



Gradually Separating Terumah

The *Mishnah* (4:1) teaches that if one separates some *terumah* with the intention of removing the remainder later, he is able to do so. The example we will use is if he separated one *seah* from one hundred as *terumah gedolah*, leaving a further one *seah* needing to be separated later. Whether one can separate *terumah* from this pile to satisfy the requirements for another pile of *tevel* is the subject of debate. *R' Meir* maintains that he can, while the *Chachamim* disagree. We shall try to understand this debate.

The *Bartenura* explains that even though one can continue to separate *terumah* for the same pile, when separating for another pile, we are concerned the person might be separating from the “fixed” part. In other words, some of the *terumah* has already been separated, this means that some of the food remaining in the pile is already *patur* (exempt). Since we cannot separate from that which is *patur* to cover the requirement of that which *chayav* (obligated) there is a concern that this rule might be violated. *R' Meir* however does not differentiate; just as it is not a concern when separating for itself, it is not a concern when separating for other produce.

The *Tosfot R' Akiva Eiger* ask why there is a difference according to the *Chachamim* whether one is separating for the same produce or other produce. The same concern should apply. He adds that even if we say “*yesh bila*”, meaning that if we mix the remainder, the proportion of *chayav* and *patur* are considered evenly distributed, it would still be difficult. Using our example, instead of an additional one *seah*, he would be required to separate two as it would be an equal mixture of half *chayav* and half *patur*.

The *Tifferet Yisrael* explains that according to the *Chachamim* since on a biblical level, there is no minimum amount one must separate for *terumah gedolah*, after he has separated a small amount it is already considered exempt. This would mean that according to the *Chachamim* one would not even be able to separate from another pile to

satisfy the remaining *terumah*. *R' Meir* however argues on two points. The first is that since the owner intended to separate more, the biblical requirement of separating *terumah* has not yet been discharged. Furthermore, unlike the *Chachamim*, *R' Meir* maintains the principle of *berierah* (retroactive selection). In other words, there is no issue with separating *terumah* from the pile because we say that which was taken is the *chayav* part.

The *Mishnah Rishona* however provides a different explanation. The concept that on a biblical level a single kernel could exempt the entire pile is only when the owner intends for that result. If however he intends to separate a larger amount, then the biblical obligation has not been discharge until that amount has been separated. Unlike the *Tifferet Yisrael*, this is principle held by both opinions.¹ However much like the *Tifferet Yisrael*, the *Mishnah Achrona* (citing the *Raavad*) explains that the debate is based on whether or not we maintain the principle of *berierah* in this context. Since the *Chachamim* do not, one cannot separate *terumah* from this pile for another as he might be separating the exempt part.

That being the case, we find ourselves back to the original question. If the *Chachamim* do not maintain the principle of *berierah* and the pile is now a mix of *patur* and *chayav* on a biblical level, how can the remaining *terumah* be removed from that pile. Citing the *Rosh*, the *Mishnah Rishona* explains that this is exactly how separation works. It is mostly impossible to separate all the required *terumah* from a large pile in one motion - it is always separated bit by bit. Consequently, pauses in the process, even for the duration of days, are not problematic, provided that he is still engaged in the process. It is as if it is one protracted act of separation. Separating for other produce however, would be considered a break. At that point it would be a mix of *patur* and *chayav* and separating from it for other produce would therefore be prohibited.

Yisrael Bankier

¹ According to this understanding, unlike the *Tifferet Yisrael*, the *Chachamim* would agree that one can separate from other produce to satisfy the remaining *terumah*. See the *Tosfot Yom Tov* that cites a slightly different version of our *Mishnah* - “*mi makom acher*”. He explains this is the source

for the opinion that the *Chachamim* argue in both cases, and is debated by the *Rambam* and *Raavad*.

Revision Questions

תרומות ב' ד' – ד' ב'

- Ideally one should not separate *trumah* from one species for another. What is the law if someone nevertheless does so? (ב' ד')
- Ideally, how should one select which produce shall be *trumah* where: (ב' ד')
 - There is a *kohen* present?
 - There is no *kohen* present?
- If one has the choice, which of the following should one choose to be *trumah*:
 - A small complete onion or half a larger onion? (ב' ה')
 - Olives that will be used for making oil or olives that will be used for pickling? (ב' ו')
 - Normal or cooked wine? (ב' ו')
- What is the general rule described in the *mishnah* regarding the way one selects his *trumah*? (ב' ו')
- What should one do in the case where one finds that the wine he separated for *trumah* has become vinegar, yet he is unsure whether it changed prior to separating *trumah*? (ג' א')
- In a case of *safek trumah* where another *safek trumah* is separated, what is the law if: (ג' ב')
 - One of the *safek trumot* became mixed up with one pile of *chulin* and the other *safek trumah* with another?
 - Both of the *safek trumot* fell into the same pile of *chulin*?
- What is the law regarding a case where two partners separate *trumah* separately, one after the other? (Include all three opinions) (ג' ג')
- The opinion of *R' Akiva* described in the previous question only applies in a specific case – what is it? (ד' א')
- If the owner gave someone permission to separate *trumah*, yet renounces the permission just prior to the person separating *trumah*, what is the law regarding the separated *trumah*? (ד' ב')
- What is the law regarding a case where one proclaims that the *trumot* and *ma'asrot* for a particular batch is contained within the batch? (ד' ג')
- What is the law if one separates: (ד' ג')
 - *Trumah* before *bikurim*?
 - *Ma'aser Rishon* before *Trumah*?
 - *Ma'aser Sheni* before *Ma'aser Rishon*?
- What is the source that the above orderings are mistakes? (ד' ד')
- What is the law regarding one who intends to separate *trumah* yet called it *ma'aser* by mistake? (ד' ה')
- What is the law regarding the *trumah* that a non-Jew separated from his own produce? (ד' ו')
- What is the law regarding a pile from which part of the intended *trumah gedolah* had been removed: (ד' ז')
 - Once the *ma'asrot* have been removed?
 - With respect to other *tevel* produce?
- What is the law regarding a case where only a portion of the *ma'aser rishon* and *ma'aser ani* has been given – can one eat part of the remaining produce? (ד' ח')

Melbourne, Australia

Sunday -Thursday

10 minutes before *Mincha*
Mizrachi Shul
Melbourne, Australia

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10 minutes before *Mincha*
Mizrachi Shul
Melbourne, Australia

Efrat, Israel

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Sunday -Thursday

Rabbi Mordechai Scharf
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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
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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
25 September כ"ב אלול	26 September כ"ג אלול	27 September כ"ד אלול	28 September כ"ה אלול	29 September כ"ו אלול	30 September כ"ז אלול	1 October כ"ח אלול
Terumot 2:4-5	Terumot 2:6-3:1	Terumot 3:2-3	Terumot 3:4-5	Terumot 3:6-7	Terumot 3:8-9	Terumot 4:1-2

