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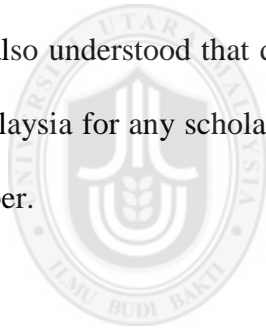
**CONSUMER PROTECTION OF HALAL FOOD PRODUCTS
IN MALAYSIA**



Project Paper submitted to the Ghazali Shafie Graduate School of Government
Universiti Utara Malaysia
in fulfillment of the requirements for the Master of Commercial Law

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ABSTRACT

Halal food products are not only confined to Muslim community but it becomes big concern of non-Muslim community who are particular on the issue of hygiene and healthy food. The increasing number of food products in the market has created concern among Muslims all around the world on the halal status of a product. Moreover, it has caused doubts as the foods might contain unwanted, danger or contaminated ingredients that cannot be traced with the naked eye which may eventually harm the health of consumers. Halal products also do not emphasize only in terms of hygiene in food preparation but also in terms of slaughtering procedures and food processing. Thus, enforcement measures have been taken by requiring halal food products to ensure that manufacturers comply with the requirements of halal product. Although various regulations and laws on food have been established in Malaysia, but the implementation seems difficult to realize, especially when dealing with the issue of falsification of certificates and logos. Hence, this study examined the laws that govern halal food products in Malaysia and method of enforcing and implementing the existence law. In this study, the analysis has been done through data collected from the main source of legislations, Acts, cases and journal articles. Although the law and halal food guidelines have long been implemented, but there are still weaknesses in terms of the effectiveness of the law and its implementation in Malaysia. Therefore, this study suggested that create specific halal law to govern halal legislations. Without effective laws, various problems will arise that may prevent government's efforts to lift the halal industry as a new source of world economic development.

Keywords: Halal Food Products, Consumer Protection, Law Enforcement

ABSTRAK

Produk makanan halal bukan hanya terhad kepada masyarakat Islam malah diberi penekanan juga oleh bukan Islam yang menitikberatkan aspek kebersihan dan kesihatan. Lambakan produk makanan di pasaran menyebabkan kebimbangan di kalangan umat Islam di seluruh dunia mengenai status halal sesuatu produk. Selain itu, keraguan juga adalah disebabkan kandungan makanan yang mengandungi bahan tercemar yang tidak dapat dikenalpasti dengan mata kasar yang akhirnya boleh memudaratkan kesihatan pengguna. Kehalalan sesuatu produk juga bukan sahaja diberi penekanan dalam aspek kebersihan malah dalam penyediaan makanan dari segi tatacara penyembelihan dan pemprosesan makanan. Oleh itu, langkah penguatkuasaan telah diambil dengan mewajibkan logo halal bagi memastikan pengeluar produk makanan mematuhi aspek-aspek kehalalan sesuatu produk. Walaupun pelbagai peraturan dan undang-undang berkenaan makanan telah digubal di Malaysia, tetapi pelaksanaannya adalah sukar untuk direalisasikan terutama apabila berhadapan dengan isu pemalsuan logo dan sijil halal. Oleh itu, kajian ini meneliti undang-undang yang mengawal produk makanan halal di Malaysia dan langkah-langkah pencegahan untuk menambah baik pelaksanaan undang-undang. Dalam kajian ini, analisis telah dijalankan menerusi data yang diperoleh daripada sumber utama iaitu peraturan-peraturan, Akta, kes-kes dan jurnal artikel. Walaupun undang-undang dan garis panduan halal telah lama dilaksanakan, tetapi masih terdapat kelemahan dari segi keberkesanan undang-undang dan pelaksanaannya di Malaysia. Oleh itu, kajian ini mencadangkan supaya mewujudkan undang-undang khusus yang halal untuk mentadbir undang-undang halal. Tanpa undang-undang yang efektif, pelbagai permasalahan akan timbul yang mana boleh menghalang usaha pihak kerajaan untuk mengangkat industri halal sebagai sumber baru pembangunan ekonomi dunia.

Kata Kunci: Produk Makanan Halal, Perlindungan Pengguna, Penguatkuasaan Undang-undang

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LIST OF ABBREVIATIONS

ACCP	ASEAN Committee on Consumer Protection
ASEAN	Association of Southeast Asian Nations
CAP	Consumers Association of Penang
CPA	Consumer Protection Act
DVS	Department of Veterinary Services
GHP	Good Hygiene Practices
GMF	Genetically Modified Food
GMP	Good Manufacturing Practices
HDC	Halal Industry Development Corporation
ISO	International Standards Organization
JAIN	State Islamic Religious Department
JAKIM	Department of Islamic Development Malaysia
LA	Local Authorities
MAIN	State Islamic Religious Council
MDTCC	Ministry of Domestic Trade, Co-operation and Consumerism
MOA	Ministry of Agriculture and Agro-Based Industry
MOH	Ministry of Health
MS	Malaysia Standard
NCP	National Consumer Policy
OIC	Organization of Islamic Countries
SIRIM	Standards and Industrial Research Institute of Malaysia
TDA	Trade Description Act

CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

The population of the Muslim is large, fast increasing around the world and Islam is the quickest growing religion on earth. With Muslims now dominating one quarter of the entire world population, the business sector opportunities are exceptional and the worldwide halal commercial sector is becoming a lucrative business sector for nourishment makers, making it impossible to disregard.¹ The demand for halal food has continually increased and overtaken the supply of food. The South-East Asia and the Middle East are the fore front in the halal food market having over 1.9 billion estimated consumers from over 112 countries. The market for halal food in the entire world is estimated at US\$580 billion per year. The worldwide halal market is estimated to US\$80 billion or 5% of aggregate exchange of agri-food products. According to the prerequisites of the Islam religion, all Muslims must eat, drink and take the halal medical treatment. All these increase the interest for halal products. Considering the rate of increase in the population and income rate, the future estimate provides that halal food will account for 20% of the world trade in food products.² A quite number of Muslims and non-Muslims have been attracted to

¹ Alam, Syed S. and Sayuti, Nazura M. "Applying the Theory of Planned Behavior (TPB) in halal food purchasing", *International Journal of Commerce and Management*, Vol. 21, Iss 1 (2011): 8- 20.

² Nor Ardyanti Binti Ahmad, Tunku Nashril Bin Tunku, and Mohd Helmi Bin Abu Yahya. "A study on halal food awareness among Muslim customers in Klang Valley", *The 4th International Conference on Business and Economic Research (4th icber 2013)* (2013): 1073-1087.

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