

And if it is not appropriate for eating – ואם אינו ענין לאכילה –

Overview

There is a method of deriving certain laws through a process called **אם אינו ענין**. When the **תורה** writes something which is seemingly superfluous (as in our case where the **באש ישרף** by a **הטאת** is unnecessary), we assign this ruling to another situation where we are unsure of the ruling. In our **סוגיא** after we used one **אם אינו ענין** to apply **באש ישרף** to **שבתורה** to **כל איסורין**, the **גמרא** found it necessary to use an additional **אם אינו ענין** (that we should not utilize the **באש** for **אכילה**, but rather) to teach us **איסור הנאה**. Our **תוספות** is perturbed by the need for a second **אם אינו ענין**.

תוספות presents a difficulty:

לא אתי שפיר דהיכי מצי לאוקמיה באיסור אכילה דהא כתיב באש תשרף:

It is not appropriate; for how is it possible to establish the פסוק of וכל באש תשרף, to refer to **a prohibition of eating, when it is written in** **באש תשרף**, which (has no connection with אכילה but rather) has a strong inference to איסור הנאה. There is no need for an additional ענין אם; if we apply it is understood that it (at least) includes איסור הנאה. Our תוספות does not answer this question.¹

Summary

How could the גמרא have thought that the פסוק of באש ישרף should apply only for איסור אכילה by other איסורים, when the תורה mentions באש ישרף?

Thinking it over

ואם אינו ענין (באש ישרף) that גמרא asks how can the תוספות enter into the picture if the תורה writes ישרף which indicates איסור הנאה. Seemingly תוספות question is not understood, for it is possible that (even though it states באש ישרף) nevertheless one is permitted to have הנאה בשעת שריפה (as the דין is by תרומה טמאה).² What is תוספות difficulty?!

¹ See (ח"ב מ"ת אות קנט (רש"י ד"ה ואם on מהרש"ל.

² In addition; since *בְּקוֹדֶשׁ בֵּית יִשְׂרָאֵל* teaches that *אִיסוּר* removes the *אִיסוּר* entirely and *בֵּית יִשְׂרָאֵל* would mean only *אִיסוּר אֲכִילָה*.

³ See ח"ב מ"ח ת"ת אות קנ"ט.