

Review of Islamic Law on Halal Food Products in an Effort to Protect Consumers in Surakarta City

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Abstrac

The development of food and beverages sold and bought and sold more and more in the current era. This makes consumers free to choose whatever food they like, but as smart consumers must be careful and careful in consuming the goods consumed. Halal labeling is an important item in products that become the main preference for consumers, especially for Muslim consumers to purchase products even though sometimes only limited to the intention to buy. One of the largest Muslim consumers is in Surakarta City. A perspective review of Islamic law needs to be carried out to protect consumers against the products they consume. The urgency of this research makes it important for this research to be carried out so that consumers and producers understand each other correctly about the concept of labeling from the perspective of Islamic law and positive law. This study aims to determine the review of Islamic law on halal restaurant products, as well as determine the influence of halal labeling on purchasing decisions for public consumption products in Surakarta City.

Abstrak

Perkembangan makanan dan minuman yang dijual belikan semakin banyak di era saat ini. Hal ini menjadikan konsumen bebas memilih makanan apapun yang mereka sukai, namun sebagai konsumen cerdas harus cermat dan hati-hati dalam mengonsumsi barang yang dikonsumsi. Labelisasi halal menjadi item yang penting dalam produk yang mejadi preferensi utama bagi konsumen terutama bagi konsumen muslim untuk melakukan pembelian produk walaupun terkadang hanya sebatas niat membeli. Salah satu konsumen muslim terbesar ada di Kota Surakarta. Tinjauan perpektif hukum Islam perlu dilakukan untuk melakukan perlindungan bagi konsumen terhadap produk yang dikonsumsi. Urgensi penelitian ini menjadikan pentingnya penelitian ini dilakukan agar konsumen dan produsen saling memahami secara benar mengenai konsep labelisasi ditinjau dari perspektif hukum islam dan hukum positif. Penelitian ini bertujuan untuk mengetahui tinjauan hukum Islam terhadap kehalalan produk resto, serta mengetahui pengaruh labelisasi halal terhadap keputusan pembelian produk konsumsi masyarakat di Kota Surakarta.

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1. INTRODUCTION

Indonesia has the largest Muslim population in the world [1]. Such conditions are an opportunity for the development of the production of goods and services, especially with the halal label [2]. The halal concept that is carried out actually does not discriminate against consumer beliefs of followers of other religions but for benefit and cleanliness and provides a definite promise that the products consumed are good products [3]. Halal labeling is certainly not only initiated by some people but also still based on the realization of verses of the Qur'an. This basis is written in the holy verse of the Qur'an Surah Al-Baqarah (2): 168 which means as follows [4].

"O men, eat what is lawful more good than that which is on earth, and do not follow the steps of Satan; for verily Satan is a real enemy to you."

The concept of halal standardization is also a competition for business people and investors to carry halal in their business. Consumption of halal products from time to time will become a trend for many people [5]. This development seems not only in food products but also in medicinal and cosmetic products. The record of sales of halal products in the market share in several countries is quite high, for example in the United States reaching an estimated 2.1 T dollars [6]. The halal

industry is one of the advances in the way of life of people's consumption. Increasing consumer awareness of the trend of halal style is the basis of sharia on how to process and consume daily food. In the lens of Islam, of course, consuming decent products so that there is a correlation between halal lifestyle and the Qur'an to increase public awareness about the importance of consuming halal products [7].

Halal products in food are an important component especially for the consumption of Muslims [8]. This is because the prohibition of haram elements in the manufacture of products starting from inputs such as production materials, raw materials to additives and other materials must be obtained in accordance with Islamic law [9]. The need for halal labeling aspects on products to provide greater benefits than the mudharat side [10]. Consumers also deserve consumer protection such as security and safety when consuming goods and services. Consumer protection also concerns the right to choose and obtain the goods needed. This guarantee must be in place so that every consumer can use the product that is best in society [11]. The importance of consumer protection also affects many audiences such as oneself, family, others, and other living beings [12]. Cases that occur regarding the number of products that are not halal or products that label halal independently must also be a concern from the government so that there must be clear regulations. This kind of interest must be pursued considering that consumers in Indonesia are mostly Muslim consumers so it needs good institutional supervision in seeing products with sharia (halal) [13]. Rules seem to already exist regarding consumer protection guarantees contained in Law No. 8 of 1999. The role of the government in the availability of commodities needed by the public is the main thing.

Standardization of the object of goods produced halal is contained in the regulation. Excessive use of words in promoting products is also not allowed to avoid discrepancies in the goods and services offered. Consumer protection from elements that deceive consumers about quality and quantity should also be resolved [14].

The city of Surakarta or better known as solo is often dubbed the city of Islam along with the many da'wah activities. No wonder the people in Surakarta are also mostly Muslim [15]. The number of Islamic communities will be in line with the many people's consumption needs for halal products. Labeling is very important for consumers to get to know in detail the products sold. The existence of halal labeling signifies accountability and honesty for producers. In principle, labeling will inform halal and nutrients contained so that consumers feel safe when consuming products [16]. This urgency makes it important for this research to be carried out so that consumers and producers understand each other correctly about the concept of labeling from the perspective of Islamic law and positive law. The formulation of this research problem is how to review Islamic law and positive law on halal products and analyze the effect of halal labeling on halal product purchasing decisions. This product is specific to food products sold at restaurants that have been labeled halal. This study aims to determine the review of Islamic law and positive law on halal restaurant products and determine the influence of halal labeling on purchasing decisions for consumer products in Surakarta City.

2. METHOD

The problem-solving approach is carried out by conducting empirical investigations using concrete data. The problem-solving approach is also brought closer by obtaining data in the form of views, thoughts, and opinions from actors as material for analysis. The main problem studied is about the review of Islamic law on halal products and purchasing decisions for restaurant products in Surakarta City.

Halal fatwas are the basis for data analysis. The Indonesian state is a majority Muslim population, the value of Islamic teachings can be said to have been attached to everyday life, both in socio-social and socio-political aspects. So that all community activities must always get guidance, as well as guidance in the religious field which is manifested in the form of giving fatwas.

Fatwas can be interpreted linguistically as advice, explanations, and answers issued by fatwa institutions on religious matters, based on Islamic law and applicable to the public. A fatwa is

essentially a *non-binding legal opinion*. But in fact, fatwas for Muslims are not only considered as non-binding legal opinions, but are used as guidelines in carrying out religious teachings in daily life.

Accurate data is needed to complete this study. The selection of methods must also be appropriate so that the description of the object under study is clear and concrete. Data collection techniques in this study are divided into three parts, namely observation, interviews, and documentation.

This research is qualitative so that interaction through interviews and direct field observation is a solution to obtain data. Completeness and correctness of data must also be done so that documentation is a strategic step that should be implemented.

- a. **Observation**, this observation method is carried out by observation, namely observing the symptoms studied. In this case the five human senses (sight and hearing) are needed to catch the observed symptoms. Then recording is carried out for further analysis
- b. **Interview**, an interview is a meeting of two or more people to exchange information and ideas through questions and answers, so that meaning can be contributed in a particular topic. The purpose of the interview is to verify, change, and expand the information obtained from other people both human and non-human. The interview techniques used in this study were structured interviews and *in-depth interviews*.
- c. **Documentation**, documentation is looking for data about things or variables in the form of notes, transcripts, books, newspapers, magazines, inscriptions, meeting minutes, agendas, photos and so on.
- d. **Data reduction** is a form of analysis that sharpens, selects, focuses, discards, and organizes data in a way that final conclusions can be described and verified.
- e. **Display data** is a process of organizing data so that it is easy to analyze and conclude
- f. **Drawing conclusions**, this step begins by looking at patterns of themes, relationships, things that often arise and so on that lead to concepts.
- g. **Data validity** checking data validity test in research is an important concept that is updated from the concept of validity and reliability.
- h. **Work on research output**, publication output is the final part promised in this research

3. RESULTS AND DISCUSSION

1. Fatwa Halal

Halal product certification carried out in Indonesia has been handled by the Institute for the Assessment of Food, Drugs and Food of the Indonesian Ulema Council or LPPOMMUI, an institution that is a forum for Indonesian scholars from various elements of Muslims in Indonesia. The Indonesian Ulema Council issued fatwa Number 33 of 2014 concerning Halal Product Assurance (JPH), halal certification is the authority of the Halal Product Assurance Organizing Agency (BPJPH) which is a state institution. With this, in Indonesia there are two issuers of halal certificates, namely LPPOM MUI and the Halal Product Assurance Organizing Agency, but the one who decides the halalness of a product is the Indonesian Ulema Council.

The obligation to be halal-certified for certain products switching from LPPOMMUI to BPJPH under the Ministry of Religious Affairs has been enforced since October 17, 2019. In the first stage, obligations are imposed on food products, beverages, as well as slaughter products and services. This marks the beginning of a new era of halal certification in Indonesia as mandated by Law Number 33 of 2014 concerning Halal Product Assurance which regulates that products entering, circulating and traded in Indonesian territory must be halal certified. Halal certification has since been carried out by BPJPH as the leading sector administratively by involving the Halal Inspection Agency (LPH) which is authorized to inspect and / or test halal products, as well as the Indonesian Ulema Council (MUI) which stipulates product halal fatwas.

2. Halal Fatwa Procedure

Companies that want to obtain MUI halal certificates, both processing industries (food, medicine, and cosmetics), slaughterhouses (RPH), and restaurants/catering/kitchens, must register for halal certification and meet the halal certification requirements determined by LPPOM-MUI. The following are the stages that must be passed by companies that will register for the halal certification process:

- 1) Learn the requirements for halal certification and attend Halal Assurance System training. Companies must understand the halal certification requirements listed in HAS 23000. In addition, companies must also attend Halal Assurance System training held by LPPOM-MUI, both in the form of regular training and online training (e-learning).
- 2) Halal Assurance System (SJH). Companies must implement HAS before registering for halal certification, including: determination of halal policy, determination of Halal Management Team, preparation of SJH Manual, implementation of training, preparation of procedures related to HA, implementation of internal audit and review of management. To assist companies in implementing SJH, LPPOM-MUI created a guideline document.
- 3) Halal certification documents. Companies must prepare the necessary documents for halal certification, including: product list, ingredient list and material documents, slaughterer list (slaughterhouse only), product matrix, SJH manual, process flow chart, production facility address list, halal policy socialization proof, internal training evidence and internal audit evidence.
- 4) Halal certification registration (data upload). Registration for halal certification is carried out online in the Cerol system through the www.e-lppommui.org website. Companies should read the Cerol user manual first to understand the halal certification procedure. The company must upload certification data until it is complete, then it can be processed by LPPOM-MUI.
- 5) Audit process. The audit can be carried out if the company has passed the pre-audit and the contract has been approved. Audits are carried out in all facilities related to certified products.
- 6) Post-audit monitoring. After uploading certification data, the company must conduct post-audit monitoring. Post-audit monitoring is recommended to be carried out every day to find out any discrepancies in the audit results, and if there are nonconformities so that improvements are made.
- 7) Halal certificate. Companies can download halal certificates in softcopy form at Cerol. The original halal certificate can be collected at the LPPOM-MUI Jakarta office and can also be sent to the company's address. Halal certificate is valid for 2 (two) years

3. Case Study

A. *Gacoan* Noodle

Mie *Gacoan* had become a polemic about the status of its halal certificate. This restaurant has been established for a long time, many customers ask about halal certificates, but the owner gave an answer that while applying for halal certificates, after so many months of waiting for the awaited certificate did not come out because MUI could not issue halal certificates. One of the reasons is because of the naming reason on the menu list. Because in the MUI ulama fatwa there is a problem of using names and ingredients in the standardization of halal fatwa no. 4 of 2003, which is one of the points: Do not consume and use names and / or symbols of food / drinks that lead to kufr and immorality.

The submission of halal certificates is again carried out to MUI by sharing strict procedures and requirements. So that with various improvements to things that make the halal certificate not issued. precisely on June 22, 2023, a halal certificate was issued for *gacoan* noodles. Regarding the names of the menus that caused a stir, the management of Mie *Gacoan* made a lot of improvements. Previously, this viral restaurant was shocked with controversial menu names, such as the names of devil noodles and devil noodles that showed the level of spiciness. There are name changes in some of our products, such as Mie Iblis, *Mie Setan*, *Es genderuwo*, *Es tuyul*, *Es sundel bolong* and *Es pocong* changed to Mie *Hompimpa*, Mie *Gacoan*, *Es Gobak Sodor*, *Es Sluku Bathok*, *Es Petak Umpet* and *Es Teklek*.

B. *Mixue* Ice Cream

Mixue Ice Cream & Tea is an international franchise that produces tea drinks and fresh ice cream. *Mixue* provides a variety of drinks such as bubble tea, fruit tea, milkshakes, and ice cream products. This ice cream company was founded by Zhang *Hongchao* in 1997. *Hongchao* founded *Mixue Ice Cream & Tea* when he was a student in his fourth year, precisely in 1997. *Hongchao* originally sold shaved ice in a small town in Zhengzhou. Before opening his business, *Hongchao* had worked part-time at a cold drink shop that specialized in making shaved ice. This is the basis, *Hongchao* built this ice cream business.

In 2018, *Hongchao* finally expanded heavily to various countries such as Vietnam, Singapore, Malaysia, to Indonesia. But there is controversial information, namely the legal status of halal ice cream because the halal certificate has not been issued. Thus, causing the information that *Mixue* is not halal. *Mixue* has taken care of the halal certificate, even since early 2021, but until now the process has not been completed. The reason for the management of halal certificates is so long *Mixue* Indonesia Management explained that there are three reasons that make the process of obtaining halal certificates so long.

First, there is the Covid-19 pandemic that has occurred around the world in the last two years. The pandemic made several countries implement lockdown policies, including *Mixue's* home country, China. As a result, the process of obtaining halal certificates becomes very hampered.

Secondly, most of the raw materials of *Mixue* ice cream are imported from China. Likewise, *Mixue's* raw materials in Indonesia are currently also produced in *Mixue's* international standard factory in China. So our halal certification consultation process at that time was submitted to Shanghai Al-Amin first.

Third, the source of raw material processing in producing *Mixue* ice cream is not entirely concentrated in one city. Even though the halal certification process also not only recognizes the composition, but also includes the source of raw materials and the process passed from the product.

Mixue Ice Cream & Tea finally bagged a halal certificate from the Indonesian Ulema Council. MUI stated that all materials used by *Mixue* are halal and holy., Friday (17/2/2023), *Mixue's* halal fatwa was determined based on the report of the inspection results of the auditor team of the halal inspection agency (LPH). The team previously checked the composition and production process carried out by *Mixue*, it was concluded that *Mixue's* products had met the halal standards set by MUI. All ingredients used are halal and holy, then in the production process their purity is guaranteed.

4. CONCLUSION

Knowing the review of Islamic law and positive law on halal restaurant products and knowing the influence of halal labeling on decisions. With the issuance of a halal fatwa by MUI, it is clear that the products served by restaurants are halal and suitable for consumption.

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