CROSSROAD: INDONESIAN HALAL CERTIFICATION SYSTEM

By Muhamad Nadratuzzaman Hosen\*

\*President Director for LPHKHT Muhammadiyah and Senior Lecturer at UIN Syarif Haidayatullah Jakarta

The spirit of the law of Halal Product Assurance (JPH) on number 33 in 2014 is that (a) Government has authority to issue halal certificate with a new Indonesian halal certification system, where previously Indonesian Council of Ulama (MUI) is as a Halal Certifier Body; (b) Halal Certificate is mandatory, previously Voluntary, in this case, only Indonesia in the world impose mandatory policy in halal certification system; (c) Halal Auditing Body (LPH) is an Institution of Islamic organization or Own-state company and Public University with requirements to be LPH, namely, have own-office, have 3 auditors and have halal laboratory or cooperation with Halal Laboratory; (d) MUI has a main role to issue fatwa halal of products; and (e), Government gives recognition to halal certifier bodies at Overseas by guarantee of foreign governments in countries which have halal certifier bodies, thus Indonesian government hope to reduce halal audit in overseas.

Mandataory of Halal Certification supposed to start on 17 October 2019 according to the law of Halal Product Assurance on number 33 in 2014, in fact, Indonesia government through Badan Penyelenggara Jaminan Produk Halal (BPJPH), Ministry of religious affairs had not yet ready to implement mandatory Halal Certificate because System and infrastructure had not yet ready, only LPPOM MUI had ready to be halal auditing body and Ministry of Finance had not yet issued fee for halal certification system in order customers or company to get halal certificate. For this condition, Ministry of religious affairs issued Ministrial decree in number of 26, 2019 that Mandatory in process (still voluntary) is from 17 October 2019 to 17 October, 2024 for food and beverages, from 17 October 2021 to 17 October 2026 for traditional medicines, from 17 October 2021 to 17 October 2029 for all medicines and from 17 October 2021 to 17 October 2026 for Cosmetics and Chemist Products. This means that there is shift a mandatory time from 17 October 2019 to 17 October 2024 and 2026 for food and cosmetics respectively. That is why Indonesian Parliament will revise the law of 33, 2014 because of shift a time for mandatory of halal certification.

Up to now, only LPPOM MUI is recognized or accredited by Government as halal auditing body, meanwhile 62 Halal auditing bodies have already applied to BPJPH for getting accredited. Furthermore, Ministry of religious affairs issued Ministrial decision number of 982, 2019 about HALAL Certification Service. In this decision, there are only three actors for halal certification services, namely, BPJPH, MUI and LPPOM. This means that government does not need others halal auditing bodies to be recognized or accredited. This is to break the spirit the law of 33, 2014 which mentions to be opened in establishing halal auditing bodies. Also, this ministerial decision is to make uncertain in establishing halal auditing body (LPH).

The implication of Ministerial decision is that lack resources of number of halal auditing body and of number of Halal auditors, where LPPOM has 2000 auditors meanwhile to certify 5 millions of micro and small scale enterprises, halal auditor body needs to have 30 000 auditors. Another problem is that micro and small scale enterprises cannot afford to pay the cost of halal Certification

A new atmosphere regarding omnibus law is emerging in the government and parliament in order to merge many kinds of law become simple and reduce cost in order to increase efficiency and productivity. From Detik.com in 13 February 2020, Indonesia government proposed several articles regarding with Halal Certification system in Omnibus law to Indonesian Parliament, where the content can be seen as follows:

1. Indonesian government revise articles such as 4, 29. 42, 44 and 49 in the law of 33, 2014
2. Micro enterprises and small scale enterprises are allowed to Halal self-declaration according to standard which is made by government, and
3. To state Halal Products, Islamic Organization can make Halal Statement in Halal Certificate, previously only MUI can make halal statement according to the law of 33.

The spirit to revise of law 33, 2014 is that to make simple, efficient and effective process to get halal certificate, in this case, we do not know exactly the proposal of government to revise the law of 33, 2014, and we know the law of 33, 2014 cannot work smoothly because there are limited resources in facilities, infrastructure, and human resources for halal auditors. Another question is that Halal Certificate still mandatory or not because mandatory of halal certificate needs more facilities, more infrastructures and more human resources. This means that halal certification in crossroad