

**A** בס"ד  
Intro  
Today we will learn בע"ה of דף נ"ח עבודה זרה דף נח  
Some of the topics we will learn about include.  
The Gemara continues to discuss the three conditions required for יין נסך  
אסור בהנאה

1. שיתכוין ליגע  
The non-Jew intended to touch it.
2. שידע שהוא יין  
The non-Jew was aware at the time that this was wine.
3. שלא יהא עוסק בדבר אחר  
The non-Jew was not occupied with another matter at that time.

And if all these three conditions are met the wine becomes אסור בהנאה, because there is a possibility for נתכוין לנסך, the non-Jew's intentions were for עבודה זרה לנסך. But if all these conditions are not met, then in some cases the wine becomes מותר בהנאה and in some cases even מותר בשתייה.

**B** And the Gemara mentions several incidents from which we derive the following Halachos:

1. מגע בכוונה אסור בהנאה  
If a non-Jew intentionally touched and swished wine, even though נתכוין לנסך, he certainly had no intentions for עבודה זרה, the wine becomes forbidden in all benefits, because since there is a possibility for נתכוין לנסך we invoke the Halachah of לך לך אמרין נזירא סחור סחור לכרמא לא תקרב  
As we advise a נזיר not to go even close to a vineyard, we advise staying away from all potential cases of איסור.
2. מגע שלא בכוונה מותר בהנאה  
If a non-Jew unintentionally touched and swished wine, such as he was not aware that this was wine, the wine is only forbidden for drinking, but is permitted in other benefits, because לא היה יודע שהוא יין
3. כחו בכוונה אסור בשתייה  
If a non-Jew intentionally poured wine, but he did not actually touch it, the wine is forbidden for drinking but is permitted in other benefits, because it was only כחו, his force.
4. כחו שלא בכוונה מותר בשתייה  
If a non-Jew unintentionally poured wine, but he did not actually touch it, the wine is permitted even for drinking.

**A**

יין נסך  
אסור בהנאה

- 1 -  
שיתכוין ליגע

- 2 -  
שידע שהוא יין

- 3 -  
שלא יהא עוסק בדבר אחר

**B**

מגע בכוונה אסור בהנאה

מגע שלא בכוונה מותר בהנאה

כחו בכוונה אסור בשתייה

כחו שלא בכוונה מותר בשתייה

1 So, let's review ...

The Gemara proceeds with the Halachah of

מגע בכוונה  
אסור בהנאה

If a non-Jew intentionally touched and swished wine, even though שלא נתכוין לנסך, he certainly had no intentions for עבודה זרה, the wine becomes forbidden in all benefits, because since there is a possibility for נתכוין לנסך, we invoke the Halachah of

לך לך אמרין נזירא סחור סחור לכרמא לא תקרב  
As we advise a נזיר not to go even close to a vineyard, we advise staying away from all potential cases of איסור.

As we see from the following incident that happened in מחוזה:

אתא עכו"ם עייל לחנותא דישראל  
אמר להו אית לכו חמרא לזבוני  
אמרו ליה לא

A non-Jew walked into a store owned by a Jew and asked to buy wine, and he was told that there was none.

הוה יתיב חמרא בדוולא  
שדי ביה ידיה שיכשך ביה

אמר להו האי לאו חמרא הוא?

The non-Jew stuck his hand into a bucket of wine, swished the wine and exclaimed, isn't this wine?

שקליה האיך בריתחיה  
שדייה לדנא

The Jewish owner angrily took the bucket and poured its wine into a barrel of wine.

שרייה רבא

לזבוני לעובדי כוכבים

רבא initially ruled that the Jew may sell the entire barrel to non-Jews, because he held that

מגע בכוונה  
מותר בהנאה

The wine in the bucket is permitted in all benefits, because the non-Jew had no intentions for ניסוך.

1

מגע בכוונה

אסור בהנאה

If a non-Jew intentionally touched and swished wine, even though

שלא נתכוין לנסך

he certainly had no intentions for עבודה זרה, the wine becomes forbidden in all benefits,

because since there is a possibility for נתכוין לנסך, we invoke the Halachah of

לך לך אמרין נזירא

סחור סחור לכרמא לא תקרב

As we advise a נזיר not to go even close to a vineyard, we advise staying away

from all potential cases of איסור.

As we see from the following incident that happened in מחוזה:

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that the Jew may sell the entire barrel to non-Jews,

because he held that

מגע בכוונה

מותר בהנאה

because the non-Jew

had no intentions for ניסוך.



2 However, others disagreed with רבא and held that  
 מגע בכוונה  
 אסור בהנאה  
 The wine in the bucket is forbidden in all benefits even if  
 the non-Jew had no intentions for ניסוך, because he  
 touched it intentionally.

And רבא later retracted, because  
 אקפן נחמני שמעתתא ומתניתא דאסיר  
 brought proof from earlier אמוראים and a Braisa that  
 מגע בכוונה  
 אסור בהנאה

1.  
 שמעתתא  
 There were two incidents of מגע בכוונה, in which שמואל and  
 אסור בהנאה רבי יוחנן ruled that the wine is אסור בהנאה.

2

~~X~~

*Others disagreed with רבא and held that*  
**מגע בכוונה**  
**אסור בהנאה**  
*The wine in the bucket is forbidden in all benefits even if*  
*the non-Jew had no intentions for ניסוך, because he*  
*touched it intentionally.*

*And רבא later retracted*  
*because*  
**אקפן נחמני**  
**שמעתתא ומתניתא דאסיר**  
*brought proof*  
*from earlier אמוראים and a Braisa that*  
**מגע בכוונה**  
**אסור בהנאה**

1

**שמעתתא**  
*There were two incidents of מגע בכוונה,*  
*in which רבי יוחנן and שמואל ruled*  
*that the wine is אסור בהנאה.*



3

2.

מתניתא

The Braisa states as follows

אגרדמים עכו"ם שקדח במינקת והעלה

או שטעם מן הכוס והחזירו לחבית

זה היה מעשה ואסרוהו

If a non-Jewish inspector bored a hole in a wine stopper and sipped some wine through a straw;

Or he sampled some wine from a cup and poured the rest back into the barrel;

There was such an incident and the חכמים ruled that the wine is בהנאה אסור even though he had no intentions for ניסוך, because it was

מגע בכוונה

The Braisa concludes however,

מגע שלא בכוונה

מותר בהנאה

If a non-Jew unintentionally touched and swished wine, such as he was not aware that this was wine, the wine is only forbidden for drinking, but is permitted in other benefits.

As we see in the incident of

חרם עכו"ם שהושיט ידו לחבית

וכסבור של שמן היא ונמצאת של יין

זה היה מעשה ואמרו ימכר

An impulsive non-Jew stuck his hand into a barrel thinking that it contained oil, but it turned out to be wine.

The חכמים ruled that the owner is permitted to sell the wine to a non-Jew, because

לא היה יודע שהוא יין

The non-Jew was not aware that this was wine

=====

3

2

## מתניתא

*The Braisa states as follows*

**אגרדמים עכו"ם שקדח במינקת והעלה  
או שטעם מן הכוס והחזירו לחבית  
זה היה מעשה ואסרוהו**

*If a non-Jewish inspector  
bored a hole in a wine stopper  
and sipped some wine  
through a straw;*

*Or he sampled some wine  
from a cup  
and poured the rest back  
into the barrel;*

*The חכמים ruled that the wine is אסור בהנאה  
even though he had no intentions for ניסוך,*

*because it was*

**מגע בכוונה**

*However,*

**מגע שלא בכוונה**

**מותר בהנאה**

*If a non-Jew unintentionally touched and swished wine,  
such as he was not aware that this was wine,  
the wine is only forbidden for drinking,  
but is permitted in other benefits.*

*As we see in the incident of*

**חרם עכו"ם שהושיט ידו לחבית  
וכסבור של שמן היא ונמצאת של יין  
זה היה מעשה ואמרו ימכר**

*An impulsive non-Jew stuck his hand into a barrel  
thinking that it contained oil,  
but it turned out to be wine.*

*The חכמים ruled that the owner is permitted  
to sell the wine to a non-Jew, because*

**לא היה יודע שהוא יין**

*The non-Jew was not aware that this was wine*

4 The Gemara proceeds with the Halachah of

כחו שלא בכונה  
 מותר בשתיה  
 If a non-Jew unintentionally poured wine, but he did not actually touch it, the wine is permitted even for drinking, because it was only כחו, his force, that unintentionally caused the wine to move.

As we see in the incident of the following two חכמים:  
 רבי יוחנן בן ארזא ורבי יוסי בן נהוראי  
 הוו יתבו וקא שתו חמרא  
 אתא ההוא גברא אמרו ליה תא אשקינן  
 They were sitting and drinking wine and an unknown person approached them, and they asked him to pour them some wine.

לבתר דרמא לכסא  
 איגלאי מילתא דעכו"ם הוא  
 After he poured the wine, they discovered that he was a non-Jew.  
 חד אסר אפילו בהנאה  
 וחד שרי אפילו בשתייה  
 One held that the wine is forbidden in all benefits, while the other held that the wine is permitted even for drinking.

And the Gemara explains:  
 חד אסר אפילו בהנאה  
 Because  
 מימר אמר  
 ?סלקא דעתיה דרבנן כי הני שיכרא קא שתו  
 אלא ודאי האי חמרא הוא  
 ונסכיה

The non-Jew certainly assumed that this was wine, because he would think that חכמים of this stature would not be drinking beer; and since there is a possibility that he touched and swished the wine without anyone realizing, it is considered  
 מגע בכונה  
 Which is  
 אסור בהנאה

While  
 חד שרי אפילו בשתייה  
 Because  
 מימר אמר  
 ?ס"ד דרבנן כי הני חמרא קא שתו וא"ל לדידי תא אשקינן  
 אלא ודאי שיכרא הוא קא שתו  
 ולא נסכיה  
 The non-Jew certainly assumed that this was not wine, but beer, because he would think that the חכמים would not ask a non-Jew to pour wine;  
 And since they are not מנסך beer, it was only  
 כחו שלא בכונה  
 Which is  
 מותר בשתיה  
 =====

4

כחו שלא בכונה  
 מותר בשתיה

If a non-Jew unintentionally poured wine, but he did not actually touch it, the wine is permitted even for drinking, because it was only כחו, his force that unintentionally caused the wine to move.

As we see in the incident of the following two חכמים:

רבי יוחנן בן ארזא ורבי יוסי בן נהוראי  
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They were sitting and drinking wine and an unknown person approached them, and they asked him to pour them some wine.

לבתר דרמא לכסא  
 איגלאי מילתא דעכו"ם הוא

After he poured the wine, they discovered that he was a non-Jew.

וחד שרי  
 אפילו בשתייה

Because  
 מימר אמר  
 ס"ד דרבנן כי הני  
 חמרא קא שתו  
 וא"ל לדידי תא אשקינן  
 אלא ודאי שיכרא הוא  
 ולא נסכיה

The non-Jew assumed that this was beer, because he thinks the חכמים would not ask a non-Jew to pour wine; And since they are not מנסך beer, it was only

כחו שלא בכונה  
 מותר בשתיה

חד אסר  
 אפילו בהנאה

Because  
 מימר אמר  
 ס"ד דרבנן כי הני  
 שיכרא קא שתו  
 אלא ודאי חמרא הוא  
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 The non-Jew assumed that this was wine, because he would think that חכמים of this stature would not be drinking beer. And since it is a possibility that he touched the wine without anyone seeing, it is considered

מגע בכונה  
 אסור בהנאה



5 The Gemara proceeds with the Halachah of

כחו בכוונה  
אסור בשתיה

If a non-Jew intentionally poured wine, but he did not actually touch it, the wine is forbidden for drinking because כחו, his force, intentionally caused the wine to move; but the wine is permitted in other benefits.

As Rabi Asi א"ר יוחנן says  
יין שמזגו עכו"ם  
אסור בשתיה

If a non-Jew poured water into a Jew's wine to dilute it, the wine becomes forbidden for drinking even though he did not touch the wine, because the flow of the water into the wine is considered כחו, the non-Jew's force, which caused the wine to move, and the חכמים initiated an Issur for כחו בכוונה, because

לך לך אמרין נזירא סחור סחור לכרמא לא תקרב  
As we advise a נזיר not to go even close to a vineyard, we advise staying away from all potential cases of איסור.

And Rashi adds, however,  
בהנאה לא מיתסר

דלא עדיף מנגיעה ע"י דבר אחר שלא בכוונה  
The wine is permitted in other benefits, because since it was only כחו, it is no worse than כחו בכוונה through another object, which is בהנאה.

5

### כחו בכוונה אסור בשתיה

*If a non-Jew intentionally poured wine, but he did not actually touch it, the wine is forbidden for drinking because כחו, his force, intentionally caused the wine to move; but the wine is permitted in other benefits.*

*As Rabi Asi א"ר יוחנן says*

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*because*

### לך לך אמרין נזירא סחור סחור לכרמא לא תקרב

*As we advise a נזיר not to go even close to a vineyard, we advise staying away from all potential cases of איסור.*

*And Rashi adds, however,*

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