

Examining the Bureaucracy of Halal Product Certification in Indonesia

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Abstract: Due to the numerous instances of violations committed by Companion for Halal Products (PPH), this research was initiated. Therefore, this research aims to find out the role of PPH in the Kalimantan zone in the halal certification self-declare scheme. This study is categorized as empirical research employing a qualitative methodology. The methodology used for data collection consists of observation, interviews, and documentation. Primary data sources, including interviews with LP3H administrators, PPH, and business actors, were utilized. Meanwhile, secondary data sources include references and literature related to the research theme. From the research, it is known that in carrying out their role, PPH has a mechanism for assisting in the halal product process. In terms of field verification, it can be said that the role of PPH in the Kalimantan zone is not 100% in accordance with procedures. Multiple factors contribute to this, such as non-comprehensive understanding, low legal awareness, small survey costs, and the pressure to fulfill and accelerate Sehati quota targets imposed by Halal Product Guarantee Administering Agency (BPJPH).

Keywords: Halal certification, Self-declare, Companion for Halal Products

Abstrak: Penelitian ini dilatarbelakangi oleh banyaknya kasus pelanggaran yang dilakukan oleh Pendamping PPH. Oleh karena itu, penelitian ini bertujuan untuk mengetahui bagaimana peran Pendamping PPH di zona Kalimantan dalam sertifikasi halal skema self declare. Penelitian ini tergolong ke dalam jenis penelitian empiris dengan menggunakan pendekatan kualitatif. Adapun teknik pengumpulan data dilakukan melalui metode observasi, wawancara, dan dokumentasi. Adapun sumber data yang digunakan adalah sumber data primer yang meliputi wawancara dengan pengurus LP3H, para Pendamping PPH, dan pelaku usaha. Sedangkan sumber data sekunder meliputi referensi dan literatur yang berkaitan dengan tema penelitian. Dari penelitian diperoleh hasil bahwa dalam menjalankan peran, Pendamping PPH memiliki mekanisme pendampingan proses produk halal. Dalam hal verifikasi lapangan, peran Pendamping PPH di zona Kalimantan dapat dikatakan belum 100% sesuai dengan prosedur. Hal ini disebabkan oleh beberapa faktor, seperti pemahaman yang tidak komprehensif, kesadaran hukum yang rendah, biaya survey yang kecil, akselerasi dan target capaian kuota Sehati dari BPJPH, dan lain-lain.

Kata Kunci: Sertifikasi halal, self-declaration, pendamping produk halal.

Introduction

As a country with a Muslim population of 87%, it is natural that Indonesia wants to follow in the footsteps of Malaysia's success in implementing halal certification (Sembiring, n.d.). The transformation in the field of halal certification in Indonesia was marked by the birth of the Halal Product Guarantee Law (UU JPH) No. 33 of 2014. This law brings many changes in terms of implementing halal certification in Indonesia. The first change lies in the institution administering halal certification. Since 1989, MUI (Indonesian Ulama Council) has been the sole authority for administering halal certification. Through the Fatwa Commission as the provider of fatwas and halal certificates, LPPOM MUI as the examiner of halal products from raw materials to the production process, and BPOM as the permit provider for installing halal labels (Durrotul Faridah, 2019).

JPH Law No. 33 of 2014, Article 5, which reads "The government is responsible for organizing JPH," is a sign of the end of the MUI's sole authority. Furthermore, the implementation of JPH is carried out by the Minister with the assistance of BPJPH (Halal Product Guarantee Administering Agency), which is located below and is responsible for the Minister.

The second change lies in the halal certification policy. In the past, halal certification was only voluntary based on the requests of business actors; now the status has changed to mandatory. This mandatory nature is a mandate from JPH Law No. 33 of 2014 Article 4, which reads, "Products entering, circulating, and being traded in Indonesian territory must be certified halal."

As a follow-up, the government declared that all food products, drinks, medicines, and cosmetics must have halal certificates by October 2024 (*Produk Pangan Wajib Sertifikat Halal Pada 2024, Bagaimana Progressnya? - Industri Katadata.Co.Id*, n.d.). In line with ideals, President Joko Widodo, in his speech at the opening Trade Expo Indonesia (TEI) Digital Edition 2021, said that Indonesia, in 2024, can become an industrial center in the halal world.(Sandi, n.d.)

To realize this target, since 2021, the government has been committed to accelerating halal certification. The efforts made include launching a program entitled SEHATI (Free Halal Certification). The SEHATI program is intended for micro and small enterprises through self-declaration halal certification. The first phase of the halal certification obligation will end on October 17, 2024. There are three (three) product groups that must be halal certified along with the end of the first phase: (1) food and beverage products; (2) raw materials, food additives, and auxiliary materials for food and beverage products; (3) slaughterer products and slaughtering services (Sup, 2023).

If in the past halal certification could only be submitted through regular channels, namely involving the Halal Inspection Agency and halal auditors, then after the issuance of Law No. 11 of 2020 concerning Job Creation, there is a new scheme for applying for halal certification, namely self-declare.

Self-declare is an independent statement made by micro- and small-business actors regarding the halal status of their products. The legal basis for the self-

declaration halal certification application scheme is contained in Job Creation Law Article 4a paragraphs 1 and 2, which read:

"For Micro and Small Business Actors, the obligation to be halal certified as referred to in Article 4 is based on the statement of the Micro and Small Business Actor. The statement of the Micro and Small Business Actor as intended in paragraph (1) is based on the halal standards set by BPJPH."

Free halal certification facilities via the self-declare route can be provided to micro and small enterprises that meet the following criteria, The product is not at risk, Use ingredients that have been confirmed to be halal and The manufacturing process uses simple equipment. In relation to the use of materials whose halal quality has been confirmed, they must be proven by a halal certificate document or included in the list of materials in accordance with Decree of the Minister of Religion Number 1360 of 2021 concerning materials that are excluded from the Halal Certified Obligation (positive list).

To guarantee that the products produced are halal in terms of materials and processes, the role of a Pendamping Proses Produk Halal (PPH) is needed. The Pendamping is tasked with verifying and validating halal statements by business actors. Both of these things are in accordance with the halal standards set by BPJPH in Government Regulation No. 39, Article 79, which reads: "Halal standards consist of at least there is a statement from the business actor in the form of an agreement or pledge that contains; *first*, Halal products and materials used; *second*, Halal product process

Based on data from the Ministry of Cooperatives and UKM, the number of UMKM in Indonesia currently reaches 64.19 million (*DPMPTSP - Upaya Pemerintah Untuk Memajukan UMKM Indonesia*, n.d.). This number is what makes the government target UMK as objects for accelerating halal certification. So at the beginning of 2022, the government will provide free halal certification facilities (SEHATI) for 25.000 quotas. Then, on August 24, 2022, the second phase of the free halal certification facility was reopened, with an additional quota reaching 324.834. Furthermore, to implement the SEHATI program, the government, through BPJPH, requests that Islamic community organizations or Islamic religious institutions that are legal entities and/or universities establish PPH institutions. The PPH Institute is tasked with conducting training and recruiting PPH facilitators who can later provide assistance to micro- and small-business actors.

In accordance with the Minister of Religion's directives, PPH institutions (LP3H) began to sprout throughout Indonesia one by one. According to information contained in the Sehati 2022 Metabase, there were 148 LP3H in standing as of September 2022. Different institutions employ different quantities of PPH facilitators. The cumulative count of Pendamping PPHs across Indonesia amounted to 15.230 people.

Which is a problem are the many violations committed by Pendamping PPHs, such as inputting fictitious business actor data, product photos that are not original, but taken randomly from search engines. Until the last case which was quite shocking was the claim about halal wine under the Nabidz trademark. After conducting an

investigation by BPJPH, it turned out that the Pendamping PPH did not carry out the field verification process which is the duty of an Pendamping. Apart from that, the companion with the initials AS also manipulated data by changing fermented grapes into juice or fruit juice products, so that they could be submitted through a self-declare scheme. This case resulted in the revocation of the halal certificate number ID311100037606120523 for the Grape Juice product as of August 15 2023. BPJPH has also revoked the assistance permit for the Pendamping PPH with the initials AS as a sanction for his actions (*Temukan Pelanggaran, BPJPH Cabut Sertifikat Halal Nabidz*, n.d.).

After the author conducted a search, the research topic on self-declare halal certification is still limited. First, a study written by Istianah and Gemala Dewi. In her article, Istianah analyzes the masalah in the concept of self-declare halal certification by comparing before and after the Job Creation Law (Istianah & Dewi, 2022). Second, research on how UMKM in Bantul Regency reacts to the free halal certification program by self-declare (Khasanah, 2022).

The limited number of literature studies is due to the new program initiated by BPJPH, the halal certification self-declare. Although there have been several studies that have raised similar themes, none have specifically discussed how Pendamping PPH carry out their roles. Given the critical role of a companion in self-declare halal certification, the Pendamping PPH is responsible for verifying and validating the independent halal statements (self-declare) made by business actors. Based on those problems, the author is interested in studying further whether the role of Pendamping PPHs in the Kalimantan, whether it is in accordance with procedures.

Method

This research is classified as a type of empirical research. Empirical research or field research is research whose object is about symptoms, events and phenomena that occur in society, institutions or countries that are non-library in nature by looking at phenomena that exist in society (Johan Nasution, 2008). This type of research is used because later the author will go into the field to see and explore data on the reality of the role of Pendamping PPHs in the Kalimantan zone in providing halal certification assistance for the self-declare scheme.

The approach used in this research is a qualitative approach, because the data presented will be in the form of facts and analytical descriptive statements based on the results of interviews and observations that have been made (Rukajat, 2018). Data collection techniques were carried out using interview, observation and documentation methods. The research locations targeted are the Pendamping PPH Institute IAIN Palangkaraya which is located in Central Kalimantan Province, the Pendamping PPH Institution UIN Antasarari Banjarmasin which is located in South Kalimantan Province, and the Pendamping PPH Institution in East Kalimantan which is represented by the Halal Center of Mulawarman University Samarinda.

Results and Discussion

LP3H in Central Kalimantan

The PPH Facilitating Institution in Central Kalimantan is LP3H which is under PTKIN IAIN Palangkaraya. Founded in 2022, LP3H IAIN Palangkaraya now has approximately 700 Pendamping PPHs, consisting of elements from the general public, students, madrasah and religious instructors (A. Supriatin, personal communication, Mei 2023).

In 2023, LP3H IAIN Palangkaraya will receive a *Sehati* quota (Free Halal Certification) for *self-declaration* of 3.844 quotas. The quota absorbed by LP3H IAIN Palangkaraya as of October 30 2023 is 2.395 quotas (*Sehati 23 (All)* · *Metabase*, n.d.). This amount was obtained based on the number of halal certificates that have been issued as a result of the assistance of the IAIN Palangkaraya PPH Facilitator.

As for the technical assistance with halal self-declare certification implemented by the IAIN Palangkaraya Pendamping PPH, it is carried out using the blended system method. Based on the results of interviews with 26 PPH Facilitators, on average they answered that verification and validation for Business Actors was carried out in 2 ways, in person and by telephone. *"Depending on the situation and conditions, if it is possible to conduct a direct survey, do a direct survey, but if the location is far away, then the survey is carried out online, either via chat or telephone,"* said one of the companions with the initials AS (A. S, personal communication, Mei 2023).

Of the 26 Pendamping PPHs who were interviewed, 2 people answered using the verification strategy only *by telephone*, namely via *video call* or by asking Business Actors to send video recordings of the kitchen and production process. *"Time constraints, because I'm working, so it's difficult to adjust the verification schedule directly to the field,"* answered one of the Pendamping PPHs with the initials MU (M. U, personal communication, Mei 2023).

LP3H in South Kalimantan

The PPH Facilitating Institution in South Kalimantan is LP3H which is under PTKIN, namely UIN Antasari Banjarmasin. Established on November 16 2022, this institution was founded by the Center for Halal Studies (PKH) UIN Antasari Banjarmasin. PKH's institutional structure is under the auspices of the Institute for Research and Community Service (LP2M), PKH is tasked with assisting and supervising the processing of halal products. The main task of PKH, which is also LP3H in South Kalimantan, is to ensure that all stages of production, from raw material processing to distribution, are carried out in accordance with applicable halal standards and regulations.

Currently, LP3H UIN Antasari has 977 PPH Facilitators through PPH Companion Training batches 1, 2 and 3 as well as recruitment from BPJPH for elements of Religious Counselors, Madrasahs and students (Khairunnisa, personal communication, April 28, 2023). In 2023, LP3H UIN Antasari will receive a *Sehati* quota (Free Halal Certification) for self-declare of 10.000 quotas. The quota absorbed by LP3H UIN Antasari as of October 30 2023 is 2,812 quotas (*Sehati 23 (All)* · *Metabase*,

n.d.). This figure was obtained based on the number of halal certificates that have been issued as a result of the assistance of the UIN Antasari Banjarmasin Pendamping PPH.

Regarding the technical verification and validation carried out by the Pendamping PPHs at UIN Antasari Banjarmasin, from the results of interviews with 14 Pendamping PPHs, 9 Pendampings answered by direct survey in the field, and the remaining 5 people answered by combining 2 methods, namely communication by *telephone* and survey direct.

"It depends on the product and the business actor, if the product is on the positive list, then verification and validation will only be via WhatsApp chat, but if the product is included in the criteria for critical ingredients or the perpetrator is a non-Muslim, then I will assist him more intensively," said one of the Pendamping PPH with the initials MH has helped issue 225 halal certificates for business actors (M. H, personal communication, April 29, 2023).

LP3H in East Kalimantan

Basically, in East Kalimantan there are two PPH Facilitating Institutions, namely LP3H Mulawarman University and LP3H UINSI Samarinda. However, to avoid the author's subjectivity, LP3H which was used as the research location was represented by LP3H Mulawarman University.

Mulawarman University LP3H was established in 2021, is part of the Unmul Halal Center Strategic Services Unit (ULS). ULS Halal Center Unmul is a community service organization under the coordination of WR IV (Planning, Cooperation and Community Relations). To anticipate challenges and opportunities in the halal sector, the ULS Halal Center embraces expertise in the fields of halal policy, halal product analysis, halal product management and halal product innovation. The establishment of the ULS Halal Center Unmul aims to become a strategic partner of the Halal Product Guarantee Organizing Agency (BPJPH) as well as the Indonesian Ulema Council and various Halal Inspection Institutions by providing expert resources and testing laboratories to support the halal certification process (*Website ULS Halal Center*, n.d.).

In 2023, LP3H Mulawarman University will receive a Free Halal Certification quota of 8.969. To date, the quota absorbed during 2023 is 2.115 quotas (A. Emmawati, personal communication, Oktober 2023). Meanwhile, regarding the technical verification and validation of accompanying halal self-declare certification, of the 17 Pendamping PPHs who were interviewed, all of them answered that verification was carried out in 2 ways, online and direct survey. *"If distance is a problem, then communication with Business Actors will only be done by telephone,"* explained the Pendamping PPH with the initials AB (A. B, personal communication, July 21, 2023).

The Role of Pendamping PPH in Halal Certification Self Declare

As the author stated previously in the Research Background section, this research started from the many cases of violations committed by Pendamping PPHs in the Java Island region. These violations were based on findings from BPJPH, including verification and validation that did not comply with procedures, namely without going

through a field survey. There are fake product photos taken from search engines, fictitious business actors, semi brokers who promise fast halal certificates without surveys for a fee. This is what makes the author want to explore the role of Pendamping PPHs in the Kalimantan zone.

In the regulations, Pendamping PPHs are required to verify and validate halal product materials and processes made by business actors. Material verification is carried out by checking the material list document, whether the input materials are in accordance with the materials used for production. If a discrepancy is found, the Pendamping PPH takes corrective action regarding the discrepancy.

As for the verification of halal product processes, based on the criteria for the Halal Product Guarantee System as stated in Kepkaban Number 20 of 2023 concerning Changes to SJPH, Pendamping PPHs need to check several things. To make it simpler, the halal product process indicators that need to be validated by the Pendamping PPH can be seen in the following diagram:



Figure 1. Indicators of Verification and Validation by Pendamping PPH

Thus, checking the halal product process according to the standards of the Halal Product Guarantee System will be difficult if the Pendampings does not carry out a field audit. In fact, based on the findings, many of the PPH Facilitators of UIN Antasari, IAIN Palangkaraya, and Unmul did not 100% implement field surveys in verification and validation.

Safety and cleanliness have a huge influence on the submission of halal certifications. Products, whether food or beverages, can be categorized as syubhat if they have not gone through the halal certification process. During the certification submission process, the focus is not just on the raw materials, but also on maintaining sterility in the storage and processing processes to ensure they don't use or contaminate haram materials (*Proses Perbaikan Produksi dalam Pendampingan Sertifikasi Halal bagi Paguyuban Usaha Kuliner | Suzery | Indonesia Journal of Halal*, n.d.). Therefore, a PPH

companion bears a significant responsibility in self-declaring halal certification. Based on the results of field checks, the Fatwa Committee should provide recommendations for further issuance of halal provisions.

Among the factors that cause Pendamping PPHs not to carry out verification and validation directly in the field are:

Incomprehensive Understanding of the Concepts of Halal and Haram in Islam

Based on the results of interviews with PPH Facilitators, both from IAIN Palangkaraya, UIN Antasari and Mulawarman University, several answered that before becoming Pendamping PPHs they only had a small understanding of the concepts of halal and haram according to Islamic law, some even answered that previously they did not understand at all. Knowledge regarding this matter is obtained only through training which is held online for an average of 3 days. The following is the material and curriculum that prospective Pendamping PPHs receive during training:

Table 1. Curriculum of Pendamping PPH's Training

No.	Material	Theory	Practice
1	JPH General Policies and Regulations	60 minutes	-
2	Islamic Sharia provisions regarding JPH	120 minutes	-
3	PPH Assistance and PPH Companion	60 minutes	-
4	Material Knowledge	120 minutes	60 minutes
5	Halal Product Process (PPH)	120 minutes	60 minutes
6	Verification and Validation	60 minutes	60 minutes
7	Digitization and Documentation of PPH Assistance	60 minutes	60 minutes
8	Introduction to MSEs, Forms of the Licensing Process for MSEs	60 minutes	-
9	Evaluation	-	300 minutes
10	Total Minutes	660 minutes	540 minutes
11	Total Class Hours	1200 minutes	20 hours

By looking at the table above, it can be said that the training time to become a Pendamping PPH is relatively short, moreover, as of June 2023, BPJPH will open massive training by recruiting students, religious instructors and madrasa teachers. Training is carried out independently through GreatEdu's LMS (*Learning Management System*), where all participants only need to follow each course material in the form of learning videos on the page, answer the pretest and posttest. If this entire series is

followed, and the scores meet the set standards, then the participant will be declared a pass and can become a Pendamping PPHs.

In short, the training time and qualifications of Pendamping PPHs, which can be said to be low, namely a minimum of SMA/SMK/and equivalent education, add to the factors causing the Pendamping PPHs lack of comprehensive understanding of the concept of halal and haram in Islam.

Low Legal Awareness

Sudikno Mertokusumo stated that legal awareness means awareness of what we should do or do or what we should not do or do, especially towards other people. This means awareness of our respective obligations towards others (Mertokusumo, 1981). If measured using 4 indicators of legal awareness proposed by Prof. Soerjono Soekanto, it can be said that the legal awareness of Pendamping PPHs in Kalimantan is still low. Because, even though the Pendampings know and understand the proper verification and validation techniques, this is not manifested in behavior. Online assistance is still provided as an alternative to field audits to save time and reduce audit costs.

Self Declare Halal Certification System that Supports Online Verification

As is known, all applications for halal certification are centralized through the SIHALAL application which can be accessed via <https://ptsp.halal.go.id/>. Business actors only need to create an account and upload the required requirements, such as NIB, product photo, ID card photo, list of ingredients and process flow. The rest is the Pendamping's job to verify through SIHALAL and provide recommendations so that the application can be forwarded to the Fatwa Committee.

The Survey Fee is Small, Especially for Pendamping PPH in Kalimantan where the Area is Very Large

In carrying out their duties, PPH Companions are paid Rp. 150.000.00 by BPJPH per one halal certificate that is successfully issued. This honorarium is calculated as replacement for field survey costs. Which, if we look at the ratio, especially in Kalimantan, which has a very large area, then the honorarium is worth IDR. 150.000.00 could be said to be not enough. As said by one of the Pendamping PPHs in Palangkaraya with the initials R, "

If the business actor's location is in a remote area, then I do verification and validation via chat and video call." The same thing was also expressed by the Pendamping PPH from IAIN Antasari with the initials H, *"Because I work mobile Kandangan-Banjarbaru, I will also visit Business Actors in that area, but outside that area the verification is done by telephone. Apart from the costs involved not representative, the honorarium is also given after the certificate is issued, and there is often a delay in payment (M. H, personal communication, April 29, 2023)."*

Acceleration and Achievement Targets for the SEHATI Quota from BPJPH

At the beginning of 2023, the Halal Product Guarantee Organizing Agency (BPJPH) will again open the Free Halal Certification (Sehati) program by providing 1

million quotas through a business actor statement mechanism (self declare) (Kemenag, n.d.). The quota is then distributed to all LP3H throughout Indonesia and each LP3H is required to fulfill the quota that has been given. To increase motivation for the performance of LP3H and Pendamping PPHs, BPJPH also promises a number of prizes for LP3H and Pendamping PPHs with the highest Halal Certificate achievements. Among the prizes is being part of the JPH Development Team in Asean Countries.

The Scope of LP3H is Too Broad, so Coaching is Not Optimal

One of LP3H's tasks is to provide guidance and evaluation of the performance of Pendamping PPHs so that in carrying out their role they remain *on track* or according to procedures. However, even though this has been done, because the scope of LP3H Pendampings is very broad, not only on a regional but national scale, it is difficult for LP3H administrators to ensure whether the verification procedure has been carried out properly by the Pendamping PPHs. Coaching is also limited, it can only be done online, either Zoom Meeting or Whatsapp group.

Conclusion

The Minister of Religion's Regulation Number 20 of 2021 concerning Halal Certification for Micro and Small Business Actors guides a PPH companion in their role, based on the data and analysis results. In order to verify and validate the halal product process, the PPH companion must check the halal product process documents, request a halal product process scheme, and conduct field verification. The author's investigation revealed that many assistants still don't carry out direct field verification. This indicates that the self-declare halal certification process does not fully implement verification and validation in accordance with the procedure, which can be attributed to several factors: First, Limited comprehension of the Islamic concepts of halal and haram; second, Low legal awareness; third, Self-declare halal certification system with online verification support; fourth, Small survey costs, particularly for Pendamping PPH in Kalimantan, a region with a vast area; fifth, Acceleration and target achievement of the Sehat quota from BPJPH; and sixth, LP3H's scope is too broad, so coaching is not optimal.

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