

Inclusion of Halal Labels on Food Products from a Legal Perspective and its Implications for the Lives of Muslim Consumers in Indonesia

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Abstract: The inclusion of halal labels on food products is one of the consumer protection efforts, especially for Muslims who are required to consume halal food according to their religious teachings. From a legal perspective in Indonesia, the provisions regarding halal labels are regulated in Law Number 33 of 2014 concerning Halal Product Assurance (UU JPH), which requires every product that enters, circulates, and is traded in the territory of Indonesia to be halal certified, unless stated otherwise. The method used in this study is normative juridical with data collection techniques through document studies. This obligation is not only normative, but also has a broad impact on the practices of production, distribution, and consumption of food products. The implications of this regulation are very significant, especially in guaranteeing the rights of Muslim consumers to obtain certainty and comfort in consuming products that are in accordance with religious values. In addition, the inclusion of halal labels also affects consumer trust, product competitiveness, and the growth of the national halal industry. This study aims to analyze the legal basis for the inclusion of halal labels, the implementation mechanism, and its impact on the social and religious life of the Muslim community in Indonesia.

Keywords: *Law, Halal Label, Muslim Consumers*

INTRODUCTION

The halal label is an official marker indicating that a product has met halal standards according to Islamic law. In the context of Indonesia's Muslim-majority society, the halal label is a fundamental need that serves as consumer protection. However, its urgency does not stop at the legal aspect of consumers alone, but also has implications for the harmony of Muslim families. In daily life, the family is the first place for halal-haram value education, and the choice of products consumed will affect the spirituality and psychological health of family members.¹

Indonesia, the country with the largest Muslim population in the world, faces significant challenges in ensuring the halalness of products consumed to protect Muslim consumers. With more than 86% of the population adhering to Islam, the issue of halalness of a product is essential in the aspect of consumer protection, especially Indonesian Muslim families.² Not only in food

¹ Warto Warto and Samsuri Samsuri, "Sertifikasi Halal Dan Implikasinya Bagi Bisnis Produk Halal Di Indonesia," *Al Maal: Journal of Islamic Economics and Banking* 2, no. 1 (2020): 98, <https://doi.org/10.31000/almaal.v2i1.2803>.

² Yohanes Kenny et al., "Hubungan Antara Presidensi Dengan Agama Islam Di Negara Indonesia" 1 (2023): 1-1.

products, but beverage products, medicines, cosmetics and other consumer goods must have a halal label and pay attention to the halalness of the product. Therefore, the inclusion of the halal label is a must to fulfil this demand.

According to Abdul Syatar, et al, in their research, it is explained that the absence of labels will make Muslim consumers careful in deciding whether or not to consume products without the halal label. In addition, the clarity between halal and haram food will certainly make consumers, especially Muslims, more calm in consuming it, because they can choose halal food without worrying that there are haram ingredients in it.³

For Muslims themselves, consuming halal food is an obligation to fulfil the commands of Allah SWT, where it is stated in the Qur'an letter Al-Maidah verse 88 which means:

وَكُلُوا مِمَّا رَزَقَكُمُ اللَّهُ حَلَالًا طَيِّبًا وَاتَّقُوا اللَّهَ الَّذِي أَنْتُمْ بِهِ مُؤْمِنُونَ

“And eat lawful and wholesome food from what Allah has provided for you, and fear Allah in whom you believe”.

Based on the verse above, it is explained that a Muslim is not allowed to eat haram food, a Muslim is ordered to eat halal and good food as a form of sustenance from Allah SWT. A Muslim is encouraged to eat halal food, both from how to get it and from the type of food itself.⁴

A lot of food is halal but the quality is not maintained, quality food is not only halal but also nutritious, both in terms of cleanliness and the content contained in the food because with halal and nutritious food humans can maintain and maintain their survival in the future.⁵ Before consuming a food, a Muslim must ensure the halalness of the food consumed by Islam. Halal food assurance can be realised in the form of a halal certificate that is suitable for the food. This allows manufacturers to include halal labelling on their packaging.⁶

According to some literature, food and beverages are basic needs for humans and the sustainability of daily life is highly dependent on the availability of halal and thoyib (good and proper) products. Therefore, the Indonesian government is responsible for ensuring that products consumed by the public meet halal standards. Halal food and beverages are not only about religious

³ Abdul Syatar et al., “Pencantuman Labelisasi Halal Bagi Kepercayaan Konsumen Perspektif Masalah Mursalah,” *KALOSARA: Family Law Review* 2, no. 2 (2023): 84, <https://doi.org/10.31332/kalosara.v2i2.4376>.

⁴ D. Wajdi, F., & Susanti, *Kewajiban Hukum Produk Halal Di Indonesia*. Edited by Tarmizi (Jakarta: Sinar Grafika, 2021).

⁵ Dilla Ayuna Letri, “Kerjasama Balai Besar Pengawas Obat Dan Makanan (BBPOM) Di Padang Dengan Lembaga Pengkajian Pangan Obat-Obatan Dan Kosmetika Majelis Ulama Indonesia (LPPOM MUI) Provinsi Sumatera Barat Terhadap Penawasan Kehalalan Produk Pangan Kemasan” (Universitas Andalas, 2019).

⁶ Nidya Waras Sayekti, “Jaminan Produk Halal Dalam Perspektif Kelembagaan,” *Jurnal Ekonomi & Kebijakan Publik* 5, no. 2 (2014): 193–209, <http://www.kemenperin.go.id/artikel/1830/Produk-Halal-RI-Belum-Mendominasi>.

aspects, but also about health and product quality. Therefore, it is important to conduct halal certification as a form of protection for Muslim consumers.

In the context of globalisation and rapid technological and industrial advances, Muslim communities in Indonesia face various challenges in its implementation, including: First, many business actors, especially MSMEs, still experience cost and procedural obstacles in obtaining halal certificates. Second, supervision of non-halal products circulating illegally is also still a serious problem. Third, the low public awareness of the importance of the halal label has led to suboptimal public supervision of this obligation. Fourth, there are various cases of discovery of food ingredients that should not be used in the home industry. This underlines the importance of strict supervision and regulation in the food industry. Concrete steps are needed to identify and stop these harmful practices to protect consumers.

One side of public life that is regulated by the dogma of Islamic Law is the enactment of Law Number 33 of 2014 concerning Halal Product Guarantee (JPH Law). Law Number 33 of 2014 as a legal basis provides legal protection for Muslim consumers against the uncertainty of various food and beverage products traded in Indonesia.

The Halal Product Guarantee Act is not only intended to provide protection and guarantees to consumers by providing halal certification. Producers also reap the benefits of this law, namely by having legal certainty for all goods produced, so that the Halal Product Guarantee Act will have a positive impact on the business world. Halal product guarantees for each product can also provide benefits for companies, considering that halal-certified products will be more chosen and favoured by consumers so that they can increase sales. This is not only in demand by Muslims but also non-Muslim communities, because non-Muslim communities assume that halal products are proven to be of high quality and very good for the health of the human body.⁷

The inclusion of a halal label on a product is very important for consumers. The function of this halal label is to provide a sense of security for consumers, as well as a guarantee for consumers that the products consumed are safe from non-halal elements and are produced in a halal and ethical manner. As for producers, this halal label can build consumer trust and loyalty to their products. Of course, halal products have higher competitiveness than products that do not include halal labels.

⁷ May Lim Charity, "Jaminan Produk Halal Di Indonesia," *Jurnal Legislasi Indonesia* 14, no. 1 (2017): 99–108.

In 2025, the Halal Product Guarantee Agency (BPJPH) provides a quota of 1 million free halal certificates to small and medium enterprises (MSEs) throughout Indonesia. This is done as a form of government strategy in encouraging halal certification of MSE products so that they are increasingly competitive and competitive in both domestic and global markets.⁸

In previous years, there have been many cases of fake halal labels, where many business actors only attach the halal logo illegally but do not have a halal certificate. Many business actors are reluctant to carry out the halal certification process due to the high cost and procedures that they think are complicated. This is the basis for the government to form BPJPH as an official institution in the halal certification process where this institution is present to make it easier for business actors in the halal certification process of products for the realisation of a product that is truly suitable for consumption by Muslim consumers, especially in terms of Islam.

METHOD

This research uses descriptive analytical research specifications to describe systematically and comprehensively the inclusion of Halal Labels on Food Products in a Legal Perspective and its Implications for Muslim Consumers in Indonesia. In terms of approach, this research applies normative juridical methods, namely legal research that focuses on legal norms and rules in laws and regulations related to halal labels.

Data collection techniques are carried out through document/library studies by reviewing various literature, including laws and regulations, scientific articles, books, and other legal sources relevant to the focus of the research. Furthermore, the data obtained is analysed qualitatively and presented in descriptive form to provide an in-depth understanding of the legal and social implications of the inclusion of halal labels for Muslim consumers in Indonesia.

RESULTS AND DISCUSSION

A. Perspective of Positive Law and Islamic Law on Halal Labels

1. Halal Label in the Perspective of Positive Law

The halal label is one of the signs or evidence that food or drink that labels halal is assumed to be suitable and recommended for consumption by the public, especially Muslims. But the halal label here turns out to have a legal umbrella to protect it so that this label can be used if it has an official certificate called halal certification or has carried out the process of issuing a halal label according to applicable laws and regulations.

⁸ BPJPH, "BPJPH, BPJPH Buka Kuota 1 Juta Sertifikasi Halal Gratis Tahun 2025 Bagi Pelaku UMK," 2025, <https://bpjph.halal.go.id/detail/bpjph-buka-kuota-1-juta-sertifikasi-halal-gratis-tahun-2025-bagi-pelaku-umk>.

If a producer carelessly uses a halal label that is not justified by the applicable provisions, there will be consequences from the government in the form of a warning to the most severe revocation of the halal certificate, because it is very detrimental to consumers which has an impact on product sales, food and beverages will experience a drastic decline.

The phenomenon that occurs in Indonesian society today is where there is an imbalance between business actors and the government, where many business actors think that in the absence of halal labels the products they sell are still consumed by consumers. Another thing that also happens a lot is that it is rare for consumers to ask about the halalness of a product, what is mostly asked is related to the quantity and quality of the product.

The essence of the implementation of the issuance of halal labelling has been regulated in Article 6 letter c of Law Number 33 of 2014 concerning Halal Product Guarantee (UU JPH) which confirms that the issuance and revocation of halal certificates and halal labels on products is the authority of the Halal Product Guarantee Agency (BPJPH), so that halal labelling can be done after carrying out the process of issuing halal certificates. So the regulation is clear that the authority to issue a halal label is BPJPH, not to carry out labeling independently. BPJPH has the authority to formulate policies, establish norms, standards, procedures, and criteria for Halal Product Guarantee, and issue and revoke Halal Certificates.⁹

The issuance of the JPH Law resulted in fundamental changes in the implementation of the halal certification process in Indonesia. Within this framework, several entities play key roles, including BPJPH, LPPOM MUI (Institute for Food, Drug and Food Studies of the Indonesian Council of Ulama), and LPH (Halal Examining Organisation). BPJPH acts as the core or parent institution that oversees the implementation of halal product assurance.

Its responsibilities include regulating and monitoring the implementation of halal certification in Indonesia. BPJPH has an important role in developing a reliable, transparent, and accountable halal certification system, as well as setting halal product standards.

LPPOM MUI, as the leading religious institution in Indonesia, plays a major role in setting halal standards and fatwas. LPPOM MUI provides halal recommendations and fatwas related to raw materials, production processes, and products that fulfil halal criteria. Recommendations from LPPOM MUI become the main guideline in the halal certification process.

⁹ Romli S.A. K.M. Ridho El-Razy, "Politik Hukum Undang-Undang Nomor 33 Tahun 2014 Tentang Jaminan Produk Halal," *Muamalah* 1, no. 1 (2019): 75–90.

On the other hand, LPH has a special role in conducting examinations and verification of product compliance with halal requirements. LPH tasks involve audits, inspections, and laboratory tests related to the halal certification process, ensuring that the proposed product meets the established standards.¹⁰

Based on Law Number 33 of 2014 concerning Halal Product Guarantee, it is explained that every product that enters, circulates, and is traded in the territory of Indonesia is required to have a halal certificate. Halal products regulated in this law include various types, such as genetically modified products, cosmetics, food and beverages, biological products, medicines, chemical products, as well as goods used, used, or utilised by the community. Products in circulation must comply with the provisions of Islamic law. JPH (Halal Product Guarantee) provides legal certainty regarding the halal status of a product, which is indicated through a halal certificate.¹¹

In addition to the JPH Law, the rules regarding halal labelling are also contained in Law Number 18 of 2012 concerning Food (Food Law) which is a replacement for Law Number 7 of 1996 concerning food. According to the Food Law related to halal labelling, food businesses are required to include a halal label in / or on food packaging. This applies to both producers and imports entering Indonesia. The inclusion of this label in and/or on food packaging is displayed in Indonesian language in a firm and clear manner so that it is easily understood by the public.

Furthermore, Law Number 8 of 1999 concerning Consumer Protection also provides regulations related to halal labelling. According to Article 8 Paragraph 1 of the GCPL, it is stated that business actors are prohibited from producing or trading goods or services that are not halal :

- 1) Does not fulfil or does not comply with the required standards and provisions of laws and regulations;
- 2) Not in accordance with the net weight, net or net contents, and quantity in the count as stated in the label or etiquette of the goods;
- 3) Not in accordance with the size, measure, scale and number in the count according to the actual size;

¹⁰ Widyaningsih, D. A, "Sertifikasi Halal Perspektif Maqashid Syariah.," *Falab: Jurnal Hukum Ekonomi Syariah*, 2023.

¹¹ Republik Indonesia, "Undang-Undang Nomor 33 Tahun 2014 Tentang Jaminan Produk Halal" (2014).

- 4) Not in accordance with the conditions, guarantees, features or efficacy as stated in the label, etiquette or description of the goods and / or services;
- 5) Not in accordance with the quality, level, composition, processing, style, fashion or specific use as stated in the label or description of the goods and/or services;
- 6) Does not include the expiry date or the best period of use/utilisation of certain goods;
- 7) Not following the provisions of halal production, as stated in the 'halal' statement included in the label;
- 8) Not installing labels or making explanations of goods that contain the name of the goods, size, weight / net or net content, composition, usage rules, date of manufacture, side effects, name and address of the business actor and other information for use which according to the provisions must be installed / made;
- 9) Failure to include information and/or instructions for the use of goods in the Indonesian language in accordance with the applicable statutory provisions.¹²

2. Halal Label in the Perspective of Islamic Law

The concept of Halal in Islam is an important view that governs what Muslims may and may not consume, use or do in accordance with their religious teachings and moral norms. The word 'halal' comes from Arabic and means 'permitted' or 'approved', while "haram" means 'forbidden'.¹³ Halal includes food and beverages that have been processed and served in accordance with Islamic religious guidelines, which have been inspected and approved by the relevant Islamic religious authority.¹⁴ In addition, the concept of halal can also be applied to a variety of other goods, including clothing, cosmetics and medicines and other products.

In Islam, the concept of halal is the main guide in the actions and behaviour of Muslims. It covers all aspects of daily life, including food, beverages, clothing, cosmetics, medicines and others. The main principle of this concept is to ensure that what is consumed or used by Muslims is in accordance with Islamic teachings and does not fall under the category of haram or prohibited by religion.

¹² Republik Indonesia, "Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen," Undang-undang Nomor 8 Tahun 1999 § (1999).

¹³ Rizqa Amelia, Muhammad Iqbal Nasution, and Harahap Adrie Fachrezi, "Konsep Halal Dalam Produksi Makanan Di Indonesia," *Jurnal Manajemen Akuntansi (JUMSI)* 3, no. 3 (2023): 1047–51, <https://doi.org/10.36987/jumsi.v3i3.4256>.

¹⁴ Nehaluddin Ahmad, Lilly Suzana Binti Haji Shamsu, and Muhammad Danish Iqbal Ariffin, "Halal Meat, Food Fraud, and Consumer Protection: A Comparison of Islamic, European and Malaysian Perspectives," *Manchester Journal of Transnational Islamic Law and Practice* 19, no. 2 (2023): 80–98.

The concept of halal includes a number of rules related to food, such as the prohibition of eating food made with ingredients whose halal status is doubtful or unclear, as well as food derived from non-halal animals such as pigs. In addition, the process of slaughtering animals must be carried out in accordance with halal standards, by mentioning the name of Allah before slaughtering. The legal basis for the concept of halal in Islam is explained in the holy Qur'an and Hadith, as found in Q.S Al-Baqarah Verse 168, which means, 'The Command to Eat Halal QS. Al-Baqarah [2]: 168

'O people, eat what is lawful and wholesome from what is found on the earth, and do not follow the steps of the devil; indeed, the devil is a real enemy to you.'

In another verse, Allah SWT forbids consuming the Haram, as mentioned in QS. Al-Baqarah [2]: 173

'Indeed He has only forbidden you carrion, blood, pork, and that which is slaughtered in the name of other than Allah...'

In another statement, the principle of Thayyib (Good and Clean) in consuming food is mentioned as commanded in QS. Al-Ma'idah [5]: 88

'And eat of that which Allah has given you of lawful and wholesome sustenance, and fear Allah in whom you believe.'

In the hadith, which is the second source of Islamic law, regarding halal and haram foods, it is mentioned in a hadith: *'Verily, the halal is clear and the haram is clear, and between them there is a matter of doubt, which is not known by many people...'* (HR. Bukhari and Muslim).

Thus, it can be concluded that in Islam the legal basis for the concept of halal and haram has a strong legal basis, this confirms the importance of the concept of halal and haram in the lives of Muslims and the need for halal certification to ensure the halalness of the products consumed by them.

The activities of production, distribution and consumption, if done correctly, will bring great benefits, but if these activities are too free without any restrictions, they can become dangerous. The purpose of Maqāṣid Shari'ah is to realise a benefit and avoid a harm. Maslahah itself has two basic meanings, the first is to bring benefits and the second is to avoid harm.

However, the notion of bringing benefits and eliminating misfortune is the intention and desire of humans, then Imam Ghazali made a new formulation regarding the understanding of maslahah, namely maintaining the objectives of Shara'. If it is related to His

servants, then maintaining the objectives of Shara' is to protect religion, soul, mind, offspring and property or commonly referred to as the five principles.¹⁵

In general, not all food that is indicated as halal is tayyiban, but usually every food that is tayyiban must be halal. This is because halal refers to something that is allowed or considered holy by shara'. Manakala halalan thayyiban is an aspect that includes the quality, integrity, cleanliness and safety of food. According to Mohd Anuar & Mohammad Aizat, every food product produced if it fulfils the concept of halalan thayyiban will be more guaranteed in terms of the sanctity and quality of the food. Continuously eating halal food can also improve the aspects of health, intelligence, happiness and moral ownership.

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The impact that occurs due to the existence of halal certificates becomes tahsiniyyat needs (complementary needs). Tahsiniyyat needs are needs that if present or absent, will not cause difficulties for humans. In the application of halal certificates themselves, the impact arising from the ownership of halal certificates, namely attracting more consumers, is a complementary need only. Other things that are obtained when consuming halal food also support the progress of halal food in Indonesia.¹⁷

Actually, what Allah SWT has forbidden to eat is very little. The rest, what is on this earth is basically halal, except for what is expressly prohibited in the Qur'an and Hadith. So in general it can be interpreted that halal products are products that meet the requirements of halalness in accordance with Islamic law, namely :

- a. Does not contain pork and pork-derived ingredients

¹⁵ Amir Syarifuddin, *Ushul Fiqh Jilid 2 Cet.VI*, 2011.

¹⁶ A R A SUTIKNO and F Sabiq, "... Halal Pada Produk Pangan Olahan Makanan Ditinjau Dari Undang-Undang Nomor 33 Tahun 2014 Tentang Jaminan Produk Halal ...". (Universitas Islam Raden Mas Said Surakarta, 2024), <http://eprints.iain-surakarta.ac.id/9248/1/Annisyatulhuda Rani Ayuningtyas Sutikno Full Tesis.pdf>.

¹⁷ A Rohman, *Pengembangan Dan Analisis Produk Halal*, Pusat Penelitian Produk Halal LPPT UGM, vol. 19 (Yogyakarta: Pustaka Pelajar, 2012).

- b. Does not contain prohibited ingredients such as ingredients derived from human organs, blood, faeces, and so on.
- c. All ingredients come from halal animals slaughtered according to the procedures of Islamic law.
- d. All storage, sales, processing, and transportation must not be used for pigs. If ever used for pork or other non-halal goods must first be cleaned in the manner stipulated in Islamic law.
- e. All foods that do not contain alcohol.¹⁸

B. Implications of Halal Labels on Food Products for Muslim Consumers in Indonesia

Muslims are encouraged to obtain halal food, medicine and cosmetics with high quality standards. For a Muslim, it is his/her duty to consume any halal product. For non-Muslim consumers, halal food or products are often considered as food with the highest quality standards.

Consumers are every person who uses goods and or services available in society, both for the benefit of themselves, families, other people and other living things and not for trade. Meanwhile, consumer protection is all efforts that ensure legal certainty to provide protection to consumers. Consumer protection is a consequence and part of technological and industrial progress. These technological and industrial advances have strengthened the differences between traditional societies and modern societies. Consumer protection also has a close relationship with economic globalisation, which opens access to all goods and/or services from other countries.¹⁹

The implementation of consumer protection related to product halalness is regulated through Law No. 8/1999 on Consumer Protection and Government Regulation No. 69/1999 on Food Labels and Advertising, one of which regulates the obligation of producers to check the halalness of their products first before putting the 'halal' label on their products.

The enthusiasm of national and international food product companies to include halal labels on food product packaging is quite large. The inclusion of halal labels on food product packaging will actually benefit producers. In addition to the application of halal labels on food product packaging, halal certificates are also applied to fast food products in restaurants. The provision of halal certificates to fast food providers aims to guarantee the halalness of the

¹⁸ Rohman.

¹⁹ Zulham, *Hukum Perlindungan Konsumen, Cetakan Ke-1*, (Jakarta: Penerbit Prenada Media Group, 2016).

product. On the other hand, the existence of a halal certificate that they have, is a guarantee for the people who consume it.

Muslim consumer protection of halal products has a deep significance in the context of Islamic law. It is not just a matter of taste or personal preference, but also relates to religious obligations. Here are some aspects that explain the importance of this Muslim consumer protection, namely.²⁰

- a. Firstly, in Islam, the consumption of halal food is a moral obligation for Muslims. The Qur'an and Hadith of the Prophet clearly instruct Muslims to consume halal (permissible) food and avoid haram (prohibited).
- b. Secondly, halal certification and labelling of food is a way to give Muslim consumers confidence that the product complies with the halal rules set out in Islam. Without a valid halal label or certificate, consumers will have difficulty assessing whether a product meets halal standards or not.
- c. Third, in the perspective of Islamic law, trading products that do not comply with the halal label can be considered fraud and ethical violations. Islam places great emphasis on honesty in business and trade, and selling products that are presented as halal when in fact they are not is a violation of Islamic ethical principles.

Halal labelling has a number of important implications for the lives of Muslim consumers in Indonesia. Firstly, from a spiritual aspect, the halal label helps consumers in carrying out religious orders. Secondly, from a psychological aspect, the halal label provides a sense of security and calmness in consuming products. Third, socially, increased consumer awareness of the halal label encourages producers to be more responsible and transparent in the production process. Fourth, economically, the halal label can be an added value and product differentiation tool that strengthens the market position of business actors. Finally, in the context of family education, the halal label strengthens the process of internalising Islamic values from an early age.

²⁰ Dede Al Mustaqim, "Sertifikasi Halal Sebagai Bentuk Perlindungan Konsumen Muslim: Analisis Maqashid Syariah Dan Hukum Positif," *AB-JOIEC: Al-Bahjah Journal of Islamic Economics* 1, no. 2 (2023): 54–67, <https://doi.org/10.61553/abjoiec.v1i2.26>.

CONCLUSION

The inclusion of halal labelling on food products is an urgent legal and social need in Indonesian Muslim society. Halal labelling is not only a form of consumer protection, but also a form of practicing religious teachings. For this reason, it is necessary to strengthen the role of BPJPH in providing ease of certification, increasing public education about the importance of the halal label, and synergy between the state, business actors, and society in realising effective halal product guarantees.

Thus, the concept of halal in Islam is a sharia decree that has legal, ethical and social implications. The existence of a halal label is not just an administrative legal instrument, but a manifestation of the human rights of Muslims to practice their religion in full. Therefore, institutional strengthening, regulation, and public awareness need to be continuously developed for the realisation of an inclusive and effective halal product guarantee.

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