

# Implementation of Halal Product Certification in Restaurants in Pekanbaru City Based on Law Number 33 of 2014

## ABSTRACT

*Law Number 33 of 2014 concerning Halal Product Guarantees stipulates that every product circulating in Indonesia must have halal certification. However, in practice, many products circulating in the community do not have a halal guarantee. This writing aims to analyze the implementation of Halal Product Certification in Restaurants in Pekanbaru City in accordance with Law Number 33 of 2014. The research method used is a sociological method. The research results show that there are still many business actors in Pekanbaru City, especially eateries and restaurants, that do not have halal certificates. This is caused by the mindset of business actors, low levels of compliance, and lack of supervision and control. Efforts that can be made by the Pekanbaru City government are to increase awareness of business actors to obtain halal certification, change their mindset, increase compliance, and increase supervision and control.*

**Keyword:** *Certification, product, halal, guarantee*

## INTRODUCTION

Consumer is a term for society, a group of people, or individuals who consume goods or services. Indonesia is the second most optimistic and consumptive country after Singapore based on a survey from customs. In the McKinsey and Company Indonesia survey, the majority of Indonesian people buy financial services products and the consumption sector is in second place. (Zainudin Hasan, et al, 2023).

Related to this, Indonesia has a majority Muslim population, reaching 87.18 percent of the total population (BPS, 2010). Therefore, the demand for halal products in Indonesia is very high (Fatmawati, 2011). This country pays

attention to ensure freedom of religion for all its residents, in accordance with the 1945 Constitution Article 29 paragraph 2, which confirms that "The State guarantees the freedom of each resident to embrace their own religion and to worship according to that religion and belief." Religious guarantees imply that residents are given the freedom to determine the beliefs they choose. Meanwhile, the guarantee of worship is freedom to carry out worship according to the Shari'a. Determining halal products for Muslims are duty. The government must provide guarantees and protection of halal products for muslims. The certainty of halal products can reassure people who consume or use them (Department of Religion of the Republic of Indonesia 2003; Chairunnisyah 2017).

In reality, there are still many products circulating in society without a guarantee of being halal. To overcome this, the government issued Law Number 33 of 2014. In October 17 2019, the government is implementing this mandate through Halal Product Guarantee Administering Agency (BPJPH) of the Ministry of Religion. This law emphasizes that every product that enters, circulates, and traded in Indonesia must have halal certificate. Types of products that must have a halal certificate include drinks, food, medicine, chemical products, cosmetics, biological products, genetically engineered and consumer goods.

This halal certificate is a requirement to obtain permission to include a halal label on product packaging from the government. The aim of providing halal certification to food products is to provide confidence to consumers regarding the halal status of a product, so as to increase their trust. However, based on the author's observations in Pekanbaru City, many business actors, especially those engaged in providing food and drinks such as restaurants and restaurants, do not yet have halal certification.

This situation is not in accordance with the spirit of Articles 4 and 67 of Law Number 33 of 2014 which comes into effect five years after this law. invited. Apart from that, there is a mistaken understanding from business actors regarding halal certification. According to the description, the author will

conduct further research regarding halal product certification in Pekanbaru City in the form of a scientific article entitled "Implementation of Halal Product Certification in Restaurants in Pekanbaru City Based on Laws Law Number 33 of 2014." The author formulate problem about process, obstacles, and overcome obstacles in implementing Halal Product Certification in restaurants of Pekanbaru City. The research purposes are seeking implementation, obstacles, and handling obstacles in implementing it.

## **RESEARCH METHOD**

This research use sociological legal research. This research discusses how law operates in society. In conducting research, the author used several data collection techniques, namely:

- a. Observation, namely collecting data by direct observation of the research object.
- b. Non-structured interviews, namely data collection where the writer is free to ask the respondent something without being tied to a list of questions. Thus, the author is free to determine his questions according to the problem being studied.
- c. Questionnaires where data collection is accompanied by alternative answers.
- d. Literature Review , namely a method of collecting data through literature that has a correlation with the problem being researched which actually looks for secondary data to support primary data.

The research data was then analyzed quantitatively, describing descriptively (narratively) the data obtained. In drawing conclusions, we use the inductive thinking method, where we draw conclusions from a specific statement or proposition to a general one.

## **RESULTS AND DISCUSSION**

In terms of terminology in Islamic law, halal means that it is permissible

to carry out certain activities or objects which are commonly used, such as indicating that food is halal for consumption by the public. As a term of Islamic law, the term and definition of halal is within the scope of Islamic law or Islamic law, which serves as guidelines or demands for the people. Islam. (Abdurrahman Konoras, *Guarantee of Halal Products in Indonesia Legal Perspective of Consumer Protection* , Jakarta: Rajagrafindo Persada, 2017 , p. 24. ) In Indonesia, Muslim consumers are protected by the Food and Drug Product Monitoring Agency (BPPOM) which is tasked with supervising products in the community, BPPOM as well In cooperation with the Ministry of Religion and the Food Research Institute which is specifically tasked with auditing products consumed by Muslim consumers, BPOM monitors products by providing approval, including halal writing/logos on labels based on halal certificates. (Muchith A. Karim, *Behavior of Urban Muslim Communities in Consuming Halal Products* , Jakarta: Indonesian Ministry of Religion Research and Development Center, 2013, p. 2) Prior to Law Number 33 of 2014, halal certification for products was issued by the Indonesia Ulema Council (LPPOM MUI) Food and Drug Product Assessment Institute.

The inclusion of halal labels on various food, beverage, medicine and cosmetic products is based on the Indonesian Ulema Council (MUI) fatwa since June 1980, the MUI fatwa regarding the prohibition of food and drinks mixed with haram/unclean goods, then in September 1994 with MUI fatwa regarding the prohibition of pork and all its elements and confirmed by a joint decision of the Minister of Health and the Minister of Religion regarding inclusion of the word "Halal" on food labels. According to Abdurrahman Konoras in his book "Halal Product Guarantee in Indonesia Legal Perspective of Consumer Protection" (page 4), a Halal Certificate is a document issued based on a written fatwa from the MUI stating that a product complies with Islamic law.

According to Law Number 33 of 2014, certain products sold in Indonesia are required owning halal certificate. Therefore, MUI's Food, Drug and Cosmetics Study Institute supports the Indonesian government's policies by providing halal inspection services for products circulating in Indonesia as well as providing halal certification services for products marketed outside

Indonesia. To obtain further information, here are some of the results of the interview, including interviewing the Public Relations Officer and Auditor of LPPOM MUI Riau, who explained as follows: (Interview with Public Relations of LPPOM MUI Riau, Mr. Ir Khafzan, which took place at the Office of the LPPOM MUI Riau, Jalan Jenderal Sudirman Number 717, South Tangkerang District, Bukit Raya District, Pekanbaru.).

*" The Institute for the Study of Food, Drugs and Cosmetics, the MUI was formed on January 6 1989 in collaboration with the Ministry of Religion, Ministry of Health, BPOM, MUI, Ministry of Agriculture, Ministry of Cooperatives and SMEs, Ministry of Trade, Ministry of Industry, Ministry of Maritime Affairs and Fisheries, the Ministry of Tourism and Creative Economy, a number of universities in Indonesia and other related institutions." Halal certification process involves three main parties: BPJPH, LPPOM MUI as the halal inspection body, and MUI. BPJPH is tasked with implementing halal product guarantees. LPPOM MUI is responsible for checking the completeness of documents, scheduling and carrying out audits, holding auditor meetings, issuing audit memorandums, and presenting audit results at MUI Fatwa Commission meetings. MUI, through the Fatwa Commission, determines the halalness of products based on audit results and issues the Halal Decree of the MUI. "*

Before registering for halal certification, companies obligated have implemented a Halal Assurance System that is in accordance with government regulations and Halal Assurance System 23000. To implement an appropriate Halal Assurance System, companies need to first understand the Halal Assurance System criteria. Halal Assurance System 23000 is created based on a theme that suits the company's business processes. LPPOM MUI provides the thematic Halal Assurance System 23000 book for companies who want to understand requirements of the halal assurance system more deeply. Apart from that, companies can also take part in Halal Guarantee System training organized by competent training institutions. Registration for halal certification begins with submitting an application for a Document Receipt Letter to BPJPH .

Apart from that, companies can also take part in Halal Assurance System training organized by competent Halal Assurance System training institutions. Registration for halal certification begins with submitting an application for a Document Receipt Letter to BPJPH. Information regarding submitting an

application for a Document Receipt Letter and documents required by BPJPH is available on the page [www.halal.go.id](http://www.halal.go.id). After that, the company must choose the LPPOM MUI to check product halalness. Registration with the LPPOM MUI is carried out online via the Certification Online (CEROL)-Service System 23000 system on the website [www.e-lppommui.org](http://www.e-lppommui.org). In the *online system Certification Online (CEROL)- Service System 23000*, Companies are required to provide registration information, facility details, product specifications, material specifics, material and product compatibility information, and upload various mandatory documents. These documents are essential for the subsequent inspection processes related to halal certification of products as follows:

1. Previous Halal certification for the identical product category (particularly for new development or extension registration);
2. Halal Guarantee System Manual (specifically for new registrations, developments with Halal Guarantee System B status or extensions);
3. Latest Halal Guarantee System Status (specifically for development and extension registration).
4. Production process flow diagram for registered products (for each product type).
5. A declaration from the owner of the manufacturing facility confirming that the facility involved in contact directly with materials and products, include auxiliary equipment, is dedicated exclusively to either halal products or non-halal products containing pork or its derivatives. If the facility has been used for both, the equipment undergoes thorough cleaning with water, including one wash with soil, soap, detergent, or suitable chemicals to eliminate any traces of odor or color from non-halal substances.
6. Compilation of addresses for all production sites, encompassing manufacturing plants and storage facilities for intermediate materials and products. Specifically for restaurants, the list should detail main offices, off-site kitchens, external warehouses, and dining areas. Particularly for gelatin products, if raw materials (such as skin, bones, esophagus, bone chips, and ossein) lack halal certification, the list must

additionally include addresses of all suppliers providing these raw materials.

7. Evidence of halal policy dissemination.
8. Evidence demonstrating the qualifications of the halal management team, which may include certifications for halal supervision, external training certifications, and/or documentation of internal training (such as attendance records, training materials, and evaluations). For facility development registrations, it is necessary to provide proof of internal training conducted at the new facility.
9. The Evidence of implementation of internal audit of the Halal Guarantee System.
10. Evidence of company registration and licensing, including documents such as Business Identification Number, Industrial Business License, Micro and Small Business License, Trading Business License, or Certificate of Existence of Production Facilities issued by local authorities.
11. Certification or documentation demonstrating adherence to a quality or product safety system (where applicable), such as a Hazard Analysis Critical Control Point (HACCP) certificate, Good Manufacturing Practice (GMP) certification, Food Safety System Certification 22000 for food products, sanitation and hygiene certificates for restaurants and catering services, as well as any relevant training on food preparation practices.
12. Document Receipt Letter from BPJPH.

Furthermore, regarding ownership of halal certificates, the conclusions of respondents' answers are as follows:

Table IV. 4

Respondents' answers regarding ownership of a halal certificate

No	Answer	Number of Respondents	Percentage
1	Has a halal certificate	11 people	55 %
2	Does not have a halal certificate	9 people	45 %
	Amount	20 people	100%

Data Source: Questionnaire of respondents from restaurant owners in Pekanbaru City in 2021

From the table it is known that 11 respondents or 55% have halal certificates, while 9 respondents do not have halal certificates. The absence of a halal certificate is influenced by external and internal factors. Internal factors that influence halal certification include a lack of knowledge and awareness among business owners, especially micro and small businesses. Obstacles on the part of management. The obstacles faced by many business actors are of course not far from several factors related to lack of training, low level of education, lack of time which becomes an obstacle in terms of management of business actors. Obstacles to the availability of facilities. Constraints are still limited, forcing micro and small business actors to use minimal facilities in their production. Obstacles include financial factors, while external factors inhibiting halal certification are the lack of information and outreach from related institutions. In this case, business actors think that the announcements regarding halal certification information that the public gets regarding halal certification are very lacking and limited. There is a lack of role from the government. According to the community, the role of the government is that information has not yet reached micro and small business actors. Many business actors hope for guidance, direction and basic assistance both in terms of knowledge for registering for halal certification and costs incurred, stages for carrying out certification, obstacles from certification bodies, low consumer awareness and demand, still limited raw materials that meet the requirements (Supomo, et al. 2017).



To ensure that halal product certification runs well, steps need to be taken to overcome obstacles to its implementation as follows: (Interview with Public Relations of LPPOM MUI Riau, Mr. Ir. Khafzan, at the Office of LPPOM MUI Riau, Jalan Jenderal Sudirman Number 717, South Tangkerang Village, Bukit Raya District, Pekanbaru.)

1. Increasing awareness of business actors to have halal certificates

All stakeholders, including the Pekanbaru City government, the Pekanbaru City Health Service, and the Riau MUI's Food, Drug and Cosmetics Study Institute, are carrying out several stages. The initial stage that must be carried out is data collection on all business actors in Pekanbaru City, from large businesses to micro, small and medium businesses. After the data is collected, grouping is carried out based on ownership of halal product certificates. The first stage of education is aimed at business actors who haven't halal product certificates. During the implementation of this education, business actors who immediately want to obtain halal product certificates can also register. For business actors who already having halal product certificates, education is accompanied by supervision of implementation of halal product certificates. During this supervision, you can also directly give a verbal warning if a minor violation is found and if a serious violation is found, a written warning will be given. If the business actor still does not show good faith, then the business actor may be subject to administrative sanctions, namely:

- a. Revocation of halal certificate;
- b. Withdrawal of goods from circulation
- c. Written warning;
- d. Administrative fines.

Administrative sanctions are imposed according to the level of the violation that occurred. These sanctions can be given in stages as cumulative or alternative. LPPOM MUI Riau has the authority to impose administrative sanctions on business actors who commit violations:

- a. Business actors that apply halal certificates:

- 1). Providing inaccurate, non-transparent or dishonest information;
  - 2). Ensure that facilities, areas, and equipment used for slaughtering, storing, processing, distributing, packaging, selling, and presenting products are not segregated between halal and non-halal products;
  - 3). having no Halal Supervisor;
  - 4). Not reporting changes in ingredient composition to BPJPH.
- b. Business actors do not implement halal product guarantee system.
  - c. Business Actors must extend Halal Certificate no later than three months before expiring Halal Certificate.
  - d. Business operators do not display the Halal label on products that have been Halal certified.
  - e. Business operators who produce products from prohibited materials do not indicate that they are not halal.
  - f. Business operators do not provide non-halal information in the form of text, images, and ingredient names in distinct colors in the ingredient list for products made from prohibited materials.
  - g. Halal Certificates for categories such as additives, raw materials, slaughtered products and auxiliary materials issued by international halal institutions with mutual recognition agreements with BPJPH are not registered before being distributed in Indonesia.
  - h. Importers official representatives do not display the registration number next to the halal label on the product packaging, specific parts of the product, and/or designated areas of the product.
  - i. Business operators must renew their overseas Halal Certificate registration at the latest three months before validation period of Halal Certificate registration expires.
2. Changing mindset patterns of business actors
 

All related parties, including the Pekanbaru City government, the Pekanbaru City Health Service, and the Riau MUI's Food, Drug and Cosmetics Study Institute, carry out educational programs by holding a series of outreach or outreach to business actors on a regular basis. This aims to provide understanding to business actors, especially business

actors who use ingredients that are considered halal because they are obtained from local markets. This understanding is not only about the source of raw materials, but also about the product processing process, slaughtering system, product location, production space, equipment, product storage, distribution and presentation. Every business actor must understand that the halal guarantee system covers a very broad field, until the product is available to the public. Even though it has been felt that the use of guaranteed energy and materials does not violate traditionally applicable regulations, the entire process must obtain legitimacy in accordance with applicable regulations.

3. Increasing level of compliance of business actors

The Riau MUI's Food, Drug and Cosmetics Study Institute collaborates and coordinates with the Pekanbaru City Government through the Regional Work Unit which is responsible for business licensing. Every restaurant and restaurant business actor who will apply for a Trading Business License (SIUP) or Business Place Permit (SITU) will be obliged to attach Proof of Registration for Halal Certificate Registration. However, for business actors who do not yet have a halal product certificate, the Regional Work Unit in charge of business licensing can write to the business actor to immediately arrange and have a halal product certificate as a follow-up requirement that every business actor must have. With this action, it is hoped that the level of compliance of business actors will increase automatically because ownership of halal product certificates is directly related to business permits for business actors.

4. Increase supervision and order

One effective way is that the Pekanbaru City Government carries out supervision and control over business actors in relation with halal product certificates. For business actors who already have halal product certificates, supervision and control are carried out on all implementation of halal product certificates starting from the product processing process, slaughtering system, product location, production space, and storage, distribution and presentation of products. Meanwhile, for business actors who do not yet have a halal product certificate, administrative action can be

taken until the business actor concerned has a halal product certificate.

## **CONCLUSION**

From the results of research conducted on the implementation of halal certification in restaurants and restaurants in Pekanbaru City, the author will draw the following conclusions. First, implementation of Halal Product Certification in Pekanbaru City Restaurants is not yet optimal, because there are still many restaurant and restaurant businesses in Pekanbaru City who have not obtained halal product certificates.

Second, Obstacles in implementing Halal Product Certification in Pekanbaru City Restaurants include the large number of restaurants and restaurants that do not yet have halal certificates, the mindset of business actors, low compliance from business actors, and lack of supervision. as well as orderliness. Third, efforts to overcome obstacles to implementing Halal Product Certification are to increase awareness of business actors to have halal certificates, change mindset of business actors, increase level of compliance and improve supervision and control for business actors.

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