

NOTES

If one pasted bread inside a pot and lit a torch opposite it – הדביק מבפנים ואבוקה כנגדו – Some commentaries explain that this question is referring to a pot (see Tosafot). The statement that this is performed by most poor people does not mean that paupers bake bread in a pot in this fashion, but rather that they heat ovens in this manner, and therefore the same halakha should apply if one heats a pot in this way (Tosefot Rid).

HALAKHA

חלה – חלה from dough of second-tithe produce – מעיסת מעשר דough of the second tithe in Jerusalem (Rambam Sefer Zera'im, Hilkhoh Bikkurim 6:4).

לא, דבולי עלמא – מעשה אילפס פטורין, והכא – בגון שחור ואפאו בתנור קא מפלגי. דתנא קמא סבר: כיון שחור ואפאו בתנור – לחם קרינן ביה, ורבי יהודה סבר: אין לחם אלא האפוי בתנור מעיקרא, וכיון דמעיקרא לאו בתנור אפיה – לאו לחם הוא.

The Gemara rejects this suggestion: No, it is possible to say that everyone agrees that the owner of bread prepared as pot-boiled stew is exempt from halla, and here they disagree with regard to a case where one subsequently baked it in the oven. The first tanna maintains that since one subsequently baked it in the oven, it is called bread, and one must separate halla from it. And Rabbi Yehuda maintains that bread is nothing other than that which is initially baked in an oven, and since this food was not initially baked in an oven, it is not classified as bread.

אמר רבא: מאי טעמא דרבי יהודה – דכתבי: "ואפוי עשר נשים לחמכם בתנור אחד" לחם האפוי בתנור אחד – קרוי לחם, ושאינן אפוי בתנור אחד – אין קרוי לחם.

Rava said: What is the reason of Rabbi Yehuda? As it is written: "And ten women shall bake your bread in one oven" (Leviticus 26:26). Rava learns from this verse that bread baked in one oven is called bread, and that which is not baked in one oven, but rather in several different vessels, is not called bread.

יתבי רבה ורב יוסף אחוריה דרבי זירא, ויתבי רבי זירא קמיה דעולא. אמר ליה רבה לרבי זירא: בעי מיניה מעולא: הדביק מבפנים והרתיעת מבחוץ מהו? אמר ליה: מאי אימא ליה? דאי אמינא ליה, אמר לי: הי ניהו מעשה אילפס?

Rabba and Rav Yosef sat behind Rabbi Zeira and Rabbi Zeira sat before Ulla to hear him teach Torah. Rabba said to Rabbi Zeira: Raise the following dilemma of Ulla: If one pasted bread inside a pot and heated it from the outside, what is the halakha? Is one obligated to separate halla from this bread? He said to him: Why should I say this question to Ulla? For if I say this to him, he will say to me: What is the halakha with regard to bread prepared as pot-boiled stew? In other words, he will reply that my question is effectively the same as that well-known case.

אמר ליה רב יוסף לרבי זירא: בעי מיניה מעולא. הדביק מבפנים ואבוקה כנגדו מהו. אמר ליה: מאי אימא ליה? דאי אמינא ליה, אמר לי: רוב עניים עושין כן.

Rav Yosef further said to Rabbi Zeira: Raise the following dilemma of Ulla: If one pasted bread inside a pot and lit a torch opposite it,ⁿ what is the halakha? He again said to him: Why should I say this question to Ulla? As if I say this to him, he will say to me: The majority of poor people do this when they use a pot for cooking, and therefore this too should be considered the same as bread prepared like pot-boiled stew.

אמר רב אסי: עיסה של מעשר שני, לדברי רבי מאיר – רבי מאיר – פטורה מן החלה, לדברי חכמים – חייבת בחלה.

Rav Asi said: With regard to dough of second-tithe produce, in accordance with the statement of Rabbi Meir, one is exempt from separating halla from it. The reason is that Rabbi Meir considers second tithe to be consecrated property, which means that although its owner is entitled to use this produce, it does not in fact belong to him. By contrast, in accordance with the statement of the Rabbis, who maintain that second-tithe produce is the property of its owner, one is obligated to separate halla from it.^h

Perek II Daf 38 Amud a

HALAKHA

מצות של מעשר – מצות של מעשר – שני: One can fulfill his obligation to eat matza on the first night of Passover with second-tithe produce if he is in Jerusalem, in accordance with the opinion of the Rabbis (Rambam Sefer Zemanim, Hilkhoh Hametz UMatza 6:8).

אתרוג של מעשר – אתרוג של מעשר – שני: One should avoid using a second-tithe citron to fulfill his obligation to take the four species ab initio, as he may render it susceptible to ritual impurity. However, one who did so has fulfilled his obligation after the fact, in accordance with the opinion of the Rabbis (Rambam Sefer Zemanim, Hilkhoh Shofar VeSukka VeLulav 8:2).

מצות של מעשר שני, לדברי רבי מאיר – אין אדם יוצא בה ידי חובתו בפסח, לדברי חכמים – יוצא בה ידי חובתו בפסח.

With regard to matzot of second-tithe produce:^h In accordance with the statement of Rabbi Meir, a person cannot fulfill his obligation to eat matza on the first night of Passover with this matza. Rabbi Meir considers it consecrated property, and one must eat matza that belongs to him, not consecrated property. In accordance with the statement of the Rabbis, one can fulfill his obligation with this type of matza on the first night of Passover.

אתרוג של מעשר שני, לדברי רבי מאיר – אין יוצא בו ידי חובתו ביום טוב, לדברי חכמים – אדם יוצא בו ידי חובתו ביום טוב.

The same dispute applies to a citron of second-tithe produce:^h In accordance with the statement of Rabbi Meir,ⁿ one cannot fulfill his obligation to take the four species on the first day of the festival of Sukkot with this citron. In accordance with the statement of the Rabbis, a person can use this citron to fulfill his obligation on the first day of the festival of Sukkot.

NOTES

Second-tithe produce, in accordance with the statement of Rabbi Meir – מעשר שני לדברי רבי מאיר – Both the Rabbis and Rabbi Meir agree that one is required to bring second-tithe produce to Jerusalem, or if this is difficult, he should redeem it for money and take this money to Jerusalem. After reaching Jerusalem, the owner must eat the second-tithe produce

or food purchased with the second-tithe money. Nevertheless, the Rabbis and Rabbi Meir disagree as to whether this second-tithe produce is considered the property of its owner. According to the Rabbis, despite the fact that the Torah imposed certain limitations with regard to the place where it may be eaten, second-tithe produce is in the legal possession

of its owner. Conversely, Rabbi Meir maintains that the status of second-tithe produce is that of consecrated property, and the Torah permits the owner to consume this offering only in Jerusalem. This dispute is the basis for the different opinions with regard to using second tithe for purposes other than ordinary consumption.

מתקוף לה רב פפא: בשלמא עיסה – דכתוב: “עריסתכם” – משלכם.

Rav Pappa strongly objects to this statement: **Granted**, one must separate *halla* from this dough, as it is written: “Of the first of your dough you shall give to the Lord a portion [*halla*] for a gift throughout your generations” (Numbers 15:21). This verse can be read in a very precise manner, so that the expression “**your dough**” indicates that *halla* is separated only from dough that belongs to you.

אתרוג נמי – דכתוב: “ולקחתם לכם”, “לכם” – משלכם יהא. אלא מצה, ממי בתיב “מצתכם”?

With regard to a citron too, a similar conclusion can be drawn, as it is written: “**And you shall take for yourselves** on the first day a fruit of goodly trees, branches of palm trees, and boughs of thick trees and willows of the brook” (Leviticus 23:40). Here too, the expression “**for yourselves**” indicates that what you take **must belong to you**. However, with regard to *matza*, is it written that you must use **your own matza**? Since there is no such requirement, it stands to reason that even consecrated *matza* is valid for this mitzva.

אמר רבא ואיתימא רב יימר בר שלמיא: אתיא לחם לחם, בתיב הכא: “לחם עמי”, וכתוב התם: “והיה באכלכם מלחם הארץ”. מה להלן משלכם – אף כאן משלכם.

Rava said, and some say Rav Yeimar bar Shelamya said: This principle can be derived by means of a verbal analogy between “bread” and “bread.” It is written here, with regard to *matza*: “**Poor man’s bread**” (Deuteronomy 16:3), and it is written there, with regard to *halla*: “**And it shall be that when you eat of the bread of the land**, you shall set apart a portion for a gift to the Lord” (Numbers 15:19). **Just as there**, in the case of *halla*, it must be separated only from food that belongs to you, so too here, with regard to *matza*, it must be prepared only from produce that belongs to you.

לימא מסיע ליה: עיסה של מעשר שני פטורה מן החלה, דברי רבי מאיר. ותקמים אומרים: חייבת. לימא מסיע? היינו הך!

The Gemara suggests: Let us say that the following *baraita* supports Rav Asi: With regard to dough of second-tithe produce, one is exempt from separating *halla* from it; this is the statement of Rabbi Meir. And the Rabbis say: One is obligated in this mitzva. Since this is a conclusive proof, the Gemara expresses surprise at the formulation: Let us say that it supports him. This statement is identical to that one; i.e., the ruling of the *baraita* is identical to Rav Asi’s opinion.

הכי קאמר (ליה): לימא מדפליגי בעיסה, בהנך נמי פליגי או דילמא: שאני התם, דכתוב “עריסתכם” עריסתכם תרי זימני.

The Gemara explains: This is what the statement: Let us say, is saying: Let us say from the fact that they disagree with regard to dough, so too, they disagree with regard to these other issues. Or perhaps it is different there, with regard to *halla*, as it is written: “Your dough,” “your dough,” twice. This repetition might indicate that the mitzva of *halla* applies only to one who maintains full ownership of the dough. Although Rabbi Meir contends that one need not separate *halla* from second-tithe produce, he does not necessarily issue a similar ruling with regard to *matza* or a citron, as there is no explicit proof to this effect.

בעי רבי שמעון בן לקיש: מהו שיצא אדם ידי חובתו בחלה של מעשר שני בירושלים? אליבא דרבי יוסי הגלילי – לא תיבעי לך, השתא בחולין לא נפיק, בחלתו מיבעיא? בתיבעי לך – אליבא דרבי עקיבא.

Rabbi Shimon ben Lakish raised a dilemma: What is the *halakha* with regard to the possibility that a person can fulfill his obligation to eat *matza* with *halla* separated from second-tithe dough in Jerusalem? The Gemara clarifies this dilemma: In accordance with the opinion of Rabbi Yosei HaGelili, do not raise this dilemma. Rabbi Yosei HaGelili maintains that one can fulfill his obligation to eat *matza* only with food that may be eaten in a state of acute mourning. The Gemara explains why the dilemma does not arise according to the opinion of Rabbi Yosei HaGelili: Now that it has been mentioned that one cannot fulfill his obligation with the non-sacred portion of second-tithe produce, i.e., with that which was not sanctified as *halla*, is it necessary to mention that one cannot fulfill his obligation with its *halla*? When you raise the dilemma, it is in accordance with the opinion of Rabbi Akiva.

בחולין הוא דנפיק – דאי מיטמו יש להן היתר במושבות, אבל חלה דאי מיטמיא לית לה היתר במושבות, ולשריפה אולא – לא נפיק.

The Gemara explains: Unlike Rabbi Yosei, Rabbi Akiva does not interpret the phrase “poor man’s bread [*lehem oni*]” as though it were written with an *alef*, which indicates that it is referring to the bread of acute mourning [*aninut*], i.e., the period of mourning on the day of the death of a close relative. Consequently, the following dilemma arises: It can be suggested that it is with the non-sacred portion of the second-tithe produce that one can fulfill his obligation, for if the produce becomes ritually impure it can be permitted to be eaten in any habitation in Israel after it has been redeemed. Rabbi Akiva agrees that any food that can be eaten in an unrestricted manner in certain circumstances can also be used for the obligation to eat *matza*. However, with regard to *halla*, which, if becomes ritually impure, cannot be permitted to be eaten in any habitation, but goes, i.e., it is slated for burning, this *halla* cannot be used to fulfill one’s obligation.

Since – הואיל: This term, since, is used as an abbreviated heading for a halakhic rationale. Certain Sages apply this type of reasoning broadly, whereas others limit or reject its application. The idea is that since a given prohibition does not apply absolutely, as there are potential situations in which it does not take effect, the prohibition can be considered limited even when the prohibition would otherwise pertain. The question of two such claims, i.e., two since arguments, mentioned subsequently in the Gemara, addresses the extent of this reasoning, as it can be claimed the rationale of since is limited to a single hypothetical scenario.

או דילמא אמרינן: הואיל ואילו לא קרא עליה שם ואיטמי – אית לה היתר במושבות ונפיק בה, השתא נמי נפיק.

איכא דאמרי: הא ודאי לא תיבעי לך, דודאי אמרינן "הואיל" בי תיבעי לך: חלה הלכות בכסף מעשר שני.

ואליבא דרבנן לא תיבעי לך, בין דאמרי יפדה – היינו מעשר. בי תיבעי לך – אליבא דרבי יהודה, דאמר יקבר.

דתנן: הלכות בכסף מעשר שני שנטמא – יפדה, רבי יהודה אומר: יקבר.

מי אמרינן: הואיל ואי לא לקוח הוי, והואיל ולא קרא עליה שם ואיטמי – יש לו היתר במושבות ונפיק ביה – השתא נמי נפיק ביה.

או דילמא: חד הואיל – אמרינן, תרי הואיל – לא אמרינן? אמר רבא: מסתברא, שם מעשר חד הוא.

"חלת תודה ורקיקי נזיר וכו'". מנא הני מילי? אמר רבה: דאמר קרא

Or perhaps we say: Since,^N if one had not designated the produce as *halla* and it had become ritually impure, it could be redeemed and be permitted to be eaten in any habitation, and one could fulfill the obligation of *matza* with it, now too, one can fulfill his obligation with it, despite the fact that it has been designated as *halla*. Since the sanctity is not inherent in the dough itself, it does not undermine its status as fit for *matza*.

Some say a different version of this analysis: With regard to this case, certainly do not raise the dilemma, as here we certainly apply the principle of: Since, as stated above. In other words, there is no doubt that *halla* taken from second-tithe produce can be used for *matza*, as its sanctity is not inherent. Rather, when you raise the dilemma, it is with regard to *halla* that was purchased with second-tithe money, as this type of food can be ritually purified if it becomes ritually impure.

And furthermore, in accordance with the opinion of the Rabbis, do not raise this dilemma, since they say that it can be redeemed for a second time; this case is identical to the case of second-tithe produce itself. In this regard, the Rabbis do not distinguish between the money with which the second tithe was redeemed and the second-tithe produce itself. Rather, when you raise the dilemma, it is in accordance with the opinion of Rabbi Yehuda, who said that an object that was purchased with second-tithe money and that became ritually impure must be buried.

As we learned in a mishna with regard to food that was purchased with second-tithe money that became ritually impure,^H this ritually impure food should be redeemed for money, with which one must purchase other food. Rabbi Yehuda says: It should be buried. Since this food was merely purchased with second-tithe money, it does not have the same degree of sanctity as the tithe itself. Therefore, its status as a second-tithe object cannot be transferred to yet a third object. Consequently, if it becomes impure, it cannot be redeemed for money but must be buried as an item for which there is no use.

The Gemara clarifies the aforementioned dilemma: Do we say the following: Since, if it were not purchased with second-tithe money, and furthermore, since, if one had not designated it as *halla* and it became ritually impure, this produce would be permitted to be eaten in any habitation, one can therefore fulfill his obligation with it even after its status has changed by being purchased with second-tithe money and designated as *halla*?

Or perhaps we say one of these logical arguments starting with: Since, but we do not say two arguments of: Since. If so, one cannot fulfill his obligation with *matza* of *halla* separated from second tithe. Rava said: It stands to reason that the category of tithe is a single designation. In other words, provided that the food is included in the general framework of second tithe, it can be used for *matza*, and this applies even to the *halla* separated from second tithe.

We learned in the mishna that if one prepared the loaves of a thanks-offering or a nazirite's wafers for himself, he cannot use them to fulfill his obligation to eat *matza* on Passover.^H The Gemara asks: From where are these matters derived? Rabba said: As the verse states:

HALAKHA

Food that was purchased with second-tithe money that became ritually impure – שנטמא בכסף מעשר שני: Fruit that was purchased with second-tithe money and that became ritually impure should be redeemed for money. With this money, one should purchase food that must be eaten in Jerusalem, in accordance with the opinion of the Rabbis (Rambam *Sefer Zera'im*, *Hilkhot Ma'aser Sheni* 7:1–2).

Matza prepared from the loaves of a thanks-offering or a nazirite's wafers: If one prepared loaves for a thanks-offering or a nazirite's wafers to bring with his own offering, he cannot use them to fulfill his obligation to eat *matza*. However, if one baked these loaves to sell in the market, he may use them to fulfill the obligation to eat *matza* (Rambam *Sefer Zemanim*, *Hilkhot Hametz UMatza* 6:9).

”וּשְׂמַרְתֶּם אֶת הַמַּצּוֹת” – מַצָּה
הַמְשַׁתְּמֶרֶת לְשֵׁם מַצָּה, יִצְתָהּ זֶה
שֶׁאֵין מְשַׁתְּמֶרֶת לְשֵׁם מַצָּה אֲלָא
לְשׁוֹם זָבַח.

רַב יוֹסֵף אָמַר, אָמַר קְרָא: ”שִׁבְעַת
יָמִים מַצּוֹת תֹּאכְלוּ” – מַצָּה הַנֶּאֱכָלֶת
לְשִׁבְעַת יָמִים, יִצְתָהּ זֶה שֶׁאֵינָה
נֶאֱכָלֶת לְשִׁבְעַת יָמִים אֲלָא לְיוֹם
וְלַיְלָה.

תֵּנִיָּא כּוּוּתִיָּה דְרַבָּה, וְתֵנִיָּא כּוּוּתִיָּה
דְרַב יוֹסֵף. תֵּנִיָּא כּוּוּתִיָּה דְרַבָּה: יְכוּל
יֵצֵא יְדֵי חוּבְתוֹ בְּחִלּוֹת תּוֹדָה וְרִקְיָקִי
נְיִיר – תְּלַמּוּד לּוֹמַר: ”וּשְׂמַרְתֶּם אֶת
הַמַּצּוֹת” – מַצָּה הַמְשַׁתְּמֶרֶת לְשֵׁם
מַצָּה, יִצְתָהּ זֶה שֶׁאֵינָה מְשַׁתְּמֶרֶת
לְשֵׁם מַצָּה אֲלָא לְשׁוֹם זָבַח.

תֵּנִיָּא כּוּוּתִיָּה דְרַב יוֹסֵף: יְכוּל יֵצֵא
אָדָם יְדֵי חוּבְתוֹ בְּחִלּוֹת תּוֹדָה
וְרִקְיָקִי נְיִיר, תְּלַמּוּד לּוֹמַר: ”שִׁבְעַת
יָמִים מַצּוֹת תֹּאכְלוּ” – מַצָּה הַנֶּאֱכָלֶת
לְשִׁבְעַת יָמִים, יִצְתָהּ זֶה שֶׁאֵינָה נֶאֱכָלֶת
לְשִׁבְעַת יָמִים אֲלָא לְיוֹם וְלַיְלָה.

וְתִיפּוֹק לִיָּה מִ”לֶחֶם עֲנִי” – מִי
שֶׁנֶּאֱכַל בְּאֲנִינּוֹת, יֵצֵא זֶה שֶׁאֵינּוּ
נֶאֱכָל בְּאֲנִינּוֹת אֲלָא בְּשִׂמְחָה!

סָבַר לָהּ רַבִּי עֲקִיבָא, דְאָמַר עֲנִי
כְּתִיב.

וְתִיפּוֹק לִיָּה דְהִוָּה לִיָּה מַצָּה עֲשִׂיָּדָה!

אָמַר שְׁמוּאֵל בַּר רַב יִצְחָק: רַבִּי עֲנִי
הִיא, וּמִתְחַלֶּקֶת הִיא לְכַמֵּה חִלּוֹת.

”And you shall guard the *matzot*” (Exodus 12:17). This verse teaches that one may use only *matza* that has been guarded from becoming leavened for the purpose of *matza*, i.e., with the intention of fulfilling one’s obligation of *matza* with it. This explanation excludes this *matza*, which was prepared for a nazirite or a thanks-offering and which was not guarded for the purpose of *matza* but for the purpose of a sacrifice.

Rav Yosef said a different reason: One may not use *matza* prepared for a nazirite or a thanks-offering because the verse states: “Seven days you shall eat *matzot*” (Exodus 12:15), which indicates that one can fulfill his obligation only with *matza* that can be eaten for all seven days. This requirement excludes this *matza*, which is of nazirite’s wafers or the loaves of a thanks-offering and which cannot be eaten for seven days,ⁿ but only for one day and one night.

The Gemara comments: It was taught in a *baraita* in accordance with the opinion of Rabba, and it was taught in a *baraita* in accordance with the opinion of Rav Yosef. The Gemara elaborates: It was taught in a *baraita* in accordance with the opinion of Rabba: I might have thought that one can fulfill his obligation to eat *matza* with the loaves of a thanks-offering or a nazirite’s wafers; therefore, the verse states: “And you shall guard the *matzot*,” indicating that one must use *matza* that has been guarded from becoming leavened for the purpose of *matza* on Passover. This requirement excludes this *matza*, which was not guarded for the purpose of *matza* but for the purpose of a sacrifice.

It was taught in a *baraita* in accordance with the opinion of Rav Yosef: I might have thought that a person can fulfill his obligation to eat *matza* with the loaves of a thanks-offering or a nazirite’s wafers; therefore, the verse states: “Seven days you shall eat *matzot*,” from which it is inferred that one must fulfill this obligation with *matza* that can be eaten for all seven days. This requirement excludes this *matza*, as it cannot be eaten for seven days but only for a day and a night.

The Gemara asks a question of both opinions: And let him derive this *halakha*, that one cannot fulfill his obligation to eat *matza* with the loaves of a thanks-offering or a nazirite’s wafers, from the phrase “bread of affliction [*lehem oni*]” (Deuteronomy 16:3). According to Rabbi Yosei HaGelili, this phrase means: One can fulfill his obligation to eat *matza* only with food that may be eaten in a state of acute mourning. This requirement excludes this *matza*, i.e., the loaves of the thanks-offering and the nazirite wafers, which is not eaten in a state of acute mourning but in a state of joy, as an acute mourner is prohibited from eating sacrificial foods.

The Gemara answers: Rabba and Rav Yosef both maintain in accordance with the opinion of Rabbi Akiva, who said that since *oni*, meaning poverty, is written, the *matza* must be bread of poverty. According to Rabbi Akiva, this phrase does not teach the *halakha* pertaining to consumption by acute mourners.

The Gemara asks another question: And let him derive this *halakha*, that one cannot fulfill his obligation to eat *matza* with the loaves of a thanks-offering or a nazirite’s wafers, from the fact that it is *matza ashira*, enhanced *matza*, as both the loaves of the thanks-offering and the nazirite’s wafers contain oil. *Matza* that contains ingredients besides flour and water is classified as *matza ashira* and cannot be used for the mitzva of eating *matza* on the first night of Passover.

Shmuel bar Rav Yitzhak said: This is an incorrect definition, as the total amount of oil in these loaves or wafers is only a quarter-log, and as this small amount of oil is divided between several loaves, it is nullified in the mixture. Consequently, the loaves of the thanks-offering and the nazirite’s wafers are not *matza ashira*.

NOTES

מַצָּה שֶׁאֵינָה – מַצָּה שֶׁאֵינָה
נֶאֱכָלֶת לְשִׁבְעַת יָמִים: Some commentaries explain that this *matza* of a thanks-offering accompanied an offering that was actually sacrificed. Once this animal was slaughtered, the *matza* could be eaten only for the remainder of that day and the following night. However, others contend that if the mishna were speaking about this type of *matza*, it would have drawn a distinction between *matza* for which an offering had been slaughtered, which cannot be used on Passover, and *matza* that had not been designated for an offering that was slaughtered, which may be used on the Festival. For this reason, it is more logical to explain the Gemara in accordance with Rashi’s explanation, that the offering was not yet slaughtered (*Tosefot Rabbeinu Peretz*).

וְתִפּוֹק לֵיה דַּאֲיִנְן נְאֻכְלוֹת בְּכָל מוֹשְׁבוֹת!

The Gemara again asks: **And let him derive this halakha**, that one cannot fulfill his obligation to eat *matza* with the loaves of a thanks-offering or a nazirite's wafers from that fact that these types of bread cannot be eaten in every habitation. It was previously stated that the obligation to eat *matza* can be fulfilled only with food that can be eaten anywhere in Israel, whereas offerings may be eaten only in Jerusalem.

אָמַר רִישׁ לְקִישׁ: זֹאת אוֹמֶרֶת חֲלוֹת תּוֹדָה וְרִקִּיקֵי נוּיָר נְאֻכְלוּן בְּנוֹב וְגִבוֹן.

Reish Lakish said: **That is to say, the loaves of the thanks-offering and the nazirite's wafers may be eaten in Nov and Givon.**^N In other words, the omission of this reason indicates that offerings could have been sacrificed on the communal altars during the period when improvised altars were permitted, before the Temple was built. These offerings are not among those that can be sacrificed only: "In the place that the Lord shall choose" (Deuteronomy 12:5). This means that during that period the loaves of the thanks-offering and the nazirite's wafers could indeed have been eaten anywhere, as improvised altars were built in any place. Consequently, even after the Temple was built, the loaves of the thanks-offering and the nazirite's wafers are still considered fit to be eaten anywhere in Israel.

תִּנָּא: אָמַר רַבִּי אֵילְעָאִי, שְׂאֵלְתִי אֶת רַבִּי אֵלְיָעוֹר: מַהוּ שְׂיַצָּא אָדָם בְּחֲלוֹת תּוֹדָה וְרִקִּיקֵי נוּיָר? אָמַר לִי: לֹא שָׁמַעְתִּי. בְּאֵתִי וְשְׂאֵלְתִי לְפָנֵי רַבִּי יְהוֹשֻׁעַ, אָמַר לִי: הֵרִי אָמְרוּ חֲלוֹת תּוֹדָה וְרִקִּיקֵי נוּיָר שְׂעִשְׂאָן לְעַצְמוֹ – אִין אָדָם יוֹצֵא בְּהֵן, לְמַכּוֹר בְּשׁוּק – יוֹצֵא בְּהֵן.

It was taught in a *baraita* that Rabbi Ilai said: **I asked Rabbi Eliezer ben Hyrcanus: What is the halakha with regard to the possibility that a person can fulfill the obligation to eat matza with the loaves of a thanks-offering or a nazirite's wafers? He said to me: I did not hear anything about this issue. I went and asked Rabbi Yehoshua, who said to me: They said, concerning loaves for a thanks-offering or a nazirite's wafers that one prepared for his own offering, that a person cannot fulfill his obligation with them. However, if one baked them to sell in the market, he can fulfill his obligation with them.**

בְּשִׁבְאַתִּי וְהִרְצִיתִי דְּבָרִים לְפָנֵי רַבִּי אֵלְיָעוֹר, אָמַר לִי: בְּרִיתָ, הֵן הֵן הַדְּבָרִים שְׁנֵאֲמָרוּ לוֹ לְמֹשֶׁה בְּסִינַי. אִיכָּא דְאָמְרוּ: בְּרִיתָ, הֵן הֵן הַדְּבָרִים שְׁנֵאֲמָרוּ לוֹ לְמֹשֶׁה בְּסִינַי! וְלֹא טַעְמָא בַּעֲיָא?

When I returned and recited these matters to Rabbi Eliezer, he said to me in excitement: **By the covenant, these are the very matters^N that were stated to Moses on Mount Sinai.** Rabbi Eliezer swore that this *halakha* had been transmitted over the generations going back to Moses on Mount Sinai. **Some say he spoke in astonishment: By the covenant! Are these in fact the matters that were stated to Moses on Mount Sinai? And doesn't this halakha require a reason?** Since there is no explicit tradition in this regard, it is necessary to provide a reason for this distinction.

וְטַעְמָא מַאי? אָמַר רַבָּה: כּל לְשׁוּק אִימְלוּכִי מִמְלַךְ, אָמַר: אִי מוֹדֵבֵן – מוֹדֵבֵן, אִי לֹא מוֹדֵבֵן – אִיפּוֹק בְּהוּ אָנָּא.

The Gemara asks: **And indeed, what is the reason** for this distinction between these loaves one prepared for himself and those he intended to sell in the market? **Rabba said:** With regard to **anything sold in the market, the merchant may change his mind** about it. **He might say: If it is sold, it is sold; but if it is not sold for an offering, I will fulfill my obligation to eat matza with it.** Since the merchant had in mind from the outset that these *matzot* might be used for the mitzva on Passover, he is permitted to use them to fulfill his obligation.

NOTES

^N Nov and Givon – נוב וגבון: Different *halakhot* apply to the three places where offerings were permitted at some stage to be sacrificed, namely, a small improvised altar, a great altar, and the Temple. A small altar was a private altar built by an individual for his own personal use. When it was permitted to do so, even non-priests sacrificed offerings on an improvised altar of this kind, although only a limited group of animal offerings could be sacrificed. These types of improvised altars were primarily used during the period of the Judges. A great altar was built for communal use, e.g., in Nov and Givon, and all of Israel brought their offerings to these places before the Temple was built. However, as the Ark of the Covenant was not present in these places and no permanent structure was built, they were never fully functional as a temple.

The Sages disagree with regard to which types of offerings

were permitted to be sacrificed in these places. However, in places such as Shiloh, where a temporary temple was constructed, all offerings could be brought during that period, and there were only minor differences between its status and that of the eventual Temple in Jerusalem.

בְּרִיתָ, הֵן הֵן הַדְּבָרִים – By the covenant, these are the matters – Some commentaries maintain that, according to the first version of his statement, Rabbi Eliezer is expressing astonishment: Is this what was stated to Moses on Mount Sinai? According to the second version, it is Rabbi Yehoshua who states that this is indeed a tradition going back to Moses on Mount Sinai, but he adds that a reason is nonetheless required to justify this distinction, as even *halakhot* based on ancient traditions must be based on logical grounds (*Arukh*).