

# The Misuse of Halal Food Labels in Sambas Regency

Zarul Arifin<sup>1</sup>, Sabri Samin<sup>2</sup>, Kamaludin Abunawas<sup>2</sup>, Kasjim Salenda<sup>2</sup>

<sup>1</sup>Alauddin State Islamic University of Makassar, Postgraduate Doctoral Program Student at Islamic Study Program, Concentration of Islamic Law, Street H.M. Yasin Limpo, No. 36, Gowa Regency of South Sulawesi Province, 92118, Indonesia

<sup>2,3</sup>University Muslim of Indonesia, Postgraduate Lecturer at Islamic Study Program, Concentration of Islamic Law, Street H.M. Yasin Limpo, No. 36, Gowa District of South Sulawesi Province, 92118, Indonesia

**Abstract:** *This study discusses the misuse of halal food labels in Sambas Regency. The misuse of the halal label in question is food traders often use halal labels that are not in accordance with applicable regulations. The main problem of this research is then formulated as follows: What is the form of abuse of halal food labels in Sambas Regency?. The researcher used a qualitative approach with a descriptive analysis perspective to uncover problems that occurred in the field, especially in Sambas District. The results of this study indicate that the misuse of halal food labels is mostly done by producers, especially among ethnic Chinese who use halal food labels on their wares, both halal labels in Indonesian and Arabic writing without obtaining halal certification from the MUI.*

**Keywords:** Abuse of Halal Labels

## 1. Introduction

The concept of halal has been applied in community life in Indonesia. Halal is meant for something good and clean to be eaten or consumed by humans according to Islamic law. Halal opponents are haram which are not justified or prohibited according to Islamic teachings. Allah has confirmed in the *Al-Ma'idah Verse 3* which reads: "Forbidden to you (eating) carcasses, blood, and pork".

Based on the verse, Allah only commands human to consume halal food. Halal is the main indicator for Muslims to consume food. Islamic consumers tend to choose products that have been declared halal than products that have not been declared halal by the authorized institution. [Sumarwan, Ujang. (2011). *Perilaku Konsumen: Teori dan Penerapannya dalam Pemasaran*. Jakarta: Ghalia Indonesia. p. 89]

In addition to halal labels, the problem of consumers in choosing products is the price itself. Price is also one of the consumer factors for determining purchasing decisions on products. Price is the amount of money charged on a product or service, or the amount of value that consumers exchange for benefits because they own or use the product or service. [Kotler, Philip, & Armstrong, Gary. (2001). *Prinsip-Prinsip Pemasaran* (Bob Sabran, Trans.). Jakarta: Erlangga. p. 106] Price determines consumer decisions in buying a product, and the price set by the company becomes a benchmark for the demand for a product. Determining the price of a product incorrectly will have an impact on decreasing selling and reducing market share. Therefore, companies in determining product prices must comply with supply and demand laws to increase product sales and increase market share.

The reality of Indonesian society today is that there are still many Muslims who do not care, take lightly, and even tend to underestimate the status of the halal food they consume. This condition is mainly due to a lack of knowledge and understanding of the indicators of labeling halal food.

Another factor is a lack of understanding of laws and regulations. The most obvious example is that many of us think that a restaurant or product that includes a halal label is definitely halal. Apart from reality is there are many halal labels come from "self claim" or unilateral statements without testing from the authorities. If consumers understand official and unofficial labels, they will avoid illicit food or *subhat*. On the other hand, most producers have not realized that the halal guarantee of a product and providing halal information is the obligation of the producer, but only as an added value for a product.

To avoid things that are not desirable, then every consumer needs to be careful before buying food products for consumption. One of the first efforts consumers can make is to look at packaging and labels. Labels on food product packaging are not only formalities. From this label, consumers know a lot about the products they will consume. An understanding of how to read labels will be beneficial to consumers so that they are not trapped in things that are misleading. Generally, consumers do not use information on labels and one of the problems is because they do not understand the substance of the label. Though in theory, Muslims will be careful in choosing the food to be consumed. Practically, this is more careful by ensuring that there is a halal label for the MUI on product packaging.

Halal labels are issued by institutions and appointed by the government. The Law on Guaranteed Halal Products was passed on 17 October 2014 by President Susilo Bambang Yudhoyono. Previously this law was in the form of a bill, but after it was approved at the DPR-RI Plenary Meeting on September 25, 2014, then by Amir Syamsudin as Minister of Law and Human Rights (HAM) in the United Indonesia Cabinet (KIB) II legalized the Act as Law No. 33 of 2014.

In Law No. 33 of 2014 Article 33 Paragraph 1 concerning Guaranteed Halal Products explains that the determination of halal products is carried out by MUI in the Halal Fatwa session. In the session, also involved experts, elements of

ministries, and related institutions. Whereas product inspection or testing is carried out by BPJPH (Badan Penyelenggara Jaminan Produk Halal). So the halal label installed on the product without going through the inspection process by BPJPH and approved by MUI is not an official halal label.

In the process of granting halal certification, not only are raw materials reviewed and researched, but also include material supply, processing, storage, packaging, distribution, sale and presentation of products (in Law No. 33 of 2014 concerning Guaranteed Halal Products). After that, tested by LPPOM-MUI through several stages to obtain halal certification which is marked by halal labels on product packaging and as information that can be known to consumers.

Halal certification benefits for all consumers, not only Muslim consumers but also non-Muslims. This is because other halal meanings are: ethically processed, healthy and good. So that the halal certification also helps consumers to maintain health by ensuring food.

Halal certification has an increasingly important role because of the increasing demand for global halal products (LPPOM-MUI). Thus the market opportunity for halal and good food is very wide open and promising. In addition, Indonesia is a Muslim-majority country and it is very possible to become a global producer of halal products. This condition can be a business opportunity for the society of Indonesia.

In Sambas district, there are still many food traders who use halal food labels on their wares, both halal labels in Indonesian and Arabic writing. This is what causes problems for consumers. Consumers who buy food at these traders have not been protected, whether the food purchased is truly halal. The Bupati said when interviewed in 2018 that the Sambas districts government was not focused on abuse of halal labels, but in the future the government will try to ask food traders to use the halal label issued by the MUI. Based on the background of the problem, the main problem can be formulated as follows: What is the form of abuse of halal food labels in Sambas district?

## 2. Research Methodology

### a) Types of Research

The type of research used in this study is qualitative. Qualitative research is research that aims to describe and analyze phenomena, events, social activities, attitudes, beliefs, thoughts of individuals and community groups. [Sukmadinata, Nana Syaodih. (2011). *Metode Penelitian Pendidikan*. Bandung: PT. Remaja Rosdakarya. p. 9] The reason for using this type of research is to examine the problem of abuse of halal labels in Sambas district. This type of research is field research, namely research whose primary data is explored through observation and data sources in the field. This research was conducted directly on the object, in an effort to collect data and various information about procedures and problems regarding halal labels. In addition to field research, this study also uses library research as a supporter in conducting research, using

various literature in libraries that are relevant to the problems raised for research. [Sugiyono. (2012). *Metode Penelitian Kuantitatif, Kualitatif, dan R&D*. Bandung: Alfabeta. p. 243]

### b) Research Approach

The researcher used a qualitative research methods with a descriptive analysis perspective. Research Descriptive analysis is research that intends to make a description of a situation or incident. [Suryabrata, Sumadi. (1998). *Metodelogi Penelitian*. Jakarta: PT. Raja Grafindo Persada. p. 76] From this understanding it can be understood that descriptive research describes the situation or incident under study. In this study, researchers tried to describe data from survey results and compare them with existing literature.

### c) Research Sites

This research was conducted in Sambas District on the reason that many food producers in Sambas District have abuse halal labels on their merchandise, which is certainly interesting to study considering the majority of the population of Sambas district are Muslim.

### d) Data Source

The main data sources in qualitative research are words and actions, the rest are additional data such as documents and other references. [Moleong, Lexy J. (2010). *Metodologi Penelitian Kualitatif*. Bandung: PT. Remaja Rosdakarya. p. 155]. The researcher used two data sources to find and collect data in this study, and the results of the data to be processed, namely:

#### • Primary Data Source

Primary data is data taken directly by researchers to sources without intermediaries. The researcher search and found data from the informants, both interviews and direct observations in the field. The words and actions of the people who were observed or interviewed were the main data sources. Primary data consists of: Regent of Sambas district, MUI, police, traders and consumers.

#### • Secondary Data Source

Secondary data sources are indirect data sources that are able to provide additional and strengthen research data. Sources of data in this qualitative research in addition to the form of words, language and actions of informants can also be obtained through: literature studies with media books relating to the problem to be studied; internet media to support analysis; discussion; archive and photo documentation during the study. In order for this research to be accountable, the data source becomes very important so that the results of truly detailed research will be obtained.

### e) Method of Collecting Data

Data collection is the process of procuring data for research purposes. Data collection methods used in an effort to collect data for this study, using several methods, namely:

## 3. Observation

Observation is a data collection technique with special characteristics when compared to other techniques, namely:

interviews and questionnaires. The type of observation consists of:

- a) Observation Participants are researchers who are involved with the daily activities of people who are observed or used as data sources of researchers.
- b) Non-participant observation is that researchers are not involved and are only independent observers.
- c) Structured observations are observations that have been systematically designed, about what is observed, when and where it is.
- d) Unstructured observations are observations that are not systematically prepared about what is observed, when and where it is.

This observation is done by collecting data directly from the object of research, not only limited observation but also recording is done to obtain concrete and clear. The type of observation used in this study is structured observation, where researchers have learned about the abuse of halal labels in Sambas district. [Sugiyono. *Op.Cit.*, pp. 204-205]

### Interview

Interviews will be conducted with informants who are considered and very competent with the issues to be discussed and can provide the data and information needed. If seen from the character or technique of its implementation, this interview is divided into three types, namely:

- a) Guided interview is an interview that uses question points based on research problems.
- b) Non-guided interview is an interview where the researcher accidentally directs the question based on the research problem points.
- c) Guided free interview is a combination of the two, the interviewer only makes the points of the question to be studied, and the interview process takes place according to the situation.

Based on the opinion above, the form of interview used is a Guided free interview, that is, previous research prepares a question frame and informants are given the freedom to develop their answers.

This method is used to understand and know the administrative requirements of the halal label certification procedure so as not to find obstacles and problems when submissions have been processed.

## 4. Discussion

### Form of Abuse of Halal Food Labels in Sambas District

The act of breaking the law in the field of trade is not only done by individuals or groups of people. One formulation of the problem examined in this dissertation is related to the abuse of halal food labels in Sambas district. Regarding the halal label, it is a very important thing to be considered by Muslims, considering halal food is the main indicator is very basic for Muslims to consume food. Islamic food here is not only in the form of substances or ways to obtain it, but also in the form of administrative requirements for procedures for labeling halal food consumed by the public.

For countries where the majority of the population is Muslim, including Indonesia in general and Sambas District in particular, the regulation of halal labels on all products consumed by Muslim consumers is an important thing to implement. As Muslim consumers, this view is an important thing to do, especially if it is associated with deviant behavior from food producers who abuse the halal label to get maximum benefits. In general, much or less demand for food products produced in Indonesia can be influenced by halal labels. Moreover, this food is produced by non-Muslims. Halal labels are one way to convince consumers to buy food that is traded by non-Muslims. However, abuse by food producers in Sambas where using halal labels is not in accordance with the rules or in other words they use halal labels not issued by the MUI. As a result of an interview with one of the ethnic Chinese food producers who trade food in Sambas Regency. Interview with Mr. Candra, one of the ethnic Chinese food producers who trade food in Sambas District stated that:

*"We trade food for about five years, the types of food we sell vary, for example: chicken noodles, charred noodles, meatballs, boiled noodles and more. Consumers who buy our products are not only from ethnic Chinese but also from Muslims, especially ethnic Malays. That is why we include halal labels on our products so that Muslim consumers believe the products we sell are halal."* [Candra. (25 Juni 2018) *Food Trader*. Interview. Sambas]

Ms. Lusiana, who is also a food producer, stated the same reason for including a halal label on her product:

*"I have been trading food for about seven years, I am a native of Sambas, the food I sell varies from meatballs, soups, boiled noodles, chicken noodles, bone soup, soups, and various types of drinks we sell. I give a halal label for merchandise with Arabic script, considering that the majority of the population of Sambas Regency is Muslim, so I need to convince consumers that what I sell is truly halal. And as long as I sell, there has never been a protest or complaint from consumers about the food I sell."* [Lusiana. (25 Juni 2018) *Food Trader*. Interview. Sambas]

Based on information from the sellers above, starting from ethnic Chinese traders who in fact are non-Muslims, to Muslim traders, the reason they provide halal labels is only to convince consumers that the products they sell are truly halal. There are still many food producers providing halal labels on their products, without being given a certificate from MUI as an institution that has the right to issue halal labels.

Of course this has violated regulations related to labeling issues, then violated the law on consumer protection, as well as the law on guaranteeing halal products, which is the main reference for consumers to be legally protected. Because Muslim consumers have the right to get clear information about the products they consume.

On the other hand, consumers also pay less attention to the issue of halal labels written by food traders, so consumers



are less concerned with the food purchased whether it is truly halal or not. As expressed by one of the buyers interviewed by the researcher, that:

*"I bought ribs and meatballs in a food stall, to be consumed with my family at home. In that place, I saw halal writing, halal writing in Indonesian, 100% halal. When I saw the writing, I was sure the food sold was truly halal."* [Yusuf. (25 Juni 2018) *Food Trader*. Interview. Sambas]

To find out people's understanding of the importance of halal labels on food, researchers interviewed other consumers and the results were:

*"I have bought fried noodles and charred noodles at a Chinese food seller, when I bought, I saw there was a 100% halal label in that place. that's what causes me to want to buy this food. If there is no halal label, I don't want to buy food at that place."* [Herman. (25 Juni 2018) *Food Trader*. Interview. Sambas]

Based on information obtained from Mr. Yusuf and Mr. Herman as one of the consumers who buys food at traders labeled halal and does not comply with applicable regulations, it is evident that the public's understanding of halal labels is still weak. The community cannot distinguish between halal labels by the MUI with halal labels written only by food producers in Sambas District.

Another form of violation from the results of the interview above is the actions of producers who display halal labels in various forms. Some are in the form of ordinary writing like 100% halal, there are also halal writings in Arabic script. All halal labels are not issued by MUI or without procedures that must be carried out by food producers. Abuse of halal labels is also carried out based on producer economic stratification. Starting from selling food in the store, to selling food using a cart.

Communities must be protected from label information and to avoid anxiety caused by food labels that tend to be misleading. For this reason, the government must issue Government Regulations on food labels and advertisements. In addition, it also aims to provide an understanding to the community that halal food as food that does not contain elements or ingredients that are haram or prohibited for consumption by Muslims, both regarding food raw materials, food additives, and other additives, including ingredients that go through the process of genetic engineering and irradiation processes, and their management is carried out in accordance with the provisions of Islamic religious law.

The right to obtain a decent life includes the right to consume food and use other products that can guarantee the quality of life and human life. In Article 30 Paragraph 1 of Law No. 7 of 1996 concerning Food, stated that:

*"Every person who manufactures or enters into the territory of Indonesia, packaged food for trading must include labels on, in and or on food packaging."*

Regarding the explanation above, Dr. Agus as Director of the Institute for the Study of Food, Medicine and Cosmetics of the Indonesian Religious Leader (LPPOM-MUI) of West Kalimantan Province, stated that:

*"Every food producer is required to include a halal label issued by the MUI on the packaging of food sold to the public. On the other hand, some districts in West Kalimantan, the majority of the population are Muslim, especially in Sambas, there are about 87% of the population are Muslim."* [Dr. Agus Wibowo. (14 Januari 2019) *Director of LPPOM-MUI in West Kalimantan*. Telephone Interview]

In Sambas District there are still many food producers and food traders who use halal labels not issued by the West Kalimantan MUI such as small packaged food made from home industry production. Further Dr. Agus said that:

*"In accordance with the legal provisions regarding labeling which are spread in various laws and regulations, including Law No. 8 of 1999 concerning Consumer Protection, Law No. 7 of 1996 concerning Food, PP No. 69 of 1999 concerning Food Labels and Ads, Minister of Trade Regulation No.22/M-DAG/PER/5/2010 concerning the Obligation to Include Labels on Goods, Law No. 36 of 2009 concerning Health, Decree of the Minister of Health No. 924/Menkes/SK/VIII/1996 concerning Amendments to the Decree of the Minister of Health of the Republic of Indonesia No. 82/Menkes/SK/I/1996 concerning Inclusion of "Halal" Writing on Food Labels, Regulation of the Minister of Health of the Republic of Indonesia No. 180/Menkes/Per/IV/1985 concerning Food Expiration which has been amended by Director General Decree of POM No. 02591/B/SK/VIII/91."*

H. NasirunLc., ME who is the Deputy Secretary of the MUI in Sambas District explained that:

*"Consuming halal food is an obligation for every Muslim such as the word of God in Surat Al-Ma'idah verse 88 and Surat Al-Baqarah verse 168. Eating foods that are not halal can result in our prayers not being fulfilled, charity rejected, and meat developing from goods the unclean place is hell."* [H. Nashirun, Lc. ME. (14 Januari 2018) *Deputy Secretary of the MUI in Sambas District*, Telephone Interview. Sambas]

Awareness of food producers in Samba District is needed to ensure the status of halal packaged food products such as snacks, one type of food that is often found using halallabels not issued by the MUI, including: meatballs, bone soup, noodles, and other foods in canteen.

UU no. 8 of 1999 concerning Consumer Protection as a legal umbrella does not specifically regulate labeling, especially food products. More specific arrangements are in Government Regulation No. 69 of 1999. Before the Government Regulation was born, a brief labeling arrangement was stated in Law No. 7 of 1996 concerning Food. Article 1 paragraph 3 Government Regulation No. 69 of 1999 stipulates that what is meant by food labels is:

*“Any information regarding food in the form of pictures, writings, combinations of both or other forms included in food, put in, affixed to or constitute part of food packaging.”*

The same definition also exists in the provisions of Article 1 number 15 of Law No. 7 of 1996. Further in Article 2 Government Regulation No. 69 of 1999 stipulates that:

- a) Every person producing or incorporating packaged food into Indonesian territory for trading must attach labels in and on food packaging.
- b) Inclusion of the Label as referred to in paragraph 1 is carried out in such a way that it is not easily separated from the packaging, does not easily wear off or is damaged, and is located on the part of food packaging that is easily seen and read.

Then in Article 3 Government Regulation No. 69 of 1999 stipulated that:

- a) The label as meant in Article 2 paragraph 1 contains information about the intended food.
- b) Information as referred to in paragraph 1 at least:
  - 1) name of product;
  - 2) list of materials used;
  - 3) net weight or clean contents;
  - 4) the name and address of the producing or entering food in the territory of Indonesia; and
  - 5) expire date, month and year.

Juridical as is known in accordance with Government Regulation No. 69 of 1999 concerning Food Labels and Ads, then food producers and importers are required to provide information and/or true and non-misleading statements about food in the label. However, if we pay attention to the food labels currently circulating there are various information in them, starting from the name of the product to the bombastic words/sentences which are usually only for promotional purposes.

Furthermore, H. NasirunLc, ME explained that:

*“There are still many packaged food products circulating in Sambas Regency that use halal labels and are not issued by the West Kalimantan MUI. He said that it is the duty of every food producer to use halal labels according to the rules, there are still many packaged foods sold to consumers using labels that are not according to regulations such as household-produced snacks.”*

For food producers, they are required to include halal labels, because in Article 10 of Government Regulation No. 69 of 1999 concerning Food Labels and Ads. Every person who manufactures or inserts packaged food into Indonesian territory for trading and states that halal food for Muslims is the responsibility for the truth of the statement and is proven by halal certificates or writing on the Label. The statement about halal as referred to in paragraph 1 is an integral part of the Label.

For companies that have obtained halal certificates from the MUI, they must be responsible for maintaining the halal products they produce, and this halal certificate cannot be

handed over to any producer. Government Regulation No. 69 of 1999 in Article 1 paragraph 3, explains that:

*“Food labels are all information about food in the form of pictures, writings, combinations of both, or other forms included in food, put in, pasted on, or are part of food packaging, hereinafter referred to as Labels.”*

As we know in Article 1 paragraph 5 Government Regulation No. 69 of 1999, explaining that Halal food is:

*“Foods that do not contain elements or ingredients that are unclean or prohibited to be consumed by Muslims, both concerning food raw materials, food additives, and other auxiliary materials, including food processed through the process of genetic engineering and food radiation, and the management carried out in accordance with the provisions of Islamic law.”*

Halal label regulation in Article 10 Government Regulation No. 69 of 1999 is not intended to shut down or weaken business and company activities, but vice versa, because halal label regulation is expected to encourage the creation of climate and business competition, and is expected to produce strong companies in facing healthy competition through the provision of quality goods and services.

## 5. Conclusion

Regarding the abuse of halal food labels in Sambas, many food sellers in Sambas District committed label violations, only three producers and food traders filed and managed halal certification by MUI in West Kalimantan. To get a halal label, food sellers must arrange and register the food they produce to MUI in West Kalimantan to be certified. Food traders in Sambas District include halal labels that are not in accordance with the rules, in this case they like to include halal labels in their place of business, in the form of Indonesian writing such as halal one hundred percent, or in Arabic writings stating that the food they sell is halal. This is of course contrary to the regulations regarding labeling, and regulations to guarantee halal products, given that writing or registering halal labels must have received halal certification from MUI.

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