

Protection of Consumer Rights to Guarantee the Safety of Halal Products within the Legal System Framework (Case Study of the Indonesian Ulema Council of North Sumatra)

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Abstract

This research explores the implementation of consumer protection in the context of halal product certification in Indonesia, with a special focus on the role of the Indonesian Ulema Council (MUI) of North Sumatra and the Halal Product Guarantee Administering Body (BPJPH). Through an empirical normative approach, the research collects data from consumers, industry players, and relevant literature to analyze the effectiveness of the existing legal framework in maintaining the integrity of halal certification. The research results show that cooperation between MUI and BPJPH has played an important role in auditing and issuing certification, but there are still challenges in dealing with products that are mislabeled or do not meet halal standards. This research contributes to the understanding of the need for a consumer protection system that is more robust and responsive to the interests of Muslim consumers in Indonesia.

Keywords: Halal Certification, Consumer Protection, Halal Legal Framework

INTRODUCTION

Indonesia, as the country with the largest Muslim population in the world, places halal product status as a crucial and very sensitive issue. This brief introduction underscores the urgency (Fauzy. 2002) attention to halal products and the extent to which this is important to Muslim consumers in Indonesia. In this context, the issue of product halalness does not only involve religious aspects, but also consumption ethics, health and consumer safety.

Halal products are a vital determining factor in Muslim consumers' purchasing decisions. The introduction of halal labels has become important information sought by Muslim consumers when choosing products. This reflects how compliance with Islamic law—known in Arabic as Sharia—is a core element in the daily lives of Muslims, including in terms of consumption.

In the Islamic view, the consumption of products that are halal and tayyib (good and pure) is a mandate that cannot be ignored. Al-Qur'an surah Al-Baqarah verse 168 states: "O people, eat what is halal and good from what is on earth, and do not follow the steps of Satan. Indeed, he is a real enemy for you.". This verse emphasizes that Muslim consumers must be proactive in choosing and consuming products that are not only halal but also good and beneficial for health.

Within Indonesian society, trust in halal products is very deep. Muslim consumers tend to look for halal certification as proof of product authenticity and halalness. This certification ensures that products are produced, processed and distributed in accordance with Sharia principles, involving strict hygiene, health and safety procedures. According to data from the Central Statistics Agency (BPS), the majority of Indonesia's Muslim population considers halal certificates to be the main determining factor in product purchasing decisions. (BPS.2021)

Problems arise when there are discrepancies or ambiguities in the labeling of halal products. This issue can cause doubt and confusion among Muslim consumers, which in turn can threaten the integrity and trust in products labeled halal. In this context, it is important to highlight the roles and responsibilities of halal producers, distributors and certification bodies in ensuring the accuracy and authenticity of halal labels.

In this regard, the MUI (Indonesian Ulema Council) as the institution authorized to issue halal certificates in Indonesia has a strategic role in maintaining Muslim consumers' trust in halal products. MUI's credibility in the halal certification process is the basis for public trust in the halalness of a product.

The Indonesian Ulema Council (MUI) of North Sumatra (North Sumatra) is one of the branches of the highest Muslim institution in Indonesia at the provincial level. As part of the central MUI, the North Sumatra

MUI has an important role in serving Muslims in the North Sumatra region, one of which is through halal product certification.

The history of the North Sumatra MUI cannot be separated from the history of the founding of the central MUI, which was founded in 1975 as a form of awareness among Muslims of the importance of having an institution that can be a reference in religious matters. The North Sumatra MUI itself operates in line with the principles adhered to by the central MUI, by taking on the role of guardian of Islamic values, including in the issuance of halal certificates.

In the course of history, there has been an increasing need for quality and trusted halal products in society. This need is followed by an increase in the number of industries that produce halal products. In response, the North Sumatra MUI is actively providing education to the public regarding the importance of consuming halal products and becoming the authorized institution in the process of granting halal certificates in North Sumatra.

However, regulations related to halal certification have experienced significant developments with the issuance of Law no. 33 of 2014 concerning Halal Product Guarantees (UU JPH.2014). This law created the Halal Product Guarantee Organizing Agency (BPJPH) under the Ministry of Religion of the Republic of Indonesia as the institution responsible for halal certification in Indonesia. In relation to BPJPH, MUI still plays a strategic role because it is a reference in determining product halal criteria.

The North Sumatra MUI and BPJPH have a close working relationship in the process of issuing halal certification. MUI North Sumatra is responsible for conducting product halal audits, while BPJPH issues halal certification based on recommendations provided by MUI. Through this synergy, the two institutions try to ensure that the products circulating in the community are halal and suitable for consumption.

The aim of this research is to examine in depth the process of issuing halal certification by the North Sumatra MUI and its correlation with BPJPH in order to provide guarantees of halal products to the public. Apart from that, this research also aims to identify and analyze every challenge and obstacle faced by the two institutions in the process of issuing halal certificates and find the best solutions to overcome them. It is hoped that this research can contribute ideas in developing a halal certification system in Indonesia that is more credible, accountable and reliable by the public, especially Muslim consumers.

Increasing public awareness of the importance of consuming halal products makes the issue of halalness crucial. Muslim consumers in North Sumatra, as part of the largest Muslim population in Indonesia, are highly dependent on the reliability of the halal certification system organized by the North Sumatra MUI in synergy with BPJPH. However, behind this process, it is important to study further the mechanisms for protecting consumers regarding halal product guarantees, especially from the perspective of the applicable legal system.

Consumer protection is an issue that is always relevant and important in the context of civil law. In Indonesia, consumer protection is regulated in Law no. 8 of 1999 concerning Consumer Protection. This law is designed to protect consumers from unethical business practices and ensure that consumer rights are fulfilled, including the right to correct, clear and honest information regarding the condition and guarantee of goods and/or services.

Halal products are vital information for Muslim consumers. In this context, this research will focus on how the North Sumatra MUI as an institution that has the authority to declare product halal through certification, contributes to consumer protection. Furthermore, this study will examine how existing regulations and policies support consumer protection initiatives related to halal products and the role of civil law in this process.

Consumers have the right to receive products that are safe and comply with the claims offered by the manufacturer or distributor. In the case of halal products, guaranteeing halalness is the main expectation of Muslim consumers. This research will analyze how the MUI of North Sumatra, in collaboration with BPJPH, ensures that halal-certified products are indeed worthy of obtaining the certificate and how consumer protection mechanisms operate in the event of violations or false claims regarding product halalness.

This study is important to ensure that the rights of Muslim consumers in North Sumatra are well protected and the halal certification process carried out by the North Sumatra MUI is in accordance with applicable standards and regulations. Through this research, it is hoped that improvement and optimization points can be found in the halal certification system in North Sumatra, so that it can provide better guarantees to consumers regarding halal products on the market.

METHOD

This research is an empirical normative study which aims to evaluate the implementation of legal norms related to consumer protection in halal product guarantees at the Indonesian Ulama Council, North Sumatra. Using primary data from consumers and industry players as well as secondary data from literature and official documents, this research combines literature study methods, in-depth interviews and observation to collect data. Data analysis was carried out qualitatively with an inductive approach, focusing on evaluating consumer

protection policies and practices in the field of halal certification by the North Sumatra MUI, resulting in an in-depth understanding of the implementation and effectiveness of the existing legal framework. (Zainuddin. 2014)

RESULTS AND DISCUSSION

A. The Idea of Halal Products as Consumer Protection in Indonesia

For Muslims, the issue of food receives important attention and in the jurisprudence books the issue of food and drink (khamer) is a separate part of the discussion. The important thing that Muslims must pay attention to when consuming food is that the food is halal and good (halalan Thoyyib), as commanded by Allah in the Qur'an Surah Al Baqarah 168 which means "O people, eat what is halal and good from what you eat. exist on earth, and do not follow the steps of the devil, for indeed the devil is a real enemy for you."

One of the most important concepts in Islam is the concept of halal, which means "permissible". Halal covers the aspects of slaughtering, storage, display, preparation, hygiene and sanitation. It covers food as well as nonfood categories of products. Given the speed of trade globalization, the advancement in science and technology, and the on-going initiatives to simplify manufacturing processes, it is essential that the halal concept be fully understood by marketers (Halal certification: an international marketing issues and challenges.

Regarding halal in terms of substance, Yulkarnai Harahab said that all food that exists in nature, whether from plants or animals, is halal to eat except for those which are clearly forbidden in Islamic law. Especially for food that comes from plants (plant food) there is no problem in Islamic law, namely Islam does not prohibit plant food, unless it is changed and processed in such a way that it becomes an intoxicating drink. So these types of plant foods can erase memory, damage the mind, weaken and damage the body, such as marijuana and so on, which are types of plants that are prohibited or haram to eat. As for food that comes from animals (animal type food), some of it is prohibited (haram) for Muslims to eat. The types of food that are prohibited are listed in:

Due to the above, in this case, formally, the Indonesian state already has positive legal regulations, namely Law Number 8 of 1999 concerning Consumer Protection and Law Number 7 of 1996 concerning Food.

In Law Number 7 of 1996, apart from determining that food must meet health standards (Thoyyib in Islamic law terms), there are also several provisions that require halal labels for traded food which provides instructions regarding the halalness of the food product. This is quite important for Muslim consumers.

The definition of halal food can be seen in Government Regulation Number 69 of 1999 concerning Food Labels and Advertisements which states that halal food is food that does not contain elements or ingredients that are haram or prohibited for consumption by Muslims, both regarding food raw materials and food additives. , auxiliary materials and other auxiliary materials including materials processed through genetic engineering and food irradiation processes, and whose processing is carried out in accordance with the provisions of Islamic law.

Inclusion on food labels is mandatory if every person who produces food and/or imports food into Indonesian territory for trade declares that the food in question is halal for Muslims. The halal statement is intended to prevent the public (Muslims) from consuming food that is not halal or haram. (Ahmadi. 2004)

This is where the importance of a platform that takes care of consumer protection from non-halal food lies. A forum that tries to research, select and monitor the distribution of food products on the market. Of course, this kind of forum requires staff who have different background knowledge and expertise. (Ghofur. 2002)

To maintain the halal status of food, business actors in carrying out their restaurant activities must request halal certification. Halal certification is issued by the Food and Drug Assessment Institute,(Redyanto. 2022) and Cosmetics from the Indonesian Ulema Council (LP-POM MUI) which has a validity period of two years and can be extended. In this regard, at any time LP-POM MUI can re-examine the halalness of a product that has received halal certification if there are reports from the public who doubt the halalness of the product.

Halal certification is voluntary, meaning that every producer (business actor) is not obliged to apply for halal certification for the products produced, and LP-POM MUI itself is passive, meaning it only waits for the percentage to apply for halal certification. MUI which has provided halal certification for a food product, the Ministry of Health can allow the affixation of a "halal label" to the product.

The definition of "halal certification" is a detailed examination of the halalness of a product, which is then decided on its halalness in the form of an MUI fatwa, while "halal labeling" is permission to place the word halal on a company's product packaging by the Ministry of Health.

There are no halal food provisions in positive law that specifically regulate halal certification and halal labeling. The regulations that form the legal basis for consumer protection are Law Number 8 of 1999 concerning Consumer Protection, Law Number 7 of 1996 concerning Food, Law Number 36 of 2009 concerning Health, Government Regulation Number 69 of 1999 concerning Labels and Food Advertisements and Decree of the Minister of Religion (Kepmen) Number 518 of 2001 concerning Guidelines and Procedures for Inspecting and Determining Halal Food. The articles relevant to halal issues are as follows:

Law Number 8 of 1999 concerning Consumer Protection. Article 8 paragraph (1) letter h states that business actors are prohibited from producing and/or trading goods and/or services that do not meet the halal production requirements as stated in the halal statement on the label.

Law Number 7 of 1996 concerning Food. What regulates halal marking is contained in the following articles: a) Article 30 paragraphs (1) and (2) which states that halal certification for a food product is very important for Indonesian society, the majority of whom are Muslim. Halal information is intended to prevent people from consuming food that is not halal (haram). b) Article 33 paragraphs (1), (2), and (3) states that every label and/or advertisement about food is correct and not misleading. Every person is prohibited from providing information and/or statements about food traded through, in, and/or with labels or advertisements if the information or statement is untrue and/or misleading. Therefore, the government regulates, supervises and takes necessary actions so that advertisements about traded food do not contain information that could be misleading.

Article 34 paragraph (1) states that every person who states on a label or advertisement that the food being traded is in accordance with the requirements of a particular religion or belief, is responsible for the truth of the statement based on the requirements of that religion.

Law Number 36 of 2009 concerning Health. Article 110 states that every person/or legal entity that produces and promotes food and beverage products and/or that is treated as technologically processed food and beverage is prohibited from using words that are deceptive and/or accompanied by claims that cannot be proven. the truth.

Government Regulation Number 69 of 1999 concerning Food Labels and Advertisements. Article 10 paragraphs (1) and (2) which states that every person who produces or imports packaged food into the territory of Indonesia for trade and declares that the food packaged into the territory of Indonesia for trade and declares that the food is halal for Muslims, is responsible responsible for the truth of the statement and must include halal information or writing on the label. The statement about halal is an inseparable part of the label. b) Article 11 paragraph (1) states that to support the truth of the halal statement as intended in article 10, anyone who produces or imports packaged food into Indonesian territory for trade is obliged to first check the food at an inspection institution that has been accredited in accordance with the provisions applicable laws and regulations. The inspection is intended to provide peace and confidence for Muslims that the food they will consume is safe from a religious perspective.

Decree of the Minister of Religion (Kepmen) Number 518 of 2001 concerning Guidelines and Procedures for Inspecting and Determining Halal Food. Article 6 paragraph (1) letter c states that the team inspects objects related to the production process, namely production methods including slaughtering methods for slaughtered animals, selection of raw materials, selection of auxiliary materials and additional raw materials, processing methods, and presentation methods. This inspection is intended to ensure that the production process is carried out using a halal system. In paragraph (5) raw materials and auxiliary materials must meet the requirements of not containing pork or products derived from pork, alcohol and other haram goods and ingredients in the form of meat must come from halal animals slaughtered according to Islamic sharia procedures. Paragraph (6) states that the processing method as intended in paragraph (1) letter c is carried out by avoiding product contamination from haram ingredients and following documented standard implementation procedures.

Consumer protection is a matter of human interest, therefore it is the hope of all nations in the world to make it happen. Realizing consumer protection is realizing a dimensional relationship that is interconnected and mutually beneficial for consumers, entrepreneurs and the government. (Husni. 2002)

B. Legal Protection is Effective in Protecting the Rights of Muslim Consumers

The process of granting halal certificates is based on Law Number 33 of 2014 concerning Halal Product Guarantees, based on article 29 that applications for halal certificates are submitted by business actors in writing to the Halal Product Guarantee Organizing Agency (BPJPH). The application for a halal certificate must be accompanied by business actor data documents, name and type of product and a list of products and materials used and the product processing process. (UUJPH. 2014)

Halal inspection is carried out by the Halal Product Guarantee Organizing Agency (BPJPH). To carry out halal inspections, BPJPH has established a Halal Product Institute (LPH) which is tasked with carrying out halal inspections and/or halal testing of products (Article 30 paragraph 1). Article 31 regulates that inspection and/or testing of product halalness is carried out by a halal auditor at the business location during the production process. If there are materials whose halalness is doubtful, they can be tested in the laboratory.

During an inspection by a halal auditor, business actors are obliged to provide the necessary information to the halal auditor. After (LPH) has finished carrying out its duties of carrying out halal inspections, LPH then submits the results to BP JPH and then BPJPH submits them to MUI to determine the halalness of the product (Article 32). To determine whether a product is halal or not, the MUI conducts a Halal Fatwa trial (Article 33). The MUI Fatwa Session was attended by experts, elements of ministries/institutions and/or related agencies. The fatwa session decides whether the product is halal no later than 30 days after the MUI receives the inspection results or application from BPJPH. The decision to determine halal is signed by MUI and then submitted to BPJPH to issue a halal certificate.

If at the halal fatwa hearing, the product is declared halal, then BPJPH issues a halal certificate within a maximum of 7 days from the halal decision from the MUI. On the other hand, if at the MUI halal fatwa hearing it is declared that the product is not halal, then BPJPH returns the application for a halal certificate to the business actor accompanied by reasons. Next, BPJPH must publish the issuance of halal certificates (article 34). And you need to know that the institution with authority to issue halal certification is BPJPH North Sumatra Province and LPPOM/LPH MUI with authority is LPPOM/LPH MUI at the provincial level, not district/city.

Business actors who have obtained a halal certificate from BPJPH are required to include a halal label on the product packaging, certain parts or certain places on the product that are easy to see, read and cannot be easily removed, removed or damaged (Articles 38 and 39). Business actors who do not display halal labels in accordance with the provisions of articles 38 and 39 are subject to administrative sanctions in the form of verbal warnings, written warnings, and revocation of halal certificates. (Rizki. 2019)

Halal certificates are valid for 4 years from the time the certificate is issued by BPJPH, unless there is a change in composition. Business actors are required to extend their halal certificate at least 3 months before the halal certificate expires. The cost of halal certificates is borne by the business actor, for micro and small business actors the certification costs can be facilitated by other parties (Article 42).

Based on Article 66, since the UUJPH came into force, the regulations governing JPH still apply as long as they do not conflict with the JPH Law. The obligation to have a halal certificate for products traded in Indonesian territory comes into effect 5 years after this law is promulgated (Article 67). This means that in 2019 all products circulating in the community must be halal certified.

The problem of halal products that will be consumed by the public is a big and urgent problem, so that what will be consumed is truly halal, and not mixed with any haram goods. On the other hand, not everyone can know for sure how halal a product is. In the history of the development of halal products in Indonesia, there have been several cases related to this problem. For example, the case of spriet in 1996, aroma sausage in 1997, gangling beef in 1999-2002, imported chicken in 1999-2002, boar branded in 2000-2002, ajinamoto in 2001, noni juice in 2001-2002, liver imported in 2001-2002, and tiren chicken (died yesterday) in 2003. This case not only shocked Muslims, but also had the potential to collapse the national economy because the level of public consumption of processed food products had dropped drastically. (Ghofur. 2002)

The authoritative institution implementing halal certification in Indonesia to date is the Indonesian Ulema Council (MUI) which is technically handled by the Institute for the Study of Food, Medicine and Cosmetics (LPPOM), even though it is in Law Number 33 of 2014 concerning Halal Product Guarantees . Meanwhile, halal labeling activities are managed by the Food and Drug Supervisory Agency (BPOM). Realizing its responsibility to protect society, the MUI established LPPOM MUI as part of its efforts to provide inner peace to the people, especially in consuming food, medicine and cosmetics. LPPOM MUI was founded on January 6 1989 and has played its role in maintaining the halalness of products circulating in the community.

In the first year of its establishment, in accordance with the mandate of the MUI, this institution tried to fix various problems in food related to halalness so that it could reassure Muslim consumers in particular and Indonesian consumers in general as well as producers as a whole. Therefore, in the first years, LPPOM MUI repeatedly held seminars, discussions with experts, including sharia science experts, and visits in the nature of comparative studies (Ratna. 2021) and muzakarah. Everything is done with the aim of preparing oneself to be able to determine whether a food is halal or not, in accordance with developments in science and religious rules.

This is done to prepare ourselves to determine halal standards and inspection procedures, in accordance with developments in science and religious principles. In early 1994, LPPOM MUI issued the first halal certificate. Halal certificates are issued by the MUI after going through an audit process by experts in various scientific disciplines and reviewed by a fatwa commission which has expertise in the fields of sharia, ulumul Qur'an and ulumul hadith.

The Indonesian Ulema Council (MUI) guarantees halal products by carrying out halal certification. The inspection institution that supervises halal certification in the implementation of halal product guarantees is a religious institution appointed by the Minister of Religion to carry out inspections of halal products after being accredited by the National Accreditation Committee (KAN).

The halal certification issued by the MUI is a written fatwa from an institution that has the competence to provide fatwas. Membership of the fatwa commission represents all Islamic organizations in Indonesia. Consisting of experts in the fields of sharia, da'wah, ulumul Qur'an, and ulumul hadith. Halal stipulations through fatwas by ulama in the halal certification process have been proven to be able to encourage the added value of food products, have their own advantages so that they play a role in increasing product market share, both domestically and in the export market, especially for products marketed in countries with large populations. the majority are Muslim. In fact, it also has a competitive advantage in facing the invasion of products from outside in the current era of free trade.

However, currently, through Law Number 33 of 2014 concerning Halal Products, the government organizes halal product guarantees by forming BPJPH in collaboration with the Minister and/or related bodies, the Halal Guarantee Institution (LPH) and the Indonesian Ulema Council (MUI). . The form of collaboration between BPJPH and LPH is to check and/or test the halalness of a product. Meanwhile, the MUI's scope of authority is halal audit certificates, determining the halal status of a product, and accreditation from LPH. Later this LPH can be established by the government and/or the community. Specifically, LPH established by the community must be submitted by an Islamic religious institution that is a legal entity.

The inspection institution as regulated in Article 2 paragraph (2) of the Decree of the Minister of Religion Number 518 of 2001 concerning procedures for examining and determining halal food, must fulfill the following requirements:

1. Having halal food auditors in adequate numbers and quality.
2. Have standard procedures for halal food inspection
3. Having a laboratory capable of carrying out food testing to support food halal checks.
4. Has a network and collaboration with halal certification institutions domestically and abroad.

Auditors are fact finders on technological aspects through the audit process. LPPOM MUI auditors act as representatives of ulama and witnesses to see and find facts about halal production activities in the company. They consist of experts from various fields of science, including food experts, chemists, agriculture, biology, physics and veterinary medicine spread across the Central and Regional levels. Meanwhile, the examination of the sharia aspect is carried out by the MUI fatwa commission, which is one of the commissions within the MUI which is tasked with providing Islamic legal advice and ijtihad to produce Islamic law regarding the problems being faced by Muslims.

Furthermore, Article 2 paragraph (3) of the Decree of the Minister of Religion Number 518 of 2001 concerning Procedures for Inspection to Determine Halal Food confirms that auditors as referred to in paragraph (2) must fulfill the following requirements:

1. He is Muslim, has broad insight, and puts the interests of the people before personal or group interests.
2. Minimum Bachelor's degree in food, chemistry-biochemistry, industrial engineering, sharia or administration.
3. Have a halal auditor certificate from halal auditor training or upgrades held by LPPOM MUI.

Currently, the institution that is given the authority to give a halal certificate to a product is LP POM MUI and the one that permits the installation of the halal label is BPPOM, however this institution does not have the authority to carry out direct supervision in the field. Supervision of products circulating on the market requires the participation of the community, in addition to the government. For example, the public can provide information to the authorities about the existence of halal products circulating on the market that are mixed or contaminated with non-halal products. The public can also ask LPPOM MUI for an explanation if they find a product whose halal is doubtful, or report suspected misuse of the halal mark.

Law Number 33 of 2014 concerning Halal Product Guarantees, which consists of 68 articles, emphasizes that products entering, circulating and being traded in Indonesian territory must be halal certified. For this reason, the government is responsible for implementing the Halal Product Guarantee (JPH). To carry out the implementation of JPH, a Halal Product Guarantee Organizing Agency (BPJPH) must be established which is located under and is responsible to the Minister of Religion as stated in Law Number 33 of 2014 concerning Halal Product Guarantees. This is necessary, BPJPH can form representatives in the regions. Provisions regarding the duties, functions and organizational structure of BPJPH are regulated in a Presidential Regulation, stated in Article 5 paragraph (5) of Law Number 33 of 2014 concerning Halal Product Guarantees.

According to Law Number 33 of 2014 concerning Halal Product Guarantees in implementing Halal Product Guarantees, BPJPH has the authority to, among other things, formulate and establish JPH policies, establish JPH norms, standards, procedures and criteria, issue and revoke halal certificates for foreign products, and carry out registration of halal certificates for foreign products.

BPJPH is the Implementing Body for JPH Implementation. Its authority includes establishing JPH policies and regulations, administering Halal Certificates and Halal Labels, providing education and publication of Halal Products, and accrediting Halal Inspection Institutions (LPH). In carrying out its authority, BPJPH does various things (Article 7 of the JPH Law). BPJPH must carry out supervision over LPH, ensuring the validity period of the Halal Certificate, halal products, inclusion of halal labels, inclusion of non-halal information. Then separate the location, place and equipment for processing, storage, packaging, distribution, sales and presentation between halal and non-halal products. In addition, BPJPH is tasked with ensuring the existence of halal supervisors (people responsible for PPH) so that they are in accordance with the Koran and Sunnah. Apart from that, BPJPH also collaborates with MUI and LPH.

The Halal Inspection Agency submits the results of product halal inspection and/or testing to BPJPH to be submitted to the Indonesian Ulema Council (MUI) to obtain a determination of product halalness. The MUI will hold a halal fatwa session to determine the halalness of the product no later than 30 (thirty) working days after receiving the results of the inspection and/or product testing from BPJPH. The decision to determine whether a product is halal will be conveyed by the MUI to BPJPH to become the basis for issuing a halal certificate. The halal fatwa session stated that the product was not halal, BPJPH returned the application for a halal certificate to the business actor accompanied by the reasons stated in Article 34 Paragraph (2) of Law Number 33 of 2014 concerning Halal Product Guarantees.

A halal statement by the MUI halal fatwa session will be the basis for BPJPH to issue a halal certificate no later than 7 (seven) working days from the time the product halal decision is received from the MUI. According to Law Number 33 of 2014 concerning Halal Product Guarantees, business actors who have obtained a halal certificate are required to include a halal label on the product packaging and certain parts of the product and/or certain places on the product. The inclusion of a halal label must be easy to see and read and not easily removed, removed or damaged, as stated in Article 39 of the Halal Product Guarantee Law.

The halal certificate is valid for 4 (four) years from the time it is issued by BPJPH, and must be extended by business actors by submitting a halal certificate renewal no later than 3 (three) months before the validity period of the halal certificate ends. Halal certificates that have been determined by the MUI before Law Number 33 of 2014 concerning Halal Product Guarantees comes into effect are declared to remain valid until the term of the halal certificate expires. Before BPJPH was formed, applications for or extension of halal certificates were submitted in accordance with the procedures in effect before Law Number 33 of 2014 concerning Halal Product Guarantees was promulgated.

Law Number 33 of 2014 concerning Halal Product Guarantees also confirms that the MUI will continue to carry out its duties in the field of halal certification until BPJPH is formed. Furthermore, Article 64 states that BPJPH must be formed no later than 3 (three) years from the promulgation of this Law, although up to now 2018 BPJP in each province has not yet been formed.

CONCLUSION

The implementation of consumer protection in terms of guaranteeing halal products by the North Sumatra Indonesian Ulema Council (MUI) and the Halal Product Guarantee Administering Agency (BPJPH) of the Ministry of Religion has played an important role in ensuring the integrity of halal products. This is especially visible in the handling of incorrect claims or products that do not meet halal standards. MUI and BPJPH work together to audit and issue certification for halal products, providing certainty to consumers about the halalness of the products they consume. However, challenges remain, particularly in identifying and addressing products

that are mislabeled or do not meet standards, which require a rapid and effective response to maintain public trust.

From a legal perspective, existing mechanisms have demonstrated their effectiveness in protecting the rights of Muslim consumers in North Sumatra. Civil law, in particular, has the potential to further contribute to strengthening the halal consumer protection system. Through the implementation of civil lawsuits, consumers can claim compensation or other legal action for violations of halal standards, adding a more robust layer of protection. This reflects the importance of a comprehensive and responsive legal framework to support consumer needs and ensure fair and ethical business practices in the halal products industry.

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