

## THE CONCEPT OF HALAL AND HALAL FOOD CERTIFICATION PROCESS IN MALAYSIA: ISSUES AND CONCERNS

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### Abstract

The process of *halal* certification is dependent on the construction of what is deemed to be falling within *halal* parameters set by the Quran and Sunnah, being the two primary sources of Shari'ah, and supplemented with juristic opinion and issuance of fatwa by national religious authorities. In Malaysia, the authority responsible for *halal* certification is JAKIM while the authority responsible to provide rulings on *halalness* is the National Fatwa Committee. This article examines the guiding principles for the concept of *halal* in the Quran and Sunnah and the collection of *fatwa* on food products by the National Fatwa Committee. Together, the three sources constitute the yardstick to the implementation of *halal* in Malaysia. Using content analysis, the article analyses the meaning and construct of the three primary sources and examine the issues and concerns arising from the implementation of *halal* certification process in Malaysia. The article also highlights the views of Yusuf al Qaradhawi, being the most prominent scholar on the underlying principles of what constitute of *halal* and *haram*. The article concludes that whilst the Quran has outlined the general principles for the determination of *halalness*, there is a considerable need for guidance from the religious bodies in the form of *fatwa* on any recurrent issues pertaining to food products and processes.

**Keywords:** concept of halal, halal certification, national fatwa, juristic views.

### Introduction

Malaysia is a multi-ethnic and multi-cultural country. The Muslims are the majority and their places and interest are supported by the constitution that has provided Islam to be the official religion of the country (Federal Constitution, 2009). In this diverse society, the Muslims are very cautious of their faiths and beliefs especially when it concerns the food. Usually, people select food based on their sense of taste, desires and affordability. Muslims, however, have to assess whether the food is permissible in Islam or not, because the life of a Muslim centres on the concept of *halal* and *haram*. The basic guidelines about the law on *halal* food can be found in the Quran and Sunnah itself.

Muslims are increasingly seeking food products that meet their dietary needs (Alqudsi, 2014). In addition, the consciousness of Muslim consumers of their religious obligations creates a demand for *halal* foods. The concept of *halal* is now becoming a standard demand and it generates serious attention in the local, international and global markets (Hanzaee & Ramezani, 2011). Nowadays, to ensure a Muslim consumer genuinely gets *halal* products is quite difficult. This article starts first with an overview of the process of halal certification in Malaysia. The article then moves to explore the prescriptions of the Quran and Sunnah, before moving to analyse the various national fatwa rulings on halal food in Malaysia. The article concludes with some analysis of the development of *halal* certification in Malaysia and comes up with

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some suggestion on the way forward. which are the two established primary sources in Islam and also elaborates the recent development on matters regarding *halal* food products.

### **Methodology**

This article adopts a content analysis approach in reviewing relevant legislations, an injunctions of the Quran and Hadith on *halal* and the various national fatwa as to issues pertaining to *halalness* of a specific food product. All the relevant materials are collated and given more extrapolation from the writings of other Muslim jurists so as to give more meaning to these Quranic and *Hadith* injunctions as well as the national *fatwa*. The article begins first with an analysis of the existing positions in Malaysia and the second part will examine injunctions from the Quran and *Sunnah* on *halal*.

### **The Concept of *Halal* Certification**

There are various Islamic agencies all over the world that issue *halal* certification. They provide the assurances to the consumers that the products ingredients and processes involved in making them are Shari'ah compliant. At the moment, the concept of *halal* has become a new trademark around the world (Hassan & Hamdan, 2013). An ordinary trademark differs from a certification trademark because it provides a warranty to show those goods and services have accomplished certain specific requirements. *Halal* certification as a symbol of value, health and ecosystem not only works as an assurance to verify the product's conformity to Islamic dietary laws but also ensures that it comprises all the permitted elements. (Taylor, 1955) asserts that,

*“Certification marks and quality labels as marks are used upon or in the products and services of one and more person to certify regional or other origin, material, mode of manufacture, quality, accuracy or other characteristics of such goods or services”.*

Today, producers are required to have their products stamped with *halal* certification in order to distinguish their goods from other products in the market. *Halal* certification is a means of ensuring customers' satisfaction, assurance and reliance. Furthermore, it requires not only the food served to be *halal* but also the entire process involved would be *halal* as well. *Halal* certified products demand a high level of hygiene, certain standards of cleanliness, safety and nutrition which fulfil the needs of consumers, especially Muslim consumers.

In this respect, Malaysia is internationally recognized as an advanced Muslim country. It has the prospect of becoming a key producer of *halal* food products by using the commitment and support of the government as well as the local authorities. According to the Ninth Malaysian plan, Malaysia will promote *halal* certification globally and be the main centre for the certification of *halal* products. Due to this fact, the Malaysian government has enacted laws as well as formulated procedures and guideline for domestic and imported *halal* products. Malaysia has planned to be a *halal* hub country by 2020 (Riaz & Chaudry, 2004). In responding to the vision, the government is trying to set Malaysia as an example for other countries in the distribution, production and promotion of *halal* food products.

### **Overview of *Halal* Certification in Malaysia**

*Halal* certification as a symbol of value, health and ecosystem not only works as an assurance to verify the product's conformity to Islamic dietary laws but also ensures that it comprises all the permitted elements. This part of the article provides an overview of *Halal* certification in Malaysia, beginning with its history.

The last two decades, has seen the emergence of *halal* industry as one of the fastest growing sectors in Malaysia. Malaysia entered the global *halal* food market by opening international restaurants in the 1970s (Lever, 2013). From the beginning, Muslim consumers have expressed their eagerness about imported *halal* food products. They demanded that all imported foods should be *halal*. That driving force encouraged the Malaysian authority to promulgate laws as well as specific rules and regulations on this matter. It paved the way for Malaysia to provide *halal* foods to the national and international jurisdictions which are highly recognized in the global market. The first legislative initiative was taken in Trade Description Order 1975. The use of false *halal* labelling and a *halal* sign is a punishable offence under this law.

Another initiative was in 1982 when the Prime Minister's Department under the Islamic Affairs Division established a committee on assessment of foods, drinks and goods which are consumed by Muslims. This committee is responsible for inspecting and introducing awareness amongst *halal* food producers, distributors and importers. In addition, in the same year the Malaysian government issued regulations making it mandatory for all meat (beef, mutton, veal and poultry) imported into Malaysia to have *halal* certification and such meat should originate only from meat plants approved by the Islamic Affairs Division of the Prime Minister's Department and the Department of Veterinary Services, Malaysia. After that the Islamic Affairs Department dispersed from the Prime Minister's Department and new agencies is called *Jabatan Kemajuan Islam Malaysia* (JAKIM) or Islamic Development Department of Malaysia and the State Religion Departments (JAIN) have played an important role in the management of *halal* certification on behalf of the Malaysian government. JAKIM and Islamic Religious Councils are the core controlling body that administers Malaysian *Halal* certification for *halal* food products (Shariff & Lah, 2014) and it also creates policies which are decided by the cabinet. This agency issues the *halal* certification logo and approves food products which strictly fulfil the *halal* requirements in accordance with the Shariah laws. These policies and standards are operated by JAKIM and JAIN for the purpose of *halal* certification.

Apart from JAKIM, the State Islamic Religious Departments or State Islamic Religious Councils (Majlis Agama Islam Negeri, hereafter termed as MAIN) are also accepted bodies for certification. Additionally, there are 73 foreign certification bodies that have been recognized by JAKIM as of July 24<sup>th</sup>, 2014 (List of Approved Islamic Bodies, 2014). The government has reorganized the issuance of certificates whereby JAKIM will certify food products procedure in Malaysia and for export whilst JAIN will issue certificates to companies producing food in the specific state only, using the same *Halal* logo. For the purpose of synchronization and coordination, JAKIM works closely with SIRIM and the Department of Standard Malaysia (DSM) together for the development of Malaysian *Halal* Food Standard. In this respect, Malaysia is the only country whose certification is issued by the government. On the other hand, Islamic organizations are authorized to certify products in other countries. Meanwhile, JAKIM

has developed its own *halal* manual procedure for the purpose of applying, auditing and monitoring *halal* certification procedures. The principal purpose for *halal* certification by a recognized certification organization is to ensure whether a product is *halal* or not for Muslim consumers. Another purpose of JAKIM is to work as an enforcement body that imposes legal requirements, operating standards and guidelines to ensure businesses comply with the *halal* regulations. After the amendments to the Trade Description Act 2011, it empowered JAKIM to carry out enforcement on traders who abuse the *Halal* logo in their products. However, *halal* certification is a serious and complicated matter; thus the local authority can also take the responsibility and co-operate the work which has been done by JAKIM (Aziz & Sulaiman, 2014).

### **Primary Guidelines on Halal in the Quran and Sunnah**

This part of the article provides the basis for the determination of the status of *halal* of a particular food item. In order to do this, it is necessary to explain the impetus behind this need. It has roots in the concept of Tawhid itself. In Islam, all supremacy goes to Allah. As a conscientious Muslim, the prime condition for Muslim is to pronounce:

*“There is no god except Allah”* (Surah Al-Naml: 26)

So all activities must be undertaken in the name of Allah only as a form of devotion to Him. The word *halal* means that which is permissible, allowed and lawful and the reverse is *haram*. In Islam, *haram* is thus an act, object or conduct that is forbidden based on evidence in the Quran and Sunnah.

In the Holy Quran, Allah commands Muslims and all of mankind to consume only what is good and *halal* (lawful). According to Quran:

*“This day all things good and pure have been made lawful to you”*  
(Surah Al-Maidah: 5)

And then again,  
*“O ye who believe! Forbid not the good things that Allah has made Halal for you”*  
(Surah Al-Maidah: 87)

Besides, it is pronounced another principle on *halal* and *haram*:

*“O mankind! Eat of that which is lawful and wholesome”*  
(Surah Al-Baqarah: 168)

All food products must not only have to be *halal*, but also *toyyiban* (*wholesome*) as is illustrated in the last Quranic injunction. From these Quranic ayahs, it can be surmised that the main objective of the Islamic law is 'halal'ness is to protect the human beings; any food or drink which may cause harm to the human body and health is forbidden even if there is scientific evidence to back this up. Allah says,

*“And make not your own hands contribute to (your) destruction”.*

(Surah Al-Baqarah: 195)

Apart from that, Islam provides clear guidelines on *halal* food process in relation to fulfilment of *halal* requirements. As stated in the Quran:

*“O ye who believe! Eat of the good things that we have provided for you”*

(Surah Al-Baqarah: 172)

The meaning of ‘good things’ from the above phrase includes hygienic food because when it is hygienic it means it is indeed good. Clean and hygienic food will guarantee a healthy body. Therefore, besides choosing healthy and nutritious food, it is best to emphasize the aspect of cleanliness and hygiene according to the instruction of Islam”(Halim et al., 2014). In addition, it is stated in the al Quran:

*“So eat of the sustenance which Allah has provided for you, lawful and good; and be grateful for the favours of Allah, if it is he whom ye serve. He has only forbidden you dead meat, blood, flesh of swine, and any food over which the name of other than Allah has been invoked. But if one is forced by necessity, without wilful disobedience, not transgressing due limits, then Allah is oft forgiving and most merciful”*

(Surah Al-Nahl: 114-115)

Based on the verses above, it is clear that Islam has its own guidelines on how to source for good food. In general, the Quranic guidance dictates that all foods are *halal* except those that are specifically mentioned as *haram* as made clear in the following Quranic injunction

*“Forbidden unto you (for food) are carrion and blood and swine flesh, and that which hath been dedicated unto any other than Allah, and the strangled, and the dead through beating, and the dead through falling from a height, and that which hath been killed by (the goring of) horns, and the devoured of wild beasts saving that which ye make lawful (by the death-stroke) and that which hath been immolated unto idols. And (forbidden is it) that ye swear by the divining arrows”*

(Surah Al-Ma'idah: 3)

Despite the above mentioned Quranic verses some Hadith from the Holy Prophet Muhammad (pbuh) also addresses the sources of *halal* foods, products and drinks for human consumption. One Hadith was narrated on the authority of Abu Ya'la Shahddad ibn 'Aus, saying: The Messenger of Allah said to the effect:

*“Verily Allah has prescribed proficiency in all things. Thus, if you kill, kill well; and if you slaughter, slaughter well. Let each one of you sharpen his blade and let him spare suffering to the animal he slaughters”*

(Narrated by Sahih Muslim)

This indicates that the basic guidelines on *halal* can be found in the Quran and Sunnah itself. Apart from these, all pure and clean foods are permitted for Muslims except the following: carrion and dead animals, flowing blood, swine, animals slaughtered without the name of Allah, animal killed in a manner that prevents their blood from being fully drained from their bodies and slaughter pronouncing the name of other than Allah. Besides, equally prohibited are the consumption of alcohol and drugs, carnivorous animals with fangs, birds with sharp claws and filthy animals.

Therefore, some scientists have attempted to explain these prohibitions based on their scientific understanding. Consumption of carrion and dead animal's meat is harmful for human beings because the chemicals which are present in the decaying process may be dangerous for human health. Also prohibited is the drinking of blood because it contains bacteria, products of metabolism and toxins (Awan, 1988). Like Awan, some other writers such as Hussaini and Sakr give their verdict against the consumption of pork by mentioning that pork fat is not compatible with human fat and the biochemical system (Hussaini, 1984).

The article now turns to juristic views on the notion of *halal* to give more meaning to what has been laid down in the Quran and Sunnah.

#### **Juristic Views Regarding *Halal* and *Haram* - the Workings of *Ijtihad***

According to Qaradawi the Quran and Sunnah as the primary source, only provides general principles for Muslims to follow (Qaradawi, 2001). Generally, everything created by Allah are permitted for consumption, except for those expressly prohibited in Islam. This is the basic principle established in the Quran, which states to the effect;

*"It is He who created all that is in the earth for you"*

(Surah Al -Baqarah: 29)

The first principle is that generally, nothing is considered as *haram* unless there is direct prohibition in the Quran and *Sunnah*. For example: any food prepared from porcine or porcine sources would be considered as *haram* because the ingredient itself is prohibited. Equally, forbidden is materials from animals which are not slaughtered in accordance with the *Shariah*. Furthermore, food and drinks that are poisonous or intoxicating are strictly prohibited in Islam.

As made clear in the Quran:

*"Do they have partners (with Allah) who have prescribed for them in religion that concerning which Allah has given no permission?"*

(Surah Ash-Shuraa: 21)

*"...and do you see what Allah has sent down to you for sustenance and yet you have made some part of it halal and some part haram?"*

(Surah Yunus:59)

It is further mentioned in Qur'an:

*"O You who believe! Do not make haram the good things which Allah has made Halal for you, and do not transgress; indeed, Allah does not like the transgressors. And eat of what Allah has provided for you, lawful and good, and fear Allah, in whom you are believers"*

(Surah Al-Maidah: 87-88)

The second principle is that the basis for the prohibition of food items are either its uncleanness and harmfulness. One of the '*illah*' in the illegality consumption of unclean and harmful food is for the purpose of preservation of the well being of the Muslims. It has been said that the prohibition against the consumption of porcine is because pig is considered as a dirty animal which some Muslim scientists claimed to have been proven by scientific research. What is prohibited only things that are considered unnecessary, excessive and on top of that there is an abundance of alternative resources.

The third principle is that Islam prohibits things which are unnecessary and provides us alternatives for prohibitions. For example, whilst intoxicating drinks is prohibited, Muslims can enjoy other delicious drinks which are wholesome for the body and mind. Whilst, unclean food is prohibited, but this can be substituted with wholesome food which is healthier to the body. In the same manner, whilst interest has been prohibited, but has encouraged profitable trade. Equally, whilst gambling is prohibited, other forms of competition which are useful for the Muslims such as horse or camel racing is allowed. The same can be seen in the prohibition of the wearing of silk for men, there is the option of using of other materials such as wool, linen, and cotton.

The fourth principle is that if something is prohibited then anything preliminary, preparatory to it is also prohibited. For example, in the case of intoxicating drinks, not only the one who drinks it is a sinner, but also the one who produces it, the one who serves it, the one to whom it served, the one to whom the price of it is paid, are all liable under this principle.

The fifth principle is that falsely representing unlawful things as lawful is prohibited. Islam also prohibited the act of falsely representing *haram* products as *halal*. It is possible that *halal* foods are contaminated as a result of the process of production or transportation. There may be also some deliberate act of misleading consumers as the actual content or ingredient of prepared food products in the market, all these conducts are prohibited.

The sixth is that good intention does not make the unlawful acceptable. The Prophet (SWA) said, "Activities will be judged by intentions, and everyone will be recompensed according to what he intended". In this way, the use of *haram* means to achieve something is not allowed. For example, If anyone collects wealth through extortion, forgery, gambling, prohibited games, or in any other *haram* manner and gives it to charity, he does not get any reward from this, it remains sinful.

The seventh is that doubtful things should be avoided. As what is clearly prohibited has been expressly mentioned in the Quran and *Sunnah*, what is in between should also be avoided. The general rule is that doubtful things should be

avoided so that you do not impinge on the boundary of *haram*. The avoidance of doubtful matters is to safeguard religion and honour. The eighth is that necessity removes restrictions. The principles is that in the circumstances of emergency or life threatening situation, Muslims are allowed to indulge in forbidden food to save themselves. The rationale is that in such situation, there is a need to lift heavy burden resulting from strict compliance with the religion on Muslims .This is the purport of the Quranic ayah:

“...Allah desires ease for you, and He does not desire hardship for you....”  
(Surah Al-Baqarah: 185)

As can be seen from the above, the Quran and Sunnah have already outlined the basic guidelines behind the permissibility and impermissibility of consumption of food items. They are however, basic at best, and with the passing of times and technological developments, many food products and processes are not directly covered within the prohibition. This requires the revisiting of these principles again and again and apply them to a given situation. In Malaysia, such gap is being addressed by national fatwa which the article now moves to.

### National Fatwa on Halal Food Products

In Islamic jurisprudence, a fatwa is the opinion of a scholar based on the understanding of Islam, when there are some doubts whether a particular practice is permissible (*halal*) or prohibited (*haram*) in Islam. Since the practice of Islam falls under the jurisdiction of the states in Malaysia, the declaration of national fatwa plays a role in harmonising the interpretation of Islamic religion and practices among states in Malaysia. Table 1 below illustrates some of the fatwas regarding *halal* and *haram* food products.

**Table 1: Fatwa Regarding Halal and Haram Food Consumption**

| No | Date Year                | and   | Ruling  | Decision   |
|----|--------------------------|-------|---|--|
| 1. | 15 <sup>th</sup><br>2012 | Feb,  | Consumption of kopi luwak (civet coffee) for drinking | After examining the evidence, it was decided that Kopi Luwak is <i>halal</i> provided that it obtains <i>halal</i> certification from JAKIM or Majlis Agama Islam Negeri (MAIN) before being marketed to the Muslim community. |
| 2. | 15 <sup>th</sup><br>2011 | July, | Alcohol in food, drinks, perfume and medicine         | Soft drinks and processed / prepared not for the purpose of producing wine and have a lower level of alcohol in 1% permissible. Food or drinks, medicines and perfumes containing alcohol as a solvent are not unclean.        |



|     |                                 |  |   |
|-----|---------------------------------|--|---|
| 3.  | 18 <sup>th</sup> June,<br>2011  | Genetically modified food  | Genetically modified foods which use banned substances and harmful material to humans and the environment is prohibited, but if the animals slaughtered according to Islamic law, then it is <i>halal</i> . |
| 4.  | 6 <sup>th</sup> April,<br>2006  | Wine vinegar   | If the changes of the wine into vinegar happen by itself, then it is <i>halal</i> .   |
| 5.  | 16 <sup>th</sup> March,<br>2004 | Using bacteria taken from stool baby as agent catalyst in yogurt                     | Based on the principle of "everything was originally <i>halal</i> 'and' everything was originally to be "the good", bacteria to manipulate human benefit are not contrary to the <i>Shariah</i> ".          |
| 6.  | 24 <sup>th</sup> Nov,<br>1988   | Alcohol as stabilizer refreshment  | Cordials containing flavor that include alcohol for stabilization purposes should be used for drinking purposes if the alcohol was not produced from wine-making process.                                   |
| 7.  | 3 <sup>rd</sup> Oct,<br>1990    | Cheese   | Cheese which is prepared using rennet of animal origin which are slaughtered, is <i>halal</i> .   |
| 8.  | 12 <sup>th</sup> July,<br>1999  | The use of genetically modified organisms in food & drink                            | Goods, food and beverages processed through bio-technology methods using DNA or porcine origin was contrary to Islamic law and is <i>haram</i> .  |
| 9.  | 3 <sup>rd</sup> April,<br>2000  | Guidelines on the production, preparation, handling and storage of <i>halal</i> food | The use of mechanical slaughtering is allowed as long as a Muslim is in charge of the slaughtering and <i>basmallah</i> is read at the time of slaughter.   |
| 10. | 27 <sup>th</sup> Nov,<br>2002   | Newater consumption  | Newater which is processed to isolate the dirty and impure elements from water is clean and can be used.  |

The resolutions of the National Fatwa are arrived at based on the primary evidence from the Quran, *Sunnah* and juristic opinions. On the ruling on the consumption of kopi luwak (civet coffee) for drinking, the primary evidence from the Quran on this is the injunction where Muslims are commanded to choose *halal* sustenance and eat a good meal, as stated in the Quran:

*"O you who believe! Eat of the good things wherewith we have provided you, and render thanks to Allah, if ye worship Him."* Surah Al-Baqarah: 172)

From the above resolution, one can categorise them into a number of themes. First is the production of food involving materials which are considered as 'filth' such as faeces. There is a fear that food items may be contaminated with 'impure' materials. In this category, there are three *fatwas*, one concerning 'luwak' coffee, the second on 'newater', and third on the use of bacteria strained from baby faeces as agent catalyst in yoghurt. On luwak, coffee, the National Fatwa Committee further rationalised that (2012) any grain that is spewed by animals or animal faeces coming out with it, as long as they are not damaged and remain in their original form or appearance that if these seeds are planted they can grow, then they can be considered as not *mutanajjis* and not impure. Therefore, the National Fatwa Committee considers *Kopi Luwak* (civet) as not *mutanajjis* and drinking it is permissible provided:

- i. The beans are still in good condition, no holes, no rupture and could grow if planted;
- ii. The coffee beans must be purified from the stool.

It was recommended however, that any *Kopi Luwak* products must obtain *Halal* certification from JAKIM or Majlis Agama Islam Negeri (MAIN) before being marketed to the Muslim community.

For Newater consumption, Fatwa Committee (2002), has decided that the new water is clean and can be used for consumption. Newater is reclaimed water using advanced membrane technologies and ultra-violet disinfection produced in Singapore. Essentially what it means is that, the water is adjudged unclean because it is mixed with unclean materials, If these unclean materials are filtered, then the water becomes clean and the initial presumption applies .i.e. *al asl fil ashya al ibahah* i.e. the origin of things is permissible.

Given that unclean water can be separated from the unclean materials such as faeces in several ways using the latest state of the art equipment as determined by an expert in this field, there should not be any qualms about the cleanliness of the water.

With regards to using bacteria taken from baby stool as agent catalyst in yogurt, the National Council for Islamic Religious Affairs Malaysia (2004), has decided that bacteria are creatures created by Allah and there are no *Quranic* injunction that bans the usage of such bacteria. Although bacteria can cause disease but it has always been used as a useful vector in genetic manipulation. This is testament to the greatness of God that creates everything turned on earth as not in vain. Using the principle "everything was originally *halal*" and "everything was originally to be the good," the usage of bacteria for human benefit should not be seen as not contrary to the Shari'ah".

The second group of fatwa relates to the usage of alcohol in the production of food, drinks and medicine. On the usage of alcohol in food, drinks, perfume and medicine, in the Special discussion of the Fatwa Committee of the National Council for Islamic Religious Affairs Malaysia on 2011, it was decided as follows:

All liquor contains alcohol but not all alcohol is liquor. Alcohol which is derived from brewing process is *haram* and considered as fifth but alcohol

which is not derived from non-liquor production processes is not filth but *haram* to be drunk because it is poisonous and harmful.

Further, soft drinks and processed/prepared not for the purpose of producing wine and have a low level of alcohol or its alcohol has been distilled are *haram* to be drunk. Food or drinks that contains natural alcohol like fruits, legumes or grains, or alcohol which develops incidentally during manufacturing process food or drink is not unclean and could be consumed. Food or drinks that contain flavouring or colouring agents containing alcohol for stabilization purposes can be used if the alcoholic material was not produced from wine-making process and the quantity of alcohol in the final product is so trivial that it does not cause intoxication. (Wahab, 2014)

What about wine vinegar? Will wine vinegar be considered to be the same as alcohol? On this, the Fatwa Committee of the National Council decided that if the use of wine vinegar are processed and blended with additional unapproved ingredients. However, if the changes of the wine into vinegar happen by itself, then it is *halal*.

The National Fatwa Committee has also formulated a ruling on cordials which contain any flavouring substances with a certain amount of alcohol added as a stabiliser for the purpose of processing drink in 1988. After a discussion, the Committee found that that cordials containing flavouring that included alcohol for stabilization purposes can should be used for drinking purposes if:

- i. Alcohol was not produced from wine-making (*khamr*) process and
- ii. The quantity of alcohol in flavor is so trivial that it is non-intoxicating.

The third group of fatwa relates to the production of foods using genetic modification. With regards to the use of biotechnology in food and drink, a Special Conversation in Fatwa Committee of the National Council for Islamic Affairs in Malaysia (1999), discussed biotechnology in food & beverage and came up to a resolution that the use of pigs DNA in the production of goods, food and beverages should not be allowed. There is no urgency in using DNA derived from porcine sources as there are plenty of other *halal* ingredients that can be used to replaced the usage of such DNA.

“Goods, food and beverages processed through bio-technology methods of pig DNA was contrary to Islamic law and is *haram* and use of bio-technology in the processing of pig DNA goods, food and beverages not yet reached the rank that can be said emergency because there are still options of other ingredients.”

As more and more food products are produced using genetically modified food sources, the Fatwa Committee of the National Council for Islamic Religious Affairs Malaysia, 2011 decided that genetic manipulation involves the transfer of genes that may either be of *halal* and non-*halal* origin, of animals and plants to give the desired characteristics as food or medicines. So the consumption of genetically modified foods (GM Food) of non *halal* origin, the use of banned substances and harmful to humans and the environment is prohibited. Naturally, the use of clean livestock bred using

genetically modified process is allowed if the animals are slaughtered according to Islamic law.

The fourth ruling is on the process of cheese production. On cheese, the Fatwa Committee in 1990, found that cheese as a food ingredient must be produced using enzyme which is obtained from *halal* sources i.e. either from plants or fungi or slaughtered animals.

The final ruling is on mechanical slaughtering of chicken. On this the *National Fatwa Committee* ruled the slaughter of animals for consumptions must be done by a Muslim. So the ruling goes to say that "the Mechanical knife operator should be a Muslim. Further, "the operator should read *Bismillah* before flipping the switch blade mechanical and shall observe the animals being slaughtered". If the slaughter is to be done using machinery, then the Muslim butcher knife in charge of the machine must not leave the place of slaughter during the process as he is expected to recite the *Bismillah* as the machine continues with the slaughter. He must refrain from doing other work that can interfere with concentration."

From the above rulings, we can conclude that the Malaysian religious authorities i.e. JAKIM has tried to give more meaning to the concept of *halal* by investigating given situations where either the product is tainted with filth, or it is produced using forbidden components. As the Quranic injunctions and the *Sunnah* only laid down the general requirements, there is a need to further investigate, on a case by case basis, as it needs be, whether such food is allowed to be consumed by Muslims or not.

### Conclusion and Way Forward

Muslims are bound by their religious obligations from consuming forbidden food products in their daily activities, The general principles behind what is prohibited and allowed has been laid down in the Quran and *Sunnah*. However, what is outlined in the Quran and *Sunnah* is rather general. In practice, Muslims would have to come up with new resolutions each time a new form of food products, or process of manufacturing of products arise. This is where the halal certification comes in. The certification acts as an assurance that the religious prescriptions have been followed. As a guide to the *halal* certification authorities, continuous resolution of fatwa on various issues pertaining to *halal* must be undertaken. This article has collated and rationalised some of the fatwa that has been issued with regards to *halal* food. There must be a close correlation between *fatwa* and *halal* certification so as to develop a system which is robust. As Malaysia aspires to leverage on its halal certification to ride high in the halal market, there must not be any issues as to the integrity of the system. The system must not only answer domestic needs, but more importantly, robust enough to be considered as a benchmark for other countries to follow.

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