

Nedarim 12a

**– The Proof from
Pigul and Nossar and the Rule that One Can Only be
מתפס with Something that Became Assur As a Result of a Neder**

The last daf ended off with the Gemara's question if when a person makes a neder, מתפס קא – that is, he means to be מתפס with its main, defining factor, or do we say that he is מתפס with the way it is now (see the previous daf where this question is explained at length).

The Gemara will now bring proof from our Mishna. The Mishna said that if a person is מתפס with pigul or nossar, the neder is valid, and on this the Gemara asks:

**But nossar and pigul וְהָא נֹתֵר וּפִיגוּל
are after the throwing of the blood לְאַחַר זְרִיקַת דָּמִים הוּא**

In order to be מתפס with a different object, that object must be assur as a result of a neder and not as a result of the Torah saying it is assur. If so, how do we understand our Mishna? The Mishna says that if one is מתפס with nossar the neder is valid. But how could this be? The issur of nossar only comes after the zerika and once the allotted amount of time to eat the korban has passed. But if it is already after the zerika, this means that the issur that the person created with his neder is no longer in effect (as this korban became mutur to eat after the zerika), and the only reason why the korban is now assur is as a result of it becoming nossar, i.e., it is assur as a result of the issur that the Torah placed on it. If so, how can one be מתפס with this korban?

The answer must be that although now the korban is assur as a result of being nossar, this does not make a difference. When a person says that he wants to be מתפס with a korban that is nossar, in reality, these words mean that he wants to be מתפס, that is he wants to be with the defining factor of this animal, which is defined as this that the animal became assur as a result of the person's neder.

If so, we have a proof that when a person is מתפס with a korban, he does not mean to be מתפס with the way the korban is now but rather he means to be מתפס with the עיקר of the korban.⁷²

⁷² Why Does the Gemara Not Bring a Proof from the Case of Pigul?

The Ran explains that the proof of this only from the case of nossar but not from the case of pigul. This is for the simple reason that in the case of pigul, the animal never became mutur. Pigul is created when the owner of the korban or the Kohen have in mind to either eat it or to do one of the avodahs

He said to him אָמַר לִיה
Rav Huna the son of Rav Nosson רַב הוּנָא בְרִיה דְרַב נָתָן
(we are discussing) with nossar בְּנוֹתֵר
of a korban olah שֶׁל עוֹלָה

The Gemara answers that the case of being מתפס with nossar is discussing a korban olah that became nossar. A korban olah is totally burned on the mizbayach and never becomes mutur to eat. Therefore, even if we hold that the person is matfis with the way the meat is now, the neder will still be chal. This is because even now the issur that is on the korban is as the result of his original neder.

But on this the Gemara asks:

He said to him אָמַר לִיה
if so אַם כֵּן
let it say the meat of an olah לִיתְנִי בְּבֶשֶׁר עוֹלָה

The reason one can be מתפס with this korban is because it is an olah, the fact that is also nossar is irrelevant (as we said, the issur of nossar is an issur that is created by the Torah and a person cannot be מתפס with an issur that is created by the Torah). If so, why does the Mishna say that the התפסה is effective because the התפסה was done with nossar if the fact that it was nossar is not the reason the התפסה is effective. The reason the התפסה is effective is only because it is a korban olah. If so, that is what the Mishna should have said. The Mishna should have said that the התפסה works with a korban olah and the fact that it is also nossar should not be mentioned at all.

The Gemara answers:

'We don't need' is how it was said לָא מִיבְעִיָא קְאָמַר
At times a Mishna or Baraisa will say two cases, not because both are needed but rather it says one case to bring out the chiddush of the other case, as the Gemara will explain.
(The Mishna is telling us that) we don't need (to say) לָא מִיבְעִיָא
(that if a person is matfis in the) meat of olah בֶּשֶׁר עוֹלָה
that it is assur דְאָסוּר
as he was matfis in a korban דְהָא בְקָרְבָן קָא מִתְפִּיס
(but if a person is matfis in the) nossar נֹתֵר
and pigul וּפִיגוּל
of an olah דְעוֹלָה
it is needed (to say that neder is effective) אִיצְטְרִיכָא

after the proper time. Therefore, when the Kohen does the zerika, the korban does not become mutur as the korban is already pigul. Therefore, the original neder that this person made stays, and if so, even if you hold that the person is מתפס with the way the korban is now, the neder is still valid.

(as) one could have thought
 (that the person means to say) like the issur
 of nossar
 (or) like the issur of pigul
 (and if so) it is
 like someone who is matfis
 in something that is assur (from the Torah)
 and (if so) it should not be assur
 this comes to teach us (otherwise)

סְלָקָא דְעֵתָךְ אֲמִינָא
 כְּאִסּוּר
 נוֹתֵר
 כְּאִסּוּר פִּיגוּל
 וְהוּא לִיָּה
 כְּמַתְפִּיס
 בְּדָבָר הָאֲסוּר
 וְלֹא מֵיִתְסֵר
 קָא מִשְׁמַע לָן

(or) like the day that I saw
 Yerusalayim in its ruins
 כִּיּוֹם שָׂרְאִיתִי
 יְרוּשָׁלַיִם בְּחוּרְבָנָהּ

And Shmuel said
 (that this case refers to when) he
 makes a neder on that day
 וְאָמַר שְׁמוּאֵל
 וְהוּא
 שֶׁנֶּדֶר בְּאוֹתוֹ הַיּוֹם

The Baraisa describes a case in which a person either says that he will not eat meat or drink wine today like the day his father died, or he said he will not eat meat or drink wine like the day his Rebbi died, or like the day that Gedaliah ben Achikum died, or like the day that he saw the destruction of the Bais Hamikdosh.

In all these cases, Shmuel said that the neder will be chal only if the person had previously also made a neder not to eat meat or drink wine on one of these days.

That is, if on each one of these days, the person had made a neder, now, at a later date, when he compares today to one of those days, his neder will work. This is because in order for the neder to work, the person must be matfis in something that was assur through a neder. Therefore, his being matfis in one of these days will only work if the day that he is matfis in was also assur because of his neder.

(Therefore, even if the person is matfis in Tzom Gedaliah, his neder will work only if he had also made a private neder to fast on Tzom Gedaliah. But if the only reason that he fasted on Tzom Gedaliah was because it was a taanis tzibbur, his neder that is being matfis in Tzom Gedaliah will not work, as the issur to eat on Tzom Gedaliah was not because of his neder.)

The Gemara will now discuss the exact case of being matfis in the day that a person's father died, and from this we will have a proof to the Gemara's question.

What is this case
 is it not for example
 that he is 'standing'
 on Sunday
 that is the (day) that his father died
 הֲיֵכִי דְמִי
 לְאוֹ כְּגוֹן
 דְקָאִי
 בְּחַד בְּשַׁבָּא
 דְמִית בֵּיה אָבוּהּ

The Gemara's question was why the Mishna would mention the fact that this olah is nossar if the reason the neder is effective is only because it is an olah. The Gemara answers that one could have thought that the fact that it is nossar should be a reason it should not work.

As we said before, nossar is an issur that is created by the Torah, and as such, if one is matfis with this issur, the neder will not be effective. If so, one could have thought that if a person is matfis with an olah that is also nossar, his intention is to be matfis with the issur of nossar, and as such, the neder should not be effective. The Mishna therefore needs to tell us that this neder is effective, as the person's intent even in this case is to be matfis with the fact that it is a korban olah and not the fact that it is nossar.

בעיקרו קא מתפס או בהיתרא קא מתפס – The Proof from Being matfis with the Day that One's Father Died

They asked from a Baraisa (that tells us)
 what is the issur (of hatfasa)
 that is said in the Torah
 (it is the case in which) one said
 it should be that I will not eat meat
 (or) I will not drink wine
 like the day my father died
 (or) like the day my Rebbi died
 (or) like the day
 that Gedaliah ben Achikum was killed
 מִיִּתְבִּי⁷³
 אִיזְהוּ אִיסּוּר
 הָאֲמוּר בְּתוֹרָה
 אָמַר
 הֲרִינִי שְׁלֹא אוֹכֵל בֶּשֶׂר
 וְשְׁלֹא אֶשְׁתֶּה יַיִן
 כִּיּוֹם שָׁמַת בּוֹ אָבִיו
 כִּיּוֹם שָׁמַת בּוֹ רַבִּי
 כִּיּוֹם
 שֶׁנְּהַרְגָּ בּוֹ גְּדַלְיָה בֶּן אַחִיקָם

⁷³ Why is the Term מִיִּתְבִּי used and Not ת"ש?

Typically, when the Gemara wants to bring a proof to a question, the Gemara will say ת"ש and not מִיִּתְבִּי. If so, why is the term מִיִּתְבִּי being used if the Gemara is not asking a question but rather the Gemara is just trying to bring a proof to its question? The Rosh brings that there are those who have the girsa of ת"ש. He explains that even if the girsa says מִיִּתְבִּי, this is because we are asking on R' Huna the son of R' Nachman. Rava wanted to prove that בעיקרו קא מתפס, and R' Huna the son of R' Nachman said that there is no proof from the Mishna and as such one does not have a proof that בעיקרו קא מתפס.

מתפס. And on this, the Gemara asks that seemingly we do have a proof (from a different Baraisa) to say that קא מתפס.

There are those who answer that although it is true that typically the term ת"ש would have been used, in our meshecha it is different, and the term מִיִּתְבִּי is used instead of ת"ש (and this would be another example of לשון נדרים (משונה הוא).

and even though **ואף על גב**
 there were many Sundays **דאיכא טובא חד בשבא**
 that were mutur **דחיתרא**
 (And yet) the Baraisa taught that it is assur **וקתני אסור**
 (and if so) one should see from this **שמע מינה**
 with the ikar one is matfis **בעיקר הוא מתפיס**

The Ran explains that this person's father had died on a Sunday of a particular month many years before, for example, the father had died on the first Sunday of Nissan, and on that day that the father had died, the son had made a neder not to eat meat or to drink wine.

Now, many years later, the son says that today should be like the first Sunday in Nissan. And with regard to this, Shmuel had said that if the day that this neder is made happens to be the first Sunday of Nissan, then we say that the intent of the neder is to compare this day to the day on which his father had died, i.e., he is saying that today should be assur to eat meat and drink wine the same way that that day was assur to do so.⁷⁴

In this case Shmuel says that the neder would work. But why? Between the day that the father had died and today, there were many first Sundays of Nissan that were not assur. If so, why are we saying that he means to refer to the day that his father died and not to any of the other days that were mutur?

The Gemara assumes that the answer to this question must be that a person is matfis b'ikar, and therefore, since the defining characteristic of the first day of Nissan to this person is the fact that this is the day that his father died, we assume that this is what the neder is referring to. And as such, we have

the answer to our question. That when a person makes a neder by being מתפיס with something that became assur, we say that he is מתפיס with the defining characteristic of that thing and not with the way it is now.

The Gemara rejects this proof:

For Shmuel, this is what he said **דשמואל הכי איתמר**
 Shmuel said **אמר שמואל**
 (the case is that) he made a neder **והוא שנדור**
 and came from that day **ובא מאותו היום**
 and forward **ואילך**

The Gemara now tells us that what Shmuel actually said was that the neder works only in the case in which the person had made a neder on every first Sunday of Nissan since his father had died. Therefore, on this first Sunday of Nissan, when this person makes his neder, there had never been a first Sunday of Nissan after the father had died that had been mutur, and therefore the neder will work, even if you don't hold that בעיקר הוא מתפיס. (See footnote where the chiddush of this halacha is explained.)⁷⁵

**בעיקרו קא מתפיס או בהיתרא קא מתפיס – The Proof from
 Being מתפיס with the לחמי תודה**

Ravina said **אמר רביןא**
 Come and hear (from the following Baraisa) **תא שמע**
 (If someone says what I eat should be) like the challos **כחלת**
 of Ahron (Hakohen) **אהרן**
 (or) like his terumah **וכתרומתו**
 it is mutur **מותר**

Gemara understood that the Baraisa must be referring to another case and the Gemara has to figure out what exactly the case is.

75 The Chiddush of the Baraisa According to the Gemara's New Explanation

The one question that has to be answered is what is the chiddush of this Baraisa? If there had never been a year in which this person had not made a neder, why should this התפסה not work? He is clearly being מתפיס with something that was assur with a neder, and if so there seems to be no reason it should not work?

The Ran brings that the Gemara in Shevuos that asks this very question and answers that the chiddush is in the case in which he says that this day should be assur like the day that Gedaliah died. And the chiddush of this case is that even though this day is already assur M'Drabbanan, it is still considered being מתפיס in something that is assur through his neder.

The Ran continues and says that the chiddush is with regard to this that this case is not similar to being מתפיס with a korban. A korban is assur to everyone and one could have thought that this is how one has to be מתפיס with something that is assur, i.e., the thing that you are being מתפיס with has to be assur to everyone. The Baraisa teaches us otherwise. That although this issur is only relevant to himself, he can still be מתפיס with it.

⁷⁴ **The First Sunday of Nissan or a Particular Date on the Calendar?**

From the Ran it seems that the case of the Gemara is one in which the person made a neder not to eat meat or drink wine on the first Sunday of Nissan, as this person's father had died on the first Sunday of Nissan. Tosefos however learns the Gemara to mean that the person is making a neder on the date of the calendar that his father died. This is more understandable as we commemorate a yahrzeit on the date the person died and we do not consider the day of the week, עי' שם היטב בשיטת הר"ן.

Why Does the Gemara Not Simply Say that the Man Said Like the Day His Father Died?

All the Baraisa said that was that this person made a neder by saying כיום כיום. שמת בו אביו. If so, why are setting up the case by saying that the person said that this day should be like the first Sunday in Nissan and then we say that he is referring to the first Sunday in Nissan on which his father had died? Why do we not just say that this is the simple case in which he says that it should be like the day that my father died (i.e., he had fasted on the die his father died and now he is saying that today should be like the day his father died)?

The Ran answers that the Baraisa understood that this could not be the case of the Baraisa, because if it were, there would be no chiddush that it works. If a person says that he wants this day to be like the day that his father had died, then it would be obvious that this neder would work, Therefore, the

As we previously learned, התקפה can only be done בדבר הנדור ולא בדבר האסור, that is, the thing that you are using for your neder must be something that became assur as a result of a neder and not as a result of being intrinsically assur (i.e., the Torah made it assur). Therefore, if someone says that this loaf of bread should be like challah (the portion of dough that a person takes off and gives to the Kohen), or if he says that this bread should be like the terumah that is given to the Kohen, his neder will not be effective, as challah and terumah are considered things that are assur as result of the Torah making them assur and not as a result of a neder.⁷⁶ But from this halacha the Gemara infers that although this type of terumah is not valid for התקפה, there is another type of terumah that is.

But (if he says) **הא**
like the terumah **כתרומת**
of the 'breads of the todah' **לחמי תודה**
it will be assur (i.e., the hatfasa works) **אסור**

The Rosh explains that when a person brings a korban todah, along with the korban, he brings four types of bread (three are matzo and one is chametz). He brings ten of each type and gives one from each type to the Kohen. The loaves of bread that he gives to the Kohen are called תרומת לחמי תודה.

The Gemara deduces that although hatfasa will not work with regard to the challah of terumah, it will work with regard to the תרומת לחמי תודה. And on this the Gemara makes the following observation.

⁷⁶ **Why Are Challah and Terumah Considered Things that Are Assur from the Torah?**

The Gemara assumes that challah and terumah are both things that the Torah made assur and not the person's neder. But why? The only reason this became challah or terumah is as a result of the person's making it as such. If so, they would seem to be the classic example of something that is a דבר הנדור and not a דבר האסור?

The Ran answers that since the issur to eat challah or terumah does not apply to everyone (Kohanim are allowed to eat them), they are therefore

considered as a דבר האסור. This is true because when the person made it challah or terumah, he did not have in mind that this should not apply to certain people, and yet it does. As such, the understanding of what happened is that at first the person made it challah or terumah. And once this happened, it is the Torah that made them assur. If so, the issur that is upon them comes from the Torah and not the person, and this is why they cannot be used to make a neder.

Nedarim 12b

But **הא**
(the case of) terumas lachmei todah **תְּרוּמַת לַחְמֵי תוֹדָה**
is after the zerika of the blood **לְאַחַר זְרִיקַת דָּמִים הִיא**

Before the zerika, the lachmei todah that are brought with the korban todah are assur. If so, the Gemara assumes that a person would only separate the loaf of bread that is given to the Kohen after the zerika. After all, why would a person designate a loaf of bread to be given to the Kohen if at that point the Kohen is not allowed to eat it? If so, if a person says that this bread should be like the תְּרוּמַת לַחְמֵי תוֹדָה, i.e., he says that this bread should be like that bread that is given to the Kohen, he must be doing so after the zerika. But if this is really true, that we are talking about after the zerika, we have a proof to our question. The Gemara wanted to know, when a person is מְתַפֵּיס in something, does he mean to refer to the way the object is now or is he referring to the defining characteristic of the object. We now have a proof. We inferred from the Baraisa that when a person is מְתַפֵּיס in the תְּרוּמַת לַחְמֵי תוֹדָה, it works to make a neder? But why? If now the תְּרוּמַת לַחְמֵי תוֹדָה are mutur, then the person is being מְתַפֵּיס in something that is mutur, and if so, his הִתְפַּסָּה should not work (as הִתְפַּסָּה only works in something that is assur).

The answer must be that when a person is מְתַפֵּיס, בְּעֵיקְרוֹ, קָא מְתַפֵּיס, that is, even though now the תְּרוּמַת לַחְמֵי תוֹדָה are mutur, since בְּעֵיקְרוֹ קָא מְתַפֵּיס, the person is not being מְתַפֵּיס with the way they are now but rather he is being מְתַפֵּיס with their defining characteristic.

The Gemara answers that this is not a proof that בְּעֵיקְרוֹ קָא מְתַפֵּיס, as the diyuk (inference) that should be made from the Baraisa is not that he is making a neder by comparing this object to the תְּרוּמַת לַחְמֵי תוֹדָה but rather he means to compare it to a different type of terumah, as follows.

Say (that the case is that) **אֵימָא**
(he is saying that this should be) like the terumah **בְּתְרוּמַת**
of the liska **הַלְשֶׁכָּה**
(and this is the case that will be) assur **אֲסוּר**

In the time of the Bais Hamikdosh, every person in Klal Yisroel had to give a half-shekel to the Bais Hamikdosh. This money was then placed in a special liska (chamber) in the Bais Hamikdosh. At a designated time, there were those who would enter the liska and fill three containers with this money. The money that was put into these containers was used to buy

korbanos and the rest of the money was used for other expenses of the Bais Hamikdosh. This procedure was referred as the כְּתְרוּמַת הַלְשֶׁכָּה.

The Gemara is now saying that this is the case in which one should infer that the הִתְפַּסָּה would work. These shekalim became assur (and are still assur) as the result of the person designating them for the Bais Hamikdosh and therefore using these shekalim for הִתְפַּסָּה would be a perfect example of being מְתַפֵּיס בְּדָבָר הַנְדוּר.

The Gemara has just answered its question and said that the case that should be inferred from the Baraisa that is a case of an effective הִתְפַּסָּה, is the case of being כְּתְרוּמַת הַלְשֶׁכָּה, but not a case that he is מְתַפֵּיס בְּתְרוּמַת לַחְמֵי תוֹדָה. And if this is true, it could be that if one would be מְתַפֵּיס in the לַחְמֵי תוֹדָה, then this would not be an effective הִתְפַּסָּה as מְתַפֵּיס קָא מְתַפֵּיס and not בְּעֵיקְרוֹ קָא מְתַפֵּיס.

But on this the Gemara asks:

But **אָבָל**
(being matfis) in the terumas **תְּרוּמַת**
lachmei todah **לַחְמֵי תוֹדָה**
what (are you going to say) **מַאי**
it is mutur **מוֹתָר**
(but if so) let the Baraisa say **לִיתְנִי**
(that the case of being matfis) in the lachmei todah **לַחְמֵי תוֹדָה**
(is not effective)
and certainly (we would know) **וְכַל שָׁנוּ**
(that being matfis) in his terumah) is not effective **תְּרוּמַתוֹ**

The Gemara asks that seemingly we will still have a proof from the case of being מְתַפֵּיס בְּתְרוּמַת לַחְמֵי תוֹדָה. Because if it is really true that if a person is מְתַפֵּיס בְּתְרוּמַת לַחְמֵי תוֹדָה it is not an effective הִתְפַּסָּה as מְתַפֵּיס קָא מְתַפֵּיס, then why did the Baraisa not say that this is the case in which הִתְפַּסָּה does not work?

That is, when the Baraisa said its halacha that if one is מְתַפֵּיס in terumah הִתְפַּסָּה does not work, the Baraisa could have said a bigger chiddush. The Baraisa could have said that even if one is מְתַפֵּיס in תְּרוּמַת לַחְמֵי תוֹדָה it does not work, and once we know that הִתְפַּסָּה in תְּרוּמַת לַחְמֵי תוֹדָה does not work, we would certainly know that מְתַפֵּיס in regular terumah does not work.

This is true because the תְּרוּמַת לַחְמֵי תוֹדָה became assur as a result of a neder, and yet if one is מְתַפֵּיס in them, it still does not work. If so, certainly being מְתַפֵּיס in challah and terumah

should not work as these did not become assur as a result of a neder (as previously explained). And yet the Baraisa chose the example of challos and terumah to show when the התפסה does not work. This would imply that indeed, if one would be מתפס, בתרומת לחמי תודה, the התפסה would be effective.

The Gemara answers:

(Many Rishonim take out these words) **הא קא משמע לן תרומת לחמי תודה תרומתו היא**
terumas lachmei todah **הא קא משמע לן תרומת לחמי תודה תרומתו היא**
is his terumah

The Gemara answers that in reality when the Baraisa teaches us that the case in which the התפסה does not work is the case of being מתפס in his terumah, the word terumah also comes to include the case of being בתרומת לחמי תודה (that is, the בתרומת לחמי תודה is included in the word תרומתו). And indeed, the Baraisa is teaching us that the התפסה in the תרומת לחמי תודה will not work as well.

When Can the לחמי תודה Be Separated for the Kohen? Only After the Bread has been Baked and the Zerika Has Been Done or Can it be Separated Even While the Dough is Being Kneaded?

The Gemara now gives another answer to its original question. The Baraisa says that if a person is מתפס in the challah or the terumah given to a Kohen, this התפסה will not work. This seemed to imply that if a person would be מתפס תודה then this התפסה would work. The assumption of the Gemara had been that the לחמי תודה are separated after the zerika, and if so, if a person is מתפס in them, he is being מתפס in something that is now mutur. And yet according to the implication of the Baraisa, this התפסה works. If so, the Gemara had said that we have a proof from this that בעיקרו קא מתפס.

The Gemara will now say that this assumption is not necessarily true. That although we had assumed that the לחמי תודה were separated after the zerika, this does not have to be the case.

And if you want I can say **ואי בעית אימא תרומת לחמי תודה נמי קודם זריקת דמים הוא כגון דאפרשינהו בלישה**
the terumas lachmei todah **ואי בעית אימא תרומת לחמי תודה נמי קודם זריקת דמים הוא כגון דאפרשינהו בלישה**
(was) also (done) before **ואי בעית אימא תרומת לחמי תודה נמי קודם זריקת דמים הוא כגון דאפרשינהו בלישה**
the throwing of the bloods **ואי בעית אימא תרומת לחמי תודה נמי קודם זריקת דמים הוא כגון דאפרשינהו בלישה**
for example **ואי בעית אימא תרומת לחמי תודה נמי קודם זריקת דמים הוא כגון דאפרשינהו בלישה**
that he separated it **ואי בעית אימא תרומת לחמי תודה נמי קודם זריקת דמים הוא כגון דאפרשינהו בלישה**
while it was being kneaded

As the Gemara is about to prove, the לחמי תודה can be separated even while it is being kneaded. If so, even if one would infer from the Baraisa that if one is בתרומת לחמי תודה, the התפסה would be effective, this would not prove that בעיקרו קא מתפס. Perhaps the reason why the התפסה is effective is because we are dealing with a case in which the zerika had not yet taken place (the Ran tells us that baking of the לחמי תודה is done before the zerika), and if so, the לחמי תודה are still assur and that is why the התפסה is effective.

The Gemara now proves that indeed the לחמי תודה can be separated before the zerika.

And this is like he said **וכי הא דאמר רב טובי בר קיסנא אמר שמואל לחמי תודה שאפאן בארבע חלות נא**
Rav Tovi bar Kisna **וכי הא דאמר רב טובי בר קיסנא אמר שמואל לחמי תודה שאפאן בארבע חלות נא**
that Shmuel said **וכי הא דאמר רב טובי בר קיסנא אמר שמואל לחמי תודה שאפאן בארבע חלות נא**
the lachmei todah **וכי הא דאמר רב טובי בר קיסנא אמר שמואל לחמי תודה שאפאן בארבע חלות נא**
that were baked **וכי הא דאמר רב טובי בר קיסנא אמר שמואל לחמי תודה שאפאן בארבע חלות נא**
as four (large) challos **וכי הא דאמר רב טובי בר קיסנא אמר שמואל לחמי תודה שאפאן בארבע חלות נא**
he is yotzie

As previously mentioned, when bringing a korban todah, a person also must bring forty loaves of bread. These loaves of bread were divided into groups of ten. That is, he brings ten loaves of each type of bread.

The Gemara now tells us, that although it is true that he is supposed to bring ten loaves of each type, if instead he baked them as four large challos (that is, one large challah of each type), he is yotzie b'dieved.

The Gemara will ask on halacha and from the Gemara's answer we will see the point that the Gemara is trying to prove, that the לחמי תודה could be separated as early as the kneading of the dough.

The Gemara asks: **והכתיב ארבעים**
But it is written 'forty'

The Ran explains that the posuk does not actually write that there must be forty loaves brought with the todah but rather the posuk says that there must be the four types. And the Gemara in Menachos makes a gezayra shava to say that there must be ten of each kind. But if so, how can we know say that four large loaves can be given if we learned that forty loaves is the amount needed?

The Gemara answers: **למצוה**
(This that we need forty is only) for the mitzvah

The Gemara answers that while it is true that l'chatchila a person must give forty loaves when he brings a korban todah, if he only gave four large loaves (i.e., one of each type), the korban todah will still be kosher.

But on this the Gemara still asks that:

But one has to take	וְהָא בְּעֵי לְמִשְׁקַל
terumah (from each type)	תְּרוּמָה
and if you are going to say	וְכִי תִימָא
that he took bread	דְּשִׁקִיל חֲדָא רִיפְתָא
for all of them	עַל כּוֹלָה
but we learned in a Mishna	וְהִתְנִן
one from each korban	אַחַד מִכָּל קֶרְבָּן
for one cannot take from one korban	שְׁלֹא יִטּוֹל מִקֶּרְבָּן
for the other (korban, lit. for his friend)	עַל חֲבִירוֹ

The halacha is that one has to take terumah from the לחמי תודה and give it to the Kohen (that is, he takes one bread from each one of the four types). But if all he has is four large loaves of bread, how can he take terumah for each one?

And the Gemara says that you cannot say that the person can just take one of the four loaves and give it as terumah for all of the four loaves, because the Mishna says that one must give terumah from each one of the types of bread.

The Gemara continues to try to find out how it would be possible to give terumah from each one of the four types of bread if he only made four loaves.

And if you are going to say	וְכִי תִימָא
that he takes a piece	דְּשִׁקִיל פְּרוּסָה
from each one (of the loaves)	מִכָּל חֵד וְחֵד
but we learned in a Mishna	וְהִתְנִן
(when the posuk says) 'One'	אַחַד
(This comes to teaches us) that you cannot	שְׁלֹא
take a piece	יִטּוֹל פְּרוּסָה

The word אָחַד comes to teach us that you must give one loaf, i.e., a complete loaf as terumah and not just a piece. If so, we are left with the problem of how you can take terumah for these four loaves. You cannot take one for the other, and you cannot take a piece from each loaf for that loaf.

The Gemara answers:

Rather (the case must be)	אַלָּא
that he separated it	דְּאִפְרָשִׁינָהּ
during the kneading	בְּלִישָׁה
and he then took	דְּשִׁקִיל
one (dough) from the chametz (breads)	חֲדָא מִחֻמֶּץ

and one (dough) from the challos	וְחֲדָא מִן חֲלוֹת
and one (dough) from the rikkim breads	וְחֲדָא מִן רִיקִימ
and one (dough) from the rechuva (breads)	וְחֲדָא מִן רְבוּכָה

The Gemara has shown that the only way that it would be possible to make just four loaves of bread for the לחמי תודה and still take off its terumah is if the person separated the terumah while it was being kneaded. And if so, the Gemara has proved that indeed, the תְּרוּמַת לַחְמֵי תוֹדָה can be separated before the zerika.

The Gemara now comes to its point that if we find that a person can be מתפייס with the לחמי תודה, תְּרוּמַת לַחְמֵי תוֹדָה, this does not prove that מתפייס קא בעיקרו but rather it could be that the reason it works is because the לחמי תודה had been separated at a time that it is still assur (while it was still a dough). And if so, when the person is מתפייס with it, he is simply being מתפייס with something that is now assur.

Being מתפייס with a Bechor?

The Gemara will now propose that the question of בעיקרו קא מתפייס או בהיתרא קא מתפייס is really the basis for the following machlokes.

Let us say it's a machlokes Tannaim	לִימָא פְּתִנְאִי
(If one says) "This should be on me	הָרִי עָלַי
like a bechor"	כְּבָכוֹר
R' Yaakov says it is assur	רַבִּי יַעֲקֹב אָוֶסֶר
and R' Yehuda says it is mutur	וְרַבִּי יְהוּדָה מַתִּיר
what is the case	הֵיכִי דְמִי
if you say	אִי נִימָא
that it is before the zerika of the bloods	לְפָנֵי זְרִיקַת דְּמִים
what is the reason	מֵאִי טַעְמָא
'for the one'	דְּמָאן
that permits it (i.e., that the neder is not effective)	דְּשָׁרִי
and if it is after	וְאִי לְאַחֵר
the zerika of the bloods	זְרִיקַת דְּמִים
what is the reason	מֵאִי טַעְמָא
for the one who says	דְּמָאן
it is assur (i.e., that the neder is effective)	אָסֶר

A first-born animal must be given to the Kohen. The animal is brought as a korban and then given to the Kohen to eat. Before the zerika, it is assur for the Kohen to eat it and after the zerika it is mutur for the Kohen to eat.

If so, the Gemara is bothered by how there could be a machlokes if one can be מתפייס with it or not? If his neder took place before the zerika, the התפסטה should work, and if it took place afterwards it should not work. (The Gemara later on will discuss why the bechor is considered a דבר הקדוּר if it is kadosh

from birth without the need of the person to say that it should be a korban.)

The Gemara answers:

Rather is it not (referring to)

אֵלָא לָאוּ