

Legal Analysis of the Imporance of Halal Certification for Sheshallbake Products (Review of the Consumer Protection Law and Halal Certification Regulations)

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Abstract

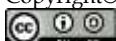
Halal certification has a strategic position in the food industry, including SheShallBake products, as it serves as a mechanism to protect consumers from ingredients that do not comply with Islamic law. How are the regulations for halal certification registration for SheShallBake products, and what are the responsibilities of business actors and the legal consequences for food products that do not have halal certification. This study uses a normative juridical approach to analyze positive legal provisions, as well as an empirical juridical approach through interviews with business owners to understand practices in the field. The findings show that halal certification provides safety guarantees for consumers through a comprehensive verification process and serves as a means of legal protection against potential violations. This research encourages increased awareness among business actors regarding the importance of halal certification and the need for more transparent and accountable regulations. Thus, the implementation of halal certification on SheShallBake products is expected to increase consumer confidence while strengthening the halal food industry sector in Indonesia.

Keywords: Consumer Protection, Halal Certification, Islamic law

Abstrak

Sertifikasi halal memiliki posisi strategis dalam industri makanan, termasuk produk SheShallBake, karena berfungsi sebagai mekanisme untuk melindungi konsumen dari bahan-bahan yang tidak sesuai dengan hukum Islam. Bagaimana regulasi pendaftaran sertifikasi halal untuk produk SheShallBake, dan apa saja tanggung jawab pelaku usaha serta konsekuensi hukum bagi produk makanan yang tidak memiliki sertifikasi halal? Studi ini menggunakan pendekatan yuridis normatif untuk menganalisis ketentuan hukum positif, serta pendekatan yuridis empiris melalui wawancara dengan pemilik usaha untuk memahami praktik di lapangan. Temuan menunjukkan bahwa sertifikasi halal memberikan jaminan keamanan bagi konsumen melalui proses verifikasi yang komprehensif dan berfungsi sebagai sarana perlindungan hukum terhadap potensi pelanggaran. Penelitian ini mendorong peningkatan kesadaran di kalangan pelaku usaha mengenai pentingnya sertifikasi halal dan perlunya regulasi yang lebih transparan dan akuntabel. Dengan demikian, implementasi sertifikasi halal pada produk SheShallBake diharapkan dapat meningkatkan kepercayaan konsumen sekaligus memperkuat sektor industri makanan halal di Indonesia.

Kata Kunci: Hukum Islam, Sertifikasi Halal, Perlindungan Konsumen.



Introduction

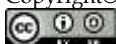
As the country with the largest Muslim population, Indonesia prioritizes the need for halal products as an important aspect of consumer protection. Law No. 33 of 2014 on Halal Product Guarantee requires all food and beverage products including processed products such as those made by SheShallBake to have a halal certificate. This obligation has become even more crucial after the transition period ended on October 17, 2024, meaning that products without halal certification can no longer be sold. SheShallBake was founded in 2020 by Sheline Angela, a young entrepreneur from Medan. The name of her business was inspired by the biblical story of a woman's perseverance, reflecting Sheline's spirit in starting a home-based cake business in the midst of a pandemic. Starting from a simple kitchen in Tj. Gusta, she used social media to market various homemade products typical of Medan. Market enthusiasm led to rapid growth, resulting in the opening of a small branch in the city center and supplying products to minimarkets such as K3Mart. Despite having gained customer trust, Sheline faced difficulties in understanding halal certification rules and procedures. She realized that Muslim consumers needed halal assurance, but she had not yet mastered the necessary administrative steps. This situation motivated her to seek training and consult with certification agencies so that her products would comply with regulations. Obtaining halal certification is considered an important step for business development and maintaining credibility in the eyes of consumers. Against this backdrop, this study focuses on two issues: the regulations governing halal certification for SheShallBake products, and the responsibilities of business operators and the legal consequences for food products that do not have halal certification.

Method Research

This study uses an integrative legal research method that combines normative and empirical legal approaches to analyze the urgency of halal certification for SheShallBake products. The normative approach is descriptive-analytical, focusing on positive law studies, particularly Law No. 33 of 2014 concerning Halal Product Guarantee and its derivative regulations, in order to examine the verification mechanism by BPJPH and the legal-economic implications for MSME actors. Complementarily, the empirical approach is applied through a legal sociology perspective to capture the reality in the field—including the level of regulatory compliance and consumer perceptions—through primary data obtained from in-depth interviews, production observations, and field surveys. In line with this approach, this study uses a qualitative method that focuses on deepening the meaning, context, and impact of the implementation of legal norms on consumer protection, rather than on statistical generalization. The research data, consisting of primary data (regulations), secondary data (legal literature), and tertiary data (legal dictionaries/encyclopedias), was collected through literature studies and systematic interviews, which were then analyzed descriptively and qualitatively through a process of classification and categorization of data to produce a comprehensive and systematic understanding of the issues under review.

Results and Discussion

The findings of this study indicate that the implementation of the halal certification system in Indonesia is comprehensively regulated under *Law Number 33 of 2014 concerning Halal Product Guarantee (JPH)* and its derivative regulations (Deviana Yuanitasari, Agus Sardjono, Heru Susetyo, 2024). The certification process involves three primary institutions, namely the Halal Product Guarantee Agency (BPJPH), the Halal Inspection Agency (LPH), and the Indonesian Ulema Council (MUI). The certification procedure begins with the online



submission of an application by the business operator, followed by verification of the required documents by BPJPH, an on-site audit conducted by an accredited LPH, and the issuance of a halal fatwa by MUI as the final determinant of the product's halal status. Once the product is declared halal, BPJPH officially issues a halal certificate valid for four years (Boorahan Denha, Shofiyatul Ummah, Ai Rahmawati, et.al, 2024).

In accordance with BPJPH's 2022 policy, the maximum duration of the halal certification process is 21 working days, calculated from registration to certificate issuance. Furthermore, based on Government Regulation No. 42 of 2024, starting from October 18, 2024, halal certification becomes a mandatory requirement for food, beverages, slaughtered products, and slaughtering services circulating in the Indonesian market. This regulatory development signifies the government's commitment to providing legal certainty, ensuring consumer protection, and strengthening the national halal ecosystem (Malau, P., & Svinarky, I, 2020).

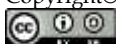
The results also show that business operators are legally required to ensure the halal status of their products before distribution. Under the *Consumer Protection Law (Law No. 8 of 1999)* and the *Halal Product Guarantee Law (Law No. 33 of 2014)*, producers are obliged to act in good faith, provide clear and accurate product information, and maintain product integrity in accordance with applicable halal standards. For enterprises such as SheShallbake, the halal certification process requires the preparation of a Halal Product Assurance System (SJPH) manual, an audit by a licensed LPH, participation in a halal fatwa hearing, and the periodic renewal of certification prior to its expiration date (SugengSantoso, SelmaAlfarisah, AriAnaFatmawati & RianUbaidillah,2023).

Legal consequences for non-compliance with halal certification requirements are strictly regulated across several laws. The Consumer Protection Law prescribes up to five years of imprisonment or fines of IDR 2 billion for violations. The Food Law (Law No. 18 of 2012) imposes penalties of two to three years of imprisonment or fines ranging from IDR 4 to 6 billion for labeling infractions. Meanwhile, the JPH Law stipulates both administrative and criminal sanctions, including certificate revocation, business license withdrawal, or imprisonment of up to five years and fines up to IDR 2 billion. This legal framework underscores the government's emphasis on accountability, transparency, and compliance to ensure the protection of Muslim consumers (Wiwi Hasmita, Muhammad Alwy Arifin, dkk, 2025).

From a normative-Islamic perspective, halal certification serves as an institutional mechanism for verifying compliance with *sharia* principles throughout the production and distribution process. The certification process conducted by MUI ensures that all materials, procedures, and final products adhere to Islamic legal standards. This aligns with the objectives of *maqasid al-shariah*, particularly in safeguarding faith (*hifz al-din*) and life (*hifz al-nafs*). Furthermore, halal certification has gained global recognition as a benchmark of product hygiene, safety, and ethical quality, accepted by both Muslim and non-Muslim consumers worldwide.

Discussion

The discussion highlights that the integration between Islamic ethical principles and national legal frameworks within the halal certification system represents a harmonized approach between religious obligations and state governance. The enactment of the JPH Law institutionalizes halal certification as both a legal and moral responsibility, ensuring the protection of Muslim consumers while providing legal certainty for business entities. This integration redefines halal certification beyond administrative compliance, positioning it as



an ethical business commitment rooted in transparency, justice, and accountability. For companies like SheShallbake, obtaining halal certification symbolizes adherence to both religious values and corporate responsibility, while simultaneously enhancing brand competitiveness in the domestic and international markets.

The establishment of BPJPH and the involvement of MUI as authoritative bodies have significantly reinforced the supervision and credibility of the halal certification process. The adoption of an online registration mechanism and a fixed processing timeline not only enhances administrative efficiency but also promotes business compliance and consumer trust. As consumers increasingly demand transparency regarding product halalness, the halal certificate functions as a dual instrument providing both consumer protection and a guarantee of product integrity. Consequently, it has become an essential standard of quality assurance in the competitive food industry.

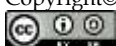
For SheShallbake, halal certification carries substantial legal and economic implications. Legally, it ensures compliance with Indonesian law and protects the company from potential sanctions. Economically, it increases market accessibility and consumer confidence, particularly within Muslim-majority markets. However, maintaining certification requires continuous implementation of the Halal Product Assurance System (SJPH), including regular audits, documentation of raw materials, and employee training. While this process demands significant commitment and resources, it contributes to the company's long-term sustainability, reputation, and market differentiation.

From a broader perspective, Indonesia's halal certification policy serves as a strategic foundation for realizing the nation's vision of becoming a global halal industry hub. The success of this initiative depends on strengthening public awareness, harmonizing national and international halal standards, and fostering cooperation among global halal certification authorities. Although Indonesia's regulatory system is robust, discrepancies in global halal standards remain a challenge that must be addressed through international collaboration and standardization (Christian Parray, & Hamid Husein Mokhtar, 2024).

In conclusion, halal certification represents both a regulatory requirement and an ethical framework that integrates religious, legal, and economic dimensions. The case of SheShallbake exemplifies the practical application of this system, demonstrating how compliance with halal certification not only fulfills legal obligations but also fosters consumer trust and business integrity. Thus, halal certification should be regarded as a sustainable governance instrument that reinforces Indonesia's commitment to developing a credible, competitive, and globally recognized halal industry ecosystem.

Conclusion

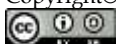
Halal certification for SheShallBake products holds significant urgency as it serves both as a guarantee of compliance with Islamic law and as an instrument of consumer protection. The existence of halal certification not only ensures adherence to sharia principles but also enhances consumer trust, particularly among Muslim consumers, by providing a sense of safety and assurance regarding product integrity. Furthermore, it creates broader opportunities for market expansion at both the national and international levels, strengthening the company's competitive position in the global halal industry. The regulatory framework governing halal certification, as stipulated in *Law No. 33 of 2014 concerning Halal Product Guarantee* and *Law No. 8 of 1999 concerning Consumer Protection*, mandates that all business actors must ensure the halal status of their products before distribution. Non-compliance with these legal provisions may lead to administrative or even criminal sanctions,



reflecting that adherence to halal certification is not merely a procedural requirement but a manifestation of legal accountability and a concrete form of safeguarding consumer rights.

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