

דף יומי • חל"ן • דף צ"ה

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

THE SUGYA

We begin this daf with a fascinating and practical discussion regarding the kashrus of meat that was sold to a non-Jew. The Gemara brings a story of a butcher who claimed to have sold a tereifa bull to a non-Jew, which a Jew then unwittingly ate. This leads Rabbi Yehuda HaNasi to address whether we must suspect all the butcher shops in a city because of one irresponsible individual, bringing us to a fundamental discussion about the status of meat found in the possession of a non-Jew.

From there, the Gemara transitions into one of the most famous sugyas in Hilchos Ta'arobos: the shitta of Rav regarding "basar she'nisaleim min ha'ayin" —meat that was left unsupervised and obscured from sight. The Gemara launches into a rigorous shakla v'tarya, challenging Rav's strict ruling from various Mishnayos and braisos that discuss finding lost meat, and analyzes whether Rav's ruling was an absolute halachic decree or an inference from a specific local incident.

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

עמוד א' DAF 95A

STATEMENT

אי הוה פייסת מינאי, מי לא ספיי לך משור של פטם דעבדי אתמול?

The butcher said to his friend: **If you would have made peace with me yesterday, would I not have fed you from the fattened bull that I prepared yesterday?**

STATEMENT

אמר ליה: אכלי משופרי שופרי.

The other said to him: **I ate from the finest of the fine** of that very bull!

QUESTION

אמר ליה: מנלך?

The butcher said to him: **From where did you** get a piece?

ANSWER

אמר ליה: דזבן פלוני גוי וספא לי.

The other said to him: **So-and-so the non-Jew bought** it from you **and fed** it to me.

STATEMENT

אמר ליה: תרי עבדי, והוא טרפה הוה.

The butcher said to him: **I prepared two** bulls yesterday, **and that** one which the non-Jew bought **was a tereifa**, which is why I sold it to him!

RULING

אמר רבי: בשביל שוטה זה שעשה שלא כהוגן, אנו נאסור כל המקו לין?!

When he heard of this, **Rabbi Yehuda HaNasi said: Because of this imbecile who acted improperly** by selling non-kosher meat to a non-Jew without publicizing it, **should we forbid all the butcher shops** in the city?!

EXPLANATION

רבי לטעמיה, דאמר: מקו לין וטבחי ישראל, בשר הנמצא ביד גוי – מותר.

The Gemara notes: **Rabbi Yehuda HaNasi conforms to his** standard line of **reasoning**, as **he said** in a braisa: If there are **butcher shops and Jewish butchers** in a city, any **meat found in the possession of a non-Jew is permitted**, because we do not assume it is a tereifa.

RULING

איכא דאמרי, אמר רבי: מפני שוטה זה דאיכוון לצעוריה לחבריה, אנו נאסור כל המקו לין?!

There are those who say a different version of Rabbi's reaction. **Rabbi said: Because of this imbecile, who intended only to cause distress to his fellow** by lying to him that he ate tereifa, **should we forbid all the butcher shops?!**

INFERENCE

טעמא דאיכוון לצעוריה לחבריה, הא לא הכי, אסור.

The Gemara analyzes this version: **The reason** Rabbi permits the meat is only **because** we assume the butcher **intended to cause distress to his fellow** and was lying; **but if not for this** assumption, the meat in the non-Jewish shops would indeed be **forbidden!**

OBJECTION

והתנא: רבי אומר: מקו לין וטבחי ישראל, בשר הנמצא ביד גוי מותר!

But isn't it taught in a braisa: **Rabbi says: If there are butcher shops and Jewish butchers, meat found in the possession of a non-Jew is permitted** unconditionally!

RESOLUTION

שאני הכא, דאיתחזק איסורא.

The Gemara answers: **It is different here, because a prohibition has been established**. Since we know for a fact that a Jewish butcher sold tereifa meat to a non-Jew, we must be concerned that this is a common practice in this city.

STATEMENT

אמר רב: בשר, כיון שנתעלם מן העין – אסור.

Rav said: Meat, once it is obscured from sight and left unsupervised, **is forbidden**, because we worry a non-kosher piece was swapped in.

OBJECTION

מיתיבי: רבי אומר: מקו לין וטבחי ישראל, בשר הנמצא ביד גוי – מותר.

The Gemara **raises an objection** from the braisa: **Rabbi says: If there are butcher shops and Jewish butchers, meat found in the possession of a non-Jew is permitted**. Why is this not forbidden as meat left unsupervised?

RESOLUTION

נמצא ביד גוי – שאני.

The Gemara answers: Meat **found in the possession of a non-Jew is different**, because it was never left lying around unsupervised; the non-Jew was holding it the whole time.

OBJECTION

תא שמע: תשע חנויות, כולן מוכרות בשר שחוטא, ואחת מוכרת בשר נבלה, ולקח מאחת מהן ואינו יודע מאיזה מהן לקח – ספקו אסור, ובנמצא הלך אחר הרוב.

Come and hear a challenge from a braisa: If there are **nine stores**, all of them selling kosher slaughtered meat, and one selling **nevelah** meat, and one purchased from one of them and does not know from which he purchased, the doubt is **forbidden** because of the rule of קבוע. But in the case of meat found outside, follow the majority and it is kosher. This contradicts Rav, as the found meat was unsupervised!

RESOLUTION

הכא נמי – בנמצא ביד גוי.

The Gemara answers: **Here too**, the braisa is referring to meat found in the possession of a non-Jew, so it was not unsupervised.

OBJECTION

תא שמע: מצא בה בשר (אם חי) – הלך אחר רוב טבחים, ואם מבושל – הלך אחר רוב אוכלי בשר.

Come and hear another challenge from a Mishnah: If one found meat in a city, if it is **raw**, follow the majority of butchers; and if it is **cooked**, follow the majority of meat eaters. This implies that even though it was lost and unsupervised, it can be permitted!

OBJECTION

וכי תימא: הכא נמי בנמצא ביד גוי, מבושל הלך אחר רוב אוכלי בשר? ונחזי: אי דגוי נקיט ליה, אי דישראל נקיט ליה!

And if you should say: Here too, it refers to meat found in the possession of a non-Jew; if so, why does the Mishnah say regarding **cooked** meat to follow the majority of meat eaters? Let us look at the reality: if a non-Jew is holding it, it is forbidden as non-Jewish cooking, and if a Jew is holding it, it is permitted!

RESOLUTION

הכא במאי עסקינן: בעומד ורואהו.

The Gemara answers: **With what are we dealing here?** With a case where a person was **standing and watching** it from the moment it fell, so it was never out of sight, but he does not know who dropped it.

OBJECTION

תא שמע: נמצא בגבולין, אכרים – נבלות, חתיכות – מותרות.

Come and hear another challenge from a Mishnah: Meat **found in the provinces**, if found as whole limbs, they are assumed to be **nevelos**; but if found as **pieces**, they are permitted. This indicates that unsupervised meat is permitted!

OBJECTION

וכי תימא: הָכָא נָמִי בְּעוֹמֵד וְרוֹאֶהוּ, אֲכָרִים נִבְלֹת – אַמַּאי?

And if you should say: Here too, we are dealing with a case where one was standing and watching it; if so, why are whole limbs assumed to be nevelos? If we watched it fall from a Jew, it should be kosher!

RESOLUTION

מִיָּדֵי הוּא טַעֲמָא אֶלָּא לְרַב, הָא אֵיתִמֵּר עֲלֵהּ: רַב אָמַר מוֹתְרוֹת מְשׁוּם נִבְלָה, וְלֹא אָמַר מוֹתְרוֹת בְּאֲכִילָהּ.

The Gemara answers: Is this a difficulty except according to Rav? But indeed, it was stated on this very Mishnah: Rav said that the pieces are only permitted in that they do not convey the impurity of nevelah, but they are forbidden to be eaten because they were out of sight; and Levi said they are permitted even for eating.

EXPLANATION

וְהָא דְרַב, לָאוּ בְּפִירוּשׁ אֵתֵמֵר, אֶלָּא מִכְּלָלָא אֵתֵמֵר.

The Gemara notes: And this ruling of Rav, that meat out of sight is forbidden, was not stated explicitly by him, but was rather inferred from an incident.

STATEMENT

דְּרַב הָוָה יָתִיב אֲמַבְרָא דְּאִישְׁתַּטִּיטָא, חֲזַיִיה לְהָהוּא גִבְרָא דְּהָוָה קָא

As Rav was sitting at the ford of the Ishtetit River, and he saw a certain man who was washing an animal head in the water...

עמוד ב' DAF 95B

STATEMENT

מְחִוּוֹר רִישָׁא,

The Gemara relates an incident: A certain person was cleaning the head of an animal in the river,

STATEMENT

נָפַל מִיָּנִיהּ,

and it fell from him into the water.

STATEMENT

אִזְל אִיתִי סִילְתָּא שְׂדָא אַסִּיק תִּרְיוֹן,

He went, brought a basket, cast it into the river, and pulled out two animal heads.

STATEMENT

אָמַר רַב: עֲבָדִי נָמִי הָכִי,

Rav said to him: Does it commonly happen this way that one loses one item and finds two?

STATEMENT

אָסרינְהוּ נִיחָ לֵיהּ.

Therefore, **he rendered them forbidden to him**, because we suspect both might be non-kosher meat dropped by someone else.

QUESTION

אָמְרִי לֵיהּ רַב פְּהֵנָּא וְרַב אָסִי לְרַב: דְּאִסּוּרָא שְׂכִיחִי, דְּהִתִּירָא לָא שְׂכִיחִי?

Rav Kahana and Rav Asi said to Rav: Is **forbidden meat common**, but **permitted meat not common**? Since the majority of meat in this area is kosher, why forbid them?

ANSWER

אָמַר לְהוּ: דְּאִסּוּרָא שְׂכִיחִי טְפִי.

He said to them: **Forbidden meat is more common** here.

QUESTION

וְכִי מִכָּלְלָא, מַאי?

The Gemara asks: **And** if we learned Rav's opinion that meat left unsupervised becomes forbidden only **by inference** from this story, **what** is the difference?

ANSWER

פְּרוּוֹתָא דְּגוֹזִים הָוְאִי,

The Gemara answers: There is room to say that this incident cannot serve as a general precedent, because that location **was a port of non-Jews** where most of the meat was indeed non-kosher.

PROOF

תַּדַּע, דְּקָאָמַר לְהוּ: "דְּאִסּוּרָא שְׂכִיחִי טְפִי".

Know that this is so, **as he said to them: "Forbidden meat is more common."** Thus, in a place where the majority of meat is kosher, Rav might not forbid it.

QUESTION

אָלָא רַב, הֵיכִי אָכַל בְּשָׂרָא

The Gemara asks: **But** if Rav holds that unsupervised meat is strictly forbidden, **how did Rav ever eat meat?**

ANSWER

בְּשַׁעֲתִּיהּ, דְּלֹא (עֲלִים) [מַעֲלִים] עֵינֶיהָ מִיָּנִיָּה?

The Gemara answers: He ate it **in its time**, immediately after shechita, **where he did not remove his eyes from it** at all.

ANSWER

אִיבָּעִית אִימָא: בְּצִיּוּרָא וְחִתִּימָא,

Or if you wish, say: He ate meat that was **tied and sealed**, which prevents any switching.

ANSWER

וְאִי נָמִי: בְּסִימָנָא, כִּי הָא דְרַבָּה בַּר רַב הוּנָא מְחַתֵּךְ לֵיהּ אֶתְלַת קַרְנֵתָא.

And alternatively: He ate meat recognized by a distinguishing mark, like that of Rabba bar Rav Huna, who would cut his meat into three corners, making a triangle shape.

STATEMENT

רַב הָוָה קָאזִיל לְכִי רַב חָנָן חַתָּנִיהּ,

The Gemara relates: Rav was going to the house of Rav Chanan, his son-in-law.

STATEMENT

חָזָא מִבְּרָא דְקָאֲתִי לְאַפִּיָּהּ,

He saw a ferry boat coming toward him just as he arrived.

STATEMENT

אָמַר: מִבְּרָא קָאֲתִי לְאַפִּי, יוֹמָא טָבָא לְגוּ.

He said: The ferry is coming toward me; a good day, meaning a festive meal, awaits me inside the house.

STATEMENT

אִזֵּל, קָם אַבְבָּא, אוּדִיק בְּבוּזָא דְדִשָּׂא, חָזָא חַיּוּתָא דְתִלְיָא,

He went, stood at the gate, peered through a crack in the door, and saw an animal hanging, prepared for cooking.

STATEMENT

טָרַף אַבְבָּא, נָפּוּק אֶתּוֹ כּוּלֵּי עֲלָמָא לְאַפִּיָּהּ, אֲתָא טַבְּחֵי נָמִי,

He knocked on the gate; everyone came out to greet him, and the butchers also came out to greet him.

STATEMENT

לָא עֲלִים רַב עֵינֵיהּ מִינֵיהּ,

Rav did not remove his eyes from the meat while they were away.

STATEMENT

אָמַר לְהוּ: אִיכּוּ הִשְׁתָּא סְפִיתוּ לְהוּ אִיסּוּרָא לְבְנֵי בֵּרְתָא.

He said to them: If I had not been watching now, you would have fed forbidden meat to my daughter's children, because you left it unsupervised.

STATEMENT

לָא אָכַל רַב מִהָהוּא בִּישּׁוּרָא.

Yet, Rav did not eat from that meat.

QUESTION

מַאי טַעְמָא?

The Gemara asks: **What is the reason** Rav did not eat it?

OBJECTION

אי משום איעלומי – הא לא איעלמי,

If because of it being unsupervised—but it was not unsupervised, since Rav kept his eyes on it!

ANSWER

אלא דנחיש.

Rather, it was because he divined by using the ferry as an omen, which is forbidden, so he penalized himself.

QUESTION

והאמר רב: כל נחש שאינו פאליעזר עבד אברהם וכיונתן בן שאול – אינו נחש!

The Gemara asks: **But didn't Rav say: Any divination that is not like** that of Eliezer, servant of Avraham, or Yonasan, son of Shaul—where they actually acted based on the sign—is **not** considered forbidden **divination**? Since Rav did not change his actions based on the ferry, why penalize himself?

ANSWER

אלא סעודת הָרְשׁוּת הַזֶּה, וְרַב לֹא מִתְהַנֵּה מִסְעוּדַת הָרְשׁוּת.

Rather, the reason is that it was an optional feast, not a seudas mitzvah, and Rav would not derive pleasure from an optional feast.

STATEMENT

רב בדיק במפרא, ושמואל בדיק בספרא, רבי יוחנן בדיק בינוקא.

The Gemara notes: Rav would check his path by seeing if a ferry arrived quickly; Shmuel would check by opening a Sefer; and Rabbi Yochanan would check by asking a child for his verse.

STATEMENT

כולהו שני דרב, הוה כתב ליה רבי יוחנן "לקדם רבינו שבבבל".

All the years of Rav's life, Rabbi Yochanan would write to him: "To our Master who is in Babylonia."

STATEMENT

כי נח נפשיה, הוה כתב לשמואל "לקדם חבירינו שבבבל".

When Rav passed away, Rabbi Yochanan would write to Shmuel: "To our colleague who is in Babylonia."

STATEMENT

אמר: לא ידע לי מידי דרביה אָנָּא?

Shmuel said: Does he not know any matter in which I am his master?

STATEMENT

כתב שדר ליה עיבורא דשיתין שני.

So Shmuel wrote and sent him the calendar calculations for sixty years.

STATEMENT

אמר: השתא חושבנא בעלמא ידע.

Rabbi Yochanan said: Now, he merely knows simple mathematics. This does not make him my master.

STATEMENT

כתב שדר ליה תליסר גמלי ספקי טריפתא,

Shmuel then wrote and sent him thirteen camel-loads of questions regarding doubtful treifos.

STATEMENT

אמר: אית לי רב בבבל, איזיל איחזייה.

Rabbi Yochanan said: I indeed have a Master in Babylonia; I will go and see him.

STATEMENT

אמר ליה לינוקא: פסוק לי פסוקיה, אמר ליה: "ושמואל מת",

Before leaving, he said to a child: Recite your verse for me. The child said to him: "And Shmuel died."

STATEMENT

אמר: שמע מינה נח נפשיה דשמואל.

Rabbi Yochanan said: Learn from this that Shmuel has passed away. So he did not go.

EXPLANATION

ולא היא, לא שכיב שמואל, אלא כי היכי דלא ליטרח רבי יוחנן.

But it was not so; Shmuel had not died yet. Rather, Heaven showed him this so that Rabbi Yochanan would not trouble himself with the long journey.

BRAISA

תנא: רבי שמעון בן אלעזר אומר: בית, תינוק, ואשה – אף על פי שאין נחש, יש סימן.

It is taught in a Braisa: Rabbi Shimon ben Elazar says: A house, a child, and a wife—even though there is no permitted divination, there is a sign of success if one is successful immediately after acquiring them.

STATEMENT

אמר רבי אלעזר: והוא דאיתחזק תלתא זימני,

Rabbi Elazar said: And this is provided that it was established three times,

PROOF

דכתיב: "יוסף איננו ושמעון איננו ואת בנימין תקחו".

as it is written: "Yosef is no more, and Shimon is no more, and now you will take Binyamin."

QUESTION

בָּעָא מִינֵיהּ רַב הוּנָא מֶרַב: בְּחֲרוּזִין מַהוּ?

Rav Huna asked of Rav: What is the law regarding meat found in strings? Is it considered a distinguishing mark?

ANSWER

אָמַר לֵיהּ: אַל תְּהִי שׁוֹטָה, בְּחֲרוּזִין הָרִי זֶה סִמָּן.

He said to him: Do not be foolish; meat found in strings is indeed a sign.

STATEMENT

אִיכָא דְאָמְרִי: אָמַר רַב הוּנָא אָמַר רַב: בְּחֲרוּזִין הָרִי זֶה סִמָּן.

There are those who say a different version: Rav Huna said in the name of Rav: Meat in strings is indeed a sign.

STATEMENT

רַב נַחֲמָן מִנְהַרְדָּעָא אִיקָלַע לְגַבֵּי רַב כְּהָנָא לְפּוּם נַהֲרָא בְּמַעַלֵּי יוֹמָא דְכַפּוּרִי,

Rav Nachman of Nehardea happened to visit Rav Kahana in Pum Nahara on Erev Yom Kippur.

STATEMENT

אֲתוּ עוֹרְבֵי שָׂדוּ כְּבָדֵי וְכוּלֵיתָא,

Ravens came and dropped livers and kidneys from the sky.

STATEMENT

אָמַר לֵיהּ... שְׁקוּל וְאָכּוּל, הָאִידָנָא דְהֵיתְרָא שְׂכִיחַ טְפִי.

Rav Kahana said to him: Take and eat, for today, when everyone is preparing for the pre-fast meal, permitted kosher meat is more common.

STATEMENT

רַב חִיַּיא בַר אָבִין אֵיתְבַּד לֵיהּ פְּרַכְשָׁא בִּי דִינָא, אֲתָא לְקַמֵּיהּ דְּרַב הוּנָא.

Rav Chiyya bar Abin lost a large intestine in the Beis Din, and he came before Rav Huna to ask if he could take it back.

STATEMENT

אָמַר לֵיהּ: אֵית לָךְ סִמָּנָא בְּגוּיָהּ? אָמַר לֵיהּ: לֹא.

Rav Huna said to him: Do you have a sign on it? He said to him: No.

STATEMENT

אֵית לָךְ טְבִיעוֹת עֵינָא בְּגוּיָהּ? אָמַר לֵיהּ... אֵין.

Do you have visual recognition of it? He said to him: Yes.

RULING

אָם כֵּן, זִיל שְׁקוּל.

Rav Huna said: If so, go and take it.

STATEMENT

רב חנינא חוּזָאָה אֵיתְבַּד לִיה גָּבַא דְּבִשְׂרָא, אֶתָּא לְקַמִּיָּה דְּרַב נַחֲמָן.

Similarly, Rav Chanina of Choza'ah lost a cut of meat, and he came before Rav Nachman.

STATEMENT

אָמַר לִיה: אֵית לָךְ סִמְנָא בְּגוּיָה? אָמַר לִיה: לֹא.

He said to him: Do you have a sign on it? He said to him: No.

STATEMENT

אֵית לָךְ טְבִיעוֹת עֵינָא בְּגוּיָה? אָמַר לִיה... אֵין.

Do you have visual recognition of it? He said to him: Yes.

RULING

אִם כֵּן, זִיל שְׁקוּל.

Rav Nachman said: If so, go and take it.

STATEMENT

רב נַתָּן בַּר אֲבִי אֵיתְבַּד לִיה קִיבוּרָא דְּתַכְלָתָא, אֶתָּא לְקַמִּיָּה דְּרַב חֲסִידָא.

Rav Nasan bar Abaye lost a bundle of techeiles thread, and he came before Rav Chisda.

STATEMENT

אָמַר לִיה: אֵית לָךְ סִמְנָא בְּגוּיָה? אָמַר לִיה: לֹא.

He said to him: Do you have a sign on it? He said to him: No.

STATEMENT

אֵית לָךְ טְבִיעוֹת עֵינָא בְּגוּיָה? אָמַר לִיה... אֵין.

Do you have visual recognition of it? He said to him: Yes.

RULING

אִם כֵּן, זִיל שְׁקוּל.

Rav Chisda said: If so, go and take it.

STATEMENT

אָמַר רַבָּא: מֵרִישָׁא הָוָה אֲמִינָא סִמְנָא עָדִיף מִטְבִּיעוֹת עֵינָא, דְּהָא מִהֲדַרְיָנָן אֲבִידְתָּא בְּסִמְנָא,

Rava said: At first, I used to say that a sign is greater than visual recognition, because we return a lost object based on a sign even to a regular person,

SUMMARY

The daf first clarifies that under normal circumstances, if the majority of butchers in a city are Jewish, meat found in the possession of a non-Jew is permitted. However, if we have an established concern that tereifa meat was sold, we must be choshash. The Gemara then focuses on Rav's shitta that unsupervised meat becomes forbidden due to the concern of a swap. The Gemara raises several kashas from Mishnayos that permit found meat based on the majority of butchers or consumers, resolving them by explaining that those cases refer to where the meat was either held by a non-Jew or constantly watched. Finally, the Gemara notes that Rav's strict ruling may have been inferred from a specific ma'aseh at the Ishtetit River, where Rav forbade two animal heads pulled from the water because non-kosher meat was highly prevalent in that specific port, leaving the Gemara to question the scope of Rav's general ruling.

לְמַעֲשֶׂה WHAT TO TAKE HOME

The Gemara is bothered by a fascinating story where a butcher, out of sheer spite and a desire to cause distress to his friend, lied and claimed he had fed him tereifa meat. Rabbi Yehuda HaNasi looks at this ugly display of petty fighting and declares: "Because of this imbecile who intended only to cause distress to his fellow, should we forbid all the butcher shops?!" The Gemara is teaching us a deep yesod about the destructive power of petty arguments and the lengths people will go just to get under someone else's skin. This butcher was ready to ruin his own business reputation and make his friend believe he had stumbled into a major sin, all for the cheap satisfaction of a temporary jab.

Lichoira, we must ask ourselves: how often do we let the yetzer hara drag us into this exact kind of foolishness? In our homes, in the bais medrash, or in business, a small machlokes starts, and suddenly we find ourselves saying or doing things that make absolutely no sense, just to "win" or to make the other person feel bad. We are willing to damage our own standing, cause real pain, and create a whole storm of negativity, just like that foolish butcher who threw away his credibility for a moment of spite.

When we see a machlokes brewing, we have to stop and look at the big picture. Hashem wants us to live with shalom and nosei b'ol im chaveiro. Instead of looking for ways to get back at someone or make them squirm, we need to step back, swallow our pride, and refuse to play the game of the yetzer hara.

Today, if you find yourself in a disagreement or feeling slighted by someone, consciously choose not to say that sharp, biting word that would cause them distress. Step back, let it go, and choose shalom over being right.