

קדושת תרומה בטבל הרב דוד רוזנבוים

In *Parshas Shelach* we have the *mitzvah* of *hafrashas challah*, the *chiuv* to take off *terumah* from *challah* for the *Kohen*. The *pesukim* (וי-כא, במדבר טו, יז-כא) describe this *mitzvah teluya ba'aretz* as having the same *dinim* as regular *terumah*. One of these details is that the *terumah* must be removed before eating from it, and there is a *din tevel* until that is accomplished.

There is a famous Rashi in Sanhedrin, brought by Tosafos in *יבמות דף פו*, that explains the *issur* of eating *tevel*. Rashi explains that one is *chayiv misa* for eating *tevel* because that is the *onesh* for eating *terumah*, and there is *terumah* mixed into all *tevel* before *hafrasha*. Therefore, by eating *tevel* one has brought upon himself the punishment for eating *terumah*.

There are a few *kushyos* on Rashi's *pshat*. Tosafos asks the following obvious question: If the *pshat* in *issur tevel* is due to the *terumah* suspended within it, why is there an *issur* for a *Kohen* to eat *tevel* as well? The *Kohen* is allowed to eat *terumah*, so what has he done wrong? Tosafos instead offers a different *pshat*: that there is a separate *issur* to eat *tevel*, unrelated to the *issur* to eat *terumah*.

We can ask another *kushya* from the Gemara in *לי סוטה דף ל*. The Gemara looks for a case in which one can be *mafrish challah* from a *tahor* dough for one which is *tamei*. The issue is that the doughs must be connected in order to accomplish this *hafrasha*, but at the same time the person does not want to make the *tahor* dough *tamei*. One *aitza* in the Gemara is to pull off a piece from the *tahor* dough and use it as a bridge to connect the two doughs. This way, the *tahor* one can be taken off for the *tamei* one (מוקף) and it will not become *tamei* from it. This is because the *tamei* dough, which is a *rishon l'tuma*, will render the middle ball a *sheini l'tuma*, and that cannot transfer to the *tahor* dough because *chullin* is not *mekabel tuma* to become *shlishi l'tuma*.

If we take Rashi's *mehalech* in *tevel*, that there is *terumah* suspended within it, then this should not work. There is *shlishi l'tuma* by *terumah* and using this method should then make the *tahor* dough a *shlishi l'tuma*.

The third *kushya* we have is from Tosafos in *עז דף עז*. There is a big *machlokes Rishonim* whether *שיחה כשתיה* or not. If a person would take *מאכלות אסורות* and melt it into liquid form, like an anointment, and smear it upon his body, would he be just as *chayiv* as if he were to drink it? Is it *אסור מדאורייתא* or *מדרבנן*? Tosafos holds it to be only *מדרבנן* and brings a *rayuh* from the Gemara *כריתות דף זי* which states that it is *muttar* for a *Kohen* to smear *terumah* oil on his baby grandson, a *Yisroel*, after having used that oil himself. Tosafos says that if *שיחה כשתיה* is *מדאורייתא*, how could the *Kohen* be allowed to do this? Rather, it must be only *מדרבנן* and the case was *איסורי דרבנן שאין בו סכנה* where we are *matir*.

There are two *kushyos* on this Tosafos. One, if we look at the Gemara in *כריתות* carefully, it compares the difference between using *שמן המשחה* on a *זר* versus a *Kohen* recycling *terumah* oil onto a *זר*. The Gemara says that by *terumah* it is OK for the *Kohen* to smear it on his *Yisroel* grandchild because of the following *din*. By *terumah*, the *issur* is to use *terumah* for *chullin* purposes. However, once the *terumah* was made *חול* by the *Kohen*, he may do with it what he wishes. Therefore, the *Kohen* may recycle *terumah* oil while *שמן המשחה* can never be used for *chullin* purposes. The Aruch L'Ner asks why the Gemara makes this comparison if Tosafos holds *שיחה כשתיה* is *מדרבנן*? According to Tosafos, the difference is obvious and the Gemara's question shouldn't begin. The *Minchas Chinuch* asks an even stronger question with a *Kapos Temarim*. What is the

rayuh Tosafos brings for שיחה כשתיה to be only מדרבנן from the fact that the *Kohen* is allowed to smear his grandchild? The Gemara in כריתות says explicitly that he is allowed to because the *terumah* oil is כבר מחוילל.

Perhaps the *pshat* is as follows. The Brisker Rov, in *Michtavim* at the end of his *sefer*, says that if a זר eats *terumah* he is עובר שתי איסורים. One is the *lav* of "זר לא יאכל", and the second is a ביטול of "ומשמרת את" תרומתי". This second *issur* is that *terumah* can only be used in certain ways and when a זר eats it he has violated that mitzvah.

Maybe we can apply this to our *kushyos*. The special *mishmeres* by *terumah* is to protect it from being destroyed, even from a זר eating it. Maybe Rashi's *shita* is that in *tevel* there is pre-existing *terumah*, the *cheftza* of *terumah*, and after *hafrasha* there is another level of *terumah* inserted into it. Without getting into ברירה, that *hafrasha* gives it its *kedushas terumah*. Rashi means that in *tevel* there is a *metziyus* of *terumah* which has the לא יאכל which cannot be violated even by a *Kohen*. The *Kohen* is only allowed to eat *terumah* after it receives its *kedusha* from the *hafrasha*. With this we have answered Tosafos' question.

We can also answer the question from סוטה. *Kedushas kodshim* can become a *revi'i l'tuma*, *terumah* can become a *shlishi l'tuma*, and *chullin* can only become a *sheini l'tuma*. The reason is because the more *kedusha* there is in something, the greater amount of *tuma* can come as well. The reason why the *challah* does not become a *shlishi l'tuma* even though it has *terumah* in it is because that *kedushas terumah* which can become *shlishi l'tuma* is only borne from the *kedusha* it gains through its *hafrasha*. Therefore, this *challah tehora* (and the *terumah* within it) cannot become a *shlishi l'tuma*.

Now let us go back to the *Kohen* smearing *terumah* oil on his grandchild. The Gemara says it is כבר מחוילל and is *muttar*, while שמן המשחה remains *assur* for generic usage. Tosafos is bothered that even though כבר מחוילל takes care of the *kedushas terumah* which the *hafrasha* put into it, there is still the *metziyus* of *terumah* which existed even before the *hafrasha*. That is why Tosafos explains that שיחה כשתיה can only be מדרבנן, because if not then the איסור of לא יאכל would still apply. That is why the *Kohen* can smear his grandchild with this *terumah* oil after he has made it כבר מחוילל.

Maybe we can bring a *rayuh* to what we are saying from the Gemara in יבמות דף עא. The *shyluh* there is whether one can smear a child under eight days old with *terumah* oil- does that baby have a שם ערל or not? Maharitz Chiyus brings a Mishneh L'Melech who cites the Gemara comes out that according to those who hold one does not need to stop a קטן from eating מאכלות אסורות, nevertheless one may not actively give it to the קטן to eat. The Rashba says that it is OK to feed איסורי דרבנן to a קטן. The Mishneh L'Melech asks the following. According to Tosafos, that שיחה כשתיה is only מדרבנן, what was the Gemara's question? Of course it should be OK to smear a seven-day old baby with *terumah*; it is the same as being מאכל איסורי דרבנן בידיים which is לקטן which is *muttar*.

Maybe we can explain that *gadol* is not allowed to smear the baby because he himself has a *chiyuv mishmeres* on the *terumah*. The איסור דרבנן of Tosafos is not talking to the *din mishmeres*, rather to the *metziyus* of *terumah* which is from the לא יוכל. The Gemara is asking on the *bitul mishmeres* aspect of the *terumah*. We see here this *yesod* of two *dinim* by *terumah*- the לא יוכל and ומשמרת.