

Analysis of the Obligation of Halal Certification for Food and Beverage Products among Non-Muslim Business Actors in Kaloran District

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ABSTRACT

This study examines the obligation of halal certification for food and beverage products produced by non-Muslim business actors in Kaloran District. The enactment of Law Number 33 of 2014 on Halal Product Assurance, as amended by Law Number 11 of 2020 on Job Creation, has transformed halal certification from a voluntary requirement into a mandatory legal obligation for all business actors, regardless of religious background. This policy aims to provide legal certainty and consumer protection, particularly for Muslim consumers who are religiously obliged to consume halal products. This research employs a qualitative approach with a normative-empirical method. Normative analysis is conducted through the examination of statutory regulations related to halal certification, while empirical data are obtained through field observations and interviews with non-Muslim food and beverage business actors in Kaloran District. The study reveals a significant gap between legal norms (das sollen) and their practical implementation (das sein). Most non-Muslim business actors have not yet obtained halal certification, and some are unaware of the mandatory nature of this obligation. Limited socialization, lack of administrative guidance, and perceptions of lengthy certification procedures are identified as the main obstacles to compliance. The findings indicate that the primary challenge in implementing mandatory halal certification does not lie in the legal framework itself but in its execution at the local level. Therefore, this study emphasizes the need for more effective socialization, institutional assistance, and simplified administrative procedures to ensure the effective enforcement of halal certification obligations. Strengthening these aspects is essential to achieving the objectives of consumer protection, legal certainty, and the development of Indonesia's halal industry

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Introduction

Indonesia is a country whose population consists of diverse cultures, social groups, ethnicities, races, and religions. Religion plays an important role in social life, particularly Islam. In Muslim societies in general, Shari'a plays a very significant role (Muhamad Ali, 2025). This condition naturally forms part of the belief system of Muslims in Indonesia. Pancasila, as the ideological foundation of the state, affirms the principle of "Belief in the One and Only God." Muslims constitute the majority of Indonesia's population, accounting for approximately 87.18 percent of the total population. Consequently, the demand for halal products is relatively high. Indonesia is a country that guarantees freedom of religion and worship for all its citizens. This guarantee is stipulated in Article 29 paragraph (2) of the 1945 Constitution, which states that "the State guarantees the freedom of every citizen to embrace his or her own religion and to worship according to that religion and belief" (Faridah, 2019). The guarantee of religious freedom implies that individuals are free to determine their religious beliefs, while the guarantee of worship ensures the freedom to practice religious rituals in accordance with religious law. For Muslims, choosing halal products is an obligation that carries religious value and is considered an act of worship.

The government bears responsibility in this regard by providing protection and assurance of halal products for the Muslim community. Certainty regarding halal status provides peace of mind for consumers who use or consume such products (Faridah, 2019). Halal certification is a process of clarifying the halal status of products whose permissibility may be ambiguous. This process involves tracing the entire production chain, starting from the preparation of raw materials, production processes, and storage stages, including control mechanisms to ensure consistent halal compliance. Therefore, halal certification is applied to products that still contain uncertainty regarding their halal aspects and require verification.

The primary purpose of halal certification is to provide legal certainty regarding a product's halal status as a fulfillment of consumers' rights. Consumer confidence in the halal status of a product significantly influences purchasing decisions. Halal certification also represents an ethical business practice that producers should uphold as a guarantee of halal assurance for consumers. In addition to providing halal assurance, halal labeling offers economic benefits for producers, including: (1) increasing consumer trust due to guaranteed halal status; (2) serving as a Unique Selling Point (USP); (3) enabling access to the global halal market; (4) enhancing product marketability; and (5) constituting a relatively low-cost investment compared to the potential revenue growth that can be achieved..

Method

This study employs a qualitative normative-empirical approach. The normative aspect examines statutory regulations and legal principles concerning the obligation of halal certification for food and beverage products, particularly those stipulated in halal product assurance laws and related regulations. The empirical aspect focuses on how these legal norms are implemented by non-Muslim business actors in Kaloran District. Data collection is conducted through document analysis, in-depth interviews, and field observations. Primary data are obtained from interviews with non-Muslim business owners, local authorities, and relevant halal certification institutions, while secondary data are derived from laws, academic literature, journals, and official documents. The data are analyzed using descriptive-analytical methods to assess the conformity between legal norms and their practical application, as well as to identify challenges and legal implications related to the obligation of halal certification.

Results

The Obligation of Halal Certification for Non-Muslim Business Actors in Kaloran District

Kaloran District is one of the 20 districts in Temanggung Regency. It is located approximately 15 kilometers from the center of Temanggung City and covers an area of 6,392 hectares. Geographically, Kaloran District lies at an average altitude of 715 meters above sea level, with a maximum temperature of around 30°C and a minimum temperature of approximately 20°C. The average number of rainy days reaches 64 days per year, with an annual rainfall of about 22 mm. Land use in this area consists of 1,436 hectares of rice fields and 4,956 hectares of non-rice-field land. Administratively, Kaloran District is divided into 14 villages, 109 hamlets, 416 neighborhood units (RT), and 110 community units (RW).

Halal certification is a process of obtaining a halal certificate through a series of inspection stages aimed at verifying that raw materials, production processes, and the halal assurance system of a product comply with established standards (LPPOM MUI, 2008). This certification process is conducted through audits carried out by competent auditors in their respective fields, enabling the determination of a product's halal status and the issuance of a written fatwa in the form of a halal certificate (Hasan, 2014). A halal certificate is valid for four years and may be renewed, provided that the producer maintains consistency in the halal status of its products (Faridah, 2019).

Halal certification aims to ensure that the products produced meet halal standards, starting from the materials used, the production process, to the halal control system. Once all requirements are fulfilled, producers are entitled to obtain a halal certificate, which serves as the basis for affixing a halal label and halal registration number on product packaging. The halal

label functions as a means of providing information to consumers regarding the halal status of products, as well as a form of protection for the rights of Muslim consumers.

According to Islamic law, the halal status of a product is determined by several criteria, including: (a) it does not contain any pork-derived elements; (b) it does not contain prohibited substances such as blood, filth, or parts of the human body; (c) it is derived from halal animals slaughtered in accordance with Islamic law; (d) during storage, processing, distribution, and transportation, it is not contaminated by prohibited substances, or if contamination occurs, it must be purified in accordance with Islamic legal provisions; and (e) it does not contain khamr or any intoxicating substances. (Warto idan Syamsuri, 2020)

Objectives of Halal Certification

The objective of halal certification, as stipulated in Article 3 letter (b) of Law Number 33 of 2014 concerning Halal Product Assurance (JPH), is to provide added value and enhance the competitiveness of business actors so that they consistently produce and trade halal products. The existence of halal certification not only aims to protect Muslim consumers but also has strategic economic value for business actors (Djakfar, 2013).

Several reasons underscore the importance of halal certification, including: 1) Indonesia's population exceeds 200 million people, with approximately 87% identifying as Muslim, making the halal product market very large and highly potential. 2) Imported halal products, such as food, beverages, pharmaceuticals, and cosmetics, may threaten the competitiveness of domestic products if local business actors have not optimally implemented halal production systems. 3) The growing awareness of Muslim consumers regarding the importance of halal products requires active responses from both the government and business actors, particularly to ensure that Indonesian products are accepted in markets of Muslim-majority countries. 4) Many domestic products still do not display halal labels and do not possess halal certification, resulting in uncertainty for consumers.

Discussion

Implementation of the Obligation of Halal Certification for Non-Muslim Business Actors in Kaloran District

The transformation of halal certification from a voluntary to a mandatory requirement, as regulated under Law Number 33 of 2014 on Halal Product Assurance and subsequently amended by Law Number 11 of 2020 on Job Creation, normatively affirms that all food and

beverage business actors, regardless of religious background, are legally obligated to comply with halal certification requirements. This obligation is intended to ensure consumer protection, particularly for Muslim consumers, and to provide legal certainty regarding products circulating in the market. Given that Muslims generally require the application of Shari'a principles in daily life (Muhamad Ali, 2025), this policy serves as a form of protection for Muslim consumers, who are religiously obligated to consume halal food, as mandated in Qur'anic verse Al-Baqarah (2):168: "O mankind! Eat from whatever is on earth that is lawful and good, and do not follow the footsteps of Satan. Indeed, he is a clear enemy to you." This obligation is further reinforced by the Prophetic tradition stating, "Indeed, Allah is Good and accepts only that which is good (halal)" (As-Suyuthi, 2003). In addition, the mandatory halal certification policy may also be understood as a manifestation of tolerance and mutual respect within a pluralistic society.

However, the findings of this field research in Kaloran District reveal a significant gap between legal norms (*das sollen*) and their practical implementation (*das sein*). Although halal certification has been legally established as a mandatory requirement, the majority of non-Muslim food and beverage business actors in Kaloran District have not yet obtained halal certification. Moreover, some business actors remain insufficiently informed about the existence of this obligation and its legal consequences. This condition indicates that the effectiveness of the Halal Product Assurance Law has not yet been fully realized at the local level. Furthermore, the limited dissemination of information and lack of assistance from local government authorities and relevant institutions constitute significant factors contributing to the low level of legal compliance among business actors. Insufficient knowledge regarding registration procedures, authorized institutions, and certification stages has resulted in confusion among non-Muslim business actors, despite their awareness of the economic benefits and added value associated with halal certification. In this context, the legal obligation has not been adequately supported by effective implementation instruments.

In addition to the lack of socialization, administrative complexity and perceptions regarding the lengthy certification process also represent practical obstacles. Business actors perceive halal certification as requiring considerable time and administrative preparedness, thereby reducing their motivation to promptly fulfill this legal obligation. From the perspective of administrative law, mandatory obligations should be accompanied by procedural facilitation and service certainty to ensure the effective realization of regulatory objectives. Accordingly, it can be analyzed that the primary issue in implementing the obligation of halal certification for non-Muslim business actors in Kaloran District does not lie in the normative legal

framework, but rather in aspects of implementation and supervision. The state is therefore not only responsible for establishing legal obligations through regulation, but also for ensuring the availability of adequate dissemination, assistance, and accessible service mechanisms. Without such efforts, the transformation of halal certification into a mandatory requirement risks remaining merely formalistic and may fail to fully achieve the objectives of consumer protection and the strengthening of the halal industry as mandated by the Halal Product Assurance Law.

Conclusion

Based on the normative analysis of Law Number 33 of 2014 on Halal Product Assurance and the empirical findings from Kaloran District, this study concludes that the majority of non-Muslim food and beverage business actors have not yet obtained halal certification. Furthermore, a significant number of business actors remain unaware of the legal obligation to obtain halal certification as mandated by prevailing regulations. Although several business actors have initiated the registration process, the certification has not progressed optimally due to insufficient information regarding procedural stages, institutional authority, and follow-up mechanisms within the certification process. The lack of systematic socialization and guidance from local government authorities and relevant stakeholders, including religious counselors, constitutes a primary factor contributing to the low level of legal awareness and compliance among non-Muslim business actors. Consequently, despite recognizing the economic benefits and added value of halal certification, many business actors continue to experience uncertainty regarding authorized institutions, administrative requirements, and technical procedures necessary for certification. In addition to limited socialization, the perception that halal certification involves a lengthy and complex administrative process further hampers compliance. This condition has resulted in a low level of intention among business actors to promptly fulfill their legal obligations, notwithstanding the mandatory nature of halal certification for food and beverage businesses. Therefore, the findings indicate that the principal challenge in implementing halal certification obligations does not lie in the normative legal framework itself, but rather in the effectiveness of its implementation at the local level. Accordingly, this study emphasizes the necessity of a more proactive role by the government and related stakeholders in enhancing public outreach, providing structured assistance, and ensuring accessible and efficient certification services. Such measures are particularly crucial for non-Muslim business actors at the local level to ensure that the

mandatory halal certification regime achieves its intended objectives of legal certainty, consumer protection, and the strengthening of Indonesia's halal industry ecosystem.

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