



OVERVIEW of the Daf

1) Mutant bechor (cont.)

A Baraisa is cited to resolve the question regarding R' Shimon's position as to whether a mutant animal head and most of its body must be similar to its mother to be permitted for consumption or not.

This resolution is rejected in favor of another explanation of the Baraisa.

Proof for the alternate explanation is suggested but rejected.

Another unsuccessful attempt to resolve this matter is recorded.

Another version of this exchange is presented.

2) "This and this causes"

From the previous Baraisa it seems that R' Eliezer is lenient with regards to the principle of "this and this causes" and R' Yehoshua is stringent. This is difficult since in another context they maintain the opposite positions.

This contradiction is resolved.

3) Mutant bechor (cont.)

The Gemara returns to its previous discussion and proves conclusively that for consumption R' Shimon requires its head and greater part of its body to resemble its mother.

4) Donkey urine

R' Sheishes was asked about the kosher status of donkey urine.

The inquiry is explained.

R' Sheishes proves that it is prohibited.

Another version of this exchange is recorded.

Rav Sheishes's ruling is challenged from a Baraisa.

The Gemara explains that R' Sheishes follows the position of R' Yaakov.

A Baraisa is cited that, the Gemara explains, follows the position of R' Yaakov.

Another Baraisa is cited that confirms the indication of the previous Baraisa that gizin honey and wasp honey require intent to be susceptible to tum'ah.

Two more discussions regarding the permissibility of animal discharges are recorded.

R' Chisda cites support for the second ruling but it is rejected.

Another Baraisa is cited and the Gemara declares that if it is authentic it would support the second ruling.

5) MISHNAH: The Mishnah discusses the halacha of a non-kosher fish swallowing a kosher fish and vice versa.

6) A fish found inside of a non-kosher fish

The Gemara infers from the Mishnah that its ruling is limited to where one saw the non-kosher fish swallow the fish but if this was not witnessed one must be suspicious that the fish that was found actually developed in the non-kosher fish. This

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Distinctive INSIGHT

Why is bee honey permitted?

מיתבי מפני מה אמרו דבש דבורים שאין לו שם לוי

The students of the yeshiva asked Rav Sheishes about the status of substances which issue from the bodies of non-kosher creatures. The Gemara clarifies that the students were convinced that any liquid would be permitted if it enters the body of a non-kosher animal and basically comes out the same as it entered. The example given is the urine of horses and camels, which is clear. Here, "water entered and water exited" the animal. The opposite extreme example is milk of a non-kosher animal. Milk is a liquid which contains substance of the non-kosher animal, and it is certainly prohibited. The case in question is regarding urine of a donkey, which is clouded. Is it similar to milk, which is prohibited, or perhaps the clouded appearance is due to the heat of the animal's body. Rav Sheishes answered that it is prohibited.

In the second version of this question, the students did not ask at all about urine from a horse or camel. They only asked about the urine of a donkey, and Rav Sheishes answered using the wording of our Mishnah. "That which comes from a non-kosher animal (מן הטמא) is not kosher." According to Rabeinu Gershom, the point is that any substance which issues from the body of a non-kosher animal, clear or clouded, is prohibited.

The Gemara presents a Baraisa in which we are taught that bee's honey is permitted, even though it is a substance that comes from the body of bees, a non-kosher insect. The Baraisa explains that honey is permitted because it passes through the body of the bee, but no part of the bee's body is drawn off as part of the honey. The bee produces the honey, but it is not a product of the bee itself. Nevertheless, Rav Sheishes said that anything issued from the body of a non-kosher creature is not kosher.

Tosafos explains that the question is that Rav Sheishes holds that any substance which has any moisture of the host non-kosher animal is prohibited, and honey has moisture from the bees.

The Gemara answers that Rav Sheishes holds according to R' Yaakov, who said that based upon the verse (Vayikra 11:21) the Torah permitted this substance as an exception to its rule.

Ma'adanei Yom Tov raises a question against Tosafos. According to the second expression of R' Sheishes, the Gemara prohibits substances even though they carry no moisture of the host animal at all. The question was that honey should have been prohibited according to R' Sheishes simply because it passes through the body of the bee, and not due to its containing any moisture of the non-kosher creature, as Tosafos explains.

Ma'adanei Yom Tov explains that Tosafos understands that R' Sheishes prohibited moisture of the body which is nothing more than dampness from the animal's surface. This is unlike moisture from the body itself, which is certainly prohibited. ■

HALACHAH Highlight

Is one subject to kareis for drinking water on Yom Kippur?

מיא עול מיה נפוק

Water went in and water emerged

Teshuvos Halachos Ketanos¹ raised the question of whether one who drinks water on Yom Kippur is subject to kareis. The basis of his question is the Mishnah in Yoma (81a) that teaches that one who drinks fish brine or dissolved fish fats is exempt from kares. The reason is that one is not punished with kareis unless he drinks something that restores a person's soul and since fish brine and dissolved fish fats do not restore a person's soul there is no liability. Accordingly, since water also does not restore a person's soul one should not be subject to kareis for drinking water on Yom Kippur. Proof to this assertion is that one may not use water to make an eruv techumin since it does not provide nourishment (Eiruvin 26b). Additionally, since if a person were to just drink water he would not survive it is clear that water does not nourish and as such one who drinks it on Yom Kippur is not subject to kareis.

Teshuvos Avnei Tzedek² cites many proofs that contradict the position of Teshuvos Halachos Ketanos and notes that the assertion that water does not nourish is not true. There are people who do not drink anything but water and they are healthy and strong. (It seems likely that Halachos Ketanos was referring to someone who drank water without food and Avnei Tzedek referred to one who drank water but was eating food as well.) Although it may be true that water is not nourishing and

REVIEW and Remember

1. What is the source that firstborn horses and camels are not subject to the laws of bechor?

2. Why was it necessary for the Mishnah to emphasize that the product of a non-kosher animal is not kosher and that the product of a kosher animal is kosher?

3. What is the famous exposition of Shimon HaAmsoni that was salvaged by R' Akiva?

4. What is the source that milk from a kosher animal is kosher?

a person does not derive pleasure from drinking it, nevertheless, the prohibition of drinking on Yom Kippur applies. Since drinking water will prevent a person from dying it is included in the prohibition.

Teshuvos Maharsham³ cites our Gemara as proof to the position of Halachos Ketanos. Although the product of something not kosher is not kosher, the urine of a horse or camel that is not cloudy is kosher. The reason, the Gemara explains, is that water was ingested and water emerged. This indicates that water passes straight through the digestive tract and provides no nourishment whatsoever. ■

1. שו"ת הלכות קטנות ח"ב סי' רפ"ב.
2. שו"ת אבני צדק יו"ד סי' צ"ח.
3. שו"ת מהרש"ם ח"א סי' קכ"ג. ■

STORIES Off the Daf

A Sticky Question

"דבש בכורותו..."

T ruth is sometimes stranger than fiction.

In Kiryat Gat there was an ice cream factory, and there were also many bee hives maintained for honey production just outside the industrial area. Once, a big batch of vanilla ice cream went bad and the owner of the factory dumped it out beyond his premises. The bees came, naturally attracted to the sweetness. They seemed to enjoy it and kept coming back for more.

Strangely, the next batch of honey that they produced was whitish, presumably

from the ice cream the bees had eaten. The local beekeepers wondered if their honey was dairy. After all, can we assume that there are sixty times the other components of the honey in such a case?

When they asked Rav Mordechai Eliyahu, zt"l, about this he ruled that the honey was indeed dairy as the beekeepers had suspected. "In Bechoros 7 we find that although bees are not kosher creatures, the honey that they produce is indeed permitted. The reason is that honey is not a product of an internal process of the bees in the way that milk is; they take in nectar, carry it and process it 'externally' in a special sac that is only used for this purpose, and then expel it into the combs to form honey. Clearly, this honey is dairy."

But then Rav Eliyahu made a point the owners had not thought of. "But mere-

ly labeling it as dairy when sold is not enough. Firstly, people will not know the story of how this honey became dairy. They will assume that the mark is an error and treat it as though it's pareve. Since many people put honey in meat cholent, selling this honey at all is clearly forbidden!"¹ ■

1. בצילא דמיהמנותא, כי תשא, תשס"ג, ע' ב'

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leads to the concern that even if one did see a non-kosher fish swallow a kosher fish one should be concerned that the kosher fish was digested and what was discovered inside developed there.

Four resolutions to this question are recorded.

A Baraisa that discusses how fish reproduce is cited. ■