



## From Certification to Consumption: Shariah-Compliant Postmarket Halal Assurance

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### Abstract

This study aims to analyze the effectiveness of the regulatory framework in ensuring the halal status of products in Indonesia during the postmarket phase. The primary focus is to evaluate the role of Halal Product Assurance (Jaminan Produk Halal/JPH) supervisors in maintaining compliance with halal standards after certification, including during distribution and sales. The methodology employed is normative legal analysis, utilizing legislative, conceptual, and historical approaches. Research data include key regulations, training materials, and relevant implementation reports. The findings reveal that although Indonesia's halal regulations, such as Law No. 33 of 2014, provide a robust legal foundation, postmarket supervision faces challenges, including limited resources, inter-agency coordination issues, and gaps in implementation. The training of JPH supervisors is identified as a strategic initiative with promising potential to enhance supervision effectiveness, mainly through technology-based programs like Massive Open Online Courses (MOOCs). However, challenges in integrating supervision into the existing regulatory framework remain unresolved. This study underscores the importance of strengthening continuous supervision mechanisms during the postmarket phase to ensure the halal status of products throughout their lifecycle. Thus, postmarket supervision is a technical issue and a moral responsibility aligned with Islamic law principles.

**Keywords:** Halal products, Postmarket, Regulation, JPH supervisors, Islamic law, Consumers

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## Introduction

Legal regulations concerning halal products in Indonesia were established long before Law No. 33 of 2014 on Halal Product Assurance (Undang-undang Jaminan Produk Halal/UUJPH) was enacted. Ensuring the sustainability of halal products in both global and national markets has become a key policy focus, particularly in countries with Muslim-majority populations, such as Indonesia. According to Gary P. K (2013), "product quality is the ability of a product to perform its intended functions, including overall durability, reliability, accuracy, ease of operation and repair, and other product attributes." As the country with the largest Muslim population in the world, Indonesia holds a unique position to lead the development of a comprehensive halal product assurance system. This responsibility arises from religious obligations and the growing demand for consumer rights and ethical production standards within the broader framework of Islamic law.

Protecting Muslim consumers in Indonesia is the primary goal of national policy development, which, in its formulation, cannot separate Islamic law as an authoritative source (Sopyan, 2022). Indonesia is responsible for ensuring that Muslim consumers' needs are adequately met, particularly concerning halal products (Krisna & Yusuf, 2023). Halal is not solely related to religious aspects but also encompasses health, safety, and ethical consumption. Therefore, the Indonesian government has formulated various regulations to ensure the compliance of halal products in the market and to protect consumers from products that do not adhere to Islamic law (Krisharyanto, Retnowati, Hastuti, 2019). The history of halal regulation in Indonesia is long and dynamic, beginning in 1976 with rules on the distribution and labelling of food products containing substances derived from pork, one of the substances prohibited in Islam (Aziz, Ghofur, & Hidayanti, 2021). This marked the initiation of more specific regulations concerning halal products.

One of the significant milestones in the history of halal regulation in Indonesia was the enactment of Health Law No. 23 of 1992, which mandated the labeling of ingredients, the composition of each ingredient, and the expiration date. This regulation laid the foundation for structured oversight of food distributed in Indonesia (Mustika & Fakrullah, 2022). Collaboration among various government institutions and the Indonesian Ulema Council (MUI) further strengthened the halal regulatory framework in Indonesia. In 1996, a formal partnership was established between the Ministry of Health, the Ministry of Religious Affairs, and MUI, resulting in the signing of the Cooperation Charter on implementing Halal Food Labeling. From the outset, these provisions emphasized the crucial role of MUI (Wajdi, 2021; Rahman, 2023; Stewart, 2018) in the halal production process. MUI holds the authority to issue halal fatwas, the basis for companies to label their products as halal.

Furthermore, the enactment of the Food Law No. 7 of 1996 officially recognized halal certification as an integral part of food labelling. The Consumer Protection Law No.

8 of 1999 introduced a new dimension to consumer protection by ensuring that halal information on product labels aligns with the production processes conducted by companies (Maulidia, 2022). The Food Law No. 18 of 2012 explicitly guarantees the halal status of products, as stated in Article 69(g). Law No. 33 of 2014 became decisive in mandating binding halal certification for all, particularly producers. The entire production process must be ensured as halal until the product reaches the consumer. In this context, the government has automatically assumed the role of regulator and administrator of halal certification, which was initially under the jurisdiction of MUI (Faidah, 2017).

With its various laws and regulations, the long journey of halal regulatory development in Indonesia still leaves complexities in ensuring compliance with halal standards. These complexities involve numerous stakeholders, including businesses, the government, and religious organizations such as MUI (Thalhah, 2024). This complexity extends to the oversight aspect, which must adapt to market trends and consumer demands, making it increasingly dynamic and multifaceted (Kusnadi et al., 2014). The postmarket phase refers to the period after a product has received certification and is available in the market. Monitoring products consumed by the general public to ensure they continue to meet halal standards after the certification process remains essential. The role of the Food and Drug Monitoring Agency (BPOM) in this regard has yet to fully address the needs, given the various challenges and limitations faced (Thalhah, 2024). Within the context of Islamic law, the halal status of a product is not only determined at the time of production or initial certification. However, it must be maintained throughout distribution (Mohamed, Rahim, & Maaram, 2020). This principle necessitates a continuous monitoring mechanism to ensure that products labelled as halal remain halal while in the market.

Law No. 33 of 2014 on Halal Product Assurance provides a solid legal foundation for halal production processes in Indonesia. However, it faces numerous challenges, particularly in ensuring effective and efficient post-sale oversight (Wajdi & Hadita, 2021). Government Regulation No. 42 of 2004 concerning the Implementation of Halal Product Assurance, specifically in Chapter VIII, elaborates on postmarket halal monitoring. This reflects the state's obligation to oversee the halal status of products despite challenges such as resource limitations, inter-agency coordination issues, and company non-compliance.

The government acknowledges that the success of halal regulations depends not only on the legal framework but also on the dedication of human resources in enforcement. Consequently, the training and development of Halal Product Assurance (JPH) supervisors have become a priority. The Halal Product Assurance Organizing Agency (BPJPH), in collaboration with the Ministry of Religious Affairs, has conducted intensive training programs for JPH supervisors to ensure they are adequately equipped to monitor and enforce halal standards across all phases of the product cycle (premarket and postmarket).

One of the latest initiatives is using Massive Open Online Courses (MOOCs) to train supervisors across Indonesia. By utilizing digital platforms such as the "PINTAR" Learning Management System (LMS) (Pusat Informasi Pelatihan dan Pembelajaran), the government aims to make training accessible to candidates from all regions, including remote areas. This method improves efficiency and extends the program's reach. From October 6–10, 2024, hundreds of participants from various provinces attended a MOOC

dedicated to training new JPH supervisors. These individuals will play a crucial role in overseeing the implementation of mandatory halal certification, particularly following the enforcement of halal compulsory labelling.

Training for Halal Product Assurance (JPH) supervisors is not merely a technical exercise but a crucial component of Indonesia's strategy to create a sustainable and credible halal market. As the government intensifies efforts to enhance postmarket monitoring capacity, the role of JPH supervisors becomes increasingly vital. These supervisors are responsible for ensuring that businesses maintain the halal status of their products after certification, addressing potential violations, and educating business operators on the importance of ongoing compliance with halal standards. Additionally, JPH supervisors are tasked with conducting routine inspections and audits, which are critical in ensuring that business operators, tiny and medium enterprises (SMEs), comply with halal requirements throughout the distribution and sales processes. Despite these initiatives, challenges persist in effectively integrating postmarket monitoring into the existing regulatory framework. One ongoing issue is the fragmented nature of regulatory oversight. Several institutions, including BPJPH, the Ministry of Religious Affairs, and the Food and Drug Monitoring Agency (BPOM), are involved in halal regulation, but coordination among these bodies is often insufficient. Consequently, JPH supervisor training also addresses interagency coordination and law enforcement to bridge these gaps and ensure a cohesive approach to halal monitoring.

This article aims to explore the effectiveness of these training programs, particularly in the context of postmarket regulatory oversight in Indonesia. As halal certification becomes mandatory across various sectors, the ability of JPH supervisors to enforce regulations and prevent postmarket violations will be increasingly critical. This research examines how government-led training initiatives for JPH supervisors impact the postmarket phase and evaluates whether these programs have effectively equipped supervisors to address the dynamic challenges of the halal industry. Program pelatihan untuk pengawas JPH merupakan langkah maju yang menjanjikan, tetapi penelitian yang sedang berlangsung diperlukan untuk menilai dampak upaya ini dalam situasi dunia nyata. Dengan menyelidiki efektivitas pengawasan post market dan peran pengawas JPH, penelitian ini berupaya untuk berkontribusi pada wacana yang lebih luas tentang regulasi halal di Indonesia, dengan implikasi untuk pasar domestik dan internasional.

This study focuses on the effectiveness of training programs for Halal Product Assurance (JPH) supervisors within the context of postmarket regulation in Indonesia. The research analyzes how such training contributes to enhancing the capabilities of JPH supervisors in ensuring that products continue to meet halal standards after certification, during distribution, and through consumption. The study evaluates whether training programs, such as Massive Open Online Courses (MOOCs), address these challenges by providing a systematic, efficient, and sustainable approach.

Thus, the study does not merely discuss regulation in general but specifically explores the relationship between JPH supervisor training and the effectiveness of postmarket monitoring. Market implications, such as consumer trust in halal products, are also considered contextually to support the primary analysis. This approach provides a clear scope for the research, focusing on the role of JPH supervisor training as an intervention to address the challenges of postmarket monitoring in Indonesia.

## **Method**

This research employs a normative legal methodology, focusing on Indonesia's regulatory framework governing halal product assurance. Given the dynamic nature of halal certification and the critical importance of postmarket supervision, the study integrates legislative, conceptual, and historical approaches to explore ongoing challenges and opportunities in this field. The legislative approach emphasizes examining key regulations related to halal product assurance, particularly Law No. 33 of 2014 on Halal Product Assurance, Law No. 6 of 2023, and Government Regulation No. 42 of 2024. These regulations highlight the state's role in halal compliance throughout the product life cycle.

The conceptual approach is essential for developing a contemporary understanding of how halal assurance can be maintained beyond the premarket phase. With the introduction of training programs for JPH supervisors, the role of these supervisors in monitoring postmarket halal compliance needs to be clarified and expanded. By incorporating recent advancements in training, such as MOOC-based programs provided by BPJPH, this research assesses whether the current model is adequate to address the growing complexity of the halal industry.

The historical approach traces the evolution of halal regulations in Indonesia, focusing specifically on shifting from premarket-focused rules to including postmarket supervision. The implementation of JPH supervisor training in 2024 represents a significant milestone in this evolution, aiming to address long-standing gaps in monitoring halal products after certification. Data for this study were collected from primary legal sources, including laws and government regulations, and secondary sources, such as legal commentaries and academic articles. The qualitative analysis focuses on how these training programs address practical challenges halal supervisors face in the field, particularly monitoring products during the postmarket phase.

Preliminary findings indicate that JPH supervisor training, through technology-based approaches, has begun to yield results that enhance understanding of halal standards. However, challenges such as capacity gaps among supervisors in remote areas and interagency coordination issues remain to be further evaluated. The expected implications of this study include insights into the effectiveness of JPH supervisor training in supporting more structured postmarket supervision and the identification of regulatory weaknesses. These insights could serve as the basis for policy recommendations to improve the halal monitoring system in Indonesia.

## **Result and Discussion**

### **Development of Halal Product in Indonesia**

The findings of this study reveal that regulations concerning halal products in Indonesia have undergone significant development over the past decades, aiming to provide stronger assurances regarding the halal status of products consumed by the Muslim community. However, challenges in implementing these regulations remain evident, particularly regarding consistency and effectiveness in monitoring and translating these regulations into practice. Initial analysis indicates that various laws and government regulations govern halal product regulation in Indonesia. Law No. 33 of 2014 on Halal Product Assurance represents a pivotal step in the government's efforts to institutionalize the halal product certification process (Setiawan & Hasan, 2024). This law ensures that all products sold in Indonesia comply with established halal standards

by regulating the certification, monitoring, and labeling processes. While this law provides a comprehensive framework, its field implementation presents numerous challenges that must be addressed.

One key finding is the gap between existing regulations and their implementation. Although Law No. 33 of 2014 provides clear guidelines for the halal certification process, applying these regulations is not always consistent (Abdallah, 2021). Factors influencing this inconsistency include limited resources and the capacity of institutions responsible for monitoring and certification (Wajdi & Hadita, 2021). Furthermore, variations in the interpretation and application of regulations across different regions and industries contribute to inconsistent enforcement.

From the perspective of Islamic law, the study highlights that Indonesia's halal product regulations, like other aspects of Islamic law, aim to adapt the principles of Sharia methods into a favorable legal framework (Ridwan, 2023). Islamic law emphasizes the importance of halal products in the context of religious obligations for Muslims. Thus, having regulations governing halal products is seen as a legal compliance effort and a means to ensure that products consumed by the Muslim community align with Islamic teachings and laws (Sahbuddin, Sukor, & Hashim, 2020). However, the findings also underscore debates surrounding the implementation of halal regulations, particularly regarding the roles of the state and religious authorities, such as the Indonesian Ulema Council (MUI). While MUI plays a critical role in issuing halal fatwas, existing regulations indicate a shift in overseeing and controlling halal certification, which is now under the jurisdiction of the Ministry of Religious Affairs and other institutions. This transition introduces new dynamics in the relationship between religious authorities and the government concerning halal product assurance and will influence how these regulations are interpreted and enforced (Masrurah, 2020).

The study also found that, despite the institutionalization of halal regulations, challenges persist in managing small and medium enterprises (SMEs), particularly in the household sector. These industries often face limitations in accessing information, resources, and the certification processes required to meet halal standards. This creates significant challenges given domestic industries' vital role in fulfilling consumer needs, especially in rural and remote areas (Hiya and Nawawi, 2021). From the perspective of Islamic law, this issue raises questions about how to ensure that all products consumed by Muslims, including those from small and medium enterprises, genuinely meet halal standards. Islam does not differentiate between products manufactured by large or small industries; what matters is the assurance of the product's halal status.

Improved coordination and synchronization among the institutions providing halal products are urgently needed. Institutions such as the Ministry of Religious Affairs, the Food and Drug Monitoring Agency (BPOM), and the Indonesian Ulema Council (MUI) have distinct but interrelated roles in halal certification and management. The lack of interagency alignment often leads to duplicative oversight, ultimately impacting the efficiency of halal product assurance in the field.

### **Halal Product at the Postmarket Phase**

The postmarket phase refers to the stage after a product has been produced, certified, and distributed to consumers. As previously noted, in today's industrialization and globalization era, ensuring a product's halal status does not end at the premarket or production stage. Once a product is released to the market, its halal status can be affected

by various factors such as distribution, storage, and sales processes. Integrated monitoring mechanisms are essential to ensure that a product certified as halal during production does not lose its "halal certification" status during distribution and sales.

The primary finding reveals that postmarket monitoring mechanisms in Indonesia are currently more reactive than proactive. Monitoring is often conducted in response to consumer reports or complaints rather than through routine and systematic inspections (Mustika & Fakhrollah, 2022). This suggests that, despite existing regulations, enforcement has not been effective enough to ensure that products circulating in the market consistently meet halal standards. It also highlights the limited capacity of regulators to comprehensively and sustainably monitor products already in circulation.

In Islamic law, ensuring the halal status of a product does not end at the production or initial certification stage is essential. The halal status must be maintained throughout the product's lifecycle, from production to distribution and consumption. Therefore, Islam emphasizes the importance of continuous monitoring and effective mechanisms to prevent violations of halal standards at any stage of the product lifecycle. This includes additional monitoring during storage or distribution to ensure that conditions prevent contamination with non-halal substances.

A significant issue in the postmarket phase pertains to imported products, which frequently encounter challenges in meeting established halal standards. Import monitoring often faces obstacles related to limited human resources and technology (Alamsyah, Hakim, & Hendayani, 2022). Additionally, discrepancies between international halal standards and those enforced in Indonesia pose challenges in ensuring the halal status of imported products. In some cases, products certified as halal at the production stage experience changes in their halal status during distribution or sales. This is often caused by factors such as contamination during transportation or storage and non-compliance with halal standards by parties involved in the supply chain. This situation underscores the need for stricter regulations and more effective postmarket monitoring to ensure the halal status of products is consistently maintained.

Clear guidance is provided under Islamic law concerning the moral and legal responsibilities of all halal product supply chain parties. Every Muslim is responsible for ensuring that their food and products are halal. Accordingly, producers, distributors, and retailers are collectively accountable for preserving the halal status of their products until they reach the consumer. This calls for a more holistic approach to halal assurance, encompassing initial certification and continuous monitoring throughout the supply chain. The findings emphasize the necessity for greater synergy among the various institutions providing halal products. In the postmarket context, a collaboration between the Food and Drug Monitoring Agency (BPOM), the Ministry of Religious Affairs, and the Indonesian Ulema Council (MUI) is essential. These institutions must work cohesively to ensure effective postmarket monitoring by leveraging modern technology and adopting risk-based approaches to oversee market products.

### **The Role of JPH Supervision in Ensuring Halal Standards**

Previous discussions have thoroughly examined Indonesia's regulatory framework for halal product assurance, focusing on the challenges encountered during the postmarket phase. These challenges include gaps in the regulatory structure that affect the monitoring of products after receiving halal certification. The following discussion will build upon this foundation by introducing the critical role of Halal Product Assurance (JPH)

supervisors and their training as part of Indonesia's strategy to enhance postmarket monitoring. The introduction of formal training programs for JPH supervisors represents a crucial step in addressing deficiencies in postmarket tracking and ensuring that halal standards are enforced during production and throughout the product lifecycle. As established earlier, the postmarket phase presents unique challenges to halal product assurance. Risks of contamination or non-compliance with halal standards can occur once a certified product enters the distribution network. Products may become exposed to non-halal substances during transportation, storage, or retail handling, invalidating their halal status.

Historically, halal certification has focused primarily on the premarket phase, with limited mechanisms for continuous monitoring once products reach consumers. The development of structured training programs for Halal Product Assurance (JPH) supervisors addresses this gap by preparing a new cadre of professionals capable of actively monitoring the halal status of products in real-time. The training of JPH supervisors is mandated by regulation, specifically Government Regulation No. 42 of 2024 on implementing Halal Product Assurance. The responsibility for oversight lies with the Halal Product Assurance Organizing Agency (BPJPH) and the Ministry of Religious Affairs, with various ministries and related agencies assigned roles in designing strategic programs for JPH monitoring. Achieving synergistic oversight among stakeholders necessitates adequate training.

In 2024, the Indonesian government, through BPJPH and the Ministry of Religious Affairs, launched an innovative training program for JPH supervisors utilizing modern digital tools such as Massive Open Online Courses (MOOCs). This program is designed to train individuals from across Indonesia, ensuring that all regions, including remote areas, have access to trained halal supervisors. The initiative aims to meet the growing demand for halal supervision and ensure uniform implementation of halal regulations nationwide.

The training modules cover a broad range of topics, from the legal framework governing halal products to practical skills in inspection and monitoring. Supervisors are trained to identify potential risks that could compromise the halal status of products during distribution and retail sales. They are also taught to collaborate with business operators, educating them on best practices for maintaining halal standards post-certification. This proactive approach is expected to reduce violations and ensure that products reaching consumers retain their halal status. Moreover, the digital nature of the training program provides greater flexibility and accessibility. Utilizing the "PINTAR" Learning Management System (LMS) enables participants to complete their training from any location, expanding the pool of trained supervisors to cover more regions across the country. Incorporating asynchronous learning modules also allows participants to engage with the materials at their own pace, making the program more inclusive for individuals with varying prior knowledge and experience levels. This innovative approach ensures a comprehensive and consistent halal assurance system across Indonesia.

Furthermore, the training emphasizes the importance of collaboration between JPH supervisors and business operators. By educating business operators on maintaining sustainable halal standards, JPH supervisors act as both regulators and advisors, fostering a culture of compliance within the industry. This dual role strengthens the halal ecosystem and reduces the likelihood of intentional violations by operators seeking shortcuts in their postmarket processes.

The training of JPH supervisors holds broader significance for Indonesia's halal industry. As the country seeks to position itself as a global leader in the halal market, the integrity of its halal certification system will be closely scrutinized by both domestic and international consumers. Consequently, the role of JPH supervisors extends beyond regulatory enforcement; they also serve as ambassadors of Indonesia's commitment to halal excellence. By ensuring that products retain their halal status throughout their lifecycle, JPH supervisors contribute to the sustainability of Indonesia's halal market. Their work helps build consumer trust within Indonesia and in international markets that rely on Indonesia's halal certification standards. This is particularly crucial as global demand for halal products continues to grow, with countries worldwide looking to Indonesia as a model for halal assurance.

### **Conclusion**

Despite having a strong legal foundation through regulations such as the Halal Product Assurance Law (UU JPH), Halal product assurance in Indonesia continues to face various challenges in implementing postmarket oversight. The primary focus, which still leans heavily on the premarket phase, creates a gap that must be addressed, particularly regarding the synchronization between legislation and consistent application across different industrial sectors. The role of the Indonesian Ulema Council (MUI) as the body responsible for issuing halal fatwas, while oversight and enforcement are carried out by other institutions such as the Ministry of Religious Affairs and the Food and Drug Monitoring Agency (BPOM), requires enhanced coordination and effectiveness.

The postmarket phase presents more complex challenges, as monitoring of products already circulating in the market has yet to integrate fully into the existing regulatory framework. Postmarket supervision remains reactive and unsystematic, allowing for potential violations of halal standards after products enter the market. In this context, Islamic law provides a perspective emphasizing the importance of maintaining the halal status of products throughout their lifecycle, from production to consumption. However, implementation challenges, particularly for imported products and those distributed through complex supply chains, highlight the urgent need to strengthen post-market supervision. In Islamic law, halal assurance is not merely a matter of formal certification but must be viewed as an ongoing moral and legal responsibility. Therefore, a holistic and sustainable approach is required to ensure that products consumed by the Muslim community in Indonesia genuinely adhere to the halal principles taught by Islam.

The training of JPH supervisors marks a significant step in Indonesia's efforts to strengthen its halal assurance system, particularly during the postmarket phase. By equipping these supervisors with the necessary skills and knowledge, the government aims to address challenges in postmarket monitoring, ensuring that products retain their halal status from production to consumption. The success of this training program will be critical in determining the future effectiveness of halal regulations in Indonesia, especially as the country prepares for the mandatory implementation of halal certification across all sectors by October 2026.

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