



Grace Putri Hastino
Faculty of Law
University of
Swadaya Gunung
Jati Cirebon



Sherin Audia Maharani
Faculty of Law
University of Swadaya
Gunung Jati Cirebon



Vina Maylani
Faculty of Law
University of
Swadaya Gunung
Jati Cirebon



Sania Faridha Farasanti
Faculty of Law
University of Swadaya
Gunung Jati Cirebon



Moh. Sigit Gunawan
Faculty of Law
University of
Swadaya Gunung
Jati Cirebon

PROBLEMS OF HALAL CERTIFICATION FOR MSMES IN PEKIRINGAN VILLAGE

Grace Putri Hastino¹, Sherin Audia Maharani², Vina Maylani³, Sania Faridha Farasanti⁴, Moh. Sigit Gunawan⁵

¹⁻⁵University of Swadaya Gunung Jati, Cirebon, West Java, Indonesia

Corresponding Author : fakultashukum.unswagati@gmail.com

Abstract: Pekiringan Village, which was recorded in March 2024 to 300 MSMEs with various kinds of MSME products, after observation of the MSME actors, considered that there was no need

for a halal certificate for each product produced because it was enough to believe in the use of halal raw materials, this deviated from the provisions of article 2 paragraph (1) of Government Regulation Number 39 of 2021 concerning the Implementation of the Halal Product Assurance Sector. The purpose of the research is to study and analyze various problems arising from MSME actors regarding the implementation of halal certification in Pekiringan Village and to approach MSME actors to understand the importance of halal certification for MSME actors. The results of this study are the Problems of MSME Actors Regarding Education on the Implementation of Halal Certification in Pekiringan Village, namely the lack of information and education for MSME actors, the fear of charging fees beyond the limits of reasonableness and accessibility when registering online makes it difficult for MSME actors in Pekiringan Village to register for halal certificates. Regarding the Regulation on Halal Certification Obligations for MSME Actors contained in Government Regulation Number 39 of 2021 concerning the Implementation of the Halal Product Assurance Field, this is a way for the Government to actively guarantee halal products evenly by researchers with the Community Empowerment Institute (LPM) of Swadaya Gunung Jati University to carry out community service by assisting the process of making Halal Certification for MSMEs in Pekiringan Village through the Program Halal certification is free. The contribution is making halal certificates, which the Community Empowerment Institute of the Independent University of Gunung Jati assists.

Keywords: Legal, Protection, Halal, Certificate, MSMEs

INTRODUCTION

Nowadays, technological developments, one of which is food technology, can produce products in the form of food and beverages quickly.¹ Every product produced must be guaranteed to be halal. It is enshrined in Law No. 33 of 2014 concerning Halal Product Assurance (JPH) and Article 2 paragraph (1) of Government Regulation of the Republic of Indonesia No. 39 of 2021 concerning the Implementation of Halal Product Assurance, which states that every commercial product in Indonesia is obliged to have a halal certificate.

Worldometer describes the latest UN data as of Wednesday, March 20, 2024. Currently, Indonesia has a population of 279,202,033 people², with the majority being Muslim. So halal certification for entrepreneurs in Indonesia, primarily entrepreneurs in the culinary sector, can provide certainty, trust, confidence, and comfort for consumers when they consume products manufacturers sell.

In Article 3, paragraph (1) of the Regulations Government of the Republic of Indonesia No. 39 of 2021, concerning the Implementation of Halal Product Assurance, states that halal certification is only given for products derived from halal ingredients and under the Halal Product Process (PPH). Meanwhile, Article 2, paragraph (3) of Government Regulation of the Republic of Indonesia No. 39 of 2021 concerning the Implementation of Halal Product Guarantees states that if the product comes from prohibited materials, the product must be given non-halal information.

The creation of Halal Certification for MSMEs in Pekiringan Village, we are assisted by the Community Empowerment Institute (LPM) of Swadaya Gunung Jati University. Based on Article 58, paragraph (2) of the Government Regulation No. 39 of 2021 concerning the Implementation of the Halal Product Assurance Sector regarding the Facilitation of Halal Providers for Micro and Small Business Actors, which reads, "In addition, it comes from community organizations as referred to In paragraph (1), halal providers can come from the business actors concerned, government agencies, business entities, or universities". This certificate is an official document issued by the Halal

Product Assurance Agency (BPJPH) by the halal fatwa by the MUI.

Based on our research, Pekiringan Village, in March 2024, is considered to have many MSMEs in Cirebon City. In 2023 data, this village has approximately 300 MSMEs. Generally, MSMEs in Pekiringan Village are engaged in the culinary field, but some MSMEs produce and sell drinks, including traditional herbal medicine. However, many MSME actors still have not created halal certificates for business products because they consider the products sold to be appropriate because of the process and use of ingredients in halal products.

Thus, how are halal certification obligations for MSMEs in Pekiringan Village regulated? This article will explain the regulations on the obligation to certify halal for MSME actors in Pekiringan Village.

METHOD

The qualitative descriptive method is implemented based on empirical law or empirical juridical, which can be categorized as sociological or empirical legal research; the scope of empirical legal research includes legal effectiveness, which means that the scale of correct law implementation is carried out in Pekiringan Village. The research is not enough to focus on the community or the MSMEs themselves, but related parties to law enforcement and facilities to encourage the implementation of regulations. The study's data collection techniques include four stages: observation, interviews, documentation, and triangulation. These stages are structured and arranged in this study because the focus of This research is on how to implement and have implications for halal certification in Pekiringan Village. This research was carried out through efforts to understand and socialize Law No. 33 of 2014 concerning Halal Product Assurance Certificates in the Counseling of the MSME Halal Porduk Assurance Certification Process in Pekiringan Village, Cirebon City.

Another way of implementation is by assisting MSME actors in Pekiringan Village so that every MSME owner is ready to prepare products to obtain halal certification. Observation analysis and field implications, namely negative and positive attitudes received from MSME actors, including:



- (1) MSME actors who are not interested or not interested in the registration and data collection of halal certification, citing a lack of understanding of the importance of halal certificates and delays in management;

- (2) MSME actors in Pekiringan Village who are interested in being registered and recorded to have a halal certificate are doing so to ensure that the products sold are more reliable and have an official halal food sales permit from the government. The assistance and socialization carried out achieved the following results.

RESULTS AND DISCUSSION

The free halal certification program for Small and Medium Enterprises (MSMEs) provides convenience for business actors but has implications that must be analyzed further. Although various regulations have been issued regarding the Halal Product Assurance (JPH) program, it does not guarantee the success of the free halal certification program. The analysis is based on the government's goal of covering all MSMEs, the limitations of the "same-minded" program, and the targets achieved for 2024. The obligation to obtain halal certification without legal sanctions creates a legal loophole when applied to MSMEs, resulting in the lack of effectiveness of the initiative. However, the policy's success comes from the response regarding the implementation of the policy under Government Regulation No. 39 of 2021, through positive (support) and negative (rejection) responses. In the process of managing Halal Certification, we are assisted by the Empowerment Institution Gunung Jati Swadaya University Community to help the certification process halal MSMEs in Pekiringan Village based on Article 58 paragraph (2) of Government Regulation Number 39 of 2021 concerning Halal Provider Facilitation for Micro and Small Business Actors, which reads "In addition to coming from community organizations as referred to in paragraph (1), halal providers can come from the relevant Business Actors, government agencies, business entities, or universities". Based on field survey data, there are 55 MSME actors in Pekiringan Village.

Research The field was conducted through interviews with MSME Actors in Pekiringan Village. There were 55 Business Actors interviewed by the researchers, consisting of Rice Warung, Baso Warung, Buns, Rujak Serut, Es Buah Khas Bandung, Es Campur Bandung, Serundeng Fried Chicken, Mitang Fried Potatoes, Butang, Seblak, Yellow Deer, Toast, Spring Rolls, Cipak, Cakwe, Porridge, Es Buah, Fried Rice, Es Kelapa Baru, Juice Sellers, Risol, Gorengan, Gudeg, Ketoprak, Lori Pudding, Turmeric Asem and Ice Kul-Kul Drinks. Based on Field Experience Practice, the implementation of halal certification for MSMEs, the results of Field Experience Practice, there are 55 (Fifty-Five) MSME Actors in Pekiringan Village who do not have halal certificates, namely 31 (Thirty-One) MSME Actors who have not yet carried out management. Several MSME Actors know the obligation to have a halal certificate for all MSME actors in the food and beverage sector that Business Actors must do. The majority of MSME actors in the field of Food and beverages are tasks that Business Actors must perform. The majority of them do not understand the steps to manage halal certification, and there is no socialization. Of the 55 (Fifty-Five) MSME Business Actors in Pekiringan Village, 31 (Thirty-One) MSME Actors do not know the steps to manage this halal certification.

Many MSME actors do not know how to take care of halal certification, and there is a lack of socialization regarding regulatory information and procedures from related agencies to MSME actors. Of the 55 (Fifty-Five) MSME actors, they admitted no information from the particular agency. The flow of halal certification management is considered difficult for MSME actors. The obstacle faced by 24 (Twenty-Four) MSME actors who already have a halal certificate is that it is tough to meet the requirements to get a halal certification because meeting these requirements must be done through digital technology.



As a result of the interview, the conclusion was that MSME actors related to halal certification face limitations in economic aspects due to unstable income and lack of mastery of digital technology by MSME actors. In addition, the halal certificate process is carried out online using a particular application. Perp MSMEs face challenges due to limited information in ICT. Most MSME actors carry out administrative activities manually and directly in managing documents for sub-district residents. Likewise, managing business legality and business requirements in NPWP makes the ruler not understand the flow and procedures.

The requirements are needed to manage halal certification. 55 speakers stated that there are many obstacles they face, namely the lack of complete documents for MSME

actors, problems with taxes due to unstable business income, and obstacles in the online registration process that are considered beyond the ability of business actors who do not understand technology. In practice, Small and Micro Medium Enterprises (MSMEs) Operating on a small scale require a lot of time and money. Prepare documents and meet requirements that are considered difficult to produce goods that meet halal standards. However, MSME actors are still confident that the products they sell are Halal. Halal certification not only includes efforts to protect consumers, especially those who are Muslims only, but also prepares entrepreneurs to increase competition in the national or international market in the "food business" in the health and hygiene aspects of the product itself, as contained in Article 1 paragraph (4) of Government Regulation No. 39 of 2021 contains "Halal Product Process, in the future abbreviated as PPH, is a series of activities to ensure the halalness of products including the provision of ingredients, processing, storage, packaging, distribution, sales, and presentation of products.". So, the research analyzes information on business actors regarding halal certification policies.

The results of previous interviews concluded that Small and Micro-Medium Enterprises (SMEs) faced limitations in the availability of facilities. In the production process, it is essential to have clean facilities in separate hand-washing sinks with items considered unclean or haram; management is not directly in contact with the floor. However, MSME actors often do not have adequate facilities. The narrow house conditions often cause them to put production materials carelessly.

There are also obstacles to fulfilling Halal requirements regarding the materials used and the manufacturing process. One example is the requirement that the raw materials used be halal and include a halal label on the packaging, except for raw materials from the first supplier, such as rice, onions, chili, and tomatoes. Although MSMEs do not fully meet the standards of halal production facilities, they try to explain to consumers that their products are made from halal ingredients and produced cleanly and safely.⁴Related The completeness of the documents also does not have complete management documents.

Halal certification registration. These documents include data on business entities, business licenses, or the legality of business activities, as well as information on halal supervisors who have been certified. In addition, the document must include the name and type of product that does not violate the regulations or uses names related to haram matters; the list of ingredients includes raw materials, additives and helpers, halal product management, halal assurance system procedures, and documents.

The main concern of MSME actors is the cost of halal certification; for example, most MSME actors do not have NPWP documents Needed to obtain a company license or business legality. The next obstacle is their perspective on halal certification.

For MSME entrepreneurs, halal certification may not be considered an urgent need if there is no rebuttal and encouragement from the Government and related parties to encourage, facilitate halal certification, and provide support for making halal certification. MSME actors said it can be done if the cost is free and the management process is not complicated. Furthermore, assume that halal certification is not mandatory for MSME actors because consumers are neighbors around them. For MSME actors, halal certification is compulsory for large business actors because the products are large and large-scale and consumed by people outside the region.

1	Suhermin (327404303740011)	Jl. Arya Kemuning RT.003 RW.008	085210163890	Food Stall (Nasi Kuning Cecet)	Already registered
2	Mulyani (3274054604670012)	Jl. Dr. Cipto Mangunkusumo Suradinaya RT.001 RW.006	081223832695	Food Stall (Wring Cuisine Bu Yani)	Already registered
3	Novi Wulansari (32740024611780006)	Jl. Arya Kemuning No. 88 Cirebon City	085559425662	Tan's Paopao (Micro)	Already in Register
4	Uswatun Chasana (3274056312720006)	Jl. Mt. Sari Bedeng Batu	08881747079	Warung Rujak Ibu Atun (Micro)	Already registered
5	Suryadi Sulaeman (3274051202790011)	Jl. Menara Suradinaya utara RT.002 RW.006	0895398630109	Mrs. Ayu's Warung (Micro)	Already registered
6	Tini Subartini (3274055701590001)	Jl. Arya Kemuning Gg. Bakti RT.005 RW.008	-	Nasi Campur (Micro)	Already registered
7	Adi Priatna (3274050712840009)	Jl. Student Army	083187201561	Spring Rolls Inong (Micro)	Already in Register
8	Ernawati (3209385705910002)	Jl. Student Army	083159919222	Young Coconut Ice Student Army (Micro)	Already registered
9	Sumini (3274056505670007)	Jl. Nagakasa Muda No.07 Gunung Sari Bedeng RT.003 RW.007	0895328114654	M. Wing Fried (Micro)	Already registered
10	Lilis Mawati (3274055711790011)	Jl. Nagakasa Muda No.07 Gunung Sari Bedeng RT.003RW.007	089607080706	Dapur Mamake Snack & Cathering(Micro)	Already registered
11	Uud Sarudi (3209281204810002)	Jl. Dr. SutomoNo.130 Cirebon	081314046920	Fried 1253 Mr. Uud (Micro)	Already in Register
12	Bintar Tie Rashinta (3274056112700004)	Jl. Arya Jipang Gg. Bakti No.130 RT.005 RW.008	083824594376	AA Lori Pudding Creations(Micro)	Already registered
13	Bintar Tie Rashinta (3274056112700004)	Jl. Arya Jipang Gg. Bakti No.130 RT.005 RW.008	083824594376	AA Turmeric Creation (Micro)	Already registered
14	Sri Wahyuni (3274056005890009)	Jl. Dr. Cipto Mangunkusumo No.26	089526570032	Cakwe Mini (Micro)	Already registered
15	Nurliya Flower (3209205611970003)	Jl. Cipto Mangunkusumo No 24	087766131503	Cakwe Mini BPK (Micro)	Already registered

Tabel 1. MSMEs that have successfully registered halal certificates

CONCLUSION

Problems of MSME Actors Created because of Education on the implementation of Halal Certification in Pekiringan Village, namely the lack of information and education regarding halal certification for MSME actors; there is a fear of charging fees that are beyond the limits of reasonableness and accessibility when the last registration of the online halal certification registration process makes it difficult for MSME actors in Pekiringan Village to register for halal certificates. For this reason, the researcher carries out the mandate of Article 58 paragraph (2) of Government Regulation Number 39 of 2021 concerning implementing the Halal Product Assurance Sector regarding the Facilitation of Halal Providers for Micro and Small Business Actors, which can be run from universities tall. The researcher succeeded in registering and convincing MSME actors about the urgency of halal certification for their products; the data registered was 24 MSMEs out of 55 MSMEs, while 31 MSMEs were still not registered and were not interested in having their business registered into halal certification products.

Furthermore, the Regulation on Halal Certification Obligations for MSME Actors is contained in Law Number 33 of 2014 concerning halal product guarantees, Government Regulation Number 31 of 2019, implementation regulations of Law Number 33 of 2014, and Regulation of the Minister of Religion No. 20 of 2021 dated September 14, 2021, concerning halal certification for Micro and Small Business Actors, and Government Regulations.

Number 39 of 2021 concerning the Implementation of the Halal Product Assurance Sector is a form of the Government's efforts to take part in the guarantee of halal products throughout Indonesia, and this is an effort by the government that participates to ensure the halalness of the products produced equally by the efforts of researchers together. Community Empowerment Institute (LPM) of Gunung Jati Swadaya University by carrying out community service helps the process of the creation of Halal Certification for MSMEs in Pekiringan Village through the free Halal Certification Program is a form of legal certainty for buyers and the emergence of trust in MSME products regarding the existence of halal certification so that there is a guarantee of product quality so that the community optimally and has confidence in the products produced are good, quality, safe and halal.

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