

OVERVIEW of the Daf

1) Flavor imparted by a forbidden substance (cont.)

The Gemara inquires about the halacha of a mouse that falls into vinegar.

R' Hillel reports that R' Kahana ruled that the vinegar is prohibited.

R' Ashi rejects the accuracy of this report.

Ravina asserts that a mouse is nullified at a ratio of one part in one hundred and one parts.

A challenge to this measure is presented.

Two additional ratios are suggested.

The Gemara rules that in all cases prohibited substances are nullified in sixty parts of a permitted substance.

2) **MISHNAH:** The Mishnah presents different scenarios and discusses whether one must be concerned that a non-Jew may have tampered with wine with which he was left alone.

3) A state of supervision

A Baraisa is cited to define the Mishnah's reference to something being in a state of supervision.

R' Yitzchok explains the difference between the two cases of the Baraisa.

This explanation faces a couple of unsuccessful challenges.

4) Clarifying the Mishnah

The Gemara explains why it was necessary for the Mishnah to discuss the case of the store and the case of the wagon and boat.

Rabbah bar Bar Chana in the name of R' Yochanan asserts that the dispute between Tanna Kamma and R' Shimon Gamliel concerning the amount of time the non-Jew may be left alone with the wine is limited to cases where the lid is made from plaster but if it is made from clay all would agree to a different measure of time.

This explanation is unsuccessfully challenged.

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REVIEW and Remember

1. What steps must be taken if a non-Jew is going to transport kosher wine?

2. What is the meaning of the term חזקת המשתמר?

3. Why was it necessary for the Mishnah to discuss the case of a store and a wagon or boat?

4. Why do we not deposit wine with non-Jews?

Distinctive INSIGHT

Measuring vinegar with a ratio of fifty to one

רב אחאי שיער בחלא בחמשיין

An inquiry was presented in the beis midrash regarding nullifying the taste of a mouse that falls into vinegar.

Ravina holds that the amount of vinegar necessary to nullify the taste of a mouse is one hundred and one times the volume of the mouse. The Gemara discusses this opinion and questions it.

Rav Achai holds that the amount of vinegar needed to nullify the mouse's effect is fifty times the volume of the mouse. Because the taste of the vinegar is relatively strong, it only takes fifty times more vinegar than the mouse to negate the mouse's taste. Rav Shmuel b. R' Ika holds that the critical number is sixty times the volume of the mouse, both for wine and for vinegar, just as we find regarding all prohibited foods which fall into and mix with foods that are permitted.

Ravina is of the opinion that the strong taste of vinegar causes the effect of the taste of the mouse to be minimal. However, this does not mean that the mouse does not have any effect in this mixture. Unlike all other mixtures, where we require an outnumbering of sixty times the permitted food in order to nullify the prohibited taste, with vinegar we may be more lenient and disregard the mouse's taste at the ratio of fifty to one.

Tosafos (ד"ה איבעיא) explains that the Gemara is assuming that although a mouse causes a harmful taste in beer, and sixty is the amount of beer to mouse ratio in order to nullify the mouse's taste, regarding vinegar the Gemara considers the possibility that the strong taste of the vinegar might cause the taste of the mouse to be sweetened, similar to a pickling effect, and the taste of the mouse might be causing an improvement in the vinegar. Yet, according to Tosafos, why should a mouse be different than other prohibited tastes which improves the mixture only as long as it measures up to as little as one sixtieth of the volume, but no less?

Tosafos (ד"ה שיער) explains that R' Achai holds that a mouse contributes a positive taste to beer, as well as in vinegar. Yet, as Maharsha explains in Tosafos, R' Achai holds that the mouse's taste improvement in vinegar is not as strong as it is for beer. Therefore, each mixture is judged according to its particular situation. Whereas in beer it takes sixty times the volume of the mouse to nullify its taste, nullifying the taste of the mouse in vinegar is complete with a ratio of fifty to one against the mouse.

The halacha concludes that a mouse might contribute

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HALACHAH Highlight

Yichud in an elevator

The amount of time it takes to bore a hole, patch it with clay and for the clay to dry

Maharil Diskin¹ asserts that there is no minimum amount of time a man and women must be in seclusion in order to violate the prohibition of yichud. Even if they are alone for a period of time that does not allow them to commit a prohibited act it is nevertheless prohibited for them to be secluded due to the principle of **חצי שיעור** – A half a measure of a prohibition is also prohibited. Alternatively, a man and woman may not be in seclusion with one another, even for a moment, out of fear that they will remain in seclusion for a longer period of time. Teshuvos Imrei Eish² disagrees and maintains that it is permitted for a man and woman to be in seclusion for the duration of time that does not allow them to commit a prohibited act.

Minchas Yitzchok³ was asked whether a man and woman may ride an elevator when it is not possible for someone outside the elevator to stop the elevator, out of concern that it may violate the prohibition of seclusion. He notes that many Poskim draw a parallel between the halachos of leaving wine in the possession of a non-Jew and the halachos of seclusion. For

כדי שישתום ויסתום ויגוב

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positively to the taste when it falls into beer or vinegar, but when it falls into wine or oil it ruins the taste, and its taste is permitted. ■

example, Ezer Mekudash⁴ sets up the parameters of a man and woman being in seclusion with the door open to the public domain from the halacha of leaving a non-Jew alone with wine when the door is open to the public domain. This parallel leads us to the conclusion that there is a minimum amount of time for a man and woman to be in seclusion in order to violate the prohibition of yichud. Our Mishnah presents a dispute how long a non-Jew may be left alone with a barrel of wine before the wine becomes prohibited. Since the laws of wine and seclusion run parallel to one another it must be that there is a minimum amount of time that a man and woman must be in seclusion before the prohibition is violated and if they are not in seclusion for that period of time the prohibition is not violated. He then rejects the assumption that the halachos will run parallel since regarding wine our concern is whether a non-Jew may have touched the wine but when it comes to seclusion there is a prohibition that could be violated and as such there may be an issue of **חצי שיעור**. ■

1. שו"ת מהרי"ל דיסקין קו"א סי' ר"ו.
2. שו"ת אמרי אש אה"ע סי' ק"ז ד"ה והנה הביא.
3. שו"ת מנחת יצחק ח"ד סי' צ"ד-צ"ז.
4. עזר מקודש אה"ע סי' כ"ב סעי' ט"ו. ■

STORIES Off the Daf

A Baseless Rumor

"נהי דתקיף להו יצרא דעבירה..."

Acertain shochet did his job well but had a somewhat unusual social life. Whenever he had a free moment he enjoyed spending the time with young non-Jews. One day, a certain non-Jew claimed that he had seen this shochet in a house of ill repute. The non-Jew took pleasure repeating this slur, until the entire town was in an uproar about this problem which had become a rumor which did not die down.

After this rumor took hold, just as the notables of the town were seriously considering removing the shochet from his post, the non-Jew who had started it all backtracked, claiming he had been

joking to see what would happen.

When the notables of the city consulted their rav about this question he felt that this unfortunate rumor should not cause the shochet to be deposed. Nevertheless, due to the seriousness of this issue, he was unwilling to permit without first consulting with the Yehudah Ya'aleh, zt"l. "It seems obvious that your conclusion was correct. Even if there had been one or two Jewish witnesses and they did not retract, we could still allow the shochet to stay at his job.

"The reason why is since the witness in this case did not see any sinful action, merely visiting such a place. This is nothing more than lowly behavior which, while not laudable, is not enough to force one from his job. You are also correct in your understanding that there is a clear proof to this leniency from Avodah Zarah 69. There we find that even Jews who

indulge in sinful behavior will guard wine to ensure that a non-Jewish friend who sins with them does not defile it. Although they fail in a certain area since their evil inclination pushes them this does not mean that they are suspected of other sins. This is certainly true of theft and other sins regarding which a person's evil inclination is naturally very strong, as we find in Bava Basra..."¹ ■

1. שו"ת יהודה יעלה, יו"ד, ס' ו' ■

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Rava rules in favor of R' Shimon ben Gamliel's position since there is an anonymous Mishnah that follows his position. The necessity for Rava to point this out is explained. The reason common practice did not permit depositing barrels of wine by idolaters is explained. Rava begins a set of rulings that relate to the Mishnah's final case. ■