

# Food Safety Counseling as a Fulfillment of the Right to Health Principles of Maqashid Syariah for Food Home Industry Actors in Ciroyom Village, Andir District, Bandung City

Fariz Farih Izadi\*, Dian Alan Setiawan, Syahrul Fauzul Kabir, Zia Firdaus Nuzula

Faculty of Law  
Bandung Islamic University  
Bandung, Indonesia  
\*farizizadii@gmail.com

**Abstract**—Article 35 Paragraph 1 of Government Regulation Number 86 of 2019 concerning Food Safety states that Small and Medium Enterprises and Home Food Industries actors are required to have a home industry processed food production permit. Products can be traded widely after obtaining a production license, in the absence of this license, products can only be traded on a small scale. Small and Medium Enterprises and Home Industries have not yet received a Certificate of Home Industry Processed Food Production because they do not know about this. Government Regulation Number 86 of 2019 concerning Food Safety which is a derivative of Law Number 18 of 2012 concerning Food is not yet known by the public, especially Small and Medium Enterprises and Home Food Industries actors. The solution to this problem is to provide counseling on food, so that the products produced do not harm consumers, reconstruct the food processing system, starting from the selection of raw materials, facilities, human resources, and sanitation processes, and the creation of food safety standards and Quality Control systems to produce quality products and ensure their health.

**Keywords**—*food safety, home industry, right to health, maqashid syariah*

## I. INTRODUCTION

Ciroyom Village belongs to Andir District, Bandung City, the area of Ciroyom Village is 0.6 Km<sup>2</sup> by 16.17% of Andir District [1]. The total population of Ciroyom Village is 19,849 people, with the highest age group at the age of 10-14 as many as 1825, the group 5-9 in 1809, and then the productive age group, namely the age of 35-39 as many as 1679.

There are several traditional markets in the Ciroyom Village area, namely Ciroyom Market, Andir Market, and there are also several wholesale shops making it easier for people to get food ingredients. The ease of obtaining food has encouraged many of the people of Ciroyom Village to become entrepreneurs in the form of Small and Medium Enterprises and Home Food Industries.

Micro, small, and medium enterprises are the assets of the Government and one of the driving forces in the country's economic development that can specifically increase economic resilience at the household level. The movement of the Micro, small and medium enterprises sector is very strategic to create economic growth and employment opportunities; encourage equal distribution of income and distribution of development results; flexible and can easily adapt to the ebb and flow of market demand; and contribute to the provision of food products for public consumption.

The Regional Medium-Term Development Plan of Bandung City has established several Regional Development Programs which will be implemented within a five-year period for the 2018-2023 period to address strategic issues, which consist of [2]:

- Improving the quality of education.
- Increasing the degree of public health.
- Poverty alleviation and PMKS.
- City economy improvement.
- Governance.
- Optimization of infrastructure and spatial planning.
- Quality living environment and optimization of waste management; and
- Synergy of development financing

The program to improve the degree of public health and improve the city's economy will be a priority program in the Ciroyom sub-district area, by fostering small and medium enterprises actors in processing their products, especially food products. Processing of their food products in accordance with health standards can improve the health quality of these products, to improve the health status of the consumers. If consumers feel safe, product sales will

increase, because they have won the trust of the community, so that it can improve the city's economy.

Most small and medium enterprises actors do not yet have a Home Industry Food Production Certificate. Home Industry Food Production Certificate is a written guarantee given by the mayor, through the Health Service, for food produced by Home Industry that has met certain safety requirements and standards, in the context of the production and distribution of food products.

In other words, Food Production Certificate has a function as a distribution permit for a food product, where after having a certificate, the product can be legally circulated or marketed, either by depositing it or selling it directly to the wider community. Therefore, Food Production Certificate holder can distribute their products with wider distribution channels, especially if they want to store their products in modern stores that are well known and have a large permanent consumer base.

## II. METHODS

Method used in this research is juridical and sociological. Reviewing legal and practical aspects in the field to obtain research data.

## III. RESULTS AND DISCUSSION

### A. *The Right to Health from the Perspective of Islamic Law and International Human Rights*

Public health is a pillar of the development of a nation. Health is one of the basic human needs. So important, that it is often said that health is everything, without health everything is meaningless [3]. Therefore, every activity and effort to improve the highest degree of public health is carried out based on non-discriminatory, participatory, protective, and sustainable principles which are very important for the formation of Indonesian human resources, increasing the nation's resilience and competitiveness, as well as national development [4].

Law Number 36 of 2009 concerning Health, implies that every individual, family, and community has the right to obtain protection for their health, and the state is responsible for regulating the fulfillment of the right to a healthy life for its population, including for the poor and underprivileged. One form of community protection for their health is to maintain food safety, by requiring every food business actor to have a certificate of food processed products.

The right to health is regulated in Article 25 of the Universal Declaration of Human Rights. The right to health is one of the basic rights that determine whether humans can live with dignity or not. The right to health includes two important elements, namely elements of health care and elements of basic prerequisites for health [5]. The first element is related to curative and preventive care actions. While the second element includes clean drinking water, adequate sanitation, adequate nutrition, information related to health, environmental health, and health in the workplace.

Referring to the World Health Organization's strategy on Health for all and Primary Health Care, the elements of Health care are as follows:

#### 1) *Regarding health care:*

- Pregnancy care and child health, including family planning.
- Immunization against major infectious diseases.
- Adequate care for common ailments and injuries.
- Supplies of essential medicines.

#### 2) *Regarding the basic prerequisites for health:*

- Education regarding general health issues and methods of prevention and control of such Health problems.
- Increasing the supply of food and proper nutrition.
- Adequate supply of clean water and basic sanitation.

In language maqashid Sharia consists of two words, namely maqashid which means intentional or purpose, and Sharia which means the way to the main source of life. According to the term, maqashid Sharia means content that is the purpose of legal requirements. So, maqashid Sharia is the intent and purpose of the law [6].

In the treasures of Usul Fiqh, maqashid Sharia includes the values of justice, benefit, equality, wisdom and wisdom, and love. Izzuddin ibn Abd Salam stated that all religious provisions are directed to the greatest benefit of mankind. Thus, benefit is a solid, unchanging and universal religious teaching, meanwhile, the manifestation of the implementation of the goal of benefit is a mutaghayyir religious issue, namely changing and following changes in the flow of history and civilization.

One form of community service contained in the LPPM UNISBA Strategic Plan is the Development of Micro, Small and Medium Enterprises, the development of community groups of SMEs and Home Industries in Ciroyom Village in accordance with the LPPM UNISBA Strategic Plan. Guidance and counseling to SMEs and Home Industries related to the certification of processed food products will ensure public health and increase product sales, because products can be sold more broadly, so that the result is able to improve product quality [7].

Al-Syatibi in his book *al-Muwafaqat fi Usul as-Shari'ah* argues that the main purpose of Islamic law is for the benefit of humans both in this world and the hereafter [1]. Imam Ghazali wrote that human needs include three important things, namely Dharury (primary), Hajji (secondary), and Tahsiny (Tertiary). The first need, namely the dharury needs, consists of five things, namely: Maintaining Religion, Soul, Intellect, Wealth, and Honor.

Protecting the soul is the main goal in Islamic law, protecting the soul does not only mean self-protection from murder or things that endanger life, but can also mean improving the quality of life, therefore, the safety of the lives

of consumers must be the concentration of IRT-P actors to always maintain the safety of the food they produce [8].

#### *B. Distribution Permit of IRT-P Products as a Form of Fulfillment of the Right to Health*

Guidance and counseling to SMEs and Home Industries related to the certification of processed food products will ensure public health and increase product sales, because products can be sold more broadly, so that the final result is able to improve product quality.

Small and Medium Enterprises and Home Industries have not yet received a Certificate of Home Industry Processed Food Production because they do not know about this. Government Regulation Number 86 of 2019 concerning Food Safety which is a derivative of Law Number 18 of 2012 concerning Food is not yet known by the public, especially SMEs and IRT-P actors [9].

Article 35 Paragraph 1 of Government Regulation Number 86 of 2019 concerning Food Safety states that SMEs and IRT-P actors are required to have a home industry processed food production permit. Products can be traded widely after obtaining a production license, in the absence of this license, products can only be traded on a small scale.

There are several obstacles faced by SMEs and IRT-P actors, namely the lack of access to capital, so that food processing is carried out in a simple manner, adjusting to the capabilities of business actors. Limited facilities are also an obstacle for SMEs to maintain the safety of their processed products, such as inadequate equipment and very limited processing facilities.

The next problem is the quality of human resources who do not yet have knowledge of food processing standards in accordance with statutory regulations, nor do they have knowledge of the raw materials used to process food, so that hazardous raw materials are still used to process food.

Another problem is the poor sanitation system. Good sanitation practices are key in ensuring food quality and safety. On the other hand, sanitation cannot improve the quality of raw materials, if the raw materials used are already damaged. Therefore, guidance and assistance to implement proper handling and processing as well as hygiene and sanitation programs to improve the quality, safety and shelf life of the food products produced need to be carried out for home industry actors [8].

After holding food safety counseling for food home industry actors in Ciroyom Village, Unisba community service team found several things, both from the village side, as well as from industry players.

- The village official is still difficult to collect data on its citizens who run the home food industry, this is due to the lack of valid information provided by the village officials.
- village official said that because of the geographical location of Ciroyom, which is close to the Ciroyom market, it is one of the factors that many residents

start the home food industry, but the village officials has not been able to develop industry players optimally because data collection has not been effective.

- Food Safety Counseling conducted by the Unisba community service Team was attended by 19 industry actors, but only one of them who has received a distribution permit from the Bandung City Health Office.
- The majority of home industry actors do not know about the permit due to lack of socialization, either from the city government, or from the village officials.
- The products produced by the food industry players in Ciroyom Village cannot be marketed widely, because they do not have a distribution permit from the Bandung City Health Office or from Food and Drug Supervisory Agency.

The Unisba community service team, which from the beginning intended to increase sales of food home industry products in Ciroyom Village, after seeing the condition of industry players, had several things done, namely as follows:

- Collecting data on household food industry actors in Ciroyom village, then categorizing food processed products according to the need for distribution permits, either at the Health Office or at Food and Drug Supervisory Agency.
- Carry out collective registration for food industry players who want to take part in food safety counseling at the Health Office and at Food and Drug Supervisory Agency.
- Conducting socialization of food production in accordance with good hygiene and sanitation standards, which is a requirement for obtaining distribution permits from the Health Office and Food and Drug Supervisory Agency.
- Conducting digital marketing training for industry players to maximize product sales.

#### IV. CONCLUSION

The public, especially the food home industry actors, do not yet know in detail the procedures and processes for licensing the distribution of processed food products, both from the Health Office and Food and Drug Supervisory Agency. People who already know are still hesitant to apply for a distribution permit for their products, because they consider the process and conditions to be difficult. The Home Food Industry that already has a distribution permit from the Health Office can compete better, have wider sales, and potential buyers feel more comfortable and safer when choosing their products.

#### REFERENCES

- [1] I. M. W. Widyarsana, and O. I Daniel, "Peningkatan Kapasitas Tempat Penampungan Sementara (TPS) Ciroyom Menjadi Stasiun

- Peralihan Antara (SPA) Berskala Kawasan di Kecamatan Andir, Kota Bandung,” *Jurnal Penelitian dan Kajian Bidang Teknik Sipil*, vol. 9, no.1, pp. 25-32, 2020.
- [2] RPJMD Kota Bandung, Peraturan Daerah Kota Bandung No. 03 Tahun 2014 Rencana Pembangunan Jangka Menengah Daerah (RPJMD) (Pemerintah Kota Bandung, Bandung, 2014).
- [3] S. H. Eko Riyadi, *Hukum Hak Asasi Manusia: perspektif internasional, regional dan nasional* (Rajawali Pers, Depok, 2018).
- [4] I. Perwira, *Kesehatan Sebagai Hak Asasi Manusia, dalam Bagir Manan, et. al (Dimensi-Dimensi Hukum Hak Asasi Manusia, PSKN FH UNPAD, Bandung, 2009).*
- [5] A. S. Abu Ishak, *al-Muwafaqat fi Ushul fi al-Syari’at* (Beirut: Dar al-Ma’rifah Arab Saudi, 1979).
- [6] J. Ridwal, *Maqashid Syariah dan Relevansinya dalam Konteks Kekinian (Jurnal Ilmiah Al-Syir’ah, IAIN Manado, 2010).*
- [7] S. Warkum, A. Moh., M. Labib, *Hukum Islam dan Hukum Barat, Diskursus Pemikiran dari Klasik hingga Kontemporer* (Setara Pers, Malang, 2017).
- [8] W. Sumitro, *Legislasi hukum Islam transformatif: reformulasi konsep formalisasi syariah dalam legislasi hukum Islam di Indonesia* (Setara Press, Malang, 2014).
- [9] L. Nuraida (2008). *Keamanan Pangan Industri Usaha Kecil dan Menengah (UKM) Dan Industri Rumah Tangga (IRT) Pangan (Disampaikan pada pra-WNPG (Widyakarya Nasional Pangan dan Gizi) IX. Jakarta, 17, 2008).*