

בְּטָלוּ בַּמַּעֲיָהּ. וְאִי סֵלְקָא דְעֵתְךָ מִכְּלִים  
הוּא דְהָדָר בֵּיהּ, אֲבָל בְּאוֹכְלִין כְּרַבִּי יוֹסִי  
וְרַבִּי שְׁמַעוֹן סְבִירָא לֵיהּ – אִמְרֵי בְּטָלוּ  
בַּמַּעֲיָהּ לְגַמְרִי?

נְהִי דְטוּמְאָה חֲמוּרָה לֹא מְטַמְּאוּ,  
טוּמְאָה קְלָה מִיְהָא נִיטְמָאוּ!

מֵאִי “בְּטָלוּ בַּמַּעֲיָהּ” נָמִי – בְּטָלוּ  
מְטוּמְאָה חֲמוּרָה. אֲבָל טוּמְאָה קְלָה  
מְטַמְּאוּ, מִכְּלִין דְּתִנְיָא קָמָא סְבִירָא טוּמְאָה  
חֲמוּרָה נָמִי מְטַמְּאוּ? הָא בְּשָׂרָה טָמְאָה  
קָתְנִי!

כּוֹלָה רַבִּי יְהוּדָה הִיא, וְחֲסוּרֵי מִיַּחְסָרָא  
וְהִכֵּי קָתְנִי: פְּרָה שְׁשִׁתְּתָה מִי חֲטָאֵת –  
בְּשָׂרָה טָמְאָה, בְּמָה דְּבָרִים אֲמוּרִים –  
טוּמְאָה קְלָה, אֲבָל טוּמְאָה חֲמוּרָה –  
לֹא. שְׂרַבִּי יְהוּדָה אָמַר: בְּטָלוּ בַּמַּעֲיָהּ.

רַב אֲשִׁי אָמַר: לְעוֹלָם בְּטָלוּ בַּמַּעֲיָהּ  
לְגַמְרִי, מִשּׁוּם דְּהָרָה לֵיהּ מִשְׁקָה סְרוּתָה.

The purification waters are nullified in its innards and do not purify the meat of the cow. And if it enters your mind that it was from his ruling with regard to liquids transmitting impurity to vessels by Torah law that Rabbi Yehuda retracted his opinion, but with regard to foods he holds in accordance with the opinions of Rabbi Yosei and Rabbi Shimon that liquids transmit ritual impurity to food by Torah law, why does he say that the purification waters are nullified in its innards entirely and no longer transfer impurity at all?

The Gemara elaborates: Although these waters do not transmit a severe form of ritual impurity to a person or vessel that comes into contact with them, in any event let them transmit a lesser form of impurity to food that comes into contact with them. Rabbi Yehuda’s ruling with regard to the purification waters indicates that he retracted his previous opinion entirely and he maintains that there is no impurity of liquids by Torah law at all. Since this impurity is by rabbinic law, the Sages did not extend their decree to the uncommon circumstance of the purification waters.

The Gemara rejects this contention: What, too, is the meaning of Rabbi Yehuda’s phrase: They are nullified in its innards? It means that they are nullified only from a severe form of impurity. However, according to Rabbi Yehuda, the purification waters transmit a lesser form of impurity. This proves by inference that the first tanna maintains that the purification waters also transmit a severe form of impurity to people and vessels. This is a problematic conclusion, as the first tanna teaches: Its flesh is impure, which clearly indicates that its flesh alone is impure, whereas the purification waters swallowed by the cow do not transmit impurity to people or vessels. The result is that according to this approach, there is no difference between the opinions of Rabbi Yehuda and the first tanna.

The Gemara answers: The entire mishna is in accordance with the opinion of Rabbi Yehuda, and the mishna is incomplete and is teaching the following: With regard to a cow that drank the purification waters, its flesh is impure. In what case is this statement said? It is said with regard to a lesser form of impurity, but with regard to a severe form of purity, no, its flesh is not impure, as Rabbi Yehuda says: The waters are nullified in its innards and their status is no longer that of purification waters. Instead, their impurity is by rabbinic law, like any other liquid.

Rav Ashi said: Actually, it is possible to explain that the waters are nullified in its innards entirely from any type of impurity, as this issue is unrelated to the question of whether the impurity of liquids is by Torah law or rabbinic law. Rather, this halakha is due to the fact that purification waters become a foul liquid when ingested, and the principle is that offensive liquid can neither be rendered impure itself nor transfer impurity to other items.

It was taught in the baraita about uncertainty as to the impurity of liquids that Rabbi Yosei and Rabbi Shimon say: With regard to foods that came into contact with impure liquid, the foods are impure. However, with regard to vessels that came into contact with impure liquid, the vessels are pure. Rabba bar bar Hana said that Reish Lakish said: Rabbi Yosei said this halakha in accordance with the opinion of Rabbi Akiva, his teacher, who interpreted the term yitma, which is an intransitive verb in the simple conjugation meaning: It shall be impure, as though it were written yetamme, a transitive verb in the intensive conjugation meaning: It shall render impure, i.e., it transmits impurity to other items.<sup>N</sup>

NOTES

Shall be impure...shall render impure – יִטְמָא יִטְמָא: Rabbi Akiva’s interpretation is not based solely on the fact that the words *yitma* and *yetamme* are spelled identically. Rather, it also takes into account the similarity of meanings between *yitma* and *yetamme*. Rabbi Akiva apparently distinguishes between the two meanings based on the varying tenses of the verb in the simple conjugation. The past-tense verb *tameh*, became impure, which is always passive, means that a given object became impure due to another object. However, the verb *yitma* in the future tense, which in this case is actually the continuous present tense, connotes a more active form, as it underscores the severity of the object’s impurity, indicating that its impurity can be transferred to other items.

**On that day – בו ביום**: In the Mishna this phrase generally refers to the day on which Rabban Gamliel was removed from the position of *Nasi* and replaced by Rabbi Elazar ben Azarya (*Berakhot* 27a). On that day the Sages abrogated several of the demanding requirements established by Rabban Gamliel for entry into the study hall. This move led to a more wide-ranging debate and the introduction of previously unheard opinions and novel halakhic interpretations. In tractate *Eduyyot* these opinions are called testimonies and introduced with the phrase: On that day it was taught.

**A loaf with second-degree ritual impurity status – כֶּבֶד שֵׁנִי**: The Gemara chooses to teach the example of a loaf because the verse deals with earthenware vessels and ovens, and the most common item baked in an oven is a loaf of bread (Rashi).

**That was not the correct interpretation – לֹא כֵן הָיָה**: This expression is sometimes used in halakhic midrash to reject the previous contention. Often the Gemara leaves the rejection unexplained. However, the expression typically indicates that the previous statement, question, or derivation is unjustified due to the fact that it cannot withstand logical scrutiny or careful analysis.

דָּתְנָן, בו ביום דַּרְשׁ רַבִּי עֲקִיבָא: וְכָל כְּלֵי חָרֶשׁ אֲשֶׁר יִפֹּל מֵהֶם וּגו' אֵינוֹ אוֹמֵר טָמֵא, אֲלָא 'יִטְמָא' – יִטְמָא אַחֲרֵיהֶם. לִימַד עַל כֶּבֶד שֵׁנִי שְׁעוֹשֶׂה שְׁלִישִׁי בְּחוּלִין.

וְהֵכָא הֵיכִי דְרִישׁ – וְכָל מִשְׁקָה אֲשֶׁר יִשְׁתָּה בְּכֵל בְּלֵי יִטְמָא – יִטְמָא, לְטָמֵא טוֹמְאָת אוֹכְלִין. אֲתָה אוֹמֵר לְטָמֵא טוֹמְאָת אוֹכְלִין, אוֹ אֵינוֹ אֲלָא לְטָמֵא טוֹמְאָת מִשְׁקִין? אֲמַרְתָּ: לֹא כֵן הָיָה.

מאי "לא כן היה"? אָמַר רַב פַּפָּא: לֹא מְצִינוּ טוֹמְאָה שְׁעוֹשֶׂה בְּיוֹצֵא בָּהּ.

רַבִּינָא אָמַר: מְגוּפִיָּה דְקָרָא נְמִי לֹא מְצִיָּת אֲמַרְתָּ 'יִטְמָא' – לְטָמֵא טוֹמְאָת מִשְׁקִין, דְּאֵי סִלְקָא דְעַתְדָּן יִטְמָא דְסִיפָא לְטָמֵא טוֹמְאָת מִשְׁקִין, יִטְמָא דְרִישָׁא נְמִי – לְטָמֵא טוֹמְאָת מִשְׁקִין, נִיעַרְבִינְהוּ וְנִיכְתְּבִינְהוּ: "מְכַל הָאֶבֶל אֲשֶׁר יֹאכַל אֲשֶׁר יִבּוֹא עָלָיו מִיֵּם וְכָל מִשְׁקָה אֲשֶׁר יִשְׁתָּה בְּכֵל בְּלֵי יִטְמָא".

תְּרִי יִטְמָא לְמָה לִּי? אֲלָא: יִטְמָא דְרִישָׁא – לְטָמֵא טוֹמְאָת מִשְׁקִין, יִטְמָא דְסִיפָא – לְטָמֵא טוֹמְאָת אוֹכְלִין.

וְאֵימָא לְטָמֵא אֶת הַבְּלִים! וְלֹא קָל וְחוֹמֵר הוּא? וּמָה כְּלֵי שְׁמִטְמָא מִשְׁקָה – אֵין מְטָמֵא כְּלֵי, מִשְׁקִין הַבְּאִין מְחַמֵּת כְּלֵי – אֵינוֹ דִּין שְׁלֵא יִטְמָאוּ אֶת הַבְּלִים!

וְאֵימָא: כִּי לֹא מְטָמָאוּ – מִשְׁקִין הַבְּאִין מְחַמֵּת כְּלֵי, אֲבָל מִשְׁקִין הַבְּאִין מְחַמֵּת שְׂרָץ – הֵכִי נְמִי דְמְטָמָאוּ! מִשְׁקִין הַבְּאִין מְחַמֵּת שְׂרָץ מִי בְּתִיבִי?

As we learned in a mishna: **On that day**,<sup>n</sup> when they appointed Rabbi Elazar ben Azarya the *Nasi*, **Rabbi Akiva taught: "And every earthenware vessel into which any of them falls, whatever is in it shall be impure [yitma], and you shall break it"** (Leviticus 11:33). The verse **does not say: It is impure [tameh]; rather, it says: It shall be impure [yitma]**, indicating that an item in an impure earthenware vessel **transmits impurity to other items. This verse teaches about a loaf with second-degree ritual impurity status**,<sup>n</sup> i.e., ritual impurity imparted through contact with a vessel impurified by a creeping animal, **that the loaf renders other items impure with third-degree ritual impurity, even non-sacred items.**

The Gemara inquires: **And here**, with regard to the ritual impurity of liquids, **how does Rabbi Yosei interpret the verses?** The Gemara cites the verse: "From all food which may be eaten, upon which water has come, shall be impure; and all drink that may be drunk in every vessel, shall be impure [yitma]" (Leviticus 11:34). Rabbi Yosei interprets the end of the verse as: **Shall render impure [yetamme]**, indicating that liquid also **transmits impurity to foods**. The Gemara discusses this derivation: **Do you say that this expression teaches that liquid transmits ritual impurity to foods, or perhaps the verse is teaching only that it transmits impurity to other liquids, but not to food? You said in response: That was not the correct interpretation.**<sup>n</sup>

The Gemara wonders about the unusual expression. **What is the meaning of the phrase: That was not the correct interpretation?** How can this difficulty be dismissed so easily? **Rav Pappa said: It means that we did not find any case of ritual impurity that renders a similar item impure.** Therefore, it must be that the verse teaches that this liquid transmits impurity to food.

Ravina said: **From an analysis of the verse itself you also cannot say that the term: Shall be impure, means that the liquid transmits ritual impurity only to liquids. As, if it enters your mind to say that the term: Shall be impure, in the latter portion of the verse means that it transmits ritual impurity only to liquids, then the term: Shall be impure, in the first portion of the verse, in reference to food, should also mean that it transmits ritual impurity only to liquids.** And if that is so, let the verse **combine the two cases and write them together as follows: From all food which may be eaten, upon which water has come, and all drink that may be drunk in every vessel, shall be impure.**

Ravina concludes his proof: **Why do I need the term: Shall be impure, twice? Rather, it must be that the term: Shall be impure, in the first portion of the verse teaches that food transmits ritual impurity to liquids, while the term: Shall be impure, in the latter portion of the verse teaches that liquid transmits ritual impurity to food.**

The Gemara asks: **And say that the term teaches that liquid transmits ritual impurity to vessels. The Gemara rejects this contention: And isn't it an a fortiori inference? Just as an impure vessel, which transmits impurity to liquid that comes into contact with it, nevertheless does not transmit impurity to another vessel, so too, liquids that come to a state of impurity due to contact with a vessel, is it not right that they should not transmit impurity to vessels?**

The Gemara suggests: **And say that when liquids do not transmit ritual impurity to a vessel, that is in the case of liquids that come to a state of impurity due to contact with an impure vessel, as the vessel itself does not transmit impurity to another vessel. However, with regard to liquids that come to a state of impurity due to contact with a creeping animal, a more severe form of impurity, indeed, they should transmit impurity even to vessels. The Gemara rejects this contention: Are liquids that come to a state of impurity due to contact with a creeping animal stated explicitly in the Torah? The impure liquids mentioned in the verse became impure by contact with a vessel that came into contact with a dead creeping animal.**

NOTES

It is sufficient [*dayyo*] for the conclusion that emerged from the *a fortiori* inference to be like the source of the inference – דיו לבא מן הדין להיות כדיון: This halakhic principle, referred to in shorthand as *dayyo*, restricts the conclusion that may be derived from an *a fortiori* inference. It prevents establishing limitless leniencies or stringencies from an *a fortiori* inference by creating parameters for its implementation. *Dayyo* is an extension of another principle: If you grasped the maximum, you did not grasp the proper interpretation; if you grasped the minimum, you grasped the proper interpretation. The principle of *dayyo* establishes that an *a fortiori* inference teaches in the following manner: Just as X is more stringent than Y with regard to point A, X is no less stringent than Y with regard to point B. It does not teach: Just as X is more stringent than Y with regard to point A, X is similarly more stringent than Y with regard to point B. If that were the case, there would be no limits to the conclusion derived from the inference.

ולאו מקל וחומר קאתי? ומה משקין  
הבאין מחמת כלי – מטמאין, משקין  
הבאין מחמת שרץ – לא כל שכן?!

The Gemara asks: **And doesn't** the impurity of liquids that came into contact with a creeping animal **come from an *a fortiori* inference: Just as liquids that come to a state of impurity due to contact with a vessel, which itself became impure due to contact with a creeping animal, transmit impurity, with regard to liquids that come to a state of impurity due to contact with a creeping animal, all the more so is it not clear that they transmit impurity to a vessel?**

דיו לבא מן הדין להיות כדיון.

The Gemara answers: Since the basic *halakha* of these liquids is derived by means of an *a fortiori* inference, no stringencies are added to it, in accordance with the principle: **It is sufficient [*dayyo*] for the conclusion that emerged from the *a fortiori* inference to be like the source of the inference.**<sup>N</sup> In other words, a *halakha* derived by means of an *a fortiori* inference is no more stringent than the source from which it is derived. In this case, liquid that became impure through contact with a creeping animal transmits impurity to the same extent that liquid that became impure through contact with a vessel does.

יטמא דרישא היכי דריש – מקל  
האכל אשר יאכל אשר יבוא עליו מים  
יטמא – יטמא – לטמא את המשקין.  
אתה אומר לטמא את המשקין, או  
אינו אלא לטמא את הכלי?

The Gemara asks: **How does Rabbi Akiva interpret the term: Shall be impure, in the first portion of the verse: "From all food which may be eaten, upon which water has come, shall be impure" (Leviticus 11:34)?** He interprets the term: **Shall be impure, as: Shall render impure. Food transmits ritual impurity to liquids. Do you say that the term teaches that food transmits impurity to liquids, or perhaps the term teaches only that food transmits impurity to a vessel?**

אמרת קל וחומר: ומה משקה שמיטמא  
אוכל – אינו מטמא כלי, אוכל שאין  
מטמא אוכל – אינו דין שלא יטמא  
כלי! הא מה אני מקיים יטמא – לטמא  
את המשקין, שהן עלולין לקבל  
טומאה.

The Gemara answers: **You can say an *a fortiori* inference that negates this possibility: Just as liquid, which transmits impurity to food, does not transmit impurity to a vessel, with regard to food, which does not transmit impurity to food, is it not right that it should not transmit impurity to a vessel?** If so, how then do I establish the meaning of the term: **Shall be impure**, which in this context indicates that food impurifies other items? This term indicates that food **transmits impurity to liquids, which are susceptible to contracting impurity.**

מאי איריא משקין משום דעלולין  
לקבל טומאה, תיפוק ליה משום  
דליבא מידי אחרניא!

The Gemara asks: **Why did Rabbi Akiva mention specifically that food impurifies liquids due to the fact that they are susceptible to contracting impurity? Let him derive this proof from the simple fact that there is no other item that food could render impure.** As food does not transmit impurity to food, the only remaining alternative is that food impurifies liquids.

הכי קאמר: וכי תימא אוכל חמור,  
דמטמא משקין ניטמיה לכלי – ההוא  
חמורא דמשקין הוא, משום דמשקין  
עלולין לקבל טומאה.

The Gemara answers that **this is what Rabbi Akiva is saying: And lest you say that the impurity of food is severe, as evidenced by the fact that it transmits ritual impurity to liquids despite the fact that liquids do not transfer impurity to other liquids, and therefore let food transmit impurity to a vessel, despite the fact that liquid does not transmit impurity to a vessel; therefore, the Gemara states that the fact that food transmits impurity to liquids is actually a stringency characteristic of liquids, not of food. The impurity of food is not more severe than that of liquids; rather, food transmits impurity to liquids due to the fact that liquids are susceptible to contracting impurity.**

ומה היא עלילתן – שמיקבלין טומאה  
שלא בהכשר.

**And in what manner is their susceptibility manifest?** It is manifest in the fact that **they become ritually impure without** being first rendered **susceptible** to impurity. Foods can become impure only after first coming into contact with one of seven liquids. Liquids do not require any preparatory stage before becoming impure.

A matter that could be derived by means of an *a fortiori* inference – מילתא דאיתא בקל וחומר – Some commentaries explain that this rule can also be applied to other hermeneutic principles of Torah exposition, such as verbal analogy, juxtaposition, and analogy. In these cases, too, the Torah sometimes writes a *halakha* explicitly even though it could have been derived by means of one of these principles (Rabbeinu Gershom). Many commentaries add that there is nonetheless a difference between a *halakha* derived by means of an *a fortiori* inference and one written explicitly in the Torah, as a greater level of stringency applies to *halakhot* that appear in the Torah. In other words, the reason the Torah unnecessarily wrote it explicitly, in the Gemara's words, was to underscore its significance (*Tosafot*; Rabbi Yehuda Mintz; see *Yad Malakhi*).

He himself does not hold accordingly – ליה לא – סבירא ליה: This oft-recurring comment means that although a certain Sage expands upon or explains an opinion, he himself disagrees with it. In actuality, many of the discussions in the Gemara are of this type, as the Gemara often analyzes and clarifies opinions that are ultimately rejected as *halakha*.

טמא – דאין עושה פיוצא בה, מהכא נפקא? מהתם נפקא: "וכי יתן מים על זרע ונפל מנבלתם עליו טמא הוא" – הוא טמא, ואין עושה טומאה פיוצא בה! חד במשקין הבאין מחמת שרץ, וחד במשקין הבאין מחמת כלי.

Is the principle: **Shall be impure** teaches that ritual impurity does not render a similar item impure, e.g., that food does not transfer ritual impurity to other food, derived from here? It is derived from there: "But if water is put upon the seed, and any of their carcass falls upon it, it is impure for you" (Leviticus 11:38), from which it is inferred: **It is impure**; however, it does not transmit impurity to a similar item. Why is an additional source necessary to teach this same principle? The Gemara explains: Both verses are necessary, as **one** refers to liquids that come to a state of impurity due to contact with a creeping animal, while **one** verse refers to liquids that come to a state of impurity due to contact with an impure vessel.

וצריכי, דאי אשמועינן במשקין הבאין מחמת כלי – משום דלא חמירי, אבל במשקין הבאין מחמת שרץ, דחמירי – אימא עושה טומאה פיוצא בה.

The Gemara adds: **And both verses are necessary**, as neither of the *halakhot* could have been derived from the other. **As, had the verse taught us only the halakha with regard to liquids that come to a state of impurity due to contact with a vessel, one might have thought that liquids do not transfer impurity to similar items only due to the fact that their impurity is not severe, as it did not result from contact with a primary source of impurity; however, with regard to liquids that come to a state of impurity due to contact with a creeping animal, which are impure with a severe form of impurity that resulted from contact with a primary source of impurity, say that they transmit impurity to a similar item.**

ולשמעינן משקין הבאין מחמת שרץ, וכל שכן משקין הבאין מחמת כלי! מילתא דאיתא בקל וחומר – טרח וכתב לה קרא.

The Gemara asks: **And let the verse teach us** that liquids do not transmit impurity with regard to liquids that come to a state of impurity due to contact with a creeping animal, and all the more so will that be the case with regard to liquids that come to a state of impurity due to contact with a vessel. The Gemara answers: This is not difficult, as at times with regard to a matter that could be derived by means of an *a fortiori* inference,<sup>N</sup> the verse nevertheless unnecessarily wrote it explicitly.

אמר ליה רבינא לרב אשי, והא אמר רבא: לא רבי יוסי סבר כרבי עקיבא.

Ravina said to Rav Ashi: **But didn't Rava say that Rabbi Yosei does not hold in accordance with the opinion of Rabbi Akiva** with regard to the third-degree ritual impurity status of non-sacred items? Contrary to the opinion of Rabbi Akiva, Rabbi Yosei maintains that an item with second-degree ritual impurity does not confer third-degree impurity status upon non-sacred items by Torah law.

ולא רבי עקיבא סבר כרבי יוסי!

And similarly, **Rabbi Akiva does not hold in accordance with the opinion of Rabbi Yosei** with regard to the fourth-degree impurity of consecrated property. The relevance of these observations to the issue at hand is that if Rabbi Yosei maintains that the impurity of liquids is by Torah law, he evidently interprets the verse as: *Yetamme*, just as Rabbi Akiva does. However, in that case, he would also hold that second-degree ritual impurity confers upon another non-sacred item third-degree impurity status, as that *halakha* is also derived from the term: *Yetamme*.

אמר ליה: רבי יוסי בשיטת רבי עקיבא רבו אמרה, וליה לא סבירא ליה.

Rav Ashi said to him: **Rabbi Yosei said this halakha** that liquids transmit impurity by Torah law in accordance with the opinion of Rabbi Akiva, his teacher; however, he himself does not hold accordingly,<sup>N</sup> as Rabbi Yosei is of the opinion that liquids do not transmit impurity to other items by Torah law.

אמר ליה רב אשי לרב כהנא: בשלמא רבי יוסי לא סבר לה כרבי עקיבא, דתנא אמר רבי יוסי: מניין לרביעי בקודש שהוא פסול?

Rav Ashi said to Rav Kahana with regard to Rava's statement: **Granted, Rabbi Yosei does not hold in accordance with the opinion of Rabbi Akiva, as it was taught in a baraita that Rabbi Yosei said: From where is it derived with regard to a consecrated item with fourth-degree ritual impurity that it is only disqualified and does not transfer impurity to other objects?**

ודין הוא, ומה מחוסר פגורים שמוותר בתרומה – פסול בקודש, שלישו שפסול בתרומה – אינו דין שיעשה רביעי בקודש.

The *baraita* continues: **And this halakha is a logical a fortiori inference: Just as one who lacks atonement, e.g., a zav or leper who immersed at the conclusion of his period of impurity but has not yet brought an offering for his atonement, who is permitted to eat teruma, disqualifies a consecrated item if he comes into contact with it, with regard to third-degree ritual impurity, which disqualifies teruma, and in that way is more severe than one who lacks atonement, is it not right that it should confer fourth-degree ritual impurity status upon a consecrated item?** The status of an item with third-degree ritual impurity should be no less severe than that of a person who lacks atonement.

וּלְמַדְנוּ שְׁלִישֵׁי בְּקוֹדֵשׁ מִן הַתּוֹרָה, וְרַבֵּיעֵי מִקַּל וְחוֹמֶר.

The Gemara notes: **And we derived third-degree impurity with regard to consecrated items from the Torah, and fourth-degree impurity of consecrated items by means of the above a fortiori inference.** In light of the *dayyo* principle, one might have thought that this *a fortiori* inference cannot serve as the basis of the *halakha* that consecrated property can assume fourth-degree impurity status. Since the source of this inference is third-degree impurity status, the conclusion that emerges can be only that consecrated objects can assume third-degree impurity status, like *teruma* itself. The Gemara explains that the *dayyo* principle does not apply in this case. If the *a fortiori* inference is rendered moot as a result of applying that principle, the principle is not applied. Because the fact that consecrated objects can assume third-degree impurity status is derived from the verse, if that which emerges from the inference is that *halakha* itself, the *a fortiori* inference is moot. Therefore, the principle does not apply and the fact that consecrated objects can assume fourth-degree impurity status is derived from the inference.

שְׁלִישֵׁי מִן הַתּוֹרָה – דְּכַתִּיב: “וְהַבָּשָׂר אֲשֶׁר יַגֵּעַ

The Gemara elaborates. The fact that consecrated objects can assume third-degree impurity status is derived from the Torah, as it is written: “**And the flesh that touches**

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NOTES

Will we stand and rely on that proof – אֵהְיֶה יָקוּם – וְנִסְמָךְ: The weakness of this proof is that it is based on the fact that no evidence to the contrary was discovered. Clearly this type of proof is not compelling, and indeed the Sages say explicitly that the fact that a certain phenomenon has not been witnessed is no proof that it does not exist. It is not insignificant that while numerous *mishnayot* discuss the *halakhot* of ritual impurity not one of them mentions a fifth degree of impurity; however, that is insufficient evidence to establish a definitive conclusion.

He left the study hall, analyzed, and found – נִפְקַד... דַּק וְאֲשָׁבַח: The Sages would sit in the study hall and debate different *halakhot*. Rav Ashi's question was raised in the context of these discussions. When a Sage sought to review material on his own or consult others who knew *mishnayot* and *baraitot* by heart, he would leave the study hall to analyze and ponder the issue alone without disturbing the proceedings inside.

HALAKHA

Joining consecrated objects – יְצִירוֹ לְקֹדֶשׁ – If an impure object touches a fruit that is inside a vessel, all of the fruits that the vessel contains become ritually impure. This *halakha* applies specifically to consecrated objects, but not to *teruma* (Rambam *Sefer Tahara, Hilkhot She'ar Avot HaTumot* 12:7).

בְּכֹל טָמֵא לֹא יֵאָכַל מִי לֹא עֶסְקִינוּ דְּנִגְעַע בְּשֵׁנֵי? רַבֵּיעֵי מִקַּל וְחוֹמֶר – בְּדֹאֲמַרֵּינוּ.

any impure thing shall not be eaten” (Leviticus 7:19). **Are we not dealing even with a case where meat touched an object that was ritually impure with second-degree ritual impurity? And nevertheless, the verse states explicitly that it is impure and assumes third-degree ritual impurity status.** No other source is needed to teach that consecrated objects can assume third-degree ritual impurity status. Therefore, **fourth-degree impurity status can be derived by means of the a fortiori inference, as we stated above.**

וְאִי סֵלְקָא דְעֵתֵךְ סָבַר כְּרַבֵּי עֲקִיבָא, נִיתְנֵי נַמֵּי רַבֵּיעֵי בְּתַרוּמָה וְחֻמֵּישֵׁי בְּקוֹדֶשׁ!

The Gemara returns to its previous point: **And if it enters your mind that Rabbi Yosei holds in accordance with the opinion of Rabbi Akiva that non-sacred objects can assume third-degree impurity status, let him also teach the halakha of the fourth degree of impurity with regard to teruma, and the fifth degree with regard to consecrated items, on the basis of that same a fortiori inference.** The fact that he does not extend the *a fortiori* inference to include these *halakhot* proves that Rabbi Yosei does not agree with Rabbi Akiva's opinion on this issue.

אֲלֵא רַבֵּי עֲקִיבָא לֹא סָבַר כְּרַבֵּי יוֹסֵי מִנְלֵן?

However, with regard to the fact that **Rabbi Akiva does not hold in accordance with the opinion of Rabbi Yosei, from where do we derive this?** Perhaps he accepts Rabbi Yosei's *a fortiori* inference and holds that *teruma* assumes fourth-degree impurity status and consecrated items assume fifth-degree impurity status.

אָמַר לֵיה: דְּלֹא לִישְׁתַּמֵּיט תְּנָא וְלִיתְנֵי רַבֵּיעֵי בְּתַרוּמָה וְחֻמֵּישֵׁי בְּקוֹדֶשׁ, וְנִמְמָא רַבֵּי עֲקִיבָא הֵיא. וְאַנֵּן אֵהְיֶה יָקוּם וְנִסְמָךְ?

Rav Kahana said to Rav Ashi that there is indirect proof that this is the case. **As it is not possible to avoid finding at least one tanna who teaches fourth-degree impurity with regard to teruma and fifth-degree impurity with regard to consecrated items, and says that this is the opinion of Rabbi Akiva, who derived it from the a fortiori inference of Rabbi Yosei.** In response to this claim, the Gemara asks: **And will we stand and rely on that proof?**<sup>N</sup> Can proof for Rabbi Akiva's opinion be cited from the fact that no such *tanna* was found? Perhaps there is some source for that *halakha*.

נִפְקַד רַב אֲשִׁי, וְאִי תִימָא רַב כְּהָנָא, דַּק וְאֲשָׁבַח, הָא דְתַנְנֵי: הַכְּלִי מְצַרֵּף אֶת מַה שְׁבָתוּכוּ לְקוֹדֶשׁ, אֲבָל לֹא לְתַרוּמָה, וְהַרְבִּיעֵי בְּקוֹדֶשׁ פְּסוּל וְהַשְּׁלִישֵׁי בְּתַרוּמָה.

Rav Ashi, and some say it was Rav Kahana, left the study hall to examine this matter. **He analyzed the issue and found<sup>N</sup> proof positive that Rabbi Akiva does not hold that there is fifth-degree impurity with regard to consecrated items. He proved this from that which we learned in a mishna: A vessel joins that which is in it into a single unit. For example, if there are fruits in a vessel between which there is no contact and one of them became ritually impure, all of the fruits are impure, as they are joined by the vessel. This principle applies with regard to consecrated property, but not with regard to teruma.<sup>H</sup> And the fourth degree of impurity disqualifies consecrated items but does not transmit impurity, while third-degree impurity disqualifies teruma.**