

However they are not to stack the grain

אבל לא גודשין –

OVERVIEW

The משנה states that it is permitted to reap the grain of a 'וכו' בית השלחין before the תוספות; however it is not permitted to stack the grain (in piles, etc.). גדישה and קצירה explains the difference between.



דבגדישה ליכא פסידא אם ימתין אחר העומר –

For there is no loss if he will wait until after the offering of the עומר for the - גדישה

דדוקא משום פסידא התיירו קצירה¹ –

For they permitted the reaping of the grain before the עומר only on account of the monetary loss -

שממהרין ליקצר משאר פירות ואי לא קצרי להו פסדי –

Since the grain of a 'וכו' בית השלחין are quicker to ripen than other produce (from other fields), and if they will not be reaped in time (before the עומר) they will spoil. However nothing will be spoiled if the גדישה is postponed till after the העומר. We allow only the reaping process; all other processes must await the עומר, for we are concerned that if he is involved in the grain he may come to eat it (before העומר).

anticipates a question: תוספות

והא דשרי רבי יהודה קמח וקלי לעיל –

And why is it that ר"י previously in the גמרא permitted the people to offer flour and קלי [parched grain] (which were processed before the עומר); those are certainly processes which take place after the קצירה and גדישה. It should have been forbidden since there is no loss. What is the difference between this משנה where even גדישה is prohibited, and that משנה where even קמח וקלי are permitted to be made before the עומר?!

replies: תוספות

יש לומר משום עולי רגלים² הקילו³ –

¹ תוספות, in the previous קוצרין רש"י, cited (and תוספות seemingly agreed with him) that there is a פסוק which teaches that קצירה is מותר in a בית השלחין. Nevertheless if not for the reason of פסידא the חכמים would have prohibited even קצירה on account of the חשש of לאכלו (as they were גזור concerning גדישה). See also בהערה תוספות הרא"ש בערה. 11.

² The עולי רגלים are the בני ישראל who came from all over to ירושלים to visit the ביהמ"ק (and bring the various קרבנות) three times a year; on פסח, שבועות, and סוכות. [Here we are discussing the עולי רגל of פסח.]

³ See תוספות ר"פ who states that it is necessary to put out the קמח וקלי in order בפירות (which our תוספות may [also] be referring to).

One can say; the חכמים were lenient on account of the עולי רגלים. The עולי רגלים should find food aplenty in ירושלים. However a private person on his own farm is only permitted גדישה but not קצירה.

strengthens this idea that there is a difference if it is במקום פסידא or not:

ורבי מאיר אוסר בקמה –

And ר"מ prohibits grinding the grain into flour before the עומר (as the גמרא mentions here that it was done חכמים ברצון חכמים),

ושרי קצירה לקמן בפרק מקום שנהגו דקתני במילתיה קוצרין ברצון חכמים (דף נו,א) –

But he permits the reaping before the עומר as the גמרא states later in פרק מקום ר"מ would reape in a ברייתא in the name of ר"מ that the אנשי יריחו would reape (before the עומר) in accordance with the will of the חכמים -

והיינו משום פסידא וכן פירש הקונטרס במנחות⁴ –

and the reason for the distinction between קוצרין and קמה is on account of the loss that one would incur if he does not reap the grain in time. **And so too** does רש"י explain in מנחות. It is evident that the difference between פסידא and מקום פסידא is valid also according to ר"מ, and not only according to ר"י.

asks:

ואם תאמר אם כן מאי פריך⁵ דילמא הכא שרי רבי יהודה משום פסידא –

And if you will say; if this is so that the reason for קוצרין בית השלחין is on account of פסידא, then **what is the challenge** that the גמרא poses; indeed ר"י is concerned that perhaps he will come to eat it, but **perhaps here ר"י permits** to reap the grain **because of the loss** that would be if he did not reap it in time -

אבל גבי חמץ גזרינן –

However concerning חמץ where there is no loss if he will not be בודק **we do make a decree** that one should not be בודק because he may find חמץ and eat it.

answers:

ויש לומר משום מצות ביעור יש להתיר⁶ כמו משום פסידא:

And one can say that in order to fulfill the מצוה of חמץ the בדיקה should be permitted just as we permit the קצירה **because of a loss.** The loss of money should not be greater than the opportunity to observe a מצוה. If we suspend a חשש אכילה on account of

⁴ עא, ד"ה לפני.

⁵ The גמרא argues that there is a contradiction in the opinion of ר"י; by חמץ (he does not permit בדיקה during פסח because) he is concerned שמא יבא לאכלו, however by the עומר (he permits the קצירה and) he is not concerned שמא יבא לאכלו. challenges this contradiction.

⁶ See 'Thinking it over # 2.

monetary loss, we should (equally) suspend it on account of performing a מצוה.

SUMMARY

אסור is permitted on account of פסידא. By גדישה where there is no פסידא it is חכמים the עולי רגלים. Nevertheless for שמא יבא לאכלו (מדרבנן) because of the concern גזירה (according to ר"י) and permitted even קמה וקלי. Relaxing a גזירה because of פסידא would indicate that a גזירה should also be relaxed in order to perform a מצוה (such as ביעור חמץ).

THINKING IT OVER

1. The גמרא shortly presents a contradiction between the חמץ by רבנן (where they maintain that we are בודק and are not concerned לאכלו) and the ר"מ (ר"מ) (שמא יבא לאכלו [by the קמה where they maintain that we are concerned לאכלו which is חכמים]). Seemingly what is the contradiction; by חמץ they are not גוזר since it is a מצוה, however by עומר (referring to the קמה וקלי where there is no פסידא, and) where there is no מצוה the רבנן are גוזר?⁷

2. According to תוספות the purpose of בדיקה is לאכלו.⁸ How can תוספות claim that בדיקה should be allowed on account of ביעור מצות; since the תקנה of בדיקה is שלא, and if he is בודק and finds חמץ there is even a greater חשש that he will eat it?⁹

⁷ See מהרש"ל ומהרש"א [הארוך] וכו'.

⁸ See תוספות ב, ד"ה אור.

⁹ See דבר שמואל.