

Oversight And Law Enforcement Gaps In Halal Certification Of Imported Products In Indonesia

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Abstract

This study aims to analyze the implementation gaps in the halal product certification system concerning the supervision and law enforcement of halal-certified imported products in Indonesia, particularly in strengthening consumer protection within the global halal trade system. The study employs a qualitative method with a normative juridical approach based on library research. Data were obtained from legislation, institutional reports, court decisions, and relevant academic literature, which were analyzed using the perspectives of law enforcement theory, public policy, halal supply chain management, and *maqāṣid al-syarī'ah*. The findings reveal that Indonesia has established a relatively comprehensive regulatory framework through Law No. 33 of 2014 on Halal Product Assurance; however, its implementation remains suboptimal due to institutional fragmentation, overlapping authority among agencies, weak post-certification supervision, limited cross-border verification mechanisms, and the lack of an integrated risk-based monitoring system for imported products. Law enforcement is also constrained by inconsistent sanction implementation, weak inter-agency coordination, and limited supervisory capacity, which potentially undermines public trust in halal certification. Furthermore, differences in international halal standards and the complexity of global supply chains create additional challenges in ensuring halal integrity for imported products. The implications of this study emphasize the necessity of strengthening collaborative governance, harmonizing institutional authority, enhancing digital-based risk supervision, and integrating the principles of *maqāṣid al-syarī'ah* into halal consumer protection policies to improve legal certainty, regulatory effectiveness, and public trust in the halal certification system in Indonesia.

Keywords: Consumer Protection, Halal Certification, Imported Products, Law Enforcement, Halal Governance.

Abstrak

Penelitian ini bertujuan untuk menganalisis kesenjangan implementasi sistem sertifikasi produk halal mengenai pengawasan dan penegakan hukum produk impor bersertifikat halal di Indonesia, khususnya dalam memperkuat perlindungan konsumen dalam sistem perdagangan halal global. Penelitian ini menggunakan metode kualitatif dengan pendekatan yuridis normatif berdasarkan penelitian perpustakaan. Data diperoleh dari undang-undang, laporan kelembagaan, putusan pengadilan, dan literatur akademik yang relevan, yang dianalisis menggunakan perspektif teori penegakan hukum, kebijakan publik, manajemen rantai pasok halal, dan *maqāṣid al-syarī'ah*. Temuan tersebut mengungkapkan bahwa Indonesia telah menetapkan kerangka peraturan yang relatif komprehensif melalui Undang-Undang No. 33 Tahun 2014 tentang Jaminan Produk Halal; Namun, implementasinya tetap tidak optimal karena fragmentasi kelembagaan, tumpang tindih kewenangan antar lembaga, lemahnya pengawasan pasca-sertifikasi, terbatasnya mekanisme verifikasi lintas batas, dan kurangnya sistem pemantauan berbasis risiko yang terintegrasi untuk produk impor. Penegakan hukum juga dibatasi oleh penerapan sanksi yang tidak konsisten, koordinasi antar lembaga yang lemah, dan kapasitas pengawasan yang terbatas, yang berpotensi merusak kepercayaan publik terhadap sertifikasi halal. Selain itu, perbedaan standar halal internasional dan kompleksitas rantai pasokan global menciptakan tantangan tambahan dalam memastikan integritas halal untuk produk impor. Implikasi dari penelitian ini menekankan perlunya penguatan tata kelola

kolaboratif, harmonisasi otoritas kelembagaan, peningkatan pengawasan risiko berbasis digital, dan mengintegrasikan prinsip-prinsip maqāṣid al-syar'ah ke dalam kebijakan perlindungan konsumen halal untuk meningkatkan kepastian hukum, efektivitas regulasi, dan kepercayaan publik terhadap sistem sertifikasi halal di Indonesia.

Kata kunci: Perlindungan Konsumen, Sertifikasi Halal, Produk Impor, Penegakan Hukum, Tata Kelola Halal.

Introduction

The development of the global halal industry over the past decade has shown a significant growth trend and increasing integration into the international trade system. The State of the Global Islamic Economy (SGIE) report notes that global Muslim consumer spending on the halal food and beverage sector has exceeded USD 1.3 trillion and is projected to continue rising in line with the growth of the global Muslim population.¹ Indonesia, as the country with the largest Muslim population in the world, holds a strategic position, both as a major market and as a key player in the global halal product supply chain. In this context, the influx of halal-labeled imported products has become an inevitable phenomenon, while simultaneously posing serious challenges regarding oversight and law enforcement in consumer protection.

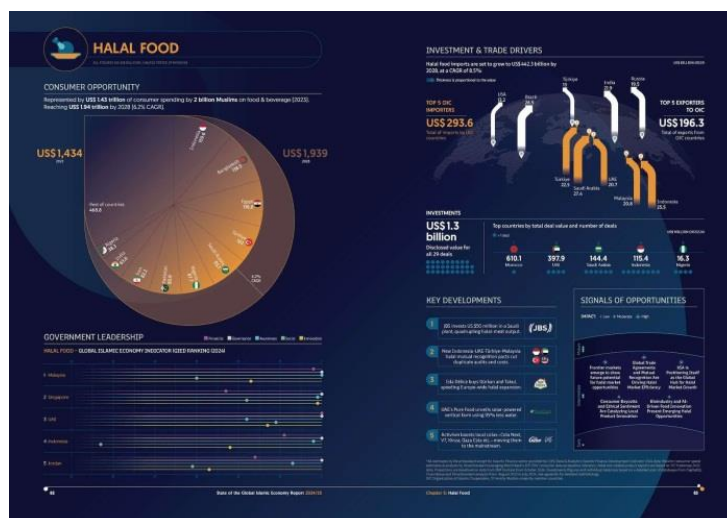


Figure 1. State of the Global Islamic Economic Report

Normatively, Indonesia already has a relatively comprehensive legal framework through Law No. 33 of 2014 on Halal Product Assurance (UU JPH), which mandates halal certification for products distributed in Indonesia. This policy is reinforced by the establishment of the Halal Product Guarantee Agency (BPJPH) as an administrative authority that collaborates with the Indonesian Ulema Council (MUI) and halal inspection bodies. Several studies indicate that Indonesia's halal regulations are among the most ambitious globally due to their adoption of a mandatory certification approach.² However, the complexity of implementing this policy increases significantly when dealing with imported products originating from various jurisdictions with differing standards and certification mechanisms.

¹DinarStandard, "State of the Global Islamic Economy 2025," 2025, <https://www.dinarstandard.com/insights/sgier-2024-25>.

² Muhammad Rizki Dwi Nurdiansyah, "Sinergitas Akselerasi Lembaga Badan Penyelenggara Jaminan Produk Halal Dan Lembaga Pemeriksa Halal Dalam Implementasi Sertifikasi Halal Industri Di Indonesia," *Journal of Halal Industry Studies* 2, no. 1 (June 2023): 39–48, <https://doi.org/10.53088/jhis.v2i1.566>.

From a consumer protection perspective, halal labeling is not merely product information but a symbol of religious and moral assurance concerning beliefs, health, and citizens' constitutional right to receive accurate and non-misleading information.³ Research by Maifiah (2017), revealed that the level of consumer trust in halal labels is significantly influenced by the credibility of certification bodies and the effectiveness of government oversight.⁴ Muslichah (2019) also found that awareness is a key factor in shaping a Muslim's intention to purchase halal food.⁵ Therefore, weak oversight of halal-labeled imported products has the potential to undermine public trust and create market uncertainty.

As the volume of international trade increases, so does the risk of imported products entering the market that do not meet national halal standards. Several cases of counterfeit halal labels and differences in certification standards between countries highlight gaps in cross-border verification and oversight mechanisms.⁶ These findings align with those of Revin & Suradi (2017) and Putra et al. (2022), who argue that given the prevalence of counterfeit halal labeling on imported products, there must be active and rigorous oversight by the MUI, BPJPH, BPOM, and relevant agencies in the halal product certification process.⁷

In addition, many halal certifications containing pork-derived ingredients have been identified; as the findings of Mardhatillah & Lubis (2026) indicate, the weak post-certification oversight and the lack of good faith on the part of business operators are the primary factors contributing to halal product violations.⁸ Similarly, Atmawati (2024) findings indicate the existence of loopholes in the oversight system, inconsistencies in halal labeling, and weak law enforcement.⁹ In the context of supply chain globalization, halal assurance no longer stops at the production stage but must encompass distribution, logistics, and marketing. This requires

³ Sazelin Arif and Safiah Sidek, "Application of Halalan Tayyiban in the Standard Reference for Determining Malaysian Halal Food," *Asian Social Science* 11, no. 17 (June 2015): p116, <https://doi.org/10.5539/ass.v11n17p116>; Timothy D. Lytton, "Private Third-Party Verification of Product Claims: Lessons from Kosher Certification," in *Research Handbook on International Food Law*, ed. Michael T. Roberts (Edward Elgar Publishing, 2023), 387–408, <https://doi.org/10.4337/9781800374676.00033>.

⁴ M. H. M. Maifiah et al., "Malaysian Muslim Consumers' Awareness, Confidence, and Purchase Behaviour on Halal Meat and Its Products after the Meat Cartel Scandal," *Food Research* 6, no. 6 (December 2022): 273–79, [https://doi.org/10.26656/fr.2017.6\(6\).714](https://doi.org/10.26656/fr.2017.6(6).714).

⁵ M. Muslichah, Rose Abdullah, and Lutfi Abdul Razak, "The Effect of Halal Foods Awareness on Purchase Decision with Religiosity as a Moderating Variable: A Study among University Students in Brunei Darussalam," *Journal of Islamic Marketing* 11, no. 5 (August 2019): 1091–104, <https://doi.org/10.1108/JIMA-09-2017-0102>.

⁶ Yusra Jamil Memon et al., "Religiosity as a Moderator between Theory of Planned Behavior and Halal Purchase Intention," *Journal of Islamic Marketing* 11, no. 6 (November 2019): 1821–36, <https://doi.org/10.1108/JIMA-01-2019-0006>.

⁷ Irena Revin and Islamiyati Suradi, "Perlindungan Hukum Bagi Konsumen Terhadap Adanya Pemalsuan Labelisasi Halal Pada Produk Pangan Impor," *Diponegoro Law Journal* 6, no. 2 (2017): 1–14, <https://ejournal3.undip.ac.id/index.php/dlr/article/view/17442>; Yana Arnanda Putra, Dharu Triasih, and Dian Septiandani, "Perlindungan Hukum Bagi Konsumen Dan Product Liability Dalam Produk Mi Instan Impor Bersertifikat Halal Palsu Di Semarang," *Semarang Law Review (SLR)* 3, no. 2 (2022): 1–12, <https://scholar.archive.org/work/4h2v4jmydfdlhl6rjxi4eksxle/access/wayback/https://journals.usm.ac.id/index.php/slr/article/download/5562/pdf>.

⁸ Amelia Mardhatillah and Zulpahmi Lubis, "Perlindungan Terhadap Konsumen Atas Makanan Yang Tersertifikasi Halal Mengandung Unsur Babi (Porcine)," *Legal Standing: Jurnal Ilmu Hukum* 10, no. 1 (2026): 93–105, <http://journal.umpo.ac.id/index.php/LS/article/view/13357>.

⁹ Emma Atmawati, "Halal Certification and Consumer Protection: Legal Review of the Marshmallow Pork-Gelatin Case: Sertifikasi Halal Dan Upaya Perlindungan Konsumen: Tinjauan Hukum Atas Kasus Marshmallow Berbahan Gelatin Babi," *Az-Zarqa': Jurnal Hukum Bisnis Islam* 16, no. 2 (2024): 253–75, <https://journal.uin-suka.ac.id/syariah/azzarqa/article/view/4188>.

an integrated, risk-based oversight system, particularly in strategic sectors such as processed foods, imported meat, and pharmaceutical products.

These previous studies indicate significant gaps in the halal consumer protection system, particularly regarding regulatory implementation, business operator awareness, and socio-religious dimensions. Although the legal framework for halal certification has been established through Law No. 33 of 2014 on Halal Product Assurance, the reality on the ground reveals a disconnect between policy design at the central level and operational practices, which are influenced by structural and technical barriers. Furthermore, the effectiveness of supervision and law enforcement remains weak, particularly regarding imported products and large-scale, high-risk products, thereby creating loopholes for violations such as the inclusion of halal labels on products containing haram ingredients.

Low legal literacy and a lack of awareness among business operators, particularly in the small business and livestock sectors, have also slowed down the certification process and undermined consumer protection efforts. On the other hand, the state's role has not yet been fully optimized as an agent of education and socio-religious transformation within the halal food production and distribution chain. The integration of the Maqāṣid Asy-Syarī'ah principles into consumer protection policies has also not been substantively implemented, even though these principles are crucial for ensuring the public interest and maintaining public trust. Furthermore, there is still limited research examining social impacts, including the phenomena of moral panic and disinformation regarding product halal issues, which have the potential to influence public perception and levels of trust in the halal product assurance system.

The novelty of this study lies in the development of a multidisciplinary and integrative approach to strengthening the halal consumer protection system, with a focus on the effectiveness of oversight, the consistency of sanctions enforcement, and inter-agency coordination in overseeing the implementation of Law No. 33 of 2014 on Halal Product Assurance. This study not only combines normative and empirical legal analysis to assess the alignment between regulations and on-the-ground practices but also integrates the Maqāṣid Asy-Syarī'ah perspective and moral panic theory to understand the moral and spiritual dimensions, as well as the dynamics of public trust in halal labeling. Through in-depth case studies of imported products and findings of counterfeit halal labels, this research presents specific empirical evidence regarding oversight gaps in strategic sectors that have been under-explored. Conceptually, this study also offers a holistic model of halal consumer protection, grounded in religious values, and responsive to social, legal, and ethical challenges in ensuring the halal status of products in the market.

Based on the issues outlined by the author, this study aims to examine strategies for monitoring and law enforcement systems in the protection of consumers of halal-labeled imported products through a multidisciplinary approach. Theoretically, this study contributes to the development of consumer protection law and Islamic economics through an analysis of the implementation of Law No. 33 of 2014 on Halal Product Assurance, integrating the perspectives of Maqāṣid Asy-Syarī'ah and the theory of moral panic within the halal oversight system. Practically, the findings of this study are expected to serve as a basis for strengthening coordination and the effectiveness of oversight by the Halal Product Guarantee Agency and the

Indonesian Ulama Council to ensure legal certainty and public trust in halal products, particularly imported products.

Method

This study employs a normative juridical approach within a qualitative research design, conducted entirely through library research. The normative juridical method was chosen because this study aims to analyze the alignment between legal norms and their implementation in the halal certification system, particularly regarding oversight and law enforcement of imported products.¹⁰ This approach is most appropriate for examining the consistency of legislation, institutional authority, and legal liability as presented in Law No. 33 of 2014 on Halal Product Assurance and its implementing regulations.¹¹ Library research serves as the primary data collection technique, as the research relies on secondary data in the form of statutory regulations, court decisions, official reports from BPJPH, MUI, and BPOM, and relevant academic literature.¹² This method enables a comprehensive doctrinal analysis of regulatory frameworks and policy implementation gaps.¹³ To achieve a holistic understanding, this study integrates a multidisciplinary perspective by applying law enforcement theory, public policy theory, halal supply chain management, and the *maqāṣid al-syarī'ah* framework. These theoretical lenses were selected to analyze not only the legal aspects but also the institutional, economic, and ethical dimensions of halal governance.¹⁴ Data analysis was carried out through inventory and classification of legal materials, grammatical, systematic, and teleological interpretation, and conceptual comparative analysis to identify disharmony and implementation gaps. The validity of the findings was ensured through source triangulation and document cross-verification, resulting in logically consistent and academically accountable conclusions.¹⁵

Result and Discussion

Regulatory Disharmony and Institutional Complexity

These findings are consistent with empirical research conducted at the local level, such as that carried out in Bima City, which shows that although most fast-food MSMEs support

¹⁰ Jonaedi Efendi and Johnny Ibrahim, *Metode Penelitian Hukum: Normatif dan Empiris* (Prenada Media, 2018).

¹¹ Soerjono Soekanto and Sri Mamudji, *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*, 1st ed., 17 (Jakarta: Rajawali Pers, 2015).

¹² Eva Achjani Zulfa et al., "Regulation and Law Enforcement on the Protection of Halal Products in Indonesia," *Cogent Social Sciences* 9, no. 2 (December 2023): 2273344, <https://doi.org/10.1080/23311886.2023.2273344>.

¹³ Lukman Santoso and Abdul Rachman, "Digitalising Halal Certification: The Dynamic of Regulations and Policies Concerning Halal Certification in Indonesia," *Supply Chain Management* 14, no. 2 (2023): 265–93, https://www.researchgate.net/profile/Abdul-Rachman-8/publication/377729787_Digitalising_Halal_Certification_The_Dynamic_of_Regulations_and_Policies_Concerning_Halal_Certification_in_Indonesia/links/66bb692651aa0775f2807afa/DIGITALISING-HALAL-CERTIFICATION-The-Dynamic-of-Regulations-and-Policies-Concerning-Halal-Certification-in-Indonesia.pdf.

¹⁴ Sharifah Azwani Syed Hamzah et al., "A STRUCTURED REVIEW: HALAL REGULATORY SYSTEM," *Journal of Tourism, Hospitality and Environment Management* 9, no. 38 (December 2024): 259–89, <https://doi.org/10.35631/JTHEM.938018>.

¹⁵ Jhon W. Creswell and Cheryl N. Poth, *Qualitative Inquiry and Research Design: Choosing Among Five Approaches* (California: SAGE Publication, 2018), [https://books.google.co.id/books?hl=id&lr=&id=DLbBDQAAQBAJ&oi=fnd&pg=PP1&dq=Qualitative+Inquiry+and+Research+Design:+Choosing+Among+Five+Approaches+\(4th+ed.\)&ots=-it59dDOTx&sig=Fs6JaQf2XhGQc6Fa5HVUuhCnWU0&redir_esc=y#v=onepage&q=Qualitative%20Inquiry%20and%20Research%20Design%3A%20Choosing%20Among%20Five%20Approaches%20\(4th%20ed.\)&f=false](https://books.google.co.id/books?hl=id&lr=&id=DLbBDQAAQBAJ&oi=fnd&pg=PP1&dq=Qualitative+Inquiry+and+Research+Design:+Choosing+Among+Five+Approaches+(4th+ed.)&ots=-it59dDOTx&sig=Fs6JaQf2XhGQc6Fa5HVUuhCnWU0&redir_esc=y#v=onepage&q=Qualitative%20Inquiry%20and%20Research%20Design%3A%20Choosing%20Among%20Five%20Approaches%20(4th%20ed.)&f=false).

mandatory halal certification, their understanding of the process and its benefits remains limited, thereby underscoring the importance of strengthening oversight and public awareness efforts in the implementation of the national halal product assurance system.¹⁶

Relevant literature indicates that Indonesia has established a relatively strong regulatory foundation for the governance of halal product assurance through Law No. 33 of 2014 on Halal Product Assurance (the Halal Product Assurance Law) and its implementing regulations. However, various studies over the past five years confirm that the main challenges no longer lie in a regulatory vacuum, but rather in issues of institutional coordination, institutional capacity, the integration of oversight systems, and adaptation to the dynamics of the global supply chain. The fragmentation of authority among the BPJPH, MUI, BPOM, LPH, and trade and customs authorities contributes to the emergence of implementation gaps, particularly in the supervision of imported products and pre-market and post-market control mechanisms.

The analysis shows that, from a normative perspective, Indonesia has established a comprehensive legal framework through the JPH Law, which implements a mandatory halal certification system. This regulation strengthens the state's role in ensuring legal certainty and protecting Muslim consumers. However, at the implementation level, there is a fragmentation of authority among the BPJPH as the administrative regulator, the MUI as the halal fatwa authority, the BPOM in food and drug safety oversight, and trade and customs agencies in the oversight of imported goods. This sectoral structure of authority creates the potential for overlap, duplication of procedures, and even gaps in oversight at certain phases of the product control cycle.

This phenomenon aligns with the findings of Zulfa et al. (2023), who assert that the primary issue regarding the protection of halal products in Indonesia does not lie in the absence of regulations, but rather in the effectiveness of inter-agency coordination and the integration of risk-based oversight systems.¹⁷ The study indicates that weak data interoperability and the suboptimal digitization of the certification system hinder the accelerated implementation of halal policies. In line with this, Nurdiansyah (2023) highlights that synergy between the BPJPH and Halal Inspection Agencies (LPH) still faces technical and administrative obstacles, as well as limitations in halal auditors, particularly in responding to the surge in certification requirements for micro-businesses and imported products.¹⁸

Recent literature also expands the analysis to the context of global governance. Hamzah et al. (2024) emphasize that halal oversight in the era of global supply chains requires the harmonization of standards and mutual recognition arrangements (MRAs) among countries. Without strong cross-jurisdictional coordination, domestic halal certification risks facing bottlenecks in the verification process for imported raw materials.¹⁹ This is reinforced by

¹⁶ Amrin Amrin, Al Mumtahanah Al Mumtahanah, and Mas'udatul Fitriyah, "Response of Micro, Small and Medium Enterprises (Ukm) Fast Food to the Obligation of Halal Certification in Bima Town Indonesia," *Yurisprudencia: Jurnal Hukum Ekonomi* 9, no. 1 (May 2023): 1–21, <https://doi.org/10.24952/yurisprudencia.v9i1.6772>.

¹⁷ Zulfa et al., "Regulation and Law Enforcement on the Protection of Halal Products in Indonesia."

¹⁸ Nurdiansyah, "Sinergitas Akselerasi Lembaga Badan Penyelenggara Jaminan Produk Halal Dan Lembaga Pemeriksa Halal Dalam Implementasi Sertifikasi Halal Industri Di Indonesia."

¹⁹ Sharifah Azwani Syed Hamzah et al., "A Structured Review: Halal Regulatory System," *Journal of Tourism, Hospitality and Environment Management* 9, no. 38 (December 2024): 259–89, <https://doi.org/10.35631/JTHEM.938018>.

Nowaz et al. (2025), who assert that the complexity of the raw material supply chain demands a supervision model based on a digitally integrated traceability system.²⁰

From a public administration perspective, this situation reflects an implementation gap between policy design and policy execution. Wiryanto et al. (2024) demonstrate that the top-down implementation model in halal policy has not fully accommodated the capacity of local bureaucracies and the dynamics of business actors.²¹ Within the framework of collaborative governance theory, Gash (2022) whose work remains conceptually relevant emphasizes that the effectiveness of multi-stakeholder policies is heavily determined by trust-building, shared understanding, and both formal and informal coordination mechanisms.²² Furthermore, the study by Thalhah et al. (2024) underscores the importance of integrating pre-market and post-market oversight based on risk-based regulation within the halal product assurance system. They found that post-market oversight of imported products remains relatively weak due to limited coordination between customs authorities and halal regulators.²³ This finding is reinforced by Tan et al. (2023), who demonstrate that overlapping jurisdictions in food product oversight have the potential to lead to regulatory inefficiency.²⁴

In the context of consumer protection, Azizah (2022) emphasizes that certainty regarding halal status is part of the constitutional rights of Muslim consumers; thus, a lack of coordination among institutions weakens the guarantee of legal protection.²⁵ Meanwhile, Fitri et al. (2025) highlight the importance of strengthening the institutional capacity of the BPJPH through bureaucratic reform, increasing the number of auditors, and strengthening an integrated halal information system to address administrative barriers.²⁶

Research by Dwijaya et al. (2024) shows that the effectiveness of halal policies in Indonesia is strongly influenced by the network governance model, in which interactions among state actors, fatwa institutions, business operators, and international partners determine the quality of implementation.²⁷ The study concludes that strengthening collaborative

²⁰ Thania Nowaz et al., “Beyond Traceability: Leveraging Opportunities and Innovation in Chain of Custody Standards for the Mining Industry,” *Mining* 5, no. 4 (September 2025): 61, <https://doi.org/10.3390/mining5040061>.

²¹ Wisber Wiryanto et al., “Development of Halal Tourism Policies in Indonesia after DSN-MUI Fatwa Number 108/DSNMUI/X/2016: Preliminary Insights,” *BIO Web of Conferences* 146 (2024): 01097, <https://doi.org/10.1051/bioconf/202414601097>.

²² Alison Gash, “Collaborative Governance,” in *Handbook on Theories of Governance*, ed. Christopher Ansell and Jacob Torfing (Edward Elgar Publishing, 2022), <https://doi.org/10.4337/9781800371972.00053>.

²³ Thalhah et al., “From Certification to Consumption: Shariah-Compliant Postmarket Halal Assurance,” *Hikmatuna: Journal for Integrative Islamic Studies* 10, no. 2 (December 2024): 176–86, <https://doi.org/10.28918/hikmatuna.v10i2.9042>.

²⁴ Lingbo Tan et al., “A Dynamic Game Model for the Study of Food Safety Regulation Based on Sampling Probability and Penalty Intensity,” *Applied Economics Letters* 30, no. 13 (July 2023): 1780–83, <https://doi.org/10.1080/13504851.2022.2082368>.

²⁵ Siti Nur Azizah, “Protection of Halal Product Guarantee for Muslim Consumers in Facing The ASEAN Economic Community (AEC),” *International Journal of Criminal Justice Sciences* 17, no. 2 (2022): 153–66, <https://ijcjs.com/menu-script/index.php/ijcjs/article/view/525>.

²⁶ Anisa Tul Fitri, Ahmad Wira, and Aidil Novia, “Policy Evaluation Of The Halal Product Guarantee Agency (BPJPH): Impact On Producer Compliance,” *Halal Research Journal* 5, no. 2 (July 2025): 118–33, <https://doi.org/10.12962/j22759970.v5i2.2523>.

²⁷ Ananda Gymnastiar Dwijaya, Harmono Harmono, and Rois Harliyanto, “The IMPLEMENTATION OF HALAL PRODUCT GUARANTEE POLICY IN INDONESIA,” *Journal Socio Humanities Review* 4, no. 2 (September 2024): 1–13, <https://doi.org/10.33603/jshr.v4i2.9015>.

governance is a more decisive factor in policy success than simply adding new regulatory norms.

Theoretically, these findings collectively confirm that regulatory effectiveness is determined not only by the strength of legal norms (legal robustness), but also by institutional capacity, the integration of oversight systems, data interoperability, and the quality of collaborative governance. Consequently, future halal policy reforms should no longer focus on creating additional regulations, but rather on harmonizing authorities, strengthening cross-sectoral coordination mechanisms, and developing an integrated digital technology-based oversight system and risk management framework.

Weaknesses in the Oversight of Halal-Certified Imported Products

This study found that oversight of halal-certified imported products faces increasingly complex structural challenges in the era of global trade. Differences in halal certification standards across countries, the limited scope of mutual recognition agreements (MRAs), and the suboptimal nature of risk-based verification systems are major obstacles to ensuring consistent halal certification. Each country has different authorities, audit methodologies, and critical ingredient parameters, so the process of recognizing foreign halal certificates does not always proceed in a linear fashion. In practice, this results in verification delays, potential administrative loopholes, and weak harmonization of cross-jurisdictional oversight, particularly during the pre-market control phase at import entry points.

This issue is reinforced by the findings of Revin & Suradi (2017) and Putra et al. (2022), which indicate that cases of halal label counterfeiting in imported products occur due to weak verification systems and the lack of data integration among regulatory agencies. The fragmentation of information among halal authorities, customs, and food regulators creates room for inconsistencies in oversight.²⁸ In a more serious context, Mardhatillah & Lubis (2026) found halal-certified products that were detected to contain porcine ingredients, indicating weaknesses in post-certification oversight.²⁹ Atmawati (2024) also emphasized that inconsistencies in halal labeling regarding pork gelatin reflect gaps in cross-border oversight systems and weak verification of high-risk imported raw materials.³⁰

From a halal supply chain management perspective, halal assurance does not stop at the production stage but must extend to distribution, storage, and international logistics. The concept of halal supply chain integrity emphasizes the importance of comprehensive controls to prevent cross-contamination and label tampering throughout the supply chain. Nazri et al. (2024) explain that halal integrity in the supply chain requires a documented and traceable control system.³¹ Furthermore, Santoso & Rachman (2023) emphasize that the digitization of

²⁸ Revin and Suradi, “Perlindungan Hukum Bagi Konsumen Terhadap Adanya Pemalsuan Labelisasi Halal Pada Produk Pangan Impor”; Putra, Triasih, and Septiandani, “Perlindungan Hukum Bagi Konsumen Dan Product Liability Dalam Produk Mi Instan Impor Bersertifikat Halal Palsu Di Semarang.”

²⁹ Mardhatillah and Lubis, “Perlindungan Terhadap Konsumen Atas Makanan Yang Tersertifikasi Halal Mengandung Unsur Babi (Porcine).”

³⁰ Atmawati, “Halal Certification and Consumer Protection.”

³¹ Nur Najah Nazri, Noorul Huda Sahari, and Aishah Mohd Nor, “Challenges In The Adoption Of A Traceability System In The Halal Food Supply Chain In Malaysia,” *International Journal of Advanced Research* 12, no. 04 (April 2024): 178–88, <https://doi.org/10.21474/IJAR01/18537>.

halal certification through information technology-based systems can improve transparency and traceability, while strengthening coordination among regulatory authorities.³²

Conceptually, the weaknesses in the supervision of imported products indicate that the implementation of risk-based supervision in the national halal governance system is not yet optimal. A risk-based approach should categorize products based on the risk level of ingredients, country of origin, and the manufacturer's compliance track record, so that supervision can be focused proportionally. This principle aligns with modern oversight practices in international trade as discussed in the literature on global food regulatory governance. Without the integration of digital systems and a robust risk-based oversight framework, consumer protection regarding imported halal products will continue to face recurring structural challenges.

Issues in Law Enforcement and the Effectiveness of Sanctions

A normative analysis indicates that Law No. 33 of 2014 on Halal Product Assurance (the Halal Product Assurance Law) has established a sufficiently stringent framework of sanctions, ranging from administrative sanctions such as written warnings, administrative fines, and revocation of halal certificates to criminal penalties for business operators who intentionally violate halal product regulations. These provisions are reinforced by Government Regulation No. 39 of 2021 on the Implementation of the Halal Product Assurance Sector, which regulates oversight and enforcement mechanisms in a more operational manner. Normatively, the design of this regulation reflects the state's commitment to providing legal protection for Muslim consumers. However, the effectiveness of law enforcement on the ground still faces serious obstacles, particularly regarding the burden of proof for violations, coordination among enforcement authorities, and the consistency of sanctions applied to business operators.

This situation aligns with the findings of Zulfa et al. (2023), who state that weak law enforcement in the supervision of halal products is not solely due to regulatory gaps, but rather to a lack of integration in the supervision system and low supervisory capacity at the local level.³³ Fragmentation of authority among the BPJPH, BPOM, local governments, and law enforcement agencies often leads to unclear enforcement procedures and slows down the investigation process. Hamizar et al. (2024) add that post-certification oversight (postmarket halal assurance) is still not functioning optimally, particularly regarding periodic audits and retesting of certified products.³⁴ Consequently, potential violations such as changes in ingredient composition, cross-contamination, or misuse of halal labels are not always detected promptly, meaning consumer protection is not yet fully and effectively guaranteed.

From the perspective of legal enforcement theory, as articulated by Friedman (1975), the effectiveness of the law is determined by three main elements: legal substance, legal structure, and legal culture. When considered in the context of the Halal Product Assurance (HPA) framework, the legal substance can be said to be relatively strong as it includes clear obligations, certification procedures, and sanctions. However, the legal enforcement structure

³² Santoso and Rachman, "Digitalising Halal Certification."

³³ Zulfa et al., "Regulation and Law Enforcement on the Protection of Halal Products in Indonesia."

³⁴ Arizal Hamizar, M. Taib Hunsouw, and Mu'min Roup, "From Certification to Consumption: Shariah-Compliant Postmarket Halal Assurance," *Hikmatuna: Journal for Integrative Islamic Studies* 10, no. 2 (2024): 176–86, <https://e-journal.uingusdur.ac.id/hikmatuna/article/view/pps1025>.

which involves inter-agency coordination and the capacity of supervisory officials still exhibits institutional weaknesses. On the other hand, legal culture including the level of compliance and awareness among business operators regarding the importance of halal integrity also remains a determining factor that has not yet developed uniformly, particularly among small businesses and distributors of imported products.

Thus, the findings of this study indicate a gap between the normative strength of regulations and the effectiveness of their implementation. Strengthening law enforcement within the JPH system requires more than simply adding sanctions; it must be accompanied by the integration of technology-based monitoring systems, capacity building for local officials, and the cultivation of a culture of compliance through education and regulatory incentives. Without reforms in the structural and cultural aspects of the legal system, the existence of administrative and criminal sanctions in the JPH Law risks becoming merely symbolic and is not yet fully capable of ensuring comprehensive consumer protection.

Public Trust, Religiosity, and the Phenomenon of Moral Panic

Research findings indicate that halal labels do not merely serve as administrative markers of a product's compliance with Sharia standards, but also carry a very strong religious and moral dimension in the lives of Muslim consumers. Halal labels represent a guarantee of integrity, adherence to religious values, and the producer's ethical responsibility toward society. Therefore, public trust in the halal certification system is a crucial factor determining market stability and the state's legitimacy as a regulator. When the certification system is perceived as credible and accountable, the halal product market tends to grow steadily; conversely, when doubts arise regarding the system's integrity, the impact can extend to a decline in consumer trust and institutional reputational instability.

Jalil (2018) found that Muslim consumers' trust in halal labels is strongly influenced by their perceptions of the credibility of certification bodies and the transparency of information provided to the public.³⁵ Clarity in the audit process, access to product composition information, and consistency in oversight are key determinants in building trust. These findings align with those of Muslichah et al. (2019) and Memon et al. (2019), who assert that religiosity acts as a moderating factor in the decision to purchase halal products.³⁶ Consumers with high levels of religiosity tend to be more sensitive to the presence of halal labels and more responsive to issues of non-compliance, meaning that the religious dimension cannot be separated from the dynamics of the halal market.

From the perspective of the moral panic theory as introduced by Cohen (1972), issues of halal violations have the potential to trigger social panic that exceeds the legal facts if not managed transparently and communicatively. When cases of fake halal labels or the discovery of non-halal ingredients in certified products arise, public reactions often spread rapidly through mass media and social media, shaping a collective perception that is not always aligned with the results of official investigations. This situation can exacerbate a crisis of trust and lead

³⁵ Emy Ezura A. Jalil, "Logistical Indicators for Enhancement of Halal Sustainability," *International Journal of Islamic Marketing and Branding* 3, no. 3 (2018): 223, <https://doi.org/10.1504/IJIMB.2018.095841>.

³⁶ Muslichah, Abdullah, and Abdul Razak, "The Effect of *Halal* Foods Awareness on Purchase Decision with Religiosity as a Moderating Variable"; Memon et al., "Religiosity as a Moderator between Theory of Planned Behavior and Halal Purchase Intention."

to the delegitimization of institutions, particularly if authorities are perceived as slow or unresponsive in providing clarification.

Therefore, integrating a public communication approach based on legal literacy and information transparency is crucial for maintaining social stability and consumer trust. A proactive risk communication strategy, the open disclosure of oversight results, and public education regarding halal certification mechanisms can reduce the potential for escalating social panic. Thus, strengthening the legitimacy of the halal system depends not only on the quality of regulations and oversight but also on the ability of the state and certification bodies to foster accountable, evidence-based public dialogue.

The Importance of a Multidisciplinary Approach Based on Maqasid al-Shari'ah

Research findings confirm that the halal consumer protection system cannot be understood merely as an administrative or formal legal issue, but must be situated within a broader framework, namely the protection of maqāṣid al-syarī'ah. In this context, the guarantee of a product's halal status is directly related to *hifẓ al-dīn* (protection of religion), as the consumption of halal products is part of religious observance; *hifẓ al-nafs* (protection of life), as halal standards require product safety and hygiene; and *hifẓ al-māl* (protection of property), as consumers are entitled to receive goods that match the claims and value paid. Thus, violations of product halal standards are not merely administrative in nature but also touch upon the moral, spiritual, and economic aspects of Muslim society.

Arif & Sidek (2015) emphasize that the concept of *halalan tayyiban* goes beyond the mere absence of haram elements, encompassing dimensions of food safety, production process hygiene, and the product's benefits to consumers.³⁷ This means that halal protection must be integrated with comprehensive safety and quality standards. From a comparative perspective, Lytton (2023), through his study of kosher certification in the United States, demonstrates that a credible third-party verification system can strengthen market confidence through private-public governance mechanisms.³⁸ This model illustrates how collaboration between state authorities and independent certification bodies can create more stable regulatory legitimacy that is trusted by consumers.

Based on this framework, an effective halal consumer protection model must simultaneously integrate several strategic elements. First, strengthening institutional coordination through digitalization to ensure data integration among certification authorities, food regulators, and law enforcement agencies. Second, implementing risk-based oversight of strategic imported products containing high-risk ingredients. Third, consistent and transparent law enforcement to guarantee the certainty of sanctions and prevent moral hazard. Fourth, public education and the enhancement of halal literacy so that the public understands the certification mechanism and is not easily misled by disinformation. Fifth, the integration of the values of maqāṣid al-syarī'ah as a normative foundation in every formulation and implementation of halal policies.

This multidisciplinary approach demonstrates that strengthening the halal oversight system is not merely an administrative agenda, but rather a strategy for maintaining legal legitimacy, economic stability, and public trust within the global trade ecosystem. When

³⁷ Arif and Sidek, "Application of Halalan Tayyiban in the Standard Reference for Determining Malaysian Halal Food."

³⁸ Lytton, "Private Third-Party Verification of Product Claims."

Islamic normative values are integrated with modern risk-based governance and digitalization, the halal consumer protection system can function as both a spiritual safeguard and a credible economic regulatory mechanism. Thus, the integration of positive law, institutional governance, and the principles of *maqāṣid al-syarī'ah* forms the primary foundation for building a sustainable and globally competitive halal product assurance system. Overall, the results of this study indicate that the primary challenge in protecting consumers of imported halal-labeled products lies in the effectiveness of implementation, not in regulatory deficiencies. Therefore, reformulating the supervision and law enforcement system based on the integration of institutional frameworks, technology, and religious values is a key prerequisite for ensuring legal certainty and the public interest.

Conclusion

The conclusions of this study indicate that, in theory, the halal certification system for imported products in Indonesia has a comprehensive regulatory framework established by the Halal Product Guarantee Law; however, its implementation still faces various gaps in oversight and law enforcement due to institutional fragmentation, weak interagency coordination, suboptimal risk-based oversight, and limitations in cross-jurisdictional verification of imported products. The study's key findings emphasize that the primary issues do not lie in regulatory gaps, but rather in the effectiveness of implementation, the integration of digital systems, the consistency of sanctions enforcement, and the strengthening of adaptive halal oversight governance to address the dynamics of the global supply chain. This study highlights the importance of harmonizing inter-institutional authority, strengthening collaborative governance, digitizing the halal oversight system, and integrating the principles of *maqāṣid al-syarī'ah* into consumer protection to enhance legal certainty and public confidence in halal products. Nevertheless, this study has limitations because it employs a normative legal approach based on literature review, thus failing to empirically assess the effectiveness of on-site supervision or directly examine the perspectives of business operators and consumers. Therefore, future research is recommended to use an empirical and multidisciplinary approach involving policy implementation analysis, evaluation of digital supervision systems, as well as the strengthening of risk-based halal supervision models and cross-sectoral integration to create a more effective, transparent, and sustainable halal consumer protection system.

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