



worship is practiced and in which there are stores that are adorned for the sake of idol worship and there are others that are not adorned, this was in fact an incident that occurred in Beit She'an, and the Sages said: With regard to the adorned shops, it is prohibited to buy from them, but in the case of those that are not adorned it is permitted.

1:5 These are the items that it is prohibited to sell to a gentile at any time of year, as they are used specifically for idol worship: Itzterubalin, benot shuah, petotarot, frankincense, and a white rooster. Rabbi Yehuda says: It is permitted to sell a white rooster to a gentile provided that it is sold along with other types of roosters. But when it is sold by itself, one should cut off its toe and sell it to the gentile, because they do not sacrifice a defective animal to their object of idol worship. And with regard to all remaining items, without specification it is permitted to sell them, but with specification it is prohibited to sell them. Rabbi Meir says: Even in the case of a good palm tree, hatzav, and naklav, it is prohibited to sell them to gentiles.

1:6 In a place where the residents were accustomed to sell small domesticated animals to gentiles, one may sell them. In a place where they were not accustomed to sell them, one may not sell them. But in every place, one may not sell them large livestock, calves, or foals, whether these animals are whole or damaged. The Sages prohibited these sales lest a Jew's animal perform labor for the gentile on Shabbat in violation of an explicit Torah prohibition, as explained in the Gemara. Rabbi Yehuda permits the sale of a damaged animal because it is incapable of performing labor, and ben Beteira permits the sale of a horse for riding, because riding a horse on Shabbat is not prohibited by Torah law.

1:7 One may not sell bears, or lions, or any item that can cause injury to the public, to gentiles. One may not build with them a basilica [basileki], a tribunal [gardom], a stadium [itztadeyya], or a platform. But one may build with them small platforms [bimmusiot] and bathhouses. Even in this case, once he reaches the arched chamber in the bath where the gentiles put up objects of idol worship, it is prohibited to build it.

1:8 And one may not fashion jewelry for an object of idol worship, and this applies to jewelry such as necklaces [katla'ot], nose rings, and rings. Rabbi Eliezer says: If one fashions them in exchange for payment, it is permitted. The mishna returns to the issue of selling items to gentiles: One may not sell to a gentile any item that is attached to the ground, but one may sell such an item once it is severed from the ground. Rabbi Yehuda says: It is not necessary to sever the item from the ground; rather, one may sell it on the condition that it be severed. One may not rent a house to a gentile in Eretz Yisrael, and needless to say one may not rent fields to them, as explained in the Gemara. And in Syria one may rent houses to gentiles, but one may not rent fields. And outside of Eretz Yisrael one may sell houses and rent fields to gentiles; this is the statement of Rabbi Meir. Rabbi Yosei says: In Eretz Yisrael one may rent houses to gentiles but one may not rent fields. And in Syria one may sell houses to them and rent fields, and outside of Eretz Yisrael one may sell both these, houses, and those, fields.

1:9 Even in a place with regard to which the Sages said that it is permitted

for a Jew to rent a house to a gentile, they did not say that one may rent it for use as a residence, because the gentile will bring objects of idol worship into it, as it is stated: “You shall not bring an abomination into your house” (Deuteronomy 7:26), and this is still considered the house of a Jew. And for the same reason, in every place, one may not rent a bathhouse to a gentile, since it is called by the name of the owner, and onlookers will think that the Jew is operating it on Shabbat.

2:1 One may not keep an animal in the inns [befundekaot] of gentiles because they are suspected of bestiality. Since even gentiles are prohibited from engaging in bestiality, a Jew who places his animal there is guilty of violating the prohibition: “You shall not put a stumbling block before the blind” (Leviticus 19:14). And a woman may not seclude herself with gentiles because they are suspected of engaging in forbidden sexual relations. And any person may not seclude himself with gentiles because they are suspected of bloodshed. A Jewish woman may not deliver the child of a gentile woman, because in doing so she is delivering a child who will engage in idol worship. But one may allow a gentile woman to deliver the child of a Jewish woman. Similarly, a Jewish woman may not nurse the child of a gentile woman, but one may allow a gentile woman to nurse the child of a Jewish woman while the gentile woman is on the Jewish woman’s property.

2:2 The mishna discusses the issue of accepting certain professional services from a gentile. One may be treated by gentiles, provided that it is monetary treatment, but not personal treatment. And one may not have his hair cut by them anywhere, due to the danger that the gentile will kill him with the razor; this is the statement of Rabbi Meir. And the Rabbis say: In the public thoroughfare, it is permitted to have one’s hair cut by a gentile, but not when the Jew and gentile are alone together.

2:3 This mishna discusses the halakhic status of various items that belong to gentiles. These are items that belong to gentiles and are prohibited to Jews, and their prohibition is that of an item from which deriving benefit is prohibited: Wine, and vinegar belonging to gentiles that was originally wine, and Hadrianic earthenware, and hides with a tear opposite the heart. Rabban Shimon ben Gamliel says: A hide is prohibited only when the tear around its heart is circular, but if it is elongated it is permitted, as gentiles will sacrifice a heart only when it has been removed by a circular laceration. Meat that enters the house of idol worship is permitted, and meat that exits this house is prohibited, because it is considered as offerings to the dead, i.e., to idols; this is the statement of Rabbi Akiva. With regard to those going to a festival of idolatry [tarput], it is prohibited to engage in business with them. And with regard to those who are coming from it, it is permitted to engage in business with them.

2:4 Wineskins and jugs belonging to gentiles, which have a Jew’s wine contained in them, are prohibited to Jews, and their prohibition is that of an item from which deriving benefit is prohibited; this is the statement of Rabbi Meir. And the Rabbis say: Their prohibition is not that of an item from which deriving benefit is prohibited. Residual grape seeds and grape skins belonging to gentiles, which are left behind after the grapes are crushed for wine, are

prohibited, and their prohibition is that of an item from which deriving benefit is prohibited; this is the statement of Rabbi Meir. And the Rabbis say: Moist grape residues are prohibited, but dry residues are permitted. Fish stew [murayes] and cheese of Beit Unyaki belonging to gentiles are prohibited, and their prohibition is that of an item from which deriving benefit is prohibited. This is the statement of Rabbi Meir. And the Rabbis say: Their prohibition is not that of an item from which deriving benefit is prohibited.

2:5 Rabbi Yehuda said: Rabbi Yishmael asked Rabbi Yehoshua a series of questions while they were traveling along the road. Rabbi Yishmael said to him: For what reason did the Sages prohibit the cheeses of gentiles? Rabbi Yehoshua said to him: Because gentiles curdle cheese with the stomach contents of an unslaughtered animal carcass, and as the carcass of an unslaughtered animal is not kosher, cheese that is curdled with it is likewise prohibited. In response, Rabbi Yishmael said to him: But aren't the stomach contents of a burnt-offering subject to a more stringent prohibition than the stomach contents of an unslaughtered animal carcass? And yet they said: A priest who is open-minded [shedato yafa] with regard to what he eats may swallow [shorefah] the stomach contents of a burnt-offering while they are raw, and the other Sages did not agree with him. But the Sages said: One may not derive benefit from the stomach contents of a burnt-offering ab initio, and if one did derive benefit from them, he is not liable for misusing consecrated property.

According to both opinions, deriving benefit from the stomach contents of a burnt-offering is not prohibited by Torah law. Since the halakha with regard to a burnt-offering is more stringent than that of an animal carcass, why would deriving benefit from the carcass be prohibited, while deriving benefit from the burnt-offering is permitted? Rabbi Yehoshua said to Rabbi Yishmael: The cheese of gentiles is prohibited because they curdle it in the stomach contents of calves used for idol worship. Since it is prohibited to derive benefit from such calves, cheese curdled in their stomach contents is also prohibited. Rabbi Yishmael said to him: If that is so, why didn't the Sages prohibit deriving any benefit from the cheese, instead of merely prohibiting its consumption? Instead of answering Rabbi Yishmael, Rabbi Yehoshua diverted his attention to another matter and said to him: Yishmael, how do you read the following verse in the Song of Songs (1:2)? Do you read it as: For Your love [dodekha] is better than wine, or as: For your love [dodayikh] is better than wine? The first version, which is in the masculine form, would be a reference to God, whereas the second version, in the feminine, would be a reference to the Jewish people. Rabbi Yishmael said to him that it should be read in the feminine: For your love [dodayikh] is better than wine. Rabbi Yehoshua said to him: The matter is not so, as another verse teaches with regard to it: "Your ointments [shemanekha] have a goodly fragrance" (Song of Songs 1:3). This phrase, which appears in the next verse, is written in the masculine form, and therefore it is determined that the preceding verse can also be understood in the masculine form.

2:6 This mishna lists items belonging to gentiles which it is prohibited to consume, but from which it is permitted to derive benefit. And these are items that belong to gentiles and are prohibited, but their prohibition is not that

of an item from which deriving benefit is prohibited: Milk that was milked by a gentile and a Jew did not see him performing this action, and their bread and oil. The mishna notes that Rabbi Yehuda HaNasi and his court permitted the oil of gentiles entirely. The mishna resumes its list: And boiled and pickled vegetables, whose usual manner of preparation involves adding wine and vinegar to them, and minced tarit fish, and brine that does not have a kilbit fish floating in it, and hilak, and a sliver of hilitit, and salkondit salt (see 39b); all these are prohibited, but their prohibition is not that of item from which deriving benefit is prohibited.

2:7 And these are permitted for consumption: Milk that was milked by a gentile and a Jew watched him doing so; and honey; and grape clusters [davdevaniyyot] which, despite the fact that they are dripping juice, are not subject to the halakhot of susceptibility to ritual impurity caused by contact with that liquid; and pickled vegetables whose usual manner of preparation does not involve adding wine and vinegar to them; and tarit fish that is not minced; and brine that has fish in it; and the leaf of a hilitit plant; and rolled olive cakes [geluskaot]. Rabbi Yosei says: Override olives are prohibited. Locusts that come from a salesman's basket are prohibited, whereas those that come from the storeroom [heftek] are permitted; and likewise with regard to the portion of the produce designated for the priest [teruma], as will be explained in the Gemara.

3:1 All statues are forbidden, i.e., it is prohibited to derive benefit from them, because they are worshipped at least once a year; this is the statement of Rabbi Meir. And the Rabbis say: The only type of statue that is forbidden is any statue that has in its hand a staff, or a bird, or an orb, as these are indications that this statue is designated for idolatry. If the statue is holding a different item, it may be assumed that the statue was fashioned for ornamental purposes and not for worship. Rabban Shimon ben Gamliel says: It is prohibited to derive benefit even from any statue that has any item whatsoever in its hand.

3:2 In the case of one who finds unidentifiable fragments of statues, these are permitted, i.e., one may derive benefit from them. If one found an object in the figure of a hand or in the figure of a foot, these are forbidden, as objects similar to those are worshipped.

3:3 In the case of one who finds vessels, and upon them is a figure of the sun, a figure of the moon, or a figure of a dragon, he must take them and cast them into the Dead Sea and not derive any benefit from them, as they are assumed to be objects of idol worship. Rabban Shimon ben Gamliel says: Those figures that are upon respectable vessels are forbidden. Those that are upon disgraceful vessels are permitted. Rabbi Yosei says: When one encounters an idol, he should grind the idol and throw the dust to the wind or cast it into the sea. The Rabbis said to him: What is the good of that? That also gives a Jew benefit from the idol, as it becomes fertilizer for his crops, and deriving any kind of benefit is prohibited, as it is stated: "And nothing of the proscribed items shall cleave to your hand" (Deuteronomy 13:18).

3:4 A wise gentile, Proclus ben Plospus, once asked a question of Rabban Gamliel in the city of Akko when he was bathing in the bathhouse of the Greek

god Aphrodite. Proclus said to him: It is written in your Torah: “And nothing of the proscribed items shall cleave to your hand” (Deuteronomy 13:18). For what reason do you bathe before an idol in the bathhouse of Aphrodite? Rabban Gamliel said to him: One may not answer questions related to Torah in the bathhouse. And when he left the bathhouse, Rabban Gamliel gave him several answers. He said to him: I did not come into its domain; it came into my domain. The bathhouse existed before the statue dedicated to Aphrodite was erected. Furthermore, people do not say: Let us make a bathhouse as an adornment for Aphrodite; rather, they say: Let us make a statue of Aphrodite as an adornment for the bathhouse. Therefore, the main structure is not the Aphrodite statue, but the bathhouse. Rabban Gamliel continued: Alternatively, there is another answer: Even if people would give you a lot of money, you would not enter before your object of idol worship naked, or as one who experienced a seminal emission who comes to the bathhouse to purify himself, nor would you urinate before it. This statue stands upon the sewage pipe and all the people urinate before it. There is no prohibition in this case, as it is stated in the verse only: “Their gods” (see Deuteronomy 12:2), which indicates that a statue that people treat as a deity is forbidden, but one that people do not treat with the respect that is due to a deity is permitted.

3:5 With regard to the halakha in the case of the gentiles who worship the mountains and the hills, the mountains and hills are permitted, but what is upon them is forbidden. It is not prohibited to derive benefit from the mountains and hills themselves, and they can be used for planting, harvesting, and the like. But if gentiles coated them with gold or silver, it is prohibited to derive benefit from the coating, as it is stated: “The graven images of their gods shall you burn with fire; you shall not covet the silver or the gold that is on them, nor take it for yourself, lest you be snared by it; for it is an abomination to the Lord your God” (Deuteronomy 7:25). Rabbi Yosei HaGelili says with regard to the verse: “You shall destroy all the places where the nations that you are to dispossess served their gods, upon the high mountains, and upon the hills, and under every leafy tree” (Deuteronomy 12:2): The mitzva to destroy objects of idol worship applies to “their gods, upon the high mountains,” but not to the mountains themselves that are their gods. Similarly it applies to “their gods...upon the hills,” but not to the hills themselves that are their gods. The mishna asks: And for what reason, then, is an ashera forbidden? Doesn’t the verse also state: “And under every leafy tree,” which indicates that the mitzva to destroy objects of idol worship does not apply to the trees themselves? The mishna answers: It is because it is the product of human involvement and did not grow by itself, and the halakha is that anything that is the product of human involvement is forbidden. Rabbi Akiva says: I will explain and decide the matter before you. The verse does not indicate limitations to the halakhic definition of idols; rather, it is simply giving indicators of prevalent idolatrous practice: Everywhere that you find a high mountain, or an elevated hill, or a leafy tree, know that there is idol worship there.

3:6 In the case of one whose house was adjacent to a house of idol worship and the dividing wall fell, it is prohibited to rebuild it. What should he do? He

should withdraw into his own property four cubits and build the wall there. In talmudic times, external walls to homes were often built in two parts, with a functional space between them. If the space between the two parts of the wall belonged to him and to the house of idol worship, the area is treated as half and half with regard to withdrawing into his property before rebuilding the wall; he may build the wall four cubits from the middle of that space. The stones of the fallen wall, its wood, and its dust, transmit impurity like a creeping animal, i.e., one who touches them becomes impure like one who touches a creeping animal, as it is stated: “And you shall not bring an abomination into your house, and be accursed like it; you shall detest it [shakketz teshakketzenu], and you shall abhor it; for it is a proscribed item” (Deuteronomy 7:26). The term shakketz is used in a different form, shekketz, with regard to creeping animals. Rabbi Akiva says: Those items transmit impurity like a menstruating woman, as it is stated: “You will put them far away as a menstruating woman; you shall say to it: Go away” (Isaiah 30:22). Just as a menstruating woman transmits impurity by carrying, as one who moves a menstruating woman, even without touching her, becomes impure, so too, objects of idol worship transmit impurity by carrying.

3:7 With regard to idol worship there are three types of houses, each with its own halakhot. A house that one built initially for the purpose of idol worship is forbidden, i.e., it is prohibited to derive benefit from such a house. If one plastered a house or cemented it for the purpose of idol worship, and he thereby added a layer to the walls of the house, one removes that which he added, and the rest of the house is permitted. If one brought an object of idol worship into a house temporarily and then removed it, the house is then permitted. With regard to idol worship there are three types of stones, each with its own halakhot. A stone that one initially hewed for use in a platform [bimos] for an idol is forbidden. If one plastered a stone or cemented it for the sake of idol worship, one removes that which he plastered or cemented and the stone is permitted. If one erected an object of idol worship upon a stone and subsequently removed it, the stone is then permitted. There are three types of trees that were used as part of idolatrous rites [ashera]: A tree that one initially planted for the sake of idol worship is forbidden, and one may not derive benefit from any part of the tree. If one lopped off part of the trunk of a tree or trimmed its branches for the sake of idol worship, i.e., to worship that which would regrow there, and the tree’s trunk or limbs regrew, one removes that which has regrown and burn it. The remainder of the tree is then permitted. If one erected an object of idol worship beneath a tree and subsequently removed it, it is permitted to derive benefit from the tree. Which tree is deemed forbidden as an ashera? Any tree that has an object of idol worship beneath it. Rabbi Shimon says: Any tree that people worship. And there was an incident in Tzaidan involving a tree that people would worship, and Jews found beneath it a heap of stones. Rabbi Shimon said to them: Examine this heap of stones. And they examined it and found in it an idolatrous image. Rabbi Shimon said to them: Since it is the image that they worship, we can permit use of the tree to those who wish to derive benefit from it.

3:8 With regard to an ashera, one may not sit in its shade, but if one sat in

its shade he remains ritually pure. And one may not pass beneath it, and if one passed beneath it he is ritually impure. If the tree was robbing the public, i.e., if its branches extended over public property, and one passed beneath it, he remains pure. One may plant vegetables underneath an ashera during the rainy season, as the vegetables do not benefit from its shade; on the contrary, the tree's foliage prevents the vegetables from being properly irrigated by the rain. But one may not plant vegetables under an ashera during the summer, as the shade benefits them. And lettuce may not be planted there at all, neither in the summer nor in the rainy season, because shade is always beneficial to lettuce. Rabbi Yosei says: One may not plant vegetables under an ashera even during the rainy season, because the tree's foliage [shehaneviyya] falls upon them and serves as fertilizer for them.

3:9 If one took wood from an ashera, it is prohibited to derive benefit from it. In a case where one kindled a fire in an oven with the wood, if it is a new oven and by kindling the fire he hardened the oven and made it stronger for use in the future, then the oven must be shattered. Since forbidden items were used in the process of forming the oven, one may not derive benefit from the use of the forbidden items. But if it is an old oven it may be cooled; it is prohibited to use the oven only while it is still hot. If one baked bread with wood from the ashera as the fuel, it is prohibited to derive benefit from the bread. If this bread was intermingled with other bread, it is prohibited to derive benefit from all the bread. Rabbi Eliezer says: One must take the benefit and cast it into the Dead Sea. In other words, one is not required to destroy all of the loaves. Instead, one should designate money equal in value to the wood that he used from the ashera, and he should destroy this money to offset the benefit he derived from the forbidden wood. The Rabbis said to him: There is no monetary redemption for objects that are forbidden due to idol worship. Once the bread becomes forbidden, it cannot be redeemed by having the value of the forbidden wood cast into the Dead Sea. If one took wood from an ashera for use as a weaving shuttle [karkor], it is prohibited to derive benefit from it. If one wove a garment with it, it is prohibited to derive benefit from the garment. If the garment was intermingled with other garments, and those other garments were intermingled with others, it is prohibited to derive benefit from all of them. Rabbi Eliezer says: One must take the benefit and cast it into the Dead Sea. The Rabbis said to him: There is no monetary redemption for objects that are forbidden due to idol worship.

3:10 How does one revoke the idolatrous status of an ashera? If a gentile trimmed dry wood or pruned green wood from the tree for his own benefit, or if he removed from it a stick, or a rod, or even a leaf, he has thereby revoked its idolatrous status, as he has proven that he no longer worships it. If a gentile shaved down the tree for its own sake, to improve its appearance, it remains prohibited to derive benefit from it. If he shaved it down not for its own sake, it is permitted.

4:1 Rabbi Yishmael says: Three stones that are adjacent to each other at the side of Mercury [Markulis] are prohibited, as that idol was worshipped by tossing stones toward it, which then became part of the idol. But if there are only two stones, then they are permitted. And the Rabbis say: Those stones that

are adjacent to Mercury and appear to have fallen from it are prohibited. But those stones that are not adjacent to it are permitted.

4:2 If one found money, a garment, or vessels at the head of Mercury, these are permitted. If one found vine branches laden with clusters of grapes, or wreaths made of stalks, or containers of wine, oil, or flour, or any other item the likes of which is sacrificed on the altar there, it is prohibited.

4:3 In the case of an object of idol worship that had a garden or a bathhouse, one may derive benefit from them when it is not to the advantage of the idol worship, i.e., when he does not pay for his use, but one may not derive benefit from them when it is to their advantage, i.e., if one is required to pay for his use. If the garden or bathhouse belonged jointly to the place of idol worship and to others, one may derive benefit from them, both when it is to their advantage and when it is not to their advantage.

4:4 A gentile's object of idol worship is prohibited immediately, i.e., as soon as it is fashioned for that purpose, but a Jew's object of idol worship is not prohibited until it is actually worshipped. A gentile can revoke the status of his object of idol worship and the status of the idol of another gentile, but a Jew cannot revoke the status of the object of idol worship of a gentile. One who revokes the status of an object of idol worship thereby revokes the status of its accessories. But if he revokes the status of its accessories, its accessories alone are rendered permitted, but the object of idol worship itself remains prohibited.

4:5 How does a gentile revoke the status of an object of idol worship? If he cut off the tip of its ear, or the tip of its nose, or its fingertip; or if he crushed it, even though he did not remove any part of it, in all these cases he thereby revoked its status as an object of idol worship. If he spat before the idol, urinated before it, dragged it on the ground, or threw excrement at it, the status of this idol is not revoked, as this is only a temporary display of scorn, and afterward the gentile might continue to worship the idol. If the gentile sold it or mortgaged it, Rabbi Yehuda HaNasi says: He thereby revoked its status. And the Rabbis say that he did not revoke its status.

4:6 With regard to an object of idol worship that was abandoned by its worshippers, if it was abandoned in peacetime, it is permitted, as it was evidently abandoned by choice and this constitutes an implicit revocation of its status as an object of idol worship. If it was abandoned in wartime, it is prohibited, as it was not abandoned by choice. With regard to the stone platforms of kings upon which idols are placed in honor of the kings, these are permitted, due to the fact that the idol is placed on these platforms only at the time that the kings pass by.

4:7 The gentiles asked the Jewish Sages who were in Rome: If it is not God's will that people should engage in idol worship, why does He not eliminate it? The Sages said to them: Were people worshipping only objects for which the world has no need, He would eliminate it. But they worship the sun and the moon and the stars and the constellations. Should He destroy His world because of the fools? The gentiles said to the Sages: If so, let Him destroy those objects of idol worship for which the world has no need and leave those objects for which the world has a need. The Sages said to them: If that were to happen, we

would thereby be supporting the worshippers of those objects for which the world has need, as they would say: You should know that these are truly gods, as they were not eliminated from the world, whereas the others were eliminated.

4:8 One may purchase from a gentile a winepress in which the grapes have been trodden on, despite the fact that the gentile takes grapes in his hand from the winepress and places them on the pile that remains to be trodden on. And the gentile's touch does not render the juice of the grapes wine used for a libation in idol worship, which is forbidden, until it descends into the collection vat, because until then it does not have the status of wine. Once the wine descended into the collection vat, that which is in the vat is prohibited, and the rest, which did not yet descend into the vat, is permitted.

4:9 One may tread on grapes together with the gentile in the winepress, but one may not harvest grapes with him. After the harvest the grapes are brought to the winepress, which is ritually impure. This would render the grapes impure, and it is prohibited to render produce of Eretz Yisrael impure. In the case of a Jew who produces his wine in a state of ritual impurity, one may not tread on grapes nor harvest them with him, as it is prohibited to assist transgressors. But once he has produced his wine, one may take the barrels to the winepress with him, as the wine is already impure. And one may also bring the barrels from the winepress together with him. Similarly, in the case of a baker who makes his bread in a state of ritual impurity, one may not knead or arrange the dough in the shape of bread together with him, so as not to assist in a transgression. But one may take the bread with him to the bread merchant [lapalter].

4:10 In the case of a gentile who was found standing next to the wine collection vat, if there is a loan owed by the owner of the wine vat to the gentile, the wine is prohibited. Since the gentile maintains that he has a right to the owner's property he has no compunctions about touching the wine. But if there is no loan owed by the owner of the wine vat to the gentile, the wine is permitted, as it is assumed that the gentile did not touch the wine that was not his. If a gentile fell into the wine collection vat and emerged from it, or if he measured the wine in the winepress with a pole without touching it with his hands, or if he cast a hornet out of the wine by means of a pole and the pole touched the wine, or where the gentile was removing the foam that was on the top of a fermenting barrel of wine; with regard to all these cases there was such an incident. And the Sages said that the wine may be sold to gentiles, as it is permitted to derive benefit from the wine, but not to drink it. And Rabbi Shimon deems the wine permitted even for drinking. In a case where a gentile took the barrel of wine and threw it, in his anger, into the wine collection vat, this was an incident that occurred and the Sages deemed the wine fit for drinking.

4:11 In the case of a Jew who renders the wine of a gentile permitted by treading the gentile's grapes so that the wine can be sold to Jews, and although a Jew has not yet paid for the wine he then places the wine in the gentile's domain in a house that is open to a public thoroughfare until he sells it, the halakha depends on the circumstances. If this occurs in a city in which there are both gentiles and Jews, the wine is permitted, as the gentile

does not touch the wine lest the Jews see him doing so. If this occurs in a city in which all its inhabitants are gentiles, the wine is prohibited unless a Jew sits and safeguards the wine. But the watchman is not required to sit and guard the wine constantly; even if he frequently leaves the place and comes in again later, the wine is permitted. Rabbi Shimon ben Elazar says: The domain of gentiles is all one, as the Gemara will explain.

4:12 In the case of a Jew who renders the wine of a gentile permitted by treading the gentile's grapes so that the wine can be sold to Jews, and he then places the wine in the gentile's domain until he sells it, the halakha depends on the circumstances. If that one, the gentile, writes for the Jew: I received money from you in payment for the wine, even though he did not yet receive the actual payment, the wine is permitted. This is because the wine is considered the Jew's property and the gentile does not venture to touch it. But if the Jew desires to remove the wine and the gentile does not allow him to do so until the Jew gives him the money due to him, this was an incident that occurred in Beit She'an and the Sages deemed the wine prohibited. In this case the gentile believes that he has a lien upon the wine, and therefore he has no compunctions about touching it.

5:1 In the case of a gentile who hires a Jewish laborer to work with wine used for an idolatrous libation with him, his wage is forbidden, i.e., it is prohibited for the Jew to derive benefit from his wage. If the gentile hired him to do other work with him, even if he said to him while he was working with him: Transport the barrel of wine used for a libation for me from this place to that place, his wage is permitted, i.e., the Jew is permitted to derive benefit from the money. With regard to a gentile who rents a Jew's donkey to carry wine used for a libation on it, its rental fee is forbidden. If he rented it to sit on it, even if a gentile placed his jug of wine used for a libation on it, its rental fee is permitted.

5:2 In the case of wine used for a libation that fell on grapes, one rinses them and they are permitted. But if the grapes were cracked, they are forbidden. In a case where the wine fell on figs or on dates, if there is sufficient wine in them to impart flavor, they are forbidden. And there was an incident involving Boethus ben Zunen, who transported dried figs in a ship, and a barrel of wine used for a libation broke and fell on them, and he asked the Sages as to the halakha, and the Sages deemed the figs permitted. This is the principle: Anything that benefits from a forbidden item imparting flavor to it, i.e., the forbidden item contributes a positive taste to it, is forbidden, and anything that does not benefit from a forbidden item imparting flavor to it is permitted, such as forbidden vinegar that fell onto split beans, as the flavor imparted by the vinegar does not enhance the taste of the beans.

5:3 With regard to a gentile who was transporting barrels of wine from one place to another place together with a Jew, if the wine was under the presumption of being supervised, it is permitted. But if the Jew notified him that he was going far away, the wine is forbidden if the Jew left for a sufficient amount of time for the gentile to bore a hole [sheyishtom] in the barrel, seal it again with plaster, and for the plaster to dry. Rabban Shimon ben Gamliel says: The wine is forbidden only if it was sufficient time for the

gentile to open the barrel by removing the stopper altogether, stop it again by making a new stopper, and for the new stopper to dry.

5:4 With regard to one who placed his wine in a wagon or on a ship with a gentile, and went on his way by a shortcut [bekappendarya], such that the gentile does not know when the Jew will encounter him, even if the Jew entered the city and bathed, the wine is permitted, because the gentile would not use the wine for a libation, for fear the owner might catch him at it. If the Jew informed the gentile that he was going away for a long period of time, the wine is forbidden if it was sufficient time for the gentile to bore a hole in the barrel, seal it again with plaster, and for the plaster to dry. Rabban Shimon ben Gamliel says: It is forbidden only if it was sufficient time for him to open the barrel by removing the stopper altogether, stop it again, and for the new stopper to dry. With regard to one who left a gentile in his shop, even if the Jew went out and came in and was not there all the time, the wine is permitted. But if the Jew informed the gentile that he was going away for a long period of time, the wine is forbidden if it was sufficient time for the gentile to bore a hole in the barrel, seal it again with plaster, and for the plaster to dry. Rabban Shimon ben Gamliel says: The wine is forbidden only if it was sufficient time for him to open the barrel, stop it again, and for the new stopper to dry.

5:5 If a Jew was eating with a gentile at the table, and left jugs [luginin] of wine on the table and a jug on the side table [hadulebaki], and he left it and went out, what is on the table is forbidden, as it is likely that the gentile handled it, whereas what is on the side table is permitted. But if the Jew said to the gentile: Mix water with the wine and drink, even the jug that is on the side table is forbidden. Similarly, open barrels are forbidden, but sealed barrels are permitted unless the Jew was out of the room for sufficient time for the gentile to open the barrel by removing the stopper, and stop it again by making a new stopper, and for the new stopper to dry.

5:6 In the case of a military unit [boleshet] that entered a city, if it entered during peacetime, then after the soldiers leave the open barrels of wine are forbidden, but the sealed barrels are permitted. If the unit entered in wartime, both these barrels and those barrels are permitted, because in wartime there is no time to pour wine for libations, and one can be certain that the soldiers did not do so.

5:7 With regard to Jewish craftsmen to whom a gentile sent a barrel of wine used for a libation in lieu of their wage, it is permitted for them to say to him: Give us its monetary value instead. But once it has entered into their possession, it is prohibited for them to say so, as that would be tantamount to selling the wine to the gentile and deriving benefit from it. In the case of a Jew who sells his wine to a gentile, if he fixed a price before he measured the wine into the gentile's vessel, deriving benefit from the money paid for the wine is permitted. It is not tantamount to selling wine used for a libation, as the gentile purchased the wine before it became forbidden, and the money already belonged to the Jew. But if the Jew measured the wine into the gentile's vessel, thereby rendering it forbidden, before he fixed a price, the money paid for the wine is forbidden. In a case where a Jew took a funnel

and measured wine into a gentile's jug, and then measured wine with the same funnel into a Jew's jug, if there is a remnant of wine left in the funnel, the wine measured into the Jew's jug is forbidden, as some of the wine that was measured into the gentile's jug is mixed in it. In the case of one who pours wine from one vessel into another vessel, the wine left in the vessel from which he poured is permitted, but the wine in the vessel into which he poured is forbidden.

5:8 Wine used for a libation is forbidden, and any amount of it renders other wine forbidden if they are mixed together. Wine used for a libation that became mixed with wine, or water that was used for an idolatrous libation that became mixed with ordinary water, renders the mixture forbidden with any amount of the forbidden wine or water; but wine used for a libation that became mixed with water, or water used for a libation that became mixed with wine renders the mixture forbidden only if the forbidden liquid is sufficient to impart flavor to the mixture, i.e., for the wine to flavor the water or for the water to dilute the wine to an extent that can be tasted. This is the principle: A substance in contact with the same type of substance renders the mixture forbidden with any amount of the forbidden substance, but a substance in contact with a different type of substance renders the mixture forbidden only in a case where it imparts flavor to it.

5:9 These following items are themselves forbidden, and any amount of them renders other items with which they become mixed forbidden: Wine used for a libation; and objects of idol worship; and hides with a tear opposite the heart, indicating the idolatrous practice of sacrificing hearts of live animals. And this halakha also applies to an ox that has been condemned to be stoned (see Exodus 21:28), from which it is prohibited to derive benefit even before its sentence is carried out; and it applies to a heifer whose neck is broken when a person is found killed in an area between two cities and the murderer is unknown (see Deuteronomy 21:1–9), which is likewise forbidden from the time it is taken down to the river to be killed. In these cases, if the animal becomes mixed in a herd of similar animals, all of the animals in the herd are forbidden. And this halakha also applies to birds designated for the purification of a leper (Leviticus 14:1–6), and the shorn hair of a nazirite (Numbers 6:18), and a firstborn donkey (Exodus 13:13), and meat that was cooked in milk (Exodus 23:19), and the scape-goat of Yom Kippur (Leviticus 16:7–10), and the meat of a non-sacred animal that was slaughtered in the Temple courtyard. All of these are forbidden themselves, and any amount of them renders a mixture forbidden.

5:10 In the case of wine used for a libation that fell into a wine cistern, it is prohibited to derive benefit from all of the wine in the cistern, even if the volume of the wine used for a libation was tiny in comparison to the volume of the wine in the cistern. Rabban Shimon ben Gamliel says: All of the wine in the cistern may be sold to a gentile, and the money paid for it is permitted except for the value of the wine used for a libation that is included in it.

5:11 In the case of a stone winepress that a gentile lined with pitch and then poured wine onto the pitch to neutralize its flavor, one may cleanse it and it is pure, i.e., wine pressed in it is permitted. And if the winepress is

fashioned of wood, Rabbi Yehuda HaNasi says: One may cleanse it, but the Rabbis say: One must peel off the pitch completely. And if the winepress is of earthenware, even if one peeled off the pitch, this press is forbidden.

5:12 One who purchases cooking utensils from the gentiles must prepare them for use by Jews in the following manner: With regard to those utensils whose manner of preparation is to immerse them in a ritual bath, as they require no further preparation, he must immerse them accordingly. With regard to those utensils whose manner of preparation is to purge them with boiling water, as those utensils are used with boiling water, e.g., pots, he must purge them accordingly. With regard to those whose manner of preparation is to heat until white-hot in the fire, as they are used for grilling, he must heat them until white-hot in the fire. Therefore, with regard to the spit [hashappud] and the grill [veha'askela], he must heat them until white-hot in the fire. With regard to the knife, he must polish it and it is rendered pure.

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