



What should be done with excess samples taken for the quality assurance of imported goods

Fatwa no. (9782):

Q:

First, different samples of cheese, juice, nuts, meat, perfumes, milk and other goods are brought to the laboratory

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in large packets. Some samples are more than the amount needed for quality assurance, such as a juice packet which contains thirty cans, while the sample needed for quality assurance is only five cans. A mineral water package also contains ten bottles, while the sample needed is only five bottles. What is the opinion of Your Eminence on the rest of these samples? Is it permissible for the person who performs the analysis to take them or give them to needy people? These samples can be returned to the Customs. However, most of the traders do not come to ask about them, whether they are cheap or expensive.

Second, there are some samples which are too large, such as a tin of cheese, olives or pickles, which might reach sixteen kilograms, while the sample needed is only 200 grams. What do you think, Your Eminence, of making use of the rest of the sample after the quality assurance? Given that being opened, it is legally forbidden for the wholesaler to buy it, and keeping them in the laboratory or the Customs until they are tested might lead to their expiration. In addition, many traders do not come to ask about the rest of these samples.

Third, some samples, such as meat, cakes and ice cream are brought to the laboratory frozen. After testing them, they are returned to Customs while they are still useable. However, there are no fridges in the Customs to keep these samples fresh, which leads to their expiration due to the delay of the traders in taking them,

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even for a few hours, or not coming at all. What is your opinion on such samples? Can we make use of them instead of sending them to Customs?

Fourth, there are some samples which are extracted from large packets, such as nuts (i.e. pistachio, pine and others). The sample required for analysis is less than the amount which is brought to the laboratory. What is the opinion of Your Eminence on making use of these extra samples? Given that the remaining samples might be neglected in the Customs for one of the previously mentioned reasons, and expire.

Fifth, there are samples that are brought to the laboratory by the municipal council, which are taken from groceries and factories in the kingdom to be tested. The officials who bring the samples never return to ask about the rest of the samples, which leads to their expiration after they stay in the laboratory.

What is the opinion of Your Eminence on making use of these samples, whether by taking them or giving them to needy people? Please advise, may Allah bless you and reward you.

Note:

1- It is impossible to know in advance the exact volume of the sample needed for analysis, because some of the tests require a big sample while others require a small sample.

2- The traders, the owners of the groceries and the owners of factories from whom the samples are brought are unknown to the person who tests the samples.

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A: First, when the officials perform quality assurance tests, they should ask for samples that are sufficient for the test, not more.

Second, in case some of the sample submitted is enough for the test, the rest should be returned to its owner, by taking their address and fixing a date for returning the extra sample, and finding the person responsible for this to be contacted.

Third, if the owners of the sample or their deputies do not come to take it, and it is feared that it might be ruined, it should be sold and its money brought to the national treasury.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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