

Bava Basra – Simanim

דף צ – 90 Daf

פרק ה – המוכר את הספינה

1. אין מוסיפין על המדות יותר משתות

Shmuel said three rulings: [A city] *cannot increase the sizes of their measures by more than a sixth*, *nor can they increase the value of coins by more than a sixth*, and *one should not profit through buying and selling by more than a sixth*. The Gemara seeks to explain Shmuel's first ruling, and why a sixth would be permitted. After two suggestions are rejected, the Gemara suggests another: *It is so the merchant does not suffer a loss of principal if he mistakenly sells a new measure for the old price (unaware of the increased volume), since a merchant usually profits by a sixth*. The Gemara objects that if so, increasing the measure by a sixth should also be prohibited, since he will have no profit: *זבן וזבין – does he buy and sell merchandise just to be called a merchant, without making any profit?!* The Gemara concludes that Shmuel has a source in a *passuk* that coins (and measures) may be increased by a sixth, despite the possibility that a merchant will not profit. Still, the Rabbis forbade raising it more, whereby a merchant may suffer a loss of principal.

2. Hoarding produce

A Baraisa states: *אוצרי פירות – Regarding those who hoard produce, who cause prices to rise and take advantage of them, as well as those who lend with ribbis, those who cheat using small measures, and those who raise the prices, the passuk says: נשבע ה' בגאון יעקב אם אשכח לנצח כל מעשיהם – Hashem swore by the pride of Yaakov, "Surely I shall never forget their deeds."* Shmuel's father would sell early in the market at the early, lower price, and Shmuel would delay selling his produce until the end of the harvest season (when prices were higher), at the early, lower price. Although both were permitted, they sent from Eretz Yisroel: *טבא דאבא מדברא – the father's practice is better than the son's, because תרעא – a market price that eased initially, eases for the whole season*. A Baraisa states: *אין אוצרין – one may not hoard produce which is a staple of life, such as wine, oils, and fine flours, but one may hoard seasoning, such as cumin and pepper. The prohibition is only for buying from the market and hoarding, אבל במכנים משלו מותר – but regarding one who gathers in his own produce, it is permitted*. Another Baraisa permits hoarding near *shemittah*.

3. Exporting staples from Eretz Yisroel

A Baraisa states: *אין מוציאין פירות מארץ ישראל – One may not export produce out of Eretz Yisroel דברים – items which are staples of life, such as wine, oils, and fine flour*. Rebbe Yehudah ben Beseira permits exporting wine, *מפני שממעט את התיפלה – because it thereby reduces indecency* in Eretz Yisroel. The Tanna Kamma adds that similarly, one may not export such produce to Surya, because he does not consider it part of Eretz Yisroel, but Rebbe permits exporting from the last province in Eretz Yisroel to the first province of Surya, since they are so close. On the next Daf, a Baraisa says one cannot trade in staples of life in Eretz Yisroel (buying from a producer and retailing it for a higher price). Rebbe Elazar ben Azaryah did trade with wine and oil in Eretz Yisroel, and the Gemara explains that he held like Rebbe Yehudah ben Beseira regarding wine, and oil was plentiful in his locale, and there was no concern about increasing prices.

Siman – Tzedaka Box

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3 things to remember

1. אין מוסיפין על המדות יותר משתות
2. Hoarding produce
3. Exporting staples from Eretz Yisroel

