



Taking back Teruma

The fifth *perek* opens by discussing various mixtures involving *teruma*. The first is where a significant amount *tameh teruma* falls into *chulin* such that it is not *batel*. The *Mishnah* teaches that the mixture should be made to rot. The *kohen* cannot eat the mixture because it contains *tameh teruma* and we have no other option.

The *Mishna Rishona* notes that one might think there is another option. A *teruma* declaration is effectively a form of *neder*. As with any *neder*, the owner could approach a *Chacham*, demonstrate sincere regret at having made the *neder* and then have it annulled. This process is referred to as *she'eila*. The *teruma* would no longer be *teruma* and revert back to *tevel*. The owner could then separate *teruma* (and *maasrot*) from another place for it. The final result would be that we simply have *tameh chulin* mixed in with *chulin*. Problem solved.

The *Mishnah Rishona* however explains that *she'eila* does not work for *teruma*. The reason is that when one presents one's case before the *Chacham* the regret must be at the point of the *neder*, or in this case the *hafrasha*. In this case however the owner clearly cannot say he regrets taking *teruma* – it was his obligation! The “regret” in this case only relates to this situation he is in now. The *Taz* (YD 323:2) explains that for *she'eila* the regret must be of the nature that the *neder* lead to unavoidable damage. That is not

the case here for had the owner been more careful, there would have been no problem.

The *Gemara* (*Nedarim* 59a) discusses how *she'eila* might apply to *teruma* that mixed into *chullin*. The question there is whether the prohibited mixture qualifies as a *davar sheyesh lo matarin* (a prohibition that will become permitted). If it was then the *issur* would never be *batel*. The *Gemara* concludes that even though one could do *she'eila*, unlike with *nedarim* where there is a *mitzvah* in its annulment, there is none for *teruma*.

The *Gemara*'s conclusion can be understood that even though one can undo *teruma*, since it is not a *mitzvah* to do so, the prohibition is not considered a *davar sheyesh lo matarin*. Indeed the *Rama* rules that one can approach a *Chacham* request *she'eila* on *teruma* or *challa*. If that is the case our original question returns: why is the only solution to make the mixture rot when it appears that *she'eila* is another option?

The *Shach* answers the *Mishnah* was only interested in stating the *halachic* status of the mixture. The solution of employing *she'eila* was not however the focus. The *Chovat Yair* answers that while some solutions are presented in the *perek*, they involve the *teruma* remaining as *teruma*. *She'eila* however would make it as if that which fell in was never *teruma*.

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Revision Questions

תרומות ד' ט' – ח' ט'

- If, for example, the *chulin* produce are different colours, can they still combine to annul the *trumah*? (Include the three opinions) (ד' ח' ט')
- The previous case was an example where R' Eliezer ruled stringently, while R' Yosi ruled leniently – describe the case where R' Eliezer rule leniently and R' Yosi ruled stringently. (ו' ז' ז')
- Explain the debate regarding a case where *trumah* falls on top of a pile, and the entire top section is consequently removed. (ז' י"י; ז' ז')
- If *trumah* fell and got mixed up with *chulin*, yet one is unsure which of the two piles the *trumah* fell into – can the two piles combined to annul the *trumah* if the piles are in two separate houses? (ז' י"ב; ז' ז')
- What did R' Akiva rule in the case where a bundle of 50-50 *chulin-trumah* became mixed with fifty bundles of *chulin*? (ז' י"י; ז' ז')
- Define what is meant by the term *meduma*? (ח' א' ז')
- What must be done with: (ח' א' ח' ז')
 - *Meduma* produce made from *tameh teruma*?
 - *Meduma* produce made from *tahor teruma*?
 - A mixture of *trumah* and *ma'aser rishon*?
 - A mixture of *trumah* and *ma'aser sheni*?
- What should one do if:
 - One part *tameh trumah* becomes mixed in with one hundred parts *chulin*? (Include both opinions) (ח' ב' ז')
 - One part *tahor trumah* becomes mixed in with one hundred parts *chulin tameh*? (ח' ג' ז')
 - One part *tameh trumah* becomes mixed in with one hundred parts *trumah tahor*? (ח' ד' ז')
- Explain the debate regarding “replacement” *trumah* that was separated from a mixture of 100 parts *chulin*, 1 part *trumah*, which then became mixed with *chulin*. (ח' ח' ז')
- Explain the debate regarding a portion of *meduma* produce that becomes mixed with *chulin*. (ו' ז' ז')
- What are the two other areas of *Halacha* where the *Chachamim*'s approach is similar to theirs taken in the previous question? (ו' ח' ז')
- What is the law regarding a particular pile of *chulin* that repeatedly has had *trumah* (less than 1/100th of its size) mixed into it, and subsequently *trumah* removed? (ז' ז' ז')
- What is the law regarding a pile of *chulin* that had two pieces of *trumah* (1/100th of the size of the pile) fall into it one after the other? (ז' ח' ז')
- What is the law regarding a mixture of *chulin* and *trumah* that has been processed and as a result, its volume has changed? (ז' ט' ז')
- If the ratio of *chulin* to *trumah* in a mixture was less than 100 to 1, and more *chulin* fell into the mixture such that the ratio increase to being more than 100 to 1, what is the status of this mixture? (ז' ט' ח' ז')

Local Shiurim

Melbourne, Australia

Sunday -Thursday

After *Ma'ariv*

Mizrachi Shul

Melbourne, Australia

Friday & Shabbat

10 minutes before *Mincha*

Beit Ha'Roeḥ

Melbourne, Australia

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Shiur in English

Sunday -Thursday

Rabbi Mordechai Scharf
9:00am

Kollel Magen Avraham

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www.shemayisrael.com/mishna/

Rav Meir Pogrow
613.org/mishnah.html

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

SHIUR ON KOL HALOSHON

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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
16 th January י"א שבט	17 th January י"ב שבט	18 th January י"ג שבט	19 th January י"ד שבט	20 th January ט"ו שבט	21 st December ט"ז שבט	22 nd January י"ז שבט
Terumot 6:1-2	Terumot 6:3-4	Terumot 6:5-6	Terumot 7:1-2	Terumot 7:3-4	Terumot 7:5-6	Terumot 7:7-8:1

