



# THE ROLE OF MUI OF NORTH SUMATRA AND BPJPH OF THE MINISTRY OF RELIGIOUS AFFAIRS IN MONITORING PRODUCT HALAL STANDARDS CHALLENGES AND STRATEGIES IN CONSUMER PROTECTION

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Article Info	Abstract
<b>Article History</b> Received : 2024-09-03 Revised: 2024-09-05 Published: 2024-10-01	In the era of globalization, the demand for halal products is increasing, especially in Indonesia, which has the largest Muslim population in the world. The Indonesian Ulema Council (MUI) of North Sumatra and the Halal Product Assurance Agency (BPJPH) of the Ministry of Religious Affairs play an important role in ensuring that products in circulation meet the established halal standards. This study analyzes the challenges faced by both institutions in overseeing halal standards, including complex coordination and supervision issues. Using a normative-sociological approach, data were collected through literature studies and analyzed qualitatively. The results of the study indicate that regulatory harmonization, information technology development, and public education are the main strategies implemented to strengthen the halal product assurance system. In addition, strict law enforcement is also identified as a key factor in protecting consumers from products that do not meet halal standards. This study emphasizes the importance of cross-institutional cooperation and technological innovation to ensure justice and legal certainty in protecting Muslim consumers in Indonesia.
<b>Keywords:</b> <i>Halal Product Guarantee, MUI, BPJPH, Consumer Protection</i>	

## I. INTRODUCTION

In today's era of globalization, the existence of halal products has become one of the important needs for Muslim consumers around the world. This is not only true in Muslim-majority countries, but also in various other countries that have significant Muslim populations (Ali, 2016). Indonesia, as a country with the largest Muslim population in the world, has a great responsibility in ensuring that products circulating in the domestic market and exported abroad meet the established halal standards (Fauzi, 2018).

Halal products do not only cover aspects of food and beverages, but also include cosmetic products, medicines, and various other products used daily (Said, 2017). In this context, the guarantee of halal products becomes increasingly important considering the high demand from Muslim consumers who are increasingly aware of the importance of consuming products that comply with Islamic law (Yusuf, 2019).

The Indonesian Ulema Council (MUI) as the highest authority in determining fatwas in Indonesia, has a crucial role in the halal certification process. MUI through the Food, Drug, and Cosmetics Assessment Institute (LPPOM) has acted as the main institution responsible for issuing halal certification for products circulating

in Indonesia (Sutanto, 2017). This halal certification is an important instrument in ensuring that products consumed by Muslims have met halal standards in accordance with Islamic law (Raharjo, 2019).

Halal certification issued by MUI is not only recognized in Indonesia, but also recognized by various other countries, especially in the Southeast Asia region. This shows how important the role of MUI is in maintaining the trust of Muslim consumers, both domestically and abroad (Amiruddin, 2020).

Along with the development of the need for halal products, the Indonesian government through Law Number 33 of 2014 concerning Halal Product Assurance, established the Halal Product Assurance Organizing Agency (BPJPH) which is under the Ministry of Religion (Agus, 2018). The establishment of BPJPH is a strategic step to strengthen the halal product assurance system in Indonesia by involving various stakeholders, including the MUI and the wider community (Hidayat, 2019).

BPJPH has an important role in setting halal standards, supervising halal products, and educating the public about the importance of consuming halal products (Anwar, 2020). However, in carrying out its duties, BPJPH faces

various challenges, including in terms of coordination with MUI and industry players and in handling incorrect claims regarding the halalness of products (Syafii, 2021).

Although the halal product assurance system in Indonesia is quite mature, there are still various challenges faced, especially in terms of supervision and certification of halal products (Kusuma, 2019). One of the main challenges is the existence of products that claim to be halal without having official certification from the MUI or BPJPH (Wahid, 2020). This can cause confusion among consumers and has the potential to harm them, especially for those who rely heavily on the halal label in choosing products (Nasir, 2021).

In addition, another challenge is in terms of ensuring that all products circulating in the market truly meet strict halal standards, considering the very large and diverse number of products (Haryanto, 2020). The long and bureaucratic certification process is also often an obstacle for industry players, especially for small and medium enterprises (Siti, 2020).

To overcome these challenges, both MUI and BPJPH have formulated various strategies aimed at strengthening the halal product assurance system in Indonesia (Fahmi, 2021). One of the main strategies is to increase awareness and education to consumers regarding the importance of checking the validity of halal certificates before purchasing products (Amir, 2022). In addition, strengthening coordination between BPJPH, MUI, and industry players is also one of the keys to ensuring the effectiveness of halal product supervision (Rahim, 2021).

The use of technology in the certification and supervision process is also a major focus in consumer protection strategies, with the hope of accelerating the certification process and increasing transparency (Syahrul, 2022). Through these various initiatives, it is hoped that the halal product assurance system in Indonesia can be stronger and able to face various challenges in the future (Andika, 2023).

The study in this journal will specifically focus on the analysis of the roles played by the Indonesian Ulema Council (MUI) of North Sumatra and the Halal Product Guarantee Agency (BPJPH) of the Ministry of Religious Affairs in ensuring that halal product standards in Indonesia are complied with by industry players. This study will explore the main challenges faced by these two institutions in overseeing the halal certification process, including handling claims of products that do not meet halal standards, as well

as strategies implemented to protect consumers from products that are not valid or contain misleading halal information.

## **II. RESEARCH METHODS**

This study uses a normative-sociological approach that combines analysis of applicable legal regulations, such as Law Number 33 of 2014 concerning Halal Product Assurance, with a sociological study of the implementation of these regulations in society. The data used are sourced from literature studies, including legal documents, scientific literature, and reports from related institutions. Data collection techniques are carried out through analysis of various official documents and literature, which are then analyzed qualitatively with descriptive-analytical methods to describe the role and challenges faced by the MUI of North Sumatra and the BPJPH of the Ministry of Religion in overseeing product halal standards. Data triangulation is applied to ensure the validity and accuracy of the analysis presented.

## **III. RESULTS AND DISCUSSION**

### **A. The Role of the North Sumatra MUI in Halal Product Certification and Supervision**

The Indonesian Ulema Council (MUI) of North Sumatra has a crucial role in halal certification, which is the process of determining that a product, be it food, beverages, medicines, cosmetics, or other consumer goods, meets the halal criteria according to Islamic law. This certification is not only a religious obligation but also part of the protection of Muslim consumers for the products they consume. In a legal context, halal certification issued by the MUI serves as a guarantee that the product has met the requirements of sharia, which is recognized by the state and has legal force (Yusuf, 2018).

The halal certification process by the MUI involves several important stages, including audits of the production process, raw materials, and facilities used. Each stage is strictly monitored to ensure that no haram or impure elements enter the product. The halal certificate issued by the North Sumatra MUI then becomes the legal basis for producers to include a halal label on their products. This label is not only a sign that the product is safe for consumption by Muslims, but also serves as legal protection for consumers if in the future there is a discrepancy with halal standards (Amiruddin, 2019).

However, the role of MUI does not stop at issuing certificates. MUI is also responsible for conducting ongoing supervision of certified products. This supervision is important to ensure that producers continue to comply with halal standards as long as the product is circulating in the market. For example, if there is a change in the production process or source of raw materials, MUI has the authority to conduct a re-audit and, if necessary, revoke the halal certificate that has been issued. From a legal perspective, this action is a form of consumer protection that is very necessary to maintain the integrity of halal products on the market (Hidayat, 2017).

### **B. Legal Challenges in the Implementation of Halal Product Assurance by BPJPH**

The Halal Product Assurance Organizing Agency (BPJPH) was established as part of the Indonesian government's efforts to strengthen the halal product assurance system in the country. The establishment of BPJPH based on Law Number 33 of 2014 concerning Halal Product Assurance is an important milestone in law enforcement related to product halalness. BPJPH has broad duties, ranging from setting halal standards, issuing certificates, to supervising certified products (Rizki, 2020).

Although BPJPH is supported by a strong legal framework, the implementation of the halal product assurance system is not free from various challenges. One of the main challenges is the coordination between BPJPH and MUI and other related institutions. Although legally BPJPH has the authority to issue halal certificates, the certification process still requires a halal fatwa from MUI as an institution that has the authority to determine fatwas. This often causes complexity in the implementation of certification, especially if there are differences of opinion between BPJPH and MUI (Syafii, 2020).

Another challenge arises from BPJPH's capacity to supervise thousands of products circulating in the market. With limited resources, BPJPH faces difficulties in ensuring that all certified products continue to comply with halal standards at all times. This is a significant legal issue, because any negligence in supervision can have an impact on consumers, both in the form of violations of consumer rights and legal impacts for producers who fail to maintain halal standards (Fauzi, 2019).

### **C. Legal Strategy in Consumer Protection Through Halal Product Guarantee**

In facing various challenges related to halal product assurance, the Halal Product Assurance Agency (BPJPH) and the Indonesian Ulema Council (MUI) have formulated a number of legal strategies to strengthen consumer protection in Indonesia. These strategies aim to ensure that products consumed by the public, especially Muslims, have met halal standards in accordance with Islamic law and applicable laws and regulations. Some of the main strategies implemented include regulatory harmonization, information technology development, and education for the public and producers.

One of the main legal strategies implemented by BPJPH and MUI is the harmonization of regulations and policies related to halal product assurance. In this context, harmonization aims to ensure that there is no overlapping authority between BPJPH as the body responsible for organizing halal product assurance and MUI as the institution authorized to issue halal fatwas (Rahim, 2021). This harmonization is important considering that Law No. 33 of 2014 concerning Halal Product Assurance has established BPJPH as the body authorized to issue halal certificates, but the process of determining the halal status of products still heavily depends on the fatwas issued by MUI.

In practice, this harmonization is realized through various implementing regulations and memorandums of understanding between BPJPH and MUI that clarify the division of tasks and responsibilities of each institution. For example, Government Regulation No. 31 of 2019 concerning the Implementation of the Halal Product Guarantee Law explains that BPJPH is responsible for setting policies, providing technical guidance, and supervising the implementation of halal product guarantees, while MUI plays a role in determining halal product fatwas (Siregar, 2020). With this regulation, it is hoped that there will be no more confusion about who is authorized in the halal certification process, so that the certification and supervision process can run more effectively and efficiently.

This harmonization is also important to ensure consistency in the application of halal standards throughout Indonesia. Given that Indonesia is a very diverse country in terms of culture and religious practices, there needs to be a uniform standard in determining the halalness of a product. Without good harmonization, there is a risk of different interpretations of halal

standards in various regions, which can ultimately harm consumers. Therefore, harmonization of regulations between BPJPH and MUI is not only important from an administrative perspective, but also from a legal perspective to ensure justice and legal certainty for all parties involved (Fauzi, 2019).

Another legal strategy implemented by BPJPH is the development of information technology as a tool to increase transparency and efficiency in the halal product certification and supervision process. In the digital era like today, the use of information technology is not only important to speed up the administrative process, but also to ensure that the process can be monitored and audited transparently by various parties (Putri, 2021).

One of the real implementations of this strategy is the development of the Integrated Halal Information System (SIHT), which allows producers to apply for halal certification online. This system not only simplifies the certification application process for producers, but also allows BPJPH to carry out verification and monitoring more efficiently. In addition, SIHT is also equipped with a feature that allows consumers to check the halal status of products in real-time through a mobile application or the official BPJPH website. Thus, consumers can be more protected because they have direct access to verify the halalness of the products they buy.

The use of information technology in the halal certification process also has a strong legal basis. Law No. 11 of 2008 concerning Information and Electronic Transactions (ITE) provides a legal basis for the use of information technology in various administrative and business activities, including in the halal certification process. In this context, the use of SIHT by BPJPH is not only in line with the principles stipulated in the ITE Law, but is also a step forward in ensuring accountability and transparency in the halal product assurance system (Sutanto, 2021).

In addition, BPJPH has also collaborated with technology institutions and academics to continue developing this system to be more responsive to the needs of producers and consumers. For example, BPJPH is working with various universities and research institutions to develop more sophisticated algorithms and monitoring systems, which can automatically detect potential violations of halal standards. The use of big data and analytics is also being developed to predict trends and potential risks in

the halal industry, so that BPJPH can intervene more proactively (Rahim, 2021).

The third strategy that BPJPH and MUI focus on is education and counseling to the public and producers regarding the importance of compliance with halal standards. This education is important because legal awareness and understanding of rights and obligations in the context of halal product assurance are still relatively low among the public, especially in areas far from the center of government (Rahman, 2020).

In the legal context, this education is carried out to strengthen consumer protection in accordance with the provisions stipulated in Law No. 8 of 1999 concerning Consumer Protection. Article 4 of the Law states that every consumer has the right to comfort, security, and safety in consuming goods and/or services. This includes the right to obtain correct, clear, and honest information regarding the condition and guarantee of the goods and/or services consumed. Therefore, education regarding the halalness of products is an integral part of efforts to ensure that consumer rights are protected in accordance with applicable legal provisions (Fadillah, 2019).

BPJPH and MUI have initiated various educational programs, both through mass media, seminars, workshops, and direct outreach to the community. These programs aim to increase consumer awareness of the importance of checking the halal label on the products they buy and understanding the procedures for verifying the halalness of a product. In addition, producers are also given an understanding of the importance of complying with halal standards, not only as a religious obligation but also as a legal obligation that if violated can result in administrative and criminal sanctions (Rizki, 2020).

Furthermore, BPJPH and MUI also encourage active participation from the community in the halal product supervision process. The community is encouraged to report to BPJPH or MUI if they find products that are suspected of not being halal or if there are misleading halal claims. This reporting mechanism has been facilitated through an application and complaint hotline that can be accessed by the wider community. From a legal perspective, this community participation is in line with the participatory principle mandated by the Consumer Protection Law, where the community has an important role in the



supervision and implementation of laws in the field of consumer protection (Nasution, 2021).

To complement the above strategies, BPJPH and MUI also focus on strengthening the law enforcement aspect in halal product assurance. Strict law enforcement is needed to provide a deterrent effect for producers who do not comply with halal standards and to protect consumers from products that do not comply with halal provisions (Syafii, 2020).

In Law No. 33 of 2014 concerning Halal Product Guarantee, there are administrative and criminal sanctions for producers who violate the provisions of halal product guarantees. Article 56 of the Law, for example, regulates administrative sanctions which include written warnings, temporary suspension of production activities, to revocation of business licenses for violators. In addition, Article 57 of the same Law also regulates criminal sanctions for violators, which can be in the form of a maximum imprisonment of 5 (five) years and/or a maximum fine of IDR 2 billion (Dewantara, 2019).

This strict law enforcement is an important step in ensuring compliance with halal standards and providing maximum legal protection for consumers. BPJPH has collaborated with law enforcement officers to supervise and take action against violations in the halal industry. This collaboration includes law enforcement in the field, investigations into suspicious halal claims, and prosecution of violators (Rizki, 2020).

However, this law enforcement does not stop at sanctions against violators. BPJPH also prioritizes a preventive approach through routine audits and inspections of producers, as well as through guidance and assistance to business actors in meeting halal standards. Thus, law enforcement is not only reactive but also proactive in preventing violations from occurring early on (Rahim, 2021).

Through a comprehensive legal strategy, BPJPH and MUI seek to strengthen the protection of Muslim consumers in Indonesia in accessing halal products. This strategy includes harmonization of regulations, use of information technology, education and counseling, and strengthening law enforcement. With the implementation of this strategy, it is hoped that the guarantee of halal products in Indonesia can be stronger and provide optimal protection for consumers, as well as encourage producers to be more responsible in fulfilling their obligations related to halal standards.

#### **IV. CONCLUSIONS AND RECOMMENDATIONS**

In an effort to ensure that products circulating in the Indonesian market meet halal standards, the role of the Indonesian Ulema Council (MUI) of North Sumatra and the Halal Product Guarantee Agency (BPJPH) of the Ministry of Religious Affairs is crucial. Through regulatory harmonization, information technology development, and education and counseling to the community and producers, these two institutions strive to strengthen the halal product assurance system. These strategies are not only aimed at protecting Muslim consumers from products that do not meet halal standards, but also to ensure legal certainty and justice for all parties involved. By strengthening aspects of strict law enforcement, BPJPH and MUI are committed to encouraging producers to be more responsible and consumers to be more aware of the importance of halal products, thereby creating a safer and more trustworthy market environment.

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