

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

**Two pots, two baskets – שְׁתֵּי קְרוּרוֹת, 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, הֵנַח לְתְרוּמַת תְּבֵלִין, דְּרַבְנָן הֵיא.

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.**<sup>H</sup> 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.

אֵיִתְיַבֵּיהּ: שְׁתֵּי קוּפוֹת, אַחַת שֶׁל תְּרוּמָה וְאַחַת שֶׁל חוּלִין, וְלִפְנֵיהֶן שְׁתֵּי סָאִין אַחַת שֶׁל חוּלִין וְאַחַת שֶׁל תְּרוּמָה, וְנִפְלוּ אֵלָיו לְתוֹךְ אֵלָיו – שְׁנֵיהֶן מוֹתְרִין, שְׂאֵנִי אוֹמֵר: חוּלִין לְתוֹךְ חוּלִין נִפְלוּ, תְּרוּמָה לְתוֹךְ תְּרוּמָה נִפְלָה.

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*.<sup>H</sup>

וְאִי סִלְקָא דְעֵתְךָ כְּזֵית בְּכַדֵּי אֲכִילַת פֶּרֶס אֶסוּר – אֵמַאי אֶמְרִינָן "שְׂאֵנִי אוֹמֵר"?

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?

Perek VI  
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 דְאֶמִינָא מִשּׁוּם דְּהֵיִתֵּר מִצְטָרֵף לְאִיסוּר – כְּגוֹן דְּנִפְשֵׁי חוּלִין, אֵלֶּא לְדִידֵךְ דְּאֶמְרַתְּ מִשּׁוּם דְּאֵיכָא כְּזֵית בְּכַדֵּי אֲכִילַת פֶּרֶס, כִּי נִפְשֵׁי חוּלִין מֵאֵי הֵוִי?

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 produce<sup>N</sup> 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.

אֶמַר לֵיהּ: הֵנַח לְתְרוּמָה בְּזִמְנֵי הַזֶּה דְּרַבְנָן.

Rav Dimi said to Abaye: **Leave aside *teruma* in the present**, as it applies by rabbinic law.<sup>H</sup> 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 – דְּרַבְנָן: 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).

להיתר מצטרף – לאיסור: Permitted food does not combine with forbidden food even in the case of a nazirite. For example, if wine became mixed with honey and the mixture tasted like wine, or if raisins were mixed with dried figs and the mixture tasted like raisins, a nazirite is not liable for eating or drinking the mixture. Rather, he is flogged only if he ate an olive-bulk of forbidden food in the time it takes to eat a half-loaf of bread, i.e., three egg-bulks. Rabbi Abbahu's statement in the name of Rabbi Yohanan is in accordance with the opinion of Rabbi Akiva, whereas the *halakha* is in accordance with the opinion of the Rabbis (Rambam *Sefer Hafla'a*, *Hilkhot Nezirot* 5:4).

To establish that the flavor of a forbidden food is like that of its substance – ליתן טעם בעיקר: If a nazirite soaked his bread in wine and the mixture contained a quarter-log of wine in a half-loaf of bread, then if he ate the amount of a half-loaf of bread he has consumed a quarter-log of wine and is flogged (Rambam). The phrase "anything soaked in grapes" (Numbers 6:3) means that a substance into which wine has been mixed is forbidden if it retains the taste of wine. Others (*Halakhot Gedolot*; Rabbeinu Tam) maintain that although one is flogged only if it contained a sufficient quantity of the forbidden food that he would consume an olive-bulk of it in the time it takes to eat a half-loaf of bread, nevertheless the mixture is forbidden by Torah law if the forbidden food imparts taste, unless there is sixty times as much permitted matter as forbidden (Rambam *Sefer Hafla'a*, *Hilkhot Nezirot* 5:4 and *Lehem Mishne* there; *Tur*; *Beit Yosef*, *Yoreh De'a* 98).

BACKGROUND

Diverse kinds in a vineyard – בלאי הברם: The Torah states: "Do not sow your vineyard with two kinds of seed, lest the fullness of the seed which you have sown be rendered forbidden together with the yield of the vineyard" (Deuteronomy 22:9). The Sages derived from this verse that food crops planted in a vineyard are forbidden and render the yield of the vineyard forbidden as well. The application of this *halakha* depends on the question of which plants constitute a forbidden food crop in a vineyard.

אמר ליה אביי: ממאי דהאי "משרת" להיתר מצטרף לאיסור הוא דאתא? דילמא ליתן טעם בעיקר הוא דאתא!

Abaye said to him: From where do you derive that this verse: "Nor shall he drink anything soaked in grapes" (Numbers 6:3), comes to teach the principle that permitted food combines with forbidden food, as stated by Rabbi Yohanan (35b)? Perhaps instead it comes to establish the principle that the legal status of the flavor of a forbidden food is like that of its substance.<sup>HN</sup> This principle states that any food that absorbs the taste of a forbidden item assumes the status of this forbidden item itself.

ולאביי, מעיקרא קא קשיא ליה מאי דקאמר רב דימי וקא מוהיב ליה כל הלן תיובתא. הדר אמר ליה ליתן טעם בעיקר?

The Gemara expresses surprise at Abaye's question. And according to the opinion of Abaye, initially that which Rav Dimi said was difficult for him. Rav Dimi had cited Rabbi Yohanan as saying that permitted food combines with forbidden foods only in the case of naziriteship (36a), due to the term "soaked," and Abaye had objected with all these aforementioned refutations to prove that this principle applies in all areas of Torah law. And yet he then said to him that one should derive a very different principle from that same verse, that the verse establishes the principle that the legal status of the flavor of a forbidden food is like that of its substance.

בתר דשני ליה אמר ליה: דילמא ליתן טעם בעיקר הוא דאתא.

The Gemara answers: After Rav Dimi resolved Abaye's difficulties, and Abaye had accepted his answer that the principle that permitted food combines with forbidden food does not apply to the rest of Torah law, he said to Rav Dimi that perhaps the verse comes to establish that the legal status of the flavor of a forbidden food is like that of its substance, with the following application.

לכדתנא: "משרת" – ליתן טעם בעיקר, שאם שרה ענבים במים ויש בהן טעם יין – חייב. ומכאן אתה דן כל איסורין שבתורה.

This is relevant for that which is taught in a *baraita*: The term "soaked" serves to establish the principle that the legal status of the flavor of a forbidden food is like that of its substance. As, if a nazirite soaked grapes in water and the water has the taste of wine, he is liable to receive punishment for drinking this liquid, as it assumes the status of wine. And from here you derive the *halakha* with regard to all prohibitions of the Torah; in all cases, the legal status of the taste of a forbidden food is like that of its substance. The fact that with regard to all other prohibitions, the legal status of the flavor of a forbidden food is like that of its substance, is derived from the *halakhot* of naziriteship.

ומה נזיר שאין איסורו איסור עולם, ואין איסורו הנאה, ויש היתר לאיסורו – עשה בו טעם בעיקר, בלאי הברם, שאיסורן איסור עולם, ואיסורן איסור הנאה, ואין היתר לאיסורן – אינו דין שיעשה בו טעם בעיקר?

The *baraita* explains the derivation: And just as with regard to a nazirite, whose prohibition against eating grapes is not a permanent prohibition, as he will be permitted to eat grapes once his term of naziriteship is over, and furthermore his prohibition is not a prohibition against deriving benefit<sup>N</sup> from wine, and there is a way to permit his prohibition<sup>N</sup> against eating grape products by requesting from a halakhic authority to dissolve his vow, and nevertheless, in his case the Torah rendered the legal status of the flavor of food like that of its substance. With regard to a forbidden mixture of diverse kinds in a vineyard,<sup>B</sup> i.e., grain seeds sown with grape seeds, whose prohibition is a permanent prohibition and whose prohibition is a prohibition against deriving benefit, and there is no way to permit their prohibition, is it not right that the Torah should render the legal status of the flavor of its forbidden food like that of its substance?

NOTES

The flavor of a forbidden food is like that of its substance – טעם בעיקר: The commentaries ask what the difference is between the principle: The taste of a forbidden food is like that of its substance, and: Permitted food combines with forbidden food. Some explain that the first principle means that the taste of the forbidden food spreads throughout the permitted food, even if there is an insufficient amount of forbidden substance to cause liability in and of itself (Rashi). Others claim that there must be a requisite amount of forbidden food, although it need not be visible in the mixture (Meiri). Conversely, the principle: Permitted food combines with forbidden food, applies when the permitted and forbidden substances are separate or when the forbidden food is concentrated in one spot, in which case

the forbidden item, which forms at least half of the total, combines with the permitted to form a single unit. Many authorities contend that even if the principle: The taste of a forbidden food is like that of its substance, applies by Torah law, one is flogged only if the mixture contains an olive-bulk of food that can be eaten in the time it takes to eat a half-loaf of bread.

And his prohibition is not a prohibition against deriving benefit – ואין איסורו הנאה: A nazirite is prohibited only from eating or drinking products of the vine. He may derive benefit from them in all other ways, e.g., selling them or other uses of them.

And there a way to permit his prohibition – ויש היתר לאיסורו:

There are several explanations of this clause. Some commentaries maintain that the wine a nazirite may not drink is not itself forbidden, as he may consume it at the end of his term (Commentary on *Nazir*). This is similar to the statement that the nazirite's prohibition is not a permanent one, but that statement refers to the person himself, while this statement refers to the forbidden wine. Most commentaries explain that permitting his prohibition refers to the fact that he can have his vow of naziriteship and its attendant prohibitions dissolved by a halakhic authority (Rashi on *Pesachim*; *Tosafot*; Rosh). Alternatively, this statement means that his prohibition is permitted in the sense that one is permitted to render wine forbidden to himself by taking a vow of naziriteship (*Tosafot*).

BACKGROUND

Orla – ערלה: It is prohibited to eat or derive benefit from fruit that grows during the first three years after a tree has been planted (Leviticus 19:23). This prohibition applies only to the fruit and not to the other parts of the tree. In addition, the prohibition does not apply to trees planted as a fence for property or as a wind buffer, rather than planted for their fruit.

NOTES

Against orla on two counts – לערלה בשתיים: It is prohibited to benefit from orla, and there is no way for this prohibition to be permitted. However, it is not a permanent prohibition, as orla lasts for a fixed period of three years (Commentary on Nazir; Rosh). Alternatively, it is indeed a permanent prohibition, as the fruit that grew when the tree was forbidden remains permanently forbidden. It is also prohibited to benefit from it, as stated previously. According to this opinion, the exception is that there is a way to permit this prohibition, as although the fruit of the fourth year is also considered orla, it can be rendered permitted by being redeemed (Tosafot; Rabbeinu Tam). Alternatively, this prohibition is permitted in the sense that one is permitted to cause the prohibition ab initio, as one plants trees knowing that their fruit will become orla (Tosafot; Rabbeinu Peretz).

Diverse kinds too – כלאים גמי: The prohibition of diverse kinds includes at least three separate categories: Mixtures of seeds of food crops in a vineyard, the yoking of animals of different species together, and mixtures of diverse kinds of wool and linen.

HALAKHA

Meat cooked in milk...is merely the taste – בשר בלאים גמי: One who ate an olive-bulk of meat that had been cooked with milk is flogged. By Torah law, the mixture is forbidden only if the two were actually cooked together; however, the Sages prohibited any mixture of this kind (Rambam Sefer Kedusha, Hilkhhot Ma'akhalot Assurot 9:1; Shulhan Arukh, Yoreh De'a 87:1).

Diverse kinds too, etc. – כלאים גמי וכו': One who sows together two different types of seeds in Eretz Yisrael is flogged. If one sowed them with grape seeds he is liable both for the regular prohibition of diverse kinds and for diverse kinds in a vineyard. If one eats an olive-bulk of the produce of seeds in a vineyard, whether of the grapes or the other produce, he is flogged (Rambam Sefer Kedusha, Hilkhhot Ma'akhalot Assurot 10:7; Shulhan Arukh, Yoreh De'a 296:1, 297:1).

והוא הדין לערלה בשתיים.

The baraita adds: And the same is true for the prohibition against eating the fruit of a tree during the first three years after its planting [orla],<sup>8</sup> on two of three counts.<sup>9</sup> Although the prohibition of orla is not a permanent 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 permitted, as the fruits that grow during the first three years remain forbidden. 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. Abaye is asking Rav Dimi: In any case doesn't this entire derivation presents a difficulty for Rabbi Yoḥanan, who derives a different halakha from the term "soaked."

One of the Sages said to Abaye: When Rabbi Abbahu said that Rabbi Yoḥanan said that the principle of permitted food combining with forbidden food is derived from the term "soaked," he spoke in accordance with the opinion of Rabbi Akiva. The Gemara asks: To which statement of Rabbi Akiva is the Gemara referring? If we say it is referring to the opinion of Rabbi Akiva of this mishna, as we learned (Shevuot 21b) that Rabbi Akiva says: Even if a nazirite soaked his bread in wine, and the bread and the wine contain enough to combine to constitute an olive-bulk, he is liable; but from where do we know that Rabbi Akiva means an olive-bulk taken from the bread and the wine together? Perhaps that ruling applies only when there is an olive-bulk of wine as is, without the bread?

And if you would say: In that case, what is the purpose of stating this ruling? What is the novelty of Rabbi Akiva's statement if the mixture contains an olive-bulk of wine? One can say that it serves to exclude the opinion of the first tanna, who said that he is liable only if he drinks a quarter-log of wine. Rabbi Akiva emphasizes that one is liable even if he drinks the amount of an olive-bulk.

Rather, the reference is to the following statement of Rabbi Akiva in a baraita. As it is taught in a baraita that Rabbi Akiva says: A nazirite who soaked his bread in wine and ate an olive-bulk of the mixture of bread and wine is liable. This baraita indicates that according to the opinion of Rabbi Akiva a permitted substance combines with a forbidden substance.

Rav Aḥa, son of Rav Avya, said to Rav Ashi: According to Rabbi Akiva, who establishes the verse "neither shall he drink anything soaked" (Numbers 6:3) as referring to the principle that the permitted combines with the forbidden, from where does he derive the principle that the legal status of the flavor is like that of the substance itself? The Gemara answers: He derives this principle from the prohibition of meat cooked in milk. Is it not the case that there is no actual milk present, and it is merely the taste<sup>10</sup> of the milk absorbed in the meat, and yet the mixture is prohibited? Here too, in the case of other prohibitions, it is no different, and the legal status of the flavor is like that of the substance itself.

The Gemara asks: And with regard to the Rabbis, who disagree with Rabbi Akiva and derive the halakha that the legal status of the flavor is like that of the substance itself from the phrase "neither shall he drink anything soaked," why do they not derive this principle from the case of meat cooked in milk? The Gemara answers: The Rabbis claim that we do not derive other prohibitions from meat cooked in milk, as that prohibition is a novelty, and one does not learn general halakhot from unusual cases.

The Gemara asks: What is the novelty of that prohibition? If we 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 forbidden mixtures of diverse kinds too,<sup>11</sup> this element alone and that element alone are each permitted, and yet together they are forbidden.

אמר ליה ההוא מרבנן: רבי אבהו, כי קאמר לרבי עקיבא. הי רבי עקיבא? אילימא רבי עקיבא דהקא, דתנן: רבי עקיבא אומר: אפילו שרה פיתו בינו, ויש בו כדי לצרף כזית – חייב. וממאי? דילמא הוא דאיכא כזית בעינא!

וכי תימא מאי למימרא – לאפוקי מתנא קמא, דאמר: עד שישתה רביעית יין.

אלא רבי עקיבא דבריייתא, דתנא, רבי עקיבא אומר: גזיר ששרה פתו בינו, ואכל כזית מפת ומיין – חייב.

אמר ליה רב אחא ברביה דרב אוןא לרב אשי: לרבי עקיבא, דקא מוקים ליה להאי "ובל משרת" להיתר מצטרף לאיסור, ליתן טעם בעיקר מנא ליה? ילף ממשך בחלב; לא טעם בעלמא הוא ואסור – הקא גמי לא שנא.

ורבנן: מבשר בחלב לא גמרנן, דחידוש הוא.

מאי חידושה? אילימא דהאי לחודיה והאי לחודיה שרי, ובהדי הדדי אסור – כלאים גמי, האי לחודיה שרי והאי לחודיה שרי, ובהדי הדדי אסור.



דאי תרו ליה כולי – יומא וכר  
 That if one soaks it...all day, etc. – If cold meat was soaked in cold milk, one may rinse the meat and eat it, provided that it was not left in that state for twenty-four hours, which would render it preserved, which has a similar status to cooked. The Torah prohibits only meat and milk that were cooked together (Rambam *Sefer Kedusha, Hilkhoh Ma'akhalot Assurot* 9:17; *Shulhan Arukh, Yoreh De'a* 91:4; see 105:1).

אלא, דאי תרו ליה כולי יומא בחלבא –  
 שרי, ומבשיל ליה בשולי – אסור.

The Gemara answers: **Rather**, the novelty is **that if one soaks meat in milk all day,**<sup>11</sup> **it is permitted** by Torah law, despite the fact that the meat certainly absorbed some taste of the milk, whereas if **one cooked** meat in milk even for a short time, the mixture is **forbidden** by Torah law. The novelty is that it is not the fact that they are mixed together that renders meat and milk forbidden, but the act of cooking.

ורבי עקיבא נמי, בשר בחלב חידוש  
 הוא. אלא

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

LANGUAGE

Purging [*gi'ulei*] – גיעולי: Apparently, the basic meaning of the verb *ga'al*, with the letter *ayin*, is exude or bring forth. The root *ga'al* with an *alef* also means bring forth. Accordingly, the expression *gi'ulei goyim* means that which exudes from the vessels of gentiles. Similarly, the expression *ga'el nefesh*, as in the verse “And My soul shall abhor you [*vega'ala nafshi etkhem*]” (Leviticus 26:30) refers to that which the soul cannot stand, which it exudes and vomits out.

HALAKHA

The vessels of gentiles that require purging – גיעולי  
 גוים: If a forbidden substance has been cooked in a pot, one may not cook meat in that pot on the same day. If one did so, the meat is forbidden, and if he cooked another food in it, that too is forbidden if the forbidden substance gives a flavor to that food. Consequently, if one buys a utensil from a gentile that had been used for hot dishes, he must clean and immerse it. If he does not, it may not be used (Rambam *Sefer Kedusha, Hilkhoh Ma'akhalot Assurot* 17:1–2; *Shulhan Arukh, Yoreh De'a* 121:2).

That gives flavor that renders it tainted, is permitted – נותן טעם לפגם מותר  
 If a forbidden substance imparts a flavor to a permitted food that improves it, the entire mixture is forbidden. If the forbidden substance taints the taste, whether because the taste of the forbidden food was impaired from the outset or because it interacts poorly with that particular permitted food, the mixture is permitted (Rambam *Sefer Kedusha, Hilkhoh Ma'akhalot Assurot* 15:28; *Shulhan Arukh, Yoreh De'a* 103:1, 122:1).

The Torah prohibited only in the case of a pot that was used on that day – לא אסרה תורה אלא לקדירה בת יומא  
 The Torah prohibited the use of only those vessels of gentiles in which something had been cooked that day. Once twenty four hours have passed the pot is no longer forbidden by Torah law. However, the Sages decreed that one should not cook with a pot of this kind *ab initio* (Rambam *Sefer Kedusha, Hilkhoh Ma'akhalot Assurot* 17:2; *Shulhan Arukh, Yoreh De'a* 103:5, 122:2).

Perek VI  
 Daf 37 Amud b

יליף מגיעולי גוים, דאמר רחמנא “כל  
 דבר אשר יבא באש” – למימרא דאסורי  
 גיעולי גוים; לאו טעמא בעלמא הוא  
 ואסור – הכא נמי לא שניא.

Rabbi Akiva derives the principle: The legal status of the flavor of forbidden food is like that of the substance itself, **from the vessels of gentiles that require purging** [*gi'ulei*],<sup>12</sup> where the Jews were commanded to purge the non-kosher flavor from the vessels they seized from the Midianites. **As the Merciful One states** in the section of the Torah that deals with the spoils of Midian: “**Every thing that passes through the fire, you shall make it pass through the fire**” (Numbers 31:23). **That is to say that the vessels of gentiles that require purging are forbidden** to be used until they have been purged through fire and purified. **Isn't there mere taste** absorbed in the vessels through the process of cooking? **And even so**, these vessels are **forbidden** if this purging was not performed. **Here, too**, with regard to other matters of Torah law, **it is no different**; and the legal status of the flavor is like that of the substance itself.

ולרבנן נמי, תיפוק להו מגיעולי גוים!  
 אמר ליה: התם חידוש הוא, דהא בכל  
 התורה כולה נותן טעם לפגם מותר,

Rav Aha further suggested to Rav Ashi: **And according to the opinion of the Rabbis**, who derive this principle from the verse: “**Neither shall he drink anything soaked**” (Numbers 6:3), **let them also derive it from the vessels of gentiles that require purging**, as does Rabbi Akiva. Rav Ashi said to him: The Rabbis maintain that **there the halakha of purging vessels of gentiles is also a novelty**. What is the novelty of this *halakha*? **As with regard to all dietary laws in the Torah, anything that gives flavor, i.e., contributes taste, that renders the food tainted, is permitted.**<sup>13</sup> If the taste added by the forbidden food does not enhance the permitted food, it does not render that food forbidden.

וגבי גיעולי גוים אסור.

**But here, with regard to the halakha of vessels of gentiles that require purging**, the Torah states that even if they contribute taste that renders the food tainted, nevertheless they are **forbidden**. If twenty-four hours have passed since food was cooked in a pot, the assumption is that the flavor released from the pot will contribute a deleterious taste to any foods subsequently cooked in the pot. Even so, vessels taken from gentiles remain forbidden until they have been purged, despite the fact that the taste they contribute taints the food.

ורבי עקיבא נמי, הא חידוש הוא. אמר  
 רב הונא בר חימי: לא אסרה תורה אלא  
 לקדירה בת יומא, דלאו נותן טעם לפגם  
 הוא.

The Gemara asks: **And according to the opinion of Rabbi Akiva too**, the case of vessels of gentiles that require purging is apparently a **novelty**. Rabbi Akiva derives this principle from the required purging of the vessels of gentiles. How then does he respond to the previous claim? **Rav Huna, son of Hiyya, said: The Torah prohibited** the use of unpurged vessels of gentiles **only in the case of a pot that was used on that day,**<sup>14</sup> **which is not a case where the pot gives flavor that renders the food tainted**. Accordingly, it is not a novelty that the vessels were forbidden.

דָּלָא פְּגָמָה פּוֹרְתָא – דָּלָא פְּגָמָה פּוֹרְתָא – That the vessel does not slightly taint – The tainting, or relative spoiling of the taste, is due to bacteria that break down the food. This process sometimes releases gasses with unpleasant smells. Such bacteria are found everywhere in the air and they begin to grow on food and the remainders of food left in pots as soon as the temperature of the cooked food drops. Since the bacteria will be detected, in the form of spoiled food, only once they have grown a sufficient amount, this happens after some time has passed. However, it will undoubtedly occur within twenty-four hours.

שְׁנֵי כְּתוּבֵין הִבְאִין כְּאֶחָד – Two verses that come as one – When a matter that is written in the Torah contains an explicit *halakha* or detail, it is possible, by means of the hermeneutic method of analogy, to use it as an example that teaches about other cases. However, when a detail appears in two cases, and all the more so when it appears in three cases, it does not teach about other cases. In Talmudic parlance this is known as: Two, or three, verses that come together. The fact that it is necessary to mention this detail more than once indicates that this detail is an exception, which is not meant to teach a general principle.

וְרַבְנָן: קְדִירָה בֵּת יוֹמָא נִמְי, אִי אִפְשָׁר  
דָּלָא פְּגָמָה פּוֹרְתָא.

אָמַר לִיה רַב אֶחָא בְּרִיה דְּרַב אֲוִיָּא לְרַב  
אֲשִׁי: מְדַרְבְּנָן נְשִׁמְעַ לְרַבִּי עֲקִיבָא; לָאו  
אָמְרִי רַבְנָן הָאִי "מְשֻׁרָת" לִיתֵן טַעַם  
כְּעִיקָר, וּמִכָּאֵן אֶתְה דֵּן לְכֹל אִיסוּרִין  
שְׁבִיתוּרָה. לְרַבִּי עֲקִיבָא נִמְי, דְּקָא מוֹקִים  
לִיה לְהָאִי "מְשֻׁרָת" לְהִיתֵר מְצֻטְרָף  
לְאִיסוּר – לִימָא: מִכָּאֵן אֶתְה דֵּן לְכֹל  
אִיסוּרִין שְׁבִיתוּרָה!

אָמַר לִיה: מִשּׁוּם דְּהוּי נִוִּיר וְחֻטָּאת שְׁנֵי  
כְּתוּבֵין הִבְאִין כְּאֶחָד, וְכֹל שְׁנֵי כְּתוּבֵין  
הִבְאִין כְּאֶחָד אִין מְלַמְּדִין. נִוִּיר – הָא  
דְּאִמְרוּן, חֻטָּאת מֵאִי הִיא?

דִּתְנִיא "כֹּל אֲשֶׁר יַגֵּעַ בְּבִשְׂרָה יִקְדָּשׁ",  
יְכוּל אִפִּילוּ שְׁלֵא בִלְע – תִּלְמִוד לִוְמֵר  
"בְּבִשְׂרָה", עַד שִׁבְלַע בְּבִשְׂרָה.

"יִקְדָּשׁ" – לְהִיּוֹת כְּמוֹהָ, שְׂאֵם פְּסוּלָה  
הִיא – יִפְסֵל, וְאִם בִּשְׂרָה – תִּאָכַל  
כְּחֻמּוֹר שְׁבָה.

The Gemara asks: **And why don't the Rabbis derive the *halakha* from there, as it is no longer a novelty?** The Gemara answers: **They hold that even in the case of a pot used on that day, it is impossible that the vessel does not slightly taint<sup>b</sup> the food absorbed in the vessel.** Consequently, the *halakha* of purging vessels of gentiles is a novelty, from which general principles cannot be derived.

**S Rav Aha, son of Rav Avya, said to Rav Ashi: From the opinion of the Rabbis, we infer the proper understanding of the opinion of Rabbi Akiva. Don't the Rabbis say that the term "soaked" teaches that the principle that the legal status of the flavor of forbidden food is like that of its 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, who establishes this term: "Soaked," as teaching that the permitted substance combines with the forbidden substance with regard to a nazirite, let us say that from here you derive the *halakha* with regard to all prohibitions of the Torah.** This explanation runs counter to the opinion of Rabbi Yoḥanan, who applies this principle only to a nazirite.

Rav Ashi said to him: This cannot serve as a proof, **due to the fact that the *halakhot* of a nazirite and those of a sin-offering are from two verses that come as one, i.e., to teach the same matter, and any two verses that come as one<sup>b</sup> do not teach their common aspect to apply to other cases.** The Gemara comments: **The derivation that a permitted substance joins together with a forbidden substance in the case of a nazirite is that which we stated, from the term "soaked."** With regard to a sin-offering, **what is the derivation that a permitted substance combines with a forbidden substance?**

It is as it is taught in a *baraita* with regard to the verse discussing a sin-offering **"Anything that touches in its flesh shall become consecrated"** (Leviticus 6:20). One might have thought that non-sacred meat that touched any part of a sin-offering is consecrated **even if it did not absorb** the taste of the sin-offering it touched. Therefore, **the verse states: "In its flesh,"** to teach that this meat is not consecrated **until the taste of the sin-offering is absorbed within its flesh.<sup>h</sup>**

The *baraita* continues: **"Shall become consecrated,"** means that its legal status **becomes like** that of the sin-offering itself; **that is, if the sin-offering is disqualified,** the non-sacred meat that touched it **will also be disqualified.** **And if the sin-offering is valid,** the non-sacred meat that touched it **may be eaten in accordance with the more stringent standards of a sin-offering,** with regard to when and where it may be eaten. The principle that a permitted substance combines with a forbidden substance is thereby stated in the case of a sin-offering as well. Consequently, the principle cannot be extended to the entire Torah, as a *halakha* stated in two cases is not applied elsewhere.

#### HALAKHA

Until it is absorbed within its flesh – עד שִׁבְלַע בְּבִשְׂרָה – The verse states with regard to a sin-offering: "Anything that touches in its flesh shall become consecrated" (Leviticus 6:20), which means that anything that touches it shares the status of the offering: If the sin-offering was disqualified, the food that touched it is likewise disqualified; if the offering is valid, the food that came into contact with it must be eaten in accordance with

the *halakhot* and sanctity of a sin-offering. While this principle applies to all offerings, it applies only with regard to food that absorbed part of the sin-offering; mere touch does not consecrate it. If a sin-offering came into contact with a wafer and part of the wafer absorbed flavor from it, only the spot that absorbed the sin-offering is consecrated (Rambam *Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 8:15–17).

ורבנן: צריכי, דאי כתב רחמנא גבי חטאת, הוה אמינא: נזיר לא אתי מינה, משום דנזיר מקדשים לא ילפינן.

And the Rabbis, who disagree with Rabbi Akiva, would maintain that both these sources are necessary,<sup>N</sup> as neither the case of a nazirite nor the case of a sin-offering could be derived from the other. Therefore, this is not a case of two verses that come as one. The Gemara elaborates: For had the Merciful One written this *halakha* only with regard to a sin-offering, I would say that the case of a nazirite cannot be derived from it, due to the fact that we do not derive the *halakha* of a nazirite from that of consecrated items. This is because the prohibitions of naziriteship are unrelated to the Temple and offerings, and therefore it is possible that the *halakha* in question is unique to consecrated items.

ואי כתב רחמנא גבי נזיר – הוה אמינא: מנזיר לא ילפינן, משום דחמיר איסוריה, דאפילו חרצן אסיר ליה, הלכך לא אתיא מיניה.

And conversely, had the Merciful One written this *halakha* only with regard to a nazirite, I would say that we do not derive the *halakha* of a sin-offering from that of a nazirite due to the fact that its prohibition is stringent.<sup>N</sup> In what way? It is stringent as even a grape seed is forbidden to a nazirite, although the seeds are not usually eaten. Therefore, the *halakha* of a sin-offering cannot be derived from the case of a nazirite, which means that this is not a case of two verses that come as one. Consequently, one can derive a general *halakha* from them.

ורבי עקיבא אמר לך: למאי צריכי? בשלמא אי כתב רחמנא חטאת לא גמר נזיר מינה, דחולין מקדשים לא גמרינן. אלא לכתוב רחמנא בנזיר, ותיתי חטאת מיניה, דהא כל איסורין שבבתורה קא גמרי מנזיר.

And Rabbi Akiva could have said to you, in rebuttal of this claim: Why are these cases both necessary? Granted, if the Merciful One had written this principle only with regard to a sin-offering, one would not derive the *halakha* of a nazirite from it, as we do not derive *halakhot* of non-sacred items from those of consecrated items. Certain stringencies and strictures apply only to consecrated property. However, let the Merciful One write this principle with regard to a nazirite, and you could derive the case of the sin-offering from that of a nazirite, just as the application of this principle to all prohibitions in the Torah is derived from the *halakha* of a nazirite. Since it is not necessary to state this principle in both cases, one cannot derive a general principle from them.

ורבנן אמרי לך: חטאת – להיתר מצטרף לאיסור, וחולין מקדשים לא גמרינן.

The Gemara asks: And the Rabbis, who maintain that the principle that the legal status of the flavor of a forbidden substance is like that of the substance itself is not limited to these two cases, would say to you that both sources are required. The case of a sin-offering is necessary to derive the principle that a permitted substance combines with a forbidden substance, and this stringency is not extrapolated to other prohibitions, in accordance with the principle that one cannot derive the *halakhot* of non-sacred items from consecrated items.

ו"משרת" – ליתן טעם בעיקר, מכאן אתה דן לכל איסורין שבבתורה.

And the term “soaked,” which appears in the context of a nazirite, teaches the principle that the legal status of the flavor of forbidden food is like that of its substance. Since both examples are necessary, they are not considered two verses that come as one, and it is therefore possible to derive a general principle from them. And consequently, from here you derive the *halakha* with regard to all of the prohibitions of the Torah.

#### NOTES

**ורבנן, צריכי – And the Rabbis maintain that both are necessary** – The early commentaries present many versions of this passage (*Tosafot*; see Commentary on *Nazir*). The main difficulty is that the Gemara indicates that even the Rabbis concede that permitted substances combine with forbidden ones in the case of a sin-offering. No ruling of this kind is stated elsewhere, and it apparently contradicts the earlier statements of both Rabbi Yohanan and Ze'iri (see Rabbeinu Peretz). Some commentaries claim that the Rabbis do accept the principle that the permitted combines with the forbidden with regard to a sin-offering, although they maintain that one does not derive *halakhot* from offerings to other cases. Others contend that the Rabbis disagree with Rabbi Akiva even with regard to this detail, as all their disputes in this discussion are formulated according to Rabbi Akiva's opinion. In other words, they are saying to Rabbi Akiva that even granted his initial assumptions, his final ruling is unreasonable (Meiri).

Some versions of the text explicitly state that the Rabbis learn the principle that a flavor is like the substance itself from the case of a sin-offering. Apparently, the Rabbis derive this principle from both a sin-offering and a nazirite, as, although neither of these two cases can be derived from the other, due to the special circumstances of each, they can teach by means of their common aspects that the flavor of a forbidden food is like the substance itself (Rosh). Some cite a version of the text according to which the Rabbis maintain that even a forbidden substance that taints the taste renders the other food forbidden (Commentary on *Nazir*). However, many commentaries reject this interpretation, as this *halakha* is not stated elsewhere.

**דחמיר איסוריה – That its prohibition is stringent** – Rabbi Akiva evidently does not consider this a special stringency, as the basic concept of a nazirite is that all the products of a vine are forbidden to him (see Rosh).



Prohibitions of a nazirite...combine with each other – איסורי נזיר...מזטרפין: All the forbidden substances of nazirites combine with each other. Consequently, if a nazirite combined grapes with raisins, or unripe grapes with pressed grapes, and ate an olive-bulk of the mixture, he is flogged (Rambam *Sefer Hafl'a*, *Hilkhot Nezirut* 5:3).

Even one after the other – אפילו בזה אחר זה: With regard to a nazirite who combined several products of a vine and ate them one after the other, he is flogged if all together he ate the amount of an olive-bulk. This applies only if he ate them within the time required to eat three, or according to one opinion, four, egg-bulks of bread (Rambam *Sefer Kedusha*, *Hilkhot Ma'akhalot Assurot* 14:8; *Sefer Hafl'a*, *Hilkhot Nezirut* 5:3).

ורבי עקיבא: תרווייהו להיתר מצטרף לאיסור, והווי להו שני בתובין הבאין כאחד, וכל שני בתובין הבאים כאחד אין מלמדין.

אמר ליה רב אשי לרב כהנא: אלא הא דתניא "מבל אשר יעשה מגפן היין" לימד על איסורי נזיר שהן מצטרפין זה עם זה. לרבי עקיבא, השתא יש לומר היתר מצטרף לאיסור, איסור לאיסור מבעיא?

אמר ליה: היתר לאיסור – בבית אחת, איסור לאיסור – אפילו בזה אחר זה.

The Gemara asks: And how would Rabbi Akiva respond to this claim? The Gemara answers: Rabbi Akiva would say that both cases teach the principle that a permitted substance combines with a forbidden substance, and they are two verses that come as one, to teach about the same issue. And the rule is that any two verses that come as one do not teach their common aspect to apply to other cases.

Rav Ashi said to Rav Kahana: But consider that which is taught in a *baraita*. The verse "He shall not eat anything that is made of the grapevine" (Numbers 6:4) taught with regard to prohibitions of a nazirite that these substances combine with each other.<sup>h</sup> If a nazirite ate only a small amount of each substance, which together amount to the measure that determines liability, he is liable. According to the opinion of Rabbi Akiva, now that one says that permitted substances combine with forbidden substances, is it necessary to teach that one forbidden substance combines with another forbidden substance? According to Rabbi Akiva's opinion, this derivation is apparently unnecessary.

Rav Kahana said to Rav Ashi that this derivation is necessary because the two cases are not identical: Permitted substances combine with forbidden substances only when they are eaten simultaneously, whereas forbidden substances combine with other forbidden substances even when eaten one after the other.<sup>h</sup> Therefore, according to the opinion of Rabbi Akiva, if a nazirite eats half an olive-bulk of grape skins and then eats half an olive-bulk of grape seeds, he is liable.

ורבי שמעון

The Gemara asks: And Rabbi Shimon,

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Daf 38 Amud a

NOTES

Who is not of the opinion that the principle of combination is operative – דלית ליה ציוף: Rabbi Shimon maintains that measurements with respect to prohibitions by Torah law apply only to the obligation of an offering, i.e., one must bring an offering if he mistakenly eats that amount. However, with regard to the prohibition itself and the punishment of lashes, one is liable for any amount. Consequently, the phrase: Who is not of the opinion that the principle of combination is operative, means that he has no need for this *halakha*, as one is liable even for the smallest amount. This leads to the question of what Rabbi Shimon derives from the term "soaked." One answer is that he learns the principle that the legal status of the flavor of forbidden food is like that of its substance, as he claims that this principle cannot be derived from the vessels of gentiles that require purging, since the latter is a novel case (see 37b). Alternatively, although Rabbi Shimon said that forbidden foods are prohibited in any amount, this applies only when these foods are by themselves, not when they are mixed with other substances (*Tosafot*; see *Sefat Emet*).

Until he vows naziriteship from all of them – עד שיויר: This is the opinion of Rabbi Shimon, as discussed earlier in the Gemara (3b), whereas the Rabbis maintain there that he is a full-fledged nazirite even if his vow included only one prohibition of naziriteship.

דלית ליה ציוף: "מבל אשר יעשה" מאי דריש ביה? אמר לך: ההוא מיבעי ליה – לעולם אינו נזיר עד שיויר מכולן.

אמר רבי אבהו אמר רבי אלעזר: כל רביעיות שבתורה אין היתר מצטרף לאיסור, חוץ מרביעית שבנזיר, שהרי אמרה תורה "משרת". מאי איכא בין רבי יוחנן לרבי אלעזר?

who is not of the opinion that the principle of combination is operative,<sup>n</sup> as he renders one liable for consumption of forbidden substances of any amount (see *Makkot* 13a), what does he derive from the verse "anything that is made of the grapevine" (Numbers 6:4)? The Gemara answers: Rabbi Shimon could have said to you: That verse is necessary to teach that one is never considered a nazirite until he vows naziriteship from all of them.<sup>n</sup> Rabbi Shimon maintains that if one vows to be a nazirite only with regard to one or two of the prohibitions of naziriteship, the vow does not take effect at all.

Rabbi Abbahu said that Rabbi Elazar said: With regard to every *halakha* that is in the Torah that involves a quarter-log,<sup>b</sup> a permitted substance does not combine with a forbidden substance to complete this measure, apart from the quarter-log of a nazirite. In the case of a nazirite, permitted liquid combines with wine to render him liable, as the Torah stated: "Soaked" (Numbers 6:3). The Gemara asks: What difference is there between the opinion of Rabbi Yohanan, who stated (35b) that a permitted substance does not combine with a forbidden one with regard to any prohibition of the Torah apart from that of a nazirite, and that of Rabbi Elazar, who apparently says the same thing in different terms?

BACKGROUND

Quarter-log [*revi'it*] – רביעית: A unit of liquid measurement, *revi'it* literally means a quarter. Unless indicated otherwise, this term refers to a quarter-log. The *log* is a talmudic measurement of volume equal to six egg-bulks, which is equivalent to approximately 346 ml, according to the standard method of converting talmudic measurements of Rabbi Hayyim Na'e. Consequently, a quarter-log measures approximately 86.5 ml, or about one-third of a cup.

The quarter-log is a standard unit of measurement with regard to various halakhic matters. For example, a quarter-log is the minimum amount of wine over which *kiddush* may be recited, the minimum amount of wine that a nazirite is punished for drinking, and the minimum quantity of certain edible liquids for which one is liable for violating the prohibition against transferring objects from one domain to another on Shabbat.