



Mixed Vegetables and Biur

During the week we discussed the *mitzvah* of *biur*. In other words, when *shemittah* produce is no longer found in the field it must be removed from the house. We have discussed previously 7(23) what must then be done with that produce. The *Mishnah* (9:5) discusses a case where one pickled different vegetables together, that have different times for *biur*. *R' Eliezer* argues that once the time of *biur* arrives for one of the vegetables, all must be removed. *R' Yehoshua* argues, that they can all be retained until *biur* applies to all the vegetables. Finally, *Rabban Gamliel* maintains that when the time of *biur* arrives for a vegetable, it alone must be removed. We shall try to understand this debate.

The *Yerushalmi* explains that *R' Eliezer* maintains that since the flavour from the first vegetable is absorbed in the others, they all must be removed. *R' Yehoshua* however argues that that since the flavour from the last vegetables is absorbed in the others, *biur* would not apply. The *Rash* explains that *R' Yehoshua* argues that since the vegetables have a flavour of a vegetable for which *biur* does not apply, one should not be allowed to perform *biur*. The *Gemara* however counters that the last vegetable has absorbed flavour for something that requires *biur*. The *Gra* explains that since that last vegetable has absorbed *taam* (flavour) that requires *biur*, it is difficult to understand how it can save the other vegetables from *biur*.

The *Rash* continues that the position of *R' Eliezer*, that rules stringently in this case is readily understood. *R' Yehoshua* however requires further thought. The *Rash* suggests several solutions. The first is that perhaps the *Mishnah* is referring to nowadays where *shemittah* is rabbinic. Consequently, it is only in this context that *R' Yehoshua* is lenient. Alternatively, perhaps *R' Yehoshua* is lenient in this case since the vegetables were pickled together prior to the time of *biur* for any of the vegetables, prior to an "*issur*" being in the mixture. *R' Tam* (*Pesachim* 52a) however cites the *Torat Kohanim* that explains that *R' Yehoshua*'s position is based on *pesukim* from which he derives that one is allowed to consume food as long as part of that food, even if it is a foreign *taam*, is still found in the field.

Interestingly *Rashi* understands that once the vegetables are pickled together, they are considered one. *R' Eliezer* maintains that as soon as *biur* applies to part of that "unit" it

must be removed, whereas *R' Yehoshua* allows it to continue to be consumed until the *biur* applies to the entire food. It would follow then that *Rabban Gamliel* maintains that they continue to be treated independent.

Until now we have assumed that "first" and "last" refer to the time of *biur*. *R' Nissim* however understands that the first and last refer to the order in which the vegetables were added to pickling (see all the *Raavad*). Consequently, it would seem that *R' Eliezer* and *R' Yehoshua* debate how this order would impact the transfer of *taam*, as one may dominate. Nevertheless, the *Rash* rejects this opinion since when the *Torat Kohanim* records the opinion of *R' Eliezer* it writes that when "one" reaches *biur*, *biur* applies to them all. This implies that the ruling holds true, irrespective of the order they were placed in the container.

Let us now turn our attention to *Rabban Gamliel* who maintains that each of the vegetables are treated independently. The *Tosfot* explains that *Rabban Gamliel* maintains that *biur* does not apply to *taam*. The reason is that the *taam* is already considered as if it is *mevuar* (removed).

The *Tosfot Yom Tov* notes that the *Bartenura* rules according to *Rabban Gamliel*. That being the case, the *Mishnah* at the end of the seventh *perek* would appear to not be going according to *halacha*. That *Mishnah* rules that *shemittah* produce can make other produce *assur* "*be noten taam*" – by imparting a flavour. In other words, the absorbed *taam* of *shemittah* produce would make other produces *assur*.

The *Mishnah Achrona* suggest that our case is different since it is a case of pickling. Pickling is not equivalent to cooking. While it is true that it can cause the vegetables to absorb the liquids in which they are soaking, according to *R' Gamliel* it does not cause the transfer of *taam* between vegetables.

The *Tosfot R' Akiva Eiger* however argues that the *Mishnayot* are discussing two different laws. The *Mishnah* at the end of the seventh *perek* was discussing the *taam* of *shemittah* produce such that the other product should be treated with *kedushat sheviit* – one should treat it accordingly and not trade with it. *Biur* however is different and does not apply to *taam* – it is already *mevuar*.

Revision Questions

שביעית ח': ט' – י' : ב'

- What should one do if they used *shmittah* oil to treat leather? (ח': ט')
- What did the *Chachachim* related to *R' Akiva* about how *R' Eliezer* regarded one who ate *pat cutim*? (ח': י')
- Can one use *shmittah* straw to heat a bath? (ח': י"א)
- What foods listed in the last *mishnah* learnt this week are exempt from *ma'asrot*? How does this fact have any bearing on the laws of *shmittah*? (ט': א')
- Explain the debate regarding purchasing “aftergrowth” during *shmittah*? (ט': א')
- Into how many areas is Israel divided for the laws of *biur*? (ט': ב')
- What are the names of the three major areas? (ט': ב')
- Why are the definitions of these areas important? (ט': ג')
- Into how many areas does *R' Shimon* divide Israel? (ט': ג')
- What is different about the way olives and dates are treated with respect to the laws of *biur*? (ט': ג')
- Explain the debate regarding whether the law of *biur* comes into effect, if all that remains is guarded produce. (ט': ד')
- What are *t'fichim*, *duphra* and *sivaniot*? Does the law of *biur* come into effect if only these things remain in the field? (ט': ד')
- If someone has a preserve with three different vegetables and the *zman biur* has begun for one of these vegetables, what should one do with the preserve? (Include all four opinions.) (ט': ה')
- Until when can one gather: (ט': ו')
 - Moist greens?
 - Dry greens?
 - Moist leaves?
 - Dry leaves?
- Until when does one rent a house if he rented it “until the rains”? (ט': ו')
- Until when can the poor enter a field to collect *peah*, *leket* and *shichecha*? (ט': ז')
- When can one burn straw and stubble of the *Shmittah* year? (ט': ז')
- What does one do at the time of *biur* with his *shmittah* fruit? (ט': ח')
- Explain the debate regarding who can redeem the fruit once it has been removed. (ט': ח')
- Explain the debate regarding what one should do if they inherited a large amount of *shmittah* produce. (ט': ט')
- Does one need to separate *challah* from *shmittah* bread? (ט': ט')
- Are loans that are formed in a written contract cancelled at the end of the *shmittah* year? (ט': י')
- Are the debts due to purchases made on credit cancelled at the end of *shmittah*? (ט': י')
- Are wages due to employees cancelled at the end of *shmittah*? (ט': י')
- Are payments due to court ruling cancelled at the end of *shmittah*? (ט': י')

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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
12 June י"ג סיון	13 June י"ד סיון	14 June ט"ו סיון	15 June ט"ז סיון	16 June י"ז סיון	17 June י"ח סיון	18 June י"ט סיון
Sheviit 10:3-4	Sheviit 10:5-6	Sheviit 10:7-8	Sheviit 10:9 - Terumot 1:1	Terumot 1:2-3	Terumot 1:4-5	Terumot 1:6-7

