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**The Implementation of Qanun Aceh No.8 of 2016  
Concerning Halal Product Insurance System for  
Restaurant and Coffee shops in the Lhokseumawe City**

Manfarisyah, Faisal, Sofyan Jafar

# **The Implementation of Qanun Aceh No.8 of 2016 Concerning Halal Product Insurance System for Restaurant and Coffee shops in the Lhokseumawe City**

**Manfarisyah<sup>1\*</sup>, Faisal<sup>2</sup>, Sofyan Jafar<sup>3</sup>**

Faculty of Law, Universitas Malikussaleh

\*Correspondent Author, e-mail: [manfarisyah@unimal.ac.id](mailto:manfarisyah@unimal.ac.id)

## **Abstract**

Halal products are a major need for Muslims around the world. The existence of halal-certified restaurants and coffee shops is absolutely necessary, especially in Aceh Province which enforces Islamic Sharia. The 1945 Constitution of the Republic of Indonesia guarantees the independence of every citizen to embrace his religion and belief. In order to carry out the constitutional mandate, the government is obliged to provide facilities and protection to everyone. One of the needs of Muslims is the availability of halal products for consumption and use. This study aims to examine the implementation of Qanun Aceh No. 8 of 2016 in the city of Lhokseumawe, how the obstacles and the supervision system carried out by the local government of Lhokseumawe City against the SJPH Qanun Aceh, especially regarding halal certificates. Using qualitative research methods with an empirical juridical approach, and prescriptive. The results showed that although the SJPH Qanun Aceh has been in effect for 6 years, it has not been running well, the research data shows that the restaurants established in the Lhokseumawe City area do not have halal certificates, the obstacles are lack of knowledge and lack of information from related parties. The Lhokseumawe City Government does not carry out autonomous supervision, there is no delegation of authority from the Provincial MPU LPPOM. MPU of Lhokseumawe City only participates in the Provincial LPPOM Program. It is recommended to the Aceh Provincial MPU to delegate supervisory authority to the city district government. Businessmen are advised to immediately take care of halal certification because providing halal products is an obligation that must be done.

## **Keyword**

Implementation, Qanun Aceh, Certificate, Halal, Businessman

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## **1. Introduction**

Halal products are a major need for Muslims around the world. The existence of a halal industry is absolutely necessary, especially for the State of Indonesia, which has a majority Muslim population, the 1945 Constitution of the Republic of Indonesia guarantees the independence of each resident to embrace his religion and belief. In order to carry out the constitutional mandate, the government is obliged to provide facilities and protection to everyone. One of the main needs of Muslims is the availability of halal products for consumption and use by the community. Regulations regarding the obligation of halal production have been regulated in No. 8 of 1999 concerning the Consumer Protection Law (UUPK), In 2014 the government specifically stipulates Law No. 33 of 2014 concerning the Halal Product Assurance System (SJPH), which regulates the obligation to be certified halal for products circulating and traded in the Indonesian Territory. In the SJPH Law, it is emphasized that the government is responsible for administering halal guarantee products. And for its implementation, a Halal Product Guarantee Agency

(BPJPH) is formed, which is tasked with formulating and establishing Halal Product Assurance (JPH) policies and everything related to JPH.

The obligation to have a halal certificate for every product circulating in the territory of Indonesia as regulated in Article 4 UUJPH. The implementation of JPH which aims to provide comfort, security and certainty of the availability of halal products for the public in consuming and using products that can be recognized by the existence of a halal certificate with the inclusion of a halal label on the product. Aceh Province as a region that proclaims the application of Islamic Sharia, has established a special regulation at the regional level, namely Aceh Qanun Aceh No. 8 of 2016 concerning the Halal Product Assurance System (SJPH). The organizers are the Aceh government, the ulema Consultative Assembly and the Food, Drug and Cosmetics Study Board, the Aceh Ulemas Consultative Council, hereinafter referred to as LPPOM MPU Aceh, which is an institution given the authority to certify halal products according to sharia guidelines.

The Aceh government is responsible for the arrangement and supervision of the SJPH and for the implementation of the SPJH, apart from the stipulation of the SJPH Qanun Aceh, several SJPH implementing bodies have been established, including the Fatwa Commission, Halal auditors, Halal Product Supervisors/supervisors. From the regulations that have been stipulated, it is clear that the obligation to implement SJPH must be understood and carried out by all relevant parties, both the provincial government and the city district government, businessmen and the community as consumers. The role of the government is to supervise and guide all parties related to the production and trade of products that are needed by the community. The implementation of the arrangement and supervision of halal products is given authority to LPPOM MPU Aceh as an autonomous body of MPU Aceh which is permanent. Arrangement, supervision can be done at any time, planned and systematic.[2]

Some Definitions Related to Halal Certification:

- a. The Aceh Ulama Consultative Assembly, abbreviated as MPU, is an assembly whose members consist of Ulama, Scholars, Muslims who are partners with the Aceh government and the Aceh People's Representative Council.
- b. Institute for the Study of Food, Drugs and Cosmetics, LPPOM. The Aceh Ulama Consultative Council, hereinafter referred to as LPPOM MPU Aceh, is an institution that is given the authority to certify halal products according to sharia demands.
- c. Halal auditors are people who have the ability to check product halalness.
- d. Halal product supervisors/supervisors are staff/some internal company staff who are officially appointed by company management as staff to coordinate the implementation of the Halal Product Assurance System (SJPH), SJPH based on Islamic principles, justice, protection, certainty of protection, openness and effectiveness and efficiency.
- e. Products are defined as goods and/or services related to food, beverages, drugs, cosmetics, chemical products, biological products, genetically engineered products, as well as goods used, used, or utilized by the public, products including intermediate products and final products.
- f. Businessmen are any person or business entity, both legal and non-legal entities that are established and domiciled or carry out activities to provide raw materials, process raw materials and market. [3]

- g. Products in the Aceh region, either alone or jointly through agreements to organize business activities in various economic fields.
- h. Halal certificate; A written fatwa issued by the Aceh MPU through the decision of the fatwa commission, Halal label is a sign on product packaging, a certain part of a product or a place indicating the halalness of a product.

The parties mentioned above are directly involved in the halal certification process and the halal logo affixed to the products traded by businessmen, including restaurant/restaurant and coffee entrepreneurs. The research problem is how to implement halal certification for restaurant/restaurant/coffee actors in the city of Lhokseumawe based on Qanun Aceh No. 8 of 2016, what are the obstacles to implementing halal certification for businessmen and obstacles in supervision by the local government in Lhokseumawe City.

## **2. Discussion**

The need for halal food is very urgent to be fulfilled by every businessman who trades goods/food and beverages to be used/consumed by consumers/community. Article 4 UUJPH regulates the mandatory halal label on food products/goods traded in the Indonesian Territory. The obligation to have halal certification and include a halal label also applies to the home food industry both for the production of wet cakes and pastries, drinks and other foods.

### **a. Implementation of Halal Certification Based on Qanun Aceh No. 8 of 2016 concerning the Halal Assurance System in the city of Lhokseumawe**

Lhokseumawe City is one of the cities in Aceh Province, Lhokseumawe City is a bustling city inhabited by people from various tribes and ethnicities, as well as trade in the city of Lhokseumawe is very busy, hundreds of restaurants, restaurants and coffee as well as food sales places thrive. Considering that Lhokseumawe City is a city in Aceh Province that enforces Islamic Sharia. The Aceh government and regional governments with related agencies need to pay attention to the halalness of products traded by restaurant, restaurant, coffee and coffee businessmen. other food sales places, which were established and carried out their business activities in the Lhokseumawe City area.

The standardization of places and products must comply with the provisions of the legislation is the obligation of every businessman. Businessmen must be responsible for producing food and beverages that meet Food Sanitation Hygiene (HSM), namely health and hygiene efforts to control food, people, place and equipment, and environmental factors that can cause disease/health problems/food/beverage poisoning. Responsibility is a legal, moral and religious responsibility. UU no. 18 of 2012 concerning Food as the legal basis for food, has regulated the obligations that must be fulfilled if businessmen sell food/beverages both individually and as business entities for restaurants, coffee, restaurants and others. Food safety is urgently needed to prevent food from being contaminated with various hazardous substances, such as biological, chemical and other

objects that can disturb and endanger human health and do not conflict with religious teachings and beliefs.

The obligation of halal certification for every product and place where food is made and traded is also in line with the purpose of the establishment of UUJPH, namely to maintain comfort, safety, and maintain public health. In particular, the Muslim community is obliged to consume / use food or products that are "Halalan Thayyiban". Every businessman who trades food and beverages for consumption/use by the public is required to implement Food Sanitation Hygiene (HSM). Parties who must implement HSM: are managers and workers of canteen centers/snacks, household management, catering services, restaurants and restaurants.

The obligation to provide and consume halal goods and food is not only an order of state law but the most important thing is the command of Allah the Creator, in the Qur'an and hadith it is very clear that there is no doubt in it. Thus it is everyone's duty to consuming and providing/trading halal products, both food, beverages and other goods that are guaranteed to be halal.

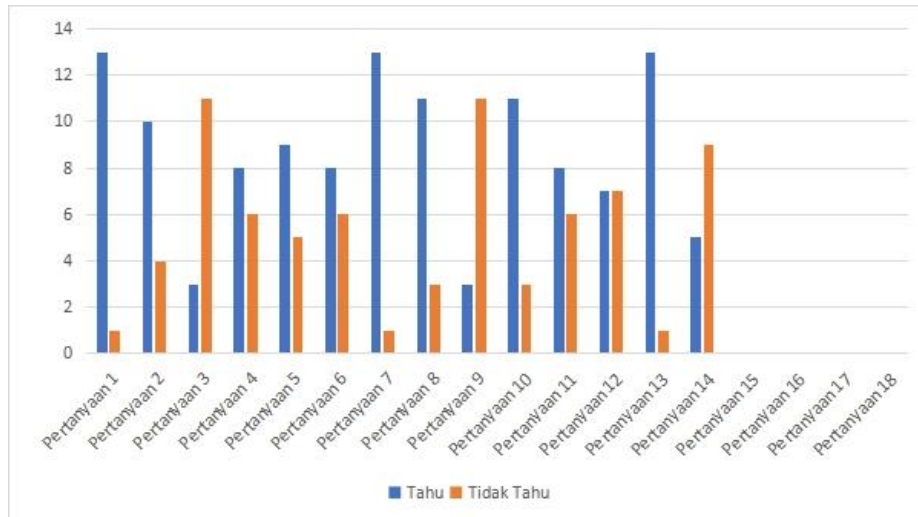
The provisions of positive law and the provisions of Islamic Shari'a have made it obligatory for all businessmen to trade and produce food and beverages or other goods that have halal certificates, especially for Aceh Province, which has also stipulated Qanun Aceh No. 8 of 2016 concerning SJPH in particular. Article 35 of the SJPH Qanun Aceh regulates the prohibition for businessmen to produce and/trade non-halal/non-halal-certified products, it is also prohibited to include halal logos/labels on product packaging that are not yet halal-certified and/or include information that is not in accordance with the laws and regulations. invitation.

Businessmen are obliged to apply for halal certification for products that have not been certified halal, appoint supervisors and supervisors for halal products in their companies, provide correct and honest information, maintain the halal product process, renew halal certificates if the validity period has expired and display halal certificates for LPPOM MPU Aceh in a place that is easily read by consumers. [4]

Article 36 of the Qanun Aceh SJPH regulates sanctions for violations of the provisions in Article 35 of this Qanun Aceh are given administrative sanctions in the form of verbal warnings, written warnings, not granted or revoked production permits, not granted or revoked distribution permits in Aceh, revocation of halal certificates, not granted or revoked business licenses or administrative fines.

The survey data show that most of the restaurants/restaurants and coffee in Lhokseumawe City do not have Halal Certificates, of the 16 restaurants/restaurants and coffee shops taken as samples, 1 (one) businessman did not fill out the questionnaire, 1 (one) person not return the questionnaire sheet; so that the questionnaire that analyzes as many as 14. several important questions about the understanding of usaka actors about the halal label, in filling out the questionnaire only 3 owners/managers claimed to have taken care of halal certification and 11 others did not take care of it, for various reasons, some did not know about the obligation of halal certification, there were businessmen who did not understand the management procedures. But many also know but do not take care of it. Question number 1 to question no. 17 concerning knowledge of businessmen about halal certification.

For more details on how the answers from businessmen through the questionnaire can be seen in the following diagram:



**Figure 1. Questionnaire Result**

This data is filled by the businessman or manager of the restaurant or coffee shop in the Lhokseumawe City at Oktober 18th-19th 2022. From the answers to the questionnaire, it can be explained that there are several obstacles faced by businessmen and by local governments in the application of halal certificates based on Qanun Aceh No. 8 of 2016 concerning SJPH.

## **b. Barriers to the Implementation of Halal Certification for Restaurant, Restaurant/Coffee Businesses in Lhokseumawe City.**

As explained above, many places selling food in the city of Lhokseumawe do not yet have a halal certificate, whether in the form of restaurants, restaurants, coffee shops or other forms of business entities, in the form of restaurants. It is necessary to analyze and examine the obstacles experienced by businessmen and the obstacles for local governments in carrying out supervision and control. Without supervision and control, a rule is difficult to implement, because some people just want to carry out the rules that have been set, there must be a firm order from the related parties.

### **1) Barriers for Resto, Restaurant and Coffee Businessmans in Lhokseumawe City**

The obligation to produce halal certified products has been regulated in the SJPH Qanun Aceh, Article 35 confirms that businessmen are prohibited from producing or trading non-halal/non-halal certified products, the provisions are intended for all businessmen who trade products in Aceh Province, including restaurant, restaurant and coffee businesses. However, until this research was conducted, there were still many businessmen who had not taken care of halal certification for various reasons.

From the results of surveys and interviews, some of them know that there are provisions that require halal certification for places or products being traded, others do not know it. The reasons for not taking care of halal certification include: lack of

information from related parties, no sanctions even though they do not have halal certificates for the businesses they run. Businessmen also feel that it is not too important to take care of halal certificates as long as consumers still want to buy them. attitude of not caring about the halalness of the products sold. [5]

## 2) Obstacles for the Government in Implementing Supervision and Control

In carrying out supervision and control of restaurants, restaurants and coffee, the city district government is not given the task of autonomously to supervise and control businessmen who do not have halal certificates. The city district government only participates if there is a program from the Province MPU LPPOM, as stated by Mr. H. Abubakar Ismail at a community service event with the theme Counseling and Assistance in the Management of Halal Certification for Lhokseumawe City's Businessman. [6] If there are businessmen who need assistance in managing halal certification, the Lhokseumawe MPU of Lhokseumawe City is ready to help. A similar statement was also conveyed by Mrs. Kasyiah from the Lhokseumawe City Health Office, if businessmen need recommendations from the Lhokseumawe City Health Office, they are ready to help, free of charge. [7]

The need for awareness from businessmen to comply with applicable regulations, for this reason it is necessary to carry out socialization and counseling evenly for all businessmen in order to increase legal awareness to become responsible businessmen in carrying out business without harming other parties, especially consumers, also needs supervision. routinely by the government and related parties.

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