Comparison Study of Halal Management System in Indonesia and Malaysia

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ABSTRACT

Halal standards between countries were varied, potentially leading to differences in halal product status decisions. In developing global halal standards, Indonesian and Malaysian halal standards were often used as references. This research aimed to gain a deeper understanding of the halal management systems in Indonesia and Malaysia in order to identify differences and similarities in halal regulations and management, including animal slaughtering practices. The halal management systems in Indonesia and Malaysia are mainly comparable. Some non-conforming differences include the certification procedure, certificate validity period, the halal products category, and the number of internal halal committees. Some essential differences are the halal certificate compulsoriness, stunning regulation, and the product name, brand, or synonym considered to be halal. The additional procedure used after slaughter, thoracic sticking, has become an emerging issue in developing a Mutual Recognition Agreement (MRA) of halal certificates for domestic products between Indonesia and Malaysia.

Keywords: Halal Management System, Indonesian Halal Standard, Malaysian Halal Standard.

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1 Introduction

"Halalan Toyyiban" was derived from two Arabic words, "halal" and "tayyib," which were mentioned in four surahs in the Quran. One of these surahs was Surah Al-Baqarah: verse 168, "O humanity! Eat from what is lawful and good on the earth, and do not follow Satan's footsteps. He is truly your sworn enemy" [1].

"Halalan Toyyiban" means "everything should be obtained from lawful sources, received naturally, free from doubt, clean, safe, and nutritious". Halal also encompassed the preparation, processing, and storage of both consumable and non-consumable goods, which must adhere to the rules and regulations established in Islamic law and fatwa. The concept of "Halalan Toyyiban" wasn't limited to food, beverages, and daily consumer products like cosmetics or medications but also included trades, financial services, logistics, social or business transactions, and investments.

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Halal standards govern the halal status of a product. These standards could vary from one country or region to another, potentially leading to differences in decisions regarding the halal status of a product. Efforts to harmonize global halal standards have been made by forming international organizations related to halal, including The Standards and Metrology Institute for Islamic Countries (SMIIC) [2] and the Halal World Council (HWC) [3]. Both organizations played a role in developing and establishing global halal standards.

In the development of global halal standards, the Halal standards of Indonesia and Malaysia were often used as references. As the countries with the world's first and second-largest Muslim populations, Indonesia and Malaysia were highly concerned with halal products and had well-established halal certification bodies and management systems.

Halal standards could encompass various aspects, including the source of ingredients, process, monitoring, labeling, transportation, and storage. First, halal products must be sourced from ingredients permissible in Islam and should not contain prohibited substances, for example, pork and alcohol. During the process, guidelines of Islamic law must be followed. For instance, meat must be slaughtered by trained Muslims in clean facilities separated from non-halal products. Halal products must also be monitored and verified by accredited and recognized halal certification bodies. Additionally, they must carry labels and halal certificates that meet the requirements of halal standards. Then, products must be transported and stored so they would not become contaminated with non-halal products.

Prior to 2019, halal certificates in Indonesia were managed and issued by the Indonesian Ulema Council, also known as *Majelis Ulama Indonesia* (MUI) [4], with the assistance of the Indonesian Ulema Council Drug and Research Institute, known as Lembaga *Pengkajian Pangan, Obat-obatan dan Kosmetika* MUI (LPPOM MUI). However, since 2019, the Indonesian government has managed halal certificates directly through the Halal Product Assurance Organizing Agency, known as *Badan Penyelenggara Jaminan Produk Halal* (BPJPH) [5]. BPJPH was responsible for administering Halal Product Assurance, known as *Jaminan Produk Halal* (JPH), which provided legal certainty regarding the halal status of a product proven by a halal certificate. In its implementation (determination, supervision, and certification of halal products in Indonesia), BPJPH was assisted by Halal Inspection Institutions, known as *Lembaga Pemeriksa Halal* (LPH) for regular scheme or Halal Product Process Assistance Agency or Lembaga Pendamping Proses Produk Halal (self-declare scheme) in conducting audits. Fatwa commissions that determine halal fatwa are the MUI (regular scheme) and the Fatwa Kementerian Agama Republik Indonesia (self-declare scheme) [6].

The legal foundation for these practices was Law Number 33 of 2014 on Halal Product Assurance, which regulated the procedures and requirements for halal products, including the certification process and penalties for violations [7]. Under this law, the Indonesian National Standard (SNI) for Halal was established, providing technical guidelines for producing, storing, distributing, and selling halal products.

Halal certificates in Malaysia were also managed directly by the government. The department or authority responsible was the Department of Islamic Development Malaysia, also known as Jabatan Kemajuan Islam Malaysia (JAKIM) [8]. JAKIM operated under the jurisdiction of the Ministry of Home Affairs in Malaysia and was a government agency responsible for overseeing and coordinating Islamic affairs in Malaysia, including matters related to halal, such as halal product certification and halal licensing. The legal basis for this was the Standards of Malaysia Act 1996 (Act 549), which has been derived into the Malaysian Standard for Halal (MS 1500)[9] [10].

This research aimed to gain a deeper understanding of the halal management systems in Indonesia and Malaysia in order to identify differences and similarities in halal regulations and management (legal frameworks, halal standards, and the responsible bodies for halal certification). Additionally, a brief comparison of animal slaughtering practices will also be discussed.

2 Materials and methods

A qualitative comparative analysis approach was employed to achieve the research objectives. The methods used in this research were collecting data and analyzing the content of the data. This non-experimental study narratively analyzes the content of the Holy al-Quran, Hadith, fatwa, journal articles, legal statutes, standards, and guidelines related to the study.

These documents have been reviewed to understand the similarities and differences between the Halal Standard in Indonesia and the Halal Standard in Malaysia. Then, conclusions were made after a profound observation of those relevant references. Some categories have been highlighted, including the certification procedure, whose authority is in charge of the Halal Standard and Halal Certification, the Halal Management, and a brief comparison about animal slaughtering.

3 Results and discussion

The world is experiencing rapid population growth lately. Based on 2010 data, there are approximately 1.6 billion Muslims worldwide. It is estimated that the number of Muslims worldwide will grow to 2.76 billion or 29.7% of the world's population in the year 2050 [11]. The high birth rate of Muslim people contributes to the rapid growth of the Muslim market. Al Kwifi et al. [12] said Muslims generally look for halal food products or goods and services that follow Islamic principles, so the global Islamic market is estimated to grow 15 percent annually. This is a tremendous opportunity for businesses and marketers all over the world, including Westerners/non-Muslims.

The Islamic economy's main sectors are halal products, Sharia finance, and the halal lifestyle sector. The halal product sector consists of halal foods and beverages (Halal Food), halal medicines and cosmetics (Halal Pharmaceuticals and Cosmetics). Sharia finance consists of all economic sector (financial or real). Meanwhile, the halal lifestyle sector consists of Muslim-friendly tourism (Halal Travel), Sharia fashion (Modest Fashion), and Sharia media entertainment (Halal Media and Recreations) [13]. A combined score from these three sectors is called the Global Islamic Economic Indicator Score (GIEI). Based on the GIEI score, Malaysia claims to be the center of the global Islamic economy. Indonesia managed to get fourth (4th) position in 2021, up from 5th position in 2020 period and 10th position in 2019. This achievement for Indonesia is a positive impact of the publication of the Indonesian sharia

economic master plan 2019-2024 and the publication of Indonesia's vision as a center for halal producers [14] [15] [16].

The governments of the Republic of Indonesia and Malaysia have officially signed a Memorandum of Cooperation (MoC) about mutual recognition of halal certificates for domestic products. The MoC was signed by the Head of BPJPH and the Director General of JAKIM, and it was witnessed by the Indonesian President and Malaysian Prime Minister. MoC aims to advance cooperation, promote increased bilateral trade in halal products, and enhance the economic value derived from our nation's halal products. Through BPJPH and JAKIM, the two countries have committed to fostering and promoting technical cooperation in halal assessment procedures, accreditation, specification standards, and technical regulations for issuing halal certificates. A mutual agreement exists to recognize halal certificates issued by BPJPH and JAKIM for domestically produced goods exported between the two countries. Furthermore, the partnership aims to increase experience and knowledge in technology, human resources, infrastructure, and Research and Development (R&D) related to halal certification [17].

Export and import regulations are determined by the Harmonized System (HS) code. The Harmonized System (HS) is a list of goods systematically classified to facilitate tariffs, trade transactions, transportation, and statistics. The tariff list is called the Indonesian Import Duty Tariff Book (BTBMI). The HS Code covers what documents must be fulfilled by the importer/exporter and determines the amount of duty & tax that must be paid to the state for each imported and exported item. This international classification of products aims to ensure that all countries have the same perception regarding the types of goods imported/exported. At the same time, it makes it easier for Customs and Excise, an extension of the government, to monitor the movement of goods entering or leaving Indonesia [18].

As explained before, the Islamic economy has three main sectors: the halal product, sharia finance, and halal lifestyle sector. This journal will discuss the halal product sector, primarily for Halal Food. The HC code for that sector can be seen in Table 1. [19].

HS code	Description
[02]	Meat
[04]	Milk, butter, egg
[05]	Animal product
[10]	Cereal
[11]	Milling product
[15]	Animal/ vegetable fats and oils
[16]	Processed from meat, fish, crustaceans and mollusks
[17]	Sugar and confectionery
[18]	Cocoa and its product
[19]	Processed from flour
[20]	Processed from vegetables, fruit, and nuts
[21]	Various processed foods
[22]	Drinks, alcohol, and vinegar

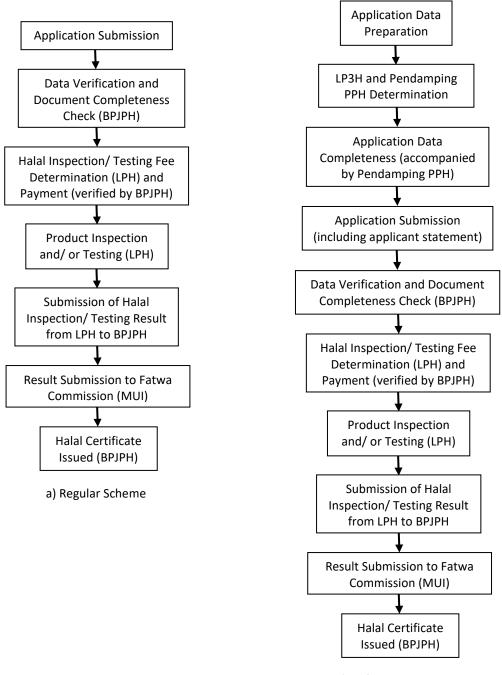
Table 1. Harmonized Code (HS) Related to Halal Food or Beverage

In order to improve the cooperation between Indonesia and Malaysia, especially in increasing the bilateral halal product trade, we need to compare the halal management systems of Indonesia and Malaysia. Indonesia has two schemes for registering halal certificates (regular and self-declare). In Malaysia, there is only one scheme (regular). The regular scheme for halal certificate application in Indonesia can be described as follows [20]:

- 1. Submission of Halal Certificate Application.
- 2. Data Verification and Document Completeness Check by BPJPH.
- 3. Determination of product halal inspection/ testing fee by Halal Inspection Institutions/ Lembaga Pemeriksa Halal (LPH).
- 4. Fee payment by the applicant, which is verified by BPJPH.
- 5. Product Inspection (Audit) and/or Testing by LPH.
- 6. Submission of Product Halal Inspection and/or Testing Results from LPH to BPJPH.
- 7. Submission of Results to the Fatwa Commission (MUI).
- 8. BPJPH issues Halal certificates.

The halal certificate application procedure for self-declare scheme is [21] [22]:

- 1. Halal Certificate Application Data prepared by the applicant.
- 2. Determination of Halal Product Process Assistance Agency or *Lembaga Pendamping Proses Produk Halal* (LP3H) and the person name who will assist as Halal Product Process Companion or *Pendamping Proses Produk Halal* (*Pendamping PPH*).
- 3. Application data completed by the applicant, accompanied by Pendamping PPH.
- 4. Halal Certificate Application Submission (include with the applicant statement).
- 5. Applicant Statement verification and validation by Pendamping PPH.
- 6. BPJPH verification and validation by the system for the result report.
- 7. Submitting Results to the Fatwa Commission (Fatwa Committee of the Ministry of Religion of the Republic of Indonesia or *Komite Fatwa Kementerian Agama Republik Indonesia*).
- 8. BPJPH issues Halal certificates.



b) Self-Declare Scheme

Fig. 1. Flowchart of Halal Certification Application in Indonesia

Basically, there is no essential difference between the halal certification application in Malaysia (regular scheme) compared to that of Indonesia. The Malaysian procedure can be seen below [23]:

- 1. Submission of Halal Certificate Application.
- 2. Submission of supporting document (within five-day work).
- 3. Application review and adequacy auditing.
- 4. Determination of product halal inspection/ testing fee.
- 5. Fee payment by the applicant.
- 6. Inspection (audit) and testing.
- 7. Submission of result to Fatwa Commission (the Malaysian halal verification panel meeting or *Mesyuarat* Panel *Pengesahan* Halal Malaysia).
- 8. JAKIM issues Halal certificate (Malaysian halal verification certificate or Sijil *Pengesahan* Halal Malaysia/ SPHM).

The flowchart of halal certification application in Indonesia and Malaysia can be seen in Fig. 1. and Fig. 2., respectively.

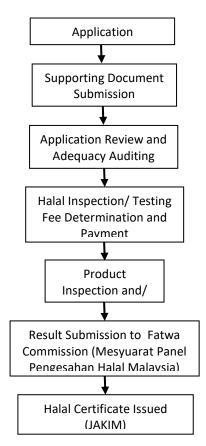


Fig. 2. Flowchart of Halal Certification Application (Regular Scheme) in Malaysia

The Indonesian Halal Standard is issued by the Non-Ministerial Government Institution or Lembaga Pemerintah Non-Kementerian (LPNK): National Standardization Agency of Indonesia or Badan Standarisasi Nasional (BSN). Some examples of the Indonesian halal standard [7]:

- Indonesia National Standard or Standar Nasional Indonesia (SNI) International Organization for Standardization (ISO)/ International Electrotechnical Commission (IEC) 170665:2012 Requirements for Certification Bodies of Products, Processes, and Services.
- 2. SNI 99001:2016 Halal Management System.
- 3. SNI 99002:2016 Halal Slaughter of Poultry.
- 4. SNI 99003:2018 Halal Slaughter of Ruminant Animals.
- 5. SNI ISO/ Technical Specification (TS) 20224-3:2020 Molecular Biomarker Analysis for Detection of Animal-Derived Materials in Food and Feed Using Real-Time PCR Part 3: DNA Detection Methods for Pork.
- 6. SNI 99004:2021 General Requirements for Halal Food.

In Malaysia, the halal standard is issued by the Ministry of Science, Technology and Innovation, Department of Standardization Malaysia (DSM) [24].

The regulation about stunning is different for small ruminants. In Indonesia, all ruminants are allowed to use mechanical/nonpenetrating stunning [25]. In Malaysia, electrical stunning will be used for small ruminants, such as goats or sheep, and pneumatic percussive stunning will be used for big ruminants (such as cows and buffaloes) [33].

Moreover, based on Indonesian regulation, the recovery time after waterbath electrical stunning for poultry is maximum 45 seconds. The slaughter must occur within ten seconds after the stunning [26]. For ruminants, the slaughter must be done within 30 seconds after the cartridge or pneumatic or hydraulic stunning [25].

Malaysian Halal Certification Manual Procedure or Manual Prosedur Pensijilan Halal Malaysia (MPPHM) 2020 stated that stunning is actually not encouraged [23]. Based on a reference study, it has been found that there is mild contradiction about the person who is in charge of stunning. Malaysian Protocol for the Halal Meat and Poultry Productions [27], page 8, stated, "The person who is responsible for the stunning operation (operation, control, and monitoring) is preferably a Muslim. However, MPPHM 2020 page 49 stated "Stunning tools must always be under the supervision of trained Muslim workers and regularly monitored by competent authorities".

Some general requirements for animal slaughtering in Indonesia [26] [25] and Malaysia [23] [27] are:

- 1. The animal to be slaughtered shall be alive at the time of slaughter.
- 2. The four channels should be cut perfectly, respiratory tract (trachea/ halqum), feeding tract (oesophagus/ mari'), and two veins (carotid arteries and jugular veins/ wadajain).
- 3. The slaughterer who operates the machine is Muslim, puberty (baligh), and has expertise in slaughter.

- 4. The slaughtering tool should be only used for halal animals. It is sharp, cleaned from blood, and not made from bones, teeth, and/or nails.
- 5. The slaughterer is obliged to say basmalah (Indonesia) or tasmiyyah (Malaysia) and the slaughtering shall be done only once.

Additional information for Indonesian regulation about animal slaughtering using machines. Fatwa MUI year 2009 number 12 about Halal Slaughtering Certification Standard said that the slaughterer must mention basmalah shortly before or when starting to operate the machine. If the machine has been turned off and will be used again, then The slaughterer must repeat the pronunciation of basmalah [28]. Moreover, Malaysian regulation mentions that slaughter is encouraged to face the Qibla [23]. It also stated that the "sawing action" of the slaughtering is permitted as long as the slaughtering knife is not lifted from the animal during the slaughtering [27].

However, the 29th Sarawak State Fatwa Board or Mesyuarat Lembaga Fatwa Negeri Sarawak (year 2016) agreed that the thoracic sticking method was allowed [29]. Thoracic sticking was an additional procedure used after slaughter. The animal's meat was halal subject to the following conditions:

- 1. There has been a perfect slaughter.
- 2. The method was carried out after complete bleeding or after 30 seconds of slaughter.
- 3. The animal was confirmed dead as a result of slaughter and the thoracic method only helped to speed up death.
- 4. This method needed to be supervised by a qualified Muslim officer.

This Fatwa was quite contradictory with the regulation in Indonesia and might affect the Mutual Recognition Agreement (MRA) of halal certificates for domestic products between the Government of the Republic of Indonesia and the Government of Malaysia.

A comparison of halal management systems in Indonesia and Malaysia can be examined thoroughly in Table 2.

Comparison	Indonesia	Malaysia
1. The Fundamental of Halal Policy	Law of the Republic of Indonesia 2014 number 33 about halal product guarantees [7].	Standards of Malaysia Act 1996 (Act 549), which has been derived into the Malaysian Standard for Halal (MS 1500) [9] [10].
2. Halal Certificate Compulsoriness	Products entering, circulating, and being traded in Indonesian territory must be halal-certified. ([7] article 4)	Non-mandatory [30]
3. Halal Certificate Procedure	There are two schemes for the halal certificate procedure [21] [20]:	Malaysia did not provide a self- declare scheme. There is only a regular scheme for the halal

Comparison	Indonesia	Malaysia
	 Regular Self-Declare (only for Micro and Small Enterprises or Usaha Mikro Kecil/ UMK) 	 certificate procedure [23] [31], which is divided into the following: 1. Internal Halal Control System (IHCS) or Sistem Kawalan Halal Dalaman for Micro and Small Enterprises or Usaha Mikro Kecil (UMK). 2. Halal Assurance System (HAS) or Sistem Jaminan Halal for Medium and Large Enterprises.
4. Halal Standard	Standar Nasional Indonesia (SNI), which is issued by the National Standardization Agency of Indonesia or Badan Standarisasi Nasional (BSN), a Non-Ministerial Government Institution (LPNK) that operates under and reports to the President [7].	Malaysian Standard MS 1500, which is issued by the Department of Standards Malaysia/ Malaysian Standard Development System, under the wing of the Department of Standardization Malaysia (DSM), Ministry of Science, Technology and Innovation [24].
5. Halal Certificate Publisher	BPJPH (Government) [5]	JAKIM (Government) [24]
6. Certificate Validity Period	Unlimited (as long as there is no change in the composition of halal product material and/or process) [32] [33]	 The validity period is varied based on the category [23]: a. One year (slaughterhouse). b. Two years (food and beverage products, food premise). c. Three years (cosmetics, pharmaceuticals products, used goods, medical devices, logistics, and maklon company/ Contract Manufacturing Scheme/ EOM). The validity period for the overseas applicant who runs the company in Malaysia is two years. In addition, an applicant/ company that has a Malaysian halal verification certificate or Sijil Pengesahan Halal Malaysia (SPHM) for at least five years and fulfilled certain categories could be offered a five-year validity period.

Comparison	Indonesia	Malaysia
7. Official Halal Digital System for Halal Certification Process	SIHALAL [34]	 MYeHALAL [24]. Other than MYeHALAL, there are several web-based or mobile-based technologies provided [24][35], such as SmartHalal. SmartHalal is an application: a. To get fast and accurate information about Malaysian halal certification verification. b. To check the status of products, food premises, slaughterhouses, and logistics services by the Malaysian Halal Certification. Include bar code and QR code scanner.
8. Halal Product Category	 The categories for halal required products [36]: 1. Food 2. Drinks 3. Medicine 4. Cosmetics 5. Chemical Products 6. Biological Products 7. Genetically Engineered Products 8. Used Goods 9. Slaughter Services 10. Processing Services 11. Storage Services 12. Packaging Services 13. Distribution Services 14. Sales Services 15. Serving Services 	 The categories for halal required products [31]: 1. Food and Beverage, Cosmetics, Pharmaceuticals Products, Used Goods, and Medical Devices 2. Food premise : a. Hotel b. Catering/ food serving service/ convention center kitchen c. Cafeteria (centrally managed) d. Chain food premises e. Other food premises 3. Slaughterhouse 4. Logistics 5. Maklon Company (Contract Manufacturing SchemeThe/EOM) However, more detailed categories are provided in the Malaysian Halal Certification Manual Procedure or Manual Prosedur Pensijilan Halal Malaysia (MPPHM) 2020, pages 58-60 [23].
9. Internal Halal Committee	 The internal halal committee consists of [37]: 1. Head of department (not specified, but ideally, it consists of purchasing, 	The internal halal committee consists of at least four experts [23]: 1. The Chairman 2. Halal executive

Comparison	Indonesia	Malaysia
	production, warehouse, Quality Assurance (QA)/ Quality Control (QC), and Human Resource Development (HRD) 2. Representative of Top Management	 Representatives of the procurement or purchasing department Representatives of the processing or operation department. (or halal supervisor for slaughterhouse [31])
10. Halal Policy Communication	 Halal policies must be [37]: Available as documented information. Communicated, understood and applied within the organization. Available to related parties. 	The reference about halal policies communication has not been found. However, there are some regulations about displaying halal logo [23]. For example, the halal logo must be placed and displayed in an appropriate place. Additionally, the halal logo must not be used for advertising unless it is shown together with the product.
11. Stunning	 Poultry [26]: Only electrical stunning is allowed (for example, water bath stunner) It is not allowed to do gas stunning. It is permitted to do slaughter without stunning. Ruminant [25]: Only mechanical/ nonpenetrating stunning using a cartridge, compressed air (pneumatic), or hydraulic power is allowed. 	 Malaysian regulations about stunning are a little bit different [33]. Poultry : Only water bath electrical stunning is allowed. Ruminant : a. Small animals (goat or sheep): using electrical stunning (locate the two electrodes at the animal head). Pneumatic percussive stunning is only allowed for big animals. Big animals (cows and buffaloes): using pneumatic percussive stunning.
12. Slaughtering	 SNI 99002:2016 about Halal Poultry Slaughtering or "Pemotongan halal pada unggas" [26]. SNI 99003:2018 about Halal Ruminant Slaughtering or "Pemotongan halal pada hewan ruminansia" [25]. 	 Malaysian Halal Certification Manual Procedure or Manual Prosedur Pensijilan Halal Malaysia (MPPHM) 2020 [23]. Malaysian Protocol for the Halal Meat and Poultry Productions [27].
13. Carcass	The carcass is considered as not halal [38]:	The carcass is considered not halal when cattle do not show pulsing of the arteries

Comparison	Indonesia	Malaysia
	 Animals that die without slaughter; Animals slaughtered not according to sharia; Animals slaughtered using names other than Allah; Animals that die by being beaten (Mawquzah); Animals that died from falling (Mutaraddiyah); Animals that suffocate or die from being crushed (Nathihah); Animals that die are attacked by wild animals, unless they are attacked by trained dogs for hunting and when taking it off read basmalah. 	immediately after the Halal cut and/or capillary refill is absent. All non-halal conformance carcasses shall be removed from the Halal System, processed in another establishment, or processed after the completion of all halal carcass processes [27].
14. The name, brand, or synonym product	 The term "bratwurst", "mortadella", "frankfutter", "char siu", "cocktail" and "mojito" are permitted as halal name in Indonesia [38]. 1. The term "bratwurst", "mortadella", "frankfurter" are referred to specific sausage types, which can be produced from beef or chicken. 2. The term "char siu" is considered to be the way some meat is cooked using a large fork and then baked. The ingredients cooked can be from any meat. 3. The terms "cocktail" and "mojito" are considered a kind of beverage that can contain khamr or not. 	 The term "bratwurst", "mortadella", and "cocktail" are allowed as halal names when additional information/ statements are given, such as "beef mortadella" or "beef sausage cocktail" [23]. The terms "char siew/ char siu/ chasu/ cha sio/ chashao" and "mojito" are not permitted as halal names in Malaysia. These terms are included in the list referred to as a name, brand, or synonym of a product that is not halal [23].

Conclusion

The halal management systems in Indonesia and Malaysia are mainly comparable. There are some non-conforming differences, such as the halal certification procedure, certificate validity period, the category for required halal products, and the member required for the internal halal committee. However, there are some essential differences, such as the halal certificate compulsoriness, regulation for stunning and the name, brand, or synonym of a product considered to be halal. The most emerging issue was about thoracic sticking method, which was allowed and the meat subjected to that method was considered halal in Malaysia. This was needed to be considered while developing the Mutual Recognition Agreement (MRA) of halal certificates for domestic products between the Government of the Republic of Indonesia and the Government of Malaysia.

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