

A vineyard's fourth year, etc.

כרם רבעי כולי –

OVERVIEW

The גמרא cites a משנה which teaches us how they would assign markers to indicate the various prohibited growing produce, such as כרם רבעי and ערלה. Our תוספות is troubled by the sequence in this משנה.

תוספות asks:

קצת קשה דלא נקט ערלה¹ תחלה:

There is a slight difficulty; why did not the תנא of this משנה **mention ערלה first**, before כרם רבעי. תוספות does not answer this question.²

SUMMARY

The משנה should have mentioned ערלה before כרם רבעי.

THINKING IT OVER

Seemingly this is a question on a משנה in מס' מע"ש (which is cited here); why does תוספות ask the question here?³

¹ The first three years after planting a tree it is considered ערלה, and the fourth year it is considered כרם רבעי (or נטע רבעי). Since ערלה is before רבעי it should be mentioned first.

² See תוספות רבינו פרץ who offers two answers, first, that the משנה mentioned ערלה last since the prohibition of ערלה (which is נראה למשי"ח) is stricter than כרם רבעי (which can be eaten in ירושלים). Alternately (כן נראה למשי"ח) that he wanted to mention ערלה together with בית הקברות (the third case) for both are איסורי הנאה. See also מפרשי התלמוד אוצר מפרשי התלמוד # 78 for an additional answer.

³ See אוצר מפרשי התלמוד # 76-77.