

דף יומי • חלין • דף ק"ד

Daf Yomi • The Full Daf • Elucidated Talmud • Navy & Gold Edition • with Rashi

THE SUGYA

We start off on Daf 104 with a fascinating discussion on the nature of the prohibition of poultry in milk. The Gemara is bothered by a kasha on our Mishnah: the first part of the Mishnah implies that bird meat is forbidden with milk from the Torah, which goes against Rabbi Akiva who holds it is only mid'Rabbanan. Yet, the end of the Mishnah regarding vows seems to follow Rabbi Akiva's specific shitta that an agent's follow-up question defines a category. We look at how the Gemara resolves this contradiction, bringing down the teretz of Rav Yosef and the teretz of Rav Ashi.

Next, the sugya moves into the practical halachos of harchakos—the Rabbinic safeguards we make to keep a person far from sin. We delve into the halachah of placing poultry and cheese on the same table. The Gemara analyzes whether we can make a gezeirah le'gezeirah (a decree upon a decree) and brings a raaya from the halachos of challah in Chutz la'Aretz. We then learn the Mishnah of Beit Shammai and Beit Hillel regarding whether poultry can be brought up on the table with cheese, and Rabbi Yosei's clarification of their machlokes.

All introductions, summaries, and contextual notes are the editor's commentary and are not part of the original text.

עמוד א' DAF 104A

משנה MISHNAH

MISHNAH

הנזיר מן הבשר מותר בבשר דגים וחרגבים.

The Mishnah concludes: **One who takes a vow** prohibiting himself from meat is permitted to eat the meat of fish and grasshoppers because they are not commonly referred to as meat.

גמרא GEMARA

QUESTION

גמ' הא עוף אסור מדאורייתא, במאן?

GEMARA: The Gemara analyzes the first part of our Mishnah, which states that all meat is forbidden to be cooked in milk. This implies that **consequently**, the meat of a **bird is forbidden** to be cooked in milk **by Torah law**. The Gemara asks: **In accordance with whose** opinion is this?

OBJECTION

דלא כרבי עקיבא, דאי רבי עקיבא – האמר: חיה ועוף אינו מן התורה.

It must be **not in accordance with Rabbi Akiva**, for if you say it is like **Rabbi Akiva**, didn't he say that the prohibition of cooking the meat of a **wild animal and a bird** in milk is **not from the Torah** but is only Rabbinic?

OBJECTION

אימא סיפא: הנודר מן הבשר – מותר בבשר דגים וחרגבים, הא עוף אסור, אתאן לרבי עקיבא,

But say the latter clause of the Mishnah: **One who takes a vow** prohibiting himself from meat is permitted to eat the meat of fish and grasshoppers. This implies that **consequently**, the meat of a bird is forbidden to him under his vow. If so, we have arrived at the opinion of Rabbi Akiva,

EXPLANATION

דאמר: כל מילי דמימליה עליה שליח – בר מיניה הוא.

who said: Any item about which an agent consults his sender when he cannot find the exact item requested is considered a subtype of it regarding vows, because it is associated with that category in people's minds.

BRAISA

דתנאי: הנודר מן הירק, מותר בדלועין, ורבי עקיבא אוסר.

As it is taught in a braisa: One who takes a vow prohibiting himself from vegetables is permitted to eat gourds, but Rabbi Akiva forbids gourds to him.

OBJECTION

אמרו לו לרבי עקיבא: והלא אומר אדם לשלוחו "קח לנו ירק", והוא אומר "לא מצאתי אלא דלועין!"

The Rabbis said to Rabbi Akiva: But doesn't a person say to his agent, "Buy us vegetables," and the agent returns and says, "I found only gourds"? This shows that gourds are not considered vegetables!

EXPLANATION

אמר להן: כן הדבר, כלום אומר "לא מצאתי אלא קטנית"? אלא שדלועין בכלל ירק, ואין קטנית בכלל ירק.

Rabbi Akiva said to them: That is exactly the point! Does the agent ever return and say, "I found only legumes"? Rather, it must be that gourds are included in the general category of vegetables so the agent asks about them, but legumes are not included in the category of vegetables at all. Since an agent would ask about birds when sent to buy meat, birds are included in a vow against meat according to Rabbi Akiva.

QUESTION

רישא רבנן, וסיפא רבי עקיבא!

The Gemara asks: Can we say that the first clause of our Mishnah is like the Rabbis, and the latter clause is like Rabbi Akiva? It is highly unlikely for a single anonymous Mishnah to follow two conflicting Tannaim!

ANSWER

אמר רב יוסה: רבי היא, ונסיב לה אליבא דתנאי, בנדרים סבר לה כרבי עקיבא, בבשר בחלב סבר לה כרבנן.

Rav Yosef said: The author of our Mishnah is Rabbi Yehuda HaNasi, and he formulated it according to the opinions of different Tannaim; regarding vows, he holds like Rabbi Akiva, and therefore forbids birds, but regarding meat in milk, he holds like the Rabbis that bird meat is forbidden by Torah law.

ANSWER

רב אשי אמר: כולל רבי עקיבא היא, והכי קאמר: כל הפשר אסור לבשל בחלב, מהן מדברי תורה ומהן מדברי סופרים, חוץ מפשר דגים וחגבים, שאינם לא מדברי תורה ולא מדברי סופרים.

Rav Ashi said a different teretz: The entire Mishnah is in accordance with Rabbi Akiva, and this is what it is saying: All meat is forbidden to cook in milk, some of them by Torah law such as domestic animals, and some of them by Rabbinic law such as wild animals and birds, except for the meat of fish and grasshoppers, which are neither by Torah law nor by Rabbinic law forbidden to be cooked in milk.

משנה MISHNAH

MISHNAH

ואסור להעלות [וכו].

The Mishnah continues: And it is forbidden to place bird meat with cheese on one table.

גמרא GEMARA

STATEMENT

אמר רב יוסף: שמע מינה פשר עוף בחלב דאורייתא, דאי סלקא דעתך דרבנן – אכילה גופה גזירה, ואנן נגזר העלאה אטו אכילה?

Rav Yosef said: Learn from this that the prohibition of eating the meat of a bird in milk is by Torah law. For if it should enter your mind to say that it is only Rabbinic, then the prohibition of eating it is itself a Rabbinic decree lest one eat animal meat in milk, and would we then go and decree against placing it on the table on account of the danger of eating it, which is itself a decree?

PROOF

ומנא תימרא דלא גזרינן גזירה לגזירה? דתנן: חלת חוצה לארץ

And from where do you say that we do not make a decree upon a decree? As we learned in a Mishnah: Challah separated outside of Eretz Yisrael, which is only Rabbinic,

עמוד ב' DAF 104B

STATEMENT

נאכלת עם הזר על השלחן, וניתנת לכל כהן שירצה.

The Rabbinically decreed challah of Chutz la'Aretz is eaten with the non-priest on the same table, and is given to any Kohen that he wants, even an Am Ha'aretz who does not keep taharah. This shows we do not make a decree to protect another

decree.

OBJECTION

אָמַר לִיה אַבֵּי: בְּשָׁלָמָא אִי אֲשָׁמוּעִינן חֵלֶת חוּצָה לְאֶרֶץ בְּאֶרֶץ, דְּאִיכָא לְמִיגְזֹר מְשֻׁם חֵלֶת הָאֶרֶץ
דְּאוּרֵייתָא, וְלֹא גְזֵרִינן – אִיכָא לְמִשְׁמַע מִינָּה.

Abaye said to him, to Rav Yosef: **Granted**, if it had taught us this halachah regarding challah of Chutz la'Aretz that was brought into Eretz Yisrael, **where there is** a reason to decree against eating it on the same table with a non-priest **because of** challah of Eretz Yisrael which is **from the Torah**, and yet we do not decree—then there would be grounds to learn from it that we do not make a decree to protect another decree.

EXPLANATION

אִלָּא חוּצָה לְאֶרֶץ, מְשֻׁם דְּלִיכָא לְמִיגְזֹר הוּא.

But here, where the challah remains in Chutz la'Aretz, it is because there is no reason to decree at all, since there is no Torah challah there to confuse it with.

EXPLANATION

אָבֵל הָכָא, אִי שְׂרִית לִיה לְאִסּוּקֵי עוֹף וְגִבִּינָה, אֲתִי לְאִסּוּקֵי בְּשָׂר וְגִבִּינָה, וּמִיכָל בְּשָׂר בְּחֵלֶב
דְּאוּרֵייתָא.

But here, regarding poultry, if you permit him to bring up poultry and cheese on the same table, he will come to bring up meat of a domesticated animal and cheese, and end up eating meat in milk which is prohibited from the Torah.

OBJECTION

מִתְקִיף לָהּ רַב שֵׁשֶׁת: סוּף סוּף צוּינן בְּצוּינן הוּא!

Rav Sheshet challenged this: **Ultimately**, it is cold food with cold food! Even if they touch, it does not cook, so eating them together is only a Rabbinic prohibition. Thus, it is still a decree to protect a decree!

ANSWER

אָמַר אַבֵּי: גְזִירָה שְׁמָא יַעֲלֶה בְּאִילָפֶס רוּתָהּ.

Abaye said: It is a decree lest he bring them up together in a hot stewpot, which would cause them to cook.

QUESTION

סוּף סוּף, כָּלִי שְׁנִי הוּא, וּכְלִי שְׁנִי אֵינוֹ מְבַשֵּׁל!

The Gemara asks: **Ultimately**, a stewpot taken off the fire is a Kli Sheni, and a Kli Sheni does not cook from the Torah!

RESOLUTION

אִלָּא גְזִירָה שְׁמָא יַעֲלֶה בְּאִילָפֶס רֶאשׁוֹן.

Rather, it is a decree lest he bring them up in a stewpot that is a Kli Rishon, which is still boiling on the fire, which would indeed be a Torah violation of cooking meat and milk.

משנה MISHNAH

MISHNAH

מתני' העוף עולה עם הגבינה על השולחן, ואינו נאכל, דברי בית שמאי.

MISHNAH: Poultry may be brought up with cheese on the table, but it may not be eaten together with it; these are the words of Beit Shammai.

MISHNAH

ובית הלל אומרים: לא עולה ולא נאכל.

And Beit Hillel say: It may neither be brought up on the table nor eaten with cheese.

MISHNAH

אמר רבי יוסי: זו מקולי בית שמאי ומחומרי בית הלל.

Rabbi Yosei said: This is one of the leniencies of Beit Shammai and the stringencies of Beit Hillel.

MISHNAH

באיזה שולחן אמרו? בשולחן שאוכל עליו,

Regarding which table did they say this prohibition? Regarding a table that he eats upon.

MISHNAH

אבל בשולחן שסודר עליו את התבשיל – נותן זה בצד זה, ואינו חושש.

But on a table upon which he arranges the cooked dishes in the kitchen, he may place this next to that, and he need not be concerned.

גמרא GEMARA

QUESTION

גמ' רבי יוסי היינו תנא קמא?

GEMARA: The Gemara asks: The opinion of Rabbi Yosei is identical to that of the Tanna Kamma! Why repeat it?

INFERENCE

וכי תימא: אכילה גופה איכא ביניהו, דקאמר תנא קמא: בהעלאה קא מיפלגי, באכילה לא פליגי,

And if you say that the permissibility of eating itself is the difference between them, as the Tanna Kamma says that they only argue regarding bringing up to the table, but regarding eating they do not argue because both agree it is forbidden,

INFERENCE

ואמר ליה רבי יוסי: אכילה גופה מקולי בית שמאי ומחומרי בית הלל.

and Rabbi Yosei said to him that the permissibility of eating itself is also subject to dispute, being one of the leniencies of Beit Shammai who permit eating poultry with cheese and the stringencies of Beit Hillel who forbid it—

REFUTATION

וְהַתְנִיחָא, רַבִּי יוֹסֵי אוֹמֵר: שֵׁשֶׁה דְּבָרִים מִקּוּלֵי בֵּית שַׁמַּאי וּמַחֲזִמֵּי בֵּית הֵלֵל, וְזוֹ אַחַת מֵהֶן – עוֹף
עוֹלָה עִם הַגְּבִינָה עַל הַשּׁוּלְחָן, וְאֵינוֹ נֶאֱכָל, דְּבָרֵי בֵּית שַׁמַּאי. וּבֵית הֵלֵל אוֹמְרִים: לֹא עוֹלָה וְלֹא
נֶאֱכָל!

But isn't it taught in a Braisa: Rabbi Yosei says: There are six matters that are of the leniencies of Beit Shammai and the stringencies of Beit Hillel, and this is one of them: Poultry may be brought up with cheese on the table, but it may not be eaten, these are the words of Beit Shammai. And Beit Hillel say: It may neither be brought up nor eaten! This proves that even according to Rabbi Yosei, Beit Shammai forbid eating it!

EXPLANATION

אַלָּא, הָא קַמְשָׁמַע לֵן: מֵאן תַּנָּא קַמָּא? רַבִּי יוֹסֵי –

Rather, this is what the Mishnah comes to teach us: Who is the Tanna Kamma? It is Rabbi Yosei, and the Mishnah is just identifying the author of the anonymous statement.

STATEMENT

כָּל הָאוֹמֵר דְּבָר בְּשֵׁם אוֹמְרוֹ מְבִיא גְּאוּלָּה לְעוֹלָם, שֶׁנֶּאֱמַר "וְתֹאמַר אֶסְתֵּר לְמֶלֶךְ בְּשֵׁם מֶרְדֵּכָי".

This is important, because whoever says a matter in the name of its author brings redemption to the world, as it is stated: "And Esther said to the king in the name of Mordechai."

BRAISA

תַּנָּא אֲגָרָא חֲמוּה דְּרַבִּי אֶבְיָא: עוֹף וּגְבִינָה נֶאֱכָלִין בְּאַפְיקוֹרֵן.

Agra, the father-in-law of Rabbi Abba, taught: Poultry and cheese may be eaten freely without any restrictions.

EXPLANATION

הוּא תַנִּי לֵה, וְהוּא אָמַר לֵה: בְּלֹא נְטִילַת יָדַיִם וּבְלֹא קִינוּיַת הַפֶּה.

He taught it, and he explained it: Meaning, they may be eaten without washing of the hands and without wiping of the mouth in between.

STATEMENT

רַב יִצְחָק בְּרִיָּה דְּרַב מֶשֶׁרְשִׁיָּא אִיקְלַע לְבֵי רַב אָשִׁי, אֵייתוּ לֵיה גְּבִינָה – אֶכְל, אֵייתוּ לֵיה בְּשָׂרָא –
אֶכְל, וְלֹא מָשָׂא יָדָיָה.

Rav Yitzchak the son of Rav Mesharshiyya happened to visit the house of Rav Ashi. They brought him cheese, and he ate it. Then they brought him meat, and he ate it, and he did not wash his hands in between.

OBJECTION

אָמְרִי לֵיה: וְהָא תַנַּגֵּי אֲגָרָא חֲמוּה דְּרַבִּי אֶבְיָא: עוֹף וּגְבִינָה נֶאֱכָלִין בְּאַפְיקוֹרֵן, עוֹף וּגְבִינָה – אֵין, בְּשָׂר
וּגְבִינָה – לֹא!

They said to him: But didn't Agra, the father-in-law of Rabbi Abba, teach: Poultry and cheese may be eaten freely? We can infer: Poultry and cheese, yes, they may be eaten without washing, but meat of a domesticated animal and cheese, no!

ANSWER

אמר להו: הני מילי בליליא, אבל ביממא הא קזינא.

He said to them: These words of Agra, that one must wash for meat, apply only at night when one cannot see if his hands are clean, but during the day, behold, I can see that my hands are clean, so no washing is needed.

BRAISA

תניא: בית שמאי אומרים: מקנה, ובית הלל אומרים: מדיח.

It is taught in a Braisa: Beit Shammai say: One must wipe his mouth between eating meat and milk, and Beit Hillel say: One must rinse his mouth.

QUESTION

מאי "מקנה" ומאי "מדיח"?

The Gemara asks: What is the meaning of "wipe" and what is the meaning of "rinse"? Do they disagree, or does one require both?

SUMMARY

The daf begins by resolving a contradiction in our Mishnah between the laws of basar b'chalav and the laws of vows, presenting Rav Yosef's view that Rabbi Yehuda HaNasi compiled the Mishnah from different Tannaim, and Rav Ashi's teretz that the entire Mishnah follows Rabbi Akiva. The Gemara then debates whether the prohibition of poultry in milk is d'Oraisa or d'Rabbanan, analyzing if the prohibition of placing poultry and cheese on the same table constitutes a gezeirah le'gezeirah. Abaye and Rav Sheshet discuss the exact nature of the concern, concluding that we decree lest one bring them up together in a hot Kli Rishon. Finally, we learn the machlokes between Beit Shammai and Beit Hillel regarding bringing poultry to the table with cheese, with Beit Hillel taking the strict view that it is forbidden, and Rabbi Yosei clarifying that this restriction applies specifically to the table upon which one eats.

The Gemara is bothered by how we can have a Rabbinic fence on top of another Rabbinic fence. In our shakla v'tarya, Abaye explains that we must forbid putting poultry and cheese on the same table, even though poultry is only Rabbinically forbidden with milk, because otherwise a person will easily stumble into a d'oraysa prohibition of eating actual meat and milk. We see from here the incredible depth of Chazal's understanding of the human nefesh. A person doesn't just jump from being completely careful to violating a Torah law; it happens slowly, when we allow the distance between us and the prohibition to shrink.

Lichoira, we might think that we can trust ourselves to keep the proper distance. We tell ourselves, "I know the halachah, I know where the line is, and I would never actually cross it." But the Torah's wisdom is telling us otherwise. If you bring the poultry and the cheese to the very same table, the physical proximity creates a natural slip. The yetzer hara doesn't fight you on the big things first; he just gets you to set them down next to each other on the table. Once they are sitting there together, the boundary is already blurred in your mind.

This is a major yesod in our daily avodas Hashem. We have to look at our own lives and see where we are bringing "poultry and cheese" to the same table. It could be in how we manage our speech, our business dealings, or what we allow into our homes. If you know something is a spiritual danger, don't rely on your willpower to stop at the very last second. Build a real fence. Keep the danger off your table entirely so you never even come close to a nisayon.

Today, identify one spiritual boundary or "fence" in your daily routine that you have been treating lightly, and make a firm kabalah to keep that distance clear and absolute.