

שאני אומר אדם טמא נכנס לשם –

For I assume that a person who is טמא entered there

OVERVIEW

The רבנן maintain that if one misplaced an object, we are concerned that it was moved by an אדם טמא. Our תוספות clarifies when there is this concern and when not.



תוספות asks;

ואם תאמר דהכא ובפרק קמא דחולין (דף ט, ב) גבי צלוחית¹ תלינן באדם טמא –

מסכת חולין פרק of מסכת חולין **And if you will say; why is it that here and in the first concerning 'a flask' we attribute it to an אדם טמא** (we assume that the cause of the change was an אדם טמא -

ובפרק קמא דנדה (דף ד, א) גבי ככר הנתון על גבי הדף ומדף² טמא מונח תחתיה –

However in the first of נדה concerning a loaf that was initially placed on a shelf and a מדף טמא was lying beneath it in such a manner that if the ככר fell by itself it would definitely touch the מדף טמא. Subsequently the ככר was found on the ground away from the מדף טמא -

תלינן באדם טהור –

We attribute the replacement of this ככר **to an אדם טהור**; we assume that an אדם טהור removed the ככר from the shelf and placed it on the ground, away from the מדף טמא. The question is that in all these cases we are not certain who did the moving; why do we sometimes assume that it is an אדם טמא and sometimes that it is an אדם טהור.

תוספות answers:

ותירץ רבינו תם דאמר בפרק קמא דשבת (דף טו, ב) גזרו על ספק כלים הנמצאים³ –

And the ר"ת answered that the גמרא states in the first of שבת that the רבנן decreed טומאה on utensils which are found and there is a **doubt** as to their status. This explains why here by the utensils of the house and by the צלוחית we assume them to be טמא on account of this גזירה.

ולא גזרו על ספק אוכלין הנמצאים –

However (concludes תוספות) they did not decree טומאה on doubtful foods that

¹ The משנה in (פי"א מ"א) פרה states that if one left a flask of חטאת uncovered and subsequently found it covered, it is טמא. The גמרא in חולין (cites a ברייתא which) states that we are concerned that it was covered by an אדם טמא.

² See גוף (ויקרא [בחקותי] כו, לו) of לשון a reference to a מדף; a מדף is a reference to a טומאה קלה from the לשון of (ד"ה מדף) רש"י there. It can be אדם וכלים only משקין ומשקין, but not אדם וכלים.

³ The גמרא cites there a משנה in (פ"ד מ"ה) תהרות (אושא in) חכמים that the כלים which are found and on גזור טומאה (אדם טהור) are considered טמא. We are not sure whether they are טמא or not; they are considered טמא.

are found.⁴ Therefore concerning the ככר on the דף there is no טומאה.⁵

טהור it is טהור by the ככר why by the תוספות offers an alternate solution⁶

אי נמי גבי ככר רגלים לדבר שטהור הסירו שלא יפול על המדף ויטמא⁷:

Or you may **also** say; that **concerning the ככר**, there is an indication that a טהור person **removed it**, in order **that it should not fall on the מדף and become טמא**. Therefore by the ככר it is טהור. However, when there is no רגלים לדבר, then any ספק (whether (כלים or אוכלים) is טמא.⁸

SUMMARY

The concern of an אדם טמא is only by ספק כלים but not by ספק אוכלים. Alternately there is no concern if there is any indication that it was done by an אדם טהור.

THINKING IT OVER

1. What would be the ruling (in the case of מדף) if a pitcher of water was on the shelf instead of a loaf?⁹

2. What would be the ruling if instead of a קדרום being moved around, foodstuff was moved around; are the כלים in the house טמא (and the food טהור)?!¹⁰

⁴ מקוה in a מטהר כלים since we can be טהור on גזר טומאה חכמים נדה (ד, א ד"ה שאני) in תוספות explains that the חכמים were טהור; however אכלין have no טהרה, therefore since there is a loss the חכמים were not גזר. See "Thinking it over".

⁵ טהור are ספק אוכלים and טמא are ספק כלים answers that תוספות.

⁶ גזר טומאה על ספק כלים since the משנה merely states that תוספות may be somewhat dissatisfied with the first answer, since the משנה does not explicitly state that they were not טומאה אכלין הנמצאין on גזר טומאה; this is merely inference.

⁷ However in the case of קדרום and צלוחית why would an אדם טהור touch something which is not his. See תוספות רבינו פרץ.

⁸ It may be noteworthy that the case of צלוחית is a משנה in פרה (the case of ככר is a תוספתא in פ"ד) and the rule of גמרא instead, and all these תוספות chose to cite a גמרא instead, and all these תוספות (including our גמרא) are in the first פרק of their respective מסכתות (which are נדה, חולין, פסחים, שבת). Those with an esoteric inclination may wish to pursue this further.

⁹ See גליוני הש"ס.

¹⁰ See דבר שמואל.