

Maseches Beitza

Daf 2a

Bais Shammai permits eating an egg that was laid on Yom Tov, and Bais Hillel forbids eating it.

Tosfos asks: (why does the Mishna talk in terms of allowing the eating and disallowing the eating?) Why doesn't it say simpler that it's forbidden or permitted (without specifying eating)?

Tosfos says not to answer as follows: that 'forbidden' connotes being forbidden forever (which is not true, since it's only forbidden until the end of Yom Tov).

The reason you can't answer that: we see a Braisa later "a chick born on Yom Tov is forbidden," and it's clearly only forbidden that day only.

Rather, Tosfos answers: if it would only say 'forbidden' or 'permitted,' I would said that Bais Shammai only permits to move it on Yom Tov, but not to eat it. As we see a precedence to this from a Gemara later (regarding a fish which we didn't know if it was caught before, or on, Yom Tov.) A non-Jew wanted to give the fish to R' Gamliel, but he didn't accept it. (He explained to his students) in truth, it's permitted, but I just didn't want to accept a gift from this person. The Gemara concludes there that he only permits to move it, but not to eat it.

Tosfos asks: (this would seem that) Bais Hillel that only forbids eating, permits moving. (However, we see later that he forbids moving the egg.)

Rather, the Ri answers: since generally eggs are used for eating, the Mishna uses the term of eating. (However, it would apply to moving as well.)

Alternatively, when Bais Shammai said it's permitted to eat, the connotation is that it's permitted to move and eat, since you can't eat it without moving it (to your mouth). Bais Hillel argues and forbids moving too. The only reason he said it in the term of "not eating" is to parallel Bais Shammai.

Bais Shammai holds that one transgresses the Issur of sourdough (on Pesach) that's the size of an olive and Chametz with the size of a dry date. Bais Hillel says that both have the measurement of an olive.

Tosfos explains: this is not the place for this. Rather, the Mishna is listing three cases by Yom Tov that Bais Shammai is lenient and Bais Hillel is stringent.

Bais Shammai holds that one can dig with a spade to cover (blood of Shechted wild animals and fowl) and Bais Hillel forbids Shechting if you don't have prepared dirt from before Yom Tov. However, he agrees, that if you already Shechted, you can dig and cover.

We consider oven ash as prepared (i.e., not Muktzah).

New Sugya

The Gemara asks: what type of egg do they argue about? (The assumption is that the egg's prohibition is Muktzah.) If we refer to an egg laid by a chicken designated to eat, why would Bais Hillel forbid it? After all, we'll consider the egg as a piece of food separated from a larger piece (which has no Muktzah problem). If we refer to an egg laid by a chicken designated to lay eggs, why would Bais Shammai permit it, since it would be Muktzah. (After all, the chicken is considered as an egg laying machine, so the egg it made was a new creation that came on Yom Tov).

The Gemara asks on the assumption that Bais Shammai needs to consider the egg Muktzah. Perhaps Bais Shammai doesn't hold of the concept of Muktzah.

Tosfos asks: (how can you think that Bais Shammai doesn't hold of Muktzah?) After all, we see from a later Mishna that Bais Shammai says (that doves are Muktzah on Yom Tov unless you prepare them) by shaking each one before Yom Tov.

Tosfos answers: we must say that Muktzah of animals are more stringent and are more Muktzah than regular Muktzah items. (So, though they don't hold of Muktzah regularly) they hold of this Muktzah.

As we see (that there are different levels of Muktzah, that even those that regularly don't hold of Muktzah will hold it in the more stringent case.) Although R' Shimon generally does not hold of Muktzah, he holds of Muktzah of (the partially dried) out dried-figs and raisins (that are unfit for consumption until they completely dry out. Although it becomes completely dried out on Yom Tov, it remains Muktzah.)

The Gemara answers: our assumption is that even those that don't agree with the prohibition of Muktzah (objects that are not prepared for use before Shabbos) would agree with the prohibition of Nolad (objects that came into being on Shabbos).

Tosfos explains: although he doesn't hold of Muktzah since someone doesn't set aside (from using) any of his property which he can possibly use. However, Nolad was not in existence the day before to know about it (to say that he had in mind to use it if necessary).

Tosfos asks: (how can we assume that everyone holds of Nolad) since we see R' Shimon who allows Muktzah allows Nolad. As we see in Mesechta Shabbos: R' Yehudah says that you cannot burn vessels that broke on Yom Tov, and R' Shimon permits it, although it's Nolad. (Since it came into Yom Tov as a vessel and changed its status to a broken vessel, it became something new on Yom Tov.)

Tosfos answers: They're incomparable. Our Nolad (by the egg) is a stricter Nolad since it didn't exist at all before Yom Tov. However, the vessel existed before Yom Tov (but only becomes Nolad) because it broke.

We find this type of Nolad in Eirubin (regarding why you can carry rain water, although it could had been in the clouds outside the T'chum on the onset of Yom Tov.) The Gemara answers that the water was absorbed in the clouds (so they never were out of the T'chum as actual water). The Gemara asks, if so, then it should be Nolad, and it would be definitely prohibited. However, how can they ask this question? After all, perhaps we are

going according to R' Shimon who doesn't hold of the prohibition of Nolad. So we must conclude that even R' Shimon agrees to the prohibition of this type of Nolad that, since it's totally absorbed in the cloud, it's as if it doesn't exist (at the beginning of Yom Tov).

R' Nachman answers: really, we refer to a case where the chicken is designated to lay eggs. We must say (against the above assumption) that only those who hold of the prohibition of Muktzah hold of the prohibition of Nolad. However, those who don't hold of the prohibition of Muktzah don't hold of the prohibition of Nolad either.

So, it comes out that Bais Shammai holds like R' Shimon and Bais Hillel holds like R' Yehuda. The Gemara asks: does R' Nachman really hold that? After all, we have a Mishna in Shabbos, if someone ate and left peels and bones on a tablet, Bais Shammai holds that you may remove the peels and bones with your hands.

Tosfos quotes Rashi that, although these bones and peels are inedible to animals, Bais Shammai still allows it.

Tosfos asks: how can this be if the Mishna continues that he can remove the stubble of beans and lentils, since they're animal fodder.

Therefore, Tosfos explains: really we refer to those that are edible to animals, like soft bones and apple peels. Bais Hillel (who disagree) hold that (since it originally was part of food fit for humans) and are no longer fit for humans, you can't handle them.

Bais Hillel says that he must take the tablet and shake it off (but can't handle the bones and peels).

Tosfos asks: why don't we say the tablet is a base for the Muktzah, which is as Muktzah as the object that rests on it? (Don't answer that it doesn't become a base if he forgot it there) since he didn't forget it in our case, but he put it there on purpose. (After all, he ate over it.)

Tosfos answers: this fits well to R' Tam that holds that it doesn't become a base unless he intends to leave it there the whole day (and here you intend to shake the Muktzah off).

Alternatively, we refer to a case where there's still food left on the tablet, so it's a base to both Muktzah and non-Muktzah, which is permitted to move, as the Gemara says in Shabbos.

Another answer: this is not considered intending to put in on the tablet, since he didn't care where it fell.

R' Nachman said (this cannot be the right text of the Mishna), but we must say that Bais Shammai holds of R' Yehudah and Bais Shammai holds of R' Shimon, (so we must switch their opinions. So, R' Nachman can't say the opposite to explain our Mishna.)

The Gemara answers: R' Nachman can answer that he only holds that by Shabbos, since there is an unnamed Mishna in Shabbos that agrees to R' Shimon, so we say Bais Hillel holds of him.

As we see the Mishna there says: someone can chop gourds and a dead animal on Shabbos.

Tosfos asks: what's the case of cutting gourds? If we refer to those that were still attached to the ground at the beginning of Shabbos, then, (even if R' Shimon doesn't hold it to be Muktzah), he would still prohibit it as a Gezaira that he might go up and cut it off (the vine).

Tosfos answers: really, we refer to detached gourds from before Shabbos. However, I might think to prohibit chopping them since you're making them into edible food, since the gourds are hard, and you soften them by chopping.

The next Tosfos explains: we must say that the animal died on Shabbos (and the possible prohibition is Muktzah).

Tosfos is bothered with the question: why does the Mishna group them together if they have totally different potential prohibitions?

Tosfos answers: they grouped them together since they can use the same term 'chopping' on both of them.

The next Tosfos (printed on Amud Beis) asks: (why should we Paskin like this unnamed Mishna? After all, we don't Paskin like one when the Mishna later records an argument.) Here, the Mishna brings R' Yehuda that argues and forbids every dead animal that didn't die before Shabbos. After all, we see the Gemara in Bava Basra that considers this as an unnamed Mishna that's followed by an argument.

Tosfos answers: (the Gemara in Bava Basra is no proof) since the Gemara really relies on the second question there to not use that unnamed Mishna as proof to that opinion, as Rashbam also explains there. (See there the second question, that asked, according to the way you explained the Mishna there, why did the Mishna say 'only'? So it must have a different explanation.)

However, we can Paskin regularly like the unnamed Mishna (even if someone argues) since we can consider them (to be the Rabanan, which is) the majority opinion. Therefore, we'll have the majority opinion holding like R' Shimon and the minority like R' Yehuda.

Tosfos asks: we also see an unnamed Mishna (in Shabbos) that's like R' Yehuda's opinion. The Tanna Kama says you can move a new (pottery) lamp, but not a used one (that melts and becomes disgusting). R' Shimon permits even the old lamps. So, if we see the unnamed Mishna holds of Muktzah for items that are disgusting, of course he'll hold that Muktzah because of items that are forbidden to use in the beginning of Shabbos, as the Gemara explains over there. (So, why don't we say this unnamed Mishna cancels out the other one, and we shouldn't say the unnamed Mishnayos in Shabbos support R' Shimon?)

Tosfos answers: we consider the one supporting R' Shimon as the main unnamed Mishna, since it was taught at the end of the Mesechta.

The next Tosfos asks: (why switch the Mishna to say that Bais Hillel agrees with R' Shimon just because an unnamed Mishna is like R' Shimon?) After all, why is the unnamed Mishna like R' Shimon better than the Mishna that says Bais Hillel holds like R' Yehuda.

Tosfos answer: we would rather switch the Mishna to say Bais Hillel is lenient, since this Mishna is not taught in Ediyos where we list the cases where Bais Shammai is more lenient than Bais Hillel.

Daf 2b

However, in our Mesechta about Yom Tov we have an unnamed Mishna like R' Yehuda's opinion. As it says, you can't chop firewood from a pile of beams and not from a beam that broke on Yom Tov.

Tosfos points out that the proof is not from the first case, because we establish it to refer to a pile of beams that are Muktzah because of expense (items that are too expensive to use for any other purpose but its intended use, so if the use is forbidden, then it has this Muktzah). This type of Muktzah is forbidden according to all, even to R' Shimon. Rather, the proof is exclusively from the later case, of a broken beam.

Tosfos asks: (why say this is not like R' Shimon?) After all, R' Shimon only permits Muktzah when one is expecting the item to become useful on Yom Tov (and nobody expects a beam to break over Yom Tov).

Tosfos answers: if it broke on Yom Tov, it was probably weakened from before Yom Tov. Therefore one would be waiting expectantly for it to collapse and to use it for firewood.

Therefore, we'll establish Bais Hillel like R' Yehudah.

The Gemara asks: who is the one who composed these unnamed Mishnayos? It was Rabbi. Why did he compose an unnamed Mishna in Shabbos like R' Shimon and in Beitza like R' Yehudah? (Isn't this contradictory?)

The Gemara answers: since Shabbos is more stringent in people's eyes, we can be lenient regarding Muktzah without people taking Shabbos lightly. However, Yom Tov, where people already take lightly (since we do many Melachos for food preparation), if we'll permit Muktzah, it will lead to them taking Yom Tov very lightly.

The Gemara asks: this, that we must establish the case as a chicken raised for producing eggs, why must they only argue by the egg? Why not argue if the chicken itself is permitted?

The Gemara attempts to answer: to show the extreme view of Bais Shammai, that he even permits the egg, (which didn't exist before Yom Tov) and comes into existence now. Even if you would like to say that we should list the chicken to show the extreme view of Bais Hillel, that even the chicken that always existed is forbidden, however, the egg is better to list, since we always like to hear a lenient Chidush (than to hear a stringent Chidush).

Tosfos quotes Rashi: the reason that a lenient Chidush is better, since the person who says the Chidush must rely on what he heard (to be the truth) and needs to bring proof to his leniency. However, someone can be stringent without a (strong) reason.

The Gemara rejects this answer: after all, the Mishna should list both a chicken and its egg, Bais Shammai permits and Bais Hillel forbids, (to teach us both Chidushim).

Tosfos asks: why doesn't the Gemara ask the same thing (list both cases) when the Gemara answers (we only list the lenient case) because we want to say the lenient Chidush?

Tosfos answer: it only asks here were it doesn't need to lengthen the Mishna (a meaningful amount) by saying a chicken and its egg. However, usually, (it will lengthen the Mishna) and this reason wouldn't apply.

Rather, Rabbah says we refer to a chicken raised to eat, and we refer to Yom Tov that falls out after Shabbos, and the prohibition is because (the egg) was prepared (in its mother on Shabbos). Rabbah holds that all eggs laid today was completed in the mother from the day before. (Therefore, it was completed on Shabbos and can only be used for the next day, Yom Tov.) Rabbah is consistent to what he Darshins "it was Friday, and everyone must prepare what they'll bring." From here we see that you can prepare during a weekday for Shabbos and Yom Tov, but you can't prepare on Yom Tov for Shabbos or vice versa.

Tosfos quotes Rashi: this Pasuk teaches us even if the preparation came naturally (lit. heaven-made), therefore, he forbids the egg. After all, if it only teaches us that you need to bake and cook during the weekday for Shabbos, that we have a different Pasuk to teach us that, "this, that you need to bake, you should bake (on Friday)." Rather, (even things that come naturally), you need to be able to verbally designate it for Shabbos on the weekday, and not on Yom Tov. (Although this is not an explicit source for preparing on Shabbos for Yom Tov, but once the Torah forbids preparing on Yom Tov for Shabbos, despite it having a bigger Kedusha), of course it will forbid food prepared on Shabbos for Yom Tov.

Rashi asks: if so, we should also forbid an egg laid on Sunday or the day after Yom Tov? After all, if you can't prepare for Shabbos on Yom Tov and vice versa, of course you can't prepare on those days for weekday.

Rashi answers: since the weekday meals are not important, you don't need 'preparation' for them (but you just improvise. So, the Torah prohibition for preparing is not applicable for food eaten on weekdays.)

Tosfos asks: since the prohibition of preparing from Yom Tov to Shabbos is from the Torah, how can we cook from Yom Tov for Shabbos? You can't answer because of the Eiruv Tavshilin, since a rabbinical enactment (of Eiruv) can't supersede the Torah prohibition of preparing.

Tosfos answers: Rabbah is consistent to his opinion that (if you cook from Yom Tov to weekday you don't get lashes) since, if guests would show up later on Yom Tov, you can feed them this food. (So we consider it as cooked for Yom Tov, since there is a possibility that

it will be eaten then. So too here, the food cooked for Shabbos is permitted, since if guests show up, you can feed it to them, so we view it as cooked for Yom Tov.)

Even to what Tosfos Paskins not like Rabbah (and you get lashes if your intent is to cook for weekday), still we can allow cooking for Yom Tov. This new prohibition of 'preparing' doesn't apply to cooking. After all, since the food already exists, and all it's lacking is a small fix (to cook it), we consider it fit from the day before (which was weekday). However, an egg that never existed before Yom Tov is a new creation which we cannot view it as fit from before Yom Tov, (so, it's laying is a full preparation).

Tosfos asks: from here it seems that the Mun didn't fall on Yom Tov, as Rashi explains that, when the Pasuk refers to weekday, it couldn't have meant to include a Friday that is Yom Tov, since it refers to a Friday that was designated for preparation, (which excludes Yom Tov, when Mun didn't fall, so there was nothing to prepare.) However, we find a different Medrish that Hashem blessed and made holy Shabbos by not having Mun descend that day, which implies, but it fell on Yom Tov.

Tosfos answers: we must say that there is an argument between Midrashim. As we see the Medrish learns from the words (that the Mun) "Lo Yiyeh" (will not be), to include (that it won't fall) on Yom Kippur. The extra 'Bo' teaches us that it won't fall on Yom Tov.

Alternatively, even if Mun did fall on Yom Tov, it didn't fall (for Shabbos) on Yom Tov that falls out on Friday. As the above Pasuk (referring to preparing for Shabbos) it says prepare on 'the' sixth day and didn't write just 'sixth.' This teaches us that it must be a particular sixth day that is fit for preparing. (which comes to exclude a sixth day that's not designated for preparing, assuming it refers) to Friday Yom Tov.

Abaya asks: if so (the prohibition should only be q qby two adjacent days of Shabbos and Yom Tov) so, why don't we permit for a regular Shabbos or Yom Tov?

The Gemara answers: we decreed to prohibit them, for perhaps you'll come to also permit the egg on days that come after the other holy day.

The Gemara asks: do we really make such a decree? After all, if someone Shechts a chicken on Yom Tov and finds a complete egg inside her, it's permitted to eat the egg. If it would be true that we make such decrees, we should forbid it perhaps you'll permit it if was laid.

Tosfos is bothered by the question: since it's only actual forbidden if it was laid on a Yom Tov after Shabbos, so why should we decree it to be qprohibited if found in the chicken on a regular Yom Tov? After all, it would be a double decree (which we generally don't make). We decree an egg found in a chicken on a regular Yom Tov for perhaps it might be laid on that day. Which in itself is only a decree perhaps you'll permit an egg laid on Yom Tov that falls out after Shabbos.

Tosfos answers: that the Braisa that permits eating this egg on Yom Tov implies on all Yomim Tovim, even those that fall out after Shabbos. (So, then it's only a single decree.)

The Gemara answers: it's not that common to find a complete egg in a Shechted chicken, therefore, we don't make decrees for uncommon situations.

Tosfos asks: (why would this egg only be prohibited through a decree, and not prohibited in its own right?) After all, perhaps the egg would have been laid today (if you hadn't slaughtered it first), which in that case, it was completely formed the day before, on Shabbos. So, it should be prohibited because of a Safeik (Doiraisa). (The Safeik being whether it would have been laid today, and it would be prohibited, or would it be laid tomorrow, so it's permitted, since it was completed today, and not yesterday.)

Tosfos answers: since it wasn't eventually laid, it never had a real finish to it (to be forbidden, since it was made yesterday for today's completion.) However, the Yerushalmi argues with our Gemara on this point.

R' Yosef explains the egg's prohibition is because it's similar to fruits that fall off a tree on Yom Tov, so if we allow laid eggs, we'll come to allow fallen fruits