

Public Response to Halal Certification: A Study of the Interaction between MUI Fatwa and LP POM MUI

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Abstract

This study aims to describe the interaction between MUI (Indonesian Ulema Council), the Fatwa Commission, and the MUI's LP POM (Assessment Institute for Food, Drugs, and Cosmetics) regarding halal products and the response from society (both producers and consumers) towards halal product certification. This type of research is field research in the form of applied research. Data collection techniques include surveys, interviews, and documentation. The sources of research data are primary data from field research and secondary data from literature research. The data analysis technique used is qualitative, consisting of descriptive explanations, eclectic analysis, content analysis, and rationalistic analysis. Data accuracy is maintained through triangulation. This research is concentrated on the LP POM MUI in four provinces on the island of Java, with samples taken from Jakarta, Bandung, Semarang, and Surabaya. The research results indicate several important points; *first*, the response of producers and consumers towards the halal product certification carried out by the LP POM MUI is generally low/negative. *Second*, the factors causing the low/negative response from producers include the lack of certainty in halal product certification laws, the tendency of producers to prioritize business aspects, and weak government oversight of raw materials and additives that fall into the non-halal category. *Third*, the low/negative response from the public towards halal product certification is also influenced by low purchasing power, low education and knowledge among some Indonesian Muslims about halal products, and differences in lifestyle due to the geographical location of consumers in rural and urban areas, coastal and mountainous regions.



1. Introduction

The era of disruption, characterized in part by the industrial world, presents its own challenges for business actors as well as for the consumers who enjoy the results of these businesses. It is not uncommon for producers, as business actors, to deviate from legal and legitimate business regulations, both in the eyes of religion and positive law. Consuming halal products according to religious beliefs (Islam) and/or for the sake of quality of life is a right of citizens guaranteed by the Indonesian government under the 1945 Constitution (Asnawi et al., 2018; Girindra, 2008:151). The constitution guarantees every citizen of the Republic of Indonesia in terms of human rights, the right to worship according to their religion and beliefs, the right to legal protection, the right to legal status and equality, and the right to a decent livelihood (Abdul Khalek et al., 2017; Oesman & Alfian, 1993).

According to Islamic law, eating, drinking, and using halal products are considered acts of worship. The majority of Quranic interpreters state that the Quranic verse on the command to consume halal is qath'i, meaning its implementation is mandatory. If Allah obliges the consumption of halal food, then it is also obligatory to consume halal food correctly. Conversely, if Allah forbids certain foods, then it is obligatory to avoid them as much as possible (Musa & Jalil, 2012; Ibnu Katsir, n.d.:589-590).

The importance of caution in distinguishing between halal and haram is to ensure that humans avoid doubtful matters (Nurrachmi, 2017; Hosen, 1990). As the second source of law, the hadith of Prophet Muhammad SAW emphasizes that what is halal is clear and what is haram is clear; and between them are matters that are syubhat (doubtful or ambiguous). Most people do not know the ruling on these matters. Whoever avoids doubtful matters has indeed protected his religion and honor, and whoever falls into doubt, he will easily fall into the haram" (Rahim et al., 2015; Al-Shan'ani, n.d.).

Based on the above legal foundation, Muslim consumers are emphasized to scrutinize the halal status of a product (Indonesian Government, 1999). Actions that can be taken include paying attention to halal labels and registration on product packaging. While it is recommended to carefully check the halal status of a product, it is also acknowledged that: Recently, Muslim consumers have become more aware of the importance of the halal aspect, whether related to food, beverages, medicines, and cosmetics, or products resulting from biochemical processes and genetic engineering. The development of the times with all its supporting tools seemingly influences society to behave in this manner (Rahim et al., 2015).

Consumers must be more vigilant and careful in choosing products because, based on the distribution of food and beverage products in the community, halal certification and labeling of a product have only reached a small portion. Data from the Indonesian Food and Drug Monitoring Agency (BPOM) since 2005 shows that no more than 2,000 products have requested halal labeling. Meanwhile, data from the Indonesian Ulema Council (MUI) shows that in the last 15 years, from 1994 to 2009, around 15,689 halal certificates have been issued for 42,620 products from 870 producers in Indonesia (LP POM MUI, 2010:5). By 2021, the number has reached 44,737 halal certificates and 1,292,392 halal products.

The Indonesian Ulema Council (MUI), as the umbrella organization for Islamic organizations, has two bodies responsible for the legal matters of halal products: the Fatwa Commission and the Assessment Institute for Food, Drugs, and Cosmetics (LP POM). Although the MUI fatwa on product halalness has been accepted by the public, it does not yet have binding force based on the prevailing positive law. This fatwa still requires legal

affirmation from the state, considering the increasingly dynamic socio-political conditions in Indonesia. This societal dynamic is evident from the declining level of "compliance" with fatwas. It is not uncommon for MUI fatwas to become the subject of debate among various circles regarding their legality, an issue that has never been as prominent before (or even unheard of) (Shiddiq et al., 2021). Halal fatwas encapsulated in certificates need to include the presence of the Ministry of Religious Affairs as a form of recognition or ratification by the government (Ayuniyyah et al., 2017). To anticipate the tangible impacts, everything decreed by the Fatwa Commission and LP POM MUI must adapt and align with the applicable positive law.

The public requires government protection for all food and beverage products, especially processed products. Therefore, policies and supervision (Mohamad & Chris, 2014; Ministry of Religious Affairs, 2003) from the government are necessary. Currently, there are still many issues surrounding halal certification. This arises because halal certification is still voluntary, not mandatory. Ideally, with the presence of various laws and legal instruments, producers should guarantee the rights of Muslim consumers in a halal and thayyib (pure and wholesome) manner. However, reality proves otherwise, with many irresponsible producers still prevalent (Ratanamaneichat & Rakkarn, 2013; Apriantono, 2006). The birth of the Halal Product Assurance Law signifies that society should not be left in legal uncertainty. Serious and collective efforts are needed to realize regulations on the certification and labeling of halal products. Although LP-POM MUI has so far played the role of organizing the halal product certification process, there is still a tug-of-war over the validity of the halal fatwa/label between the non-governmental LP POM MUI and the Ministry of Religious Affairs as a government institution. The legal construction issues and public response to halal product certification are the focus of this research. The public response referred to includes positive and negative, good and bad, as well as high and low reactions to halal product certification (Sudiro, 2017; Rahardjo, 2002).

Several previous studies have discussed public response to halal product certification and found differences with current research. Sopa (2008) examined the Halal Certification by the Indonesian Ulema Council; a Study of MUI Fatwas on Food, Medicine, and Cosmetics. Mudzhar (n.d.) studied the Fatwas of the Indonesian Ulema Council: A Study of Islamic Legal Thought in Indonesia 1975-1988. Efforts to establish laws related to the certification of halal products in the fields of food, medicine, and cosmetics through a socio-legal approach are a form of legal protection for Muslim consumers. This research aims to be both scholarly and to globalize halal products. Qardhawi (1988) discussed halal and haram in all aspects of human life, including issues of faith, usury, and others in *Al-Halal wa al-Haram fi al-Islam*. Sakr (n.d.) addressed the understanding of halal food, including misconceptions and facts, in his book *Pengertian Makanan Halal; Kekeliruan & Fakta*. Hussin (n.d.) researched several issues in halal food marketing in Malaysia. The enforcement of Muslim consumer protection laws from the dangers of food, medicine, and cosmetic products through a socio-legal approach was studied in the Simpanglima area of Semarang City by Mashudi (2014).

Given the background and research focus mentioned above, this study reveals the interaction between MUI, the Fatwa Commission, and LP POM MUI regarding halal products. The focus of this research is on the public response (both producers and consumers) to halal product certification as an effort to ensure the safety of food, medicine, and cosmetics, which is currently very low and in a rather concerning state.

2. Methods

This research is focused on the LP POM MUI in four provinces on the island of Java, with samples taken from LP POM MUI in several cities: Special Capital Region of Jakarta, Bandung, Semarang, and Surabaya. The fundamental reason for conducting research in these locations is that each LP POM MUI has its own strengths, such as strategic areas with laboratories and human resources with adequate competence, sufficient auditors with case findings, intensive operations, and extensive handling of cases in small, medium, and large-scale companies suspected of using additives in processed foods, beverages, and medicines, thus enabling more accurate data and information collection. This type of research is field research prioritizing qualitative characteristics supported by library data. In terms of its purpose, this research can be classified as applied research because, in addition to obtaining information, it can also be used to solve problems (Pettigrew, 1990).

This research uses a socio-legal approach to further explore public response to the process of halal product certification and labeling on primary, secondary, and field research data. The legal approach involves conceptualizing law as norms, rules, and regulations applicable at a certain time and place as a product of the sovereign state's power (Lillis, 1999; Soemitro, 1999). Data collection techniques include surveys, interviews, and documentation. The questions are open-ended, meaning they include short answers or brief descriptions (verbal form) on a Likert scale (Joshi et al., 2015; Usman & Akbar, 2004). The interview technique used is "semi-structured" (James T Croasmun & Lee Ostrom, 2011; Arikunto, 1992). The interview's target objects (sources of information) are actors and policymakers in the Central LP POM MUI, Special Capital Region of Jakarta, West Java, Central Java, and East Java. The pattern used is focused interviews with several samples or a limited population (Usman & Akbar, 2004:43). The documentary study aims to inventory regulations, explore various principles, legal concepts, and rules regarding halal product certification and labeling.

The sources of data are integral primary and secondary data. Primary data are obtained from field research directly or indirectly related to public response to halal product certification and labeling, LP POM MUI fatwas on certification and halal product labeling reviewed through a socio-legal approach. Secondary data, which includes library research, covers: 1) Research related to food, beverage, and medicine regulations supporting the halal product certification and labeling process; 2) Library materials related to halal product certification and labeling, and government policies in the field of halal products to protect consumers (Hox & Boeije, 2004; Salim, 2001). Data analysis techniques use qualitative methods such as descriptive explanation, eclectic analysis, content analysis, and rationalism. Researchers maintain data accuracy through three points of triangulation: method, theory, and data source, referred to as triangulation in qualitative research (Silverman, 1998).

3. Results and Discussion

The research yielded several important findings regarding the public's response to halal products, which the MUI should address:

1. Weak Public Response to MUI Fatwas and LP POM MUI

The response from producers and consumers towards the halal product certification conducted by LP POM MUI is generally low or negative. The level of religious adherence among the public varies, necessitating a comparative effort to understand the trends in concern for halal certification (Yakub & Zein, 2022). Therefore, this research included efforts in four major cities in Indonesia: Jakarta, Surabaya, Bandung, and Semarang. The level of

religious adherence in these four major cities can vary depending on various factors, including cultural background, education, and socio-economic conditions in each city.

In general, Indonesia is a country with a majority Muslim population but also has Christian, Hindu, Buddhist, and several other minority religious communities. Jakarta As the capital of Indonesia and the center of economic, social, and political activities, Jakarta has a diverse level of religious adherence. While many people diligently follow religious teachings, there are also groups that tend to be more secular or less active in religious practices. Surabaya As the second-largest city in Indonesia, Surabaya has a predominantly Muslim population. The level of religious adherence here tends to be high, with many residents actively participating in daily religious practices.

Bandung Known as the educational and cultural city in West Java, Bandung also has diverse levels of religious adherence. Although the majority of its residents are Muslim, Bandung is known for its tolerance and considerable religious diversity. Semarang As the capital of Central Java Province, Semarang has a predominantly Muslim population. The level of religious adherence in Semarang is also generally high, with many residents actively involved in religious activities such as worship in mosques and pesantren (Islamic boarding schools).

This variability in religious adherence levels across different cities highlights the need for tailored approaches in promoting halal certification and ensuring compliance among producers and consumers in various regions.

2. Weak Law Enforcement and Frequent Overlapping

The Indonesian Ulema Council (Majelis Ulama Indonesia or MUI) serves as a gathering platform for Islamic scholars, leaders, and intellectuals in Indonesia. Based on Islamic principles, its aim is to realize a quality society (khaira ummah) and a country that is safe, peaceful, just, and prosperous, both materially and spiritually, in accordance with the pleasure of Allah SWT (baldatun thayyibatun wa rabbun ghafur) (MUI, 2005:20). MUI's mission is: (1) to effectively mobilize Islamic leadership by making scholars exemplary figures (qudwah hasanah), capable of guiding and nurturing the Muslim community in instilling and practicing Islamic beliefs and Sharia principles; (2) to conduct Islamic da'wah, enjoining good and forbidding evil to develop good morals and achieve a quality society (khaira ummah) in various aspects of life; and (3) to foster Islamic brotherhood and unity in realizing the unity of the Islamic community within the unitary state of the Republic of Indonesia (MUI, 2005:21), (Arifin & Hatoli, 2021).

The relationship between MUI's organizational levels is characterized by coordination, aspirationalism, and administrative structure. Meanwhile, MUI's relationship with the government and Islamic organizations is consultative and collaborative. MUI's position regarding halal products is crucial because its presence in the realm of Islamic organizations in the country positions it as the umbrella organization for Islamic organizations (Shiddiq et al., 2021). MUI's dynamics in serving the interests of Muslims in Indonesia are supported by the formation of several commissions, including the Fatwa Commission and LP POM MUI as institutions specializing in the laws of food, drugs, and cosmetics (Ministry of Religious Affairs of the Republic of Indonesia, 2003). MUI only conveys what is regulated in the texts (MUI, n.d.).

Given this reality, MUI, as a "melting pot" where scholars and leaders from various components/organizations of Islam in Indonesia converge, holds a strategic position. MUI also accommodates elements not originating from Islamic organizations, such as Islamic universities, pesantren (Islamic boarding schools), and other Islamic institutions.

Although Indonesia is not an Islamic state, the majority of its population is Muslim, so the noble values of Islam are ingrained in the daily lives of the people in this country, both in social and socio-political activities. Therefore, every societal activity requires guidance and religious mentoring from scholars, such as in the form of issuing fatwas (MUI, 1997). Fatwas by scholars are not part of the legal system and regulations in Indonesia, and even within the state institutional structure, there is no entity known as a mufti or fatwa institution.

MUI, as a platform for the service of scholars to the Indonesian Muslim community, has several functions and tasks, one of which is issuing religious fatwas in Indonesia (MUI, statute). The process of issuing fatwas is carried out by the Fatwa Commission and is tasked with issuing fatwas (ifta') that must adhere to strict principles, codes of ethics (adab), and requirements (Amin, 2003).

The fatwas issued by MUI can be grouped into three main categories. First, fatwas on the permissibility of food, beverages, medicines, and cosmetics. Second, fatwas on worship issues and issues related to the religious and social systems, such as the development of religious thought and schools, health issues, national issues, and so on. Third, fatwas related to Sharia economics and activities of Sharia financial institutions.

The Food, Drug, and Cosmetic Examination Institute of the Indonesian Ulema Council (LP POM MUI) is an institution tasked with researching, studying, analyzing, and determining whether a product, whether food or its derivatives, drugs, and cosmetics, is safe for consumption from both health and Islamic perspectives (i.e., halal and good for consumption for Muslims), especially in the Indonesian region, providing recommendations to formulate regulations and guidelines for the public (MUI, 2001). The Institute for the Study of Food, Drugs, and Cosmetics of the Indonesian Ulema Council (LP POM MUI) was established based on Indonesian Ulema Council Decision Number: 018/MUI/1989 dated January 6, 1989.

The position of LP POM MUI is as a semi-autonomous institution with a special task in the field of food safety for Muslims from additives. Structurally, the position of LP POM MUI can be established either at the Central MUI or the Regional MUI (Osmana, 2006). However, since the process of obtaining halal certification requires expert personnel and laboratory facilities to carry out its legal process, for now, the position of LP POM MUI is only at the Central MUI and Provincial levels.

The determination of fatwas regarding the permissibility of food, beverages, medicines, and cosmetics is done by the MUI Fatwa Commission after an audit by LP POM MUI and reporting it to the Fatwa Commission. The LP POM MUI report is then brought to the Fatwa Commission session. The MUI Fatwa Commission then determines whether the product is halal based on the research report submitted by LP POM MUI. After all processes are completed, the halal certificate for the product is issued.

The MUI Halal Certificate was established based on MUI's decision with decree number 018/MUI/1989, on January 6, 1989. This institution was established due to Islamic teachings that regulate consumption and the demands of the community's situation and conditions. Especially now, many food, cosmetics, and pharmaceutical industries are developing according to technology, so it needs to be examined whether these materials are made or contain forbidden elements or not and whether they are harmful to consumers (MUI, 2005, 27).

The halal product certification law has not provided certainty; manufacturers tend to prioritize business aspects, and there is weak government oversight over the use of raw materials and additives that fall into the non-halal category. The strategic way out is

considered to be synergizing and interacting between MUI, the Fatwa Commission, and LP POM MUI regarding Halal Products.

Table 1 Types and Number of Products Certified Halal at the Regional LP POM MUI

No.	Type of Product	LP POM MUI			
		Jakarta	West Java	Java Central	Java East Java
		Number of Units			
1	Slaughterhouse/ Chicken	10	4	12	13
2	Processed Meat	10	22	2	36
3	Processed Fish	2	9	3	28
4	Milk and its derivative products	-	10	1	5
5	Baby food and formula milk	-	-	-	5
6	Seasoning	10	64	6	88
7	Flavor	1	2	-	1
8	Oil and fat	2	-	4	6
9	Instant noodles	2	4	1	4
10	Snacks and Bakery	9	395	6	114
11	Chocolate and Candy	-	28	-	7
12	Drinks and beverage ingredients	7	130	19	49
13	Herbal	7	130	19	49
14	Medicines	3	-	1	-
15	Cosmetics	1	7	3	13
16	Restaurant and catering	12	26	-	11
17	Agar, jelly, carrageenan and jam	-	5	-	12
18	Other materials	9	29	24	23
	Numbers	83	735	82	431

Based on the data obtained in the field, we can summarize the halal certificates that have been issued by each LP POM Province that was the subject of the study.

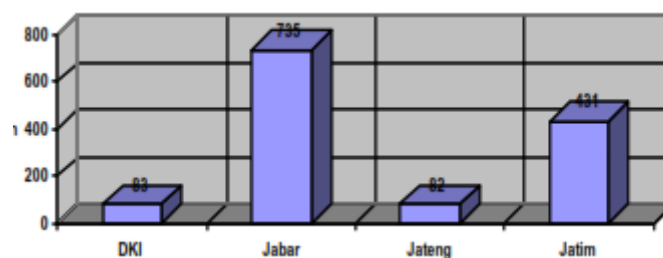


Figure 1 Recapitulation of Regional LP POM MUI Halal Certificates
Up to August 2008
(Soft Certificate Data, not in process)

As a comparison, here is the comparative data regarding the halal certification process conducted by LP POM MUI Central, from 2006 to 2008. The number of companies, certificates, and halal products from 2006 to 2008 can be detailed as follows; In 2006, the number of domestic companies was 180, while foreign companies were 7. There were a total of 384 certificates issued, covering 12,533 products. In 2007, the number of domestic companies increased to 333, while foreign companies were 81. There were 414 certificates issued, covering 8,636 products. In 2008, the number of domestic companies further increased to 406, while foreign companies were 95. A total of 800 certificates were issued, covering 3,682 products.

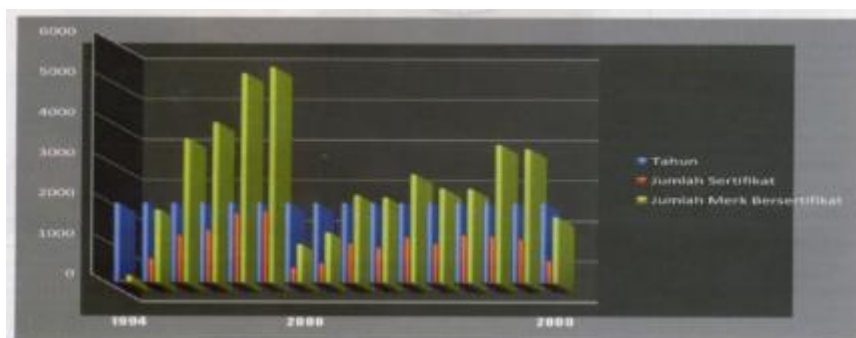


Figure 2 Development of Halal Certification from 1994 to 2009

LP POM's Operation in Halal Product Certification

Every manufacturer applying for a Halal Certificate for their product must fill out the provided form, attaching: a) Specifications and halal certificates for raw materials, additives, and auxiliaries, as well as a process flow diagram; b) Halal Certificate from the MUI Regional Office (for local products) or from MUI-recognized Islamic institutions (for imported products) for materials originating from animals and their derivatives; c) The Halal Assurance System outlined in the halal guide along with its standard operating procedures. Several steps need to be taken: First, the LP POM MUI Auditor Team conducts an audit at the manufacturer's location after the completed form and its attachments are returned to LP POM MUI and checked for completeness. Second, the results of the audit and laboratory tests are evaluated in the LP POM MUI Expert Panel Meeting. If they meet the criteria, an audit report is prepared and submitted to the MUI Fatwa Commission Meeting to determine its halal status. Third, the MUI Fatwa Commission Meeting may reject the audit report if it is deemed not to meet all specified requirements. Fourth, the Halal Certificate is issued by MUI after its halal status is determined by the MUI Fatwa Commission. Fifth, companies whose products have obtained the Halal Certificate must appoint an Internal Halal Auditor as part of the Halal Assurance System. If there are changes in the use of raw materials, additives, or auxiliaries in the production process, the Internal Halal Auditor must promptly report to obtain "no objections" for their use. If there are changes related to halal products, LP POM MUI must be consulted by the Internal Halal Auditor.

Certificate Product Certification Financing System

The financing refers to the fees charged to companies when they receive a halal certificate.

These fees will be used by the institution to fulfill the following budgets: office expenses, telephone and electricity expenses, salary/honorarium expenses, official travel expenses, human resources development expenses, meeting expenses (auditor meetings, expert meetings, and management meetings), and sudden inspection expenses. The fees for certificates for the slaughter of food animals, beverages, pharmaceuticals, cosmetics, and non-taste specified products are determined based on the size of the company, considering: turnover capacity, marketing network size, complexity of inspection, and technology used. In nominal terms, halal certification fees range from IDR 500,000.00 to 2,500,000.00 per product type. Efforts are made to obtain cost subsidies for small businesses. Companies with many brands/trademarks or packaging models (more than 5 types) with more than one factory are subject to additional fees. For flavored products, the price is determined based on the number of flavors, with the table below:

Table 2
Cost Details for Flavor Products

No.	Number of Types of Flavor	Cost/Type of Flavor (Rp) (Rp)	Total Biaya (Rp)
1	1-5	-	1.000.000,00
2	6-10	-	1.500.000,00
3	11-20	-	2.000.000,00
4	> 21	100.000,00	x number of flavors

Source: Interview with the author conducted with LP POM MUI Central Management in April 2008 at the LP POM MUI Secretariat in Jakarta. Also refer to the circular letter from LP POM MUI dated May 1, 2003, addressed to LP POMs in provinces throughout Indonesia.

The above fees also apply for adding new products. As for restaurants, the fees are determined based on the number of menus and outlets, taking into account the size of the company. This fee policy was established in Jakarta on May 1, 2003, after undergoing lengthy discussions and meetings presented to the entire Plenary Session of LP POM MUI Central and Regional.

The procedure for conducting audits at manufacturer locations is carried out in several stages. The halal product examination at the company's location is done as follows: First, an official letter is sent by LPPOM MUI to the company to be audited, containing the audit schedule and other administrative requirements. Second, LP POM MUI issues an audit order letter that includes: a) Name of the team leader and team members. b) Determination of the audit day and date.

Third, at the specified time, the Auditor Team, equipped with assignment letters and identification, will conduct an audit on the company applying for the Halal Certificate. During the inspection, manufacturers are asked to provide honest and clear information. Fourth, the halal product audit includes: a. Manufacturer management in ensuring the halalness of the product. b. Field observations. c. Sampling is only conducted on materials suspected of containing pork or its derivatives, containing alcohol, and deemed necessary.

Several provisions regarding the validity period of the halal product certificate are as follows: First, the Halal Certificate is only valid for two years. The Halal Certificate is issued for each shipment. Second, three months before the expiration of the certificate validity period, LPPOM MUI will send a notification letter to the respective manufacturer. Third, two months before the expiration of the certificate validity period, the manufacturer must re-

register for a new Halal Certificate. Fourth, Manufacturers who do not renew their Halal Certificate are not allowed to use their Halal Certificate anymore and are removed from the list in the official LPPOM MUI magazine, Halal Journal. Fifth, if the Halal Certificate is lost, the holder must immediately report it to LPPOM MUI. Sixth, the halal certificate issued by MUI belongs to MUI. Therefore, if MUI is asked to return it for any reason, the certificate holder must surrender it. Seventh, MUI's decision based on MUI fatwas cannot be challenged.

The supervision system is as follows: First, Companies must sign an agreement accepting the LPPOM MUI Inspection Team. Second, Companies must submit internal audit reports every 6 (six) months after the issuance of the Halal Certificate. As for the procedure for extending the halal certificate, it is determined with the following procedures: First, manufacturers wishing to extend their certificates must fill out the available registration form. Second, form filling is adjusted to the latest product developments. Third, changes in raw materials, additives, and auxiliary materials, as well as product grouping types, must be informed to LPPOM MUI. Fourth, manufacturers must complete the latest documents regarding specifications, halal certificates, and process flow diagrams (Osmena, 2006).

3. Awareness, Knowledge, and Lifestyle Domination

Awareness, Knowledge, and Lifestyle Domination The low/negative response of the community towards halal product certification is also influenced by the low purchasing power of the community, low education levels, and lack of knowledge among some Indonesian Muslims about halal products, differences in lifestyle due to the geographical location of consumers in rural and urban areas, coastal and mountainous regions.

Halal Products

The advancement of food technology nowadays needs to be monitored, as many raw materials and additives are used in producing processed food. In order to ensure the safety of food, beverages, medicines, and cosmetics from the influence of technology, there are several principles to be considered in the principles of food and beverage products.

Dozens of types of ingredients, for example, are needed to make instant noodles, ranging from flour, cooking oil, spices, flavor enhancers, salt, yeast extract, etc. If we delve further, one of the ingredients, namely flavor enhancers (mostly synthetic), actually contains dozens of constituent ingredients, both in the form of pure chemical substances and reaction products. Therefore, examining the halal status of instant noodles alone is not easy because it requires checking various sources of ingredients, besides the relevant noodle manufacturers. Often, it takes a considerable amount of time and stages to determine the origin of a material. For example, to check the chicken flavor (the ingredient used to create the chicken flavor), it is necessary to inspect the flavor house industry that produces it.

The research results can be reported that the majority of consumers are not selective in choosing food. Ignorance or following trends is the main contributing factor. The development of food processing technology does not always result in good and healthy food. It is suspected that there are food products containing forbidden elements in the additives used (MUI, 2005:21). Therefore, there are three criteria, namely halal, thayyib, and nutritious foods that must be fulfilled in choosing food (MUI, 2005: 21-23).

Therefore, according to LP POM MUI, several foods that should be avoided by children because they can endanger their health are: a) junk food or junk food. These foods should not be consumed as the main meal. If consumed too frequently, they are dangerous due to their high fat and salt content and low fiber, such as fried chicken, burgers, and pizza. Consequences include: children's eating patterns are disrupted because their appetite is formed incorrectly, the risk of the child's body becoming obese, the burden on the body's

organs increases, and there is a high possibility of high blood pressure and stroke. b) preserved foods. If consumed continuously in the long term, this type of food can trigger cancer cells. Foods included in this category are canned food and drinks, instant food, and foods with added preservatives not intended for consumption such as borax and formalin. c) brightly colored snacks. These types of foods are suspected to use food coloring that is too concentrated or non-food dyes, such as rhodamine B, spinach, metanil yellow, and even textile dyes. d) snacks that are too delicious. Containing high preservatives and sodium, this type of food has the potential to cause health problems in children in adulthood.

The halal food criteria set by LP POM MUI are general and closely related to technical inspection issues. The examination of a food always follows standards, starting from the raw materials used, additives, auxiliary materials, production processes, and types of packaging. The search for these ingredients does not only come from pork or not, but also includes slaughtering methods, storage methods, and production methods (Aryanti, 2007).

The experts involved in the halal certification process at LP POM MUI include food science experts, food technology, biochemistry, biotechnology, analytical chemistry, organic chemistry, veterinary medicine, and Islamic law experts. The capacity of experts in this process is very important considering that MUI is the only institution authorized to issue halal certification for food.

In terms of haram foods, basically there are not many haram foods as mentioned in the Qur'an and Hadith texts, but due to the influence of other ingredients, the haram category develops, such as the use of agar-agar (derived from pig fat). The use of gelatin has penetrated almost every food, beverage, and medicine product. The utilization of gelatin in the food industry is quite extensive, ranging from emulsions, pastes, soft candies, drinks, jellies to capsules. The raw materials for making food can be obtained from various sources, both from natural animal and plant sources. This is done to improve the "quality" of food, both in terms of taste, texture, and color. In addition to the main ingredients, additives are often used. These additives can come from the chemical process of natural or synthetic materials. However, some gelatin is a product derived from animals, including pork. Apart from having a unique elasticity, pork gelatin is also considered cheaper than other materials. Currently, gelatin derived from cows has begun to be widely produced, but even though it comes from cows, its halal status still needs to be monitored (LP POM MUI, 2004:10).

Halal Certification and Halal Labeling Relationship

Halal certification is a certificate issued by the Indonesian Council of Ulama (MUI) at the central or provincial level regarding the halal status of a food, beverage, medicine, or cosmetic product produced by a company after being inspected and declared halal by the MUI Assessment Institute for Food, Drugs, and Cosmetics (LP POM MUI). The authority to issue halal product certification lies with the MUI, which is technically handled by the Institute for the Assessment of Food, Drugs, and Cosmetics (LP POM) (LP POM MUI, 2004:10).

Recently, halal food issues have become a global concern with the discovery of some processed products suspected of containing ingredients derived from haram sources. To determine the halal status of a product, in-depth studies and research are required. Based on this, the halal certification system was developed, the output of which is the issuance of halal certificates for products that have met halal standards, serving a dual function.

In Indonesia, the authority responsible for implementing Halal Certification is the Indonesian Council of Ulama (MUI), which is technically handled by the Institute for the Assessment of Food, Drugs, and Cosmetics (LP POM). Meanwhile, halal labeling activities are

managed by the National Agency of Drug and Food Control. In its implementation, confusion often arises, especially in halal labeling activities that have been carried out before halal certification.

Technical regulations govern halal labeling issues, including Joint Decree of the Minister of Health and the Minister of Religious Affairs of the Republic of Indonesia No. 427/Men.Kes/SKB/VIII/1985 (No. 68 Year 1985) concerning the Inclusion of the Word "Halal" on Food Labels. Thus, the halal inscription affixed to the label or marker of a food product is considered by law that the manufacturer has lawfully complied with the halal product certification procedures from LP POM MUI. However, if proven otherwise, the manufacturer can be legally liable for deceiving the public.

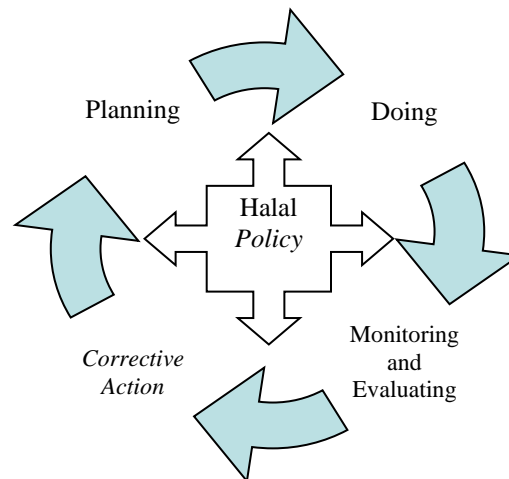
Furthermore, manufacturers are also responsible for the halal label affixed to their products; they are also obliged to report to the government, in this case, the Ministry of Health of the Republic of Indonesia. This procedure, as mandated in the Joint Decree of the Minister of Religion and the Minister of Health (Kemenkes & Kemenag RI, 1985), is intended to facilitate further monitoring. Surveillance can basically be conducted routinely, incidentally, or suddenly (surveillance) (Ministry of Health, 1996). Based on these rules, labeling permission is based on unilateral reports from companies to the Indonesian Ministry of Health regarding processing and ingredient composition, not based on halal certification.

The final results of laboratory research do not necessarily make a product halal, as the laboratory's function is limited to determining the hygiene of a product or ingredient. However, the authority to declare the halal status of a material or product lies with the MUI through the Fatwa Commission. In this regard, the Decree of the Minister of Health of the Republic of Indonesia No. 82/Menkes/SK/I/1996 emphasizes this in Articles 11 and 12 (Ministry of Health, 1996). Therefore, the relationship between certification and labeling is very close and cannot be separated. This means that according to the law, one cannot affix a halal label before fulfilling the administrative procedures and obtaining a halal certificate from LP POM MUI.

Halal Assurance System

Ensuring the halal status of a product requires a system that covers halal assurance, both from its raw materials, derivatives, and the production process. This system must guarantee that the products consumed by the public are halal, accompanied by an institution that determines the halal status of a product, the presence of easily visible halal product indications for consumers, and a continuous monitoring system to ensure no deviations from halal assurance.

The Halal Assurance System itself is a system devised, implemented, and maintained by companies holding halal certification with the aim of maintaining the continuity of halal production processes so that the resulting products can be guaranteed to be halal, in accordance with the regulations set by LPPOM MUI (LP POM MUI, 2005:31). The components of the halal assurance system prepared by companies must include the following:



Source: LP POM MUI 2005

Figure 3 Operation Cycle of the Halal Assurance System

The diagram above provides an understanding that the Halal Assurance System (SJH) cycle is interconnected between each component. It starts with halal policy, followed by formulation of planning, implementation, monitoring and evaluation, and concludes with corrective actions. If irregularities are found at any stage, corrective actions will continue to be taken from the beginning.

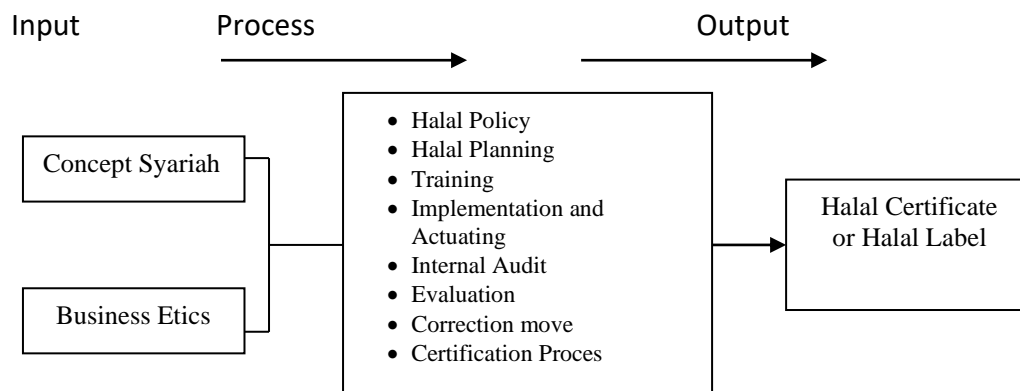
The planning of the Halal Assurance System includes: SJH objectives, Halal Management Structure, Halal Guidelines, Standard Operating Procedures (SOP), Technical References for SJH Implementation, Administrative System, and Documentation System. The implementation of the Halal Assurance System includes: Determination of the Halal Management Organizational Structure and its Supervision Functions, Implementation of Standard Operating Procedures (SOP), SJH Socialization, SJH Training, Internal and External Communication, Document Maintenance, and Reporting. Monitoring and Evaluation of the Halal Assurance System are intended as quality control efforts for the halal status of a product through several activities, namely: Internal Audit Procedures, Internal Audit Checklists, and Periodic Reports conducted by companies through internal audits to LPPOM MUI. The corrective actions of the Halal Assurance System include: Implementation of the Halal Assurance System, Review of SJH management.

The Halal Assurance System must be documented in written form in the form of a halal manual, including: a) Company policy statement on halal (Halal Policy); b) Halal Guidelines based on Standard Operating Procedures; c) Halal Management System (Halal Management System); d) Description of Critical Haram Products (Haram Critical Control Point); e) Halal Audit System (Internal Halal Audit System) (LP POM MUI, 2004: 51).

Producers are obliged to meet the needs/rights of consumers. The form of producer responsibility towards Muslim consumers is by producing halal products. To provide consumers with confidence that the products they consume are halal, companies need to have halal certification. Companies that have obtained halal certification for their products are obliged to prepare a system to ensure the continuity of halal production processes consistently, called the halal assurance system (Development Team, 2004: 42-43).

One of the consumer rights is the right to accurate, clear, and honest information about the condition and guarantee of goods and/or services. Meanwhile, the obligation of

producers is to fulfill the rights of consumers for every goods and/or services produced and traded. Regarding halal products, Article 8 paragraph (1) letter h of the Consumer Protection Law states that businesses are prohibited from producing and/or trading goods and/or services that do not meet halal production requirements, as stated in the halal declaration on their labels. Thus, to protect consumers to obtain halal assurance for products purchased from producers, the Government can make policies regarding halal product information systems both in the context of public services (provided by government institutions or other institutions appointed by the government) and requested by business actors.

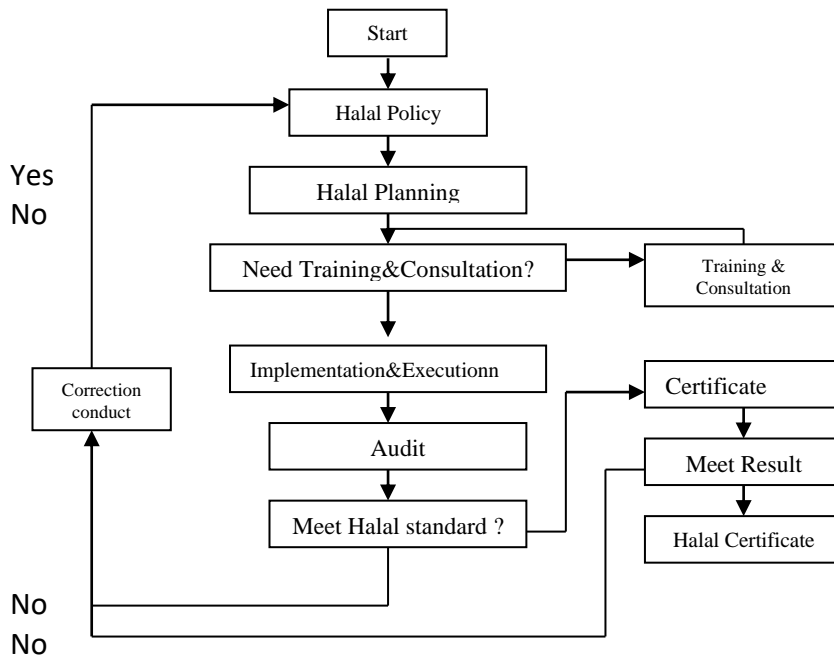


Source: East Java LP POM MUI
Figure 4 Halal Assurance as a System

Figure 4 illustrates the Halal Assurance System (SJH) as a system within the production chain. The concepts of Shariah and business ethics will be the main inputs in SJH, and SJH will always be inspired by and based on these two concepts. The principles of SJH basically refer to the concept of Total Quality Management (TQM), which is an integrated quality management system that emphasizes quality control at every line. SJH must be integrated into overall management based on four basic concepts, namely: commitment to consistently meeting consumer demands and needs, improving production quality at affordable prices, free production from rework, and free from rejection and investigation.

For this agenda, emphasis needs to be placed on 3 (three) production aspects: zero limit, zero documentation, and zero risk. With the emphasis on these 3 zeroes, there should be no trace of prohibited goods used, no processes that make the product haram, and no risks associated with this implementation. Therefore, there needs to be a commitment from all parts of the management organization, from raw material procurement to marketing distribution (Preparation Team, 2004:51).

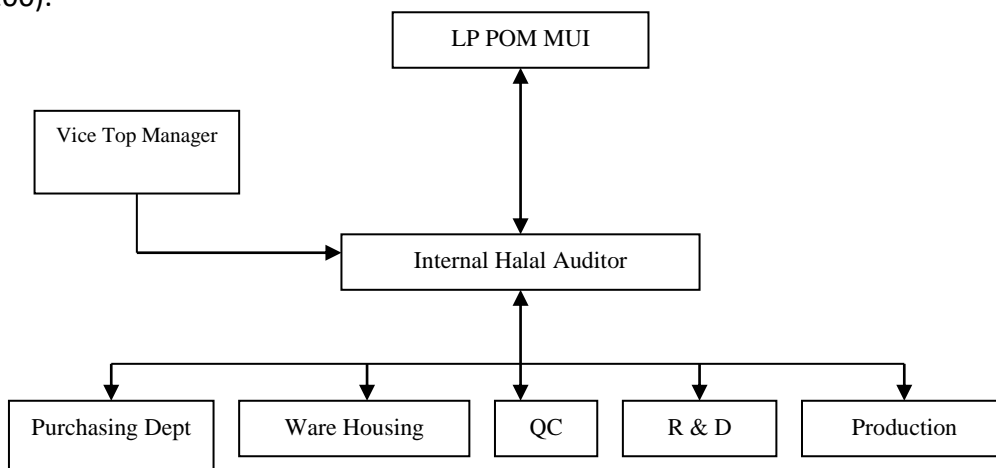
Diagram 3 below illustrates the halal assurance system as a model. The halal assurance system has developed due to the awareness and needs of Muslim consumers to protect themselves from products that are prohibited (haram) and doubtful (syubhat) according to Islamic Shariah provisions.



Source: East Java LP POM MUI

Figure 5 Halal Assurance System as a Model

Figure 5 below illustrates the model of the halal organizational system. It can be seen from the code that the internal halal auditor is responsible to the top management and serves as a contact person to coordinate and consult with LPPOM MUI. The Halal Organizational System is an organizational system responsible for the implementation of the halal assurance system. This system depicts the organizational structure consisting of representatives of top management and related fields, including: quality assurance (QA), quality control (QC), purchasing, research and development (R&D), production, and warehousing. Each of these areas is coordinated by an internal halal auditor (Hartono, 1994:100).



Source: East Java LP POM MUI

Figure 6 Halal Organization Systems

4. Conclusion

Producers and consumers have shown a low/negative response to halal product certification by LPPOM MUI. The factors contributing to the low/negative response from producers are as follows: First, the legal system regarding halal product certification is still partial, with disparities in the regulations governing halal product certification, including Law No. 7 of 1999 concerning Food, Law No. 8 of 1999 concerning Consumer Protection, Law No. 23 of 1992 concerning Health, Government Regulation No. 69 of 1999 concerning Food Labels and Advertising; Second, some producers tend to prioritize business aspects; Third, government oversight of the use of non-halal raw materials and additives. It can be seen from the fact that some producers still place halal logos on their products without halal certification and the implementation of the Halal Assurance System (SJH) issued by LPPOM MUI.

Factors contributing to the low/negative response from the public to halal product certification include: First, although the majority of Indonesian Muslims believe that consuming halal products is a religious command to be obeyed, the low purchasing power of the population results in them being marginalized. They are forced to consume cheap goods to meet their needs, disregarding halal aspects; Second, the low level of education and knowledge among some Indonesian Muslims about halal products; Third, in certain areas, consumerist culture leads consumers to overlook the halal aspect of products; Fourth, differences in lifestyles due to the geographical locations of consumers in rural and urban areas, coastal and mountainous areas also contribute to the low response from the public. There is a similarity in the consumerist lifestyles of urban and coastal communities, which are generally less concerned about the halal aspect of products compared to rural and mountainous communities.

Theoretical recommendations from this research include conducting studies to enhance the authority of halal product certification regulation and improving studies on halal product certification to find compatibility between halal product regulations based on Islamic law and national law. Practically, the research recommends that the government provide legal certainty regarding halal product certification regulation, especially with the enactment of the Halal Product Guarantee Law, and expects the immediate establishment of Standard Operating Procedures (SOP) and implementation of Halal Critical Control Point Analysis. This point provides leeway for producers and consumers to be more critical while always adhering to legal norms and ethics. Consumers should be more cautious in using food, beverages, medicines, and cosmetics and should equip themselves with knowledge and resources to behave more wisely and have consumer ethics (consumeretics).

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