

ANALYSIS OF HALAL CERTIFICATES POST THE ISSUE OF LAW NUMBER 33 OF 2014 CONCERNING HALAL PRODUCT GUARANTEES RESEARCH STUDY OF MEDAN CITY

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Abstract

A significant step in regulating halal certification in Indonesia occurred with the enactment of Law no. 33 of 2014 concerning Halal Product Guarantees. This law replaces previous regulations and establishes a more comprehensive legal framework to regulate the halal certification process. With this law, it is hoped that a solid foundation can be created to maintain the certainty and quality of halal products in the domestic research market This discuss about How Arrangement About Hal Certificates in Indonesia?, What Factors That Become Inhibitor In Making Or Publishing Halal Certificate? How Implementation To Post Halal Certification Constitution Number 33 of 2014 Concerning Guarantee Halal Products? Through approach qualitative with studies case as method main, research This identify change authority and structure institutions, potential contradictions and domination of the Halal Inspection Institute (LPH), as well as governance and infrastructure challenges in implementation halal certification. The research results show the unclear role of LPH, potential conflicts of authority, and obstacles in governance and infrastructure. To overcome this obstacle, the proposed solution involves clarifying the role of LPH, close collaboration between relevant institutions, establishing clear guidelines and standards, improving infrastructure and human resources, active involvement of related parties, updating and harmonizing policies, and improving monitoring and evaluation systems. This research emphasizes the importance of regulatory updates, involvement of related parties, and harmonization with international standards to increase efficiency and fairness in the halal certification system.

Kevwords: Halal Certificate. Halal Product Guarantee

A. INTRODUCTION

Indonesia, as a country with population Muslim largest in the world, has not quite enough answer big in ensure halal products consumption circulating in society. This matter push government For formulate supporting regulations implementation halal certification, as part from effort For fulfil need consumer more and more Muslims increase. Law no. 33 of 2014 concerning Guarantee Halal products become milestone history important in frame create framework Laws governing the halal certification process in Indonesia. Economic growth and the phenomenon of globalization have created new dynamics in consumer needs, especially in terms of choosing consumer products. In the midst of these conditions, demand for halal products continues to experience a significant increase, both in the domestic market and at the international level. Halal products, which are identified as complying with Islamic sharia principles, are the main preference for the majority of Muslim consumers. In order to provide halal guarantees to consumers, halal certification plays a very important role. A significant step in regulating halal certification in Indonesia occurred with the enactment of Law no. 33 of 2014 concerning Halal Product Guarantees. This law replaces previous regulations and establishes a more comprehensive legal framework to regulate the halal certification process. With this law, it is hoped that a solid foundation can be created to maintain the certainty and quality of halal products in the domestic market.



Even though the Law was designed with the noble aim of ensuring the availability of quality halal products, the reality on the ground indicates that there are a number of obstacles that need to be considered in depth. Implementation of halal certification involves several stages, starting from initial certification by the Indonesian Ulema Council (MUI) to final certification by the Ministry of Religion (Kemenag). MUI and the Ministry of Religion are at the forefront of implementing this regulation, and the challenges they face can provide a complete picture of the complexity and dynamics of halal certification in Indonesia. The Indonesian Ulema Council (MUI) plays a key role as the institution responsible for halal certification at the initial level. MUI, as the authoritative body in halal matters, has the responsibility to ensure that products meet Islamic sharia standards from the start of their production. On the other hand, the Ministry of Religion (Kemenag) has the task of establishing final halal certification, providing an official label that the product complies with halal principles.

In this context, it is necessary to carry out in-depth research to identify the obstacles faced by MUI and the Ministry of Religion during the halal certification process. Factors such as regulatory complexity, inter-agency coordination and other technical challenges may pose obstacles. A better understanding of these constraints helps develop more effective solutions to increase the efficiency of the halal certification process. The main objective of this research is to provide a deeper understanding of the obstacles that arise in the halal certification process, and formulate solutions that can increase the efficiency and sustainability of the process. Thus, it is hoped that the results of this research can make a positive contribution to increasing the implementation of halal certification in Indonesia. This research has important significance in the context of the development of the halal industry in Indonesia. By identifying possible obstacles, this research can become the basis for developing better policies and improving the certification process. In the long term, it is hoped that the results of this research can increase consumer confidence in halal products, support the growth of the halal industry, and increase the competitiveness of Indonesian products in the global market.

B. FORMULATION OF THE PROBLEM

- 1. How Arrangement About Certificates in Indonesia?
- 2. What Factors That Become Inhibitor In Making Or Publishing Halal Certificate?
- **3.** How Implementation To Post Halal Certification Constitution Number 33 of 2014 Concerning Guarantee Halal Products ?

C. RESEARCH METHODS

Method study qualitative, aside method study Quantitative measures made are also necessary method study qualitative in need population and sample. Study juridical normative in nature qualitative is norm - referenced research existing laws in regulation legislation and decisions court as well as living and developing norms in public. For explain method the There is a number of things that need to be explained as following:

1. Type Study

Study law in general have type juridical empirical. Approach juridical normative the refers to norms existing laws in regulation legislation and decisions court as well as norm the laws that apply within public. Besides that, with see synchronization something rule other in a way hierarchy, meanwhile approach juridical empirical or sociology law is approach with see something reality law within public. Approach sociology law is approach used For see aspects law in interaction social in society, and functioning as support For identify and classify findings non-legal material for needs study or writer law.



2. Data Type

- a. Primary data, namely the data obtained direct from the source Good through interviews, observations nor report in form document No official later processed by researchers.
 - b. Secondary Data, namely data obtained from documents official, related books with object research, results study in form reports, theses, theses, dissertations and regulations legislation. Meanwhile secondary data that, you can shared become:
 - Material Primary Law of Materials binding primary law consists from regulation related legislation to in object study researcher. For example: Law Number 33 of 2014 Concerning Guarantee Halal Products. Besides That existing laws have strength law still being made material primary law.
 - 2) Material Law Secondary Material Law Secondary is books and writings scientific or article related laws with object study This.
 - 3) Material Law Tertiary Material Law Tertiary is instruction or explanation about material derived primary and secondary laws from dictionaries, encyclopedias, newspapers, magazines, letters news and so on.

3. Method Data collection

Method Study Bibliography Bibliographic data obtained through study sourced literature from regulation legislation , books , documents official , publications and results study .

4. Method Data analysis

Based on characteristic study this is what it uses method study nature Juridical Normative, studies used is approach qualitative on primary data and secondary data.

D. DISCUSSION

1. Arrangement About Hal Certificate in Indonesia

A. Understanding Guarantee Halal Products

Definition Halal products are in Law Number 33 of 2014 concerning Halal guarantee in article 1 paragraph 2, namely : " Halal products , namely existing products declared halal in harmony will Islamic Sharia " For basic Muslims law very he explained clear . In the Qur'an QS al- Maidah paragraph : 3, in fact obvious clear and categorical has be delivered type halal food nor prohibited . As prohibition eat carcasses (excl grasshoppers and fish), pounced on / gored animal savage , fallen , beaten , meat animal suffocate , animal slaughter For idols , flesh slaughtered animals No with mention name of Allah, flesh pork , and blood . For Muslim consumers , guarantee halal from A product or service is something something like that important his presence . Because consume halal food ie religious orders absolute and certain because For race Muslim , Islam is not only simply prioritize material either , or not simply prioritize its existence . Because it consumes aspects coaching body only , but Islam also prioritizes influencing things behavior , morals , and spirit (personality).

B. Governing Law Guarantee Halal products

Arrangement Halal Products before Constitution Guarantee Halal Products As objective Certain deep state presence protect consumer from There are non - halal products Lots legislation that has been in use for a long time For arrange circulation halal products . Regulations the even Far before Design Invite Invite Guarantee Halal Products (RUU JPH) was discussed in the DPR. This matter signifies that problem arrangement actually halal product There is needed for a long time Good in context circulation goods in scale domestic nor circulation scale public especially related ones

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with activity export import . Following a number of existing regulations have related articles with product halal guarantee , namely between his is :

- 1. Constitution Number 18 of 2012 concerning Food
- 2. Constitution Number 36 of 2009 concerning Health
- 3. Constitution Number 8 of 1999 concerning Protection Consumer
- 4. Regulation Government Number 69 of 1999 concerning Labels and Advertisements Food
- 5. Instructions President (Inpres) 1991 concerning Enhancement Guidance and supervision Production and Distribution Food Processed.
- 6. Ministerial Decrees and Joint Ministerial Decrees Included matter important in start doctrine halal thayyiban is with presented institution laws that are accommodative, progressive, humanist, central, safe, and not discriminatory that is with enactment of the Guarantee Law Halal Products.

Following is factor base The importance of UU-JPH includes is as following:

- 1. From the rules existing legislation made confirm about halal product not yet in a way Certain give guarantee law and certainty law For a consumers so they can consume product which is halal, which is later make public experience difficulty moment find products that are completely halal as well know which products are prohibited. Then than that, still There is limitations arrangement product that is only stuck to problem food and not yet covers manipulation genetic, product chemistry biological, cosmetic, or drugs.
- 2. Not yet exists certainty law related with which agency / party will do it ? have clarity state involvement in guarantee halal products . Available systems not yet give clarity certainty duties , functions and authority related implementation of JPH, incl coordination at each the field .
- 3. Marketing related with products on the domestic market the more difficult to be controlled because improvement of chemical processes biology, biotechnology, engineering technomoly, and technology food.
- 4. Indonesian halal products so far This No have official halal signs and standards set by the agency local like matter in Singapore, the United States and Malaysia.
- 5. System information Halal products yet in accordance with level knowledge and needs public about halal products.

2. Factors That Become Inhibitor In Making Or Publishing Halal Certificate

Publishing halal certificate , though essential For ensure safety and comfort Muslim consumers , often face various possible obstacles slow down or difficult the process . Following is a number of factor inhibitor main frequent faced in making or publishing halal certificate :

A. Business Actors Who Have Not Yet Own Halal Certificate

1. Business Name : Eggs Gabus Al- Fazzah

Business Owner : Imnarto Ady Shaputra

Business Address : Jl. Work Tour 1, Keomplex Johor Gardenia

Housing, Medan Johor

Reason

1) Lack of Understanding / Socialization

Business Actors: Many actors businesses, especially large scale ones small and medium, less understand importance Halal certification and procedures involved. This matter often due to the lack of information and socialization from party related.

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2) Cost Certification

halal certification process is frequent need costs are not a little, which includes cost inspection, testing laboratory, and audit. Cost This can become load, esp for someone who has business small or intermediate.

2. Business Name : Chicken Anita Setter

Business Owner : Anita

Business Address : Jl. Gaperta Ujung No. 113, Medan City

Reason

1) Lack of Understanding / Socialization Business Actors: Many actors businesses, especially large scale ones small and medium, less understand importance Halal certification and procedures involved. This matter often due to the lack of information and socialization from party related.

2) Cost Certification

halal certification process is frequent need costs are not a little, which includes cost inspection, testing laboratory, and audit. Cost This can become load, esp for someone who has business small or intermediate.

3) Complicated Administrative Process

Bureaucracy: Procedures involved Lots documents and requirements administration often considered complicated and consuming time.

Institution Capacity: Limitations capacity and resources power in the institution certification, such as BPJPH and LPH, can cause delay in inspection and publication certificate.

3. Business Name : Mie Aceh Selera New

Business Owner : Muktar

Business Address : Jl. Faithful No. 29, Ex . Cape Gusta , Medan

City Reason

1) Lack of Understanding / Socialization

Business Actors: Many actors businesses, especially large scale ones small and medium, less understand importance Halal certification and procedures involved. This matter often due to the lack of information and socialization from party related.

4. Business Name : Nasi Goreng 99 Business Owner : Rubaedi

Business Address : Jl. Cempaka No. 31, Medan City

Reason

1) Lack of Understanding / Socialization Business Actors: Many actors businesses, especially large scale ones small and medium, less understand importance Halal certification and procedures involved. This matter often due to the lack of information and socialization from party related.

5. Business Name : Lontong Kunteng Business Owner : Fitriani

Business Address : Jl. Knight No. 4, Link I, Medan City

Reason

1) Lack of Understanding / Socialization

Business Actors: Many actors businesses, especially large scale ones small and medium, less understand importance Halal certification and procedures involved. This matter often due to the lack of information and socialization from party related.



2) Cost Certification

halal certification process is frequent need costs are not a little, which includes cost inspection, testing laboratory, and audit. Cost This can become load, esp for someone who has business small or intermediate.

3) Complicated Administrative Process

Bureaucracy: Procedures involved Lots documents and requirements administration often considered complicated and consuming time.

Institution Capacity: Limitations capacity and resources power in the institution certification, such as BPJPH and LPH, can cause delay in inspection and publication certificate.

B. Ministry of Religion of Medan City

1) Lack of Availability of Halal Auditor Human Resources

The number of halal auditors is limited and scattered No evenly distributed in various regions slow down the certification process . Perpetrator business Possible must wait turn for audits carried out by authorized auditors .

2) Lack of Availability And Quality Laboratory Testing

Laboratory testing that has accreditation and capabilities For do testing Halal product possible limited numbers , especially in the regions isolated . This matter Can slow down the necessary testing process For certification .

3) Changing Regulations and Regulations

Change regulations or condition in halal certification is possible become inhibitor If perpetrator business No quick get information latest and adaptable with change the .

4) Challenge Technical

Product with composition complex material or complicated production processes Possible need more testing and verification detailed , as can be eat time longer and more expensive.

5) Lack of Cooperation

Lack of coordination between perpetrator business, institution certification, and government Can cause confusion and delays in the certification process.

3. Implementation To Post Halal Certification Constitution Number 33 of 2014 Concerning Guarantee Halal Products

Constitution Number 33 of 2014 Concerning Guarantee Halal Products (UU JPH) in Indonesia are base law for maintenance guarantee halal products . Implementation to halal certification after enactment of this law covers a number of important aspect For understood . Following is bullet points main implementation the :

a. Management Institution Halal Certification

The JPH Law mandates formation of the Organizing Body Guarantee Responsible Halal Products (BPJPH). answer For :

- 1) Organize halal certification.
- 2) Publish and revoke halal certificate.
- 3) Building and supervising maintenance guarantee halal products.

b. Procedure Halal Certification

Procedure Halal Certification The halal certification process after the JPH Law involves a number of stages , namely :

- 1) Registration: Actor business register product For certified halal by BPJPH.
- 2) Inspection and Testing: BPJPH works The same with the Halal Inspection Institute (LPH) for check and test product.
- 3) Determination Halal: After inspection, the results submitted to Indonesian Ulema Council (MUI) for get a halal fatwa.



4) Publishing Halal Certificate: BPJPH issues Halal certificate based on MUI fatwa.

c. Obligation Halal Certificate

The JPH Law requires it all products circulating and traded in Indonesia for halal certified, with exception For the product indeed originate from haram material

d. Oversight and Enforcement Law

Supervision to Halal products are carried out by BPJPH together with agency related . There are also sanctions administrative and criminal for perpetrator effort that is not obey provision This .

e. Socialization and Education

For ensure success implementation, carried out socialization to perpetrator business and society about importance halal certification. Education and training are also provided to halal auditors and parties related other.

f. Collaboration International

The JPH Law is also open opportunity For cooperation international in matter confession halal certificates from other countries that have equivalent standards

g. Development System Information

BPJPH develops system halal information which includes halal product data , certification processes and supervision halal products .

h. Impact Implementation of the JPH Law

- 1) Certainty Law: Giving certainty law for consumer Muslim about halal products consumed.
- 2) Security Consumer: Guarantee security consumer from products that don't clear halal.
- 3) Power Competitive Product : Improve Power competitive product domestically in a global market that requires it halal certificate .
- 4) With With Law Number 33 of 2014, Indonesia is committed For ensure all products in circulation fulfil established halal standards. This matter No only give comfort and security for consumers, but also open opportunity more economic big through a continuous halal market develop.

Implementation Constitution Number 33 of 2014 Concerning Guarantee Halal Products in Medan City show Positive progress , however Still there is a number of necessary obstacles overcome For reach optimal effectiveness . Need exists enhancement in matter socialization , supervision , and support to perpetrator business For simplify the halal certification process . Success implementation of the JPH Law is not only give guarantee to Muslim consumers but also increasing Power competitive product local in the global market.

E. CLOSING

A. Conclusion

- 1. Arrangement About Hal Certificate in Indonesia, can be found inside Constitution Number 33 of 2014 Concerning Guarantee Halal Products
- 2. Factors that become inhibitor in making or publishing halal certificate ie as following:
 - a. Lack of Knowledge About Halal Certification
 - b. Cost Certification
 - c. Not enough Socialization
 - d. Lack of Awareness Monsoon
- 3. Implementation To Post Halal Certificate Constitution Number 33 of 2014 Concerning Guarantee Halal Products in Medan City show Positive progress, however Still there is a number of necessary obstacles overcome For reach optimal effectiveness. Need exists enhancement in matter socialization, supervision, and support to perpetrator business For simplify the halal certification process. Success implementation of the



JPH Law is not only give guarantee to Muslim consumers but also increasing Power competitive product local in the global market.

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D. INTERNET

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E. Hasil Wawancara

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- Wawancara Bersama Ibu Anita, Usaha Ayam Penyet Anita, Alamat: Jl. Gaperta Ujung No. 113, Kota Medan, 13 Juli 2024, Pukul 14:00 WIB.
- Wawancara Bersama Bapak Muktar, Usaha Mie Aceh Selera Baru, Alamat: Jl. Setia No. 29, Kel. Tanjung Gusta, Kota Medan, 13 Juli 2024, Pukul 15:00 WIB.
- Wawancara Bersama Bapak Rubaedi, Nasi Goreng 99, Alamat: Jl. Cempaka No. 31, Kota Medan, 14 Juli 2024, Pukul 20:00 WIB.
- Hasil Wawancara Bersama Ibu Fitriani, Usaha Lontong Kunteng, Alamat: Jl. Kesatria No. 4, Link I, Kota Medan, 14 Juli 2024, Pukul 08:00 WIB.
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