

OVERVIEW of the Daf

1) Intermingled nesseh wine

The Gemara states that old nesseh wine, intermingled with grapes, is prohibited if the wine imparts flavor in the grapes, and Abaye and Rava disagree about the status of new nesseh wine intermingled with grapes.

Abaye explains the rationale behind his position that the new wine renders the grapes prohibited in minute concentration and Rava explains the rationale behind his position that the wine renders the grapes prohibited when it imparts flavor.

Abaye's position is unsuccessfully challenged.

The Gemara shows how their positions apply when it comes to other intermingled foods.

Abaye suggests proof that taste is the criterion for determining whether two substances are one kind or two.

Rava rejects this proof.

The Gemara relates that both opinions agree that prohibited vinegar that falls in permitted wine renders the wine prohibited if it imparts taste and there is a disagreement when prohibited wine falls into permitted vinegar.

Each Amora explains his rationale.

2) Smell

Abaye and Rava disagree in another case that the Gemara explains relates to whether smell is considered a matter of substance or not.

Rava cites a Mishnah as support that smell is not considered a matter of substance.

Abaye rejects the proof.

R' Mari asserts that this dispute between Abaye and Rava was debated by Tannaim as well.

The Gemara answers that according to Rava there is a dispute but Abaye could explain how both Tannaim are consistent with his position. ■

REVIEW and Remember

1. What is the point of dispute between Abaye and Rava?

2. What is the point of dispute between Abaye and Rava concerning prohibited wine that falls into permitted vinegar?

3. Explain the principle ריחא לאו מילתא היא.
4. What happens to hot bread when it is placed over a barrel of terumah wine?

Distinctive INSIGHT

When wine causes the grapes to be prohibited

הא מדקתני סיפא זה הכלל וכו'

The Mishnah (65b) taught that if יין נסך fell onto grapes, the grapes may be washed, and they are permitted to be eaten. If, however, the grapes are split, the prohibited wine falls into the cracks, and the grapes cannot be salvaged, even with washing.

The Gemara on our daf cites a disagreement between Abaye and Rava. On the one hand, if old wine falls on grapes, both Amoraim agree that the grapes are sweeter than the wine, and the taste of the wine is therefore discernible. The wine can only be disregarded if the amount of prohibited wine is negligible and cannot be detected in the grapes. The wine is therefore only prohibited if it exceed the measure of נותן טעם.

However, if new wine falls on to the grapes, where both items are sweet, Abaye rules that even the slightest amount of wine will prohibit the grapes. This is a case of מין במינו. Rava holds that here, too, we use the measure of נותן טעם, and the wine only prohibits the mixture of grapes if it makes up more than one-sixtieth of the volume. Although the taste of the wine cannot be distinguished from the taste of the grapes, Rava uses the measure of one-sixtieth to determine if the wine prohibits the mixture.

The Gemara challenges the view of Abaye from the Mishnah. We learned that if prohibited wine falls on grapes that are cracked, the grapes are forbidden to be eaten. Now, we assume that the Mishnah is referring to new wine, which tastes like the grapes, which falls on and into the grapes. We find that the grapes are prohibited, which we also assume to be only in a case where the amount of wine is greater than a נותן טעם, but if it is less than that, the grapes would be permitted. If our assumptions are correct, we see that grapes with new wine are not prohibited if the wine is less than one-sixtieth of the volume of the grapes, as Abaye had said. The Gemara explains that the basis for the second assumption, that the grapes are only prohibited if more than a נותן טעם of wine falls on them, is that the end of the Mishnah which seems to explain the earlier case of wine on grapes clearly states that we are dealing with a case

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 By Dr. and Mrs. Samuel Saltzberg
 in loving memory of their father
 ר' טובני' בן ר' נחום
 Dr. Ted Saltzberg o.b.m.

HALACHAH Highlight

Prohibited foods that are nullified

When it imparts flavor

Pri Toar¹ addressed the circumstance of a prohibited substance that was nullified in permitted food but one has the option to sell the mixture without suffering a financial loss rather than eat it. There is a principle called **דבר שיש לו מתירין** (lit. a matter that will be permitted) and the halacha is that one may not eat a mixture that has a prohibited substance intermingled in it if the prohibited substance will become permitted. Similarly, perhaps one may not eat the food that contains a prohibited substance if it can be sold without suffering a loss. He writes that it seems that the person should be instructed to sell the mixture but he cannot be forced to sell it if he does not want to. Darchei Teshuvah² also infers from other authorities that if the effort necessary to the sell the mixture is minimal he is required to sell the mixture rather than eat it.

Along similar lines Issur V'Heter HaAruch³ writes that one may choose to be strict and not eat foods whose status was questionable even though a rov ruled that it is permitted. Similarly, one may adopt a stringent approach and not eat foods into which a prohibited substance fell in, even though its ratio is less than 60 to 1. Toras HaAsham⁴ strongly disagrees with this position and writes that one who chooses to be stricter than the Amoraim and refuses to eat a food into

בנותן טעם

נותם טעם.

Tosafos explains the background of the Gemara's challenge to Abaye from the Mishnah. We are told that a prohibited taste which ruins the taste of a mixture is permitted. That prohibited wine causes the grapes to be forbidden must be in a case where the taste enhances the taste of the grapes. According to Abaye, the wine prohibits even when less than a **נותן טעם** because the taste of the grapes and the wine is similar (**מין במינו**). Yet, if this is true, the wine would prohibit the grapes even if it caused the taste to be ruined, because with **מין במינו** there is no leniency for **נותן טעם**. Yet, by stating that **טעם לפגם** is permitted, this indicates that our case is **מין בשאינו מינו**, and it is not prohibited **במשהו**. ■

which a prohibited substance fell in at a ratio of less than 60 to 1 is demonstrating a trait of apikorsus. Rema⁵ also adopts a lenient approach and cites the Yerushalmi (Nedarim 9:1) that states that it is sufficient for a person to avoid that which the Torah prohibited. Bnei Yisoschar⁶ elaborates on the spiritual meaning of prohibited foods becoming nullified in permitted foods and concludes that not only is it permitted to eat foods that contain a nullified prohibited substance but it is a mitzvah as well, due to esoteric mystical considerations. ■

1. פרי תואר סי' קי"ב סק"א.
2. דרכי תשובה סי' קי"ב סק"א.
3. איסור והיתר הארוך שער נ"ז דין ט"ו.
4. תורת האשם כלל ע"ו דין ב' ד"ה ולכן.
5. שו"ת הרמ"א סי' נ"ד.
6. בני יששכר מאמרי חודש אדר מאמר ב' דרוש ז'.

STORIES Off the Daf

Another Kind of Pilpul

"ביתר טעמא אזלינן...ביתר שמא אזלינן"

Rav Aharon of Belz, zt"l, was exceedingly careful to always judge every Jew favorably. While attending a rabbinic conference, he once explained how he developed this tendency. "If you encounter a difficult Rambam what do you do? Surely you work on it until you find a way to explain it. The same should hold true when you encounter a Jew who acts in a way that is difficult to understand. You must work and work until you find a way to excuse his behavior.

"My grandfather, Rebbe Yehoshua of Belz, zt"l, explained that for this reason he preferred to learn pilpul. This discipline provides the necessary tools to find a way to give every Jew the benefit of the doubt."¹

On another occasion he explained more thoroughly, "A Jew must feel as if he is the hired advocate of his fellow. Just like an advocate does his utmost to defend his client from any accusation and certainly sees no evil in his client, so too every Jew must search and search until he finds a way to see only good, no matter what he thinks he sees or hears about a fellow Jew."²

Once, at his tisch, the name of a certain person was called signifying that

he should approach the rebbe for shirayim. For some reason this man did not come when called. Despite the insult, since the man surely heard his name called, the rebbe immediately defended him through citing a disagreement on today's daf. "In Avoda Zarah 66 we find a disagreement which we can apply to shirayim, and explain why this man has not come forward. Those who come forward hold that the main thing at the tisch is the taste (**טעם**), so they must take what is offered and eat it. But if we hold that the main thing is the name, it is enough that we called his name!"³ ■

1. אור לנתיבות, ניסן תשס"ד, ע' נ"ג
2. ברזא יקירא, ע' 39
3. תפארת בנימ, ח"א, ע' רפ"ח