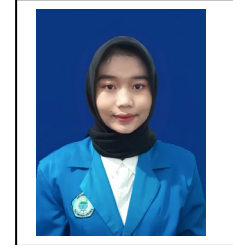


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IMPLEMENTATION OF LAW NUMBER 33 OF 2014 CONCERNING HALAL PRODUCT ASSURANCE IN PEKIRINGAN VILLAGE

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Abstract. This study analyzes the implementation of Law Number 33 of 2014 concerning Halal Product Assurance in Pekiringan Village, Kesambi District, Cirebon City. This law requires products

circulating in Indonesia to have a halal certificate to increase consumer confidence and competitiveness of local products, especially MSMEs. The research method used is empirical juridical, with data collected through interviews and observations. The results of the study show that many MSMEs in Pekiringan Village do not have halal certificates. The main obstacles are the lack of information about the certification procedure, the low awareness of the importance of halal certificates, and the limitations in understanding the technology required for registration. More intensive socialization, education, and technical assistance are needed to increase the participation of MSMEs in the halal certification program.

Keywords: Inhibiting Factors, Implementation, Halal Certificate, MSMEs

INTRODUCTION

Law Number 33 of 2014 concerning Halal Product Assurance requires products circulating in Indonesia to have a halal certificate. The goal is to ensure that the products consumed by most Muslims are halal. With this certification, it is hoped that consumer confidence in domestic products will increase, strengthening local products' competitiveness, especially from the micro, small, and medium enterprises (MSMEs) sector.

MSMEs play a very significant role in Indonesia's economy. Based on the report on the development of MSME data in 2019-2023 from the Ministry of Cooperatives and Small and Medium Enterprises (SMEs) of the Republic of Indonesia, micro-enterprises reached 63.96 million in Indonesia.¹ During increasingly fierce global competition, halal certification is an important factor in increasing the competitiveness of MSME products in domestic and international markets. Initially, regulations on halal products were regulated in Food Law Number 7 of 1996 due to the increasing public awareness and demand for halal products, which caused an urgent need for special regulations that could provide legal certainty for halal products. This encourages the government to formulate and ratify Law Number 33 of 2014 concerning Halal Product Assurance.²

However, the implementation of Law Number 33 of 2014 concerning Halal Product Assurance in the field, especially in Pekiringan Village, Kesambi District, Cirebon City, still faces various obstacles. Based on observations in Pekiringan Village, many MSMEs do not have halal certificates. Some obstacles include a lack of information about halal certification procedures, low awareness of the importance of halal certificates, and limitations in understanding the technology required for the registration process.

Based on the background described above, the author takes the following formulation of the problem: "What are the inhibiting factors that affect the implementation of Law Number 33 of 2014 concerning Halal Product Assurance in Pekiringan Village." This problem's importance lies in analyzing various inhibiting factors that affect the implementation of Law

¹ Nabila Muhamad. (2021). Number of Micro, Small and Medium Enterprises/MSMEs in Indonesia Based on Class. Accessed on March 14, 2024, 11:17. <https://databoks.katadata.co.id/datapublish/2023/12/22/cek-data-gibran-sebut-indonesia-punya-64-million-umkm-apa-betul>

² Cirebon City Central Statistics Agency. Accessed on March 22, 2024. <https://cirebonkota.bps.go.id/statictable/2024/03/04/199micro-small-medium-umkm-perbidang-usaha-2021.html>

Number 33 of 2014 concerning Halal Product Assurance in Pekiringan Village. This research aims not only to enrich academic literature but also to provide practical insights to business actors, especially MSMEs, and for further study.

RESEARCH METHODS

The research method used is the empirical juridical method. Bambang Waluyo argued that empirical juridical is a type of sociological, legal research and can be mentioned with field research, which examines the applicable legal provisions and those that have occurred in people's lives.³ Empirical juridical not only understands the rules or legal literature in depth but also understands the social reality surrounding the implementation of the Halal Product Assurance Law. The subjects of the study are MSME actors. The data collection technique was carried out through interviews with MSME actors and observations. The location of the research was chosen in Pekiringan Village, Kesambi District, Cirebon City, West Java.

The theory that supports our research is Soerjono Soekanto's theory regarding factors that affect law enforcement. The factors relevant to our research are community factors. Soerjono Soekanto argued that: Law enforcement is greatly influenced by society. When people are aware of their rights and obligations and how to use the law to protect themselves, law enforcement can be more effective.⁴

RESEARCH RESULTS

The implementation of Law Number 33 of 2014 concerning Halal Product Assurance in Pekiringan Village, Kesambi District, Cirebon City has not been running optimally. The enactment of this law as a public policy that requires every product in circulation to have a halal certificate, this is affirmed in Article 4 of Law Number 33 of 2014 concerning Halal Product Assurance.⁵ The existence of a mandatory halal policy is also an opportunity for MSMEs to be able to compete with products produced by large companies.⁶ Many MSMEs have not registered their affiliations and business facilities to obtain halal certificates. This condition describes the existence of a gap between the reality that occurs (*Das Sein*) and the ideal goal mandated by law (*Das Sollen*).⁷ Thus, the gap between (*Das Sein*) and (*Das Sollen*) in the implementation of the Halal Product Assurance Law can be harmonized through increasing awareness and active participation of MSME actors.

Based on observations and interviews conducted with MSME actors, it can be seen that the majority of MSMEs do not have halal certificates. Of the 55 MSME actors engaged in the

³ Bambang Waluyo. (2008). *Legal Research in Practice*. Jakarta: Sinar Grafika. p. 15.

⁴ Soerjono Soekanto. (2019). *Factors Affecting Law Enforcement*. Jakarta: RajaGrafindo Persada Page. 45-57.

⁵ Nadia Fatima, et al. (2023). *Implementation of Law Number 33 of 2014 concerning Halal Product Assurance*. Journal of Decentralization and Public Policy (JDKP), Vol. 4. No.1. p. 41.

⁶ Umi Latifah. (2022). *Mandatory Halal Certification Policy for Micro, Small, and Medium Business Products in Kudus Regency*. Journal of Indonesia Sharia Economics (JIOSE). Vol. 1. No. 1. p. 54.

⁷ Sadjijono. (2017). *The Law Between Sollen and Sein: From a Legal Perspective in Indonesia*. Surabaya: Ubhara Press and LaksBang PressIndo p. IX.

food sector, only 24 MSME actors have shown interest in registering their businesses in the halal certification program.

One of the main factors hindering this implementation is the lack of information about halal certification and the low awareness about the benefits of halal certificates. In fact, halal certificates not only protect the rights of consumers, especially Muslims to ensure the halalness of the products they consume, but also help MSME actors improve their competitiveness in the global market.⁸ Many MSME actors do not have adequate knowledge about the procedures and benefits of the halal certification program. Socialization from the authorities is less effective, so many MSME actors feel confused. This shows that the information available in the field is still very minimal and is not properly socialized to MSME actors. This low level of information and awareness affects the interest of MSME actors to participate in the halal certification program. Based on an interview with Mr. Toni, the owner of the Es Buah Khas Bandung business, revealed that the lack of understanding of the benefits of certification makes many MSME actors reluctant to register their businesses. According to him, many MSME actors think that halal certificates are not very important because they do not know the benefits. This condition hinders the ability of MSMEs to take advantage of opportunities to increase product added value and build consumer trust in their products.

Based on the observation results, 64% of MSME actors do not have an adequate understanding of technology, which hinders them in following halal certification procedures. The halal certificate registration process that requires basic skills in information technology is also a barrier for MSME actors. Many of them find it difficult to understand and apply the technology needed for the registration process, such as in an interview with Mr. Adi Kurniadi, the owner of Warteg Bahagia business, stating that the registration process is complicated and uses a lot of technology that he does not understand. According to him, they need more help to understand this process.

The results of this study show that to increase the participation of MSME actors in the halal certification program, more intensive efforts in socialization and education are needed. The government and related institutions need to increase the intensity of socialization regarding the importance of halal certification and the procedures that must be followed. This can be done through seminars, workshops, and mass media. More intensive and sustainable socialization can provide clear and complete information about halal certification to MSME actors. More intensive technical assistance is needed to assist MSME actors in the registration process and the use of the technology needed. The government and related institutions can provide special training and assistance to improve the technological capabilities of MSME actors. Training programs designed specifically for the needs of MSMEs can help them understand and apply the technology needed for the halal certification process.

⁸ Ririn Tri Puspita Ningrum. (2022). *Problems of Halal Certification Obligations for Micro and Small Enterprises (MSEs) in Madiun Regency*. Istithmar: Journal of Sharia Economic Studies, Vol. 6. No. 1. pp. 43-58.

CONCLUSION

Based on research, the lack of information about the obligation of halal certification is an obstacle to protecting consumers and increasing the competitiveness of MSME products. The awareness of MSME actors regarding the importance of halal certificates is also still low, resulting in them being reluctant to make them because they are worried about the tax burden and the assumption that the product is halal without a certificate. In addition, the low understanding of technology among MSMEs makes the process of registering halal certificates difficult. The study results suggest that the government and related institutions use mass media to increase information about MSMEs and increase awareness and active participation of MSME actors in implementing halal certification according to government programs. Direct assistance is also recommended for MSMEs who need help in implementing Law Number 33 of 2014 concerning Halal Product Assurance.

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