

אָמַר רַבִּי אַבְהוּ אָמַר רַבִּי יוֹחָנָן: כָּל
אִיסוּרֵי שְׁבִתוֹרָה אֵין הֵיתֵר מִצְטָרֵף
לְאִיסוּר, חוּץ מֵאִיסוּרֵי נְזִיר, שְׁהֵרֵי
אֲמַרָה תוֹרָה "מִשְׁרֵת".

After discussing leaven in a mixture, the Gemara states a more general principle. **Rabbi Abbahu said that Rabbi Yoḥanan said: With regard to all prohibitions of the Torah, a permitted substance does not join together with a prohibited substance.** If one eats a permitted food with a prohibited food, and together they constitute the minimum prohibited measure, he is exempt from punishment for this act of consumption. This principle applies to all *halakhot* except for the prohibitions of a nazirite, who is liable for eating a mixture of that kind, as the Torah said with regard to a nazirite: "He shall abstain from wine and strong drink; he shall drink no vinegar of wine, or vinegar of strong drink, nor shall he drink anything soaked in grapes" (Numbers 6:3). This verse indicates that a nazirite is prohibited from consuming not only wine and vinegar, but also any food that was soaked in these liquids.

וְזַעֲרֵי אָמַר: אִף שָׂאוֹר בַּל תִּקְטְרוּ.

And Ze'eiri said: Permitted and prohibited substances also combine with regard to the prohibition against offering leaven on the altar, as it states: "For no [kol] leaven and no [kol] honey shall be offered as a burnt-offering before the Lord" (Leviticus 2:11). This indicates that one is also liable for sacrificing leaven in a mixture (*Tosafot*) in addition to the liability for sacrificing pure leaven.

כַּמָּאן – כְּרַבִּי אֱלִיעֶזֶר, דְּדְרִישׁ "כָּל".

The Gemara asks: **In accordance with whose opinion did Ze'eiri issue his ruling? It is in accordance with the opinion of Rabbi Eliezer, who derives from the term *kol* that any mixture that contains any amount of a prohibited substance is not nullified.**

אִי הָכִי –

The Gemara raises a difficulty: **If so,**

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לְעֵנֵן חֵמֵץ בַּפֶּסַח נִמְי.

with regard to the matter of leavened bread on Passover one should also be liable^N for eating a prohibited substance joined together with a permitted substance.

אֵין הָכִי נִמְי, וְלֹא פֻקֵי מִדְּאֲבֵי, דְּאָמַר:
יֵשׁ הַקְטָרָה לְפָחוֹת מִכֹּזָיִת, קַמְשִׁמְעָ לָן;
דְּהַקְטָרָה לְאוֹ לְפָחוֹת מִכֹּזָיִת.

The Gemara answers: **Yes, indeed it is so, and the prohibition mentioned by Ze'eiri against sacrificing leaven in offerings was only to exclude the statement of Abaye, who said: There is significance to offering less than an olive-bulk of leaven on the altar,^H and one is flogged for sacrificing an offering of that kind.** By noting that one is liable because permitted substances combine with prohibited substances, the *baraita* teaches us that an offering of less than an olive-bulk is not considered an offering, and therefore sacrificing it is not punishable by lashes.

יְתִיב רַב דִּימִי וְקָאָמַר לָהּ לְהָא שְׁמַעְתָּ.
אָמַר לִיהָ אֲבֵי לְרַב דִּימִי: וְכָל אִיסוּרֵי
שְׁבִתוֹרָה אֵין הֵיתֵר מִצְטָרֵף לְאִיסוּר?

Rav Dimi sat and stated this *halakha* that a permitted substance does not join together with a prohibited substance to constitute the requisite measure, except in the case of a nazirite. **Abaye said to Rav Dimi: And is it true that with regard to all other prohibitions in the Torah, a permitted substance does not join together with a prohibited substance?**

וְהֵתֵנָן: הַמִּקְפָּה שֶׁל תְּרוּמָה, וְהַשּׁוּם
וְהַשֶּׁמֶן שֶׁל חוּלִין, וְנִגְעָ טְבוּל יוֹם
בְּמִקְצָתָן – פָּסֵל אֶת כּוֹלָן. הַמִּקְפָּה שֶׁל
חוּלִין וְהַשּׁוּם וְהַשֶּׁמֶן שֶׁל תְּרוּמָה וְנִגְעָ
טְבוּל יוֹם בְּמִקְצָתָן – לֹא פָּסֵל אֶלָּא
מִקוּם מִגְעוֹ בְּלִבָּד.

But didn't we learn in a mishna: With regard to thick soup^N prepared with *teruma*^H produce whose garlic and oil are of non-sacred produce, and one who immersed himself during that day touched some of the ingredients, he disqualified all the contents of the pot, as they are subsumed within the *teruma* soup. However, if the thick soup was prepared with non-sacred produce^H and the garlic and the oil were of *teruma*, and one who immersed himself during that day touched some of them, he disqualifies only the ingredients in the place that he touched.

NOTES

For eating leavened bread on Passover one should also be liable – חֵמֵץ בַּפֶּסַח נִמְי: Some commentaries interpret this statement as referring to all prohibited items in the Torah, not just leaven; however, as the Gemara was discussing Passover and leaven it cited this example (Maharam Ḥalawa).

Thick soup – מִקְפָּה: Elsewhere Rashi explains that this soup was prepared from a mixture of wine, spices, and pounded wheat or barley.

HALAKHA

The measure of leaven that it is prohibited to offer – שִׁיעוּר: It is prohibited to offer any amount of leaven on the altar, and one who offers an olive-bulk is flogged. The punishment is administered only for this quantity because less than an olive-bulk is not considered an actual offering. This ruling is in accordance with the opinion of Rava, as the *halakha* is ruled in accordance with his opinion in disputes with Abaye (Rambam *Sefer Avoda, Hilkhot Issurei Mizbe'ah* 5:2).

Thick soup with *teruma* – מִקְפָּה וְתְרוּמָה: If one who immersed himself during that day touches a mixture of thick soup made with *teruma* produce and non-sacred garlic and oil, the entire mixture is disqualified (Rambam *Sefer Tahara, Hilkhot Tumat Okhalin* 8:12).

Thick soup with non-sacred produce – מִקְפָּת חוּלִין: If one who immersed himself during that day touches a thick soup of non-sacred produce and *teruma* garlic and oil, he disqualifies only that portion of the soup with which he came into contact (Rambam *Sefer Tahara, Hilkhot Tumat Okhalin* 8:13).

An olive-bulk in the time it takes to eat a half-loaf – **כְּזֵית בְּכֵדֵי אֲכִילַת פָּרֶס**: One who eats an olive-bulk of a prohibited substance in the time it takes to eat a half-loaf of bread is liable for punishment by Torah law as though he ate the entire olive-bulk all at once (Rambam *Sefer Kedusha, Hilkhhot Ma'akhalot Assurot* 14:8).

NOTES

In the time it takes to eat a half-loaf of bread – **כְּזֵית בְּכֵדֵי אֲכִילַת פָּרֶס**: Loaves of bread in *halakha* are assumed to have the fixed measure of six egg-bulks. The duration of this time period is the subject of considerable controversy. Opinions with regard to its length vary between two and nine minutes. This unit of time plays an important role in many *halakhot* related to food consumption.

Why do the Rabbis disagree with Rabbi Eliezer – **אֲמַאי**: How did Abaye understand this issue? Rav Dimi demonstrated that this case is difficult regardless of how it is interpreted. Some commentaries explain that according to Abaye, the leaven in *kutah* does not contribute flavor and is therefore nullified (Maharam Halawa).

His intention is rendered irrelevant – **בְּטָלָה דְּעֵתוֹ**: There are two explanations of the relevance of this concept to the current discussion: According to Rashi, eating in this manner is not considered a form of eating at all, as this action deviates greatly from the societal norm. Therefore, one is entirely exempt for eating *kutah* in that manner. Indeed, one is exempt for any consumption of this kind. According to *Tosafot*, although one who eats *kutah* in this manner is in fact liable, the mishna did not address that case, as it is so unusual (Rabbi Shimon HaKohen).

As I say, and Torah law – **שְׂאֵנִי אוֹמֵר וְדַאֲרֵייתָא**: The ruling that the *teruma* fell into the *teruma* must be a rabbinic leniency, based on the following rationale: Since it cannot be proven that the mixture is prohibited, and it might in fact be permitted, one may rely on that possibility. However, this applies only to an item that is not prohibited by Torah law, in accordance with the principle that the Sages were not lenient with regard to Torah prohibitions. It is only with regard to their own stringencies and decrees that they were lenient.

וְהוּינָן בְּהֵ: מְקוּם מִגְעוֹ אֲמַאי פְּסוּלָה? הָא בְּטָלִי לְהוּ תַבְּלִין בְּרוּב! וְאָמַר רַבָּה בַר בַּר חֲנָנָה: מִזֵּה טַעַם – הוֹאִיל וְזוֹ לֹקְחָה עֲלֵיהֶן בְּכֵזֵית. הֵיכִי דְמִי – לֵאמֹר מִשּׁוּם דְּהֵיִתֵּר מִצְטָרֵף לְאִיסוּר?

לֵא. מֵאֵי כֵזֵית – דְּאִיכָא כֵזֵית בְּכֵדֵי אֲכִילַת פָּרֶס.

וְכֵזֵית בְּכֵדֵי אֲכִילַת פָּרֶס דַּאֲרֵייתָא הֵיא? אָמַר לֵיה: אֵין.

אֵי הֵכִי, אֲמַאי פְּלִיגֵי רַבְנָן עֲלֵיהֶן דְּרַבִּי אֶלְעָזָר בְּכֹתֵחַ הַבְּבִלִי?

אֶלְא מֵאֵי – מִשּׁוּם דְּהֵיִתֵּר מִצְטָרֵף לְאִיסוּר, סוּף סוּף אֲמַאי פְּלִיגֵי רַבְנָן עֲלֵיהֶן דְּרַבִּי אֶלְעָזָר בְּכֹתֵחַ הַבְּבִלִי? אֶלְא: הִנֵּחַ לְכֹתֵחַ הַבְּבִלִי, דְּלִית בֵּיה כֵזֵית בְּכֵדֵי אֲכִילַת פָּרֶס. אֵי בְּעֵינָה דְּקָשְׁרִין וְקָאֲכִיל לֵיה – בְּטָלָה דְּעֵתֵיהּ אֶצְל כָּל אֲדָם, וְאֵי מִשְׁטַר קָשְׁטֵר וְאֲכִיל – לִית בֵּיה כֵזֵית בְּכֵדֵי אֲכִילַת פָּרֶס.

אֵיִתִּיבֵיה: שְׁתֵּי קְדִירוֹת, אַחַת שֶׁל חוּלִין וְאַחַת שֶׁל תְּרוּמָה, וְלִפְנֵיהֶן שְׁתֵּי מְדוּבוֹת, אַחַת שֶׁל חוּלִין וְאַחַת שֶׁל תְּרוּמָה, וְנִפְלוּ אֵלָיו לְתוֹךְ אֵלָיו – מוֹתְרִין. שְׂאֵנִי אוֹמֵר: תְּרוּמָה לְתוֹךְ הַתְּרוּמָה נִפְלָה, וְחוּלִין לְתוֹךְ חוּלִין נִפְלוּ.

וְאֵי אָמַרְתָּ כֵזֵית בְּכֵדֵי אֲכִילַת פָּרֶס דַּאֲרֵייתָא – אֲמַאי אָמְרִין "שְׂאֵנִי אוֹמֵר תְּרוּמָה לְתוֹךְ כּוּ"? אָמַר לֵיה: הִנֵּחַ לְתְרוּמַת תַּבְּלִין דְּרַבְנָן.

Abaye continues. **And we discussed this issue: Why are the ingredients in the place that he touched disqualified?** The spices, i.e., the garlic or oil, are nullified by the majority. Since the major portion of the dish is composed of non-sacred produce, it should not be disqualified by contact with one who immersed himself during that day. **And Rabba bar bar Hana said in reply: What is the reason that it becomes disqualified? It is since a non-priest is flogged for eating an olive-bulk of the soup, as anything into which *teruma* is mixed is considered *teruma* by Torah law. What are the circumstances of this ruling that a non-priest is flogged? Is it not due to the fact that the permitted substance joins together with the prohibited substance?**

Rav Dimi rejects this contention: **No; what is the meaning of an olive-bulk in this mishna? It means that there is sufficient *teruma* in the mixture that when one eats from the mixture he will consume an olive-bulk of *teruma* in the time it takes to eat a half-loaf^H of bread.^N In that case one is liable for punishment for eating this olive-bulk, as if he ate the *teruma* alone.**

Abaye asked him: **Is eating an olive-bulk in the time it takes to eat a half-loaf of bread prohibited by Torah law, and one is punished for it? He said to him: Yes.**

Abaye asked in response: **If so, why do the Rabbis disagree with Rabbi Eliezer^N with regard to eating Babylonian *kutah*, a dip that contains flour, on Passover? The Rabbis maintain that one is not punished by Torah law for eating a mixture containing leaven. Although the Rabbis do not derive from the word: Anything [kol], that leaven in a mixture is prohibited, they should nonetheless hold one liable for eating an olive-bulk of a prohibited substance in the time it takes to eat a half-loaf of bread.**

Rav Dimi said: **Rather, what conclusion must be drawn; the reason that a non-priest is flogged for eating the *teruma* soup is due to the fact that a permitted substance joins together with a prohibited substance? If so, ultimately, why do the Rabbis disagree with Rabbi Eliezer with regard to eating Babylonian *kutah*? Rather, leave Babylonian *kutah*, as in eating that mixture there is no possibility that one will consume an olive-bulk of the leaven in the time it takes to eat a half-loaf of bread. If he eats *kutah* in its pure, unadulterated form, by swallowing it as food, not as a dip, his intention is rendered irrelevant^N by the opinions of all other people. It is unusual for a person to eat a pungent dip by itself, all the more so, for him to eat it so quickly. One receives no punishment for conduct that anomalous. And if he dips other food into the *kutah* and eats it, he will not consume an olive-bulk in the time it takes to eat a half-loaf of bread. Due to the pungency of the dip, one needs to add only a small portion to his food.**

Abaye raised an objection to Rav Dimi from a *baraita*: **With regard to two pots, one of non-sacred produce and the other one of *teruma*, before which were two mortars, one in which non-sacred produce was pounded, and one in which *teruma* produce was pounded, and the contents of these mortars fell into these pots, but it is unknown which produce fell into which pot, it is all permitted.** The reason for this ruling is as I say, since there is no definitive proof to the contrary, that the *teruma* fell into the *teruma* and the non-sacred produce fell into the non-sacred produce.

Abaye explains his objection: **And if you say that eating an olive-bulk of a prohibited substance in the time it takes to eat a half-loaf of bread is prohibited by Torah law, why do we say this principle: As I say^N that the *teruma* fell into the *teruma*, etc.? If the *teruma* produce fell into the pot containing non-sacred produce, one who eats from the mixture will consume an olive-bulk of *teruma* within the time it takes to eat a half-loaf of bread, and he will thereby violate a Torah prohibition. Rav Dimi said to him: Leave *teruma* separated from spices, which is *teruma* by rabbinic law. By Torah law one is required to separate *teruma* only from grain, wine and oil. The Sages are lenient with regard to *teruma* by rabbinic law.**

Teruma in modern times – תְּרוּמָה בְּזִמְנֵי הַיּוֹם: The *Meiri* explains that this statement is referring to the areas of Eretz Yisrael that were not consecrated upon the return of the Babylonian exiles led by Ezra at the beginning of the Second Temple era. Even those authorities who maintain that the mitzva to separate *teruma* in modern times is by Torah law, agree that in those areas of Eretz Yisrael, the obligation is by rabbinic law.

HALAKHA

Teruma in modern times – תְּרוּמָה בְּזִמְנֵי הַיּוֹם: The *halakhot* of *teruma* apply nowadays by rabbinic decree only. By Torah law, these *halakhot* are in effect only in Eretz Yisrael and only when the entire Jewish people dwells there (*Shulhan Arukh, Yoreh De'a* 331:2).

אֵימְתִיבָהּ: שְׁתֵּי קוּפוֹת, אַחַת שֶׁל חוּלִין וְאַחַת שֶׁל תְּרוּמָה, וְלִפְנֵיהֶם שְׁנֵי סָאִין אַחַת שֶׁל חוּלִין וְאַחַת שֶׁל תְּרוּמָה, וְנָפְלוּ אֵלָיו לְתוֹךְ אֵלּוּ – מוֹתְרִין, שְׂאֵנִי אוֹמֵר: חוּלִין לְתוֹךְ חוּלִין נָפְלוּ, תְּרוּמָה לְתוֹךְ תְּרוּמָה נָפְלָה. וְאֵי אֲמַרְתָּ בְּזֵית בְּכַדֵּי אֲכִילַת פָּרֶס דְּאוֹרֵייתָא – אִמָּאֵי אֲמַרִּין "שְׂאֵנִי אוֹמֵר"?

Abaye raised another objection from a similar *baraita*: In a case where there are two baskets, one filled with non-sacred produce and the other filled with *teruma*, and before them were two vessels each containing a *se'a* of produce, one filled with non-sacred produce and the other one filled with *teruma*, and these, the contents of each of the baskets, fell into those, each of the *se'a* vessels. It is possible that the *teruma* fell into the non-sacred produce, and it is prohibited for non-priests to eat a mixture of *teruma* and non-sacred produce. Nevertheless, the contents of the *se'a* vessel containing the non-sacred produce are permitted, as I say that the non-sacred produce fell into the non-sacred produce and the *teruma* fell into the *teruma*. The obligation to separate *teruma* from grain is by Torah law, and if you say that eating an olive-bulk of forbidden food in the time it takes to eat a half-loaf of bread is prohibited by Torah law, why do we say the principle: As I say the non-sacred grain fell into the non-sacred grain? Why aren't the Sages concerned that one might eat an olive-bulk of *teruma* in the time it takes to eat a half-loaf, which is prohibited by Torah law?

אָמַר לֵיהּ: הֲנַח לְתְּרוּמָה בְּזִמְנֵי הַיּוֹם, דְּרַבְנָן.

He said to him: Leave *teruma* in modern times,^{NH} as it is in effect by rabbinic law. Once the Jewish people were exiled from their land, the *halakhot* of *teruma* and tithes apply by rabbinic law, not Torah law. This is the basis for the lenient ruling in the case of this mixture.

וְהֵיא "מְשֻׂרֵת" לְהֵי הוּא דְאֵתָא? הֵיא מִיבְעֵי לֵיהּ לְכַדְתַּנְתָּא: – "מְשֻׂרֵת" –

The Gemara returns to its discussion of Rabbi Abbahu's statement with regard to the meaning of the word soaked in the verse: "He shall abstain from wine and strong drink; he shall drink no vinegar of wine, or vinegar of strong drink, nor shall he drink anything soaked in grapes," and whether or not a permitted substance combines with a prohibited one. The Gemara asks: And does this word: Soaked, come to teach that mixtures are prohibited in this case? That verse is required to derive that which was taught in a *baraita* elsewhere: Soaked,

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לֵיתֵן טַעַם בְּעֵיקָר שְׂאֵם שָׂרָה עֲנָבִים בְּמֵים וְיִשׁ בְּהֵן טַעַם יֵין – חֵיֵב.

comes to establish the principle that the legal status of the taste of a forbidden food is like that of its substance. This term teaches that any food that absorbs the taste of a prohibited item assumes the status of this prohibited item itself. As, in a case where one soaked grapes in water and the water has the taste of wine, a nazirite is liable for drinking this mixture, as it assumes the status of wine.

מִכָּאֵן אֵתָה דִּן לְכֹל הַתּוֹרָה כּוּלָּהּ: וּמָה נְזִיר שְׂאִין אִיסוּרוֹ אִיסוּר עוֹלָם, וְאִין אִיסוּרוֹ אִיסוּר הַנָּאָה, וְיִשׁ הֵיתֵר לְאִיסוּרוֹ – עֲשֶׂה בּוֹ טַעַם בְּעֵיקָר. כְּלָאִים, שְׂאִיסוּרוֹ אִיסוּר עוֹלָם, וְאִיסוּרוֹ אִיסוּר הַנָּאָה, וְאִין הֵיתֵר לְאִיסוּרוֹ – אֵינוֹ דִּין שְׂעִישָׂה טַעַם בְּעֵיקָר.

From here you derive the *halakha* with regard to the entire Torah; in all cases, the legal status of the taste of a forbidden food is like that of its substance. The Gemara elaborates. Just as with regard to a nazirite, whose prohibition against eating grapes is not an eternal prohibition, as he will be permitted to eat grapes once his period of naziriteship is over, and furthermore, his prohibition is not a prohibition against deriving benefit from wine, and there is dissolution for his prohibition against eating grape products by requesting a Sage to release him from his vow, nevertheless, in his case, the Torah rendered the legal status of the taste of food forbidden to him like that of its substance;^H with regard to a forbidden mixture of diverse kinds, whose prohibition is an eternal prohibition [*issuro issur olam*]^N and whose prohibition is a prohibition against deriving benefit, and there is no dissolution for its prohibition, is it not right that the Torah should render the legal status of the taste of its forbidden food like that of its substance?

HALAKHA

The legal status of the taste like that of its substance – טַעַם בְּעֵיקָר: If a mixture of wine and another substance has the taste of wine, this substance is prohibited to a nazirite as though

it were wine. The same principle applies to other foods that absorb the taste of a prohibited item (Rambam *Sefer Hafa'la, Hilkhot Nezirut* 5:5).

NOTES

Whose prohibition is an eternal prohibition [*issuro issur olam*], etc. – אִיסוּרוֹ אִיסוּר עוֹלָם וְכוּ': The authorities disagree over the precise meaning of this statement. Many commentaries reject Rashi's explanation (see *Tosafot*). The major objection to Rashi's interpretation is that it is not completely consistent with regard to the phrase: *Issuro issur olam*, as well as to the phrase: *Ein hetter le'issuro* and the opposite: *Yesh hetter le'issuro*.

Some explain these terms in the following manner: *Yesh hetter le'issuro* means: Effecting its prohibition is permitted, i.e., it is permitted to take action to cause this prohibition to take effect. This is true of the nazirite, as one may take a vow to become a nazirite, thereby rendering himself prohibited to consume grape products. Likewise, it is permitted to plant a tree and thereby cause the prohibition of *orla* to come into effect. By contrast, it is prohibited to plant forbidden mixtures, and therefore: *Ein hetter le'issuro*, effecting that prohibition is prohibited (*Tosefot Rabbeinu Peretz; Tosefot Rabbi Shimshon of Saens; Meiri*).

Yet others explain that the term: *Issuro issur olam*, means that this prohibition applies universally, even to all descendants of Noah, as it was in effect even before the revelation at Sinai. The prohibitions of a nazirite and *orla* do not fall into this category, as they apply only to the Jewish people. However, the prohibition of diverse kinds was in effect for Adam as well, and consequently their prohibition is eternal (Maharam Halawa).

Soaked his bread in wine – שָׂרָה פֶּתוֹ בַּיַּיִן – If a nazirite soaks his bread in wine, and a quarter-log of wine, which has the same volume as an olive-bulk in liquid measurements, is absorbed in bread. If that quarter-log of wine can be eaten in less than the time it takes to eat a half-loaf of bread, he is liable for its consumption (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 5:5).

NOTES

The joining together of prohibited substances to constitute an olive-bulk – צִירוּף אִיסוּר לְכָדִי – **בְּנֵית**: Although the prohibition against a nazirite drinking wine is generally determined by the liquid measure of a quarter-log, this wine is assessed by the dry measure of an olive-bulk because it is absorbed by the bread (Maharam Hala'awa).

From where does he derive that the legal status of taste is like that of substance – טַעַם לִיהֵא כְּחַמְצוּת – **כְּעֵיָקָר מִנְּא לִיה**: Why doesn't the Gemara consider the possibility that Rabbi Akiva does not accept the principle that the legal status of taste is like that of substance, just as the Rabbis do not accept the principle that permitted substances join with prohibited substances? The answer given is that this principle is far more substantiated than the principle that permitted material joins with prohibited material. This is because, among other reasons, the principle concerning taste is derived by means of an *a fortiori* inference, an especially strong derivation. If Rabbi Akiva was left with no other source from which he could derive the principle that taste is like substance, he should have derived it from the term soaked (*Tosefot Rabbeinu Peretz, Tosefot Rid*).

A novelty – חִידוּשׁ: Any *halakha* in which there is a component that is anomalous relative to all other *halakhot* is considered a novelty. A *halakha* of this kind cannot serve as the basis for deriving the parameters of other *halakhot*.

וְהוּא הֵדִין לְעֵרְלָהּ בְּשָׂתִימִים.

And the same is true of fruit that grows on a tree during the first three years after it was planted [*orla*], on two of three counts: Although the prohibition of *orla* is not an eternal prohibition, as one may eat the fruit of this tree after three years have passed, it is prohibited to derive benefit from *orla*, and this prohibition cannot be dissolved, as the fruits that grow during the first three years remain prohibited. Therefore, based on the same *a fortiori* inference, the principle: The legal status of its taste is like that of its substance, should apply in this case as well. Similarly, all other prohibitions in the Torah are more severe than the case of a nazirite in one of these aspects, and therefore this principle is universal. In any case, this entire derivation presents a difficulty for Rabbi Yoḥanan, who derives a different *halakha* from the term: Soaked.

הָא מִנִּי – רַבֵּנן הֵיא, וְרַבֵּי יוֹחָנָן דְּאָמַר כְּרַבֵּי עֵקִיבָא.

The Gemara answers: In accordance with **whose opinion** is the previously cited derivation? **It is in accordance with the opinion of the Rabbis**, who derive this *halakha* from the term: Soaked. However, **Rabbi Yoḥanan, who said** that a permitted substance joins together with a prohibited substance, holds **in accordance with the opinion of Rabbi Akiva**.

הִי רַבֵּי עֵקִיבָא? אֵילִימָא רַבֵּי עֵקִיבָא דְּמִתְנַתִּין, דְּתַנְּנן: רַבֵּי עֵקִיבָא אָמַר, נְזִיר שְׂשָׂרָה פֶּתוֹ בַּיַּיִן, וְיֵשׁ בּוֹ לְעֵרְפָּה כְּדֵי בְּנֵית – חַיִּיב. וּמֵמַאי דְּמִפֶּת וּמִיַּיִן? דִּילְמָא מִיַּיִן לְחִידוּשָׁא.

The Gemara asks: To **which** statement of **Rabbi Akiva** is the Gemara referring? **If you say** it is referring to the opinion of **Rabbi Akiva** in the following *mishna*, as we learned: **Rabbi Akiva says**, with regard to a nazirite who soaked his bread in wine,^H and the bread and the wine contain enough to join together to constitute an olive-bulk,^N that he is liable; from where do we know that Rabbi Akiva means an amount of an olive-bulk taken from the bread and the wine together? **Perhaps** he meant that the measure is calculated from the wine alone?

וְכִי תֵימָא: מִיַּיִן לְחִידוּשָׁא מַאי לְמִימְרָא – הָא קָא מְשַׁמְעֵ לָן: דְּאָף עַל גַּב דְּתַעֲרוּבַת.

The Gemara asks: **And lest you say** that if this amount is from the wine alone, what purpose is there to state this *halakha*, this statement comes to teach us that even though the prohibited item is in a mixture, one is nonetheless liable for consuming it. Since this *mishna* can be explained as referring to an olive-bulk from wine alone, it cannot be cited as proof for Rabbi Akiva's opinion with regard to the combination of a permitted substance with a prohibited substance.

אֵלָא רַבֵּי עֵקִיבָא דְּבִרְיֵיתָא. דְּתַנְּנָא רַבֵּי עֵקִיבָא אָמַר: נְזִיר שְׂשָׂרָה פֶּתוֹ בַּיַּיִן, וְאָכַל בְּנֵית מִפֶּת וּמִיַּיִן – חַיִּיב.

The Gemara states: **Rather**, Rabbi Yoḥanan holds in accordance with the opinion of **Rabbi Akiva in the baraita**, as it was taught in a *baraita* that **Rabbi Akiva says: A nazirite who soaked his bread in wine and ate an olive-bulk of the mixture from the bread and the wine is liable**. This *baraita* indicates that according to Rabbi Akiva, a permitted substance joins together with a prohibited substance.

וְרַבֵּי עֵקִיבָא, טַעַם כְּעֵיָקָר מִנְּא לִיה? וְלִיף מִבְּשָׂר בְּחֵלֶב. לָאוּ טַעַמָא בְּעֵלְמָא הוּא וְאָסוּר – הִכָּא נִמְי, לָא שְׁנָא.

The Gemara asks: **And Rabbi Akiva, from where** does he derive the principle: The legal status of the taste is like that of the substance^N itself? The Gemara answers: **He derives** this principle from the prohibition of **meat cooked in milk**. In that case, there is merely the taste of the milk absorbed by the meat, and the mixture is nonetheless forbidden. **Here, too**, in the case of other prohibitions, it is **no different**, and the same principle applies.

וְרַבֵּנן: מִבְּשָׂר בְּחֵלֶב לָא גְמַרְינן, דְּחִידוּשׁ הוּא.

The Gemara asks: **And the Rabbis**, why don't they derive this principle from meat cooked in milk? The Gemara answers: The Rabbis claim that **from meat in milk we do not derive** other prohibitions, as that prohibition is a **novelty**.^N

וּמֵמַאי חִידוּשׁ? אֵילִימָא דְּהָאֵי לְחִידוּשָׁא וְהָאֵי לְחִידוּשָׁא שְׂרִי, וּבִהְדֵי הִדְדֵי אָסוּר – כְּלָאִים נִמְי, הָאֵי לְחִידוּשָׁא וְהָאֵי לְחִידוּשָׁא שְׂרִי, וּבִהְדֵי אָסוּר!

The Gemara asks: **And what is the novelty** in that prohibition? **If you say** that it is unique in that **this meat alone and that milk alone** are each permitted, and yet **together they are forbidden**, that characteristic is not unique to meat cooked in milk. In the case of prohibited mixtures of **diverse kinds too**, this element alone and that element alone are each permitted, and yet together they are prohibited.

אֵלָא: דְּאֵי תְרוּ לִיה פּוֹלֵי יוֹמָא בְּחֵלְבָא – שְׂרִי, בְּשׂוּל לִיה בְּשׂוּלֵי – אָסוּר.

The Gemara answers: **Rather**, the novelty is that if **one soaks meat in milk all day, it is permitted** by Torah law, despite the fact that the meat certainly absorbed some taste of the milk, whereas if **one cooked** the meat in milk even for a short time, the mixture is **prohibited** by Torah law.

ורבי עקיבא נמי בשר בחלב ודאי חידוש הוא!

The Gemara asks: **And Rabbi Akiva too** certainly agrees that the *halakha* of **meat in milk is a novelty**. How can he derive a general principle from this case?

אלא: יליף מגיעולי גוים, גיעולי גוים לאו טעמא בעלמא הוא – ואסור, הקא נמי – לא שנא.

Rather, he derives the principle: The legal status of the taste is like that of the substance itself **from** the required **purging** of the vessels of **gentiles**. In the section of the Torah that deals with the spoils of Midian (Numbers 31:21–24), it states that a vessel used by a gentile to cook food must be purged through fire and purified before it may be used by a Jew. **Isn't the purging** of vessels of **gentiles** necessary only to cleanse them from the **mere taste** that was absorbed through the process of cooking? Even so, these vessels are **prohibited** if this cleansing was not performed. **Here, too, it is no different**; the same reasoning applies in all cases.

ורבנן: גיעולי גוים נמי חידוש הוא, דהא כל נותן טעם לפגם מותר, דגמרין מנבילה – והקא אסור.

The Gemara comments: **And the Rabbis** do not derive this principle from this source, as they maintain that the *halakha* of **purging** vessels of **gentiles** is also a novelty. What is the novelty of this *halakha*? **As in general, anything that contributes taste** that renders the food **taintedⁿ is permitted**. If the taste added by the prohibited food does not enhance the permitted food, then as a rule it does not render the permitted substance prohibited. **As we derive** this principle **from** the *halakha* that an **unslaughtered animal carcass** that is unfit for consumption is not classified as a prohibited animal carcass and is not prohibited. **However, here**, with regard to the *halakha* of purging vessels of gentiles, the Torah states that even if they contribute taste that renders the food tainted they are **prohibited**. If twenty-four hours have passed since food was cooked in a pot, the assumption is that it will contribute a negative taste to any foods cooked in the pot subsequently. Nevertheless, vessels taken from gentiles remain prohibited until they are purged, even though the taste they contribute taints the food.

ורבי עקיבא – כדרב חייה בריה דרב הונא, דאמר: לא אסרה תורה אלא בקדירה בת יומא, הלכך לאו נותן טעם לפגם הוא.

The Gemara asks: **And how does Rabbi Akiva**, who derives this principle from the required purging of the vessels of gentiles, respond to the previous claim? The Gemara explains: He holds **in accordance with** the opinion subsequently cited in the name of **Rav Hiyya, son of Rav Huna, who said: The Torah prohibited** unpurged vessels of gentiles **only in** the case of a pot that was used **on that day**. **Therefore, it is not** a case where the pot **contributes taste** that renders the food **tainted**.

ורבנן: קדירה בת יומא נמי לא אפשר דלא פגמה פורתא.

The Gemara asks: **And what do the Rabbis** say about deriving the *halakha* from a pot used on that day? The Gemara answers: In their opinion, **even in** the case of a pot used **on that day, it is impossible** that the vessel **does not slightly taint** the food absorbed in the vessel. Consequently, the *halakha* of purging vessels of gentiles is indeed a novel case from which principles cannot be derived.

אמר ליה רב אחא בריה דרב אביא לרב אשי: מדרבנן נשמע לרבי עקיבא, מי לא אמרי רבנן "משרת" ליתן טעם בעיקר – מכאן אתה דן לכל איסורין שבתורה. לרבי עקיבא נמי: משרת – להיתר מצטרף לאיסור, מכאן אתה דן לכל איסורין שבתורה בולה!

Rav Aha, son of Rav Avya, said to Rav Ashi: From the opinion of **the Rabbis, let us learn** the correct interpretation of the opinion of **Rabbi Akiva. Don't the Rabbis** say that the term **soaked teaches** that the principle that the legal status of **taste is like** that of **substance** applies not only to a nazirite, but that **from here you derive** the *halakha* with regard to **all prohibitions of the Torah**? **According to Rabbi Akiva as well**, the term **soaked teaches** that the **permitted substance joins together with the prohibited substance** with regard to a nazirite, and **from here you derive** the *halakha* with regard to **all prohibitions of the Torah**. This explanation is contrary to the opinion of **Rabbi Yohanan**, who applies this principle only to a nazirite.

אמר ליה: Rav Ashi said to him: This cannot serve as a proof,

NOTES

נותן טעם – Contributes taste that renders the food tainted – לפגם: The principle that the legal status of taste is like that of the substance applies to mixtures of different items, usually when one ingredient is permitted and the other is prohibited. The

addition of taste renders a mixture prohibited only if the prohibited item improves the mixture. However, by Torah law the prohibition does not apply if the forbidden item contributes a taste that taints the mixture and renders it inedible.