



Halal Certificate for Clothing Products of Leather as a Category of Used Goods

Roswandi^(✉)

National Land Agency of the Republic of Indonesia, Jakarta, Indonesia
roswandi@gmail.com

Abstract. By the existence of Act No. 33 Year of 2014 about Guaranteed Halal Product, which states that all products in Indonesia shall be certified halal. This study aims to examine how the halal certificate for clothing products of leather as a category of used goods. The method research used normative research. Based on the guidelines provided in the MUI Fatwa Commission at this time, there are at least two points of the goods of which can be certified halal. One of them related to the clothing made from the skin of the animal, such as bag, jacket, dress and shoes. However, a lot of the clothing products made of raw skin still does not have a halal certificate yet. This must be concerned because clothing is one of the products which has direct contact with the skin.

Keywords: Halal Certificate · Clothing · Leather · Used Goods

1 Introduction

The birth of Law No. 33 of 2014 on Halal Product Guarantee (UUJPH) actually further reinforces how urgent the issue of halal-haram in the production chain from business actors to reach the hands of consumers and consumed by consumers, where there is also the role of intermediaries such as distributors, subdistributors, wholesalers, and retailers before reaching the hands of the final consumer. The implementation of UUJPH aims to ensure that consumers (the wider community) get legal certainty on food products and other consumer goods. As for business people, the presence of UUJPH provides guidance on how to process, process, produce, and market products to the consumer community, as well as how to make halal product information to consumers.

Law No. 33 of 2014 on Halal Product Guarantee strengthens and regulates various halal regulations that have been spread across various laws and regulations. On the other hand, the Halal Product Guarantee Act is an umbrella act for the regulation of halal products. Halal product guarantee is technically then spelled out through the certification process. Previously halal certification was voluntary, while in the Halal Product Guarantee Act became mandatory. Therefore, all products entered, circulated, and traded in the territory of Indonesia must be halal certified and labeled halal. And it's not just big companies that have to apply for halal certification and halal labels but also small industries and entrepreneurs.

This is the main difference with previous laws and products. As the person in charge of the halal assurance system is carried out by the government organized by the Minister of Religious Affairs by establishing a Halal Product Assurance Agency (BPJPH) based under and responsible to the Minister of Religious Affairs. In exercising its authority BPJPH cooperates with the Ministry and/or related institutions, the Halal Examination Board (LPH) and the Indonesian Ulema Council (MUI). BPJPH's cooperation with LPH is carried out for inspection and/or testing of products. BPJPH's cooperation with MUI is carried out in the form of Halal Auditor certification, determination of product page; LPH accreditation. To assist BPJPH in conducting inspection and/or testing of product page, the government and the public can establish LPH. The requirements for establishing an LPH include:¹

1. Have its own office and equipment;
2. Have accreditation from BPJPH;
3. Have a Halal Auditor of at least 3 (three) people; and
4. Have a laboratory or cooperation agreement with the institution.

The most important goal of the government to pass Law No. 33 of 2014 on Halal Product Guarantee is legal certainty, Radbruch argues there are four things related to the meaning of legal certainty. First, the law is positive. Second, the law is based on facts or laws that are determined to be with information. Third, reality (facts) must be formulated in a clear way so as to avoid errors in the meaning in addition to being easy to implement. Fourth, positive laws should not be easily changed.²

Legal certainty of halal product guarantee has various functions and benefits for consumers and manufacturers. For consumers, muslim consumers are protected from consuming food, drugs, cosmetics, which are not halal. Second, psychologically the feelings of the heart and mind of the consumer will be calm Third, maintaining the soul and body from the slump due to illegal products. Fourth, give a good response that leads to the desired behavior to pay attention to the product, interest in buying the product.³

For manufacturers, halal product guarantee through halal certification has an important role. First, as an accountability to Muslim consumers considering that consuming halal products is a principle of the Muslim community. Second, increase trust in consumers. Third. Fourth, as a marketing tool and able to improve the image of the company and business actors expand the area of network marketing. Fifth, it benefits producers by increasing competitiveness and production and sales⁴.

Halal certification after Law No. 33 of 2014 was passed organized by the Halal Product Assurance Agency (BPJPH) which was previously conducted by LP POM MUI and fatwa commission. Likewise with Halal Labelization previously done by BPOM, but now it has been transferred and implemented by BPJPH. This change has gone through the stages of thinking construction which is a necessity to direct the law to the ideals

¹ Pasal 13 Undang-Undang Jaminan Produk Halal.

² Bernard, L. Yahya, *Teori Hukum: Strategi Tertib Manusia Lintas Ruang dan Generasi*, page 131.

³ Mashudi, *Konstruksi Hukum dan Respon Masyarakat terhadap Sertifikasi Produk Halal*, page 168.

⁴ Muhammad Ibnu, *Antara Spiritualis Bisnis dan Komoditas Agama*, Malang: Madani, 2014, page 31.

desired by society. And the government's efforts to unify the halal certification process and halal labelization in its application and implementation.

Constitutively, Law No. 33 of 2014 on Halal Product Guarantee is an official government policy (legal product) that must be adhered to and implemented because it aims to ensure legal protection for people in Indonesia in consuming halal products. In the opinion of Sunaryati Hartono that the law as a tool or means and steps taken by the government to create a national legal system to achieve the ideals of the nation and the goals of the state⁵. And efforts to achieve the goal by using the law as a tool through the enactment or enforcement of laws in accordance with the stage of development faced by our society and country⁶.

Halal certification of useful goods becomes part of the provisions of halal-certified product obligations as contained in Law No. 33 of 2014 on Halal Product Guarantee and its derivative regulations, namely in Government Regulation (PP) number 31 of 2019 and Regulation of the Minister of Religious Affairs (PMA) Number 26 of 2019. The scope of the goods that must be certified halal is goods used, used, or utilized by the community with the affirmation that the useful goods that need to be certified halal are useful goods derived from and/or contain animal elements.

The items used are clothing items, head coverings and accessories that surround household health supplies, household appliances, Muslim worship equipment, food and beverage packaging, stationery and office supplies. The items used are medical devices. The establishment of goods categorized as halal certification must be added by the Minister by coordinating with the relevant Ministry or Institution and its implementation in coordination facilitated by BPJPH.

Here are some examples of used goods categorized as clothing items, head coverings and accessories that include food and beverage packaging, household health supplies, Muslim worship equipment, household appliances, stationery and office supplies. Examples of clothing items include clothing, underwear, socks, and jackets that contain and/or come from animals. Examples of head coverings include peci, hats, veils, and helmets that contain and/or come from animals. Examples of accessories include rings, earrings, bracelets, watches, hair fasteners, shoes, sandals, belts, purses, bags, eyeglass frames, and brooches, which contain and/or come from animals. Examples of household health supplies include toothpicks, dental floss, toothbrushes, and enzymes. Examples of household appliances include sofas, forks, plates, bowls, spoons, glasses, and knives. Examples of food and beverage packaging include paper packaging, plastic packaging, styrofoam (styrofoam), and aluminum foil. Examples of stationery and office supplies include Al-Quran printmaking paper, glue, and ballpoint pens that contain and/or come from animals.

The general requirement of usability goods that can be certified halal is a product that is unclean-free so that when used does not cause users to be exposed to unclean. Where unclean is a feces that can prevent a person from worshiping or related to the validity of worship, especially prayer. Useful goods to be certified must meet the criteria

⁵ Mahfud Md, *Politik Hukum di Indonesia*, Jakarta: PT Raja Grafindo Persada, page 2.

⁶ Bintan Dzumiroh Ariny, Nurhasanah. "Dampak Positif Undang-Undang Nomor 33 Tahun 2014 Tentang Jaminan Produk Halal Dalam Menciptakan Sistem Jaminan Produk Halal Di Indonesia" *Jurnal SYAR'IE*, Vol. 3 No. 2 Agustus 2020 page 202–204.

contained in the understanding in PP 31 of 2014 and also meet the criteria made by the Fatwa Commission of the Indonesian Ulema Council. General criteria of the MUI Fatwa Commission regarding useful goods that can be submitted for halal certification include:

1. is an item directly related to food or drink,
2. items used daily especially for worship such as carpet cloth and prayer mats,
3. does not cause controversy or debate in the community or be perceived as excessive because it is considered far-fetched by the community.

The challenge in the certification of useful goods is that the criteria used are not very detailed so that application evaluation decisions are likely inconsistent. Types of products that have been registered but have not been approved to be processed halal certification such as water pipes, motor and car oil, cement and ceramics, and musical instruments. Refrigerators and cookware can be certified halal, but at the time of application for halal certification of water pipes even for the same reason that the water that comes into contact with the pipe does not change its idolatry status. Currently the MUI Fatwa Commission has not been able to accept the registration of halal certification of water pipes for reasons of concern to cause controversy.

Based on the guidance provided by the MUI Fatwa Commission at this time, there are at least two points of useful goods that can be certified halal. One of them is related to animal leather-based items, such as bags, jackets, clothes and shoes. And at this time there are still many circulating raw clothing products from animal skins. However, leather clothing products still have many halal certificates for these products. This should be very noticed because clothing is one of the products that directly come into contact with the skin. Problem formulation How is the importance of halal certificates for clothing products derived from leather?

2 Research Methods

The research methods used are normative juridical, which includes positive legal inventory research, research into legal principles and legal research in concreto, systematic legal research, legal history research and legal comparison⁷. The data used is secondary data in the form of primary legal materials, secondary legal materials and tertiary legal materials⁸. This research is descriptive analytical, which makes a systematic sensing of the facts⁹ including describing the rules and policies that apply¹⁰.

⁷ Ronny Hanitijo Soemitro, 1990, *Metodologi Penelitian Hukum dan Jurimetri*, Ghalia Indonesia, Jakarta, page. 9–10.

⁸ Soerjono Soekanto, *et al.*, 2006, *Penelitian Hukum Normatif suatu Tinjauan Singkat*, Rajawali, Jakarta, page. 13–14.

⁹ Ronny Hanitijo, *Op Cit*, hal.22.

¹⁰ Sumadi, 1988, *Metode Penelitian*, Rajawali, Jakarta, page 19.

3 Results and Discussion

3.1 The Importance of Halal Certificates for Clothing Products Comes from Leather

As the country with the largest Muslim population in the world, Indonesia made a regulation for manufacturers to register their products to be certified and labeled halal, so that it can be used by the Muslim population.

For the Muslim population, the inclusion of information provisions regarding the idolatry of a product is important because it is related to the implementation of sharia. Therefore, as a country with a majority Muslim population, the Indonesian state is obliged to guarantee the rights of the people in order to choose and use the right and best products for themselves.

The development of science and technology in the field of food, medicine, and cosmetics is running very rapidly. It affects the processing and utilization of raw materials for food, beverages, cosmetics, medicines, and other products from the original simple and natural to the processing and utilization of raw materials from science engineering.

Processing products by utilizing advances in science and technology allows the mixing between halal and haram both intentional and unintentional. Thus, a special study is needed that requires multidisciplinary knowledge, such as knowledge in the fields of food, chemistry, biochemistry, industrial engineering, biology, pharmacy, and an understanding of sharia. There is no legislation governing or related to halal products in their implementation in the field that provide legal certainty and legal guarantees for Muslims on food and other products. Such circumstances cause difficulties in distinguishing what is halal and what is haram, causing doubts and mental uncertainty in consuming food and using other products.

There is a misalignment of legal products between Law No. 7 of 1996 on Food and regulations under it, namely PP No. 69 of 1999 on Food Labels and Advertisements which causes Indonesia's halal product system does not yet have official halal standards and labels (national halal standards) set by the government. As a result, business actors set their own labels according to their individual tastes so that there are various falsifications of halal labels. To provide protection and guarantee of products consumed by the community, it is necessary to regulate a law that regulates the idolatry of a product to ensure legal certainty.¹¹

This is in line with the obligation of the state to protect the entire Indonesian nation and all Indonesian blood and provide general welfare.¹² The foundations of the establishment of this Halal Product Guarantee Law, namely¹³:

a. Philosophical Foundation

In this section mentioned, after quoting the opening of the 1945 Constitution mentioned that halal and haram is something that is very principled in society because in it is related to the relationship with God Almighty.

¹¹ Pembukaan Undang-Undang Nomor 33 Tahun 2014 Tentang Jaminan Produk Halal.

¹² Undang-Undang Dasar Republik Indonesia Tahun 1945 Pasal 29.

¹³ Naskah Akademis Rancangan Undang-Undang Jaminan Produk Halal <http://www.bphn.go.id/news/45/Naskah-Akademis-Rancangan-Undang-undang-Jaminan-ProdukHalal> diakses pada 26 februari 2022.

b. Sociological Foundation

In this section mentioned, the people of Indonesia realize that many products are doubtful because there are no clues that indicate that the product is halal consumed or used. Therefore, Indonesian people have a constitutional right to legal protection to obtain halal products.

c. Juridical Foundation

In this section mentioned, until now there has been no maximum juridical protection to protect Muslims living healthy lives and not stuck with products that are not halal.

d. Psychopolitical foundation

In this section mentioned, the need for the involvement of the business world so that they do not become a force that actually rejects the JPH bill because it thinks the halal guarantee system will cause a high cost economy.

e. Economic Foundation

In this section mentioned, international trade today in general developed countries already have a direction sign for consumers to get halal food. Thus, halal product guarantees have become commonplace in international commerce.

Therefore, Law No. 33 of 2014 concerning Halal Product Guarantee was born with the aim of providing comfort, safety, safety, and certainty of the availability of Halal Products for the public in consuming and using products, as well as increasing the added value for business actors to produce and sell Halal Products.

Products are goods and/or services related to food, beverages, drugs, cosmetics, chemical products, biological products, genetic engineering products, and useful goods used, used, or utilized by the community¹⁴. While what is meant by halal products is products that have been declared halal in accordance with Islamic sharia¹⁵. Halal products¹⁶ traded must go through a process to ensure the reliability of the product so that the product gets a halal product guarantee as evidenced by a halal certificate.¹⁷

The purpose of halal guarantees on a product, namely¹⁸:

- a. Provide comfort, safety, safety, and certainty of availability of Halal Products for the public in consuming and using the Products.
- b. Increase added value for Business Actors to produce and sell Halal Products.

Based on the guidance provided by the MUI Fatwa Commission at this time, there are at least two points of useful goods that can be certified halal. First, all useful goods are in direct contact with the food consumed. This is because halal food can be contaminated with non-halal products. Frying pan, for example. There are non-stick fryers that generally use fat-derived ingredients for non-stick. Speaking of fat, then there are two options, namely fat derived from animals or plants. While in terms of product processing, LPPOM MUI will look at the production facilities used whether used in conjunction with other products that contain unclean goods or not.

¹⁴ Undang-Undang Nomor 33 Tahun 2014 Tentang Jaminan Produk Halal Pasal 1 ayat 1.

¹⁵ *Ibid.*, Pasal 1 ayat 2.

¹⁶ *Ibid.*, Pasal 1 ayat 3.

¹⁷ *Ibid.*, Pasal 1 ayat 5.

¹⁸ *Ibid.*, Pasal 3.

The second point is related to animal leather-based items, such as bags, jackets, clothes and shoes. Basically, the skin material is said to be halal as long as it has been tanned and comes from halal animals, although it is not known how to slaughter it.

However, another case when the skin comes from pigs. Even if it has been revised, MUI still can not declare its idolatry. Nowadays quite a lot of leather shoes are produced using pig skin, so Muslim consumers need to be careful when going to buy them.

There are several things that can be done to avoid Muslim consumers when choosing useful goods. First, choose halal certified products. This is the easiest way to choose halal products. Unfortunately, currently there are not many used goods that are certified halal, so the alternative of halal used goods is still limited.

The purpose of halal certification is to ensure the maintenance of quality and certainty of the use of products, especially for Muslims to avoid something that contains non-halal materials and not in accordance with the implementation of sharia.

Based on the previous explanation of the categorization of products from prohibited materials, if the manufacturer has officially obtained halal recognition and certification then it is mandatory to include halal labels on product packaging. Halal label placement has several qualifications, including must be easy to see and read, not easily erased, damaged, or detached.

Obtaining a halal certificate provides a number of benefits for manufacturers strengthening the image and reputation of products and is considered safe for consumption by all Indonesian people, especially the Muslim population. The openness of the potential market is characterized by massive sales and use of products thanks to the presence of the majority of the Muslim population in Indonesia, so that the production of goods can continue to occur during high product demand.

The halal trend in the clothing industry is caused by the existence of world industry players who are trying to also enter the Muslim clothing industry as pioneers or also to increase their relevance in the halal industry to the Muslim market. Where halal clothing is one part of halal lifestyle¹⁹.

In understanding halal clothing, of course, there is a lot of confusion because in language and terms there are still different definitions related to what is meant by halal clothing. Based on the claims of one of the clothing manufacturers who have obtained halal certification. The halal element in question is an emulsifier used when making fabric as a material. This emulsifier substance is at issue because there are two forming materials, namely natural and sitetic. So that when the emulsifier is made from the skin of animals that are forbidden in Islam, such as pigs. So the cloth that becomes the material of the garment can be said to have an element of pork, so that the sanctity and validity to be used worship for Muslims becomes questionable²⁰.

¹⁹ Kambiz Heidarzadeh Hanzaee and Shahrzad Chitsaz, 'A Review of Influencing Factors and Constructs on the Iranian Women's Islamic Fashion Market', *Interdisciplinary Journal of Research in Business*, 1.4 (2014), page 94–100.

²⁰ Nurul Istiqomah, 'Mengungkap Mitos Simbol Halal Dalam Iklan Kerudung Zoya Di Instagram' (Universitas Diponegoro, 2016). Page 16.

Based on research conducted by Muflihini, who tried to build the concept of halal clothing based on the point of view of the supply chain, explained that halal clothing is a long process consisting of, among others²¹:

- a. Halal Supplier
- b. Halal warehouse
- c. Halal manufacture
- d. Halal distribution
- e. Halal transportation

The main point of the halal supply chain is an important approach to affirm to consumers the integrity of halal products for consumption, this is because all activities contained in the halal product supply chain have met the requirements needed to bear halal status. Activities in the halal product supply chain include warehousing, transportation, raw materials, product handling, inventory management and other management²².

Clothing, Bags, Shoes and accessories worn in the form of clothing equipment (fashion) are useful items as referred to in Law No. 33 of 2014 on Halal Product Guarantee (UUJPH), namely as used goods used by humans including, Clothes, Pants, Fabrics, jackets, Wallets, waistbands to shoes and various accessories must be certified halal.

This is as stated in Article 1 number 1 of Law No. 33 of 2014 on Halal Product Guarantee (UUJPH) because clothing can be categorized as used goods used and utilized by humans, so it must be certified halal, such as food, beverages, drugs, cosmetics, biological/chemical products and genetic engineering products.

Halal certification of Gunaan Goods becomes very important considering the production process of the goods until it reaches the hands of users (Users) is done through various very long stages of basic materials used, dipola, cutting, tailoring, steam sampe packaging and delivery process. There's a lot of technology. So it could be substances, materials, or processing mechanisms mixed with non-halal materials.

For example, when the clothes are finished, the steamer process is usually done. This is where certification is needed. Because it could be a component to muffled the clothes using liquid from pig enzymes, it would be haram. Another example, clothes that use pig skin assessors, leather wallets coated in pig skin, shoes or footwear from leather that layers the inside (lining) of pig skin, even tend to be mixed due to model considerations alone, then this useful product becomes illegal to use for Muslims.

Using dyes that use elements of non-halal materials in the dyeing process (staining) then the fabric becomes contaminated with non-halal substances, so because this process is what makes the goods must be certified.

Therefore, the Halal Product Guarantee Law in General Provisions article 1 has regulated the need for certification of useful goods. Not to mention when viewed from the marketing distribution chain from manufacturers, distributors, agents, sub agents, to Shipping (logistics) until storage must be guaranteed not to be contaminated with non-halal objects. Including the storage (warehouse).

²¹ M. Dliyaul Muflihini, 'Konstruksi Indikator Halal Dalam Perkembangan Industri Halal Fashion' (Universitas Islam Negeri Sunan Ampel, 2018). Page 5.

²² M. Tieman, 'The Application of Halal in Supply Chain Management: In-Depth Interviews', *Journal of Islamic Marketing*, 2.2 (2011), page 186–95.

So the need for halal certification in clothing and useful goods is intended to ensure consumers in getting halal use goods guarantee in the sense to ensure the entire production process and until the goods in the hands of consumers have been completely guaranteed. All of that estuary to provide protection to the community as consumers who use these useful goods.

It seems that there are still many parties and communities who do not understand the Halal Product Guarantee Law, because of the lack of information and socialization of UUJPH so that there are still many people who do not understand, apathy and tend to reject (resistant) about the need for halal certification, especially those concerning useful goods. So that the government as the implementer of the Law must be encouraged continuously to socialize UUJPH.

Because halal products are certainly healthy and contain blessings (wholesome) while healthy products are not necessarily halal. This is why halal products have become the Life Style of the world community with the slogan Halal is My Life. Halal issue has become a global trend and is no longer a religious issue.

4 Conclusion

Halal certification of Gunaan Goods becomes very important considering the production process of the goods until it reaches the hands of users (Users) is done through various very long stages of basic materials used, dipola, cutting, tailoring, steam sampe packaging and delivery process. There's a lot of technology. So it could be substances, materials, or processing mechanisms mixed with non-halal materials. The need for halal certification in clothing and useful goods is intended to ensure consumers in getting halal use goods guaranteed in the sense to ensure the entire production process and until the goods in the hands of consumers have been absolutely guaranteed. All of that estuary to provide protection to the community as consumers who use these useful goods.

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