

The Role of Halal Task Force Unit in Ensuring Halal Products in West Kalimantan Province

Rachmawati^a, Tiza Yaniza^b, Uti Asikin^c, Ismawartati^d, Siti Rohani^e

Tanjungpura University, Jl. Prof. Dr. H Jl. Profesor Dokter H. Hadari Nawawi, Kota Pontianak, 78124, Indonesia

Abstract

Based on Law of The Republic of Indonesia Number 33 Year 2014 concerning Halal Product Assurance, the Halal Product Guarantee Organizer (BPJPH) is one of the supporting elements in the Ministry of Religion of the Republic of Indonesia which is under and responsible to the Minister of Religion who oversees implementing halal product guarantees in accordance with the provisions of laws and regulations. BPJPH is assisted by the Halal Task Force (Satgas Halal) in carrying out its role as a halal guarantor in each region. Not spared also in the West Kalimantan area. This research is entitled The Role of the Halal Task Force (Satgas Halal) in the West Kalimantan Province Region with the aim of knowing the Role of the Halal Task Force (Satgas Halal) in Guaranteeing Halal Products in the West Kalimantan Province. The method used in this research is a juridical sociological approach method. The results of this study show that the role carried out by the Halal Product Guarantee Organizer (BPJPH) of the Ministry of Religion in Guaranteeing Halal Products in the West Kalimantan Province Region has carried out its functions, but there are still obstacles, firstly the lack of human resources, secondly a minimal budget and the third inadequate facilities and infrastructure. The efforts made by the Halal Task Force (Satgas Halal) of the Ministry of Religious Affairs, West Kalimantan Representative, to optimize product services are in synergy with all stakeholders and coordination with related agencies.

Keywords: Halal Task Force; Halal Product Guarantee; Halal Certificate

1. Introduction

Indonesia is a country with Godly legal State. Its affirmation is contained in the basic items of our country, Pancasila, and the Constitution of the Republic of Indonesia year 1945 (Aswandi & Roisah, 2019; Rahmatullah, 2020). According to the constitutional mandate, the state ensures the freedom of every people to embrace their religion and to worship according to their beliefs. In order to ensure that every religious believer worships carries out their religious teachings, the state must provide protection and guarantees, including in terms of halal products consumed and used by the community (Lestari & Arifin, 2019; Suryaputri & Kurniawati, 2020).

Guarantees regarding Halal products must be carried out in accordance with the principles of protection, justice, legal certainty, accountability and transparency, effectiveness and efficiency, as well as professionalism (Nurhayati & Hendar, 2020). Therefore, the guarantee for the Halal Products implementation aims to provide comfort, security, safety, and certainty of the availability of Halal Products for the community in consuming and using the products, as well as increasing value-added for businesses to produce and sell Halal Products (Kurniawati & Savitri, 2020).

Halal products become important regarding the progress of science and technology in the field of food, medicine, and cosmetics that are growing very rapidly (Chong et al., 2022). It has an obvious effect on the processing and utilization change of raw materials for food, beverages, cosmetics, medicines, and other products from the original which is simple and natural into the processing and utilization of raw materials from engineering science. The processing of products by utilizing scientific and technological advances allows the combining the halal and *haram* foods both intentionally and unintentionally (Öztürk, 2022). Therefore, to recognize the halal and cleanliness of a product, a special study is needed that requires multidisciplinary knowledge, such as knowledge in the fields of food, chemistry, biochemistry, industrial engineering, biology, pharmacy, and the understanding of Sharia (Ahmadova & Aliyev, 2021; Jeglič, 2021).

* Corresponding author.

E-mail address: rachmawati@hukum.untan.ac.id

Meanwhile, in the era of globalization, free trade and the Asian Economic Community (AEC) nowadays have an impact on increasing the circulation of food and beverage products both local and imported in society. Food and beverage products spreading in the community do not necessarily give a sense of security, comfort, peace, and worth for consumption by Muslim consumers because Islamic law requires Muslims to consume halal food and beverages according to Islamic law (Faridah, 2019). Hence, with the Law Number 33 year 2014 on Halal Product Assurance, it provides a role for other parties, such as the government through the state budget, local governments through the regional budget, companies, social institutions, religious institutions, associations, and communities to facilitate the cost of halal certification for micro and small businesses (Ashari, 2021).

Food and other products either through natural processes, production mechanisms, or genetic engineering can not be consumed freely by humans indefinitely (Perdana, 2020). The limitation is not only to the haram foods, but it is also the halal food that have limitation by Allah SWT. This is in line with the phrase with the intention of Allah stated in the Qur'an, Surat Al An'am verse 141, the meaning "do not be excessive", and the meaning of the word of the Prophet Muhammad: "Halal is clear and the forbidden/haram is clear" (Tulus Abadi, 2011). Therefore, in order to fulfilling the needs of food and other products, a person must also fulfill the guidance of religion. Muslims are very careful in choosing and buying food and other products in sale. They will not buy goods or other products that are questionable of the halal status. People only want to consume and use products that are truly halal with halal sign guarantee/official halal information recognized by the government (Puspita et al., 2020; Warty & Samsuri, 2020).

This phenomenon indicates the level of awareness about the implementation of beliefs according to Islamic law, and on the other hand, it encourages their sensitivity when food and other products come into contact with prohibited elements or its halal status. The issue of halal and haram status is not only a sensitive issue in Indonesia, but also always disturbs the beliefs of Muslims around the world. Muslims very concern with the halal assurance not only on food, beverage, and other products but also on the production process and genetic engineering (Faridah, 2019; Jeglič, 2021).

Moving from this background, West Kalimantan as one of the regions with a Muslim majority population, based on the history of the Directorate General of Population and Civil Registration (Dukcapil) of the Ministry of Home Affairs, the population of West Kalimantan was 5.46 million people in June 2021. Based on these amounts, there are 3,29 million people, or 60,14% of the population in the province converted to Islam then related halal Product Assurance must be a priority of the relevant agencies. Thus, the researchers are interested to conduct research on the role of the Halal Product Assurance Agency (BPJPH) Ministry of Religious Affairs as the Halal Product Assurance administrator represented by the Halal Task Force Unit in the Province of West Kalimantan (Hartati, 2019).

2. Research Method and Materials

This study employed the approach of juridical sociological. (Benuf & Azhar, 2020; Sugiyono, 2019) The data collection method employed a method of purposive sampling, researchers have their own considerations about the information obtained from sources that are closely related to the subject matter to be studied (Sugiyono, 2018). The research was conducted in the Halal Product Assurance Agency (BPJPH) of the Ministry of Religious Affairs in the province of West Kalimantan. Resource persons were parties who know and understand about Halal products in Indonesia and who work at BPJPH in West Kalimantan province. Data analysis techniques used qualitative normative by discussing the data obtained based on legal norms, legal theories, and legal doctrine relevant to the subject matter (Sugiyono, 2017)

3. Results and Discussion

Halal Assurance Organizing Body (*Badan Penyelenggaraan Jaminan Produk Halal/BPJPH*) is an agency under the Ministry of Religious Affairs in charge of ensuring that products circulating in Indonesia are guaranteed halal as referred to in Law No. 33 of 2014 on Halal Product Guarantee. Based on Law No. 33 of 2014 on Halal Product Assurance (JPH) mentioned in Article 6 mentions BPJPH as an institution under the Ministry of Religious Affairs, BPJPH has the role to formulate and define policies of JPH, set norms, standards, procedures, and JPH criteria, publish, and revoke (Aziz, 2017; Darma, 2021; Putri, 2021).

BPJPH in ensuring Halal products based on Law No. 33 of 2014 on Halal Product Guarantee which is the authority of BPJPH is being an institution under the Ministry of Religious Affairs, namely formulating and establishing JPH policies, establishing JPH norms, standards, procedures and criteria, issuing and revoking Halal Certificates and Halal Labels on Products, registering halal certificates on foreign products, socializing, educating and publishing halal products, accrediting LPH, registering Halal auditors, supervising JPH, fostering halal auditors, cooperating with domestic and foreign institutions in the field of JPH implementation (Hartati, 2019; Putri, 2021; Shoba, 2018). BPJPH is an

association formed under the Ministry of Religious Affairs, Law No. 33 of 2014 on Halal Product Guarantee mandates that products circulating in Indonesia are guaranteed halal. Therefore, BPJPH was established to ensure the halal products that spread, circulate, and trade in Indonesia (Faridah, 2019; K.M. Ridho El-Razy, 2019).

Based on the results of in-depth interviews with informants and direct observation in order to find out how the role of the Halal Product Assurance Agency (BPJPH) of the Ministry of Religious Affairs in ensuring Halal products in West Kalimantan province, where one of the roles of BPJPH is to issue and revoke Halal certificates and Halal labels on products. So, in conducting interviews that researchers have done, the researchers used several indicators contained in law No. 33 Of 2014 on Halal Product Guarantee.



Figure 1. Indicators of BPJPH Halal Certification

Data source: presented by BPJPH Regional Office of Ministry of Religious Affairs West Kalimantan province

Halal certificates and Halal labels on products, registering halal certificates on foreign products, socializing, educating and doing publication of halal products, accrediting to LPH, registering Halal auditors, supervising JPH, fostering halal auditors and cooperating with domestic and foreign institutions in the field of JPH.41 implementation. Regarding the flow to obtain halal certificate is through the application and determination of LPH. Submission of halal certification application for the product, the business actors are required to complete the required documents, namely the data of the business actors, the name and type of product, the list of products and materials used, and also the processing of the product. The results of this study indicate that the implementation for halal certificate must meet the requirements set in the law of JPH No. 33 of 2014 that every business actor who wants to register a halal certificate must complete the required documents, after which the BPJPH must review the application that has been submitted by the business actor to be verified.

Examination and Evaluation of BPJPH establishes LPH to carry out examination and testing of halal product. Then, LPH stipulates Article 6 of Law Number 33 of 2014 concerning Halal Product Guarantee as referred to in Paragraph (1) that must be carried out within the longest period of five working days from the date application document as referred to in Article 29 paragraph (2) is declared complete. Further provisions regarding the procedures for the LPH establishment are regulated in a ministerial regulation.

The next step is determination and halal products. As known that the BPJPH allows businesses who want to re-apply for halal certificate to get halal certificate from MUI through BPJPH. This also applies to businesses that have applied for halal certification but proven to be halal products based on the terms and conditions that have been previously stipulated in Article UU-JPH.

As referred in Article 33 paragraph 2 regulated that halal on products requested by business actors, BPJPH is in charge of issuing halal certificates.42 There are some obstacles in the issuance of halal certificates, among them are raw materials. These raw materials used contain non-halal ingredients that are rejected by MUI. Issuance of halal certificates even materials presented by businesses must be with the provisions of UU-JPH, but a number of businesses are still difficult to apply the rules of materials determined by BPJPH.

Renewal of Halal certificate can be done three months before the expiration of the validity period of halal certificate. It is valid for 4 (four) years since issued by BPJPH, unless there is a change in the composition of materials used by businesses. BPJPH itself has facilitated the process of both submission and renewal of halal certificates (Saan, 2018). In the application for halal certification, the applicant must meet the requirements that have been determined by the BPJPH Regional Office of the Ministry of Religion West Kalimantan province. However, if it does not meet the requirements then the application for halal certification will be rejected, as mentioned by Mr. Ekhsan:

“Application for halal Certification by business actors in the following ways: 1. Download the halal certification application letter and registration form according to the type of business at <http://halal.go.id/infopenting>, legal aspects: include NIB or SIUP and other legal aspects, letter of determination of halal supervisor, (made, authorized, and issued by business actors), ID card and curriculum vitae, name and type of product, list of ingredients and products in the form of matrix, product manufacturing flow process in the form of flow chart, SJPH document used by LP and halal Certificate of products that are still valid or last (if renewal), but if it does not meet the requirements, the application for halal certification will be rejected”.

From the above statement, it can be concluded that each who wants to submit an application is obliged to complete the requirements of halal certification. If it does not meet, so the business actors will be rejected by the BPJPH. Apart from the submission of applications, the determination of the Halal determination institution (hereinafter abbreviated as LPH) also has an effect on halal certification in determining halal product guarantees. These are the number of implementing guarantor institutions

The Interview Results with Mr. Syakirin S.H.I., M.Ap at the Regional Office of the Ministry of Religious Affairs West Kalimantan province, August 04, 2022. There are 2 Halal statuses in West Kalimantan, namely LPH MUI and LPH Sucopindo, as explained by Mr. Syakirin:

“The number of Halal guarantee institutions in West Kalimantan are only 2 LPHS, namely MUI LPH and Sucopindo LPH whose task is to ensure the Halal of the product. But, there are plans to add the next LPH in the examination, namely Untan LPH”.

From the above explanation, it can be seen that LPH is an institution that conducts halal examination. Based on the explanation that has been presented, it can be stated that in responding to the submission of applications from business actors, BPJPH provides policies according to law no. 33 of 2014 concerning halal product guarantee that every application from the business actors is obliged to complete the requirements documents and has the right to choose their own LPH. As for business actors who cannot complete the qualification requirements for filing an application, BPJPH cannot accept its application.

Examination and testing is carried out by the LPH by directly inspecting the business location and the business actors that are required to provide accurate information to the LPH or halal auditors and after conducting the LPH examination, they will submit to the BPJPH to conduct the test. Then, the BPJPH submit the results of the examination and testing of halal products to the MUI to obtain the determination of halal products, as revealed by Mr. Syakirin:

“In the implementation of inspections at business locations, the business actors are required to provide information to LPH or Halal auditors and the travel costs charged to the business actors. This is in accordance with Article 32 of the JPH law”.

From the above statement, the researchers are able to clarify that in the implementation of halal examination and halal testing of products, business actors are required to provide accurate information to LPH which will be submitted to BPJPH and to be tested and checked for halal products.

Determination of halal products keeps being the authority of the Indonesian Ulema Council (MUI). Article 33 of Law No. 33 of 2014 on Halal Product Guarantee stipulates that the determination of halal products is carried out by MUI through the implementation of halal fatwa session (Shoba, 2018; Suparto et al., 2016). For business actors who have proven or not proven the halal products, Article 33 of Law Number 33 of 2014 concerning Halal Product Assurance resulted from the MUI fatwa trial, as revealed by Mr. Syakirin:

“As for the business actors who have been proven to be halal products from the results of the determination of the MUI fatwa trial may re-submit an application based on the requirements contained in UU-JPH Article 29 paragraph 2 submission of MUI halal certificate application set by BPJPH”.

Based on the explanation presented by the speakers above, it can be concluded that BPJPH allows business actors who want to re-apply for a halal certificate to obtain its certificate from MUI through BPJPH. This also applies to the business actors that have already applied for halal certification but have proven to be improper products based on the terms of the provisions that have been previously stipulated in the article UU-JPH.

As referred to Article 33 paragraph 2 which stipulates halal on products requested by business actors, BPJPH is in charge of issuing halal certificates and are valid for 4 (four) years, based on the statement from Mr. Syakirin:

“The halal certificate is actually valid for 4 (four) years, and if business actors want to extend it, they must submit an application for an extension of 3 (three) months before the validity period of the certificate expires, more details, business actors can access the BPJPH official website on the page www.halal.go.id because every complete information is on the page”.

Based on the statements presented by the sources above, the researcher can conclude that every business actor who wants to renew the halal certificate is obliged to complete and re-submit the application for renewal of the halal certificate to BPJPH.

3.1. Factors and Constraints Faced in Optimizing Halal Product Services.

Obstacles are everything that obstructs or interferes with the achievement of a goal. Obstacles faced by the Halal Product Guarantee Organization (BPJPH) of the Ministry of Religious Affairs representative of West Kalimantan in optimizing Halal Product Services can complicate the achievement of BPJPH's vision and mission (Budiman et al., 2020; Fatimah & Murni, 2019).

Regarding that, the researcher asked Mr. Ekhsan as the Coordinator of the BPJPH Service Task Force of the Ministry of Religious Affairs West Kalimantan province, he stated that:

“constraints task force in the regional office of Ministry of Religious Affairs West Kalimantan province is the lack of human resources, minimal budget, and inadequate facilities and infrastructure”.

The results through interviews and observations in BPJPH regional office of Ministry of Religious Affairs West Kalimantan province from key informants above that the factors and constraints faced in optimizing halal Product Services is the lack of human resources, minimal budget, and inadequate facilities and infrastructure.

Efforts made by The Halal Product Guarantee Agency (BPJPH) in order to optimize product services based on in-depth interviews with informants and direct observation aims to find out what efforts should be made by BPJP representative of West Kalimantan to optimize product services by synergizing with all stakeholders.

Regarding that, the researchers asked Mr. Syakirin as head of Halal Product Assurance of BPJPH and he said that:

“The efforts made by BPJPH in overcoming obstacles for optimizing halal product services are synergy with all stakeholders, coordination with related agencies, so that the minimum budget can be maximized”.

Further is presented by Mr. Syakirin:

“To optimize halal product services, the development is carried out, where there are 2 kinds, namely for those who already have a halal certificate, standard supervision is carried out once every 6 months and for those who have not been given an appeal to a warning.”

The results through interviews and observations of key informants above that the efforts that should be done by BPJPH to optimize product services are to synergize with all stakeholders and conduct businesses coaching that already have a halal certificate or who do not have a halal certificate.

It is undeniable that in every activity has obstacles, both small and large scale obstacles. From the results of the study, there are three things that become obstacles faced by BPJPH in optimizing halal Product Services which is the lack of human resources, minimal budget, and inadequate facilities and infrastructure. This issue needs to be considered in optimizing halal product services. Basically how is it possible to achieve the vision and mission of BPJPH if these obstacles are not found a solution. Therefore, this issue should be a serious concern for the government (Antara et al., 2017; Suriyani, 2019).

The efforts made by BPJPH in overcoming obstacles for optimizing halal product services are synergy with all stakeholders and coordination with related agencies, so that the minimum budget can be maximized. In addition to the

above efforts, to optimize the service of halal products by continuing is innovating for the digitization of halal certificate services (Agustina et al., 2019; Mangkarto, 2016; Maretalinia et al., 2023).

4. Conclusion

The role of the Task Force of the Halal Product Assurance Agency (BPJPH) of the Ministry of Religious Affairs in guaranteeing Halal products in the territory of West Kalimantan province has been implemented in guaranteeing Halal products as mandated by law No. 33 of 2014 concerning Halal Product Assurance (JPH). BPJPH has the role of formulating and establishing JPH policies, norms, standards, procedures, and JPH criteria. Besides, issuing and revoking Halal certificates and Halal labels on products, registering halal certificates on foreign products, socializing, educating, and publishing halal products, accrediting LPH, registering Halal auditors, supervising JPH, conducting halal auditor coaching, and cooperating with domestic and foreign institutions in the field of JPH implementation. The obstacles faced by BPJPH in optimizing Halal Product Services include three things; first, the lack of human resources, second, the minimum budget, and the third inadequate facilities and infrastructure. Moreover, efforts made by BPJPH to optimize product services are in synergy with all stakeholders, and coordination with related agencies, so that the minimum budget can be maximized.

It is expected that BPJPH in order to maintain its role in ensuring halal products in the region of West Kalimantan can be running well. Then constantly try as much as possible to improve its role in ensuring halal products in the West Kalimantan region so as to achieve the vision and mission of BPJH. In addition, BPJPH is also expected to increase synergy with all stakeholders and increase socialization to inform about the importance and obligation in registering its business products. Further optimize the role of the LPH implementation because currently LPH only consists of two located in the Regional Office of Ministry of Religious Affairs in West Kalimantan. Improving the inspection process and supervision products of business actors in the West Kalimantan province more thoroughly in examining the materials used to distribution. As well as improving cooperation and coordination with all business actors in the West Kalimantan province both in terms of halal certification and halal auditors.

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