusion is inferred **from the statement of Rabbi Akiva. Is it comparable to that case?** **There,** Rabbi Akiva said that a **disqualified item and an impure item** may be burned together, whereas **here,** Rabbi Meir is referring to burning a **pure item and an impure item together.**

יִמָּא קֶסֶבֶר רַבִּי מַעִיר: מִתְּנִיתִין בְּאֵב הַטּוֹמְאָה דְּאִוְרֵייתָא, וְוִלְדֵי הַטּוֹמְאָה דְּרַבְּנָן. דְּמִדְּאִוְרֵייתָא טָהוֹר מֵעֲלֵיא.

The Gemara suggests: **Let us say that Rabbi Meir maintains that the mishna is referring to an object that is a primary source of impurity by Torah law^N and an object that is a secondary source of impurity by rabbinic law, which by Torah law is entirely pure.** Since the *teruma* is pure by Torah law, the novelty of Rabbi Meir’s statement is that although by Torah law one of the foods is pure and the other is impure, due to the rabbinic decree of impurity, one may burn the two items together.

Perek I
Daf 15 Amud a

NOTES

From their statements – מִדְּבָרֵיהֶם: In the Jerusalem Talmud it is stated that Rabbi Meir’s inference is based on the statements of both Rabbi Hanina the deputy High Priest and Rabbi Akiva, which resolves the grammatical difficulty of the use of a plural phrase to refer to a statement by one Sage. Rabbi Meir refers to the statements of both Sages because Rabbi Akiva agrees with Rabbi Hanina’s statement and elaborates upon it.

He may place it in a vulnerable place – יִנְחֶנָּה בְּמָקוֹם הַתּוֹרֵף: Some commentaries explain that with regard to *teruma* about which uncertainty developed as to its impurity, one need not place it in an exposed place, but one is permitted to do so. However, others maintain that one should specifically place the barrel in a vulnerable place so that it will definitely contract ritual impurity, as it is improper to destroy *teruma* whose impurity is uncertain. In this case, it is preferable that the *teruma* be rendered definitely impure so that it can be destroyed (Rambam’s Commentary on the Mishna). Yet other authorities reach the same conclusion with a different rationale: They base their ruling on the principle that it is a mitzva to derive benefit from *teruma*, whether by eating pure *teruma* or by burning impure *teruma*. However, there is no permitted manner to derive benefit from *teruma* whose impurity is uncertain. Consequently, it is preferable for the *teruma* to be rendered impure so that benefit may be derived from it (Rabbeinu Hananel).

Safeguarding *teruma* – שְׁמִירַת הַתְּרוּמָה: Since *teruma* is awarded to priests as a sacred gift, it must be treated appropriately and protected so that it is neither lost nor destroyed. Everyone agrees that it is both permitted and proper for priests to derive benefit from impure *teruma*, provided there is no concern lest they unwittingly come to eat it. Rabbi Yehoshua and Rabbi Eliezer disagree only with regard to whether the priest must protect *teruma* whose impurity is uncertain, or whether he is not obligated to do so and the produce is treated as though it were definitely impure (see Rabbeinu Hananel).

וּמֵאֵי מִדְּבָרֵיהֶם – מִדְּבָרֵי רַבִּי חֲנִינָא סְגַן הַכֹּהֲנִים.

And what did Rabbi Meir mean when he said: **From their statements?**^N He meant: **From the statement of Rabbi Hanina the deputy High Priest.**

אָמַר רִישׁ לְקִישׁ מִשּׁוּם בַּר קַפָּרָא: מִתְּנִיתִין בְּאֵב הַטּוֹמְאָה דְּאִוְרֵייתָא וְוִלְדֵי הַטּוֹמְאָה דְּאִוְרֵייתָא, וּמֵאֵי מִדְּבָרֵיהֶם – מִדְּבָרֵי רַבִּי אֶלְיעֶזֶר וְרַבִּי יְהוֹשֻׁעַ.

Reish Lakish said another explanation of the mishna in the name of bar Kappara: **The case in the mishna is one involving a primary source of ritual impurity by Torah law and a secondary source of impurity by Torah law. And what did Rabbi Meir mean by the phrase: From their statements?** He was not referring to the *tanna'im* in this mishna, but rather: **From the statements of Rabbi Eliezer and Rabbi Yehoshua cited elsewhere.**

הִי רַבִּי יְהוֹשֻׁעַ? אֵילִימָא הָא רַבִּי יְהוֹשֻׁעַ, דְּתַנְּן: חֲבִית שְׁלֵ תְרוּמָה שְׁנוּלֵד לָהּ סִפְק טוֹמְאָה. רַבִּי אֶלְיעֶזֶר אָוִמַר: אִם הֵיתָה מוֹנֵחַת בְּמָקוֹם הַתּוֹרֵף – יִנְחֶנָּה בְּמָקוֹם הַמוֹצֵנֵעַ, וְאִם הֵיתָה מְגוּלָה – יִכְסֶּנָּה.

The Gemara asks: **To which statement of Rabbi Yehoshua is Rabbi Meir referring?** **If you say** he is referring to **this statement of Rabbi Yehoshua, as we learned in a mishna:** In the case of a barrel of *teruma* produce with regard to which uncertainty developed with regard to its impurity, and which therefore may not be eaten, **Rabbi Eliezer says** that one must nevertheless safeguard the *teruma* from ritual impurity. Therefore, he maintains: **If the barrel was resting in a vulnerable place, where it may come into contact with impurity, one should place it in a concealed place, and if it was exposed, he should cover it.**

רַבִּי יְהוֹשֻׁעַ אָוִמַר: אִם הֵיתָה מוֹנֵחַת בְּמָקוֹם הַמוֹצֵנֵעַ – יִנְחֶנָּה בְּמָקוֹם הַתּוֹרֵף, וְאִם הֵיתָה מְכּוּסָה – יִגְלֶנָּה.

Rabbi Yehoshua says: That is not necessary. Rather, even if it was placed in a concealed place, he may place it in a vulnerable place^N if he chooses. **And if it was covered, he may expose it,** as he need no longer safeguard this *teruma* from impurity.^N According to Rabbi Yehoshua, as *teruma* whose impurity status is uncertain, may be used only for lighting a fire, there is no requirement to prevent it from contact with ritual impurity. The same reasoning applies to pure leaven: One is not required to safeguard it from impurity in the process of its removal.

Upper and lower press – גַּת עֲלוּיָה וְתַחְתּוּנָה: In the talmudic era these types of presses were typically carved into a rock into which grapes were placed and pressed. Between the upper press, where the grapes were pressed, and the lower press, where the wine was collected, there was a small pipe carved into the rock through which the liquid flowed.



Upper and lower press

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Rabbi Yehoshua says, etc. – רַבִּי יְהוֹשֻעַ אוֹמֵר וְכוּ': Rabbi Yehoshua's opinion is not actually stated in this mishna, which concludes with Rabbi Eliezer's opinion. However, based on the *mishnayot* later in that chapter, it is clear that Rabbi Yehoshua disagrees with Rabbi Eliezer and contends that the prohibition against actively rendering *teruma* impure does not apply in this case. Consequently, his opinion is treated by the Gemara as the continuation of the mishna, despite the fact that it does not actually appear in the mishna (see the commentary of Rabbi Shimshon of Saens in tractate *Terumat*).

מִי דְמִי? הֲתָם – גֵרְמָא בְעִלְמָא.
הֲכָא – בִידֵים.

The Gemara rejects the comparison: Is this dispute with regard to the placement of doubtfully impure *teruma* comparable to the case of burning ritually pure and impure items together? **There**, Rabbi Yehoshua permits mere passive causation of impurity; however, he does not permit one to actively render *teruma* whose impurity status is uncertain, impure. **Here**, however, in the statement of Rabbi Meir, he actively renders leavened *teruma* impure with his hands.

אֵלָא – הָא רַבִּי יְהוֹשֻעַ, דְתַנֵּן:
חֲבִית שֶׁל תְרוּמָה שֶׁנִשְׁבְּרָה
בְּגַת הָעֲלוּיָה, וְתַחְתּוּנָה חוּלִין
טְמֵאִין.

Rather, Rabbi Meir did not infer his opinion from that statement; instead, he inferred it from this other statement of Rabbi Yehoshua. As we learned in a mishna: With regard to a barrel of *teruma* wine that broke in the upper area of a winepress, where grapes are pressed, and there is impure, non-sacred wine in the lower area of the press,^b where the wine flows from the upper area, the following dilemma arises: If the *teruma* wine flows into the non-sacred wine, the *teruma* will be rendered ritually impure. The result will be significant financial loss, as the legal status of all the wine in the lower press will be that of impure *teruma*, which is prohibited even for priests to drink.

מוֹדָה רַבִּי אֶלְיעָזָר וְרַבִּי יְהוֹשֻעַ
שֶׁאִם יָכוֹל לְהַצִּיל מִמֶּנָּה רְבִיעִית
בְּטַהֲרָה – יִצֵּל. וְאִם לֹא, רַבִּי
אֶלְיעָזָר אוֹמֵר: הֲרֵד וְתִטְמָא וְאַל
יִטְמָאנָה בִיד, רַבִּי יְהוֹשֻעַ אוֹמֵר:
אִף יִטְמָאנָה בִיד.

In that case, Rabbi Eliezer and Rabbi Yehoshua concede that if one is able to rescue even a quarter-log from the barrel that broke by receiving the *teruma* wine in a vessel before it becomes impure, and thereby keep the wine in a state of ritual purity, he should rescue it. And if one cannot receive the wine in a pure vessel, as only impure vessels are available, such that if he uses them to receive the wine or to seal the upper press he will render the *teruma* impure, Rabbi Eliezer says: The *teruma* wine should be allowed to descend and become impure on its own, but one should not actively render it impure with his hand. Rabbi Yehoshua says:^N One may even render it impure with his hand. Since it will become impure on its own regardless of his actions, there is no objection to rendering the *teruma* impure preemptively in order to prevent greater financial loss. Apparently, according to Rabbi Yehoshua, it is permitted to render an item impure if it will be lost in any case.

אִי הָכִי, הָאִי "מִדְבָרֵיהֶם"?
"מִדְבָרֵיו" מִיבִיעֵי לֵיה!

The Gemara raises a difficulty: If so, that Rabbi Meir is referring to the above dispute, this expression: From their statements, is imprecise, as his ruling is not based on Rabbi Eliezer's opinion at all. Instead, Rabbi Meir should have said: From his statement, as he learns his ruling solely from the opinion of Rabbi Yehoshua.

הָכִי קָאָמַר: מִמְחֻלְקֵתֵן שֶׁל רַבִּי
אֶלְיעָזָר וְרַבִּי יְהוֹשֻעַ לְמַדְנֵוּ. דִּיקָא
נַמִּי, דְקָתַנֵּן: מוֹדָה רַבִּי אֶלְיעָזָר
וְרַבִּי יְהוֹשֻעַ, שְׂמַע מִיָּנָה.

The Gemara answers that this is what Rabbi Meir is saying: We learned this ruling from the dispute between Rabbi Eliezer and Rabbi Yehoshua. Since the *halakha* is in accordance with the opinion of Rabbi Yehoshua, this is a substantive source. The Gemara comments: The language of the mishna is also precise, as the continuation of the mishna teaches: Rabbi Eliezer and Rabbi Yehoshua concede. This indicates that Rabbi Meir is referring to their opinions. The Gemara concludes: Indeed, learn from it that this is the correct interpretation of Rabbi Meir's statement.

וְכֵן אָמַר רַב נַחֲמָן אָמַר רַבָּה בְר
אֲבוּה: מִתְנִיתִין בְּאָב הַטּוֹמְאָה
דְאֹרְיִיתָא וְוֹלֵד הַטּוֹמְאָה
דְאֹרְיִיתָא. וּמֵאִי "מִדְבָרֵיהֶם" –
מִדְבָרֵי רַבִּי אֶלְיעָזָר וְרַבִּי יְהוֹשֻעַ.

And likewise, Rav Nahman said that Rabba bar Avuh said: The case in the mishna is one involving a primary source of ritual impurity by Torah law and a secondary source of impurity by Torah law. And what is the meaning of the phrase: From their statements? It means from the statements of Rabbi Eliezer and Rabbi Yehoshua in the dispute cited above.

אִיתִיבִיה רַבָּא לְרַב נַחֲמָן, אָמַר
רַבִּי יוֹסֵי: אִין הֲנִדֹן דּוּמָה לְרַבָּא,
שְׂבִשְׂהֶעִידוּ רַבּוּתֵינוּ, עַל מַה
הֶעִידוּ – אִם עַל הַבֶּשֶׂר שֶׁנִטְמָא
בְּוֹלֵד הַטּוֹמְאָה שְׁשׁוּרְפִין
אוֹתוֹ עִם הַבֶּשֶׂר שֶׁנִטְמָא בְּאָב
הַטּוֹמְאָה – וְהָ טְמֵא וְהָ טְמֵא:

Rava raised an objection to the opinion of Rav Nahman from the *Tosefta* that elaborates on the mishna. Rabbi Yosei said to Rabbi Meir: The inferred conclusion of burning pure and impure leaven together is not similar to the case from which you cited proof. When the Sages testified, about what did they testify? If your source is the testimony of Rabbi Hanina, the deputy High Priest, he testified about the meat that became ritually impure through contact with a secondary source of impurity, saying that one may burn it together with the meat that became impure through contact with a primary source of impurity. In that case, this meat is impure and that meat is similarly impure.

אם על השמן שנפסל בטבול יום שמדליקין אותו בנר שנטמא בטמא מת – זה פסול וזה טמא. אף אנו מודים בתרומה שנטמאת בוולד הטומאה, ששורפין אותה עם התרומה שנטמאת באב הטומאה.

If your source is the testimony of Rabbi Akiva, he testified about *teruma* oil that was ritually disqualified by coming into contact with one who immersed himself during that day, saying that one may kindle it in a lamp that became ritually impure with first-degree impurity through contact with one who became ritually impure with impurity imparted by a corpse. That is a case where this oil is disqualified and that lamp is impure. We also concede with regard to *teruma* that became impure through contact with a secondary source of impurity that one may burn it with *teruma* that became impure through contact with a primary source of impurity.

אבל היאך נשרף התלוייה עם הטמאה? שמה יבא אליהו ויטהרנה.

However, how will we burn *teruma* in abeyance, whose impurity status is uncertain, together with ritually impure *teruma*? Perhaps Elijah the Prophet will come and establish prophetically that the *teruma* is not ritually impure, and he will render it ritually pure. The legal status of *teruma* in abeyance is uncertain. How can one actively render it impure when it might ultimately be determined that it is pure?

Perek I

Daf 15 Amud b

HALAKHA

Burning different disqualified items – שריפת פסולים שונים: One may burn *piggul*, *notar*, and impure sacrificial meat together, in accordance with the opinion of Beit Hillel, as the *halakha* is ruled in accordance with their opinion (Rambam *Sefer Avoda*, *Hilkhot Pesulei HaMukdashin* 19:5).

NOTES

Not in mind – לאו אדעתיה: This answer, which appears in several places, is used only when there is no other option. The reason that this resolution is a last resort is that it is based on the assumption that the two Sages involved in the dispute did not properly understand each other's opinion and that later Sages understood it better. In this case the conclusion is apparently justifiable due to the marked discrepancy between the beginning of the mishna and the proof based on the statements of Rabbi Eliezer and Rabbi Yehoshua.

הפיגול והנותר והטמא, בית שמאי ואומרים: אין נשרפין באחת, ובית הלל ואומרים: נשרפין באחת.

The *Tosefta* continues: *Piggul* is an offering disqualified by the improper intention during the performance of the four sacrificial rites to sacrifice it or eat it after its appropriate time; and *notar* is the flesh of a sacrifice that is left over beyond its allotted time. The Sages decreed ritual impurity on both, and both, as well as sacrificial meat deemed ritually impure by Torah law, may not be eaten and must be burned. Beit Shammai say: They may not be burned together, as in doing so the *piggul* and *notar*, which are impure by rabbinic law, will come into contact with meat impure by Torah law, adding impurity to their impurity. And Beit Hillel say: They may be burned together.⁴¹

ואי סלקא דעתך רבי מאיר מדברי רבי יהושע קאמר – אמאי מהדר ליה רבי יוסי מדרבי חנינא סגן הכהנים? אמר ליה רב נחמן: רבי יוסי לא אדעתיה, דהוא סבר: רבי מאיר מדרבי חנינא סגן הכהנים קאמר ליה, ואמר ליה: אנא מדרבי יהושע קאמינא.

The Gemara returns to the issue under discussion: And if it enters your mind that Rabbi Meir is saying that he derives his opinion from the statement of Rabbi Yehoshua, why does Rabbi Yosei respond to him from the statement of Rabbi Hanina the deputy High Priest? Rav Nahman said to him: Rabbi Yosei did not have Rabbi Meir's reasoning in mind,^N as he did not understand Rabbi Meir's reasoning. As Rabbi Yosei maintains that Rabbi Meir is saying to him proof from the statement of Rabbi Hanina the deputy High Priest, and Rabbi Meir said to him: I am stating my proof from the statement of Rabbi Yehoshua.

ואמר ליה: ואפילו לרבי יהושע נמי אינה היא המדה, דהא מודה רבי אליעזר ורבי יהושע ששורף זו בפני עצמה וזו בפני עצמה.

And Rabbi Yosei said to Rabbi Meir in response: And even according to Rabbi Yehoshua, that is not the inference from which the *halakha* of burning pure and impure leavened *teruma* together can be learned, as Rabbi Eliezer and Rabbi Yehoshua concede that one should burn this meat by itself and that meat by itself, as stated in the mishna. From an analysis of the mishna and the *Tosefta*, it is possible to reconstruct the original dispute.

ואמאי אינה היא המדה? מדה ומדה היא!

The Gemara raises a difficulty with regard to the above statement: But why does Rabbi Yosei say: That is not the inference from which it can be learned? On the contrary, it is a perfectly legitimate inference. In both cases the dispute is the same: Is one permitted to actively render an object impure preemptively if it will ultimately be destroyed regardless?

שאני התם, דאיכא הפסד חולין.

The Gemara rejects this contention: The case there, of the broken barrel in the upper press, where according to Rabbi Yehoshua it is permitted to actively render the *teruma* impure, is different, as in that case there is the potential loss of non-sacred produce. If one does not render the *teruma* in the upper press impure by receiving it in impure vessels, it will flow down and render the impure, non-sacred wine in the lower press impure *teruma*. However, in the case of leaven, no loss will be incurred. Why, then, shouldn't each *teruma* be burned independently?

Burning *teruma* in the sixth and the seventh hours – שְׂרִיפַת תְּרוּמָה בְּשֵׁשׁ וּבְשֶׁבַע: Once the seventh hour has arrived on Passover eve one may burn pure leavened *teruma* together with impure leavened *teruma*, in accordance with the opinion of Rabbi Yohanan (*Kesef Mishne; Lehem Mishne; Rambam Sefer Zemanim, Hilkhot Hametz UMatza* 3:4).

NOTES

Piggul and *notar* render... impure – פִּיגּוּל וְנוֹתֵר מְטַמְּאִין: The Sages occasionally issued degrees imposing ritual impurity with the aim of distancing people from certain objects. Sometimes the impurity is designed to ensure that people will be careful in their treatment of sacred objects, e.g., sacred writings. In other cases it is a safeguard to prevent a person from keeping a prohibited item in his possession, as in the case of *piggul* and *notar*.

Bread that became moldy – הַפֶּת שֶׁעִיִּפְשָׁה: The ritual impurity of foods takes effect only on food that is edible for people. Consequently, moldy bread cannot become ritually impure. However, if impure bread became moldy, it remains impure until it completely loses its food status, i.e., when it is no longer fit to be eaten even by a dog.

As it is mere dust – דְּעִפְרָא בְּעֵלְמָא: The fact that bread is moldy does not automatically render it mere dust. Given that this bread can still be eaten by a dog, it retains some value. However, in this case the Gemara is speaking about *teruma*, which may not be given to a dog due to its sanctity. Since it is too moldy to be eaten by a person, this bread is indeed considered mere dust (*Yefe Einayim*).

מִתְקִיף לָהּ רַב יִרְמְיָהּ: מִתְנִיתִין נְמִי אֵיבָא הֶפְסֵד דְּעֵצִים! אָמַר לִיָּה הֵוֹא סָבָא: לְהֶפְסֵד מְרֻבָּה – חֲשִׁשׁוּ, לְהֶפְסֵד מוֹעֵט – לֹא חֲשִׁשׁוּ.

Rav Yirmeya strongly objects to this claim: In the mishna, too, there is the loss of wood, as one requires additional wood to kindle a second fire and burn the impure *teruma* separately. A certain Elder said to him: With regard to this and similar issues, the Sages were concerned about a great loss; however, they were not concerned about the minimal loss of several pieces of wood.

אָמַר רַבִּי אֲסִי אָמַר רַבִּי יוֹחָנָן: מִחְלֻקַּת – בְּשֵׁשׁ, אֲבָל בְּשֶׁבַע – דְּבָרֵי הַכֹּל שׁוֹרְפִין.

Rabbi Asi said that Rabbi Yohanan said: This dispute between Rabbi Meir and Rabbi Yosei refers to the sixth hour, when leaven is prohibited by rabbinic decree. However, in the seventh hour, when leaven is prohibited by Torah law, everyone agrees that one may burn ritually pure leavened *teruma* together with impure leavened *teruma*.^h

אָמַר לִיָּה רַבִּי יוֹרְאִי לְרַבִּי אֲסִי, נִימָא קְסָבֵר רַבִּי יוֹחָנָן: מִתְנִיתִין בָּבָב הַטּוּמְאָה דְּאוֹרֵייתָא, וְוֹלָד הַטּוּמְאָה דְּרַבְּנָן, וּמְאִי מְדַבְּרִיָּהֶם – מְדַבְּרִי רַבִּי חֲנִינָא סְגֵן הַכֹּהֲנִים.

Rabbi Zeira said to Rabbi Asi: Let us say that Rabbi Yohanan maintains that the mishna is referring to an object that is a primary source of impurity by Torah law and an object that is a secondary source of impurity by rabbinic law. And what is the meaning of Rabbi Meir's statement: From their statements? He meant from the statement of Rabbi Hanina the deputy High Priest, as explained above. The dispute refers to a rabbinic prohibition, e.g., a secondary source of impurity or the obligation to burn leaven during the sixth hour. In a case where the leaven is not yet prohibited by rabbinic law, e.g., in the fourth or fifth hour, even Rabbi Meir agrees that one may not burn ritually pure and impure *teruma* together.

אָמַר לִיָּה: אֵין. אֵיתִמֵּר נְמִי, אָמַר רַבִּי יוֹחָנָן: מִתְנִיתִין בָּבָב הַטּוּמְאָה דְּאוֹרֵייתָא וְוֹלָד הַטּוּמְאָה דְּרַבְּנָן, וּמְאִי מְדַבְּרִיָּהֶם – מְדַבְּרִי רַבִּי חֲנִינָא סְגֵן הַכֹּהֲנִים. מִמְחְלֻקַּת בְּשֵׁשׁ, אֲבָל בְּשֶׁבַע – דְּבָרֵי הַכֹּל שׁוֹרְפִין.

Rabbi Asi said to him: Yes, Rabbi Yohanan indeed interprets the mishna in this manner. It was also stated explicitly that this is the case, as Rabbi Yohanan said: The mishna is referring to an object that is a primary source of impurity by Torah law and an object that is a secondary source of impurity by rabbinic law. And what is the meaning of: From their statements? It means from the statement of Rabbi Hanina the deputy High Priest. And the dispute between Rabbi Meir and Rabbi Yosei is with regard to the sixth hour, when leaven is prohibited by rabbinic law. However, everyone agrees that in the seventh hour one may burn them together, as both pieces of leavened *teruma* are prohibited by Torah law.

לִימָא מְסִיעֵ לִיָּה: הַפִּיגּוּל וְהַנוֹתֵר וְהַטְּמֵא, בֵּית שְׁמַאי אוֹמְרִים: אֵין נִשְׂרָפִין בְּאַחַת, וּבֵית הִלֵּל אוֹמְרִים: נִשְׂרָפִין בְּאַחַת.

The Gemara suggests: Let us say that the end of the *baraita* supports Rabbi Yohanan's assertion that even Rabbi Yosei agrees that it is permitted to burn together two objects prohibited by Torah law. As the *baraita* states with regard to *piggul*, *notar*, and ritually impure sacrificial meat that Beit Shammai say: They may not be burned together, and Beit Hillel say: They may be burned together. All of these items are prohibited by Torah law, and Rabbi Yosei would agree that the *halakha* is in accordance with the opinion of Beit Hillel.

שְׂאֵנִי הָתָם, דְּאֵית לָהּ טּוּמְאָה מְדַרְבְּנָן. דְּתַנְּנָן: הַפִּיגּוּל וְהַנוֹתֵר – מְטַמְּאִין אֶת הַיָּדִים.

The Gemara rejects this contention: It is different there, as *piggul* and *notar* are ritually impure by rabbinic law, and therefore Rabbi Yosei would agree that they may be burned together in that case. That is not true in the case of leaven in the seventh hour, which is not impure even by rabbinic law, although it is prohibited by Torah law. As we learned in a mishna: *Piggul* and *notar*, leftover sacrificial flesh, render one's hands impure by rabbinic decree.ⁿ

לִימָא מְסִיעֵ לִיָּה: הַפֶּת שֶׁעִיִּפְשָׁה וְנִפְסְלָה מִלְּאֲכוֹל לְאָדָם, וְהַכֹּלֵב יָכוֹל לְאָכְלָהּ – מְטַמְּאָה טּוּמְאָת אוֹכְלִין בְּכַבְּיָצָה, וְנִשְׂרָפֶת עִם הַטְּמְאָה בְּפֶסַח.

The Gemara suggests: Let us say that the following *baraita* supports Rabbi Yohanan's opinion: With regard to bread that became moldyⁿ and is no longer fit for a person to eat, but a dog can still eat it, this bread can become impure with the ritual impurity of food if it is the size of an egg-bulk, as it is still classified as food. If it is pure leavened *teruma*, it is burned with impure *teruma* on Passover eve. Since the moldy bread is no longer edible, it is not necessary to refrain from burning it together with impure items. Apparently, this is Rabbi Yosei's opinion, as Rabbi Meir maintains that pure and impure *teruma* are burned together even if neither is moldy. Since Rabbi Yosei concedes in the case of moldy bread, the same should apply to leavened *teruma* after the seventh hour, which is prohibited by Torah law.

שְׂאֵנִי הָתָם, דְּעִפְרָא בְּעֵלְמָא הוּא.

The Gemara rejects this contention: It is different there, in the case of moldy bread, as it is for all intents and purposes mere dust,ⁿ and its legal status is no longer that of food.

Ritual impurity of liquids – טומאת משקין: Liquids do not transmit impurity to other items by Torah law but by rabbinic decree, as is evident from the discussions in the Gemara (Rambam *Sefer Tahara, Hilkhot She'ar Avot HaTumot* 7:1).

אי הכי, מאי מודה? הכי קאמר ליה רבי יוסי לרבי מאיר: אפילו לרבי יהושע דמיקל, בי מיקל – בתלויה וטמאה, אבל בטורה וטמאה – לא.

The Gemara asks: **If so**, that Rabbi Meir's proof is based on the statement of Rabbi Hanina the deputy High Priest, **why** does the mishna mention that Rabbi Eliezer **concedes** to Rabbi Yehoshua? The Gemara explains that **this is what Rabbi Yosei is saying to Rabbi Meir: Even according to Rabbi Yehoshua, who rules leniently in this case, when he rules leniently it is with regard to burning teruma in abeyance together with impure teruma; however, with regard to burning pure teruma and impure teruma together, no, he does not permit doing so.**

אי הכי, אמאי אינה היא המדה? מדה ומדה היא!

The Gemara raises a difficulty: **If so**, that Rabbi Meir's proof is based on the statement of Rabbi Hanina the deputy High Priest, **why** did Rabbi Yosei say: **That is not the inference** from which it can be learned? On the contrary, it is a perfectly **legitimate inference**. According to Rabbi Meir, pure *teruma* is prohibited during the sixth hour by rabbinic law. Just as Rabbi Hanina holds that one may actively transmit impurity to an object that is impure by rabbinic law by burning it together with an object that is impure by Torah law, so too, according to Rabbi Meir one may transmit impurity to an item prohibited by rabbinic law by burning it together with an item that is impure by Torah law.

אמר רבי ירמיה: הכא בבשר שנטמא במשקין שנטמאו מחמת שרץ, ואודא רבי מאיר לטעמיה ורבי יוסי לטעמיה:

Rabbi Yirmeya said: **Here**, the mishna is referring to **meat that became ritually impure** through contact with a secondary source of impurity by means of **liquids that became impure due to contact with a creeping animal** and thereby assumed second-degree ritual impurity. **And Rabbi Meir conforms to his standard line of reasoning, and Rabbi Yosei conforms to his standard line of reasoning.**

רבי מאיר לטעמיה, דאמר: טומאת משקין לטמא אחרים – דרבנן,

Rabbi Meir conforms to his standard line of reasoning with regard to this issue, as he said: **The ritual impurity of liquids^h with regard to transmitting impurity to other objects is by rabbinic law.** The meat that became impure through contact with a secondary source of impurity is in fact entirely pure by Torah law. Therefore, he learns from the mishna that it is permitted to burn pure and impure items together.

ורבי יוסי לטעמיה, דאמר: טומאת משקין לטמא אחרים – דאורייתא, דתנא:

And Rabbi Meir conforms to his standard line of reasoning, as he said: The ritual impurity of liquids with regard to transmitting impurity to other objects is by Torah law. Accordingly, the meat that Rabbi Hanina the deputy High Priest referred to in the mishna was impure by Torah law. Therefore, this case cannot serve as a precedent for the claim that it is permitted to burn pure and impure *teruma* together on Passover eve. **As it was taught in a baraita:**

Perek I
Daf 16 Amud a

Uncertainty whether or not a liquid has become ritually impure – ספק משקין ליטמא – In a case of an uncertainty whether a liquid itself has been rendered ritually impure, its presumptive status is impure. If the issue is whether the liquid has transmitted impurity to another object, it is pure, in accordance with the unattributed mishna in tractate *Teharot* (Rambam *Sefer Tahara, Hilkhot She'ar Avot HaTumot* 14:7).

ספק משקין ליטמא – טמא, לטמא אחרים – טהור, דרבי רבי מאיר; וכן היה רבי אלעזר אומר כדבריו. רבי יהודה אומר: לכל טמא.

If there is **uncertainty** whether or not a certain **liquid has become ritually impure**,^h it is presumed **impure**. It is an uncertainty with regard to Torah law, and the *halakha* is stringent in such cases. However, if the uncertainty is with regard to **rendering other items impure**, they are **pure**, as liquids transmit impurity by rabbinic law, and the *halakha* is lenient with regard to uncertainties of that kind. These are **the statements of Rabbi Meir, and Rabbi Elazar would say likewise in accordance with his statements. Rabbi Yehuda says:** When there is uncertainty with regard to these liquids, the item is **impure in all cases**, even in terms of transmitting impurity to other items, as he maintains that the impurity of liquids is by Torah law.

רבי יוסי ורבי שמעון אומרים: לאוכלין – טמאין, לגלים – טהורין.

Rabbi Yosei and Rabbi Shimon say: In cases of uncertainty as to whether or not these liquids transmitted impurity to **foods**, the ruling is that the foods are **impure**, in accordance with the principle that when there is uncertainty in cases of Torah law, the *halakha* is stringent. Rabbi Yosei and Rabbi Shimon maintain that liquids transmit impurity to food by Torah law. However, when there is uncertainty as to whether or not these liquids transmitted impurity to **vessels**, the *halakha* is lenient, and they are **pure**. Even Rabbi Yosei and Rabbi Shimon concede that liquids transmit impurity to vessels only by rabbinic law. This *baraita* clearly indicates that Rabbi Meir and Rabbi Yosei indeed dispute whether or not the impurity of liquids applies by Torah law.