



Volume 12. Issue 71

A Universal Yad and Shomer

The final *masechet* deals with extensions of food and whether they are considered part of the food. In *Uktzin* our attention is primarily on two concepts – the *yad* and the *shomer*. The *yad* refers to a part of the food that is used for handling the food (e.g. a stalk), whereas the *shomer* is part of the food that protects it (e.g. a peel). Last cycle (Volume 6, Issue 71) we looked at the difference between a *yad* and a *shomer*. This cycle we will look at a specific debate.

The *Mishnah* (2:1) teaches that the fine hairs and the flower-end on a *kishut* (cucumber) are *tahor*. In other words, they are neither a *shomer* or a *yad* and are therefore not part of the *kishut*. *R' Yehuda* however argues that while they are still in front of the merchant, they are *tameh*. We shall try to understand why.

The *Bartenura* provide two explanations. The first is that while those two things are still attached, it appears as though they are freshly picked. Since the owner therefore wants them, there they are considered like a *shomer*. The second answer is that since *kishuim* are soft and handled by the many customers, the hair effectively protects them from getting spoiled. Consequently, these things quietly literally act as a *shomer*. The *Eliyah Raba* explains similarly that this is because the merchant prefers that the customers handle the *kishuim* by the hair and the flower rather than *kishut* itself, otherwise it would more likely spoil it.

It may be readily understandable why according to the second explanation it is defined as a *shomer*. According to the first explanation however, we shall try to understand why their giving the *kishut* the appearance of freshness, which is desired by the merchant, qualifies them as a *shomer*.

The *Tifferet Yisrael*, argues that one cannot explain that because the merchant wants it to appear fresh and moist that that is the reason why *R' Yehuda* argues. If that were the case, *R' Yehuda* would also argue in the first case in our *Mishnah* where the olives were pickled with their leaves. The language of our *Mishnah* does not suggest that he argues in

that case as well. Instead, the *Tifferet Yisrael* explains that people want to buy produce that have not been handled by many people. The fact that the hair and flower are still attached is evidence that they have not been handled much, otherwise they would have fallen off. Consequently, for the merchant, they are like a *shomer* since it will help them sell – it is protecting its value. This is different to the earlier case in our *Mishnah* where the leaves presence alone has an aesthetic value. Unlike the earlier case where the leaves could have been added, in our cases, these items are *evidence* of their freshness.

The *Mishnah Achrona* also analyses the first answer of the *Bartenura* that since it appears more fresh, the owner wants it there and therefore has the status of a *shomer*. He then asks, what is the point of debate between the *Chachamim* and *R' Yehuda*? He suggests that the *Chachamim* may argue that since nobody else requires them, they are therefore not a *shomer*. The debate is therefore about whether the definition of a *shomer* is a universal one, or whether it is enough for it to be a *shomer* for the owner alone.

The *Mishnah Achrona* points us to the earlier debate (1:5) between *Chachamim* and *R' Yossi* as another debate that hinges on this point. There the *Mishnah* discusses the stalks that are still attached to threshed produce. While the *Chachamim* maintain that they are not a *yad* or *shomer*, *R' Yossi* disagrees. The *Gemara* (*Sukka* 14a) explains *R' Yossi* argues since the presence of the stalks makes it easier to move the produce. *Rashi* adds that in this case the intentions of the owner was not to completely thresh the produce, but rather soften it (perhaps for further threshing later). Consequently, the stalks are a *yad* for the remaining produce. The *Chachamim* argue that the stalks cannot be considered a *yad* because most people disregard the produce that remains in normal threshing cases – it is only the poor that consider it valuable. According to *R' Yossi* however, since in this context it is useful for the owner, it is considered a *yad*.

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Revision Questions

ידיים ד' ג' – ח'

- What was decided *bo vayom* regarding (and explain each debate):
 - *Areivat ha'raglayim*? (ד': א')
 - *Korbanot* that were slaughtered for the purpose of a different *korban*? (ד': ב')
 - Produce in the *shmittah* year in the lands of *Amon* and *Moav*? (ד': ג')
 - *Ger Amoni*? (ד': ד')
- Is the *targum* in *Ezra* and *Daniel metameh yadayim*? (ד': ה')
- What are the three prerequisites for *kitvei kodesh* to be *metameh yadayim*? (ד': ו')
- Describe the exchange between the *Chachamim* and *Tzedukim* regarding the law:
 - That *kitvei kodesh* are *metameh yadayim*. (ד': ז')
 - Of *Nitzuk* with respect to *tumah*. (ד': ח')
- The writing of a *get*. (ד': ט')

עוקצין א' א' – ב' א'

- What is the difference between parts of food that are a *yad*, *shomer* and neither? (א': א')
- When are the roots of garlic a *shomer* and when are they a *yad*? (א': ב'-ג')
- When is their “*amud*” a *shomer* and when are they a *yad*? (א': ב'-ג')
- Which of the following is a *yad*, *shomer* or neither (and describe the debates where relevant):
 - The spine of the ears of corn? (א': ב')
 - The “empty-tail” of bunch of grapes?
 - The stalks of produce that is reaped? (How much?)
 - The stalks of food that is not reaped? (How much?) (א': ג')
 - Cabbage stalks? (List others that share a similar law.) (א': ד')
 - Stalks of food that was threshed? (א': ה')
 - Stalks of carobs?
 - Stalks of dried dates?
 - Pumpkin stalks? (א': ו')
- When is a sprig of a bunch of grapes a *yad*? (א': ה')
- What other cases are similar to the one in the previous question? (א': ה')
- Explain the debate regarding the stalk of artichoke. (א': ו')
- What is the law regarding olives that were preserved with their leaves? (א': ז')

Melbourne, Australia

Sunday -Thursday
 10 minutes before *Mincha*
Mizrachi Shul
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 10 minutes before *Mincha*
Beit Ha'Roeh
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Efrat, Israel
Shiur in English

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

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Rabbi Chaim Brown
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SHIUR ON KOL HALOSHON

Rabbi Moshe Meir Weiss
 In US dial: 718 906 6400
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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
20 March י"א אדר	21 March י"ב אדר	22 March י"ג אדר	23 March י"ד אדר	24 March ט"ו אדר	25 March ט"ז אדר	26 March ט"ח אדר
Uktzin 2:3-4	Uktzin 2:5-6	Uktzin 2:7-8	Uktzin 2:9-10	Uktzin 3:1-2	Uktzin 3:3-4	Uktzin 3:5-6

