

The Problem of Implementing Self Declared Halal Certification for Micro and Small Enterprises

Maisyarah Rahmi Hasan*, Munawar Rizki Jailani

¹ UIN Sultan Aji Muhammad Idris Samarinda

² Institut Agama Islam Negeri Lhokseumawe

maisyarah.rahmi@uinsi.ac.id

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Abstract:

The mandatory introduction of 2024 halal certification encourages the government to expedite the approval of halal certifications. Several programmes are being launched to accelerate the realization of halal certification in Indonesia, one of them is the Free Halal Certification (SEHATI) program, which has been launched since 2022 with free halal Certification facilities targeting small enterprises with the Self Declare halal certificate submission scheme. The study aims to examine the problems faced by the organizers of the halal product guarantee and the perpetrators of the UMK in implementing the free halal certification (SEHATI) self-declaration path. The type of research used is empirical research with a qualitative descriptive approach. The results of this study show that the application of halal self declaration certification has begun to be applied since 2022, as much as 1 million kouta halal self declare certification is given to UMK perpetrators with product criteria that have been established on the basis of competition number 33 year 2023 on the jurisprudence of self declaring certification filing criteria. With its implementation, there are still obstacles and difficulties in its application, both that originate from the organizers namely BPJPH, as well as with LP3H, PPH accompanying, and also UMK perpetrators. Among the internal factors faced are related to the requirements to be met by UMK persons, the application procedure that is all-digitalized, and the problems faced after the legal certificate is issued.

Author correspondence email: maisyarah.rahmi@uinsi.ac.id

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Abstrak:

Penerapan wajib sertifikasi halal 2024 mendorong pemerintah untuk segera melakukan percepatan sertifikasi halal. Beberapa program yang dicanangkan untuk realisasi percepatan sertifikasi halal di Indonesia, salah satunya adalah program Sertifikasi Halal Gratis (SEHATI), yang mana program ini telah diluncurkan sejak tahun 2022 dengan fasilitas sertifikasi halal gratis menysasar pelaku usaha mikro kecil dengan skema pengajuan sertifikasi halal Self Declare. Penelitian ini bertujuan untuk mengkaji permasalahan yang dihadapi oleh penyelenggara Jaminan produk halal dan pelaku UMK dalam menerapkan sertifikasi halal gratis (SEHATI) jalur self declare. Jenis penelitian yang digunakan adalah penelitian empiris dengan pendekatan deskriptif kualitatif. Hasil penelitian ini menunjukkan bahwa penerapan sertifikasi halal self declare telah mulai diterapkan sejak tahun 2022, sebanyak 1 juta kouta sertifikasi halal self declare diberikan kepada pelaku UMK dengan kriteria produk yang telah ditetapkan berdasarkan kepkaban nomor 33 tahun 2023 tentang juknis kriteria pengajuan sertifikasi self declare. Seiring penerapannya, masih terdapat kendala dan kesulitan dalam penerapannya, baik yang berasal dari penyelenggara yaitu BPJPH, begitu juga dengan LP3H, pendamping PPH, dan juga pelaku UMK. Diantara faktor internal yang dihadapi adalah berkaitan dengan persyaratan yang harus dipenuhi pelaku UMK, prosedur pengajuan yang serba digitalisasi, dan juga permasalahan yang dihadapi setelah sertifikat halal terbit.

Kata Kunci: Isu Sertifikasi Halal; Sertifikasi Halal Self-Declared; Sertifikasi Halal Gratis

Introduction

The obligation for halal certification is mandated by the Halal Product Guarantee Law, which has been in effect since 2019. According to this law, all marketed products must be certified halal. Along with the enactment of this law, the halal industry ecosystem has begun to grow and develop. Convenience for business actors, particularly micro and small enterprises (MSEs), cannot be separated from this group, which is known to support the community's economy. Since the implementation of the Halal Product Guarantee Law, many business actors have faced difficulties in registering their products due to various reasons, including costs, procedures, and

administrative complexities. Thus, a special pathway is needed for MSEs. Consequently, Law number 11 of 2020 on Job Creation provides ease of halal product guarantees for MSEs, including halal certification management. (Haries et al., 2023)

It is mentioned in Law number 11 of 2020 on Job Creation, article 45, that: *"To provide ease for the community, especially business actors, in obtaining business licenses from the trade sector, legal metrology, and halal product guarantees..."* This article can be understood to mean that the Job Creation Law provides business actors with policies that facilitate the management of legal metrology permits and halal certification. (Aslikhah & Moh. Mukhsinin Syu'aibi, 2023).

Additional provisions are found in article 48 of the Job Creation Law, which states: 1) For Micro and Small Enterprises, halal certification obligations are based on the declaration of the business actors themselves. 2) The declaration by Micro and Small Enterprises is conducted based on halal standards set by Organizer of the Halal Product Guarantee (Badan Penyelenggara Jaminan Produk Halal). (*Undang-Undang Nomor 11 Tahun 2020 Tentang Cipta Kerja*, n.d.)

This regulation forms the legal basis for establishing halal certification through business actors' declarations, also known as "self-declaration." This policy is also regulated in Government Regulation Number 39 of 2021 on the Implementation of Halal Product Guarantees, specifically in the seventh part concerning halal certification for Micro and Small Enterprises. Article 79 explains that: 1) The obligation for halal certification for Micro and Small Enterprises is based on the declaration of the business actors themselves; 2) Micro and Small Enterprises are productive businesses with net assets or annual sales results in accordance with the applicable regulations; 3) Products are low-risk or use ingredients that are guaranteed halal; 4) The production process is guaranteed halal and simple; 5) The declaration by Micro and Small Enterprises is based on halal standards set by Organizer of the Halal Product Guarantee (Badan Penyelenggara Jaminan Produk Halal); a. The halal

standard declaration by Micro and Small Enterprises must include: b. A declaration by the business actor in the form of a contract/oath containing; 1. The halal status of the product and the ingredients used, and 2. The halal production process (PPH); 3. Halal Production Process Assistants (PPH); 4. The declaration by the business actor is submitted to BPJPH to be forwarded to MUI; 5. After receiving the document from BPJPH, MUI conducts a halal fatwa session to determine the halal status of the product; 6. BPJPH issues a halal certificate based on the halal fatwa.(Aslikhah & Moh. Mukhsinin Syu'aibi, 2023)

From this explanation, it can be concluded that the regulation on halal certification through the declaration by Micro and Small Enterprises/Self-declaration is stipulated in the Job Creation Law and the Government Regulation on the implementation of halal product guarantees in Indonesia. This regulation elaborates on Law number 33 of 2014 on Halal Product Guarantee, which states in article 4 that all products marketed in Indonesia must be halal certified.

Self-declaration by micro and small enterprises is a declaration of the halal status of the products by the business actors themselves. However, in this process, micro and small enterprises are accompanied by a Halal Production Process Assistant (PPH). Halal self-declaration has actually existed since 1996 when the Minister of Health, through Decree Number 82/Menkes/SK/I/1996, allowed unilateral halal labeling by business actors by providing information on the composition of the ingredients used in their products. Companies or business actors who do not use non-halal ingredients can include a halal label on their products. However, after evaluating this unilateral declaration system, it was deemed less effective, leading to the issuance of Minister of Health Decree Number 942/Menkes/SK/VIII/1996, which changed the policy to require halal label issuance through the Directorate General of Drug and Food Control (Dirjen POM) with a fatwa from the MUI Fatwa Commission. At this stage, MUI's authority was limited to

determining the halal status, while BPOM had authority over halal labeling regulations. (*Efektivitas Hukum Sertifikasi Halal Gratis (SEHATI)*, 2022.)

Historically, self-declaration has been implemented but was considered less effective when business actors themselves declared their products' halal status without credible witnesses. Therefore, in 1999, the government issued regulation PP number 69 of 1999 on labels and advertisements, stating that: "Anyone producing or importing packaged food into Indonesia for trade, claiming it to be halal for Muslims, is responsible for the truth of the statement and must include a halal label." Halal statements must be issued after examination by accredited inspection bodies according to the prevailing regulations. (Hasan, 2023)

The development of halal certification in Indonesia has noted that in 2001, after the issuance of Minister of Religious Affairs Decree number 518 of 2001 and Minister of Religious Affairs Decree number 519 of 2001, MUI was mandated as the halal certification body responsible for examining, processing, and determining halal products. Currently, LPPOM MUI is responsible for issuing halal certificates. However, the enactment of the Halal Product Guarantee Law brought changes to the halal product guarantee phase in Indonesia, particularly concerning the institutional framework for halal certification. Since 2014, halal certification authority has shifted to BPJPH in collaboration with halal inspection bodies and MUI. (Hasan, 2022.)

From the above explanation, it can be concluded that the implementation of self-declaration has existed since 1996, but this method was considered ineffective, leading to the requirement that all products undergo examination by LPPOM MUI to obtain halal certification. The development of halal certification in Indonesia continues to progress, aiming to expand halal product ecosystems. Thus, following the issuance of the Job Creation Law, self-declared

halal certification was re-implemented in 2022. This aligns with BPJPH's statement that "The latest regulations provide an option for MSEs to declare their products' halal status, but this does not mean automatic halal certification without meeting the requirements and criteria set by the regulations."

The self-declaration mechanism involves halal production process assistance (PPH) provided by a Halal Production Process Assistant (P3H) from officially registered PPH assistance institutions at BPJPH. A Halal Production Process Assistant (LP3H) assists micro and small enterprises in verifying and validating the halal production process (PPH).

The obligation for halal certification for micro and small enterprises through self-declaration is deemed less effective and has the potential to violate consumer rights. According to the Indonesian Consumer Foundation: "Self-declaration of halal products has the potential to violate consumer rights due to the difficulty of supervision, even though this self-declaration is based on halal standards set by BPJPH."(H. Arifin, 2023)

Based on observations conducted by the researchers, policy changes resulting from the Job Creation Law have led to regulatory changes related to halal product guarantees, including article 4a on the obligation of halal certification for MSEs through self-declaration. Despite its implementation, there are still many shortcomings, pros, and cons regarding the self-declaration policy.

Self-declared halal certification has even become a free halal certification (SEHATI) pathway, a flagship program by BPJPH to accelerate halal product certification. In the first phase, 25,000 self-declared halal quotas for MSEs were provided from March to June 2022. On August 24, 2022, the second phase added 324,834 quotas for MSEs across Indonesia.(Dewi, 2022)

The topic of halal industry, halal certification, and halal products has been extensively studied by previous researchers. This research theme includes studies such as "Self-declare Halal Product

Maisyarah Rahmi Hasan, et al.

For Small And Micro Enterprise: Between Ease of Doing Business and Assurance of Consumer Spiritual Rights" by Mustaklima, which explains that halal products are a constitutional right of Muslim consumers mandated by the 1945 Constitution and referred to as spiritual rights. Another study titled "Maslahah Analysis on the Halal Self-declaration Concept Before and After the Enactment of the Job Creation Law" by Istianah and Gemala Dewi discusses that the legal derivation with maslahah theory and halal self-declaration aligns with sharia objectives and Islamic law. Additionally, "Increasing Halal Food Awareness Through Halal Jurisprudence Assistance and Self-declaration Socialization by Muhammadiyah" by Ristanti concludes that halal product socialization can be conducted through da'wah to raise awareness about halal products. Furthermore, in the study "Halal Self-declaration: Ease of Halal Certification for Micro and Small Enterprises" by Mulyadi, it is emphasized that the self-declaration mechanism for halal certification for MSEs provides an effective, free, and relatively easy method compared to regular certification, which has complex stages.

Based on the existing research, the authors summarize that self-declaration of halal certification for micro and small enterprises is a solution provided by the government to MSEs. However, implementation challenges remain. Thus, this study aims to analyze the challenges faced by MSEs in implementing self-declared halal certification.

Methods

This research employs an empirical study with a descriptive qualitative approach, (Rijali, 2018) explaining the implementation of regulations and rules for halal certification through self-declare, as well as the theory of the self-declare program from the perspective of the issues faced by all parties involved in implementing self-declare halal certification. Primary data is sourced from interviews with organizers of Halal Product Assurance; BPJPH, LP3H, Halal Product

Process (PPH) Assistants, and business operators. Secondary data is obtained from various theoretical references related to self-declare halal certification and MSE operators.

The data collection techniques used include:(Ali, 2021)

- 1) Observation: directly observing the implementation of self-declare halal certification,
- 2) Interviews: interviewing business operators and organizers of halal product assurance,
- 3) Documentation: documenting all data obtained in this research.

The data analysis technique applied is descriptive qualitative data analysis. Using an inductive reasoning pattern, this study examines the regulations related to self-declare halal certification as well as the issues in implementing the self-declare certification pattern.(Ke, 2016) The normative data is analyzed by studying the facts observed in the field regarding the implementation of self-declare. The issues faced are based on data obtained from interviews, observations, and documentation, supported by the prevailing policy regulations related to self-declare halal certification.

Results and Discussion

Problematic Issues

The term "Problematic" originates from the English word "Problematic," which means an issue or problem and can also be interpreted as something unresolved. In Indonesian, "Problematika" stems from the word "problem," meaning an issue or problem. In the Indonesian Dictionary, "Problematika" is defined as something that has not yet been resolved.(2009)

The problematic issues of halal certification refer to the problems that arise from the implementation of halal certification, whether they stem from the organizers or the business operators. The issues referred to in this study are the problems faced by the organizers and business operators, who play a role in the

Halal Certification and Halal Labeling

A halal certificate is legal proof that a product is halal, evidenced by the inclusion of a halal logo on the product packaging along with a certificate number issued by the Halal Product Assurance Organizing Agency (BPJPH) of the Ministry. The issuance of halal certificates is now managed by BPJPH following the enactment of the Halal Product Assurance Law Number 33 of 2014.(Hasan, 2023)

Halal products include food, beverages, medicine, cosmetics, chemical products, biological products, genetically engineered products, or consumable goods, as stated in Article 1 of the General Provisions of Law Number 33 of 2014 concerning Halal Product Assurance: "Products are goods and/or services related to food, beverages, medicine, cosmetics, chemical products, biological products, genetically engineered products, as well as consumable goods that are worn, used, or utilized by the public."(Hasan et al., 2021)

Based on this article, it can be understood that halal products refer to all goods worn, used, and utilized by the public, including food, beverages, medicine, cosmetics, and consumable goods.

Meanwhile, according to the Halal Product Assurance Law, halal certification is defined as: "Products that have been declared halal in accordance with Islamic law." This definition explains that certified halal products are those used, worn, and utilized by the public that have been declared compliant with Islamic law.(Laili & Fajar, 2022)

The products used by the public are diverse, including both local and imported products from foreign manufacturers, covering food, beverages, medicines, cosmetics, and consumable goods. This diversity makes it difficult for the public to distinguish between halal and non-halal products without a marker, hence the need for halal

certification.

A halal certificate is a document that must be owned by business operators, especially those in the culinary sector. The obligation for halal certification is a mandate of the halal product assurance legislation in Indonesia. Halal certification processing can now be done through two schemes: the regular scheme and the self-declare scheme. All these certification processes are managed and issued by BPJPH.(Ashfia, 2022)

Products declared halal by the Halal Product Assurance Organizing Agency (BPJPH) of the Ministry of Religious Affairs of the Republic of Indonesia will be given a halal certificate based on the type of product submitted. The inclusion of a halal label is granted to products that have been declared halal. This halal declaration is evidenced by a "halal certificate" that details the business operator's identity, products that meet the halal product assurance system standards (SJPH), and the name of the halal product outlet.(Pardiansyah et al., 2022)

Halal labeling is the authorization to affix a halal logo on product packaging by BPJPH. The inclusion of the halal label is essential to ensure that the products produced and marketed comply with Islamic law. A Halal Label is a mark or written proof as a guarantee of halal products with a Halal Logo issued by the Halal Product Assurance Organizing Agency (BPJPH) of the Ministry of Religious Affairs, accompanied by a halal certificate number indicating the product's halal status.(Z. Arifin & Hasan, 2023)

Self-Declared Halal Certification

Self-declared halal certification is intended for Micro and Small Enterprises (MSEs). This can be seen from the composition of business units in Indonesia, which is dominated by the micro, small, and medium enterprise (MSME) sector, totaling 64.2 million or 99.9%. Furthermore, the MSME sector significantly contributes to Indonesia's Gross Domestic Product (GDP), accounting for 61.07% or approximately Rp 8,573.89 trillion. According to a report by the

Maisyarah Rahmi Hasan, et al.

Ministry of Finance (2021), out of 65 million MSMEs in Indonesia, only 1% or around 650,000 MSMEs have obtained halal certification. This is despite the fact that according to Law No. 33 of 2014 on Halal Product Assurance (JPH) Article 4, products entering, circulating, and traded in the Indonesian territory must be halal certified. (Rafianti et al., 2022)

The importance of halal certification is now unquestionable; the mandatory halal label is based on the mandate of the Halal Product Assurance Law Article 4. Various efforts are being made by the government to maximize the realization of halal products in Indonesia. Among these programs is the free halal certification (SEHATI) since 2021. However, in 2022, halal certification was focused on the self-declare scheme.

The Halal Product Assurance Organizing Agency (BPJPH) in synergy with the Ministry of Religious Affairs has introduced a breakthrough in the implementation of Halal Certification. The SEHATI Program (Free Halal Certification) for business operators and MSMEs in 2021 targeted a quota of 3,200 business operators throughout Indonesia. The SEHATI program is a government initiative funded by BPJPH's DIPA budget. The SEHATI program directly aims to: (*Efektivitas Hukum Sertifikasi Halal Gratis (SEHATI)*, 2022.)

- 1) Encourage business operators to carry out production activities in accordance with sharia provisions.
- 2) Provide support and reinforcement for halal products produced by business operators and MSMEs.
- 3) Increase the number of business operators who comply with halal product requirements.
- 4) Add value to products, enabling them to compete in both local and international markets.

This free halal certification program was inaugurated by the Minister of Religious Affairs Yaquut Cholil Qoumas on September 8,

2021. The Minister of Religious Affairs of the Republic of Indonesia warmly welcomed and appreciated this program, especially during the pandemic when the business climate declined, making the Free Halal Certification Program (SEHATI) for Micro and Small Enterprises (MSEs) a hopeful initiative in achieving halal certification targets. This free halal certification continued in 2022 with a scheme change from regular halal certification to self-declared halal certification funded by the government.

Free halal certification is a program by BPJPH of the Ministry of Religious Affairs designated for micro and small enterprises in registering for halal certification. This program was newly launched as part of the implementation of the Halal Product Assurance Law.

The SEHATI program participants are MSEs with products that are mandated to be halal certified as stipulated in Article 1 of Law No. 33 of 2014 concerning Halal Product Assurance. These products include goods and/or services related to food, beverages, medicine, cosmetics, chemical products, biological products, genetically engineered products, and consumable goods worn, used, or utilized by the public.

There are five general requirements that MSEs must meet:(Kemenag, n.d.)

- 1) Have never received Halal Certification Facilitation and are not currently/going to receive Halal Certification Facilitation from other parties.
- 2) Have a legal aspect, namely a Business Identification Number (NIB).
- 3) Have business capital/assets under Rp 2,000,000,000.00 (two billion rupiahs), as evidenced by data included in the NIB.
- 4) Operate and produce continuously for at least 3 (three) years.
- 5) Register one type of product, with a maximum of 20 (twenty) product names, and the product must be goods (not a reseller).

Additionally, MSE operators must meet the following specific

requirements:(*Efektivitas Hukum Sertifikasi Halal Gratis (SEHATI)*, 2022.)

- 1) Have a distribution permit or other relevant permits for the product from the relevant agencies.
- 2) Have a maximum of one outlet and production facility.
- 3) Be willing to provide recent photos of the production process.
- 4) Be willing to fund the product halal testing in the laboratory independently if required to support the inspection process by the Halal Inspection Agency (LPH).

These requirements must be met to obtain free halal certification services provided by BPJPH. The Halal Product Assurance Organizing Agency is an institution responsible for implementing the Halal Product Assurance System in Indonesia based on Law Number 33 of 2014 concerning Halal Product Assurance. All tasks and functions have been regulated in government regulations.

Self-declare is the declaration of the halal status of MSE products by the business operators themselves. The application for self-declare halal certification can be accessed through the SiHalal website at the URL <http://ptsp.halal.go.id>.

Self-declare is the declaration of the halal status of micro and small enterprise products by the business operators. In the Self-declare program, business operators cannot simply declare their products as halal; there are mechanisms that govern this process. The Self-declare application must meet certain requirements, including the need for guidance by a registered Halal Product Process (PPH) assistant and the halal determination process by the MUI Fatwa Commission. (Laili & Fajar, 2022)

The Implementation of Self Declare Halal Certification

Implementation of Self-Declare Halal Certification for Micro and Small Enterprises Self-declared halal certification is a statement by business actors regarding the halalness of the products they

produce. Basically, this halal self-declaration certification has practically been around for a long time, where business actors can declare their products are halal or not, but the labels that appear at that time are labels that indicate products containing haram ingredients, the labels used are not halal labels, but statements. the product "Contains Pork".(Hasan & Latif, 2024)

The phenomenon of the development of halal certification was then continued and managed by LPPOM MUI as an institution mandated by the state to certify halal products in Indonesia. From the beginning, business actors' statements regarding products that "contain pork" were considered sufficient. At that time, this was possible. People still believed and believed that what Muslims cooked was halal. In some areas, even Muslim business actors in areas where the majority are non-Muslim, business actors simply attach and display "Islamic" attributes such as the words "Allah and Muhammad" or the calligraphy "Verse of chairs" or simply the words "bismillah".(Kasanah & Sajjad, 2022)

If this phenomenon is examined more deeply, it proves that guaranteeing a halal product is sufficient only on the condition that the seller is a Muslim, or in the restaurant, the restaurant includes attributes that indicate the seller is a Muslim. Muslim consumers will feel comfortable and assured if the halal food indicators mentioned above are met.

The halal certification self-declare scheme was born after the enactment of law number 11 of 2020 concerning Job Creation, although there are many pros and cons regarding the implementation of this law, it provides benefits and convenience for business actors. Some of the things provided include:(Hasan, 2023)

Ease of managing business legality; In connection with the regulations contained in law number 11 of 2020 concerning job creation, it has been stated in article 48 number 1, that: 1) For Micro and Small Business Actors, the obligation to be halal certified as referred to in Article 4 is based on the statement of the Micro business

actor and Small. 2) The statement of Micro and Small Business Actors as intended in paragraph (1) is carried out based on halal standards set by BPJPH. (Rahayu & Fathoni, 2023)

This article explains the application of halal certification for MSEs which can be done through a statement by the business actor or known as self-declaration. The convenience provided to business actors has succeeded in providing opportunities for micro and small business actors to develop their businesses. The changes that have occurred have actually brought about good development and convenience for business actors, especially micro and small business actors in Indonesia. Since the implementation of the Job Creation Law, it is now easier for MSEs to process business permits, the process is easy, can be done yourself, data verification is automatically carried out via OSS <https://oss.go.id> and its application. The OSS application can also be easily downloaded from the Play Store for Android users and iPhone users on the Appstore. So, according to researchers, it is no longer a reason for difficulties in managing business registration numbers at this time, because the processes and procedures are very easy and practical.

Apart from that, the ease of processing halal certification which is easy and practical is also the hope of all business actors, where based on survey results and observations of heads of business actors, especially in East Kalimantan, many expressed difficulties in fulfilling the documents and requirements for applying for a halal certificate. This is due to their habits, these MSEs are sole actors in their business, the majority of their business is still run by themselves, and they don't even have a special production kitchen and certain outlets for marketing. Business actors still run businesses at home, and only manage them themselves without any employees to help. So in practice, the process of applying for halal certification requires special time to detail the ingredients, create a process flow and product photos that meet the standards required for applying for halal certification. Many MSEs in East Kalimantan are willing to stop

production to process halal certification. Starting from this incident, there are many things that still need to be learned and studied about the situation and conditions of micro and small businesses in East Kalimantan, so that the implementation of halal certification can proceed according to expectations and targets.

Self-declare halal certification will be implemented starting in 2022 in Indonesia, through the BPJPH self-declare scheme which then becomes a free halal certification (SEHATI) program intended for Micro and Small Enterprises. Based on the implementation of government policy, through the halal product guarantee law, job creation law, government regulations regarding the implementation of halal product guarantees, Minister of Religion regulations regarding halal certification obligations and technical requirements for submitting halal certification for MSEs, supported by the decision of the head of BPJPH regarding The criteria for applying for self-declare halal certification, in this case MSEs are given convenience with free halal certification services and also a business actor's statement (self-declare) which is free for MSEs in 2022 and 2023. This statement by business actors through self-declaration also differentiates the service. free halal certification in 2021 and 2022 to 2023. In 2021, the free halal certification service is not only limited to low risk products as applied to the free halal certification product category in 2022 and 2023, but includes all products that have medium risk and above can also be accommodated through regular halal certification.(Ashfia, 2022)

Meanwhile, free halal certification in 2022 will only apply to products that can be categorized as halal through a statement by the business actor using a self-declare system. SEHATI services are accompanied by a halal inspection agency (LPH), while SEHATI 2022 is accompanied by a halal product process assistant (PPH). Likewise, implemented in 2023, products submitted for the self-declare scheme are regulated in the decision of the head of BPJPH number 22 of 2023 concerning amendments to the decision of the Head of BPJPH

number 150 of 2022 concerning technical instructions accompanying the halal product process (PPH) in determining halal certification obligations for perpetrators. micro and small businesses that are recommended based on statements from business actors. Up to now, 1 million free self-declaration halal certification quotas have been fulfilled, but BPJPH continues to open registration to prepare to fulfill the target of 10 million halal products by 2024.

1. Problems with the Implementation of Self-Declare Halal Certification for Micro and Small Enterprises

A problem is a problem or obstacle that has not been resolved. Problems can also arise and arise due to gaps between expectations and reality. So the problem of implementing the self-declare halal certification is the problem or obstacle faced in the process of implementing the self-declare halal certification scheme in Indonesia.

Based on the results of observations, direct visits to the field, interviews, and in-depth research related to the problems of implementing self-declared halal certification, it can be analyzed from several relevant indicators and theories, namely:

A) Problems with the Implementation of Halal Certification in Self-Declare Halal Certification Organizers

The Halal Product Guarantee Organizing Body is the main actor in implementing halal certification in Indonesia, its establishment is a mandate of the Halal Product Guarantee Law Number 33 of 2014 concerning Halal Product Guarantee. Following its implementation since 2019, BPJPH then established representatives in each province by establishing a Halal Product Guarantee Task Force which is now named the Halal Product Guarantee Services Task Force. In practice, the JPH task force is an additional task for the head of the Administration section who is automatically appointed as chairman of the task force, then the secretary and members of the Islamic Community guidance section (bimas) who in this case are seconded to provide consultation and

information related to halal certification. faced are:

The performance of the task force is less than optimal because all of them have main tasks and functions, while the task force is only an additional task. So in practice, the JPh task force generally only provides halal certification services, also carries out coordination meetings with provincial, district and city JPH organizers, as well as carrying out the mandate of the central BPJPH for the programs implemented, including free halal certification by participating. Now many task force members are taking part as companions. if it turns out they are Islamic religious instructors appointed as members, or something else.

Apart from that, knowledge and mastery of halal certification still needs to be added, because in practice many techniques often change, and policies also change, adjusted to the appropriate needs and circumstances at that time.

B) Problems with Halal Product Process Assistance Institutions (LP3H)

BPJPH instructed universities that have halal centers to become PPH companion institutions from the end of 2021. As stipulated by BPJPH that LP3H has a wide area of assistance in accordance with the position of the PPH companion who is under the auspices of P3H. The recruitment process for PPH assistants is returned to the LP3H policy with a process of providing training and screening participants nationally, so that the PPH assistants at LP3H Unmul and UINSI Samarinda are spread across several provinces in Indonesia.

However, the problems faced are: 1) The lack of active PPH companions so that those who actively accompany them are limited to less than 40% of the total number of companions they have. 2) the process of disbursing the honorarium for PPH companions which must be accommodated by LP3H, where BPJPH will send honorariums to PPH companions whose halal certificate applications

have been issued, through LP3H, and then LP3H is the one who must send the honorarium to each companion. This certainly presents challenges that are not easy, considering that LP3H Unmul is a BLU campus where the funds go into the main account, so it takes quite a long time to disburse the accompanying honorarium funds, while the limited personal admin who can carry out duties as treasurer is also burdened with additional duties from main duties as a lecturer and lecturer in higher education. 3) Policy changes that require LP3H to ensure that information is conveyed, but very often it is found that companions do not update information, so LP3H has to repeatedly explain the same thing to PPH companions. 4) Lack of funds to carry out community outreach and education, because existing funds are insufficient to honor additional staff and also carry out outside activities, so sponsorship and donors are needed.

C) PPH Companion Problems

Challenges faced by the majority of assistants, especially in East Kalimantan. Among the problems faced are: 1) Slow response from business actors; the several samples of PPH assistants who were informants in this research, the lack of response from business actors was the cause of the majority of the assistants' problems, this is because in the process of carrying out the duties of a PPH companion, the PPH companion not only verifies, but accompanies the data input process, and also checks the data in submission, correcting the materials entered, how to create a process flow, and also correcting product photos uploaded by business actors so that they comply with standards and are not returned. 2) Lack of motivation to apply for halal certification; Some business actors are still unwilling to apply for halal certification. 3) Business actors lack awareness regarding the requirement for halal certification; The problem that has not yet been resolved is the awareness of business actors regarding the requirement for halal certification. There are still business actors in East Kalimantan who are not yet aware of the mandatory halal

certification, and still feel safe and at ease with the products they sell.

4) Do not understand the provisions and policies of self-declared halal certification; The provisions related to applying for halal certification have been explained in the decision of the head of BPJPH number 22 of 2023, where the products that may be submitted are clearly stated, as are the maximum conditions for product submission. However, in the field, still find business actors who find it quite difficult to understand these limitations, this is because these business actors usually have more than 10 product variants and do not want to apply for regular halal certification.

5) Lack of knowledge among business actors regarding Halal System Technology; There are still many business actors who do not understand the digitalization of halal certification applications through the halal system (SiHalal). Even though technical guidance has been provided, obstacles related to the use of this technology are still very difficult to resolve. This could be because the majority of MSEs are women, and are over 40 years old.

6) Limited halal certified raw materials, especially slaughtered meat; Raw materials are the main ingredients that must be met, for raw materials that fall into the mandatory halal certified category. The main problem that business actors often face is the lack of locally slaughtered meat that is halal certified, this is due to the lack of slaughterhouses, poultry slaughterhouses, poultry slaughterhouses, chicken slaughterhouses, which are not yet halal certified, and there are even districts that do not yet have slaughterhouses.

7) Object to replacing raw materials that are not yet halal certified; Business actors who use slaughtered meat as raw materials, such as chicken spring rolls, then the chicken must be halal certified, sometimes it is very difficult to provide understanding to business actors to replace raw materials with slaughtered meat, so the product will not be able to be submitted if the ingredients are not replaced with ones that have been certified. halal.

8) The mentoring distance is quite far; The limited number of active PPH assistants means that some PPH assistants have to leave the city or district to

accompany products in applying for halal certification. 9) The halal system still frequently goes down and has errors.

D) Problems with the Implementation of Halal Certification for Micro and Small Enterprises

Problematics can be defined as a condition and situation that involves difficulties, challenges or problems that need to be solved and overcome. Some of the problem criteria that will be discussed in this research are related to; problems caused by the process of implementing self-declared halal certification. (Puspita Ningrum, 2022) Related to BPJPH as the party implementing halal certification, PPH companion institutions, PPH assistants and micro and small business actors who are the subjects of this research, so that what will be detailed relates to problems that arise from the internal side of MSE actors or problems that arise from external parties. Researchers divide the indicators into two divisions, namely:

Internal Problems; relate to the problems, challenges and difficulties faced by micro and small business actors who are the object of implementing halal certification. Several problems that arise are related to pre-application, namely related to the preparation of halal certification requirements, and the process of applying for halal certification, as well as post-application of halal certification or after the issuance of a halal certificate. Among the problems faced by MSEs are: 1) Requirements for Submitting Halal Certification; Requirements that must be met by business actors in the process of applying for halal certification, however, the convenience provided to MSEs through the self-declare halal certification scheme is that there is no need to create application documents, declaration letters, SJPH manuals, halal supervisor decrees, because it is enough to fill in the data in the system Sihahal, all data and documents will be generated in PDF, and can be downloaded from Sihahal. This is an convenience provided for MSEs, so it does not make it complicated and difficult to apply for a halal certificate. 2) Halal Certification Application Process;

The problem faced after the requirements have been completed is that sometimes there are still procedures that do not comply with standards, such as selecting the type of product, the provisions must be adjusted to the decision of the head of BPJPH regarding technical guidelines for applying for halal certification, for example applying for banana chips to be included in the fruit category, and can also be included in the type of ready food. (Fuadi et al., 2022)

In practice, there are still many business actors and assistants whose applications do not comply with the way they describe the production process, so many applications are still rejected and cancelled. For the status of applications that are returned, business actors are still given the opportunity to revise and adjust according to the reasons stated by the fatwa committee, however, for products that have the status of being rejected or cancelled, the product does not meet the standard product criteria that can be submitted via self-declaration.

Post Issuance of halal certificate; after the issuance of the halal certificate, the problems that still occur are: 1) Lack of legal compliance with product name limitation provisions. 2) Haven't updated the halal label sticker; Some business actors still have not updated the halal labels on products that have received halal certificates. Some of the reasons faced are because a lot of stickers have been printed before they have a halal certificate, so they have to wait until they are finished before they are printed again. (Sari, 2019) 3) There is not yet strict supervision;

On another hand, there are some External Problems in implementing halal certification are: 1) Equal Socialization; there were several city districts that had never received information and socialization related to free halal certification through the self-declare route, in fact, some of the MSEs had only just heard of the term, this was due to limited geographical coverage with minimal access. 2) Public/Consumer Awareness; the general public and Muslim consumers who still have minimal awareness regarding the

importance of choosing halal certified products, especially in areas where the majority of Muslims are, and also in areas where it is still difficult to get halal certified products. 3) Government support; The government has also made efforts to enact a halal product guarantee law, establish a halal product guarantee administration body under the Ministry of Religion, issue government regulations, regulations of the Minister of Religion, and the decision of the head of BPJPH are very strategic steps to develop the halal industry in Indonesia. and also increasing awareness of MSEs to process halal certification, as well as providing free halal facilities. 4) Equitable Companion of Halal Product Processes; 5) PPH Companion Ability Competencies; a PPH companion is a person whose job is to accompany business actors through the application process for halal self-declaration certification to verify and validate the halal statement/pledge of the business actor's products.

Based on the explanation above, it can be understood that problems related to the problems faced in the halal self-declaration certification process require a solution to obtain the best quality in terms of quality control of halal products.

Conclusion

Based on information obtained from data collection related to the problematic implementation of self-declared halal certification, it can be concluded as follows:

1. The implementation of self-declared halal certification has been carried out in accordance with the mandate of the law on halal product guarantees and the provisions of the Minister of Religion Regulations related to halal certification for micro and small business actors, as well as the decision of the head of BPJPH regarding the technical implementation of self-declared halal certification. Self-declare halal certification is a statement by a business actor declaring the halalness of his product accompanied by a halal product process

companion, by submitting an application for halal certification together with the conditions for submitting a self-declare which include: 1) Business registration number, 2) Material matrix, 3) product process flow, 4) product photos, and 5) pledge. Completed applications are submitted through the SiHalal halal system, verified and validated by the PPH assistant, verified by BPJPH and then submitted by the fatwa committee. The results of the halal determination issued by the fatwa committee become the basis for issuing halal certificates by BPJPH. Halal certificates that have been issued can be downloaded via sihalal.

2. The problems of implementing halal certification for micro and small business actors are related to the problems that are the challenges and difficulties faced by business actors in the process of implementing self-declared halal certification. Based on the results of the analysis carried out by researchers, there are findings that show that problems related to implementation are related to; The organizers include BPJPH which has regional representation with the term Halal Product Guarantee Services Task Force (JPH), which experiences problems related to vehicle limitations and movement limitations with additional duties as a JPH task force, apart from that the JPH organizers are also PPH companion institutions (LP3H) where the majority of the main problems faced are the inactivity of PPh assistants, difficulties in distributing companion honorariums, and also limited funds to carry out socialization and education regarding mandatory halal certificates. Meanwhile, the problems faced by business actors can be divided into 2 categories, namely internal problems from the business actors themselves, and external problems related to organizers or the general public.

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Maisyarah Rahmi Hasan, et al.

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