323728 - Ruling on selling assayed control serum to medical laboratories

the question

I work in the medical laboratory field. We separate serum and assay it, so that the percentages of various constituents will be known, such as sugar, urea, cholesterol and so on. This assayed control serum is used by medical laboratories for quality control. Does this come under the heading of selling blood?

Detailed answer

Praise be to Allah.

Firstly:

Ruling on selling serum

It is not permissible to sell serum, which is regarded as an extract of blood, because of the report narrated by al-Bukhaari (5945) from Abu Juhayfah, who said: The Prophet (blessings and peace of Allah be upon him) forbade the price of blood, the price of a dog, consuming or paying riba, and doing tattoos or asking for them to be done.

Al-Haafiz Ibn Hajar said in *al-Fath* (4/427): The fifth ruling: the price of blood. There is a difference of opinion as to what is meant by this. It was said that it refers to the fee of a cupper; or that it is to be understood on the basis of the apparent meaning, and that what is meant is the prohibition on selling blood, just as it is prohibited to sell dead meat and pork. It is haraam according to scholarly consensus, meaning selling blood and taking its price. End quote.

Secondly:

The way to avoid selling serum is that the labs that need serum can bring blood, then separate the

serum and assay it in return for a set fee.

Thirdly:

When serum is needed and cannot be obtained except in return for payment

If a lab needs this assayed control serum and cannot find anyone to give it for free or anyone who can be hired to separate it and assay it, it is permissible to pay money in order to obtain it, and the money is haraam for the one who receives it.

It says in a statement of the Islamic Fiqh Council belonging to the Muslim World League, issued during its eleventh session held in Makkah al-Mukarramah (13-20 Rajab 1409 AH):

With regard to receiving payment for blood – or, in other words, selling blood – the Council's view is that it is not permissible, because it is one of the prohibited things that are mentioned in the Holy Qur'an alongside dead meat and pork. Therefore it is not permissible to sell it and receive payment for it. It says in the saheeh hadith: "When Allah, may He be exalted, forbids a thing, He forbids its price." And it is soundly narrated that [the Prophet (blessings and peace of Allah be upon him)] forbade selling blood.

Exempted from that are cases of necessity for medical purposes, when there is no one who will donate it except in return for payment. What is necessary makes permissible things that are otherwise prohibited, to the extent that will meet that necessity. In that case, it is permissible for the purchaser to pay the price, and the sin is on the one who accepts it.

There is nothing wrong with giving money by way of a gift or reward to encourage people to do this humane, charitable act, because it comes under the heading of donations, not under the heading of selling. End quote.

And Allah knows best.