



Mishnah: The impact of יין נסך on a cistern full of wine¹

- Tanna Kama – The whole mixture is prohibited, no benefit allowed
- Rabban Shimon ben Gamliel – Just sell off the whole thing to akum and drop the worth of the יין נסך.²

Gemara: Clarifying the case

- Machloker Rav/Shemuel
 - Rav – We follow Rabban Shimon ben Gamliel regarding mixtures of barrels, not mixtures of wine
 - Shemuel and others – We follow Rabban Shimon ben Gamliel even regarding wine mixed in wine.
- Rav Nachman paskened הלכה למעשה³
 - For יין נסך, we only permit Rabban Shimon ben Gamliel's method for barrels, not wine
 - For סתם יינם, we permit Rabban Shimon ben Gamliel's method even for wine itself.⁴

(74b) Mishnah – Kashering a sealed winepress

- A stone winepress
 - Problem: It was sealed with pitch by an akum
 - Solution: Dry it.
- A wood winepress
 - Problem: It has more pitch, and therefore more wine to absorb
 - Solution:
 - Rebbe: Dry it.
 - Chachamim: Need to peel off the pitch (and then dry it).
- A clay winepress
 - Problem: The clay absorbs wine, independent of the pitch
 - No solution; prohibited even after the pitch is removed

Gemara: Rava on kashering a winepress

- Rava makes a statement, but we have two versions of what he said:
 - Version 1: If it hasn't been sealed, just used for crushing grapes, then rinse it and you're done
 - Q: Isn't that obvious, since our mishnah only required drying where it was sealed?
 - A: I might have thought the mishnah's language was only because that's the normal case.
 - Version 2: If it has been sealed and used for grapes, then drying is insufficient.
 - Q: Isn't that obvious, since our mishnah only said drying works where it was sealed (but apparently not where it was sealed and used)?
 - A: I might have thought the mishnah's language was only because that's the normal case.
- We then have a story illustrating Version 2's point regarding needing to peel sometimes, featuring Rav
 - Rav was commissioned to kasher a winepress, and Rabbi Chiya warned him to do a good job, lest they complain about him in the beit midrash.⁵
 - He thought it was smooth, and so only needed drying.⁶ But then he saw it had cracks filled with wine, and realized drying was insufficient.
- Braita on kelim and materials:
 - Line 1: A non-Jew's pit, scoop and funnel (clay, not lined with pitch)
 - Rebbe – Dry it
 - Chachamim – Prohibited

¹ Recall that we saw this quoted on 71b, re pouring wine through a spout that held a drop of יין נסך

² Note: We follow Rabban Shimon ben Gamliel in all mishnayot, other than 3

³ See Rashi here, and on Beitzah 29b, and Tosafot in Beitzah, re the importance of the term הלכה למעשה

⁴ But how could Rabban Shimon ben Gamliel contradict the stam mishnah atop 74a? (Tosafot)

⁵ Rashi – For ruining their wine with an error; Rashash – For being inappropriately lenient

⁶ Tosafot: If a kli doesn't hold wine longterm and is smooth, we are lenient. But if it used longterm, it's prohibited right away.

- Line 2: A non-Jew's barrel – Everyone says Prohibited
 - Because this holds wine longterm
- Line 3: If they are wood or stone, dry them.
- Line 4: If they are lined with pitch, Prohibited
- Challenge 1, to the braitā's Line 3 re stone:
 - Q: Our mishnah said that a stone pit lined with pitch just needs drying!
 - A: Our mishnah was where the pit hadn't been used; here it has been used.
- Challenge 2 to the braitā's Line 1 re clay:
 - Q: Our mishnah said that clay is prohibited even with peeling – what will Rebbe do with that?
 - A: Our braitā is like the Chachamim.

א. ביצה כט.-:

אמר רב ירמיה בר אבא אמר רב: מודדת אשה קמח ביום טוב ונותנת לתוך עיסתה, כדי שתטול חלה בעין יפה. ושמואל אמר אסור. והא תנא דבי שמואל מותר? אמר אביי, השתא דאמר שמואל אסור ותנא דבי שמואל מותר, שמואל הלכה למעשה אתא לאשמועינן.

ב. רש"י מסכת ביצה דף כט עמוד א

הלכה למעשה אתא לאשמועינן שהבא לשאול הלכה לעשות מעשה מורין לו אסור. ואי חזינן איניש דעביד לא מחינן בידיה, דהלכה דמותר ואין מורין כן.

ג. תוספות מסכת ביצה דף כט עמוד ב "שמואל"

ויש שפוסקין כשמואל ואף על גב דהלכה כרב באסורי מ"מ מדאמר סתמא דהש"ס שמואל הלכה למעשה אתא לאשמועינן משמע דהלכה כותיה. ויש פוסקין כרב משום דהלכה כרב באסורי וכ"ש הכא דהא תנא [דבי] שמואל כותיה.