

1 Our Shiur began with Rav's ruling regarding people who are בקיאים בקביעה דירחא - experts in calculating the calendar, and know exactly which day is טוב - יום טוב - אמר רב ביישוב אסור במדבר מותר - They may nevertheless not do מלאכה on the second day of יום טוב when they are ביישוב - among other people, but may do מלאכה when they are במדבר - in the desert where there are no people around.

1

**רב**  
People who are בקיאים בקביעה דירחא  
And...  
**KNOW EXACTLY WHICH DAY IS יום טוב**

<p>במדבר No people around אסור To do מלאכה on the 2nd day</p>	<p>ביישוב Among other people מותר To do מלאכה on the 2nd day</p>
---	--

2 The Gemara relates; רב נתן בר אסיא אול מבי רב לפומבדיתא ביום טוב שני של עצרת - Rav Nassan bar Asya traveled to פומבדיתא on the second day of שבועות, in violation of the מנהג המקום which was observing יום טוב שני. There are two versions whether רב יוסף put him in הרם - excommunication - the more severe punishment, or מלקות - lashes - the less severe punishment.

2

רב נתן בר אסיא אול מבי רב לפומבדיתא ביום טוב שני של עצרת  
In violation of the מנהג המקום which was observing יום טוב שני

<p>- ONE VERSION - רב יוסף Put him in הרם More severe</p>	<p>- ANOTHER VERSION - רב יוסף Gave him מלקות Less severe</p>
---	---

3 The Gemara now returns to the Mishnah at the beginning of the Perek: כיוצא בו המוליך פירות - If one brought שמיטה fruits from a place where this type of produce was still available to animals in the field to where it is no longer available, or vice versa - The תנא קמא holds; חייב לבער - He has to treat them with the stringencies of both places and ביעור. ר' יהודה said; - צא והבא לך אף אתה - You go bring for yourself.

3

כיוצא בו המוליך פירות  
If one brought שמיטה fruits...  
From... To...  
A place where it was AVAILABLE to animals in the field A place where it was NOT AVAILABLE to animals in the field  
...or vice versa

<p>ר' יהודה צא והבא לך אף אתה Go bring for yourself</p>	<p>תנא קמא חייב לבער Stringencies of both places</p>
---	--



4 The Gemara at first assumes that ר' יהודה is referring to the case of when the fruits are still available in his town of origin, but not available here, and he may eat them in the current town because the other townspeople can also go to his town of origin to get similar fruit. The Gemara rejects this because it is difficult to say that ר' יהודה rejects the idea that a person is bound by the חומרות of both places.

4

*The Gemara first assumes...*

The fruits ARE available in his town of origin, but NOT available here

He MAY eat them because the townspeople can also go to his town!

*The Gemara rejects this...*

It is difficult to say ר' יהודה rejects the idea... That a person is bound by the חומרות of both places

5 The Gemara gives five possible explanations for the words of ר' יהודה:

First - He's speaking about a case where he brought the fruit from one place where it was available to another place where it is also available, but then found out that it is no longer available in the original place.

5

FIVE EXPLANATIONS FOR ר' יהודה

1

If one brought שמיטה fruits...

<i>From...</i>	<i>To...</i>
A place where it WAS AVAILABLE	A place where it WAS AVAILABLE

...then found out it is NO LONGER AVAILABLE in the original place!

6 The Gemara holds he must do ביעור, because of חומרא מוקום שיצא משם - חומרא מוקום שיצא משם - רבי יהודה is saying that he does not have to do ביעור, because - צא והבא לך אף אתה - He can tell the people from his hometown to come here as he did, and find it available. In other words, he's not going against חומרא מוקום שיצא משם. The Gemara rejects this פשוט because רבי אלעזר taught us; ר' יהודה אלא לחומרא - R' Yehuda is supposed to be teaching a קולא, not a חומרא.

6

ר' יהודה אינו חייב לבער צא והבא לך אף אתה He can tell people from his hometown to come here He's not going against חומרא מוקום שיצא משם	תנא קמא חייב לבער חומרא מוקום שיצא משם
--	---

~~TAUGHT US... לא אמר רבי יבוספ לא לחומרא~~



7 Therefore, the גמרא says;  
איפוך - the opinions are reversed.  
In this case, the תנא קמא does not require ביעור, because when he left there was no איסור on the פירות since they were still available at the time he left, and רבי יהודה does require ביעור because  
צא והבא לך אף אתה -  
right now there are no more fruits available in his place of origin, creating an איסור on his fruits.

7

2

If one brought שמויטה fruits...

From... A place where it WAS AVAILABLE	To... A place where it WAS AVAILABLE
--	--

**איפוך**

ר' יהודה חייב לבער צא והבא לך אף אתה Now they're NOT AVAILABLE חייב לבער	תנא קמא אינו חייב לבער They were STILL AVAILABLE when he left
---	---

8 Third -  
אביי suggests that the case is basically the same as we learned originally, in that the fruits were brought from a place where they were still available to a place that they are not available. However, they were then brought back to the original place. The תנא קמא holds that since they are available in the current town, there is no ביעור, but ר' יהודה holds that once they were brought to a place where they are no longer available, they become חייב in ביעור.

8

3

אביי

From... A place where it was AVAILABLE	To... A place where it was NOT AVAILABLE
Back to... A place where it was AVAILABLE	

ר' יהודה חייב לבער צא והבא לך אף אתה Once they were brought to a place where they're NOT AVAILABLE חייב לבער	תנא קמא אינו חייב לבער They're AVAILABLE in the current town
---	---

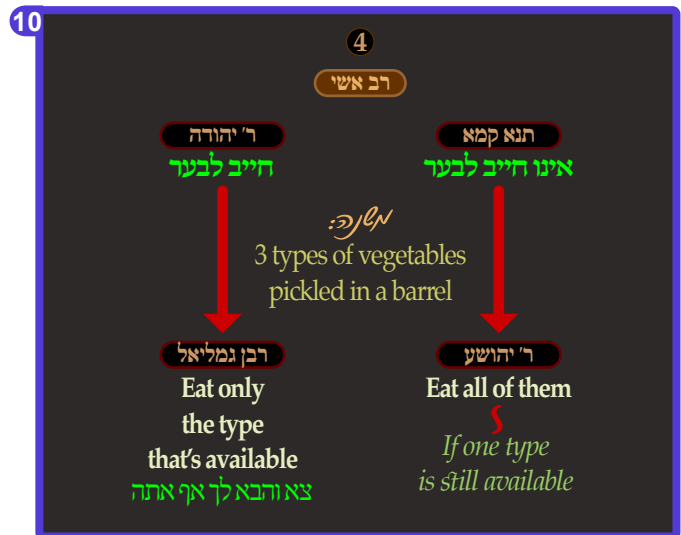
9 ר' אשי rejects this because it's not logical for ר' יהודה to say that the fruits are forever considered to belong to the second town just because they were brought there for a short while.

9

רב אשי

It's not logical to say...  
They belong to the second town  
just because they were brought there  
for a short while!

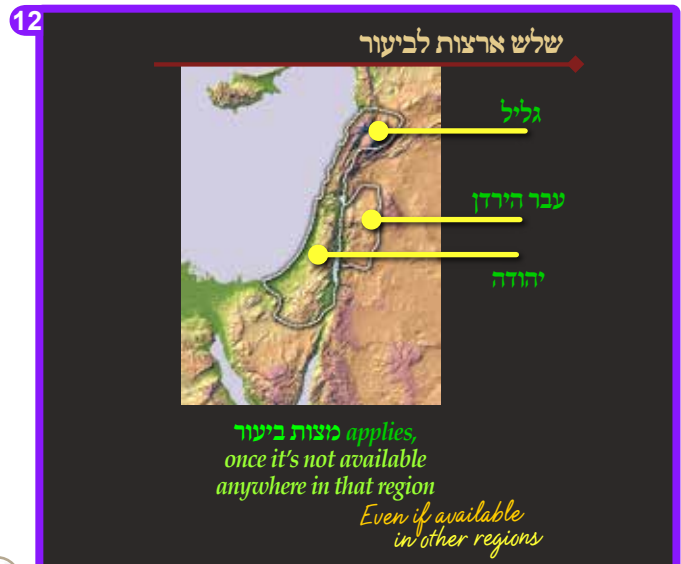
10 Fourth -  
Therefore, רב אשי suggests, that the תנא קמא holds like ר' יהודה that if a person has three types of vegetables being pickled in a single barrel, he can eat all of them as long as even one of them is still available in the field, and רבי יהודה holds like רבן גמליאל that he can only eat the particular type of vegetable that is still available in the field.



11 Finally, רבינא suggests that the תנא קמא holds like the תנא קמא of a ברייתא who says that the מצות ביעור only begins when all dates, even the ones stuck between the thorns of a palm tree, are gone. רבי יהודה holds like רשב"ג who says that the מצות ביעור begins even when the dates are still available between the thorns, because the animals won't be able to get to them when they are stuck between the thorns



12 The גמרא goes on to discuss several issues of the מצוה of ביעור: ארץ ישראל - there are three basic regions of - שלש ארצות לביעור when it comes to ביעור: יהודה ועבר הירדן וגליל. Although each region is naturally divided into three types of areas, mountains, lowlands, and valleys, we do not consider them distinct areas. As long as the produce is available anywhere in the region, the מצוה ביעור does not apply. Once it is not available anywhere in that region, even though it is available in the other two regions, the ביעור applies because animals from one region cannot live on produce from a different region.



13 תנו רבנן פירות שיצאו מארץ ישראל לחוץ לארץ - תנא  
 If fruits were brought out from ארץ ישראל to חוץ לארץ - the תנא  
 holds we do ביעור wherever they are, and רבי שמעון בן  
 holds they should be brought back to ארץ ישראל for  
 ביעור.

13

תנו רבנן  
 פירות שיצאו מארץ ישראל  
 לחוץ לארץ

רבי שמעון בן אלעזר	תנא קמא
יחזרו למקומן ויתבערו	מתבערין בכל מקום שהם

14 When there was some debate of how רבי אבהו paskened in this  
 Machlokes, רב ספרא relied on רב הונא בריה דרב איקא who said  
 that רב הונא בריה דרב איקא allowed doing the ביעור in חוץ לארץ, because רב  
 הונא בריה דרב איקא was known to be extremely precise in  
 reviewing the teachings of his Rebbe, רבי אבהו.

14

When there was some debate  
 how רבי אבהו paskened

relied on רב ספרא  
 רב הונא בריה דרב איקא

אמר רבי אבהו  
 אין פליגי  
 כי שמעון בן אלעזר

He was extremely  
 precise in reviewing the  
 teachings of his רבי

15 - רבי אליעאי קץ כפנייתא דשביעית  
 During a שמיטה year, רבי אליעאי cut down a date tree that had  
 small unripe dates on it.  
 The Gemara asks;  
 היכי עביד הכי לאכלה אמר רחמנא ולא להפסד  
 How was he permitted to do this if we Darshen that while  
 you may eat שמיטה produce, it is אסור to destroy שמיטה  
 produce?

15

רבי אליעאי  
 קץ כפנייתא דשביעית  
 Cut down a date tree  
 with small unripe dates on it

היכי עביד הכי?  
 לאכלה אמר רחמנא - ולא להפסד!

16 The גמרא offers two answers:

First - It is a Machlokes whether dates are considered fruit at this early stage.

רב נחמן follows the opinion of ר' יוסי that they are considered fruit, while ר' אילעאי follows the opinion of the רבנן who do not consider them fruit.

16

1

*מחלוקת*

Fruit at this early stage

<p><i>ר' אילעאי</i></p> <p><b>רבנן</b></p> <p><b>NOT</b></p> <p><b>considered</b></p> <p><b>fruit</b></p>	<p><i>רב נחמן</i></p> <p><b>ר' יוסי</b></p> <p><b>They ARE</b></p> <p><b>considered</b></p> <p><b>fruit</b></p>
---	---

17 The גמרא rejects this answer because the רבנן only disagree with ר' יוסי regarding grapes and carobs and olives, but not dates.

17

~~X~~

They ARGUE regarding  
Grapes • Carobs • Olives  
but NOT regarding  
Dates

18 Instead, the גמרא answers;  
אלא רבי אילעאי בדניסחני קץ -  
ר' אילעאי cut down a male palm tree whose dates never fully ripen on the tree, but in baskets. Therefore, chopping down the tree did not destroy the fruit.

18

2

*אלא רבי אילעאי  
בדניסחני קץ*

He cut down a  
Male Palm tree

The dates ripen  
in the basket

*Did not destroy  
fruit*