

The Torah said soaked – אֶמְרָה תֹרֵה מְשֻׂרָת – Most commentaries accept the textual version and explanation of Rashi in tractate *Pesahim* (43b), that this *halakha* is derived from the term “soaked.” Rashi explains that something which has been soaked in wine is forbidden to a nazirite despite the fact that it is not entirely wine. Alternatively, the amplification “anything” includes a mixture that is not composed solely of forbidden substances (Rabbi Avraham min HaHar; Rabbeinu Hananel).

איבא, דאילו פרט וכלל – מרבין
אפילו עלין ולובין, ומיעט וריבה –
לובין אין, עלין – לא.

The Gemara answers: **There is the following difference, as whereas in the method of a detail and a generalization one includes and renders forbidden to a nazirite even leaves and tendrils of the vine, with the method of restriction and amplification one includes less, as tendrils, yes, they are included in the prohibition, whereas leaves, no, they are not included.**

אמר רבי אבהו אמר רבי יוחנן: כל
איסורין שבתורה אין היתר מצטרף
לאיסור, חוץ מאיסורי נזיר, שהרי
אמרה תורה “משרת”.

§ Rabbi Abbahu says that Rabbi Yohanan says: With regard to all prohibitions that are written in the Torah, a permitted substance does not combine with a forbidden substance. If one eats a permitted food with a forbidden 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: “Neither shall he drink anything soakedⁿ 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.

Perek VI

Daf 36 Amud a

זעירי אמר: אף שאור בבל תקטירו.
כמאן, ברבי אלעזר, דדריש “כל”?

Ze’iri says: Permitted and forbidden substances combine with regard to the prohibition against offering leaven on the altar, as well,^h as it states: “For any [*kol*] leaven and any [*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 in addition to the liability for sacrificing pure leaven. The Gemara asks: **In accordance with whose** opinion did Ze’iri issue his ruling? It is **in accordance with the opinion of Rabbi Eliezer, who derives** from the term *kol* in the verse “You shall eat nothing [*kol*] leavened” (Exodus 12:20) that a mixture with part leaven is forbidden on Passover.

אי הכי, לענין חמץ נמי! אין הכי
נמי. אלא לאפקי מאבוי, דאמר: יש
הקטרה בפחות מכאית, קא משמע
לו: אין הקטרה בפחות מכאית.

The Gemara raises a difficulty: **If so, then with regard to the matter of leavened bread on Passover, one should also be liable for eating leaven combined with a permitted substance, e.g., less than an olive-bulk of bread soaked in wine, so that the volume is now an olive-bulk.** The Gemara answers: **Yes, indeed it is so. Rather, when Ze’iri specifies that the prohibition applies with regard to sacrificing leaven in offerings, he meant to excludeⁿ the statement of Abaye, who says: There is significance to sacrificing less than an olive-bulk of leaven on the altar, i.e., one is flogged for sacrificing an offering of that kind.** By noting that one is liable due to the fact that permitted substances combine with forbidden substances, Ze’iri teaches us that **there is no significance to sacrificing less than an olive-bulk, and therefore this is not punishable by lashes.**

HALAKHA

The prohibition against offering leaven as well, etc. – אף – שאור בבל תקטירו וכו' honey upon the altar. Even a trace amount of these substances

invalidates an offering. One who sacrifices an olive-bulk of a mixture containing leaven or honey is flogged (Rambam *Sefer Avoda, Hilkhot Issurei Mizbe'ah* 5:1–2).

NOTES

Rather, to exclude – אלא לאפקי – Ze’iri could have stated the *halakha* that permitted food combines with forbidden food with regard to leaven on Passover, but he preferred to mention the *halakha* of burning leaven on the altar because he wanted

to take issue with Abaye’s opinion. In Abaye’s opinion, there is no need to apply the principle that less than an olive-bulk of leaven can combine with unleavened bread, as one is liable if he sacrifices even half an olive-bulk by itself.

Thick soup was made with produce that had the status of *teruma*, etc. – מקפה של תרומה וכו' – With regard to thick soup prepared with *teruma* produce and non-sacred garlic and oil, if one who immersed himself that day touches part of it he has disqualified the entire dish (Rambam *Sefer Tahara, Hilkhhot Tumat Okhalin* 8:12).

The thick soup was made with produce of non-sacred status – מקפה של חולין – With regard to thick soup prepared with non-sacred produce and whose garlic and oil were *teruma*, if one who immersed himself that day touches part of it he has disqualified only the spot he touched. If the thick soup was mostly garlic, one follows the majority portion, and it is all disqualified (Rambam *Sefer Tahara, Hilkhhot Tumat Okhalin* 8:13).

יתיב רב דימי וקאמר לה להא שמעתא. איתבייה אביי: המקפה של תרומה, והשום והשמן של חולין, ונגע טבול יום במקצתן – פסל את כולן. מקפה של חולין, והשום והשמן של תרומה, ונגע טבול יום במקצתן – לא פסל אלא מקום מגעו.

והוינן בה: מקום מגעו אמאי פסול? ואמר רבה בר בר חנה אמר רבי יוחנן: מה טעם – הואיל וזר לוקה עליה בכזית.

מאי טעמיה,

§ Rav Dimi sat and stated this *halakha* of Rabbi Yohanan that a permitted substance does not combine with a forbidden substance except in the case of a nazirite. Abaye raised an objection to his opinion from a mishna (*Tevul Yom* 2:3): In a case where the thick soup⁸ was made with produce that had the status of *teruma*⁹ but the garlic and oil therein were of non-sacred produce, and one who was ritually impure who immersed that day and is waiting for nightfall for the purification process to be completed touched some of the contents, he has disqualified all the contents of the pot from being eaten, as it all is considered *teruma* soup. However, if the thick soup was made with produce of non-sacred status¹⁰ but the garlic and the oil had the status of *teruma* produce, and one who immersed himself that day touched some of them, he has disqualified only the contents in the place that he touched.

Abaye continues: And we discussed this issue: Why are the contents in the place that he touched disqualified?¹¹ Since the primary ingredients of the dish are of non-sacred produce, it should not be disqualified by contact with one who immersed himself that day. And Rabba bar bar Hana says that Rabbi Yohanan says: What is the reason that the contents become disqualified? It is due to the fact that 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.

Abaye concludes his question: What is Rabbi Yohanan's reason that one is flogged for eating this mixture?

BACKGROUND

Thick soup [*mikpa*] – מקפה: From the context it can be inferred that a *mikpa* was a thick stew that contained enough liquid that it could still be poured. It was prepared mainly from grits, crushed seeds from various grains, and was seasoned with garlic and oil.

Teruma – תרומה: Whenever the term *teruma* appears without qualification, it refers to the command in the Torah that “the first fruit of your grain, of your wine, and of your oil” (Deuteronomy 18:4) be given to a priest (see Numbers 18:12). The Sages extended the scope of this mitzva, which applies only in Eretz Yisrael, to include all produce. After the first fruits have been separated, a certain portion of the produce must be designated as *teruma* and separated for the priests. The Torah does not specify the amount of *teruma* that must be separated; one may theoretically fulfill

his obligation by separating even a single kernel of grain from an entire crop. However, the Sages instituted a recommended measure: One-fortieth of the produce for a generous gift, one-fiftieth for an average gift, and one-sixtieth for a miserly gift. One must separate *teruma* before separating the other tithes. *Teruma* is sacred and may be eaten only by a priest and his household while they are in a state of ritual purity (see Leviticus 22:9–15). If *teruma* becomes ritually impure, it may no longer be eaten and must be burned. Nevertheless, it remains the property of the priest and he may benefit from its burning.

Nowadays, *teruma* is not given to the priests, because they can provide no definite proof of their priestly lineage. Although the obligation to separate *teruma* remains, the *halakha* reverts to Torah law, and only a minuscule portion of the produce is separated in practice.

NOTES

Thick soup was made with produce of non-sacred status, etc. – מקפה של חולין וכו' – The Commentary on *Nazir* cites two explanations that serve as the basis for a fundamental dispute between the halakhic authorities. One opinion is that the phrase: Touched some of them, refers to part of the garlic and oil (Rabbeinu Tam). Another opinion is that even if one touches part of the contents of the non-sacred dish, it is considered as though he touched *teruma* as it is all mingled in a single soup (Rashi on *Pesahim* 44a). These two opinions also offer competing explanations of the first case, concerning a soup made of *teruma* produce. According to the second interpretation it is clear why the entire dish is invalidated, as it is composed mainly of *teruma* produce. However, this case is somewhat difficult for the first opinion; if it is not considered a unified mixture why should the *teruma* produce be disqualified by virtue of the person touching the garlic and oil? Some explain that although he touched only the non-sacred garlic and oil, since they touch the primary elements of the soup, it is as though he touched the *teruma* itself (Rabbeinu Tam).

Why are they...disqualified – אמאי פסול – There are alternative versions of the text which correspond to the opinions mentioned in the previous note. According to those who maintain that he touched only the garlic and oil (Rabbeinu Tam), the question is as follows: Since food is susceptible to ritual impurity only if it is at least the volume of an egg-bulk, why should the touch of one who immersed himself that day disqualify garlic and oil that are *teruma*, as these items are generally not the volume of an egg-bulk? Others further state that although the garlic is *teruma*, nevertheless it should be nullified by the non-*teruma* dish (*Tosafot* on *Pesahim* 44a, citing Ri). Although there is a general principle that *teruma* is nullified only if it is less than one hundredth of the total, this is a decree of the Sages; by Torah law *teruma* is nullified in a simple majority (Rashi on *Pesahim; Tosafot*). Alternatively, the Gemara is referring to a case where one touched only soup that was not *teruma*, and the question is why produce that is not *teruma* should be disqualified merely by contact (Meiri on *Pesahim*).

לֹא מִשּׁוֹם דְּהִיתָּר מִצְטָרֵף לְאִיסוּר? אָמַר לֵיהּ: לֹא, מֵאֵי כּוֹזָת – דְּאִיכָּא כּוֹזָת בְּכַדֵּי אֲכִילַת פָּרִס.

וְאֲכִילַת פָּרִס דְּאוּרִייתָא הֵיא? אָמַר לֵיהּ: אִין, אֵי הֵבֵי, אָמַאי פְּלִיגֵי רַבְנָן עֲלֵיהּ דְּרַבִּי אֶלְעָזָר בְּכוֹתָח הַבְּבֵלִי?

אָמַר לֵיהּ: הִנָּח לְכוֹתָח הַבְּבֵלִי, דְּלִיכָּא כּוֹזָת בְּכַדֵּי אֲכִילַת פָּרִס; אֵי דְקָא שְׂרִיף לֵיהּ מִיִּשְׂרָף – בְּטִלָּה דְעֵתוֹ אֶצֶל כָּל אָדָם, אֵי מִיִּשְׂטֵר קָא שְׂטֵר – לֹא מִשְׁכַּחַת כּוֹזָת בְּכַדֵּי אֲכִילַת פָּרִס.

אֵי תִּיבִיָּה: שְׁתֵּי מְדוּכּוֹת, אַחַת שֶׁל תְּרוּמָה וְאַחַת שֶׁל חוּלִין, וּלְפָנֵינוּ שְׁתֵּי קְדִירוֹת אַחַת שֶׁל תְּרוּמָה וְאַחַת שֶׁל חוּלִין, וְנִפְלוּ אֵילּוּ לְתוֹךְ אֵילּוּ – שְׁתֵּיהֶן מוֹתְרוֹת, שְׂאֵנִי אוֹמַר: חוּלִין לְתוֹךְ חוּלִין נִפְלוּ, וְתְרוּמָה לְתוֹךְ תְּרוּמָה נִפְלָה.

וְאֵי סְלָקָא דְעֵתָךְ כּוֹזָת בְּכַדֵּי אֲכִילַת פָּרִס דְּאוּרִייתָא – אָמַאי אָמְרִינָן "שְׂאֵנִי אוֹמַר"?

Is it not due to the fact that the permitted substance combines with the forbidden substance? This would mean that this principle applies in other areas of Torah law besides naziriteship. Rav Dimi said to him: No; what is the meaning of an olive-bulk in this mishna? It means that there is enough *teruma* in the mixture so 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 of bread.⁸ In that case one is liable to receive a punishment for eating this olive-bulk, as though he ate the *teruma* alone.

Abaye asked him: But is eating an olive-bulk in the time it takes to eat a half-loaf of bread prohibited by Torah law,^{9H} and is one flogged for it? Rav Dimi said to him: Yes. Abaye asked in response: If so, why do the Rabbis disagree with Rabbi Eliezer with regard to eating Babylonian *kutah*,⁸ a dip that contains bread, on Passover? The Rabbis maintain that one is not punished by Torah law for eating a mixture that contains leaven. Although the Rabbis do not derive from the term “nothing [*kol*],” that leaven in a mixture is forbidden, they should nevertheless hold one liable for eating an olive-bulk of a forbidden substance in the time it takes to eat a half-loaf of bread.

Rav Dimi said to Abaye: Leave aside the case of Babylonian *kutah*, as 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 [*shareif*]¹ 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, and especially so quickly. One receives no punishment for conduct that anomalous. And if he dips [*shatar*]¹ other food into the *kutah* and eats it, he will not be found to have consumed an olive-bulk in the time it takes to eat a half-loaf of bread. Due to the pungency of the dip, one typically adds only a small portion of it to his food.

Abaye raised an objection to Rav Dimi from a *baraita*: With regard to two spice mortars, one used for *teruma* spices and one used for non-sacred spices, before which were two pots, one of *teruma* produce and the other one of non-sacred produce, and the contents of these mortars fell into these pots, but it is unknown which produce fell into which pot, the contents of both pots are permitted; the pot containing the *teruma* produce is permitted for a priest and the pot containing non-sacred produce is permitted for all. This is because I say, with no definitive proof to the contrary, that the non-sacred spices fell into the non-sacred produce and the *teruma* spices fell into the *teruma*.

Abaye explains his objection: And if it would enter your mind to say that eating an olive-bulk of a forbidden substance in the time it takes to eat a half-loaf of bread is prohibited by Torah law, why do we say this principle: Because I say that the non-sacred spices fell into the non-sacred produce? If the *teruma* spices 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. One is not lenient in a case of this kind.

HALAKHA

In the time it takes to eat a half-loaf of bread by Torah law – בכַדֵּי אֲכִילַת פָּרִס דְּאוּרִייתָא: One who eats an olive-bulk of forbidden food in the time it takes to eat three egg-bulks, the equivalent of a half-loaf of bread, is liable to receive lashes or to be punished by Heaven. This is the case whether he ate this amount of the forbidden food in a mixture or by itself. The same principle applies to positive mitzvot that involve eating: One who eats an olive-

bulk in the time it takes to eat a half-loaf of bread has fulfilled his obligation. Some authorities maintain that a half-loaf of bread is the equivalent of four egg-bulks (Rambam *Sefer Kedusha*, *Hilkhot Ma'akhalot Assurot* 14:8; 15:3; *Sefer Zemanim*, *Hilkhot Shevitat Asor* 2:4; *Sefer Zemanim*, *Hilkhot Hametz UMatza* 1:6; *Sefer Hafla'a*, *Hilkhot Nezirut* 5:4; *Sefer Korbanot*, *Hilkhot Shegagot* 6:1; 11:1; *Shulhan Arukh*, *Orah Hayyim* 208:9; 475:6; 612:3).

BACKGROUND

In the time it takes to eat a half-loaf of bread – בכַדֵּי אֲכִילַת פָּרִס: The time it takes to eat a half-loaf of bread serves as a benchmark in many areas of *halakha*. Later authorities debate whether a half-loaf is the size of three egg-bulks or four. Opinions also vary with regard to the length of time of this measure, especially with regard to foods whose time of consumption is not uniform. Opinions as to the duration of this period range from three to nine minutes.

Kutah – כּוֹזָח: *Kutah* was a dip for bread served as an appetizer. It was made from whey, salt, and bread that had fermented to the point of moldiness. This dip was so sharp that it could be eaten only by the Babylonians, who were accustomed to eating it. In the Mishna, it is referred to as Babylonian *kutah*.

NOTES

Is eating an olive-bulk in the time it takes to eat a half-loaf of bread prohibited by Torah law – וְאֲכִילַת פָּרִס דְּאוּרִייתָא הֵיא: The commentaries note that it is explicitly taught in a mishna (*Makkot* 13a) that one who eats an olive-bulk in the time it takes to eat a half-loaf of bread is liable to receive lashes and other applicable punishments (*Tosafot*). However, that mishna can be explained as referring to one who eats an olive-bulk of the forbidden substance alone within this stipulated period. Conversely, here the Gemara is dealing with one who eats a mixture of forbidden and permitted food, in which case he might not be liable by Torah law, even if the entire mixture contains an olive-bulk of a forbidden substance.

His intention is rendered irrelevant – בְּטִלָּה דְעֵתוֹ: As this dip is extremely sharp, and it is rare to eat it by itself, most commentaries maintain that one who eats *kutah* in this manner is exempt, as this is an abnormal way of eating (Commentary on *Nazir*). However, others say that since people do not consume *kutah* in this fashion the Sages did not discuss this case, and one who went ahead and ate it in one sitting is liable (*Tosafot*; see Rabbeinu Peretz and Rabbeinu Todros).

LANGUAGE

Swallowing [*shareif*] – שְׂרִיף: From the Hebrew root meaning swallow, and similar to the Arabic شرب, *shariba*, meaning drink. It is used to describe the consumption of a thick substance that is swallowed, rather than drunk like water.

Dips [*shatar*] – שְׂטֵר: An Aramaic term meaning to smear or anoint. In this context it refers to using the *kutah* as a sort of condiment for the bread.

Teruma from spices is by rabbinic law – תְּרוּמַת תְּבֻלִין – דְּרִבְנָן הֵיא: Tithes and *teruma* are separated from vegetables by rabbinic law (Rambam *Sefer Zera'im, Hilkhot Terumat* 2:6).

Two pots, two baskets – שְׁתֵּי קְדוּרוֹת, שְׁתֵּי קוּפוֹת: If there are two baskets, one containing non-sacred produce and the other *teruma*, and in front of them are two containers, each containing a *se'a* of produce, one of non-sacred produce and the other of *teruma*, and the contents of the baskets fall into the containers, the non-sacred produce remains permitted, as the non-sacred produce is assumed to have fallen into the container of the non-sacred produce. This *halakha* applies only to *teruma* that applies by rabbinic law. In the case of *teruma* that applies by Torah law the permitted substance must be the majority for it to remain permitted.

The same *halakha* applies to two pots, one of which contains permitted food and the other forbidden produce, into which forbidden and permitted substances fall. If the food is forbidden by rabbinic law, the ruling is lenient in all cases; if it is forbidden by Torah law, the *halakha* is lenient only if the permitted food forms the majority (Rambam *Sefer Zera'im, Hilkhot Terumat* 13:14; *Shulhan Arukh, Yoreh De'a* 111:1).

אֵלֶּא מֵאֵי הֵיִתֵּר מִצְטָרֵף לְאִיסוּר – אֵמַאי אֶמְרִינָן "שְׂאֵנִי אוֹמֵר"? אֵלֶּא, הֵנָּח לְתְרוּמַת תְּבֻלִין, דְּרִבְנָן הֵיא.

אֵיִתְיַבֵּיהּ: שְׁתֵּי קוּפוֹת, אַחַת שֶׁל תְּרוּמָה וְאַחַת שֶׁל חוּלִין, וְלִפְנֵיהֶן שְׁתֵּי סָאִין אַחַת שֶׁל חוּלִין וְאַחַת שֶׁל תְּרוּמָה, וְנָפְלוּ אֵלָיו לְתוֹךְ אֵלָיו – שְׁנֵיהֶן מוֹתְרִין, שְׂאֵנִי אוֹמֵר: חוּלִין לְתוֹךְ חוּלִין נָפְלוּ, תְּרוּמָה לְתוֹךְ תְּרוּמָה נָפְלָה.

וְאִי סִלְקָא דְעֵתְךָ בְּכֵי אֲכִילַת פֶּרֶס אִיסוּר – אֵמַאי אֶמְרִינָן "שְׂאֵנִי אוֹמֵר"?

Rav Dimi said to him: **Rather, what will you say?** That the **permitted substance combines with the forbidden substance?** But if so, one can still ask **why we say this principle: Because I say** that the non-sacred spices fell into the non-sacred produce. After all, it is possible that the second mortar contained slightly less than an olive-bulk of *teruma*, and the permitted substance combined with it to form the amount of an olive-bulk. **Rather, leave aside the case of *teruma* separated from spices, which is *teruma* by rabbinic law.**¹¹ 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.

Abaye raised an objection to Rav Dimi from a similar *baraita*: There were **two baskets, one filled with *teruma* and one filled with non-sacred produce, and before them were two containers each containing a *se'a* of produce, one of non-sacred produce and the one of *teruma*, and these, the contents of each of the baskets, fell into those, each of the containers before them.** Although it is prohibited for non-priests to eat a mixture of *teruma* and non-sacred produce, and it is possible that the *teruma* fell into the non-sacred produce, the contents of **both** of the vessels are nevertheless **permitted**; the container of *teruma* produce is permitted for a priest and the container of non-sacred produce is permitted for all. This is **because I say that the non-sacred produce fell into the non-sacred produce and the *teruma* fell into the *teruma*.**¹²

Abaye explains: **And if it would enter your mind to 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: Because I say the non-sacred produce fell into the non-sacred produce?** Why are the Sages not concerned that one might eat an olive-bulk of *teruma* in the time it takes to eat a half-loaf of bread, which is prohibited by Torah law?

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Daf 37 Amud a

NOTES

Where there is more non-sacred produce, etc. – כְּגוֹן – דְּנִפְשֵׁי חוּלִין וְכוּ: A forbidden substance combines with permitted food to render the entire mixture forbidden only if there is at least as much of the forbidden substance as the permitted food. The early commentaries ask: If this is Abaye's opinion, why does he raise a difficulty from the case of non-sacred thick soup, as there too the mixture is mostly permitted food. One answer is that there is a difference between forbidden grain and forbidden spices. Since garlic and oil noticeably affect the taste of a dish they cannot be nullified (Commentary on *Nazir*). Others claim that the Gemara could have refuted Abaye's question from the case of the thick soup in this manner but instead offers a different answer (Rabbi Avraham min HaHar, citing Commentary on *Nazir*).

בְּשִׁלְמָא לְדִידֵי דְאִמְיֵנָא מְשׁוּם דְהֵיִתֵּר מִצְטָרֵף לְאִיסוּר – כְּגוֹן דְנִפְשֵׁי חוּלִין, אֵלֶּא לְדִידֵךְ דְאִמְרַתְּ מְשׁוּם דְאִיכָא בְּיַת בְּכֵי אֲכִילַת פֶּרֶס, כִּי נִפְשֵׁי חוּלִין מֵאֵי הֵוִי?

אֵמֵר לֵיהּ: הֵנָּח לְתְרוּמָה בְּזִמְנֵי הַזֶּה דְרִבְנָן.

Granted, according to my opinion, as I say that this is **because permitted food combines with forbidden food, I can explain that this is referring to a case where there is more non-sacred produce¹³ than *teruma*, and the combination is assumed the status of the forbidden item or *teruma* only when those are the majority. However, according to your opinion, that you say this is because there is an olive-bulk consumed in the time it takes to eat a half-loaf of bread, then even if there is more non-sacred produce, what of it?** In any case there is an olive-bulk of *teruma* eaten within the time it takes to eat a half-loaf of bread.

Rav Dimi said to Abaye: **Leave aside *teruma* in the present, as it applies by rabbinic law.**¹⁴ Since the exile of the Jewish people from Eretz Yisrael, the *halakhot* of *teruma* and tithes apply by rabbinic law, not Torah law. This is the basis for the lenient ruling with regard to this mixture.

HALAKHA

Teruma in the present applies by rabbinic law – תְּרוּמָה בְּזִמְנֵי הַזֶּה: Most authorities agree that *teruma* in the present applies by rabbinic law, even in those parts of Eretz Yisrael that were settled by those who arrived from Babylonia in Ezra's time, as

stated by the Gemara here and elsewhere (Rambam). Some (Ra'avad) maintain that *teruma* nowadays applies by Torah law (Rambam *Sefer Zera'im, Hilkhot Terumat* 1:26 and *Sefer Kedusha, Hilkhot Issurei Bia* 20:3; *Shulhan Arukh, Yoreh De'a* 331:2).