

# **Halal Food Products Labeling According to Islamic Business Ethics and Consumers Protection Law**

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## **Abstract**

*Halal food products labeling is a form of producer responsibility and fulfilling protectionist authority of Muslim consumers and a form of ethics in the business world. From some of the cases that coming explain a lot of manufacturers do not take full responsibility for protecting Muslims consumers authority. The purpose of this study is to know how the role of halal food products labeling according Islamic business ethics and consumer protection law. The results of this study concluded that labeling of halal on food products have goals and values, the values that will concrete the good behavior of an ethical business, noble and professionals in the business which pay attention to spiritual values and social interests so that will protect consumers. Halal labeling is a form of legal guarantees that will protect consumers in way of physical and spiritual, it is mean protecting consumers with regard to physical health and observance of Muslims in carrying out the commands of Allah. In addition, the labeling of halal became absolute thing to do and obeyed, because rules are specified in Act No. 8 of 1999 on Consumer Protection and Law No. 33 of 2014 concerning the guarantee of halal products.*

**Keywords:** *Halal Label, Islamic Business Ethics, Consumer Protection Laws.*

## **Introduction**

**F**or producers who have obtained *halal* certificate shall attach or affix label *halal* on the *halal* product, *halal* labeling on products for example in food products such as a food or beverage

packaging is very important, because it is a source of information for consumers, especially for Muslims consumers, *halal* labeling as well as a form of producer responsibility and fulfilling protectionist authority of Muslims consumers as well as the form of ethics in the business world. But it is not done by many manufacturers or businessman, for the example that happened at CV. Mitra Inti Jaya Kendari as one of the bottled mineral water producer, CV. Mitra Inti Jaya have not including *halal* label on their mineral water product (Maxi). In fact they are already gotten *halal* label document and have *halal* certificate from MUI LPPOM South East Celebes from 2015.<sup>1</sup>

Furthermore, Food and Drug Supervisory Agency (BPOM) found the famous Korean Noodle product is contained the swine. It is known as BPOM perform sampling and testing of the few Korean instant noodles. Some products tested by BPOM, there are four positive instant noodle products containing pig DNA detected. Korean products containing pigs these that Samyang (U-Dong instant noodles), Samyang (instant noodles taste of Kimchi), Ottogi (Yeul Ramen instant noodles) and Nongshim (instant noodles Shin Ramyun Black). Based on BPOM regulation number 12 Year 2016 about Processed Food Registration, processed foods containing certain ingredients derived from pork must include particulars of the words "Contains Pork" or red colored picture of a pig on the product packaging as information for consumers, especially for Muslim consumers.<sup>2</sup> In addition, the violations occurred in Bolu Meranti business branch Medan, which become the basis of consumer complaints is the MUI *halal* certificate that has already expired. In the proceedings, *halal* certificate from MUI province listed by businesses in the label "Bolu Meranti" already expired. But the businessmen still distributes and sells products with the expired *halal* label.<sup>3</sup> Furthermore, based on the results of products monitoring on the market and the testing of drug samples DS Viostin food supplements and Enzyplex, BPOM said the two kinds of such supplements tested has positive contains the pig DNA. According to the rules of Act No. 33 of 2014 about *Halal* Product Guarantee that the businesses should be required to include unlawful food information on products which containing haram element according to *sharia*.<sup>4</sup>

<sup>1</sup><https://www.bosultra.com/News/Ekonomi>, Accessed on 20 December 2016.

<sup>2</sup><https://tirto.id> Accessed on 20 June 2017.

<sup>3</sup>[www.liranews.com/berita](http://www.liranews.com/berita), Accessed on 6 January 2018.

<sup>4</sup><https://tirto.id> Accessed on 31 Januari 2018.

From the description above, businesses cases have violated the rules that are contrary to Law No. 8, 1999 about consumer protection on the obligation of businesses to Article 7 Number 2 says that a business must: *“Providing the right information, clear and honest about the condition and guarantee of the goods and/or services as well as explaining the use, repair and maintenance,”* and in article 8 number 1 point (h) of the act that is prohibited for businesses, namely in producing or selling goods or services with: *“Do not follow the rules of production lawfully, as a statement of “Halal” mentioned in the label.”* And contrary to Law No. 69 Year 1999 about Food Label and Advertisement Article 10 paragraph (1) states: *“Every person who produces or importing food that is packed into Indonesian territory for commercial claims that the food is halal for Muslims, is responsible for the correctness of the statement and shall include a description or halal word on the label.”* And contrary to the Act No. 18 Year 2012 about Food Article 97 paragraph (3) in point (e) clarify that on a label must contain at least a description of the *“Halal for required.”* It is also contrary to the Law No. 33 of 2014 about *halal* product assurance contained in Article 25 point (a) that the business operators who have obtained the *halal* certificate shall state the *halal* label on each product, and for those who violate the sanctions will apply for five years imprisonment or a fine of 2 billion.

From the described problems above, that explain manufacturers do not take full responsibility for the protection that should be given to the consumers, though already getting *halal* certification that not mean the obligations of manufacturers have finished completely, *halal* certificate can be said just as a license to manufacture to products the food that have *halal* status, while *halal* labeling on food products plays an important role because it is a *halal* guarantee implementation that written and visible on a product. For a Muslim give lawful provision of information about *halal* or non *halal* product is the obligation, because it involves the implementation of the *sharia*. In addition, the *halal* labeling on food products is not only about the safety from consuming non *halal* food, but *halal* labeling or provide *halal* assurance to consumers is one a form of ethics in Islamic business world, while we feel at this age many partially of businesses do not pay attention to the Islamic business ethics, especially for Muslims business people, the evidence is still there from most of those who have been certified *halal* but they do not labeled by *halal* label on their each package *halal* production.

## Islamic Business Ethics

In Islamic ethics or norms more commonly known as morals.<sup>5</sup> Islamic business is capital development efforts for the necessities of life carried out with due regard for the Islamic Ethics.<sup>6</sup> According to Abdul Aziz Islamic Business Ethics is the study of a person or organization to do business or mutually beneficial business contacts in accordance with Islamic teaching.<sup>7</sup> Islamic business ethics means thoughts or reflections on morality in the economy that is based on Islamic teaching.<sup>8</sup> According to Ahmad Yusuf and Ahmad Badarudin Islam Business is a series of business activity in various forms that are not restricted amount of ownership (goods/services) including the profit, but are limited in how acquired and utilization of his property because of the rules of *halal* and *haram*. As the words of Allah in surah al-Baqarah verse 188:

وَلَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ وَتُدْلُوا بِهَا إِلَى الْحُكَّامِ لِتَأْكُلُوا فَرِيقًا مِّنْ أَمْوَالِ النَّاسِ بِالْإِثْمِ وَأَنْتُمْ تَعْلَمُونَ ﴿١٨٨﴾

That means: "And do not swallow up your property among yourselves by false means, neither seek to gain access thereby to the judges, so that you may swallow up a part of the property of men wrongfully while you know."<sup>9</sup>

Meanwhile, according to them, Islamic ethics and business has a unity that cannot be separated, they argue that business and ethics should not be seen as two opposites, because the business is a symbol of worldly affairs is also considered as an integral part of the things that are hereafter investments.<sup>10</sup> So that every Muslim who does business or any activity will find a third party (God) in every aspect of life.<sup>11</sup>

Ika Junia explained on Business Ethics in Islam that according to the Qur'an in surah al-Baqarah verse 282, in these verses explain about ethics and procedures for the purchase and sale of debts,

<sup>5</sup>Murti Sumarni et al, *Pengantar Bisnis* (Yogyakarta: Liberty, 1995), 21.

<sup>6</sup>Bambang Subandi, *Bisnis Sebagai Strategi Islam* (Surabaya: Paramedia, 2000), 65.

<sup>7</sup>*Ibid*, 35.

<sup>8</sup>Faisal Badroen, et al, *Etika Bisnis dalam Islam* (Jakarta: Kencana, 2013), 16.

<sup>9</sup>Al-Qur'an Surah al-Baqarah: 188.

<sup>10</sup>Ahmad Yusuf, et. al., "Manajemen Laba dalam Tujuan Etika Bisnis Islam," Vol. 7 No. 1, 2010, 14.

<sup>11</sup>*Ibid*, 17.

leasing and other transactions.<sup>12</sup> Business in the Qur'an described through words *tijarah*, which includes two meanings: *first*, general commerce which covers commerce between man and God. *Second*, is commerce in particular, which means trading or buying and selling between people. Ika yunia also concluded on Islamic Business Ethics in the Qur'an that "*Business and ethics transcendental is one thing that cannot be separated in the Islamic business, because it is a manifestation of the remembrance of Allah.*"<sup>13</sup>

## Consumer Protection Law

Az Nasution distinguish the formulation of consumer law and Consumer Protection Law, according to the law of consumers is: "*The whole basis of the principles and the rules of the rules governing the relationship and the problem of the provision and use of the products and goods/services, between providers and it is used in the societal life.*"<sup>14</sup> Meanwhile the Law Consumer Protection as a special section of the Law Consumers, formulated as the following "*whole basis and the rules of the rules that regulate and protect consumers in the relationship and the problem of the provision and use of consumer products, between providers and it is used in the societal life.*"<sup>15</sup> Consumer Protection Law is legislation, good laws and other rules and regulations and the decisions of the judges that the substance set about consumer interests.<sup>16</sup>

While the understanding of the law of consumer protection according to Ahmadi Miru and Sutarman Yodo is the regulation or policy on all matters relating to public interest that its presence is not directly among the community but in the form of a policy is stipulated in various legislation.<sup>17</sup> Regulation or law regulating the consumer protection is to create and shape the development of the national with the actualization of the development of the society based on

<sup>12</sup>Ika Yunia Fauzia, *Etika Bisnis dalam Islam* (Jakarta: Kencana, 2013), 8.

<sup>13</sup>*Ibid*, 12.

<sup>14</sup>Andi Hamzah, *Penegakan Hukum Lingkungan, Cet. 2* (Jakarta: Grafika Rays, 2008), 108.

<sup>15</sup>Az Nasution, *Hukum Perlindungan Konsumen: Suatu Pengantar* (Jakarta: Resources Widya, 1999), 22-23.

<sup>16</sup>Yusuf Shofie, "*Jaminan atas Produk Halal dari Sudut Pandang Hukum Perlindungan Konsumen,*" *Jurnal Syariah*, Vol. 3, 2015.

<sup>17</sup>Ahmadi Miru, et. al., *Hukum Perlindungan Konsumen* (Jakarta: Rajawali Press, 2014), 28.

the principles and the intent of the law of consumer protection. This is described in the article 2 of the Constitution Number 8 Year 1999 which reads: "Consumer Protection based on the benefits, justice balance, security and consumer safety and legal certainty." Ahmadi Miru and Sutarman Yodo explained about the article above that of consumer protection held as joint efforts based on the five principles that are relevant in national development,<sup>18</sup> this are:

1. The basis of the benefits of the intended to stipulates that all efforts in the holding of consumer protection must refocus the benefits for consumer interests and overall business players.
2. The basis of justice is intended to the participation of all the people can be realized in a maximum of and provide the opportunity to consumer and business players to obtain rights and carry out his duties in a fair.
3. The basis of the balance is intended to provide a balance between consumer interests, business players, and the government in the judicial review and spiritual meaning.
4. The basis of the security and consumer safety is intended to guarantee the security and safety to consumers in the use of, usage and utilization of goods or services to be consumed or used.
5. The basis of legal certainty is intended to business practitioners and consumers obey the law and obtain justice in the holding of consumer protection and the state guarantee legal certainty.

## The Legal Basis of Consumer Protection

### 1. The Concept of al-Qur'an

Consumer Protection Law has actually existed and set in the Qur'an before the country or the government Draft Law on consumer protection proof of many of the verses of the Qur'an that explains the consumer protection with very detailed information about the rules consume food or food products. In some of the verses in the Qur'an, among others:

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<sup>18</sup>*Ibid*, 25.

a. Al-Qur'an surah al-Baqarah verse 168:

يَأْتِيهَا النَّاسُ كُلُّوْا مِمَّا فِي الْأَرْضِ حَلَالًا طَيِّبًا وَلَا تَتَّبِعُوا خُطُوَاتِ الشَّيْطَانِ إِنَّهُ لَكُمْ عَدُوٌّ مُّبِينٌ ﴿١٦٨﴾

That means: "O men! eat the lawful and good things out of what is in the earth, and do not follow the footsteps of the Shaitan; surely he is your open enemy."

b. Al-Qur'an surah al-Baqarah verse 172 :

يَأْتِيهَا الَّذِينَ ءَامَنُوا كُلُّوْا مِنْ طَيِّبَاتِ مَا رَزَقْنَاكُمْ وَأَشْكُرُوا لِلَّهِ إِنْ كُنْتُمْ إِيَّاهُ تَعْبُدُونَ ﴿١٧٢﴾

That means: "O you who believe! eat of the good things that We have provided you with, and give thanks to Allah if Him it is that you serve."

c. Al-Qur'an surah al-Ma'idah verse 3 :

حُرِّمَتْ عَلَيْكُمْ أَلْمَيْتَةُ وَالْدَّمُ وَلَحْمُ الْخِنزِيرِ وَمَا أُهْلِلَ لِغَيْرِ اللَّهِ بِهِ ؕ وَالْمُنْخَنِقَةُ وَالْمَوْقُوذَةُ وَالْمُتَرَدِّيَةُ وَالنَّطِيحَةُ وَمَا أَكَلَ السَّبُعُ إِلَّا مَا ذَكَّيْتُمْ وَمَا ذُبِحَ عَلَى النُّصُبِ وَأَنْ تَسْتَقْسِمُوا بِالْأَزْلَمِ ذَٰلِكُمْ فِسْقٌ ۗ الْيَوْمَ يَبْسُ الَّذِينَ كَفَرُوا مِنْ دِينِكُمْ فَلَا تَخْشَوْهُمْ وَاخْشَوْنِ ﴿٣﴾

That means: "Forbidden to you is that which dies of itself, and blood, and flesh of swine, and that on which any other name than that of Allah has been invoked, and the strangled (animal) and that beaten to death, and that killed by a fall and that killed by being smitten with the horn, and that which wild beasts have eaten, except what you slaughter, and what is sacrificed on stones set up (for idols) and that you divide by the arrows; that is a transgression. This day have those who disbelieve despaired of your religion, so fear them not, and fear Me."

From some of the verse above it can be concluded that the principles and the teachings of Islam requires that people must to consume the food or use of goods and/service is lawful and *thayyib* not only good for health but good for the survival of which is the form or embodiment of attention is described in some of the verses of the Qur'an as protection for consumers. While for producers in producing its products are required to always with provisions in accordance

with the rites to always protect man or consumers from unlawful things prohibited by Allah SWT.

## 2. The Concept of al-Hadith

Consumer Protection is not only regulated in some verses of the Qur'an, but the Consumer Protection also constantly affirmed by the Prophet Muhammad and Scholars in the days before the time that we feel at this time, namely on some early Hadithic narrated by Muslims and Ahmad stated:

قال النبي صلى م كل ذئ ناب من السباع فأكله رواه مسلم

Meaning: *The Prophet Muhammad said: "All animal that has the fangs, then eat them is unlawful/haram." (H.R. Muslim).*<sup>19</sup>

أحل لنا ميتتنا ودمان أما الميتتنا فالحوت والجراد وأما الدمان فالكبد والطحال  
رواه احمد

Meaning: *"It has been made lawful for us two kinds of dead bodies and the two kinds of blood. Now the two bodies is dead fish and locusts, while two kinds of blood is the heart and the spleen." (H.R. Ahmad).*<sup>20</sup>

From the early Hadithic explained that the messenger has determine the ban in detail as a form of emphasis and confirmation of the existing ban on the Qur'an over consume food or certain food that is a form of attention and as protection for the people of Islam, in order to avoid from all manner of disease and all the things that cause losses on man. The existence of the early Hadithic this is a warning for all mankind to always obey the commands of Allah SWT is written on the Qur'an.

## 3. Concept of Law No. 8 of 1999 on the Consumers Protection

The existence of Consumer Protection Law due to some considerations and factors that affect the community and so they require the foundation of Consumer Protection Law and drawn up by the rules that bind. As described in the Constitution Number 8

<sup>19</sup>Jalal Ad-Din As-Suyuti, *Jami As-Sagheer, Juz II* (Indonesia: Dar Ihya Al-Kutub Al-Arabiyah, t.th), 93.

<sup>20</sup>*Ibid.* 13.



Year 1999 about Consumer Protection weighed:<sup>21</sup>

- a. That the national development aims to achieve a fair and prosperous society that evenly effortfully and spiritual in the era of economic democracy based on Pancasila and the Act of the 1945 Constitution.
- b. That the development of national economy in the era of globalization must be able to support the growth of the business world that are able to produce a variety of goods or services that have a lot of technology that can improve the welfare of the community and at the same time get the certainty of goods or services obtained from the trade without consumer loss.
- c. That the more the opening of national markets as a result of the process of economic globalization must continue to ensure the improvement of the welfare of the community as well as the reassurance of quality, amount and the security of goods or services acquired in the market.
- d. That to improve the status and dignity of consumers need to increase awareness of knowledge, concern, capabilities and independence of consumers to protect himself and maximal coloboration develop the attitude of business practitioners who are responsible for.
- e. That the terms of the law that protect consumer interests in Indonesia is not adequate.
- f. That based on the above considerations required your legislation to realize the balance the protection of consumer interests and business players and created a healthy economy.
- g. That it need established laws of the shrimp about Consumer Protection.

Based on the above exposure can be known that consumer protection is not just the responsibility of the individual and the religious leaders alone, but also became the responsibility of the government as well as shows that the government responded to the demands and public expectations as consumers are entitled to receive the protection.<sup>22</sup>

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<sup>21</sup>Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen, Pasal 2.

<sup>22</sup>Moh Bahrudin, "Problem Sertifikasi Halal Produk Pangan," *Jurnal Asas*, Vol. 2. No 1, 2010.

#### 4. Indonesian Ulama Council (MUI)

In Indonesia concentrated on Consumer Protection consumer protection of Muslims in consume food products, namely about halal labelling a food product is governed by the laws of the product warranty *Halal* Number 33 Year 2014 on Article 4 that "*Eligible Product, circulate, and traded in the region of Indonesia required certified halal.*"<sup>23</sup> this Law has been set clearly that each product traded in the region of Indonesia required certified *halal*. Therefore, if food products are sold in Indonesia retrievable *halal*, it must be certified *halal* and products that circulated must be *halal* labeled.

The existence of *halal* certification and labeling *halal* is a form muslim consumer protection toward food products that are not *halal*, so the Research Institute for Food Drug and Cosmetic of Indonesian Ulema Council (LPPOM MUI) issued a *halal* certificate that based on MUI Instruction that the result of Indonesian Ulema Council *Ijtihad* to the legal status of an object or act as a product of Islamic law.<sup>24</sup> *Halal* certificate itself is instruction written and issued by MUI stating its *halal* products or foods and the MUI Fatwa Commission hearing decision based on audit results LPPOM MUI. This Act provides a guarantee of *halal* products for all Muslims in Indonesia. The purpose of the certificate is certified *halal* food products, medicines, cosmetics and other products made to assure the *halal* status of a product, so as to reassure consumers. sustainability of *halal* production process is guaranteed by the manufacturer by applying *halal* assurance system.<sup>25</sup>

The presence of *halal* assurance system is an attempt LPPOM MUI enhance consumer protection Muslims from consuming food that is prohibited by law. *Halal* assurance system is as a system that guarantees the top MUI halal products is an enterprise of all time a producer/company that holds the MUI *Halal* Certificate. *Halal* Product Guarantee System is the process of determining the *halal* products in the form of activities that ensure the *halal* product includes the provision of materials, processing, storage, packaging, distribution, sales, and product presentation.<sup>26</sup> Objective formulation and implementation at the enterprise HAS to maintain the continuity

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<sup>23</sup>Undang-undang Nomor 33 Tahun 2014 tentang Jaminan Produk Halal, Pasal 4.

<sup>24</sup>LPPOM MUI, *Panduan Umum Sistem Jaminan Halal* (Jakarta: LPPOM MUI, 2008), 9.

<sup>25</sup>[Http://halalmuijatim.org/sertifikasi/tentang-sertifikat-halal/](http://halalmuijatim.org/sertifikasi/tentang-sertifikat-halal/) Accessed on 7 December 2016.

<sup>26</sup>Undang-Undang Nomor 33 Tahun 2014 tentang Jaminan Produk Halal, Pasal 1.

of the production process kosher, so the resulting product can always be guaranteed *halal* appropriate with the provisions LPPOM MUI.

### Halal Food Product Labeling According to Islamic Business Ethics

The more the producer understands of good behavior in business, the more the guarantee that the producer will give to the consumer. Therefore, the producers who are well behaved will definitely do *halal* labeling on any product, because this behavior is the implementation of business ethics in accordance with the Qur'an and the example of Prophet Muhammad that suggestions the good through practice, for example to give help to the weak. In *Halal* Labeling that mean to give help to the Muslims consumers are weak or do not know what the product status that will diet.<sup>27</sup> The Holy Prophet always give a good example in every word and deeds to mankind, for example on good behavior in business, if the behavior taught by the Prophet is imitated by producers it will depict a producer who have set the example of the Prophet Saw. which means the manufacturer who practiced *halal* labeling is a honest producer in the business that is impossible to commit a fraud in the production and sales, but the producers will help and provide benefits to the Muslims particularly and the most important is the manufacturer follows the terms of religion in worship that is to produce and sell products that are lawful for Muslims sincerely and voluntarily.

In the Prophet Muhammad Saw business conduct always put the honesty, because in honesty there is a confidence, trust and obedience to Allah, that trust his rules and his ban and believes that the punishment or torment will come to who violate his laws. Then, from this belief and obedience producers will feel constantly watched over by Allah in any activities so he will be afraid to do bad behavior or rules violation and will always be honest in all his deeds, then from this honest behavior it will lead to other good behaviors and avoid from behavior that prohibited by Allah. For example, a manufacturer who is doing the *halal* labeling in every production is a honest manufacture, if producers are truthful then producers in each activity will treat their employees well, and they will not demonize other people's business, or accumulate the merchandise,

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<sup>27</sup>Al-Imam Al-Hafidz Ibnu Hajar Al-Aqshalani, *Fathul Baari (Penjelasan Kitab Shahih Al-Bukhari)*, Buku 29 (Jakarta: Pustaka Azzam, 2008), 175.

do the monopolies, moreover do the usury.

Generally, the principles that applied in a real good business actually cannot be separated from our daily lives and business principles that have been described very closely linked to the systems of values that espoused in public life.<sup>28</sup> Therefore, consumers should be treated with either morally, it is not only an ethical demands, but also a prerequisite to achieve business success.<sup>29</sup> And because of *halal* labeling is an effort to ensure its *halal* food product in order to protect muslim consumers of food and drinks that is prohibited in the religion, then the labeling of *halal* in any food product is a form of ethical behavior of Islamic Business which is implemented by the producers who have good ethical and moral commendable that always expect the pleasure of Allah and peace and happiness in this world and the day after.

Than the analysis about *halal* labeling according to Islamic business ethics that the behavior in the business according to Islamic point should have good behavior that can animate the activities of production and trade. *Halal* labeling makes a businessmen or a producer to have the attitude and the ability to take decisions and act upon his consciousness that *halal* labeling is a good thing to do. And because of labeling of *halal* has become the business rules such as referred to in the trade of Islam which establish a sense of security and safety of consumers so that they can become the principle of consumer protection who protect consumers from the dangers of production, then it should be proper that labeling of *halal* used as a behavior that has a value that must be obeyed by all manufacturers of products.

### Halal Food Product Labeling According to Consumer Protection Law

Legal protection for the consumer is a social welfare that occupies a central position in the independence of Indonesia which is the continuation of that more fully from the idea of economic prosperity.<sup>30</sup> Therefore, food as a basic human needs which its assured human rights in every Indonesian people should always

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<sup>28</sup>Agus Arijanto, *Etika Bisnis bagi Pelaku Bisnis* (Jakarta: Rajawali Press, 2014), 19.

<sup>29</sup>Kees Bertens, *Pengantar Etika Bisnis* (Yogyakarta: Kanisius, 2013), 247.

<sup>30</sup>Sri Edi swasonno, *Indonesia dan Doktrin Kesejahteraan Sosial: Dari Klasikal dan Neoklasikal sampai ke The End of Laissez-Faire* (Jakarta: Perkumpulan Prakarsa, 2010), 2.

get the protection and guarantee legal certainty *halal* labelling to be consumed, especially for the muslims that required to be protected and given the right to run the acts of worship in accordance with the mandate of the constitution Chapter X on Article 28E paragraph (1) which reads *"Everyone entitled to embrace religion and worshipped according his religion, to select education and teaching the correct work, to choose citizenship, to choose the place of living in the country and to leave it and entitled to return."* And the laws of Republic of Indonesia State in the Constitution regulated the guarantee of religious freedom and how to do their worship according to the confidence of each belief as it is on Chapter XI Article 29 paragraph (2) which read *"The country guarantees the independence of each population to emorace their own religion and to do their worship according to their belief."*<sup>31</sup> From the terms of the law it can be seen that the country consider to all Indonesian citizens to get their rights in the embrace and obidience their religion.

So, in an effort to protect consumers it is not only specified on the Consumer Protection Act it self but also there are some other act which supports in consumer protection efforts as in assign on Consumer Protection Act article 4 of the rights of consumers who reads that consumers are eligible to receive *"rights regulated in other terms of legislation."* One of the act which are closely linked to the consumer protection that contain aspects of the private law and public law is mention in Law Number 15 Year 2001 about the registration on Article 1 it is explained that *"brand is a sign such as a picture, the name, words letters, numbers, order of color, or a combination of these elements that have distinguished power and used in the activities of the trade in goods or services."*

With the publication of Law Number 8 Year 1999 about Consumer Protection Act No. 18 year 2012 about food, Act No. 69 year 1999 about label and food advertisement, then followed by the rules of the shadow in the Government Regulation Number 33 Year 2014 about the *halal* product guatantee to explain about legal guidelines that regulate and support the Muslim consumer protection from food consumption is prohibited by religion , then *halal* labelling food, drink, drugs, cosmetics and other products that previously was only regulated in *fiqh's* book now regulated in the act and government regulations, that *halal* labeling on every food products become a new

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<sup>31</sup>Undang-Undang Dasar Negara Republik Indonesia, Pasal 28E dan 29.

paradigm in arrangement of *halal* labelling product.<sup>32</sup>

The acts regulates the rules a lot in an effort to protect consumers are not just in the Consumer Protection Act but on the food laws, labels and food advertisement and the *Halal* Product Guarantee. From the whole of the act illustrates when observed *halal* labeling from the consumer protection laws have a very important role status, why it is very important, because *halal* labeling certainty that will guarantee automatically the existence of the rules in the protection against consumers, which is in officialy written in the law about rights of consumers, obligation producer, act that prohibited for producer, the rules for achieving consumer safety in consume food as well as the terms of the punishment specified for business players or manufacturer that violate the rules. In addition, *halal* labeling has also complete the principles of that become motivation in community development among others *halal* labeling which is useful for Muslims consumers especially, complete the social and economic justice, set the balance, build security and safety and create legal certainty.

### The Analysis of Halal Food Product Labeling According to Islamic Business Ethics and Consumer Protection Law

In addition to show the truth, *halal* labeling also complete the four basic concept of Qur'an that contains important ideas about human life especially in the social relations and trade, four of this concept are faith/*iman*, Islam, *ihsan*, and *taqwa*.<sup>33</sup> Faith or *iman* generally means "believes", Islam generally means "peace", while *ihsan* generally means "prosperity". Believe that referred to Qur'an is believing in God and all that God has created and specify, the stipulation is a command and ban. While Islam mentioned in the Qur'an is a doctrine that taught to try to get a better life in this world and in hereafter with obey the terms of God so that life will feel peace and safety from threats and punishment of God. While mean by *ihsan* in Qur'an is an effort to improve a good act for the modest welfare and mental or the victory of the world and hereafter.

To achieve a good life in the world *halal* labeling included in the concept of the faith/*iman* of Islam and *ihsan*, why so? Because *halal* labeled on food products is a form of human efforts to obtain a

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<sup>32</sup>Direktorat Jenderal Bimbingan Masyarakat Islam dan Penyelenggaraan Haji, *Panduan Sertifikasi Halal*, i-ii.

<sup>33</sup>Abdul Aziz, *Etika Bisnis Perspektif Islam* (Bandung: Alfabeta, 2013), 82.

good life in the world and fulfill the terms of God by practicing the teach ingreligion of Islam from the Qur'an. The terms or the specified command of God has indicated on the word of God:

إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ وَإِيتَاءِ ذِي الْقُرْبَىٰ وَيَنْهَىٰ عَنِ الْفَحْشَاءِ وَالْمُنْكَرِ  
وَالْبَغْيِ يَعِظُكُمْ لَعَلَّكُمْ تَذَكَّرُونَ ﴿٩٠﴾

That means: "Surely Allah enjoins the doing of justice and the doing of good (to others) and the giving to the kindred, and He forbids indecency and evil and rebellion; He admonishes you that you may be mindful."<sup>34</sup>

The explanation of this verse is Allah sent his slaves to be middle and balanced, sent to relatives in order to stay in touch, prohibits acts that are forbidden, and told to goodness.<sup>35</sup> *Halal* labeling on food products is also a charity sholeh or good deed for doing justice to the Muslim consumer which good deeds bring rewards for those who do and bring benefits for Muslim consumers so that the creation of the welfare of the birth and the mind. So *halal* labeling on food products are also included in the concept of the taqwa which in his deeds *halal* labeling has created and mental welfare, provides a common good for other people and as a form of obedience to the commandments of Allah and the effort to avoid hisprohibition.

In addition, the analysis about *halal* labeling according to Islamic Business ethics and consumer protection laws is that the *halal* label as a guarantee for the existence of legal certainty not just can be reviewed from the Consumer Protection Law, but can also be reviewed from Stipulation Instruction of Indonesian Ulama Council (MUI) that reveal Instruction of MUI on *Halal* Certificateand important thing in determining the laws of Islamic contemporary which valid until today. In the statutes inclusion of MUI based by the Qur'an and al-Hadits about obligations of *halal* food consumption can be concluded that the MUI support *halal* label as guaranteed *halal* labelling product, this is proved by the existence of the case concerning the unclean food in the consumption of Muslim community so that MUI and the Ministry of religion coalesie in realizing the legislation about *halal* product that will protect muslim consumers especially. Thus the environmental conservation Act *Halal* Product Warranty (JPH) continued with

<sup>34</sup>Al-Qur'an Surah an-Nahl: 90.

<sup>35</sup>Muhammad Nasib Ar-Rifa'i, *Ringkasan Tafsir Ibnu Katsir, Jilid 2* (Jakarta: Gema Insani, 1999), 1056.



*Halal* Assurance System (SJH) to protect consumers Muslims. *Halal* labeling become one of *Halal* Product Assurance System which aims to protect consumers from consuming food, medicines and cosmetics unlawful makes consumers safety from unlawful food, medicines and cosmetics that are not lawful and provide certainty and protection to Muslim consumers especially.

The presence of *halal* label is helping Muslims and business players in performing its obligations as a servant of God by making the other Muslims avoid food products that were prevented from God to eat them and provide news of honesty about *halal* labeling in the products in its production or in the entire stock. Thus *halal* labeling also became very helpful for Indonesian Ulama Council (MUI) which they can realize the implementation inclusion of MUI about the determination of *halal* product that considering food, beverages, medicines, cosmetics, and others will be consumed or used by the people of Islam must be noted and believed to be *halal* labelling and purity processed products often doubt *halal* labeling or purity. Therefore, processed products that have been checked, investigated, discussed, and inspected in the Inclusion Commission meeting MUI, Inclusion Commission sees the necessary to specify *halal* labeling and purity for made the guidelines by the people of Islam.<sup>36</sup> So the announcement of *halal* product written on the *halal* label that issued the inclusion of Indonesian Ulama Council Assembly in *Halal* Certificate as a sign of *halal* labeling and permission letter in the sales of *halal* product. This is not only done by MUI but also supported by the Minister of religion and Food Studies Institutions Drugs and cosmetics (LPPOM) Indonesia, so LPPOM MUI plan about Mandatory *Halal* Certification in 2019 through the body of the organizer of the product warranty lawful (BPJPH) as the regulator and LPPOM MUI as executors. Hope the cases about *halal* label lawful regarding *halal* labeling product and harms consumers will not be happen again so that consumers will start to be consistent about *halal* product from now and soon.<sup>37</sup>

## Conclusion

*Halal* labeling on food products is not something that denied the food substance that has *halal* status, but *halal* labeling has a

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<sup>36</sup>Keputusan Fatwa Komisi Fatwa Majelis Ulama Indonesia tentang Penetapan Produk Halal, 23 December 2006.

<sup>37</sup>[www.detikhealth.com](http://www.detikhealth.com) Accessed on 5 February 2018.



purpose and values, the values that will realize the good ethical business conduct, morals noble and professionals in the business who notice an care about spiritual values and social interests that will protect consumers. Business players who doing *halal* labeling on the product indicates the business performer aware of its obligations as a manufacturer and as a caliph in the world. As bearers of social values and spirituality, *halal* labeling must be able to provide *halal* assurance of a product as the protection of consumers in serving the food, convenience consumptions, both physical and spiritual safety and legal protection both legal value positive messages as well as Islamic law. Because *halal* labeling is a form of legal guarantees that will protect consumers both physically and mentally, that mean to protect consumers with regard to physical health and observance of Muslims in carrying out the commands of Allah.

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