

*Review Article*

**The Potential of ASEAN in Halal Certification Implementation:  
A Review**

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**ABSTRACT**

Halal is now seen not only in terms of market share or profitability of products, but what is more important is the implementation of the production of a service or a product itself. In fact, development is not just limited to country, but across the country or even continent. In this case, the various systems and the certificate used are really halal, clean and safe. In the context of the world, and ASEAN countries in particular, the output goes for halal requirements is important for the religious practices and the quality of life that once gives confidence to the various parties including consumers, industry and government. Most existing researches focused on consumer perception of the status of certificates issued, the logo and the quality service of certification body. Moreover, the research on comparison certification done by existing research is only focusing on portal used without a global view. Thus, a qualitative approach through library research is used in collecting related data which aims to review halal certification practices in the context of ASEAN. Result of this study indicates that the ASEAN countries (Malaysia, Indonesia, Singapore, Brunei, Thailand, Vietnam and Philippines) have similarities and differences in practicing halal. However, findings prove that all countries are even in placing *sharia* as a guide by following Al-Quran and Sunnah as reference. Besides showing that not all countries have same infrastructure and capability as technology and standard preparation.

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## INTRODUCTION

In general Islam is a way of life for every Muslim. Thus in implementing Islam, it's just not for purely religious rituals such as prayer, fasting, charity, etc. but more than that which requires its followers to behave well in family relations and social interactions. Besides it is a task for its followers in determining things to be consumed (Aziz, 2013). Specifically, Muslim around the world should concern about their religion's practices including daily activities and ensuring halal food is one of their responsibilities especially living in the multiracial country and different religions. As reported there are two strong markets for halal food which are Southeast Asia and Middle East (Dewi, 2007) while more than 507.3 million Muslims population or halal consumers in Southeast Asia (The Future of the Global Muslim Population, 2011).

Halal is an Islamic term, derived from Arabic word which means permissible. Now it can be seen in a broader scope in accordance with the concept of '*Halalan Toyyiban*' covering halal, safe, clean and quality. Indeed, the debate about the concept of *halalan toyyiban* refers to the proposition that the Al-Quran is a starting point in the determination of Halal and forbidden/prohibited foods as described by Allah in Surah Al ' An'am, verse 145 ; Al'Araf, verse 157; Al – Maidah verses 1, 4, 5 and 88. Even the Prophet Muhammad also ordered his followers to always emphasize matters related to halal dietary nutrition as hadith narrated by Anas bin Malik, the

Prophet said: "It is the duty of Muslims to seek halal". In addition, it is able to meet the principles of *maqasid shar'iyah* particularly on the aspects of guarding life and intellectuality as defined by al-Qaradawi (2006) the final conclusion by legislation aimed passages such as passages in the forms of instructions, are forbidden and what are allowed, while juz'i laws try to realize it into the lives of *mukallaf* be it individual, family or community. For example all muslims are not allowed to eat carrion or blood, not only because they are categorized by syarak as *najs* but it can affect the health of the body.

Hence, halal certification is seen as a tool to determine whether a service or product relating to halal is really halal, safety and clean. There are several of previous studies related to halal for ASEAN countries, yet so many are concentrated to certain countries and aspect of study. Mohd. Al'Ikhsan (2014) have made a comparative study regarding halal certification of ASEAN countries but the discussion is focused on standard practice only to four countries which are Indonesia, Singapore, Thailand and Brunei. In contrast to Spiegel *et. al* (2012) standard practice is viewed with greater scope to produce globally applicable standard and is not limited to only ASEAN country. Meanwhile, a study by Prabowo *et.al* (2015) using normal methods of group technique (NGT) is limited in the area of East Kalimantan only without halal practices can be generalized in Indonesia as a whole even if the subject is constituted stakeholders that directly involved in the

halal matter. Study in nation as a halal hub was presented by Nik Maheran *et al.* (2009) that chooses only Malaysia as a model by presenting a framework through integration role of supply chain strategy and halal assurance system.

Reality is each country has different practices based on the country's halal requirement. In fact, the involvement of the halal certifying agency also vary by culture and interests. Here, the discussions focused on Malaysia, Indonesia, Singapore, Brunei, Thailand, Vietnam and Philippines as one who has been to the fore in halal certification.

## **METHODOLOGY**

The study applied qualitative methods by utilizing library research, especially in understanding in depth research on halal dietary practices in a country. According Swanto (2003) methods of library research is a systematic way of information to be obtained from reading the source where researchers will create an approach and find the answers for each stated objective.

The study focused on getting information through secondary sources which obtained from journals, books, magazine, newspapers and electronic media such as the official portal organizational halal certification bodies that are said to be subjective. Mohd Al'Ikhsan and Siti Salwa (2014) in their study of comparative standards ASEAN countries find second resources have been able to produce a good result with some structured study. In this study, assessment will consider, analyze and process all the

information obtained and associate with explicit and implicit meanings in the text. The results of the analysis presented in the tables to facilitate readers identify as to what is practiced by the countries concerned in halal certification. Subsequently, in order to obtain information that is not clear, communication via email is used for clarification of halal certification bodies that country.

## **FINDINGS AND DISCUSSION**

The 'key findings' contribute to make ASEAN as a hub for Halal certification can be seen through the role of authority certifying bodies; laws, standards and guidelines; the certification process and logo, referral and legal issues. Hence, it followed by the potential which can be achieved through the effect of its practices.

### *The role of Authority Certifying Bodies*

Implementation of Halal certification among ASEAN member countries is quite unique. Most countries have a role in terms of the establishment and functioning in certification. Some of the countries focused only on certification alone without engaging in training or consultation like Malaysia. Even some of them are non-profit oriented completely controlled by the government but also plays a role in providing consultancy to the industry such as Brunei. For Indonesia and Thailand, both countries have appointed special Islamic body in halal control and certification which also run consultancy. Unlike Thailand, appointed Islam body has its own laboratory

for analysis of related halal product. In addition there are also countries that have halal certification body for more than one (Vietnam and Philippines). According to Fischer (2012) Malaysia and Singapore play an increasingly important role, and hold a special position as countries where the state supported by Muslim agencies, certifies halal products and spaces as well as work processes in ways that are highly commercialized. The role of Authority Certifying Bodies as followed:

### **Malaysia**

Halal certification in Malaysia is under the government. JAKIM involvement as a government agency under the Prime Minister in particular, in providing halal certification in Malaysia on food products and consumables Islam began in 1974 when the Research Center, the Islamic Affairs Division, Prime Minister giving halal certification to productivity products that conform to Islamic law. While giving halal certification in the form of a certificate was first issued in 1994 and the use of JAKIM halal logo began on 30 September 1998. Now, JAKIM through Hub Halal Division introduce many types of halal certification schemes. JAKIM also not involves in any consultancy or giving training to the industry players. According to the Trade Descriptions Act 2011 (APD2011), JAKIM and State Islamic Religious Council (MAIN) are the competent authority in the halal certification Malaysia. Based on the APD 2011 also, only listed foreign halal certification bodies are allowed to be

presented in Malaysia's market. Starting 2012, JAKIM and State Islamic Religious Council (MAIN) began to implement 1 Act, 1 Standards and Guidelines, 1 Certificate, 1 System and 1 logo.

In addition JAKIM also with other agencies such as the Ministry of Domestic Trade, Cooperatives and Consumerism, the Ministry of Health Malaysia (Food Safety and Quality Division), Ministry of International Trade and Industry (MITI), the Department of Veterinary Services, the Department of Standards Malaysia (DCM), Royal Malaysian Customs Department, Department of Chemistry Malaysia, Malaysian Administrative Modernization and Management Planning Unit (MAMPU), Quarantine Inspection Service Department of Malaysia (MAQIS), Halal Industry Development Corporation (HDC), Malaysia External Trade Development Corporation (MATRADE), Malaysian Investment Development Authority (MIDA), Small and Medium Industries Development Corporation (SEMIDEC) collaborated in the halal industry in Malaysia based on their roles and responsibilities.

### **Indonesia**

In Indonesia, Majelis Ulama Indonesia (MUI) exercises an effective monopoly over Indonesia's halal certification scheme similar to doctrinal compliance in Islamic banking and insurance (Tim, 2012). Lembaga Pengkaji Pangan Obat-obatan dan Kosmetika Majelis Ulama Indonesia (LPPOM-MUI) is an institution formed by MUI. LPPOM does MUI function in

protecting muslim consumers in especially all the things related to the products of foods, drugs and cosmetics (<http://www.halalmui.org>, retrieved August, 20, 2014).

### **Singapore**

Majlis Ugama Islam Singapura (MUIS) is the organization which issuing halal certificates in relation to any food product, service or activity in Singapore since 1978. In halal activities, MUIS is a single body which is responsible totally to ensure that the requirements of the Muslim law are complied with in the halal supply chain from farm to the table including transportation, production, processing, storage, marketing and display of the food product and services. Up to now, MUIS has offers seven types of Halal certification schemes to various sectors of the industry in Singapore.

### **Brunei**

The Islamic Religious Council (MUIB) is a powerful body and is responsible for determining and controlling the policies and administration of Islam. MUIB halal food management has delegated the Halal Food Control Division (BKMH), Department of Syariah Affairs (JHES), Ministry of Religious Affairs. Besides, they also work together with other agencies.

### **Thailand**

Halal certification in Thailand is managed by non-government certification body 'The Islamic Central of Thailand', known as (CICOT). CICOT is a body / organization

in Thailand, the largest single undertaking governance and coordinate the various activities of Islamic Affairs since 17 years ago, under the jurisdiction of King Bhumibol Adulyadej and registered under the provisions of the Royal Act Concerning the Administration Islamic Organization. CICOT not perform any other relevant industry certifications such as GMP, HACCP and ISO and only commit on the confirmation of halal certification.

As the main body of halal certification, CICOT act as policy planners halal certification, prepare and provide training to the auditors auditing lawful in the Islamic Religious Council Province, providing halal supervisors to halal slaughter industry, providing halal consultant to the food industry and halal slaughter and issuing halal certificates. In provinces with Islamic Council, halal application will be fully managed by the Islamic religious councils province from the review until approval. CICOT will issue halal certificates based on the pass list submitted by the Islamic Religious Council. While for provinces that have no Islamic Council, halal certification application will be fully managed by CICOT to issue halal certificates.

### **Vietnam**

People's Socialist Republic of Vietnam is the country's former communist one-party system and the practice of the Communist Party of Vietnam. This notion does not practice any religion but allows the diversity of religious practices among the population. The country has 63 provinces

and five representatives of the Muslim community have a Ho Chi Minh City, An Giang Province, Ninh Thuan, Tay Ninh and Hanoi. Of the five regions, only the Tay Ninh Province who did not carry the halal certification. For the region of Ho Chi Minh City, An Giang and Ninh Thuan Province, halal certification carried out by Islamic delegates respectively. While in Hanoi, Halal certification is carried out by a private agency that has received approval from the government.

One of the halal certification bodies in Vietnam is Halal Certification Agency (HCA) which has been registered under the Vietnamese government since 2007. This organization only commit on halal certification where it carried out for all schemes, food / beverage, pharmaceutical, cosmetics, food, health, logistics except slaughterhouse and meat processing plant. Besides HCA there are also other certifiers body.

### **Philippines**

Implementation of the halal certification in Philippines quite different from other ASEAN countries in which there are several certification bodies and logos used in the country including the National Commission on Muslim Filipinos (NCMF), an agency under the Office of the president of the Republic of the Philippines and has been tasked to create a campaign, formulation development and accreditation of halal certification do by law Republic Act (RA) 9997 with effect from 2010 while pursuing a virtually role responsibilities on

Muslim Affairs office which handles the affairs of the Muslims in the Philippines; and the Islamic Da'wah Council of The Philippines (IDCP), the non-governmental organization established in 1981, registered with the Philippine Security and Exchange Commission in 1982 in which the body is one of the stand-alone muslim organization which is responsible for issuing halal certificates in addition to training and facilitation to any company which wishes to apply halal certificate.

### *Laws related to Halal*

Law generally refers to an ordinance or regulation to be observed by all parties. In halal certification, laws and regulations are specifically designed to assist any party involved in the certification that no events occur which allows any party to implement without the inherent sense of responsibility and integrity. According to Naemah and Norazlina (2015) halal products are just like other products in the context of sale of goods laws. In designing and implementing legislation to be dealt with various aspects including capacity, power and scope of the role of certification bodies as well as the chain of agencies involved. For ASEAN countries, there are legal certification under government control but there is also formed by the certification body without involving the government. Findings showed that Malaysia, Indonesia, Singapore, Brunei and Thailand created act and related laws pertaining to the enforcement of halal through cooperation with the relevant agencies. However, differences in the

ability to carry out enforcement vary by country because there are countries that are under the government and under the appointed council. Unlike Vietnam, which are considered new in halal certification compared to other countries, there is no specific law relating to halal certification. Meanwhile, Philippine depends on the support of the Islamic body in halal product as ensuring an effort to create a special law relating halal is still running. Law established by the certification body without involving the government is usually more to the existence of the agreement related to certification without penalties or fines as prisons and others. The law on halal used by the ASEAN countries can be seen as:

### Malaysia

Beginning in January 2012, halal controls made under the Trade Descriptions Act 2011 (APD 2011). Before enforced APD 2011, the enforcement of halal make based on the Trade Descriptions Act 1972 and under which the subsidiary, the Trade Descriptions (Use of Expression Halal) Act 1975 and the Trade Descriptions (Marking of Food) Order 1975. Since it did not confirm any body designated to issue certificates halal in Malaysia the results show some halal certification body to issue halal certificates in Malaysia.

Recognizing that the system created problems for consumers, and also to the government, then the government has made amendments to introduce the Trade Descriptions Act 2011 (APD 2011) which was passed by Parliament on 11 July 2011

Under the APD in 2011 created two orders of subsidiaries Trade Description Order (Definition of Halal) Order 2011 and the Trade Descriptions (Certification and Marking of Halal) in 2011.

Under these orders have been made that some rules;

- Only the Department of Islamic Development Malaysia (Jakim) and the Islamic Religious Council of the States (MAIN) can issue halal certificates in Malaysia. Halal certificate issued by the addition of Jakim and MAIN unauthorized either domestic or export markets.
- Use of Quranic verses or any symbol that can confuse the Muslims is prohibited, especially if the restaurant is owned by non-Muslims.
- The product to be exported to Malaysia shall use only Malaysia halal logo or the halal logo from foreign halal certification bodies recognized by JAKIM. For example, for products from Indonesia, should use a MUI halal logo.
- The name of halal certification bodies should be placed together with halal logo.

In addition, during the implementation of halal certification, any Acts or Regulations from related agencies also applies especially to meet the concept of *Halalan Thoyyiban* such as the Food Act 1983 and its regulation, the Animal Act 1953 (Revision 2006) Animal Rules 1962 and others. However, for issues related to the inclusion of meat products and meat-based products to Malaysia, the

rules are quite different between Peninsular Malaysia, Sabah and Sarawak.

### **Indonesia**

Halal certificate is issued by MUI (Majelis Ulama Indonesia /The Indonesian Council of Ulama) based on assessment done by LPPOM MUI (Lembaga Pengkajian Pangan, Obat dan Kosmetika Majelis Ulama Indonesia – The Assessment Institute for Foods, Drugs and Cosmetics The Indonesian Council of Ulama).

In Indonesia, the MUI halal certification is based on fatwa and related laws.

Law 18/2001 on Animal Health and Husbandry sets basic requirements for halal certification of meat in Indonesia. It requires that ‘animal products produced in and/or imported to Indonesia for distribution must be accompanied by ... a halal certificate’ (art. 58(4)), that is, an ‘explanatory document issued by a halal certifying body in Indonesia’ (Elucidation to art. 58). The Law also provides that ‘animal products exported from Indonesia must be accompanied by ... a halal certificate if required by the importing country’ (art. 58(5)).

MUI also has a comprehensive formal role in relation to *halal* food labelling and advertising in general. Article 30(2)(e) of Law 7/1996 on Food states that ‘every person who produces or imports packaged food into Indonesia for commercial purposes must attach a label on and/or in the package’ that states whether the product is *halal*. According to article 11(1) of Government Regulation 69/1999 on Food Advertising and Labelling, the food must first be checked

by an accredited inspection agency (art. 11(1)). In Decision 518/2001, the Minister of Religion issued guidelines and procedures for the inspection and identification of *halal* food. These oblige all commercial packaged-food producers and importers who claim their food is *halal* to submit their produce to the inspection agency (art. 2(1)). It appears that LP-POM is, in fact, the only institution in Indonesia appointed as an inspection agency for *halal* food (Tim, 2012; <http://www.halalmui.org>).

It also clear that government bodies responsible for food controlling is Ministry of Agriculture which focusing for meat and animal based foods. While National Agency for Foods and Drugs Control (BPOM - Badan Pengawas Obat dan Makanan) for food packaged product.

### **Singapore**

The Islamic Religious Council of Singapore (Muis) is the sole custodian of Halal certification in Singapore (<http://www.muis.gov.sg>). Halal certification is controlled under the AMLA, Section 88. Based on the Administration of Muslim Law Act AMLA , Section 88A(1), it stated that The Council may issue halal certificates for any product, service or activity and adjust the holder of these certificates to ensure that claims sharia law is followed in the production, processing, marketing or product exhibitions, preparation the service, or the performance of such activities . Halal certification is advised by the Mufti and supported by The Office of the Mufti of Muis.



### **Brunei**

Brunei Darussalam has several laws to regulate halal food, recognition of halal food premises, slaughter centers in the country and abroad and tempered foodstuffs imported from abroad. The law is as Halal Meat Act Chapter 183 and its regulations, Halal Certificate and Halal Label Order 2005, the Public Health (Food) Act (Chapter 182) and the Brunei Halal Food Standards (PBD 24: 2007).

Brunei also emphasizes the inclusion of meat imports into that country. Applications to include raw meat to be used by local food producers, importers only imported by the company that holds the import permits halal slaughter of halal abroad recognized by the Islamic Religious Council of Brunei. Prior to consideration by the Islamic Religious Council, the application will be vetted by the Board of Issuing Halal Import Permit (LMPIH).

### **Thailand**

It is a country which has differences in belief and religion. However, His Majesty the King and the government uphold and support all religions and freedom of worship is allowed to be practiced without prejudice. CICOT regulated by the Department of Administration, Ministry of State (Ministry of Interior Provincial Administration Department) and the Department of Religion, the Ministry of Culture and Religious Affairs (Ministry of Culture The Religious Affairs Department).

CICOT operated under the regulations laid down in the Regulation of the Central

Islamic Committee of Thailand Regarding Halal Affair Operation of BE 2552 which among other things including offences misuse halal logo for the Applicant / halal certificate holder and penalties. Among other things, the jurisdiction CICOT also subject to certain provisions of other laws relating to the following ministries such as Department of Animal, Ministry of Health, Ministry of Agriculture, Ministry of Commerce; and The Foreign Ministry.

### **Vietnam**

Halal certification in Vietnam is still new formal compared to the other ASEAN countries. In this country, halal certification is based on the efforts and initiatives of non-governmental organizations. Hence, anybody can perform halal certification upon registration to the government. Among the halal certification bodies exists in Vietnam is Halal Certification Agency (HCA), the Islamic Community of Vietnam, the Islamic Community of Ho Chi Minh City (HCMC VN) and other certification bodies. Up to now there is no specific law relating to halal certification in Vietnam. However, halal management in Vietnam is still subject to the laws of the relevant agencies such as the Division of Health, Division of Fisheries and others.

### **Philippines**

Halal certification in the Philippines carried out by taking into account the needs and interests of the religion and its followers. Thus it has become a main

matters in ensuring that the Muslims get food which fully follow halal requirements by the government. In consideration to the FOURTEENTH CONGRESS OF THE REPUBLIC First Regular Session, the Government has outlined a number of policies to protect the Muslim community in the Philippines, including ensuring that halal requirements are meet international standards. In achieving these goals include creating essential amenities such as a Philippine Halal Accreditation and Regulatory Board which will be responsible for the formulation, drafting, management and implementation of programs related to all the halal manufacturing, production, distribution, preparation, handling, storage and verification of halal approved-food, non-food merchandise and services; and at the same time it shall consider the muslim cultural (<http://www.senate.gov.ph/lisdata/71466386!.pdf>, Retrieved August 25, 2014)

Thus, halal certification in Philippines has been implemented formerly since 1980's. The decision of the Supreme Court of the Philippines in G.R. No. 153888 is the authentic recognition of the Government of the Philippines that IDCPC is the duly recognized HALAL authority in the country. (<http://www.idcphalal.com/halal.html>, Retrieved August 26, 2014) Nowadays others agency or body like NCMF and other Islamic organizations in Philipines also take part in halal certification activities.

### *Standards and Guidelines*

Standard terms contain different meanings. The standard can be defined as a measure; degree; standards; a standard that is used as a measure of the weight. Whereas according to the Standard Australian (2009), the standard is referring to a published document which states that the specifications and procedures designed to ensure that the material, product, method or service is fit for purpose use and consistently function as intended. In addition, halal standards considered as important guideline especially to provide transparent religious and technical guidelines pertaining to halal certification, to enhance consistency with regard to compliance with halal certification terms and conditions which are stated by the organization, to facilitate trade and other business opportunities (<http://www.muis.gov.sg>) and the other important thing is to meet the religious basis.

In this case, a standard can be developed in the private or public, in companies, national, regional or international level, and can be applied through products, processes, services, systems and technology management, basically standard has three basic characteristics of the following; (1) in terms of its level in the company, the national level (such as Malaysian Standard (MS) and the British Standard (BS)), the regional level (European standard (EN)), or international level (ISO and IEC); (2) in terms of its subject, such as food, textiles, engineering and so forth; and (3) characteristics in terms of the types, such as specifications, rules, codes of practice, codes of practice and

other. In the context of the ASEAN countries there are countries that develop standard as a general guideline, in addition there is also a country that focus on halal assurance system (Indonesia), and some even use both with halal documents related to implementation in halal certification. Besides, various efforts have been undertaken, but the standard is actually certified for use has not been achieved consistently. Each with its own standards and guidelines developed. What is done now is to collaborate indirectly. For example, for countries such as Brunei, Indonesia, Malaysia, and Singapore, halal agenda is becoming one of the main topics of the annual meeting of the Unofficial Meetings Of Religious Ministers known as MABIMS. Mohd. Al'Ikhisian dan Siti Salwa (2014) on the results of their study indicates that halal standards are regulated and governed by their own party responsible. However, in terms of implementation capacity among different industry is taking a grip on a country's official religion, culture and the economy. Prabowo *et.al* (2015) shows even the Indonesian state has a large Muslim population, yet attitude among the industry in implementing the certification has not yet reached the maximum level due to factors related to knowledge and disclosure and regulatory standards may be lacking. The findings of the study also showed that halal certification for all countries is to be 'voluntary'. The standards and guidelines adopted by the ASEAN countries can be explained by;

### **Malaysia**

Malaysian government has implemented the approach with the development of halal standards recognized global development. Evidence, the guidelines have been recognized by the United Nations (UN) and has relied on by the Codex Commission in developing Allimentarius "General Guidelines for use of the Term Halal" CAC / GL 24-1997 was enacted in 1997 which recommended measures to be taken for the use of the word halal food labels (Jafri, 2006, p.31; Ilya Nur *et al.*, 2011, p.123).

Therefore, Malaysian government through the National Standards Committee under the Department of Standards Malaysia (DCM) has established Halal Standards Development Committee (ISC 1) on 14 March 2003, ISC has played its role to developed the standard for halal products and other services related to halal such as transportation, retailing and others. Subsequently, Malaysian Standards (MS) are developed through consensus by committees which comprise from various parties which involve directly on halal activities such as producers, users, consumers and others with relevant interests. To the greatest extent possible, Malaysian Standards are aligned to or are adoption of international standards. Approval of a standard as a Malaysian Standard is governed by the Standards of Malaysia Act 1996 [Act 549]. Malaysian Standards are reviewed periodically. The use of Malaysian Standards is voluntary except in so far as they are made mandatory by regulatory authorities by means of

regulations, local by-laws or any other similar ways. Among the standards are:

- MS1500:2009: Halal Food-Production, Preparation, Handling and Storage – General Guidelines (Second Revision).
- MS 2200: PART 1 :2008: Islamic Consumer Goods - Part 1: Cosmetic And Personal Care - General Guidelines
- MS200 – 1 : 2010: Halalan Toyyiban Assurance Pipeline – Part 1:Management System Requirements For Transportation Of Goods And/Or Cargo Chain Services
- MS2400 – 2 : 2010: Halalan Toyyiban Assurance Pipeline – Part 2: Management System Requirements For Warehousing And Related Activities
- MS2400 – 3 : 2010: Halalan Toyyiban Assurance Pipeline – Part 3:Management System Requirements For Retailing
- MS2424 : 2011:Halal Pharmaceuticals – General Guidelines
- MS2200 : 2012: Islamic Consumer Goods – Part 2: Usage of Animal Bone, Skin and Hair – General Guidelines

In implementing the halal certificate also, other guidelines been used as follow:

- Manual Procedure of Halal Certification Malaysia (Third Revision) 2014
- Guidelines For Halal Assurance Management System of Malaysia Halal Certification

- Malaysian Protocol - The Malaysian Protocol For The Halal Meat And Poultry Production

- Sertu - Garis Panduan Sertu.

### **Indonesia**

Halal standard is established based on fatwa of MUI fatwa commission where it covers : materials, products and process facilities. Regarding to the standards, Halal Assurance System concept on food, drugs, and cosmetic in industry HAS23000: Requirements of halal certification as halal certification standard. Besides, there are other guidelines such as HAS23103: Guidelines of Halal Assurance System Criteria of Slaughterhouses; and HAS 23201: Requirements of Halal Food Material.

### **Singapore**

To ensure that the requirements can be met effectively and follow the *Sharia*, The Singapore MUIS Halal Standards (SMHS) have been developed by the Islamic Religious Council of Singapore (MUIS), in collaboration with SPRING Singapore (National Standards Body) and MUIS - appointed Halal standards committee, involving religious scholars, industry players and government officials. SHMS development go through many stages, including in-depth studies or researches by committee members while also taking into account the views of the parties, whether from organizations such as local government

bodies, organizations, institutions or individuals who have knowledge and expertise in halal activities such as scholars, halal practitioners, academic members, scientists and others. Those meeting is very important before the standard be Implemented widely in Singapore.

The SMHS has two main components:

- i) General Guidelines for the Handling & Processing of Halal Food (MUIS-HC-S001)
- ii) General Guidelines for the Development & Implementation of a Halal Quality Management System (MUIS-HC-S002)

### **Brunei**

For the preparation of the halal standard, The Technical Committee on the Development of National Halal Standards and Guidelines for Halal Food was entrusted by the Ministry of Industry and Primary Resources. In relation to this standard, the working group was appointed to prepare the guidelines which aims to clarify the requirements to be complied to obtain the Halal Certificate and Halal Permit issued by the Majlis Ugama Islam Brunei Darussalam (Majlis).

The standard and guidelines related to halal such as;

- Brunei Darussalam Standard Halal food (PBD24:2007)
- Brunei Darussalam Certification Guideline for Halal Certificate and Halal Label (BCG Halal 1) First Edition 2007
- Brunei Darussalam Guideline for Halal Certification and Halal Label -

Guideline for Halal Compliance Audit (BCG Halal 2) First Edition 2007

- Guideline For Certification Halal Compliance Auditor (BCG Halal 3) First Edition 2007
- Guideline for Halal Surveillance Audit (BCG Halal 4) First Edition 2007
- Guidelines for Manufacturing and Handling of Halal Medicinal Products, Traditional Medicines and Health Supplements (GD24: 2010) ,First Edition.
- Guideline for the Use of the Brunei Halal Brand (BCG Halal Brand)

### **Thailand**

To support and ensure that government policies are successfully implemented, the Central Islamic Committee of Thailand (CICOT) took the initiative to collaborate with other agencies in developing standards. Therefore, a signing done between The Central Islamic Committee of Thailand (CICOT) and Board of Halal Thai Promotion and Business Development to issue “National Halal Standard” as the sole standard as well as to reinforce trust to Muslim consumers in their country and also around the word.

The Central Islamic Committee of Thailand (CICOT) then set up regulations for Halal certification / accreditation as common standard for the whole country. Accordingly, General Guidelines on Halal Products THS 24000: 2552 is widely used in Thailand.

### **Vietnam**

Since halal certification is relatively new in Vietnam among ASEAN countries, reference standards and guidelines used are from foreign countries.

### **Philippines**

To ensure halal matters meet the standards, The Department of Trade and Industry (DTI) – Bureau of Product Standards issued PNS 2067: 2008 titled “Halal Foods – General Guidelines” to harmonize all existing national and international guidelines for halal certification and halal food trading (Josephine, Pamela and Michelle, 2011) In addition, some of the halal certification bodies in Philippines (ex. IDCP) also refer to the other ASEAN Country standards like Malaysia and LPPOM MUI

### *The Certification Process*

Halal certification process in ASEAN countries quite unique. This is due to the availability of countries where in some countries, their halal certification is managed by the government or body appointed by the government and there is also a stand-alone act as voluntary. What distinguishes all certification bodies in terms of the certification process is the ability and technology capability through research on halal certification body of official portal of the ASEAN countries, it was found that Malaysia, Indonesia, Singapore, Thailand and Brunei are more forward than the Philippines and Vietnam. Whatever the means used the certification

process still covers the application, as audit and compliance checks;

### **Malaysia**

Beginning in 2012 the implementation of halal certification in Malaysia involving all states have adopted 1 system, 1 Standard and Procedure, 1 Logo, 1 and 1 Certificate of the Act. Malaysian halal certification process through several stages starting with the application, auditing and monitoring/enforcement.

- **Application**

All applications Malaysian halal certification managed online through the system MyeHalal start of the application until the issuance of the certificate. Applications MYeHalal administered and placed in the data center JAKIM containing major module for staff (revised application, field audits, certification panel, monitoring and reporting of statistics), the applicant (manual application of MyeHalal system, information on companies) and consumers (news, certification information, directory of Malaysia’s halal). In MYeHalal system, application will be sorted by location of the factory and only applications that are eligible and meet the conditions set will be processed. At this stage, the review of documentation carried out. Among the matters under review, including the ingredients used, ingredient suppliers, halal certificate / certificate of laboratory analysis of the ingredients, the process flow, control system and so clean (JAKIM, Malaysia Halal Certification Procedures Manual

(Second Revision) 2011). Eligible and complete applications are required to pay an application fee for the further actions.

- **Halal Audit Compliance**

For halal auditing process by the competent authority, some level of the audit process: 1) Auditing process will be done after receipt of payment; 2) Scheduling the audit will be conducted by the relevant officials and certified by the Auditor ; 3) Auditor will examine the factory / premises consist of at least two officers of the *Sharia* and technical; 4)The audit will be carried out in two forms; internal audits and field ; 5)The report will be presented The Pre-Panel and Panel appointed Halal Certification.

Halal certificate will be issued to companies that have been approved by the Panel Meeting Halal certification. Certificates issued are recorded the names that have been certified halal products and company names or product factory, the reference standard for the issuance of certificates (eg: MS15000: 2009 for food products), halal certification company registration number and expiration date. Malaysian halal certificate holder is subject to the conditions set out in the back of the certificate.

- **Monitoring and Enforcement**

Halal Hub Division, JAKIM through the Monitoring and Enforcement Branch responsible for ensuring compliance with the Malaysian halal standard and non-enforcement of the Halal Certification Malaysia (SPHM).Monitoring involves

periodic inspections and follow-up inspection conducted on the SPHM continuous schedule from time to time. The inspections were carried out by JAKIM / MAIN / JAIN with other law enforcement agencies based on public complaints or non-compliance during periodic monitoring results (JAKIM, ISO Guide 65.2012).

### **Indonesia**

A process through certain procedure that involve both procedure and LPPOM MUI to ensure that materials used, production facility, production process and halal assurance system practiced by the company or producer have met halal requirement of LPPOM, so the product(s) produced can be declared as halal products(s) by Fatwa Committee in a halal certificate. Thus, for any company or producer who intend to get halal certification from LPPOM MUI such as processing industry, slaughterhouse, restaurant catering service, and distributor must fulfill the requirements for Halal Certification HAS 23000 (Policies, Procedures and Criteria).

### **Singapore**

MUIS issues Halal certificates based on a set of systems-focused Halal certification requirements known as the Singapore MUIS Halal Quality Management System (HalMQ). To date, MUIS offers 7 Halal certification schemes for various sectors types of industry. The halal certification process include application submission, processing, certification and post

certification. During the halal certification process the applicants must fulfill the halal requirement and procedures and follow the term and condition set by MUIS.

### **Brunei**

Halal certification in Brunei is divided into two; halal certification and halal permit for halal food products. Halal certification is for food premises certified halal by the Islamic Religious Council of Brunei and was given a period of one or three years. While the permit is granted for the use of halal labels on food products that have been certified halal by the Council. Every permit issued shall be lawful for a particular type of food product and is valid for life as long as meet the requirements and conditions under the Halal Certificate and Halal Label Order 2005.

Similar to the halal certification bodies, the applicants must follow the halal regulation and guidelines set up by competent body. Here, the guideline used is authorized under the Majlis, which requires the place of business to set up and implement *Halal* procedures that meet the Brunei Darussalam Standard for Halal Food PBD 24 : 2007, followed by the application and granting of the Halal Certificate and Halal Label. The certification process practiced in Brunei includes adequacy, compliance and any follow-up audits by appointed certified auditors. Then, the Majlis will verify and confirm the maintenance of the certified *Halal* procedures through surveillance audit.

### **Thailand**

Halal certification administration under the Department of Halal Affairs where all the receiving and processing of applications is conducted by this department. Application involve the following categories: consumables / commodities; butcher and slaughterhouse / processing plant; food and beverage products, including kitchen; meat and meat-based products imported; products for export to other countries.

Halal certification process are 1) Acceptance of applications - Applications created manually must be submitted to the Office of CICOT by hand or by post, the assessment document is made to ensure that the ingredients used in halal and does not contradict Islamic law based on the data base of raw materials that have been developed by CICOT, confirmation of acceptance communicated to the applicant and a new application is required to attend training provided by CICOT; 2) Auditing process – Appointed auditors will conduct the auditing based on the procedures and its findings questionable ingredients will be sent to the Halal Science Centre, Chulalongkorn University for analysis, field audit covering operating procedures of the process, cleanliness, store, waste management, and other vehicles 3; Compliance Inspection - This inspection is carried out without notice for all matters related to the halal certification has been specified in the contract agreement, both assisted by Halal Certificate Halal Affairs Committee consisting of *Sharia* experts and



specialists in food technology, all reports and recommendations of the audit will be presented to the Halal Affairs Committee meetings will be held as necessary and appropriate. Certificates will be issued once the applicant is able to meet halal requirements.

### **Vietnam**

Halal certification process in Vietnam is based on the practice of halal certification bodies respectively. However, the process is basically still covering the application, assessment documents, auditing and monitoring / enforcement.

### **Philippines**

The promulgation of the Philippine National Standards on Halal Food in February 28, 2008 was a “breakthrough” in the sense that both the industry and certifying bodies would now have common references and benchmarks in halal compliance in relation to the production and processing of food. Intensified halal education program is underway and being implemented nationwide by the Department of Trade and Industry. Since Philippines has many Islamic body involve in halal certification, the process of halal certification in the The Philippines are still subject to regulation by the certification body.

#### *Referral and Legal Issues*

In the implementation of halal certification among ASEAN countries, the basis or reference for the meet halal certification is

based on the *Qur'an* and *Sunnah* and the *Sharia law* as applied by the country. Some of the countries explain in depth reference for the certification as Islamic School of Thought Practices (*Mazhabs*) that are included in the Act or in the standards such as Malaysia and Brunei. In addition, there are also countries in which the certification decision or issue supported by relevant national fatwa committee (Malaysia, Indonesia, Brunei, Singapore, Thailand). However, for the new countries in the implementation of halal certification, reference fatwa Islamic state world-countries also be considered by the halal certification bodies (Vietnam, Philippines). The referral and legal issues related to Halal certification among ASEAN countries can be presented as:

### **Malaysia**

“Hukum Syarak” or Shariah law as applied in Malaysia means the laws of Islam in the Mazhab of Shafie or the laws of Islam in any of the other Mazhabs of Hanafi, Maliki or Hanbali which are approved by the Yang di-Pertuan Agong to be in force in the Federal Territory, Penang, Melaka, Sabah and Sarawak or the Ruler of any State to be in force in the respective State while “fatwa” means any religious decree which are verified by the any authority related to the religion of Islam. (Trade Description Act 2011; Trade Description (Definition of Halal) Order 2011 and Trade Description (Definition of Halal) (Amendment) Order 2012. In certain issues related to the halal especially on new bio technologies including the *istihalah*, it shall referred to National

Fatwa Committee. This committee will make the decision on any issues.

### **Indonesia**

Halal certification implemented by MUI LPPOM, agency involvement is very important in that they do not stray from the path of *sharia law*. Therefore, the National Fatwa Committee involved fully as committee members in halal certification. Any issues related to halal will be decided by halal fatwa committee.

### **Singapore**

Halal certification is done by the Singapore based on the Quran and Sunnah as well as a fatwa, standards, terms and conditions of certification. Related fatwa issued by the Fatwa Committee halal Singapore while halal standards are drawn by Halal Standards Committees involving of muslim scholar, government agencies, industry players and consumer. Some issues may have differing opinions amongst the Islamic scholars such as new biotechnology, use of ingredients of unconventional sources, animal slaughtering and meat processing techniques. All these issues are referred to the Mufti Office.

### **Brunei**

Shariah means the Laws of Islam in the Mazhab Shafi'i or in any other mazhabs which are approved by His Majesty the Sultan and Yang Di-Pertuan to be in force in Brunei Darussalam. Brunei Darussalam as country where the system is fully Islamic

governance, several committees appointed by the role of halal and its activities. Any issues relating to halal is referred to the Mufti's office. Moreover, the mufti's office also involves as committee member in halal activities.

### **Thailand**

Determination laws and fatwa refer to the Quran, Hadith and Islamic School Of Thought, also issued fatwas from other Muslim. Besides, the determination of the law and the ruling made by the Council of Scholars, headed by Sheikh-Islam composed of scholars from the University of Al-Azhar University and the University of Madinah, lecturer and chairman / member of several associations / Islamic organizations including CICOT. Any how, if some new products attached for certification are still confused in Halal status this case must be transferred to the Council of Halal Scholars (Ulama) awaiting for solution.

### **Vietnam**

Halal certification in Vietnam is dependent on halal certification bodies managed by non-governmental organizations. Up to now there is no specific law or as a reference in the implementation of halal certification in Vietnam. Reference to any issues or halal management is referred to halal certification body itself as well as other Islamic country.

In general, their view is in line with other Islamic School of Thought as practiced in Malaysia and other ASEAN countries. *Shariah Law* - means the Islamic law based

on the Al-Quran, Al-hadith (Traditions of the Messenger of Allah), Ijma (Consensus of Islamic Scholars) and Qiyas (Legal Deduction or Analogy) according to the Shafei or anyone of the Hanafi, Maliki or Hanbali Schools of Thought (Fourteenth congress of the Republic Of The Philippines, First Regular Session, <http://www.senate.gov.ph/lisdata/71466386!>. Retrieved August, 28, 2014).

### **Philippines**

However, they also open the critical issues to take into account the views of Muslim organizations abroad as long as not contradict with the Al-Quran and Sunnah. Since they do not have National Fatwa Committee, in any cases or issues relating to halal that need a reference, it will be discussed at the syariah committee whis is appointed by the Ulama Coucil or respective halal certification bodies.

#### *Halal Mark or 'Logo'*

Halal mark refers to any symbol, sign or logo that indicates a product is really fulfill halal requirements by certification body or authority in the country. A certified products are covering all aspects of either ingredient, content, process, logistics and any relevant in the determination of halal (Mohammad Naim, 2014). It also consider as form part of a visual branding system indicating many products as safe to consume, as displayed commercially in many places (Fischer, 2012). In the context of the ASEAN countries, marking to determine a product's halal certification is dependent

on the body or authority in the country. For Malaysia, Indonesia, Singapore, Brunei and Thailand marking halal logo is represented by one logo. Unlike Vietnam and the Philippines, as the halal logo marking on the product is more than a logo design by certification body respectively.

In certain circumstances, the availability of unscrupulous manufactures or traders also use their own logos designed or known '*self-declaration*' since especially for the country does not limit the power of the recognition's logo. Moreover, until now there is no country that compulsory placing the logo on all the halal products. It seems like voluntarily for manufacturers or traders to place the logo for their products. Thus, based on the cases reported in Malaysia, it shows that a large number of offences are done by the vendors or manufacturers in Malaysia mostly due to inaccurate information to the consumers, especially in term of using the Halal mark (Mustafa 'Afifi & Azlin, 2014). Among the cases reported, three directors of Rail Passion Sdn. Limited. (Rail Passion) was brought in the Magistrate's Court on two charges of selling coffee containing the pork deoxyribonucleic acid (DNA) in their shop, Kluang Rail Coffee without notifying its existence within the statement written on the label of the coffee packaging (Utusan Malaysia, 20 May 2011); Manufacturer using fake Halal label on baking ingredients (Berita Harian, 18 July, 2014); the use of halal logo on edible items produced from chickens that are not slaughtered properly according to Islamic law (Berita Harian, 20 February 2008).

Moreover, most of the enforcement is more focused on the misuse of logos that have been obtained unless there are complaints from consumers regarding to the halal matters. Table 1 shows halal mark used by ASEAN countries (Malaysia, Indonesia, Singapore, Brunei, Thailand, Vietnam and Philippines):









**HALAL HUB CERTIFICATION POTENTIAL**

Currently, it is undoubtedly that ASEAN countries have tremendous potential in the halal certification on four major areas, which are the cores of halal certification. They are - Halal standard reference, Leading halal-based industries, Training Centre of Expertise, World leading halal technology systems, Halal ecosystem and the unity of halal marks:-

Halal standard reference - halal industry is not only focused on the field of Islamic finance and investments, but it includes all-inclusive food, consumables,

pharmaceuticals, logistics and so on. For halal certification in the ASEAN countries, it has now become a world reference in particular organizations involved in the halal certification. In can be seen where various halal standard has just been released and as a guide to industry and other countries in the world. For example Indonesia as a developing country compared to other ASEAN countries in introducing the Halal Assurance System has become the reference by various countries around the world such as Islamic body in Canada, France and so on. Leading halal-based industries - Existence of halal standards are supported by the work process and integrated from a variety of government agencies, particularly favorable to the halal industry among countries - countries in ASEAN. This is evident in the export of halal products by Malaysians to ten countries (China, Singapore, Indonesia, the United States, the Philippines, the Netherlands, Thailand, Japan, South Korea and India) have reached

TABLE 1  
Halal mark used by ASEAN countries

Malaysia	Indonesia	Singapore	Brunei	Thailand	Vietnam	Philippines
						 

Source : Portal related agency

RM32 billion during the year 2012 (HDC, 2013). Similarly, Thailand in 2012 where Thailand considered as the sixth largest exporter of halal food in the world (Thailand Halal Halal World, 2012, p.21);

Training Centre of Expertise Halal - In most ASEAN countries such as Malaysia, Indonesia and Thailand now has a research institute specializing in halal in addition to addressing issues arising from the development of food technology. Thailand, for example, has pioneered the laboratory analysis expertise among Islamic halal certification bodies of other ASEAN countries through building their own labs, as well as Malaysia, which is currently under construction. However, cooperation between the Islamic certification bodies with relevant agencies in their respective countries remains significant given the need of laboratory analysis, especially related to critical materials.

World leading halal technology systems - witnessed how the success of the organization should be in line with current technology. In the halal industry among ASEAN countries, it begins with the manual method until it moves through the online system e - halal and now has received recognition from various parties.

Halal Ecosystem – Each ASEAN country has basic implementation on halal. Therefore, an effort needs to be developed especially on the development of human resources. Through the Malaysian Technical Cooperation Programme (MTCP) ASEAN 2015 in line with Malaysia as the chairman of ASEAN 2015, it is the starting point to equip

global industry practitioners, policy makers, entrepreneurial development agencies and even governments with technical knowledge for developing infrastructure needed for standards and conformance (Salama, 2015).

The Unity of Halal Marks – Though ASEAN countries have similarities and differences in halal practices, it does not mean they cannot be unify especially in terms of halal marks. To support this, by 2012 halal the Indonesian government officially for the first time recognized the Malaysian halal trust mark and now permitting Malaysia to trade its halal products in Malaysia (Yahya, 2012).

#### **THE IMPLICATION OF STUDY**

The finding from the study shows that through halal practices among ASEAN countries and future potential has given several major implications. It can improve mutual understanding among ASEAN nation in the sense of halal scoop because each country can understand Halal practices adopted and thus to make the halal products as an economic source to strengthen ties among the countries. Any related problems can be solved easily, quick and accurately based on the Halal practiced.

It also has certain practical implication to offer. In respective of Islamic bodies that govern halal certification, it has broaden the space to improve the credibility of certification by making reference and comparison to the law, standards, regulations nor the certification systems that have been implemented by the respective nations. This contributes for it to achieve a higher

standard and at an equivalent level. Hence gives the ability to market a Halal product at a global scale and became the model to countries outside ASEAN. In addition, Halal practitioners no longer feel the lack of information on the Halal dietary practices among ASEAN countries. In fact it could facilitate the marketing process because of a clear understanding regarding the situation and the real needs of the particular country.

In addition, it has social implications. The users will feel more confident towards any products manufactured by any ASEAN country without feeling contempt to associate it with religious issues. What's important is how a said Halal product actually fulfill the law of syariah practiced in the particular country.

### THE STUDY LIMITATIONS

The study is limited to only seven countries excluding Laos, Cambodia etc. through secondary data from journal, conference paper, electronic media and email communication. As halal development growing fast especially on procedures and standards, laws and technology used, an alternative approach needs for further study.

### CONCLUSION

Implementation of halal certification not restricted to a particular aspect instead it should be seen as a whole including the role of bodies certifying authority, laws related to halal, standards and guidelines, the certification process, referral and legal issues, halal mark or 'logo'. Halal

certification body that exists has played a role in the halal certification with each capabilities and functions. For example in terms of roles, laws, standards and logo there are several differences in implementation. Compared to the legal issues and referral certification process is more prominent in terms of implementation. In addition, halal certification is seen as a claim that requires the cooperation of the state and country setting. Therefore, to increase the capacity of ASEAN countries as halal hub certification, a platform is required, particularly in its efforts to integrate the region's halal certification especially with the issues that arise relating to halal status. Here ASEAN countries have huge potential in the certification not to mention there are similarities in terms of school of thought, Islamic practices, and mostly supported by the state government and at least give serious attention to halal requirements, especially in a country with a diverse population in term of religion, ethnicity and cultural differences. In order to strengthen the ASEAN region, the blueprint should be developed as guidelines and related halal dietary reference.

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