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פסחים כ"ט
The Chicago Center TORAH • CHESED • REFUAH

OVERVIEW of the Daf

1) Identifying the author of our Mishnah (cont.)

R' Acha bar Yaakov explains how our Mishnah is consistent with R' Yehudah's opinion.

Rava disagrees and explains how the Mishnah is consistent with R' Shimon's opinion.

After unsuccessfully challenging R' Acha bar Yaakov the Gemara relates this dispute to another dispute R' Acha bar Yaakov and Rava have as to whether one violates a prohibition by eating the leaven owned by a non-Jew after Pesach.

The Gemara, however, states that R' Acha bar Yaakov retracted his opinion regarding his interpretation of R' Yehudah's opinion.

In order to demonstrate that R' Acha bar Yaakov changed his understanding the Gemara cites a Baraisa that records a dispute whether one violates the prohibition of me'ilah for eating chometz of hekdesh on Pesach.

Five different opinions are cited to identify the opinion that maintains that the prohibition of me'ilah is not violated. One of those opinions is R' Acha bar Yaakov's and from his statement it is clear that he changed from his original understanding of R' Yehudah.

2) Mixtures containing chometz

Rav ruled that during Pesach chometz will prohibit any mixture but after Pesach it will only prohibit a mixture that contains a similar food but if the chometz is mixed with a different type of food it would be permitted.

The Gemara clarifies that Rav is referring to a small concentration of chometz which does not impart taste and proceeds to explain the rationale behind Rav's rulings.

Shmuel ruled that during Pesach chometz will only prohibit a miture of a similar type of food and after Pesach chometz will not prohibit any mixture. The rationale behind Shmuel's ruling's is explained.

R' Yochanan ruled that during Pesach chometz prohibits a mixture only if it imparts taste to the mixture and after Pesach it will prohibit any mixture. The rationale behind R' Yochanan's rulings is explained. ■

Distinctive INSIGHT

Can chometz of a non-Jew be eaten on Pesach?

אבל אתה אוכל של אחרים ושל גבוה—ובדין הוא דאיבעי ליה למיתני דאפילו באכילה נמי שרי...

Rashi explains that Rabbi Yehuda holds that the chometz which is owned by a non-Jew is actually permitted to be eaten by a Jew on Pesach.

Tosafos questions this assertion, because any chometz of a non-Jew which is eaten by a Jew will no longer be "owned by a non-Jew". If the non-Jew gave it to the Jew to eat, it is technically the chometz of a Jew. If the Jew took it without its being given to him (he stole it), then the Jew has responsibility to return it, and in the meantime the Jew has legal responsibilities toward the chometz, and he cannot eat it. In fact, in these cases, the Jew would be liable for בל יראה ובל ימצא in addition to the chometz being prohibited to be eaten.

Tosafos therefore learns that Rav Acha bar Yaakov only meant to say that benefit is permitted from the chometz of a non-Jew, but not that it may be eaten. When the Gemara says "but you may eat it," this is not to be understood literally. Or, it could refer to the halachah of what to do after Pesach. The only chometz which may not be eaten after Pesach is that which was the object of the violation of בל יראה and בל ימצא. The chometz of a non-Jew which did not result in this איסור may be eaten after Pesach.

Pnei Yehoshua defends the opinion of Rashi. The verse of שלך which only disallows chometz which belongs to a Jew is mainly coming to teach the law of chometz of הקדש, i.e. loaves of a Todah offering. These loaves do not become owned by a private Jew even as they are being eaten. Here, they remain owned by הקדש. They are not the property of the Jew, and they are technically permitted to be eaten. Correspondingly, in a case of chometz of a non-Jew where the Jew does not become the owner as he eats it, the verse would indicate that it may be eaten. For example, if the non-Jew gives it to the Jew to eat on the condition that it not transfer to the possession of the Jew even as it is eaten, or it the non-Jew sticks it into the throat of the Jew (such that the Jew never acquired it) - it is in these cases that it may be eaten. ■

HALACHAH Highlight

Dedicating goods to the Temple in today's times

רב יוסף אמר בפודין את ההקדשים להאכילן לכלבים קמפליגי

R' Yosef says the dispute is over whether one can redeem[1] sanctified goods in order to feed them to the dogs.

The Poskim differ regarding a person that sanctified movable items in today's time.[2] Some say[3] that he may redeem the items upon a small coin and then throw the coin away (in a place where it cannot be retrieved); thereafter the goods will be permitted. Others maintain that this will not be effective. Rather one is required to consult a competent halachic authority (Chochom). He may 'release' the person from his obligation by suggesting[4] to him that the vow to dedicate his property to the Temple was made without full knowledge of the consequences. The Chochom may say to him 'had you known that the item would become forbidden to the entire world would you have dedicated it?' When he answers 'no' he is permitted to benefit from his object. If he says 'yes and nonetheless I made the vow' the Chochom should find other means of annulling the vow (i.e. which ways would be effective according to the laws of annulment of vows).

However if in his vow he did not mention explicitly that the dedication should be for the Temple but rather he said it should be 'holy' (hekdesh) we understand this to be referring to an oath to charity. ■

1. לתוד"ה אין (הראדון) המחלוקת שבסוגיין שבקדושת דמים הוא מדרבנן ומרש"י בד"ה ומאן, משמע שהמחלוקת בסוגין הוא בדאורייתא

REVIEW and Remember

1. What is the dispute regarding one who eats a non-Jew's chometz after Pesach?

2. Explain פודין הקדש להאכילן לכלבים.

3. According to Rav, what are the guidelines for chometz that becomes mixed with other foods?

4. According to R' Yochanan, what are the guidelines for chometz that becomes mixed with other foods?

2. הנה בקרקע לכו"ע יש פדיון בזמה"ז. ש"ך יור"ד רנ"ח ס"ק ג' בשם הר"ם. וכ"כ תוס' בערכין כ"ט א'. משא"כ במטלטלין מחלוקת דרמב"ם וראב"ד בהלכות ערכין פ"ח וכן הריף בע"ז (ד' ע"א) ס"ל דפודין בזמה"ז אפרוטה.
3. עי' ס"ק הקודם
4. כ"ז בש"ך שם ס"ק ד'
5. בסימן רכ"ח
6. כ"כ הרמ"א הנ"ל. וכ"כ הט"ז סימן רכ"א ס"ק ל"ב, ובשם שו"ת הרא"ש ועע"ש בש"ך מ"ג, בשם שו"ת הרשב"א. ולענ"ד כן משמע בגמ' בתענית כ"ד א' שר"א ב"ב אמר ה"ה 'הקדש' ואין לך בו אלא כאחד מענייי ישראל, ודו"ק.) ושוב מצאתי בפת"ש יו"ד רנ"ח סק"ג בשם הרשב"ש ורשב"ץ דאפילו אומר הקדש לשמים הוא לעניים עפ"י הגמ' הנ"ל ■

STORIES off the Daf

The insidious nature of chometz

חמץ במשהו

Unlike all other items which are prohibited, chometz is much more strict, in that it is prohibited even in the most minute amount. The Rishonim discuss this aspect of chometz, and they explain it from different perspectives. The Ridbaz says that chometz is treated more severely because it symbolizes Avoda Zarah, the most egregious of all sins.

The Chasam Sofer uses this reason in a most interesting way. One of his talmidim, an unusually bright fellow, once complained to him that he suddenly began to have heretical thoughts, undermining the basic beliefs of Yiddishkeit. Both of them were very disturbed by this especially since the talmid spent most of his days in the Beis Medrash. The Chasam Sofer asked the fellow for an exact account of his actions over the last few weeks. When he got as far back as Pesach he recalled an interesting episode.

A woman had come to the Chasam Sofer with a freshly baked cake which had a question of chometz. The Rav ruled that it was chometz and needed to be destroyed. The Rov gave the cake to his talmid to burn, because he realized that the lady would have a difficult time destroying such a delicious cake. The talmid however, decided to investigate if there was any room for leniency, and after looking into it he decided that the cake was permitted and he even ate it. Hearing this, the Chasam Sofer exclaimed that now it was no wonder why he was having thoughts of Avodah Zarah as chometz is likened to Avodah Zarah.■

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