

## He reaps for fodder and feeds the בהמה – קוצר לשחת ומאכיל לבהמה

### Overview

The גמרא cites a משנה to prove that חדש<sup>1</sup> is מותר בהנאה. The משנה states that concerning קוצר לשחת ומאכיל לבהמה, one is רש"י as to whether קוצר allows usage for animals and people (רש"י), or only for animals (תוספות). Our תוספות explains how we derive היתר (שיטת התוספות) from this משנה (even according to תוספות).

-----  
תוספות resolves an anticipated question:

אף על גב דהא דקוצר לשחת היינו דווקא לבהמה<sup>2</sup> –

Even though that which the משנה states that he is קוצר לשחת, that is specifically only for a בהמה –

כדמוכח במנחות בפרק רבי ישמעאל (דף עא, ב) –

As is evident in מסכת מנחות in פרק ר' ישמעאל.

מכל מקום ומאכיל לבהמה לא משמע ליה דקאי אקוצר לשחת<sup>3</sup> –

Nevertheless when the משנה states ומאכיל לבהמה it does not seem to the questioner that the משנה is referring to the same case as קוצר לשחת –

דאם כן לא פריך מידי דחדש שאסר הכתוב היינו תבואה גמורה<sup>4</sup> –

For if that would be so, that מאכיל לבהמה is dealing with שחת, then the מקשן is not asking anything; for when the תורה prohibited חדש it meant ripened grain, but not שחת. There is no איסור חדש by שחת and certainly one may derive benefit from it.

אלא<sup>5</sup> מאכיל לבהמה היינו אפילו חיטין גמורין ועל ידי קיטוף<sup>6</sup> כפירוש הקונטרס<sup>7</sup> –

<sup>1</sup> חדש is grain which took root after the previous עומר was brought (on the second day of פסח). That grain may not be eaten until the following עומר is brought.

<sup>2</sup> If we were to assume that the permission to be קוצר לשחת is for both human and animal consumption (as תוספות understands רש"י here) then ומאכיל לבהמה is discussing a different case, where the grain is already ripe (therefore it is only permitted for animals, but not for people), which indicates that one may derive הנהא from חדש grain. However if קוצר לשחת is referring only to a בהמה (however for a person even שחת is אסור), then it is possible that the משנה is discussing only one case; קוצר לשחת ומאכיל לבהמה could mean that he may (not only) harvest the שחת (but he can also go directly) and feed it to the בהמה. If this were the understanding of the משנה there would be no question from חדש, as תוספות concludes shortly. See (also) footnote # 9.

<sup>3</sup> See 'Thinking it over'.

<sup>4</sup> The תורה refers to חדש as קציר, which invariably means ripened grain (according to תוספות).

<sup>5</sup> תוספות concludes that קוצר לשחת ומאכיל לבהמה are dealing with two different cases by a בהמה; one may harvest the שחת for a בהמה in the usual manner, and one may even feed the ripened wheat, provided he harvested it by ripping it out of the ground

<sup>6</sup> He is not, however permitted to harvest it in the usual manner, since the עומר is referred to as ראשית רש"י יא, א ד"ה ר' יהודה. See קצירכם, implying that everything else should be harvested later.

<sup>7</sup> בד"ה ומאכיל.

**But rather** the phrase of **מאכיל לבהמה** means that one may feed his בהמה **even ripened wheat, through ripping out** the wheat stalks from the ground **as ר"י explained**. Now, since מאכיל לבהמה refers to חיטין גמורין, there is a valid question, how may one derive benefit from חדש.

חדש is משנה that מקשן assumed from this מותר בהנאה offers an alternate explanation how the מותר בהנאה:

**ועוד דקתני סיפא רבי שמעון אומר יקצור ויאכל<sup>8</sup> אף משהביא שליש<sup>9</sup>:**

**And in addition, the סיפא reads that ר"ש maintains he may harvest and feed it to his animals even after it grew a third.** At this point it is considered grain and nevertheless he may derive benefit from it; proving that the איסור חדש is מותר לא תאכלו even though the תורה writes מותר בהנאה.

### Summary

The proof that חדש is מותר בהנאה is either from ומאכיל לבהמה, which is dealing with תבואה גמורה (as opposed to לשחת), or from ר"ש who maintains that (even) after הביא שליש one is (לבהמה) קוצר ומאכיל.

### Thinking it over

Why indeed does the מקשן assume that ומאכיל לבהמה is not referring to שחת (but rather to חיטין גמורין)?<sup>10</sup>

---

<sup>8</sup> This is amended to read ויאכיל (meaning to feed; not to eat).

<sup>9</sup> Even if we would maintain that קוצר לשחת ומאכיל לבהמה is dealing with one case of שחת (see footnote # 2), nevertheless the question of the מקשן is based (not [necessarily] on the statement of the חכמים, but rather) on the statement of ר"ש who maintains that the בהמה may be fed even after הביא שליש, when it is already considered grain; this proves that חדש is מותר בהנאה.

<sup>10</sup> See footnote # 3.