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Collecting Produce that Fell in a Stream

The *Mishnah* (4:7) teaches that if one's produce falls in a stream and someone with *tameh* hands retrieves them, both the hands and the produce are *tahor*. If however he intended to wash his hands, his hands are still *tameh* while the produce is now susceptible to *tumah*. We will attempt to understand this *Mishnah*.

We have learnt that one's hands alone can become *tameh* – they would *sheni le'tumah*. Immersing them in a stream is enough to make them *tahor*. In the first case, even though the person had no intention to *metaher* (purify) his hands (he was simply retrieving the produce) they are nonetheless *tahor*. The *Bartenura* explains that this is because for the purposes of *chulin*, intention to purify one's hands is not required. He continues, if however the produce was *maaser* or *terumah*, then his hands would remain *tameh* unless he intended to *metaher* them.

Why does the produce become susceptible to *tumah* in the case where one intended to wash his hands? *Rashi* (*Chullin* 31b) and *Bartenura* explain that when he intends to wash his hands he thereby values the original fall of the produce into the water so that he could wash his hands when retrieving them. The water that is in contact is in the end *le'ratzon* (*sofo le'ratzon*), which is enough even though it was not initially *le'ratzon*.

The *Achronim* ask however that it was not necessary for produce to fall into the water in order for a person to wash his hands. The hands could have been immersed in the water irrespective of retrieving the produce. Consequently, it is difficult to understand how one can retroactively define the initial fall as being *le'ratzon*. Furthermore, how is it *sofo le'ratzon* when the water only affects *hechsher* after it is detached, which in this case is when as soon as he retrieves the produce from the water.¹

The *Achronim* therefore explain differently. Recall that for the produce to become susceptible to *tumah* either the water must be detached from the source or come into contact with the produce inline with the will of the owner. In the first case, he did not want the produce or his hands to get wet so

the produce has not undergone *hechsher*. In the second case, since the person wanted to wash his hands, the person is happy that his hands are wet and thereby the water on his hands is removed *le'ratzon*. Consequently that water can affect *hechsher* as it comes into contact with the produce thereby making it susceptible to *tumah*. (See *Rashash*, *Sefat Emet*, *Mishnah Achrona*).

In defence of *Rashi* the *Tifferet Yaakov* suggests that perhaps the case is where he wanted to wash his hand and when handling the produce his hands are better cleaned. Consequently, the produce being in the water is *le'ratzon*.

Perhaps one could suggest another explanation of *Rashi*. Indeed, it is true that he could have washed his hands without the produce having fallen in the water. Yet in this case, he may not have done so for any number of possibilities, e.g. his hands were full, he was unaware they were dirty, he did not have the opportunity, etc. In this case, when the produce falls in the water and he decides the wash his hands, since the fall presented the opportunity to do so, the original fall is now *le'ratzon*, even though initially it did not appear so. The novelty is that even though the benefit that results is for something else and is only learnt later, *Rashi* still considers that to be *le'ratzon*. This explanation fits more closely with the word of *Rashi* in *Chagigah* (19a) who explains, "since he intended to wash his hands, it reveals that he was happy with the original fall, since through it he was able to wash his hands."

One could suggest, that where this understanding of *Rashi* would differ from the explanation of the other *Achronim* is if the owner dried his hands in between washing them and retrieving the produce. According to the *Achronim* the thing that affects *hechsher* is the water on his hands after he washes them. Consequently, in this new case it would not effect *hechsher*. According to our new reading of *Rashi*, since the washing reveals that the original fall was *le'ratzon*, even if he dried his hand in between, since the fall is now defined as being *le'ratzon*, they would nonetheless be susceptible to *tumah*.

Yisrael Bankier

Revision Questions

מכשירין ד' – ה' – ט':

- What is the law regarding a basket of *turmosin* that was (unintentionally) placed in a *mikveh* and a *tameh* person: (ד': רי)
 - Took one?
 - Touch the basket after it was removed from the *mikveh*? (ד': רי)
- What is the law regarding a radish that was washed in a *ma'arah* by a *nidah*? (ד': רי)
- What is the law regarding a case where produce fell in a stream and a person with *tameh* hands removed them? (ד': רי)
- How does the law change if the person intended to wash his hands when removing the produce? (ד': רי)
- What is the law regarding an earthenware utensil that was full of water and was placed in a *mikveh* and an *av ha'tumah* placed their hand in it? (ד': רי)
- How does the law change if the person was a *maga tumah*? If the *kli cheres* was filled with other liquids? (ד': רי)
- Explain the debate regarding how long it takes for water in a *kilon* to be considered *b'chi yutan*. (ד': ט')
- What is the law regarding water on stick that consisted of both poured and rain water? When does the law change? (ד': י')
- What is the law regarding wood that absorbed *tameh* liquid and rain fell on it? (ד': י')
- How should they be burnt? (ד': י')
- What is the law regarding the water on one who was pushed into a river? (Both cases.) (ד': יא')
- What is the law regarding water that is kicked up when swimming? That is deliberately splashed on one's friend? (ד': יב')
- Explain the debate regarding the water that fell on fruit and was mixed in order that it dries quicker. (ד': יג')
- What is the law regarding water that is on a stick that was used to measure the dimension of a hole? Which case is debated? (ד': יד')
- If one placed his hand in a hole to check if it contained water, what is the law regarding the water on his hand? (ד': יה')
- If one threw a rock in a pit in order to determine if there was water, what is the law regarding the water from the resulting splash? The water on the rock itself? (ד': יז')
- Is there a difference regarding the water that came out from beating a hide if it was in the water or outside it? (ד': יח')
- What is the law regarding the water on a boat's sail? On fishing nets? (ד': יט')
- If one placed nails outside in the rain to harden, what is the law regarding that water? (ד': יז')
- When would the water on mats that cover bricks be considered *b'chi yutan*? (ד': יח')
- For which liquids is *nitzuk* consider *chibur*? (ד': ט')

Melbourne, Australia

Sunday -Thursday

10 minutes before *Mincha*
Mizrachi Shul
 Melbourne, Australia

Friday & Shabbat

10 minutes before *Mincha*
Beit Ha'Roeh
 Melbourne, Australia

Efrat, Israel

Shiur in English

Sunday -Thursday

Rabbi Mordechai Scharf
 9:00am
Kollel Magen Avraham
 Reemon Neighbourhood

ONLINE SHIURIM

Rabbi Chaim Brown
www.shemayisrael.com/mishna/

Rabbi E. Kornfeld
Rabbi C. Brown
<http://www.dafyomi.co.il/calendars/myomi/myomi-thisweek.htm>

SHIUR ON KOL HALOSHON

Rabbi Moshe Meir Weiss
 In US dial: 718 906 6400
 Then select: 1 – 2 – 4

Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
31 January כ"א שבט	1 February כ"ב שבט	2 February כ"ג שבט	3 February כ"ד שבט	4 February כ"ה שבט	5 February כ"ו שבט	6 February כ"ז שבט
Machshirin 5:10-11	Machshirin 6:1-2	Machshirin 6:3-4	Machshirin 6:5-6	Machshirin 6:7-8	Zavim 1:1-2	Zavim 1:3-4

