

Chullin – Simanim

פרק ז – גיד הנשה

דף קג – 103 Daf

1. How many sets of *malkus* for eating חלב of a *tereifah*?

Rebbe Chiya bar Abba and Rebbe Avahu cite different rulings in Rebbe Yochanan's name about one who ate חלב taken from a live *tereifah*. Rebbe Chiya bar Abba obligates two sets of *malkus*, but Rebbe Avahu obligates three: for חלב, אבר מן החי, and *tereifah*. This *machlokes* is explained in three ways: (1) The animal became a *tereifah* at birth: Rebbe Avahu holds לאברים עומדת עומדת – *an animal while alive stands to be cut into limbs*, so all three prohibitions take effect simultaneously. Rebbe Chiya bar Abba holds אבר מן החי is לאברים עומדת עומדת, and חלב would take effect when a limb is torn off (and cannot take effect on already prohibited חלב). (2) All agree a live animal is not לאברים עומדת עומדת and argue if the אבר מן החי prohibition takes effect on the other two, since it is additionally forbidden to נח. (3) The animal became a *tereifah* after birth: Rebbe Avahu holds that just as a *derashah* teaches that *tereifah* takes effect on חלב, it also takes effect on אבר מן החי. Rebbe Chiya argues that it only takes effect on *cheilev*, דהותר מכללו – *because it is at times released from its general [prohibition]*, since חלב of חיות is permitted.

2. Eating אבר מן החי of כזית in halves

Reish Lakish asked Rebbe Yochanan: חלקו מבחוץ – if *one divided* [אבר מן החי of כזית] *outside* his mouth and ate each half separately, is he liable for eating a combined כזית, like for other prohibited foods? Rebbe Yochanan said he is exempt; since אבר מן החי is unique in that sinews and bones count towards a כזית, its laws cannot be derived from ordinary prohibitions, and the כזית must be consumed at once to incur *malkus*. [Rebbe Elazar disagrees below, arguing that מחוסר קריבה לאו כמחוסר מעשה דמי – *lacking proximity is not like lacking an act*, and the two halves are combined.] Rebbe Yochanan agrees that one who divided the *kezayis* מבפנים – *inside* his mouth and swallowed each half separately is liable, because הרי נהנה גרונו בכזית – *his throat has enjoyed a כזית* at once. Reish Lakish disagrees, because אכילה במעינו בעינינו – *we require consumption of a כזית in his stomach* for liability, and here he did not ingest a כזית at once. Accordingly, one would only be liable for consuming a small bone, which is swallowed whole.

3. נהנה גרונו vs. אכילה במעינו (re: food stuck in one's mouth, or half a כזית eaten twice)

Reish Lakish says that the כזית required for liability is חוץ משל בין השיניים – *besides for that which is stuck between the teeth* and not swallowed. Since he holds אכילה במעינו בעינינו – *we require consumption of a כזית in his stomach*, he must ingest an entire כזית. Rebbe Yochanan says the food stuck between his teeth is included for a כזית. Rav Pappa says Rebbe Yochanan only argues about food which is stuck in the palate, before which it is not fully tasted. Although he did not consume a full כזית, Rebbe Yochanan says הרי נהנה גרונו בכזית – *his throat enjoyed tasting a כזית*. Rebbe Assi said in Rebbe Yochanan's name: אבל חצי זית והקיא – if *one ate half a כזית and disgorged it*, אחר – *and then ate another half a כזית*, he is liable (despite never consuming a כזית), because נהנה גרונו בכזית. Rebbe Elazar reminded Rebbe Assi that the same is true if one ate half a כזית, disgorged it, and ate the same piece again, because it is not considered digested.

Siman – Kugel

The Annual **Kugel** Eating Contest was a disaster when one contestant was told he was **getting three sets of *malkus* for eating the *kugel* cooked with the חלב of a living *tereifah***, while another **mistakenly thought he was *patur* when he consumed some of the אבר מן החי-stuffed *kugel* by eating two half כזיתים of the אבר separately**, and the judges argued whether the food stuck between his teeth and not swallowed was counted as part of the כזית.

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Kugel



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3 things to remember

1. How many sets of **malkus** for eating אבר מן החי of a **tereifah**?
2. Eating a כזית of אבר מן החי in halves
3. אכילה במעיו vs. נהנה גרונו (re: food stuck in one's mouth, or half a כזית eaten twice)

