

# **Cẩm nang về quy định Halal của Indonesia**

*Thương vụ Việt Nam tại Indonesia*

*Jakarta, 1/2023*

# Law & Regulation

- The Law No. 33/2014 on Halal Product Assurance
- The Law No. 11/2020 on Omnibus Law
- The Government Regulation No. 39/2021 on the Implementation of Halal Product Assurance
- The Minister of Religious Affairs Regulation No. 2/2022 on the International Cooperation of Halal Product Assurance
- Decree of the Minister of Religion No. 748/2021 concerning Types of Products that Must Be Certified Halal
- Decree of the Minister of Religion No. 1360/2021 on Materials Excluded From Obligations to be Certified Halal

## **Article 4, Law 33/2014**

“Products that enter, circulate, and are traded in the territory of Indonesia must be halal-certified.”

# MANDATORY HALAL-CERTIFIED PRODUCTS

Government Regulation 39/2021 Article 135-138

## Goods



Food  
Beverages



Drug  
Cosmetic



Chemical product  
Biological product  
Genetically modified product



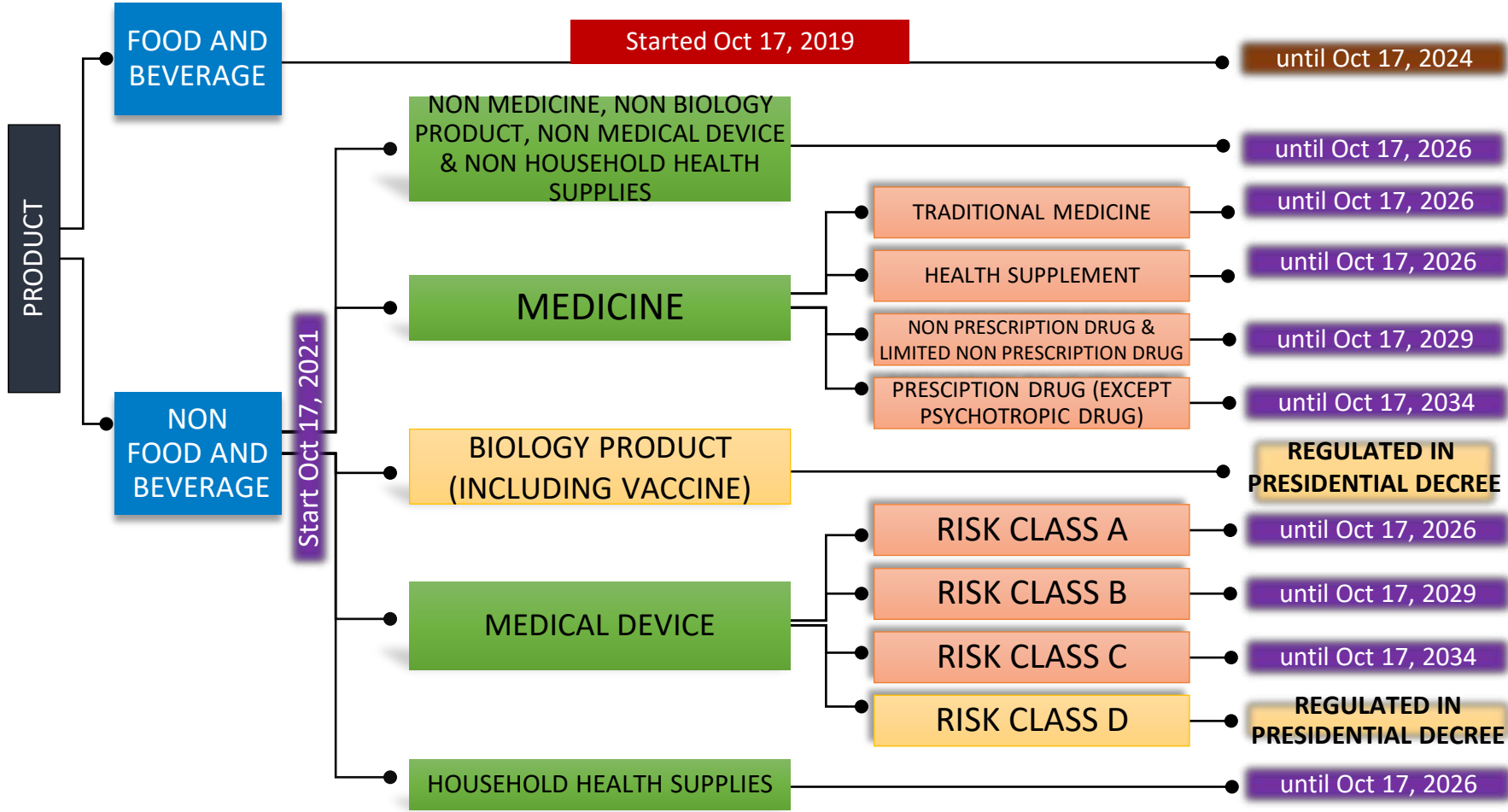
Consumer  
goods

## Services



1. Slaughtering
2. Processing
3. Storage
4. Packaging
5. Distribution
6. Selling
7. Presentation

# Phase of Halal Certification



# Decree of the Minister of Religion (KMA) Number 748 of 2021 regarding Types of Products that Must Be Certified Halal

- ❖ There are 15 categories of types of products (goods and services) that must be certified halal including: Food, Beverages, Medicines, Cosmetics, Use Goods, Slaughter Services, Processing Services, Presentation Services, etc;
- ❖ Food category, which includes: milk and its derivatives, bakery products, meat and their preparations, snacks, sugar, salt, etc;
- ❖ Beverage category, these include: mineral water, fruit juice, carbonated drinks, flavored drinks, coffee, tea, traditional drinks, premix drinks, etc;
- ❖ Service category, only those related to food, beverages, drugs, and cosmetics.

**Decree of the Minister of Religion (KMA)  
Number 1360 of 2021  
Regarding Materials Exempted From  
Obligation to be Certified Halal**

Materials that are exempt from the obligation to be certified halal include:

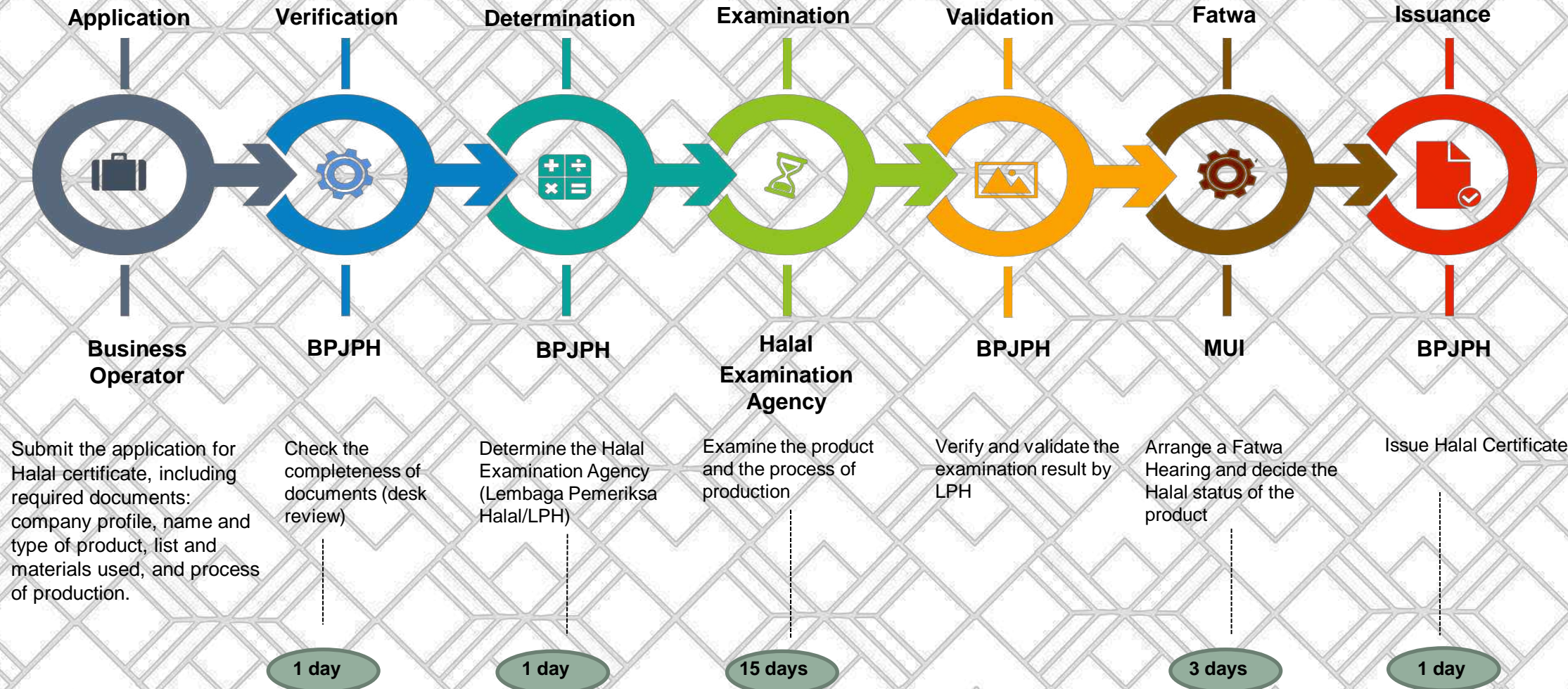
- a. Materials that come from nature without any processing or physical processing and without the addition of other ingredients. For example: fresh fruit, fresh vegetables, dried vegetables, fresh eggs, fresh fish, dried sea/fresh fish, and others;
- b. Materials that are not at risk of containing and/or being contaminated by non-halal materials, for example: gauze pads, cellulose, synthetic polymers, and others;
- c. Chemicals that are not classified as dangerous and do not contain substances that are not Halal, there are about 4000 types of chemicals.

# Description Non Halal

NO	Law No. 33/2014 Article 26:	Government Regulation No. 39/2021
I	Business actors produce Products derived from prohibited materials are excluded from applying for a Halal Certificate	Article 93: Products originating from materials that are prohibited must include non-halal information in the form of pictures, writings, and/or names of materials with different colors in the composition of the materials.
II	The said Business Actor is required to include non-halal information on the Product..	Article 94: The inclusion of information is not halal, it must be easy to see and read and not easily deleted, removed, and damaged.

# Import Product Service Scheme

NO	CATEGORY	SERVICE SCHEME
I	End Products	<ul style="list-style-type: none"><li>• Submit the halal certification process directly to BPJPH</li><li>• Inspected by Indonesia LPH</li><li>• BPJPH will issue halal certificate</li></ul>
II	Category: a. Raw Material b. Processing Aid c. Additive d. Slaughtering Product	<ul style="list-style-type: none"><li>• Can be certified by the Halal Certification Body in the country of origin</li><li>• The HCB must cooperate with BPJPH based on agreement between countries (<i>in the field of economy, trade, socio cultural, etc</i>)</li></ul>



**Total: 21 working days**

*For Foreign Product, the documents can be submitted by the importer*

# Agreement with Countries by Indonesia BPJPH

## AGREEMENT BETWEEN COUNTRIES:

**“Internasional cooperation is based on agreement between countries.”**

– Government Regulation No. 39/2021 Article 119 par (4)

- 1) Memorandum of Understanding (MoU) Government to Government (G to G) in Halal field; or
- 2) Existing Bilateral Agreement between Indonesia and country partner, still valid, in the field of economy, trade, socio cultural, etc – *according to the Minister of Religious Affairs Regulation No. 2 Year 2022*

# International Cooperation

1

## Cooperation in The Development of Halal Product Assurance

- Technology
- Human Resources
- Facility & Infrastructure

2

## Cooperation in Conformity Assessment

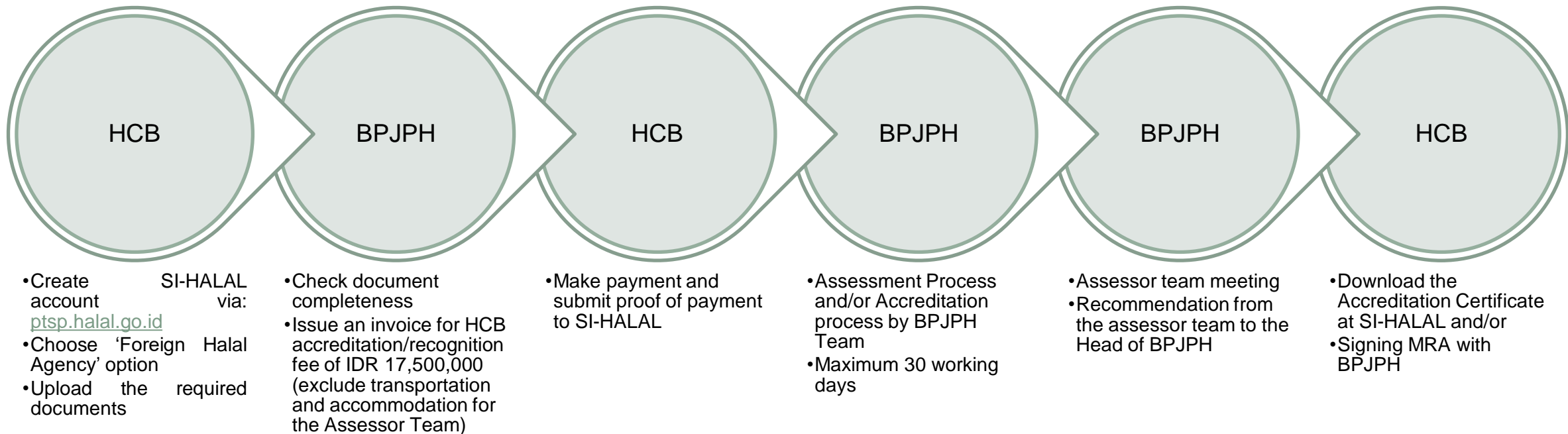
- Mutual Recognition;
- Mutual acceptance of conformity assessment result
- Cooperate with accreditation agency

3

## Cooperation in The Recognition of Halal Certificate

- Cooperate with the Foreign Halal Certification Body that authorizes to issue the halal certificate

# Accreditation/Recognition Process for HCB by BPJPH



# HCB Requirements

*According to the Minister of Religious Affairs Regulation No. 2/2022:*

- 1) Evidence of the legality of the institution as evidenced by a permit or recommendation from the local state authority;
- 2) Have its own office and include address;
- 3) Have an organizational structure;
- 4) Have a shari'ah board/fatwa board or ulema who are authorized to determine the halalness of the product;
- 5) Have a competent halal auditor of at least 3 (three) people in accordance with the competency standards of halal auditors in Indonesia;
- 6) Have halal standards that are in accordance with Indonesian Halal Product Assurance standards;
- 7) Have an accreditation certificate from a local state accreditation agency that has obtained recognition in regional or international organizations and has held international cooperation in conformity assessment;
- 8) Have an accreditation certificate from BPJPH for HCB that accredited by BPJPH Accreditation Team for Halal Examination Agency; and
- 9) Own or cooperate with an accredited laboratory or international standard ISO 17025.

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