

# THE EFFECTIVENESS OF THE HALAL PRODUCT GUARANTEE LAW ON BUSINESS AWARENESS IN REGISTRATION OF HALAL CERTIFICATION IN INDONESIA

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## **Abstract**

The issuance of the Law on Halal Product Assurance in 2014 marked a new era of halal certification in Indonesia. In the past, halal certification was voluntary, but after the JPH Law it became mandatory. The government through the Halal Product Guarantee Agency of the Ministry of Religion of the Republic of Indonesia is tasked with guaranteeing halal products in the community. The fact is that until 2022, there are still many business actors, especially those on the Small, Medium and Micro scale (MSMEs) who have not registered for halal certification. Even though the regulation has existed since 2014. Based on this, this study aims to determine the effectiveness of the Halal Product Guarantee Act on the Awareness of Business Actors in the Registration of Halal Certification in Indonesia. The research method used in this research is qualitative field research, with an empirical juridical research approach. The results of this study indicate that the Halal Product Guarantee Act has not been effective in increasing the awareness of business actors to register for halal certification and increase the availability of halal products in Indonesia. The minimum number of business actors who register for halal certification is influenced by legal awareness, namely: knowledge of legal regulations, knowledge of legal content, legal attitudes, and legal behavior. It is concluded that business

actors in Indonesia have a low level of legal awareness in registering for halal certification. Many business actors do not know about the obligation of halal certification. There are also business actors who already know about halal certification, but have not yet arrived at compliance and carrying out the mandate of the Halal Product Guarantee Act.

*Terbitnya Undang-undang tentang Jaminan Produk Halal (UU JPH) pada tahun 2014 menandai era baru sertifikasi halal di Indonesia. Dahulu, sertifikasi halal bersifat sukarela (voluntary), akan tetapi setelah adanya UU JPH menjadi wajib (mandatory). Pemerintah melalui Badan Penyelenggara Jaminan Produk Halal (BPJPH) Kementerian Agama Republik Indonesia bertugas untuk menjamin produk halal di masyarakat. Faktanya sampai tahun 2022, masih banyak pelaku usaha terutama yang berskala Usaha Kecil, Menengah dan Mikro (UMKM) yang belum melakukan pendaftaran sertifikasi halal. Padahal regulasinya sudah ada sejak tahun 2014. Berdasarkan hal tersebut, maka penelitian ini bertujuan untuk mengetahui efektivitas Undang Undang Jaminan Produk Halal Terhadap Kesadaran Pelaku Usaha dalam Pendaftaran Sertifikasi Halal di Indonesia. Metode penelitian yang digunakan dalam penelitian ini adalah penelitian lapangan (field research) yang bersifat kualitatif, dengan pendekatan penelitian yuridis empiris. Hasil penelitian ini menunjukkan bahwa Undang-undang Jaminan Produk Halal (UU JPH) belum efektif dalam meningkatkan kesadaran pelaku usaha untuk pendaftaran sertifikasi halal dan meningkatkan ketersediaan produk halal di Indonesia. Minimnya jumlah pelaku usaha yang mendaftar sertifikasi halal ini dipengaruhi oleh kesadaran hukum, yakni: pengetahuan tentang peraturan hukum, pengetahuan isi hukum, sikap hukum, dan perilaku hukum. Disimpulkan bahwa pelaku usaha di Indonesia memiliki tingkat kesadaran hukum yang masih rendah dalam mendaftar sertifikasi halal. Pelaku usaha banyak yang belum tahu tentang kewajiban sertifikasi halal. Ada juga pelaku usaha yang sudah tahu tentang sertifikasi halal, namun belum sampai pada ketaatan dan melaksanakan amanat Undang-undang Jaminan Produk Halal.*

**Keywords:** Halal Product Guarantee, Halal Certification, Effectiveness

## INTRODUCTION

For a Muslim, halal is a must, the principle of halal is the basis in everyday life. The food consumed by the community must be halal and certainly not harmful to human health. Food is a basic need that humans need in addition to air and water (Honggowibowo, 2009: 187). Allah says in Qs. Al-Baqarah verse 168 which reads: "O mankind, eat what is lawful and good from what is on earth, and do not follow the steps of the devil; for verily the devil is a real enemy to you." Allah has commanded his people to eat halal food. Food from what is on earth, both from animals, plants and trees obtained in a lawful way and has good content for health.

Based on data from the Directorate General of Population and Civil Registration, in June 2021 the total population of Indonesia was 272.23. Of this number, as many as 236.53 million people (86.88%) are Muslims. As a country with a Muslim majority population, we are encouraged to eat halal and thoyyib food, meaning that we must eat food according to Islamic law and not damage our health.

In determining the product that will be consumed by Muslim consumers, they always pay attention to two main things, namely the halalness of the product according to Islamic law and the safety of the product in accordance with health standards. This shows how important halal is. Although Islam specifically does not indicate an order to label products halal, this is an ijtihadi construction that becomes absolute (Frastawan, 2020: 37-45).

The halal industry has a huge opportunity to continue to grow, especially during the COVID-19 pandemic. According to a report from the State of The Global Islamic Report (2019), there are around 1.8 billion Muslim residents who are consumers of the halal industry. The halal industry does have a strategic role in growing the economy, but it is unfortunate that the potential of Indonesia's halal industry has not been fully exploited. Data in the field shows that there is still little halal industrial output in Indonesia. Based on the assessment listed in the State of The Global Islamic Report (2019), Indonesia only ranks 5th in the Top 15 Global Islamic Economy Indicator category (Fathoni, 2020: 428-435).

Regulation is very necessary as a standard of quality and behavior accepted by the community with the aim of protecting the public interest, therefore to ensure the existence of halal products the Government then issued Law no. 33 of 2014 concerning Halal Product Guarantee, hereinafter abbreviated as UUJPH. The implementation of this JPH provides convenience, security, safety, and certainty of the availability of Halal Products for the public in consuming and using products as well as increasing added value for business actors in producing and selling Halal Products. The issuance of the JPH Law further emphasizes the urgency of the halal-haram issue in Indonesia. This law is also the most concrete and comprehensive legislation regarding halal product certification, because it is a special law regarding halal issues, the issuance of this law can be said to be a new era of handling halal certification in Indonesia (Muhtadi, 2020: 32-43).

After the enactment of Law no. 33 of 2014 concerning Halal Product Guarantee, the system of procedures and registration of halal certification which was originally voluntary has become mandatory. This halal certificate obligation is stated in Article 4 of the JPH Law, namely, "Products that enter, circulate, and are traded in the territory of Indonesia must be certified halal". The UUJPH also gave birth to a new agency, namely the Halal Product Guarantee Agency (BPJPH) under the Ministry of Religion. With the existence of BPJPH, it is expected to be able to provide protection and guarantee legal certainty that guarantees the halalness of products circulating in the community, that these products are completely safe for consumption by the Muslim community in particular.

In Indonesia, the number of halal certifications is still relatively low. Data from the Institute for the Study of Food, Drugs and Cosmetics (LPPOM MUI) in 2019, the number of new halal certifications is 15,595 products out of 274,796 total products in Indonesia. UUJPH has existed since 2014, so it can be interpreted that the presence of UUJPH has not been effective in increasing awareness of halal certification for Micro, Small and Medium Enterprises (MSMEs).

Halal certification has many benefits for business actors. Muti Arintawati, Deputy Director of the LPPOM MUI Institution, said that halal certificates can increase the competitiveness of MSME products, in addition to other benefits of halal certification, including being responsible for Muslim consumers, increasing trust in consumers, as a marketing tool and being able to improve the image and business actors expand. marketing

network area, benefiting producers by increasing competitiveness, production and sales (Ibnu, 2014).

The implementation of Halal Product Assurance does require collaboration and synergy from various halal stakeholders, as well as government support. From this background, the authors are interested in further researching the effectiveness of the Halal Product Guarantee Act on the awareness of business actors in the registration of halal certification in Indonesia.

## **METHODOLOGY**

The type of research conducted by the author is qualitative field research, where this research intends to understand the phenomena of what is experienced by the research subject, such as behavior, perception, motivation, action. This study uses a juridical research approach, namely research on the effectiveness of the law that discusses how the law is in society. In this paper, the author wants to examine the effectiveness of Law Number 33 of 2014 concerning Halal Product Guarantee on the awareness of business actors in registering halal certification in Indonesia. This research is descriptive-analytical which reveals the laws and regulations relating to legal theories that are the object of research. Thus, the law in its implementation in the community regarding the object of research (Ali, 2016).

## **DISCUSSION**

### **Legal Effectiveness Theory**

When we want to know the extent of the effectiveness of the law, then we can first measure the extent to which the law is obeyed by most of the targets that are the target of its obedience, we will say that the rule of law in question is effective. However, even if it is said that the rules that are obeyed are effective, we can still further question the degree of their effectiveness, because whether a person obeys a rule of law or not depends on his interests. As stated by H. Kelman (Soekanto, 1982), namely:

- a. Obedience that is Compliance, i.e., if someone obeys a rule only for fear of being sanctioned. Obedience as the fulfillment of an acceptance of light that is persuaded by expectations of rewards and an attempt to avoid possible punishment, not because of a strong desire to obey the law from within;
- b. Identification is obedience, i.e., if someone obeys a rule only because he is afraid his good relationship with someone is broken. Identification is an acceptance of a rule not because of its intrinsic value and approach only because of a person's desire to maintain membership in a relationship or group by obedience to it;
- c. Internalization obedience, namely if someone obeys a rule because he really feels that the rule is in accordance with the intrinsic values he adheres to. Internalization is acceptance by an individual's rules or behavior because he or she finds content that is essentially rewarding.

Factors affecting obedience to the law in general include (Soekanto, 1982):

- a. The relevance of the rule of law in general with the legal needs of the people who are the target of the rule of law in general;

- b. Clarity of the formulation of the substance of the rule of law, so that it is easily understood by the target of the enactment of the rule of law;
- c. Optimal socialization to all targets of the rule of law;
- d. If the law in question is a law, then the rule should be prohibitive, and not mandatory, because the prohibiting law is easier to implement than the mandatory law;
- e. Sanctions threatened by the rule of law must be punished by the nature of the rule of law being violated;
- f. The severity of the sanctions threatened in the rule of law must be proportionate and allow for implementation;
- g. The possibility for law enforcers to process if there is a violation of the rule of law is indeed possible because the actions that are regulated and threatened with sanctions are indeed concrete actions, can be seen, observed, therefore it is possible to be processed at every stage;
- h. Legal rules that contain moral norms in the form of prohibitions will be relatively much more effective than legal rules that are contrary to the moral values held by the people who are the targets of enactment of these rules;
- i. The effectiveness or ineffectiveness of a rule in general, also depends on the optimal and unprofessional law enforcement officers to enforce the law;
- j. The effectiveness or ineffectiveness of a rule of law in general also requires the existence of a minimum socio-economic standard of living in society.



Based on the theory of legal effectiveness according to Soerjono Soekanto which states that the effectiveness of a law is determined by 5 factors, namely the legal factor itself, law enforcement factors, facilities or facilities that support law enforcement, community factors, and cultural factors (Soekanto, 1982).

### **Law No. 33 of 2014 concerning Halal Product Guarantee**

Juridically, the state has regulated the issue of halal certification through laws and regulations. But in fact, these rules are still not fully complied with by business actors (Maulida, 2013). To provide a stronger legal umbrella for legal certainty regarding the halalness of a product, on October 17, 2014 the Draft Law on Halal Product Assurance was ratified, then the Halal Product Guarantee Act (UU JPH) was enacted on October 17, 2019. With the enactment of Law Number 33 of 2014 concerning Halal Product Guarantee, the nature of halal certification has changed to mandatory, BPJPH as a regulator, MUI as a fatwa provider, and LPH (Product Halal Inspection Agency) as an examiner.

Referring to Law Number 34 of 2014 concerning Halal Assurance Products, the organizer of this Halal Product Guarantee aims to provide comfort, security, safety, and certainty of the availability of halal products for the public in consuming and using products as well as increasing added value for business actors to produce and sell halal products.

UUJPH is also guaranteed by regulating criminal provisions, be it imprisonment or administrative sanctions or fines against business actors

who do not comply, guarantees JPH law enforcement, and does not maintain product halalness.

The law also states that the authority to manage halal certification is transferred from the MUI to the Halal Product Assurance Agency (BPJPH). However, that does not mean that MUI does not participate in the scope of halal certification, determining the halalness of products through a halal fatwa trial remains the task of MUI. MUI still has a role in the halal certification process. In administering Halal Product Assurance, BPJPH is authorized to:

- a. Formulate and determine JPH policies;
- b. Establish JPH norms, standards, procedures, and criteria;
- c. Issuing and revoking halal certificates and halal labels on products;
- d. Registering halal certificates on foreign products;
- e. Conducting socialization, education, and publication of halal products;
- f. Accrediting LPH;
- g. Supervise JPH;
- h. Conducting Halal Auditor training;
- i. Cooperating with institutions, both at home and abroad in the field of JPH implementation.

This law also provides an opportunity for government agencies or the public to conduct inspection or testing of the halalness of a product by establishing their own LPH. The condition is that the institution must have its own office and equipment, have accreditation from BPJPH, have at least three halal auditors and have a laboratory or cooperation agreement with

other institutions that have laboratories. The differences between halal certification before and after the JPH Law are as follows:

*Table 1 - Differences in Halal Certification Before and After UUJPH*

<b>Before UUJPH</b>	<b>After UUJPH</b>
voluntary	Certification
Indonesian Ulema Council (MUI) as the main institution authorized in the halal certification process	Halal Product Guarantee Agency (BPJPH) as the main institution authorized in the halal certification process Halal
Certification is carried out by non-government or non-governmental organizations	Halal certification is carried out by a Government Institution under the Ministry of Religion
LPPOM MUI as an Institution that conducts audits or inspections of halal products Halal	Inspection Agency (LPH) as an Institution that conducts audits or inspections of halal products
Certificate is valid for 2 years, does not have strong legal legitimacy	Certificate valid for 4 years, has a strong legal certainty guarantee. There are both criminal sanctions and fines for business actors who do not maintain the halalness of products that have been certified halal.
Halal auditors can come from educational backgrounds that are not in accordance with the audit field	Auditors must come from appropriate scientific backgrounds, namely biology, pharmacy, food, biochemistry, industrial engineering, and chemistry.
Short certification flow: Business Actors - LPPOM - MUI - MUI.	Longer certification flow: Business Actors - BPJPH - LPH - BPJPH - MUI.

Halal certificate validity period according to Law Number 33 of 2014 concerning Halal Product Guarantee Article 42, namely "Halal certificates are valid for four years from the date of issuance by BPJPH, unless there is a change in the composition of the ingredients". In Government Regulation

Number 39 of 2021 Article 118 it is stated that the collaboration between BPJPH and MUI is carried out in terms of determining product halalness, which is issued by MUI in the form of a decision to determine product halalness. Based on this, according to Kep-49/DHN-MUI/V/2021 concerning Changes in the Validity Time of the Indonesian Ulama Council's Halal Decree, the validity period of the halal decree becomes four years from the previous two years. After the enactment of the Halal Product Guarantee Act, the halal certificate which was originally valid for two years has now become four years.

The halal certificate must be extended by business actors by submitting a halal certificate renewal no later than three months before the expiration of the halal certificate. The mechanism for renewing the halal certificate is based on the Regulation of the Minister of Religion of the Republic of Indonesia.

### **The Effectiveness of the Law on Awareness of Business Actors in Registration of Halal**

Certification Halal certification is an acknowledgment of the halalness of a product issued by BPJPH based on a written halal fatwa issued by the Indonesian Ulama Council (MUI). Halal certification is a requirement for the inclusion of a halal label; thus, business actors are allowed to include a halal label on their product packaging. So far, many food products do not have a halal certificate, so it is not known whether the product is halal or haram. The provision of halal labels provides certainty of halal status and is also often used as consideration for Muslim consumers in

choosing products. The application of halal certification is a form of good faith by business actors to participate in creating the availability of halal products and food safety.

Consuming halal products has become an obligation for Muslims, besides that halal lifestyle is also increasingly popular in the community. Muslim consumers are increasingly selective in choosing products that are good, safe, and healthy. Products with the halal logo are certainly an added value for Muslim consumers, because their halal status is clear. To include a halal logo, of course, business actors must first undergo a halal certification process.

The issuance of the Law on Halal Product Guarantee is the legal umbrella for the regulation of halal products in Indonesia. Considering that currently the regulation regarding the halalness of a product does not guarantee legal certainty and needs to be regulated in legislation. Law Number 33 of 2014 concerning Guaranteed Halal Products has further strengthened the regulations that have been scattered throughout various laws and regulations. Referring to article 3 of the Halal Product Guarantee Act, the implementation of Halal Product Guarantee aims to provide comfort, security, safety, and certainty of the availability of halal products for the public in consuming and using products, as well as increasing added value for business actors to produce and sell halal products.

Article 4 of the Law on Halal Product Assurance states that products that enter, circulate and trade in the territory of Indonesia must be certified halal. In this way, the halal certification system which was originally voluntary () has become mandatory. The implementation of the mandatory

halal certification has also reaped the pros and cons, especially among business actors. The obligation for halal certification is considered burdensome for business actors, especially for small businesses whose income is not too large. However, apart from that, the presence of a halal certification obligation can be a driving force for business actors in increasing the availability of halal products and increasing added value for business actors.

In Indonesia, the awareness of business actors, especially MSMEs, to carry out halal certification is still minimal. From the data above, it can be seen that the JPH Law which has existed since 2014 has not significantly increased the number of halal-certified products in Indonesia. This problem is closely related to the legal awareness that exists in business actors. Legal awareness actually concerns whether an applicable legal provision is known, understood, or obeyed. The issue of legal awareness has indeed become one of the important objects of study for the effectiveness of a law. It is often stated that the law must be in accordance with the legal awareness of the community. That is, the law must follow the will of the community. In addition, a good law is a law that is in accordance with the feelings of human law (Ahmad, 2007).

Soerjono Soekanto suggested four legal awareness, namely knowledge of law, knowledge of legal content, legal attitude, and legal behavior (Soekanto, 2008). The four legal awareness raised by Soerjono Soekanto is the author's benchmark in knowing the level of awareness of business actors in registering halal certification in Indonesia.

a. Knowledge of the law

Knowledge of the law means that a person knows certain behaviors regulated by written law, namely about what is prohibited and what is allowed. Based on the sampling of business actors in Indonesia, many business actors are not aware of the implementation of the halal certification obligation as regulated in Law Number 33 of 2014 concerning Halal Product Guarantee.

b. Knowledge of legal content

Knowledge of the contents of legal regulations is a number of information owned by a person regarding the contents of legal rules (written), namely regarding the contents, objectives, and benefits of these regulations. From the sampling data, many business actors in Indonesia do not understand the content, purpose, and benefits of Law Number 33 of 2014 concerning Halal Product Guarantee. However, they understand that halal certification is a requirement for the inclusion of halal labels on product packaging.

c. Legal attitude

Legal attitude is a tendency to accept or reject the law because of an appreciation or realization that the law is beneficial or not beneficial for human life. From the sampling data, business actors in Indonesia realize how important halal products are, especially for Muslim consumers. However, the existence of this halal certification obligation is felt to be burdensome for business actors, especially small businesses or home industries with small incomes.

d. Patterns of legal behavior

Patterns of legal behavior are about whether or not a rule of law is in effect in society. If a rule of law applies, to what extent does it apply and the extent to which society obeys it. From the results of the sampling of business actors in Indonesia, this does not happen.

The data above shows that business actors in Indonesia have not complied with the applicable regulations. Although business actors believe that the products used do not contain haram elements and are willing to comply in the future, in fact there is no halal certification yet. Based on the data that has been collected by the authors for business actors in several regions in Indonesia, it can be seen that the level of legal awareness of business actors in registering halal certification is still very low. This can be proven from the knowledge and understanding of business actors regarding halal certification. In addition, it can also be seen from the minimal number of halal-certified products until 2019.

Furthermore, to find out the effectiveness of the implementation of legislation or legal rules in the community, it must be able to measure the extent to which the law is adhered to by most of the targets set. become the object of obedience, we can say that the law in question is effective. However, even though it can be said that the rules that are obeyed are effective, we can still further question the degree of effectiveness because a person obeys or does not obey a rule of law depending on his interests (Ali, 2009). As stated by H. Kelman, namely (Soekanto, 2008):

- a. Obedience that is Compliance, i.e., if someone obeys a rule only because he is afraid of being sanctioned. Obedience as the fulfillment of an acceptance of light induced by expectations of rewards and an attempt



- to avoid possible punishment, not because of a strong desire to obey the law from within that is obedience
- b. that is Identification, if someone obeys a rule only because he is afraid that his good relationship with someone will be damaged. Identification is an acceptance of a rule not because of its intrinsic value and approach only because of a person's desire to maintain membership in a relationship or group by obedience to it.
  - c. Obedience Internalization, namely if someone obeys a rule because he really feels that the rule is in accordance with the intrinsic values he adheres to. Internalization is acceptance by an individual's rules or behavior because he finds content that is essentially rewarding.

Based on the results of the author's analysis, the level of awareness of business actors in Indonesia in registering for halal certification is included in the low category, as well as the degree of compliance of business actors with Law Number 33 of 2014 concerning Halal Product Guarantee which is still very low. This is proven very strongly from the comparison of the number of products circulating in Indonesia until 2019 as 274,796, but only 15,495 are halal certified.

Legal awareness and legal compliance are two things that will determine the effectiveness or not of implementing legislation in society. Above the author has explained how the legal awareness of business actors in Indonesia in registering for halal certification and the level of obedience of business actors to the obligations of halal certification as regulated in Law Number 33 of 2014 concerning Halal Product Guarantee. Next, the author

will analyze how effective the Halal Product Guarantee Act is for business actors in registering for halal certification.

In this study, the authors use the theory of legal effectiveness from Soerjono Soekanto to analyze the effectiveness of Law Number 33 of 2014 concerning Halal Assurance on the awareness of business actors in Indonesia. The theory of legal effectiveness according to Soerjono Soekanto that whether or not a law is effective is determined by 5 (five) factors, namely (Soekanto, 2008):

- a. The legal factor itself (Law);
- b. Law enforcement factors, namely the parties that form and apply the law;
- c. Factors of facilities or facilities that support law enforcement;
- d. Community factors, namely the environment in which the law applies or is applied;
- e. Cultural factors, namely as a result of work, creativity and taste based on human initiative in social life.

Legal factor itself. The since it was ratified in 2014 the implementation of the Halal Product Assurance Law has only come into force on October 17, 2019. After its enactment in 2019, the Halal Product Assurance Law still takes time because the halal certification obligation is carried out in stages. In the first stage, obligations will be applied to food and beverage products, as well as service products related to both.

Then the government's delay in issuing Government Regulations regarding the implementation of the Halal Product Guarantee Act, in article 65 of the JPH Law it is stated that "The implementing regulations for this Law must be enacted no later than two years from the promulgation of this

Law.", which means that the implementing regulation in question should have been issued in 2016. However, the reality is that the Implementing Regulations only came out in May 2019, which means the Implementing Regulations of the JPH Law are three years behind what is mandated in Article 65 of the JPH Law. In addition, delays also occurred in the issuance of Ministerial regulations. Both the Regulation of the Minister of Religion and the Regulation of the Minister of Finance. Because the JPH Law also mandates that a Ministerial Regulation be issued to support the implementation of the Halal Product Guarantee. It can be said that the government violates legal provisions in implementing the Act. So, in terms of legal substance, the normative framework of the Halal Product Guarantee Act is still not perfect.

One of the salient characteristics of the JPH Law is that halal certification, which was originally voluntary has become mandatory, this has also caused problems, the obligation of halal certification is considered burdensome for business actors. This is also felt by business actors in Indonesia, especially MSME business actors.

Law Enforcement Factors. The presence of the Halal Product Guarantee Law gave birth to a new institution, namely the Halal Product Guarantee Agency which was formed under the auspices of the Ministry of Religion. The JPH Law also transfers the authority for halal certification from LPPOM MUI to BPJPH. Due to the lack of optimal law enforcement for halal certification that occurs in Indonesia, products circulating without a halal label are still very easy to find, this is also due to the lack of supervision of halal products in industrial centers. This will have an impact on the

availability of halal food products as well as the certainty of the halal status of a product for consumers, especially Muslim consumers.

Factors of Facilities and Infrastructure, lack of socialization and education to the public, especially among business actors who incidentally the targets or targets of implementing the halal certification obligations mandated in the Halal Product Guarantee Act. Most business actors in Indonesia have not received socialization or education related to guaranteeing halal products. In addition, the lack of special attention regarding the financing of halal certification in the home industry has made business actors not yet registered for halal certification. With adequate facilities and infrastructure, it is likely that the Product Guarantee Act will be implemented much more effectively.

Community factor, from the results of the study, it can be seen that many business actors have not complied with the Halal Product Guarantee Act. In addition, it turns out that business actors do not understand the existence of halal certification obligations as mandated in Law Number 33 of 2014 concerning Halal Product Guarantee. The understanding and awareness of business actors who are still weak makes the implementation of halal certification not work. Knowledge about halal certification among business actors is only limited to knowing in general and not specifically. From the data obtained, it is not only a matter of halal certification, to administer a Business Permit Number (NIB), many business actors do not register their business.

Culturally, these factors are the dominant influence on the enforcement of halal certification obligations in Indonesia. Business actors

believe that their products are halal, even though they do not have a halal certificate, because during production they do not use haram ingredients. So far, business actors have also admitted that they have never received a warning for their products that do not have a halal label on the packaging. This happens because the halal label does not have much effect when the product enters the traditional market, even from the information obtained by PIURT there is also no problem.

Based on the five indicators of the effectiveness of the Act, the authors consider that Law Number 33 of 2014 concerning Halal Product Guarantee has not been implemented effectively. This can be seen both from the aspect of the legal substance and the legal structure itself. Until now, the presence of the Halal Product Guarantee Act has not been fully felt by the public, especially among business actors.

In addition, when viewed from a total of 274,796 products in Indonesia, only 15,495 are halal certified. The awareness of business actors in registering for halal certification is still very low. The data shows that business actors have not complied with Law Number 33 of 2014 concerning Halal Product Guarantee.

## CONCLUSION

Based on the research above, it can be concluded that the effectiveness of the Halal Product Guarantee Act on the awareness of business actors in the registration of halal certification in Indonesia has not been effective and has not had a significant influence on the acceleration of

the number of halal product certifications in Indonesia. The low number of business actors who register for halal certification is influenced by legal awareness, namely: knowledge of legal regulations, knowledge of legal content, legal attitudes, and legal behavior. It is concluded that business actors in Indonesia have a low level of legal awareness in registering for halal certification. Many business actors do not know about the obligation of halal certification. There are also business actors who already know about halal certification, but have not yet arrived at compliance and carrying out the mandate of the JPH Law.

The things to support the effectiveness of the Halal Product Guarantee Act in Indonesia in the future include:

- a. Improving the literacy of business actors and the Indonesian people towards the Halal Product Guarantee Act;
- b. Socialization and education to raise awareness of business actors in registering for halal certification.
- c. The optimization of halal certification acceleration programs by BPJPH includes: SEHATI Program (Free Halal Certificate) for MSME Actors, Self Declaration, Halal certification assistance by Halal Product Assistant (PPH). [W]

## REFERENCES

Ahmad, Beni. 2007. *Sosiologi Hukum*. Bandung: Pustaka Setia.

- Ali, Achmad. 2009. *Menguak Teori Hukum (Legal Theory) Dan Teori Peradilan (Judicialprudence) Termasuk Interpretasi Undang-Undang (Legisprudence)*. Jakarta: Kencana.
- Ali, Zainuddin. 2016. *Metode Penelitian Hukum Cetakan Ketujuh*. Jakarta: Sinar Grafika.
- Fathoni, Muhammad Anwar. 2020. "Potret Industri Halal Indonesia: Peluang Dan Tantangan." *Jurnal Ilmiah Ekonomi Islam* 6, No. 3: 428–35.
- Frastawan, Devid, Amir Sup, Annas Syams, Rizal Fahmi, Faridl Noor Hilal, and Muhammad Irkham Firdaus. 202. "Dinamika Regulasi Sertifikasi Halal di Indonesia." *JESI (Jurnal Ekonomi Syariah Indonesia)* 10, No. 1: 37–45.
- Honggowibowo, Anton Setiawan. 2009. "Sistem Pakar Diagnosa Penyakit Tanaman Padi Berbasis Web Dengan Forward Dan Backward Chaining." *Telkomnika* 7, No. 3: 187.
- Ibnu, Muhammad. 2014. *Label: Antara Spiritualis Bisnis Dan Komoditas Agama*. Malang: Madani.
- Maulida, Rahmah. 2013. "Urgensi Regulasi Dan Edukasi Produk Halal Bagi Konsumen." *Justicia Islamica* 10, No. 2.
- Moleong. Lexy J. 2008. *Metode Penelitian Kualitatif*. Bandung: Remaja Rosdakarya.
- Muhtadi, Tubagus Yudi. 2020. "Perbandingan Mekanisme Sertifikasi Produk Halal Antara Indonesia Dengan Malaysia." *Pelita: Jurnal Penelitian Dan Karya Ilmiah*, 32–43.
- Soekanto, Soerjono. 1976. *Beberapa Permasalahan Hukum Dalam Kerangka Pembangunan di Indonesia*. Jakarta, Universitas Indonesia dan Yayasan Penerbit Universitas Indonesia.
- Soekanto, Soerjono. 1982. *Kesadaran Hukum dan Kepatuhan Hukum*. Jakarta: Rajawali Pers.

- Soekanto, Soerjono. 2008. *Faktor-Faktor Yang Mempengaruhi Penegakan Hukum*. Jakarta: Raja Grafindo Persada.
- Syafrida, Syafrida. 2016. "Sertifikat Halal Pada Produk Makanan Dan Minuman Memberi Perlindungan Dan Kepastian Hukum Hak-Hak Konsumen Muslim." *ADIL: Jurnal Hukum* 7, No. 2: 159–74.
- Syarifuddin, Amir. 2009. *Ushul Fiqh*. Jakarta: Kencana.
- Usman, Sabian. 2009. *Dasar-Dasar Sosiologi*. Yogyakarta: Pustaka Belajar.
- Wibowo T. Tunardy. "Pengertian Pelaku Usaha Serta Hak Dan Kewajiban Pelaku Usaha," n.d. <https://www.jurnalhukum.com/pengertian-pelaku-usaha/>.

**Legislation:**

- "Peraturan Pemerintah No. 69 Tahun 1999 Tentang Label Dan Iklan Pangan." Tambahan Lembaran Negara RI Tahun, no. 3867 (1999)."
- "Undang-Undang No. 8 Tahun 1999 Tentang Perlindungan Konsumen." Lembaran Negara RI Tahun 8 (1999)."
- "Naskah Akademik Rancangan Undang-Undang Jaminan Produk Halal," n.d."
- "Peraturan Menteri Agama Republik Indonesia Nomor 26 Tahun 2019 Tentang Penyelenggaraan Jaminan Produk Halal." Tambahan Lembaran Negara RI Tahun, 2019."
- "Undang-Undang No. 34 Tahun 2014 Tentang Jaminan Produk Halal." Lembaran Negara RI Tahun, 2014.
- "Undang-Undang No. 7 Tahun 1996 Tentang Pangan." Lembaran Negara RI Tahun 3656 (1996)."