The chapter's two sections, M. 2:1-3 and M. 2:4-6, detail rules governing the designation of produce found in one batch as heave-offering on behalf of produce located in a different batch. This is to say that M. does not expect the householder to separate heave-offering individually from each discrete quantity of produce in his possession. Within certain limitations he may, rather, use a single batch of produce as a source for the heave-offering required of all of his produce. These limitations are articulated at M. 2:4A-B, F-G+H, and are repeated as a "general principle" at M. 2:6Q+R-T. They are: 1) heave-offering may not be separated from one genus of produce on behalf of produce of a different genus, e.g., from olives for grapes; and 2) if the householder owns different species within the same genus of produce, heave-offering should be separated from the species which is of higher quality. These statements, found at M. 2:4-6, are prefaced, at M. 2:1-3, with essentially derivative materials dealing with the separation of heave-offering from clean produce on behalf of unclean produce and vice versa. By placing these secondary materials first, the redactor is able to leave M. 2:6Q-T's well articulated general principle as a fitting conclusion to this chapter and to M.'s first larger thematic unit. Let us now examine the significance of the two central notions of this chapter.

The rule that heave-offering may not be separated from produce of one genus on behalf of another is an expression of M.'s insistence that distinct kinds of produce be kept apart from one another. In separating heave-offering, man may not violate the taxonomic categories established by God at the time of creation. Even post facto, heave-offering separated from produce of one genus on behalf of produce of a different genus is not valid. Both the produce for which heave-offering was separated and that which was designated heave-offering retain the status of untithed, unconsecrated food.

The rule that heave-offering is separated from the choicest of the individual's produce is first expressed by Judah, M. 2:4H. This view prevails at M. 2:4K-L and M. 2:5-6, in opposition to the anonymous opinion of M. 2:4F-G. That rule distinguishes between cases in which produce separated as heave-offering will immediately be given to a priest, and those in which it will be some time
before the priest will receive his portion. The claim is that only in the former case must heave-offering be separated from produce of the highest quality. If, however, it will be some time before the heave-offering will be given to the priest, it should be separated from whichever produce is not likely to spoil. This ensures that the priest will be able to eat his offering. Since it is clear from Judah's opinion that he does not share this concern, it follows that before us are two different notions of the obligation to separate heave-offering. Judah's concern seems to be that the individual designate as heave-offering that portion of the produce which is most susceptible to sanctification. This is the part of the produce which is of the highest quality. Without regard to the priest, therefore, the householder separates heave-offering from the best of his produce. The anonymous opinion, on the other hand, regards consumption of heave-offering by the priest as an integral facet of the valid separation of heave-offering. While this opinion agrees that if possible the priest should be given quality produce, it holds that this is secondary to the more important consideration of the priest's receiving heave-offering which he will, in fact, be able to eat.

As in Chapter One, M. supplies few attributions. While Eliezer (b. Hyrcanus)\(^2\) (M. 2:1J) attests to Yavneh the law of the separation of clean produce as heave-offering for unclean produce, it is clear that this issue, as well as the others in Chapter Two, were still under debate in Ushan times. As I have noted, for instance, the rule regarding the separation of heave-offering from produce of better quality on behalf of produce of worse quality is attributed to Judah (M. 2:4H). T. adds further evidence that this chapter's issues were still under debate at Usha. Specific attributions are to 'Ila'i (in dispute with sages, T. 3:18H-L), and Nehemiah (T. 3:19E), who disputes the rules of M. 2:2K-L. While Isaac (T. 2:5) cites a Houses dispute on an issue secondary to the separation of heave-offering from different species of a single genus of produce, this same issue is raised by Simeon b. Gamaliel (and Ishmael), T. 4:1b-2, and by Judah and Simeon b. Gamaliel, T. 4:3-4. It therefore appears that while the major issues under discussion here may date back to Eliezer, it is unlikely that they originate with the Houses. In all events the bulk of the law was still being worked out at Usha.

2:1-3

A. They may not separate heave-offering from that [produce] which is clean for that which is unclean.
B. But if they separated heave-offering [in that manner], that which they have separated is [valid] heave-offering.

C. However, (O¹, B, G¹, G³, G⁴, G⁵, G⁷, Ca, C, Pa, L, M, O², S, P, Z, K, Sa read б'мт; printed edition: б'мт 'мрв) :

D. [as regards] a circle of pressed figs, a portion of which became unclean—

E. he separates heave-offering from the clean [produce] which is in it for the unclean [produce] which is in it;

F. and so [in the case of] a bunch of greens;

G. and so [in the case of] a heap [of produce].

H. [If] there were two circles [of pressed figs], two bunches [of greens], two heaps [of produce], one of which was unclean and one of which was clean—

I. he may not separate heave-offering from one for the other.

J. R. Eliezer says, "They separate heave-offering from that which is clean for that which is unclean."

M. 2:1 (See M. Hal. 1:9, T. Bik. 1:6; C-D: see T. T.Y. 2:12)

K. They do not separate heave-offering from that [produce] which is unclean for that which is clean.

L. And if he separated heave-offering [in that manner]—

M. [if he did it] unintentionally, that which he has separated is [valid] heave-offering;

N. [but if he did it] intentionally, he has not done anything (ל' ד'ח ק'למ).

O. And so [in the case of] a Levite (בנ לוי) who had [unclean (TYY, MR, Albeck) first] tithe from which heave-offering [of the tithe] had not been separated. [If he] was removing from it [heave-offering of the tithe for other clean first tithe which he possessed (TYY, MR, Albeck)] (ה'ח מ'פ'ר י'ד לוי וה'למ) —

P. [if he did this] unintentionally, that which he has done is done [and valid];

Q. [but if he did it] intentionally, he has not done anything.

R. R. Judah says, "If he knew about it [i.e., knew that the produce was unclean] from the beginning, even though [he forgot and his later actions were] unintentional, he has not done anything."
I. S. One who immerses [unclean] utensils on the Sabbath—
T. [if he does so] unintentionally, he may use them;
U. [but if he does so] intentionally, he may not use
them.

II. V. One who tithes [his produce], or who cooks on the
Sabbath—
W. [if he does so] unintentionally, he may eat [the
food he has prepared];
X. [but if he does so] intentionally, he may not eat
[the food].

III. Y. One who plants [a tree] on the Sabbath—
Z. [if he does so] unintentionally, he may leave it
[to grow] (yqyyem);
AA. [but if he does so] intentionally, he must uproot
[it].

BB. But in the seventh year [of the sabbatical cycle],
whether [he has planted the tree] unintentionally or in-
tentionally, he must uproot it.

The central issue here is the validity of heave-offering
separated from clean produce on behalf of unclean produce and vice
versa. The pericope's primary elements are the contrasting rules
M. 2:1A-B and M. 2:2K-N. C-I is interpolated. This is clear
since however, C, is formulaic joining language, indicating a case
which does not follow a foregoing general rule. D-I, moreover,
separates Eliezer's opinion, J, from A-B, with which Eliezer dis-
putes. O-Q, likewise, is secondary to K-N. Both of these cases
are glossed by Judah, R. M. 2:3, finally, is substantively auto-
nomous of this tractate, redacted here because its three cases make
the same point as is made by M-N and O-P.

We begin by concentrating on those elements of the pericope
which I have judged to be primary, A-B and K-N. They state that
heave-offering may not be separated from clean produce for that
which is unclean (A), or from unclean produce for that which is
clean (K). As regards the validity of heave-offering separated in these ways, B holds that *post facto* clean produce separated as heave-offering for what is unclean is valid. M-N holds that produce separated as heave-offering from unclean produce on behalf of clean produce may or may not be valid, depending on the prior intention of the individual who separated it. As we presently shall see, with one exception, these laws may fully be understood on the basis of the general principle offered at M. 2:6S-T for the separation of heave-offering from one species of produce for produce of a different species within its same genus. According to this paradigm a householder who has more than one species within the same genus should separate heave-offering from the species which is the choicest. If he separates heave-offering from produce which is less choice for produce which is more choice, however, the separation is considered valid. It is clear, first, that clean produce is comparable to produce of better quality. When designated heave-offering and given to a priest, such produce may be eaten by the priest. This is not the case for unclean produce, which the priest may not use. He must, rather, let it rot. 4 In light of these facts, A, which states that clean produce may not be separated as heave-offering for unclean produce is problematic. It contradicts the paradigmatic rule I just have outlined and is not, of itself, logical. 5 Contrary to A, we should expect that a householder who has both clean and unclean produce should separate heave-offering from that produce which is clean, thereby providing the priest with heave-offering which he may eat. This, in fact, is exactly the point which Eliezer makes at J. I therefore find it impossible to determine either the reason for the rule of A, or its force within M.'s larger corpus of law. That A is anomalous is further emphasized by the rule at B, which gives the ruling which our understanding of the laws of the separation of heave-offering leads us to expect. In stating that *post facto* a separation of clean produce as heave-offering for unclean produce is valid, it follows the expected paradigm for the separation of heave-offering from one batch of produce on behalf of another.

K is consistent with the rule that heave-offering should not be separated from produce of worse quality for produce of better quality. *De jure* heave-offering should not be separated from produce which is unclean for produce which is clean. The status of such a separation of heave-offering *post facto* is complicated by the fact that, as I have stated, a priest may not eat unclean
heave-offering. The householder who separates heave-offering from unclean produce for clean produce does not simply give the priest produce which is of low quality. Rather, he prevents him from eating his portion altogether. Accordingly M. does not rule, as it normally does in cases in which heave-offering is separated from produce of low quality for produce of better quality, that post facto the separation is valid. Instead it holds that each case is judged in light of the original intention of the person who separated the heave-offering. If he purposely separated heave-offering in such a way as to prevent the priest from receiving edible produce, his separation is not valid (N). By separating heave-offering from produce which is of no use to the priest, the householder indicates that he did not perform the separation with proper intention. If, on the other hand, the householder was not aware that the produce from which he separated heave-offering was unclean, we cannot argue that he performed the separation with improper intention. In such a case the separation, performed with proper intention, is deemed valid (M).

We may now turn to the interpolation at C-I and to J, Eliezer's dispute with A. According to C-I the injunction against separating clean produce as heave-offering for unclean produce applies only in a case in which the clean and unclean produce are located in different batches. If, however, there is both clean and unclean produce in a single batch, even de jure, clean produce may be separated as heave-offering for all of the food. This rule takes into account the fact that heave-offering normally is separated from a single batch of produce for that same batch. A householder who separates heave-offering in that way need not divide the produce into individual portions. As long as he separates heave-offering from that which is clean and which, therefore, may be eaten by a priest, his separation is considered valid de jure (D-G). H-I is obvious. It restates A, using as examples the specific kinds of produce mentioned at D-G. Eliezer, J, rejects completely the notion that clean produce may not be separated as heave-offering for unclean produce. He would hold that clean and unclean produce simply should be categorized as produce of better and worse quality, and so follows the general principle which states that heave-offering should be separated from the better of the householder's produce.

The Levite's responsibility in separating heave-offering of the tithe, O-Q, is the same as that of the householder who separates heave-offering. Like the individual at K-N, the Levite may not purposely separate unclean first tithe as heave-offering of
the tithe for clean first tithe (Q). If he does so unintentionally, however, his separation is deemed valid (P). Judah, R, holds that only if the householder or Levite had no prior knowledge that the produce was unclean may that produce be considered valid heave-offering for clean produce. The point is that once the individual is aware that his produce is unclean, even if he claims to have forgotten, his subsequent actions in separating heave-offering from that produce cannot be considered unintentional.

In each of M. 2:3's cases, the householder infringes upon the restrictions of the Sabbath by performing a forbidden type of work. As at L-M and P-Q we rule that if he has acted unintentionally, he may derive benefit from his actions. This rule is qualified only in the case in which the individual simultaneously breaks the law of the Sabbath and of the seventh year of the sabbatical cycle. Since in that case the continued growth of the tree impinges upon the restrictions of the seventh year, the householder is required to uproot it (BB).

E. R. Eliezer says, "They separate heave-offering from that which is clean for that which is unclean" [= M. 2:1J].

F. Said R. Eliezer, "N\textsuperscript{2}h w- There was a fire on the threshing floors of Kepar Signa', and [afterwards] they separated heave-offering from that which was clean for that which was unclean."

G. They said to him, "Is that evidence? Rather, they separated heave-offering from each [type, clean or unclean] for its own [type] (tm\textsuperscript{5}m \textit{mhn} \textit{Cyhnh})."

H. R. 'Il\textsuperscript{a}i says in the name of R. Eliezer, "They separate heave-offering from that which is clean for that which is unclean even in [the case of] wet [produce]."

I. "How so?"

J. "One who pickled his olives in a state of uncleanliness and wished to separate heave-offering from them in cleanness, brings a funnel the [smaller] opening of which does not hold an egg's bulk, and rests it in the opening of the jug [of pickled olives]. (w-) He brings [clean] olives and places them in it [i.e., in the funnel] and separates heave-offering [from these clean olives for the unclean olives in the jug].

K. "The result (nms') is that he separates heave-offering from that which is clean for that which is unclean, and separates from a single batch (mn h\textit{hmwp}) [as required by M. 2:1D-E]."
L. They said to him, "Only in the case of wine and oil is the term wet applicable [and since the method you suggest will not work in the case of either of these things, you have not offered support for the rule of H]."

T. 3:18b (H-L: y. Hal. 4:1)

Eliezer, F, adduces a precedent in support of this opinion of M. 2:1J. In the course of a fire at Kepar Signa' most of the wheat on the threshing floor was made unclean. Eliezer claims that in the aftermath of that fire clean produce was separated as heave-offering for the rest of the unclean produce. Sages, G, reply that this is not what occurred. They state that heave-offering was separated from unclean produce for unclean produce and from clean produce for clean produce (MB, HY). Such separations of heave-offering are valid.

'11Ca'i, J-K, understands Eliezer's view to be simply that heave-offering may be separated from clean produce for unclean produce within a single batch (= M. 2:1C-I). He offers in Eliezer's name a means by which produce which is wet, and therefore susceptible to uncleanness, can be made into a single batch with unclean produce. Under normal circumstances such a procedure would cause the clean produce itself to be contaminated. Eliezer suggests using a funnel to avoid this problem. Keeping the point of contact between the clean and unclean produce to less than an egg's bulk prevents the transfer of uncleanness, yet creates a single batch within which clean produce may be separated as heave-offering for unclean produce. Sages (I) hold that the term wet applies only to liquids, wine and oil. Since the procedure outlined at J will not facilitate the creation of a single batch from clean and unclean quantities of these things, the example, they hold, does not support the rule of H.

A. R. Yose says, "One who separates heave-offering from that which is unclean for that which is clean [see M. 2:2K], whether [he does so] unintentionally or intentionally--" that which he has separated is [valid] heave-offering."

B. Said R. Yose, "How is this one different from (add with E through tithe at C:) one who separates heave-offering from that which is of low quality for that which is of high quality [a separation which M. 2:6T holds is valid post facto]?"

C. They remove heave-offering of the tithe (so V, E;
ed. princ. reads: \( \text{trwmwt \ wm}^2\text{g} \text{rw}t \) (1) from that which is un­

(2) and from that which is clean for that which is clean,

(3) and from that which is clean for that which is un­

D. But [they do] not [remove it] from that which is un­

E. R. Nehemia says, "They do not remove [heave-offer­

F. They said to him, "Lo, it [i.e., Scripture] says,

T. 3:19 (y. Ter. 2:1; C-E

b. B.Q. 115b)

T. is composed of two autonomous units, A-B, supplementary to

M. 2:2K-N, and C-D+E-F, which complements M. 2:2/0-Q. Yose, A,

rej ects M.'s claim that if a householder intentionally separates

unclean produce as heave-offering for clean produce, his sepa­

ration is not valid. Like Eliezer, M. 2:1J, he holds that clean

and unclean produce are equivalent to produce of better and worse

quality (B). Just as a separation of produce which is less choice

as heave-offering for better produce is valid, so heave-offering

separated from unclean produce on behalf of clean produce must be

considered valid.

The point of C-D is straightforward. The Levite may not un­

ecessarily give the priest unclean heave-offering of the tithe

(D). This agrees with M. 2:2/0. Nehemiah (E) rejects the notion

of C1, that heave-offering of the tithe normally may be separated

from unclean first tithe on behalf of other unclean first tithe.

He claims that this may be done only in the case of produce which

may already have been tithed. Nehemiah, then, holds that except

in a case in which the priest may already have received his share,

he must be given as heave-offering of the tithe clean, and there­

fore edible, produce. Sages, F, quote Scripture as evidence
against this view. The offering to the Lord—heave-offering of the tithe—is to be separated from it, that is, from any produce which the Levite comes to possess, even if it is unclean.

A. One who separates heave-offering, and one who removes tithes on the Sabbath, whether [he does so] unintentionally or intentionally--

B. (T. Shab. 3:9 adds:) that which he has separated is [valid] heave-offering and

C. the tithes he has removed are [valid] tithes.

D. One who immerses [unclean] utensils on the Sabbath, whether [he does so] unintentionally or intentionally--

E. [the utensils] are counted to him as having been immersed ("lv lv ydy tbyln) [cf., M. 2:3].

T. 4:1a (T. Shab. 3:9-10)

T. supplements the law of M. 2:3, which states that an individual who purposely transgresses the laws of the Sabbath may not derive benefit from his actions. T. states that however this may be, his actions in removing the tithes from his produce or in purifying unclean utensils are effective. The individual's actions in performing these rituals are viewed as autonomous of the context in which he performed them. His intentions to perform the rituals alone is central.

2:4-6

A. They may not separate heave-offering from [produce of one] kind for [produce] which is not of its same kind.

B. And if he separated heave-offering [in this way]--that which he has separated is not [valid] heave-offering.

C. All kinds of wheat are [considered] one [species];

D. all kinds of figs, dried figs and [circles of] pressed figs are [considered] one [species]--

E. so (ω) he separates heave-offering from one [kind of wheat, or figs] for another [kind].

F. Wherever (kl mqw) there is a priest [to receive the heave-offering at once],

[the householder] separates heave-offering from the choicest [produce] (hph).

G. Wherever there is not a priest [to receive the heave-offering immediately],

he separates heave-offering from that which keeps (hmtqyywm).
H. R. Judah says, "He always should separate heave-offering from the choicest [produce]."

M. 2:4 (A-B: b. Bek. 53b, b. Tem. 5a, see M. M.S. 5:11, Sifré Bammidbar 120, Sifré Zutta, Qorah, 18:26; F-H: b. Ber. 39b; F-G: b. Men. 55a)

I. They separate a whole small onion as heave-offering [for other produce], but not half of a large onion.

J. R. Judah says, "No, rather, they separate half of a large onion as heave-offering [for other produce]."

K. And so would R. Judah say, "They separate onions from large towns (mbny ḥmdynh) as heave-offering for [onions] from villages, but not [onions] from villages [as heave-offering] for [onions] from large towns,

L. "since they [i.e., the onions grown in large towns (TYY)] are the food of city-people (pwlytyqyn, Jastrow, p. 1140) [and therefore of higher quality]."

M. 2:5 (I-J: b. Ber. 39b)

M. And (B, G, Ca, Z, Sa, M, O², lack ө) they separate olives for oil as heave-offering for olives for pickling;

N. but not olives for pickling [as heave-offering] for olives for oil.

O. And [they separate] wine which has not been boiled [as heave-offering] for that which has been boiled;

P. but not that which has been boiled [as heave-offering] for that which has not been boiled.

Q. This is the general principle:

R. [in the case of] any [produce] which is a distinct kind (kl'ym) in relation to another [type of produce]--

he may not separate heave-offering from one for the other, even from the chooser [as heave-offering] for the less choice.

S. But [in the case of] any [produce] which is not a distinct kind in relation to other [produce]--

he separates heave-offering from the chooser for the less choice, but not from the less choice for the chooser.

T. But if he separated heave-offering from the less choice for the chooser--

that which he has separated is [valid] heave-offering.

U. Except in the case of rye-grass (znwnyn) [separated as heave-offering] for wheat,
In the pericopae before us, two distinct legal issues are introduced and, at Q+R-T, assimilated into a single statement of law. The first of these issues involves the separation of heave-offering from one genus of produce for another, distinct genus (A-B). The second deals with the separation of heave-offering from produce of one type on behalf of produce of a different type, but within the same genus. This problem is introduced at C-E, and is further articulated in the dispute between Judah and sages, G+H (+I-J). It is Judah’s view which dominates at K-L and which is expressed in the general principle at R-T.

Heave-offering may not be separated from produce of one kind on behalf of produce of a distinct kind (A). Doing so would violate the taxonomic categories established by God himself at the time of creation (Gen. 1:11-12). Even post facto such a separation of heave-offering is not valid. The distinct kinds of produce do not combine with one another to form a single batch, but remain discrete entities. Produce taken from one kind therefore may not be considered the heave-offering required of a different kind. The householder’s actions in separating such heave-offering are null (B).

C-E carries matters forward with the next logical point. Different species within a single genus are not regarded as distinct kinds. Heave-offering therefore may be separated from one species for another. The problem in such a case is to establish which species should be the source of the heave-offering required of both. This issue is addressed in the dispute of F-G+H. On the one hand it seems clear that, if possible, the priest should be given the best of the householder’s produce (see Num. 18:12, 29). At the same time, however, we must take into account the possibility that produce separated as heave-offering will spoil before it is given to the priest. In such a case he would lose his share completely. The anonymous rule of A-G therefore distinguishes between cases in which the householder will be able immediately to present a priest his portion, and cases in which it
will be some time before the heave-offering will reach the hands of a priest. In the former case, heave-offering is separated from that produce which is of the best quality (F). If, on the other hand, the heave-offering will not be given to a priest for some time, it is separated from the produce which is least likely to spoil (G). Judah, H, rejects the distinction made at F-G. He holds that heave-offering must always be separated from the best of the produce, as required by Num. 18:12. The priest's being able to consume the heave-offering accordingly is not an issue for Judah.

I-J instantiates the dispute between Judah and G, referring to a case in which it will be some time before the householder will give to a priest heave-offering he has separated (TYY, MS). While large onions are of better quality, if they are cut in half to allow the householder to designate as heave-offering the required quantity of produce--they will spoil quickly. The anonymous opinion, I, therefore, holds that heave-offering is separated from small onions which, although of lower quality, are not liable to spoil. Judah, of course, disagrees. He holds, as at H, that heave-offering must be separated from the more choice of the householder's produce. K+L provides a further example of Judah's view. Onions grown in large towns are of better quality than onions grown in villages. The individual who possesses both of these types of produce must therefore separate heave-offering from the onions grown in large towns. As far as I can tell, however, neither of these types of produce is less subject to spoiling than the other. It is clear therefore that while this case is interesting from Judah's point of view, it stands outside of the framework of Judah's dispute with the rule of F-G. M-N and O-P likewise do not know this dispute, but simply exemplify Judah's opinion. Olives used for oil, and wine which has not been boiled, are of better quality than olives intended for pickling, and boiled wine. Heave-offering therefore is separated from the former for the latter, but not vice versa.

R-T now correlates the rule of A-B with Judah's opinion of H. The only addition it makes to those rules is at T, which states that if heave-offering is separated from less choice produce for better produce, it is deemed valid heave-offering. This is because the two types of produce are homogeneous and therefore combine to form a single batch. V-W+X glosses. Since rye-grass is not a food, it is not liable to the separation of heave-offering for other produce, even of its same kind (see M. 1:5F). The issue of W+X is clear.
A. They do not separate heave-offering from [produce] of one kind for [produce] which is not of its same kind [= M. 2:4A].

B. But they said, "All kinds of (1) wheat are [considered] one [kind] [= M. 2:4C];

C. "all kinds of (2) beans ('ypwlyn), (3) walnuts ('gwzyn), [17 (4) almonds ('qdym) [18 and (5) pomegranates are [considered respectively] a single [kind],

D. "[and therefore] they separate heave-offering and remove tithes from one [type of any of these things] for another [type] [see M. 2:4E]."

T. 2:4

E. [If] there were [both] black and white figs in his house,

F. and so two species of wheat--

G. they [separate heave-offering and remove tithes from one for the other.

H. R. Isaac says in the name of R. Eleazar (b. Hul. 136b reads: 'Il'a'i), [20 "The House of Shammai say, 'They may not separate heave-offering [from one for the other].'

I. "And the House of Hillel say, 'They separate heave-offering [from one for the other].'"

T. 2:5 (b. Hul. 136b)

A-D cites the rule of M. 2:4A+C+E and adds four further examples of kinds of produce various species of which are considered homogeneous for purposes of separating heave-offering. E-G is formally autonomous of what precedes, repeating the rule that all kinds of wheat (F=M. 2:4C) and different types of figs (E=M. 2:4D) are considered single kinds. This unit acts as a superscription for the Houses dispute cited by Isaac, H-I. As is standard, the anonymously stated rules, E-G, agree with the opinion of the House of Hillel, I. [21

E. They separate wheat as heave-offering for bread;

F. but not bread [as heave-offering] for wheat, except according to a calculation [of how much wheat the bread contains].

G. They separate figs as heave-offering for dried figs according to number; [22

H. and dried figs [as heave-offering] for figs according to volume.
I. But [they do] not [separate] figs [as heave-offering for dried figs according to volume;]

J. nor dried figs [as heave-offering] for figs according to number.

K. Rabban Simeon b. Gamaliel says, "Baskets of figs and baskets of dried figs are all [of] equal [status].

L. "They separate heave-offering and remove tithes from one for the other [without regard to differences in size and number]."

T. 4:1b (y. Ter. 2:4; G: b. Men. 54b)

M. Said R. Ishmael b. R. Yose, "Father would take ten dried figs from the drying place (mwqsh) [as heave-offering and tithes] for ninety figs which were in the basket [ready for consumption]."

T. 4:2 (y. Ter. 2:4, b. Men. 54b)

T. is informed by M. 2:4's statement that heave-offering may be separated from produce of one type for produce of another type, as long as all of the produce is of a single species. At issue here is the method by which a householder who separates heave-offering in this way assures that the priest will receive the proper percentage of the produce. Both bread and wheat (E-F) are a single kind and, therefore, heave-offering may be separated from one for the other. Yet since bread contains less wheat per volume than unbaked wheat, a householder who separates bread as heave-offering for wheat must do so in accordance with the actual quantity of wheat contained in the bread. We do not take into account the higher value of the bread, or the amount of work the householder invested in its preparation. The problem at H-J is equivalent. When figs are dried they shrivel and become smaller than figs which have not been dried. If a householder separates by count dried figs as heave-offering for other figs (J), the priest will receive a much smaller volume of produce than would otherwise be his share. For this reason, a householder who wishes to separate dried figs as heave-offering for other figs must do so by giving a percentage of the volume of all of the produce (H). Conversely, figs which are not dried are separated by number as heave-offering for dried figs (G), thereby providing the priest with an enhanced volume of produce. If, in such a case, heave-offering were separated by volume (I), the priest would receive fewer pieces of fruit than he would otherwise receive. Simeon,
K-L, rejects the notion that heave-offering must be separated in such fashion that the priest receive the greatest possible amount of produce both in volume and number (HY). Since figs and dried figs are regarded as a single kind, the householder may separate heave-offering from one for the other by whatever method of calculation he prefers.

According to Ishmael, M, his father would separate heave-offering and tithes from dried figs for other figs by counting the produce. This places Yose in opposition to the rule stated at H, and in agreement with Simeon, K-L (HY, MB).

I. A. They separate hard olives (qwlpsyn) as heave-offering for olives for oil (syty ʾmn);  
B. but not olives for oil [as heave-offering] for hard olives.

C. R. Judah says, "[They] even [separate] olives for oil [as heave-offering] for hard olives."

II. D. They separate wine which has been clarified (yn ʿwl) as heave-offering for [wine] which has not been clarified;

E. but not [wine] which has not been clarified [as heave-offering] for [wine] which has been clarified.

F. R. Judah says, "[He] even [separates wine] which has not been clarified [as heave-offering] for [wine] which has been clarified,

G. "provided that he separates [the heave-offering] from that which is the choicest."

T. 4:3

III. H. They separate wine which has not been boiled as heave-offering for that which has been boiled;

I. but not that which has been boiled [as heave-offering] for that which has not been boiled [= M. 2:6/O-P].

J. Rabban Simeon b. Gamaliel says, "[They] even [separate wine] which has been boiled [as heave-offering] for [wine] which has not been boiled."

K. And so would Rabban Simeon b. Gamaliel say, "Also, (E, ed. princ. lack: also),24 the laws of uncovered [liquids] [see M. 8:4] and of wine used for libations are not applicable in the case of wine which has been boiled (yn mbwlʾ yʾyw hʾ mʾwm ʾlwy yʾyn hʾ mʾwm yʾn nk)."

T. 4:4 (K: see y. Ter. 8:5, b. A.Z. 3a)
A-B+C and D-E+F-G provide two further disputes illustrating the positions of Judah, M. 2:4H, and the anonymous opinion of M. 2:4G. Wine which has been purified of all natural elements and hard olives keep longer than wine which has not been clarified and olives which are used to make oil. The anonymous opinion of A-B and D-E holds that in a case in which heave-offering the householder is going to separate will not be given to a priest for some time, he should separate it from that produce which keeps, in this case, from hard olives and wine which has been clarified. Judah rejects this ruling. His principle is as stated at G. The householder must separate heave-offering from the best of his produce, regardless of the amount of time that will pass before the heave-offering will be turned over to a priest.  

The case of H-I+J is formally parallel to the two cases just reviewed, giving us a triplet. Simeon, J, rejects the rule of M. 2:6/O-P, cited at H-I. He holds that heave-offering may be separated from produce of lower quality--wine which has been boiled—for produce which is of better quality—wine which has not been boiled. Alternatively, we may follow HD and Lieberman, who interpret Simeon's position in light of K, which is, however, formally autonomous. According to this view, Simeon holds that since wine which has been boiled cannot be rendered inedible by being left uncovered or by coming into contact with a gentile, it is choicer than wine which has not been boiled and is subject to these stringencies. This being the case, the householder may use wine which has been boiled as heave-offering for wine which has not been boiled.

A. A [type of] vegetable which normally keeps for one day (ṣārkō ḫūmr ṣōm ḥd) [from the time it is picked]—they use it as heave-offering [for other produce] (tūrmyn ʿiyw) for one day.

B. A [type of] vegetable which normally keeps for two days—

they use it as heave-offering [for other produce] for two days.

C. A [type of] vegetable which normally keeps for three days—

they use it as heave-offering [for other produce] for three days.

D. Chate-melons (ḥqāwʿyn), musk-melons (ḥdīwʿyn), endives (ṭrwsyymn), and spinach (ḥtrḏyn), which normally keep for one day—
they use them as heave-offering [for other produce] for one day.

E. Lettuce (hhzryn), vetches (hqršyn), turnips (hípt) and cauliflower (hkrwb), which normally keep for two days—
they use them as heave-offering [for other produce] for two days.

F. Leeks (hqlwwt) and cucumbers (hmllpwnwt), which normally keep for three days—
they use them as heave-offering [for other produce] for three days.

G. This is the general principle:
H. [in the case of] anything which keeps [for a set length of time]—
they use it as heave-offering [for other produce for that same length of time].

I. R. Nehemiah says, "He may not separate heave-offering from strawberries (twtym) which he picked in the morning for strawberries which he picked in the evening."

T. 4:5a

T. continues to supplement M. with rules on the separation of heave-offering from one batch of produce for another. According to T. produce may be separated as heave-offering for other produce only during that period of time in which it is at its freshest and, therefore, best quality. Nehemiah (H) treats strawberries as a special case. Since they spoil quickly, strawberries picked in the morning may not be used as heave-offering for strawberries picked in the afternoon, even of that same day.