

Analysis of Legal Certainty on Halal Certification of “Brewbeer” Products

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Article Info	ABSTRACT
Article history: Received Ags 12, 2025 Revised Okt 12, 2025 Accepted Okt 14, 2025	According to DSN-MUI Fatwa No. 44 of 2020, one requirement for halal certification is that a product must not bear a name prohibited by Sharia. The emergence of halal “brewbeer” reflects inconsistencies between regulatory provisions and field practices. This study examines the issue using the concepts of <i>halal</i> and <i>thayyib</i> as outlined in SNI 99004:2021, SK46/Dir/LPPOM MUI/XII/14, and DSN-MUI Fatwa No. 44 of 2020. Employing a qualitative approach with a normative-juridical method, data were collected through literature and documentation studies and analyzed descriptively-analytically. The findings show: (1) Under Government Regulation No. 39 of 2021 and Minister of Religious Affairs Regulation No. 20 of 2021, MSMEs are allowed to self-declare halal products under certain conditions, yet both regulations lack explicit prohibition of names deemed un-Islamic, revealing regulatory disharmony. (2) Substantively, “brewbeer” is halal based on its permissible ingredients. (3) However, from the perspective of Sharia Economic Law, certifying beer products contradicts the <i>maqasid al-sharia</i> principles of protecting religion (<i>hifz al-din</i>), intellect (<i>hifz al-aql</i>), wealth (<i>hifz al-mal</i>), and progeny (<i>hifz al-nasl</i>). It also violates the principles of <i>al-ikhtiyath</i> , <i>sad adzara’i</i> , and involves <i>gharar</i> (uncertainty). Therefore, halal certification for beer products lacks Sharia consistency and legal certainty for Muslim consumers.
Keywords: Brewbeer, Halal Certification, Legal Certainty	

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INTRODUCTION

Islamic values are accepted and recognized in positive law in Indonesia, which is reflected in the existence of regulations based on Islamic values as a form of protection for Muslim consumers in Indonesia in particular (Munawaroh &

Ghofur, 2022) (Rohmadi et al., 2024). One of them is the issuance of Law Number 33 of 2014 concerning Halal Product Guarantee, or known as UUJPH, as a protector for consumers and provides legal certainty for every product circulating in the community (Siradj, 2015). This regulation was then strengthened by Government Regulation No. 39 of 2021, which further regulates the implementation of the Halal Product Guarantee. (Sukmawati, 2022)

The guarantee of halal products as a form of legal certainty for a product is proven by the existence of a halal certificate (Maulana, 2024). The government, through the BPJPH (Halal Product Assurance Management Agency), issues halal certificates for products that comply with Islamic Sharia regulations in the MUI Fatwa (Faridah, 2019). Products that have been certified halal also include a halal label on their packaging (Syafri, 2017). Halal certification aims to assure Muslim consumers that the products they consume are truly halal and do not contain elements that conflict with Islamic Sharia (Agustin et al., 2025).

According to the Indonesian Ulema Council (MUI), halal products must be free from haram elements and processed in a manner that complies with sharia principles (Mustaqim, 2023). Products with halal certification will be more preferred and favored by Muslim consumers, who make up the majority of the population in Indonesia, thereby increasing revenue from the sale of these products (Yulia, 2015). Halal certificates can also serve as proof that the product quality is guaranteed to be good for health, so even non-Muslim consumers are interested in consuming it (Nur, 2021).

Several requirements must be met by businesses to obtain halal certification. These include completing documents and paying the required fees before the audit. Documents that must be attached include an application letter, forms related to the business sector, copies of business permits (NIB/IUMK), halal supervisor documents, a production flow list, and a Halal Assurance System Manual (SJH) to ensure consistent halal procedures are implemented. Additionally, companies must submit additional documents such as an LPPOM MUI form, a food safety certificate (PIRT/MD/SNI), a hygiene certification from the Health Office for catering/restaurants, and an NKV (Validation Certificate) from the Animal Husbandry Office for slaughterhouses (Faika & Ilyas, 2021).

Furthermore, the raw materials and additives used must also be derived from halal sources, free from haram or impure elements. Furthermore, the production process must be guaranteed to be clean and free from contamination from substances prohibited by Islamic law. Beyond production aspects, product names must also comply with Sharia principles (Sucofindo, 2023) (Alivian & Rohim, 2024).

Therefore, a product name must not contain elements that could lead to misunderstandings, such as resembling something haram or contradicting Islamic values. For example, a halal product should not be named similarly to something that could create negative perceptions and doubt, leading to doubts about its halal status or its legal validity in Islam (Syubhat). According to the rules of *fiqh sadd al-dzari'ah*, all forms of prohibited actions must be eliminated so that harm does not occur (Pudjiharjo et al., 2021). The worst qualities and names are those that contain

evil, namely, using insulting words or words that do not reflect the character of a believer. Halal products should not be named after something prohibited by Islamic law (Sihab, 2021).

The naming regulations for products to be certified halal are stipulated in the Indonesian National Standards System (SNI) and the DSN MUI Fatwa. According to SNI 99004:2021 concerning General Requirements for Halal Food, point 5.1, the name or symbol of a food product to be certified halal must meet several important requirements. Among these requirements is that the product name must not depict disbelief or sin, and therefore must not reflect values that conflict with religious teachings. Another requirement also states that the use of names referring to alcoholic beverages is prohibited to avoid association with things forbidden in Islam. These provisions aim to ensure that halal food products are not only safe and healthy but also align with moral and spiritual values. (Badan Standar Nasional, 2021) .

The Indonesian Ulema Council (MUI) also issued a fatwa regarding product naming for halal certification. MUI Fatwa Number 4 of 2003 concerning Halal Standardization, in the first four points, addresses issues of use and naming. It states that "it is not permissible to consume or use names and/or symbols of food/drinks that lead to disbelief and falsehood." Then, in the fourth point, it is explained that "it is not permissible to consume food/drinks that use the names of prohibited foods/drinks, such as whisky, brandy, beer, and others" (Majelis Ulama Indonesia, 2003).

Considering MUI Fatwa No. 4 of 2003 concerning halal certification and the urgency of halal certification for products circulating in the community, the MUI then issued a fatwa specifically related to product naming, namely MUI Fatwa No. 44 of 2020 concerning the Use of Names, Shapes, and Packaging of Products that Cannot be Certified Halal. This fatwa explains in the second part the legal provisions for products that cannot be certified halal, as stated in the first point: "Products that use names and/or symbols of disbelief, sin, and/or negative connotations" (Majelis Ulama Indonesia, 2020).

Bad names are prohibited from being certified halal if they have negative meanings and connotations that are inconsistent with Islam's goals and mission. Islam's vision is synonymous with goodness and devotion to Allah. Its purpose is to encourage people to realize their capacity to serve Allah. A good Muslim will never view a name simply as a name. Instead, they will take careful measures to avoid idolatry due to the name given.

Names with negative meanings or connotations that conflict with Islamic values can lead to idolatry or behavior that is inconsistent with Sharia principles. Although giving such a name does not directly cause idolatry, the potential negative impact on a person's understanding or behavior can be considered as paving the way to prohibited actions. Therefore, according to the principle of *Sadd al-Dzari'ah*, careful selection of a good and Sharia-compliant name is a preventative measure to eliminate the possibility of future spiritual harm.

Cases of products with names prohibited by Islamic law that still receive halal certification have drawn public attention. Recently, news emerged of products using

names such as “tuak,” “beer,” and “wine” successfully obtaining halal certification from the Halal Product Guarantee Agency (BPJPH). Some of these products with prohibited names have received halal certification based on the Fatwa Commission of the Indonesian Ulema Council (MUI) and the Halal Product Fatwa Committee. For example, 61 products using the name “wine” and 8 products using the name “beer” received halal certification (Pamuji, 2024).

This case raises serious questions about the consistency and integrity of the halal certification process. Although these products substantially meet halal criteria, their names containing haram or ambiguous elements can raise doubts among Muslim consumers. This also contradicts Sharia principles, which emphasize the importance of clarity and caution in product naming. Furthermore, this phenomenon has the potential to undermine public trust in halal certification institutions and the responsible authorities (Syahraeni et al., 2025).

One product with a controversial name that holds halal certification is “brewbeer,” which is listed on the BPJPH official website and app. The product name contains the word “beer,” which is commonly associated with alcoholic beverages, creating negative perceptions in an Islamic context. While the product may not contain alcohol and meet halal standards, the use of this name still raises issues regarding perception and the resulting image. The product’s halal certification appears on the BPJPH app with the certificate number D32110011552230823.

Figure 1. Halal Certificate Number for Brewbeer Products



Sumber : Aplikasi BPJPH

Sumber : sihalal.com

Source: https://bpjph.halal.go.id/sertifikat-halal/sertifikat?nama_produk=brewbeer&page=1
(Accessed on October 25, 2024)

The use of the name “Brewbeer” creates the impression that this product is similar to beer, even though it may be alcohol-free. The word “beer” is generally associated with alcoholic beverages, which are prohibited in Islam. Therefore, the use of this name could confuse the public or give the impression that Islam permits products that resemble forbidden beverages in appearance and name, even though their contents are halal. In Islam, in addition to ingredients and production processes, ethical aspects of trade, including naming and promotion, are also very important (Tvonenews, 2024).

Based on this, the author wanted to determine the composition of the Brewbeer product, the halal certification process, and the legal certainty of applying halal certification to Brewbeer products according to Islamic economic law. This research is necessary because the provisions related to halal certification are comprehensively regulated by both positive law and Islamic economic law. Furthermore, the Indonesian Ulema Council (MUI) Fatwa Number 44 of 2020 clearly states that the naming of beer is prohibited for halal certification. BPJPH has passed halal certification on products that have the name beer.

Meanwhile, legal certainty refers to the application of clear, permanent, and consistent laws, the implementation of which cannot be influenced by subjective circumstances (Haliah & Fakhurrahman, 2021). Legal certainty protects Muslim consumers. (Arifin & Hatoli, 2021) The purpose of Sharia is to safeguard and protect religion, life, descendants, property, and intellect (Karimullah, 2023). Therefore, halal certification must comply with the maqashid Sharia because it protects the Muslim community in consuming halal products. If the maqashid Sharia are met, it will create benefits for the Muslim community. (Hasan, 2019)

Several studies have been conducted related to halal certification, including: *First*, Hasni Hasifah Siregar examined the naming of food as a requirement for halal certification. (Siregar, 2020). *Second*, Desriani examined the naming of processed foods in Padangsidempuan City, reviewed in light of MUI Fatwa Number 4 of 2003 (Desriani, 2021). *Third*, Ayu Ummu Nadzaroh examined the Islamic legal analysis of the use of inappropriate names for food and beverages (Nadzaroh, 2023). *Fourth*, Muhammad Shahira examines the Islamic perspective on the use of non-sharia culinary product names in Pidie Regency (Muhammad & Shahira, 2023). However, none of the previous studies have examined food products that use prohibited names but still receive halal certification.

Previous research has focused more on the use of names prohibited under Islamic law. However, it is crucial to understand the implementation of MUI Fatwa Number 44 of 2020 in society. The novelty of this research lies in analyzing the legal certainty of halal certification for products using prohibited names. This research also provides theoretical contributions to the study of positive law and Islamic law by discussing the harmonization of several laws and regulations used by the BPJPH with the DSN-MUI fatwas. Furthermore, this research's practical contribution aims to enhance BPJPH's oversight of the halal certification process and encourage producers to adhere to halal product criteria, thereby preventing misunderstandings among the public. Through this research, the author hopes to assist the Muslim community in understanding the criteria for halal products that comply with Sharia principles.

METHODS

This research will be conducted using a normative juridical method. The normative legal research method can be understood as an approach that focuses on analyzing the legal rules contained in legislation, both in terms of the hierarchy of regulations (vertical) and the harmony between regulations (horizontal). This

method refers to current laws and regulations. (Rizkia & Ferdiansyah, 2023). Normative legal research digunakan untuk menelaah kepastian hukum pada sertifikasi halal brewbeer dengan mengkaji berbagai peraturan perundang – undangan, peraturan menteri, peraturan lembaga, SNI, dan Fatwa DSN-MUI yang relevan dengan penggunaan nama yang dilarang untuk disertifikasi halal.

The data sources used are only secondary sources, namely references related to the problem being studied. Secondary data sources in this study are classified into primary and secondary legal materials. Primary legal materials consist of: Law Number 33 of 2014 concerning Halal Product Assurance, Government Regulation Number 31 of 2019 concerning the Implementation of Halal Product Assurance, Government Regulation Number 39 of 2021 concerning the Implementation of Halal Product Assurance, MUI Fatwa Number 4 of 2003 concerning Halal Fatwa Standardization, and MUI Fatwa Number 44 of 2020 concerning the Use of Names, Forms, and Packaging of Products that Cannot be Certified Halal. The secondary legal materials in this study consist of: SNI 99004: 2021 concerning General Requirements for Halal Food and LPPOM MUI Decree Number SK46/Dir/LPPOM MUI/XII/14 concerning Product Naming and Type Rules.

The data collection techniques in this study used literature studies and documentation studies. The type of data in this study is qualitative data. And the data analysis technique used is descriptive-analytical, which consists of: First, evaluative, in this stage, the author will assess and evaluate the data that has been collected. Second, interpretative, in this stage, the author will involve the interpretation of the data that has been evaluated. Third, construction, in this stage, the author will build a theoretical framework or model based on the data that has been interpreted. Fourth, argumentative, this is the final stage where the author compiles a strong argument based on the research findings. In compiling the argument, the author will be supported by the data and analysis that have been done.

RESULT AND DISCUSSION

The Halal Certification Process for Brewbeer Products

The halal certification for Brewbeer beverage products was obtained using the self-declaration scheme, with certificate number ID32110011552230823, issued on November 13, 2023, by the Halal Product Assurance Agency (BPJPH). This certificate was granted to the Indica Coffee Shop company, Noval Arianto, located in Gedong Village, Bojonggede, Bogor Regency, West Java, Indonesia, for processed beverage products. The code KF-SD-202311077889 on the certificate indicates that this certificate was issued through the self-declaration scheme, meaning the producer self-declared that its product meets halal requirements based on a fatwa from the BPJPH Halal Committee.

Figure 2. Halal Certificate for Brewbeer




 REPUBLIK INDONESIA
 (REPUBLIC OF INDONESIA)
 جمهورية إندونيسيا
 LAMPIRAN SERTIFIKAT HALAL
 (THE ATTACHMENT OF HALAL CERTIFICATE)
 مرفقة لشهادة الحلال

Nomor Sertifikat <i>Certificate Number</i>	ID32110011552230823	رقم الشهادة
Nama Pelaku Usaha <i>Name of Company</i>	NOVAL ARIANTO	اسم الشركة
Jenis Produk <i>Type of Product</i>	Minuman dengan pengolahan	نوع المنتج
Alamat Pabrik <i>Factory's Address</i>	INDICA KOPI KP. Gedong RT.05 RW.10 Desa. Bojong Gede Kec.Bojong Gede Kab.Bogor 16920 Jawa. Barat	عنوان المصنع

Daftar Produk / Product Name

No	Nama Produk / Product Name
1	BREWBEER
2	INDICA

Hal: 1 / Total Produk: 2

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13 November 2023

أصدرت الشهادة بجاكرتا في

KEPALA
 BADAN PENYELENGGARA JAMINAN PRODUK HALAL
 HEAD OF HALAL PRODUCT ASSURANCE BODY
 رئيس وكالة ضمان المنتجات الحلال


 Muhammed Aqil Irham

Dokumen ini telah divalidasi secara elektronik menggunakan sertifikat elektronik yang diterbitkan oleh Badan Certifikasi Elektronik, BSN



Source: BPJPH

Under the Self-Declaration scheme, producers are not required to undergo an external audit by the Halal Inspection Agency (LPH). Instead, producers are fully responsible for ensuring that all aspects of production, including raw materials, processing, and product naming, meet the halal standards set by the BPJPH (Indonesian Halal Product Regulatory Agency). This scheme is designed to simplify and expedite the halal certification process, especially for small and medium-sized businesses, as it does not involve direct inspection by a third party. However, despite the simplified process, producers must still comply with all applicable provisions and regulations regarding product halal certification.

Therefore, this certificate reflects that Brewbeer Producer has met halal requirements based on self-declaration and a fatwa from the BPJPH Halal Committee. This Self-Declaration scheme makes it easier for producers to obtain halal certification quickly, while still emphasizing the producer’s responsibility to ensure compliance with established halal standards.

Self-Declaration is a halal certification mechanism based on independent declarations from business actors. (Bella, 2024) This process is carried out through assistance in implementing the halal product system (PPH) by the Halal Product Process Assistance Institution (LP3H). In carrying out its duties, the LP3H appoints PPH (P3H) assistance personnel who are tasked with ensuring that all production stages and the materials used meet halal standards. Thus, Self-Declaration allows businesses to independently declare the halal status of their products, while still being supervised and guided by authorized institutions to ensure accuracy and compliance with halal principles. (Badan Penyelenggara Jaminan Produk Halal, 2024; Ulfa, 2022).

Self-declaration by businesses, using a simpler mechanism, is regulated in Article 79, Part 7, concerning halal certification for micro and small businesses. The obligation to obtain halal certification through self-declaration applies to productive businesses that meet the criteria of net assets or annual sales revenue as stipulated in laws and regulations. The submitted product must meet two main criteria: (1) It must not use any risky ingredients or its halal status must be confirmed, and (2) It must have a simple and guaranteed halal production process.

This self-declaration must be based on the halal standards established by the Halal Product Assurance Agency (BPJPH) (Putranto, 2024). These standards include at least two things: (1) a written statement from the business actor containing an agreement/pledge regarding the halal status of the product and ingredients used, as well as the Halal Product Process (PPH), and (2) assistance in implementing the PPH. This statement is then submitted to BPJPH to be forwarded to the Indonesian Ulema Council (MUI). The MUI will hold a halal fatwa session to determine the halal status of the product based on the documents received. After the halal fatwa is issued, BPJPH will issue a Halal Certificate (Article 79 of Government Regulation of the Republic of Indonesia Number 39 of 2021 concerning the Implementation of the Halal Product Assurance Sector, 2021) (Pemerintah RI, 2021).

Halal product certification applies to all business actors, both macro entrepreneurs and Micro, Small, and Medium Enterprises (MSMEs). (Muslimah et al., 2024) The obligation to obtain halal certification for Micro and Small Enterprise (MSME) products in Indonesia is specifically regulated in Article 4A of Law Number 6 of 2023 concerning the Stipulation of Government Regulation in Lieu of Law (Perppu) Number 2 of 2022 concerning Job Creation into Law. (Muryanto et al., 2024) This article states that for micro and small businesses, the obligation to obtain halal certification as referred to in Article 4 can be fulfilled through a halal statement issued by the business actors themselves (Sopiah et al., 2024) (Pemerintah RI, 2023).

Article 135 of Government Regulation (PP) No. 39 of 2021 and Decree of the Minister of Religious Affairs (KMA) No. 748 of 2021 emphasize that products required to have halal certification include beverages. Based on this provision, BrewBeer falls into the beverage category, which is one type of product required to have halal certification.

Halal Analysis of Brewbeer Products

Brewbeer products consist of three main ingredients: espresso, soda, and palm sugar, all of which are halal. Espresso is made from pure coffee, soda is made from carbonated water and natural flavorings, and palm sugar is a natural sweetener processed from the sap of the sugar palm tree. The process is simple and manual, using a Rokpresso to produce espresso coffee, then soda and palm sugar are added. The production, packaging, and presentation processes are carried out with cleanliness and avoid contamination of haram or impure materials, and do not use any haram additives. The issuance of a halal certificate for the product also proves this. Therefore, Brewbeer meets the halal criteria and can be categorized as a halal product in substance. The following is an analysis of Brewbeer based on the ingredient criteria:

Table 1. Brewbeer Ingredients Criteria

No	Halal Criteria	Analysis of brewbeer	Information
1	Ingredients must not come from haram sources (pork, blood, carrion, etc.).	a) Espresso: Pure coffee beans (plant-based). b) Soda: Carbonated water and natural flavorings. c) Palm Sugar: Palm sap (plant-based). All ingredients in Brewbeer products come from halal sources.	All ingredients in Brewbeer products come from halal sources.
2	Materials must not be processed in production facilities used for haram materials.	The Rokpresso tool is only used to make espresso from coffee beans; it is not used for haram materials.	Exclusive production facility for halal ingredients.
3	Materials must be free from mixtures of haram or unclean elements.	a) Espresso, soda, and palm sugar are processed without contamination by haram substances. b) Rokpresso is kept clean.	There is no mixture of haram or unclean elements.
4	Materials from animals or their derivatives must meet the criteria for Sharia slaughter.	Brewbeer does not contain animal ingredients.	Irrelevant, as there are no animal ingredients.
5	Materials must comply with applicable legal safety and health standards.	a) Espresso, soda, and palm sugar meet food safety standards. b) Rokpresso is used hygienically.	Safe and healthy ingredients for consumption.
6	The use of microorganisms and microbial products must meet halal criteria.	Brewbeer does not involve microorganisms or microbial products in its composition.	Irrelevant, as there is no use of microorganisms.

No	Halal Criteria	Analysis of brewbeer	Information
7	Products must not contain alcohol/ethanol, unless they meet special requirements.	Brewbeer does not contain alcohol or ethanol.	There is no alcohol, so it meets halal criteria.

The Validity of Halal Certification for Brewbeer Products

The name “Brewbeer” contains the word “beer,” which is a prohibited alcoholic beverage. The name “Brewbeer” may be considered inconsistent with the requirements of Islamic economic law and the criteria for naming halal products. Although the product itself is substantially halal, using the name “Brewbeer” to refer to an alcoholic beverage (beer) could create a misleading impression/association with a prohibited product and contradict Islamic principles. Therefore, Brewbeer does not meet the product naming requirements for halal certification. Allah SWT states in Surah Al-Hujurat, verse 11:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَسْخَرُ قَوْمٌ مِّنْ قَوْمٍ عَسَىٰ أَن يَكُونُوا خَيْرًا مِّنْهُمْ وَلَا نِسَاءٌ مِّنْ نِّسَاءٍ عَسَىٰ أَن يَكُنَّ خَيْرًا مِّنْهُنَّ وَلَا تَلْمِزُوا أَنْفُسَكُمْ وَلَا تَنَابَزُوا بِالْأَلْقَابِ بِئْسَ الْإِسْمُ الْفُسُوقُ بَعْدَ الْإِيمَانِ وَمَنْ لَّمْ يَتُبْ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ

Meaning: “O you who believe, let not one people make fun of another people (because) it may be that they (those who are made fun of) are better than those (who make fun of) and do not let women (make fun of) other women (because) it may be that the women (who are made fun of) are better than the women (who make fun of). Do not criticize each other and call each other with bad names. The worst call is (the call of) wickedness after believing. Who those who do not repent, they are the wrongdoers” (Sihab, 2021).

The verse explains that the worst qualities and names are those that contain elements of wickedness, such as calling each other by bad names. Allah gives bad names to things that are forbidden. Based on this consideration, it is inappropriate to give bad names to good and halal food.

Berdasarkan Fatwa Nomor 44 Tahun 2020 tentang Penggunaan Nama, Bentuk, dan Kemasan Produk yang Tidak Dapat Disertifikasi Halal, pada bagian Kedua, Ketentuan Hukum poin 1, dinyatakan bahwa produk yang menggunakan nama dan/atau simbol-simbol kekufuran, kemaksiatan, dan/atau berkonotasi negatif tidak dapat disertifikasi halal. The name “Brewbeer” contains the word “beer,” which is generally known as an alcoholic beverage. Although Brewbeer does not contain alcohol, the use of this name could lead to an impression that is contrary to Islamic principles, namely associating the product with forbidden drinks. This could be considered the use of a name that leads to a falsehood.

Second, it is Permissible to Use Names or Symbols that lead to Prohibited Objects/Animals, except those that have been established as traditional. The word “beer” in Brewbeer’s name refers to alcoholic beverages (khamr), which are

clearly forbidden in Islam. While there are exceptions for traditional names (such as meatballs, noodles, etc.), the name “Brewbeer” does not fall into this category because it lacks a strong tradition in Muslim communities. Therefore, the use of this name may be considered inconsistent with this fatwa.

Third, It is Permissible to Use Mixed Ingredients that Produce the Flavor/ Aroma of Haram Objects or Animals. Brewbeer does not use mixed ingredients that produce the flavor or aroma of Haram objects or animals, such as pork or bacon. However, the main problem lies in the naming, not the ingredients or flavor. Fourth, It is Permissible to Use Names of Haram Foods/Drinks. The name “Brewbeer” directly refers to “beer,” which is forbidden in Islam. Although this product does not contain alcohol, using a name that refers to a forbidden drink can be misleading and contradicts Islamic principles.

The second part of the MUI Fatwa Number 44 of 2020 concerning the Use of Names, Forms, and Packaging of Products That Cannot Be Certified Halal stipulates that brewbeer products may be deemed not to meet the criteria for halal certification. This falls under the category of using names with negative connotations and leading to sin, as stipulated in points 1 and 2 of the fatwa. Although Brewbeer does not contain alcohol, the name can give a misleading impression and is contrary to Islamic principles. In addition, this fatwa also prohibits the use of names that refer to objects or animals that are forbidden, unless the name has become a tradition or has another generally accepted meaning. Since “Brewbeer” does not fall under the category of names that have become a tradition or have another relevant meaning, the use of this name can be grounds for rejection of halal certification. Thus, Brewbeer does not meet the naming requirements stipulated in MUI Fatwa Number 44 of 2020.

Based on LPPOM MUI Decree Number SK46/Dir/LPPOM MUI/XII/14 and SNI No. 99004:2021, the name Brewbeer can be considered non-compliant with halal certification criteria. The name “Brewbeer” contains the word “beer,” which refers to an alcoholic beverage (bir), thus contradicting Islamic principles and being considered misleading. According to the regulation, seharusnya produk brewbeer tidak boleh mendapatkan sertifikasi halal apalagi dengan skema self declare.

Legal Certainty Analysis of the Halal Certification Phenomenon for Brewbeer Products

The emergence of halal certification for brewbeer products is inconsistent with the objectives of Sharia (maqashid Sharia). The name “Brewbeer” can refer to alcoholic beverages and can create a misleading impression and contradict Islamic values. This has the potential to undermine religious sanctity (hifz al-Din), influence common sense (hifz al-Aql), create doubt and uncertainty for consumers, and diminish the blessings of wealth obtained from the sale (hifz al-Mal). Furthermore, the use of ambiguous names can negatively impact mental health and well-being, contradicting the principles of safeguarding the soul (hifz al-Nafs) and progeny (hifz al-Nasl). Therefore, to comply with the principles of Maqashid Sharia, product names should be replaced with more appropriate ones that do not create a misleading impression.

Halal certification is a recent innovation in Sharia Economic Law. Every legal development must be based on the principles of maqasid Sharia to ensure the creation of goodness and benefit (Wiryanto, 2023). Maqasid Sharia functions as a method of resolving legal problems that have existed for a long time. This approach produces new understandings and interpretations in law, enabling it to be more progressive in responding to the challenges and changes of the times. Eating halal food is an obligation ordered in the Koran. Therefore, halal certification must consider the benefit aspect. In Islam, every law or policy must be based on Sharia objectives (maqasid Sharia) to ensure goodness and justice for society (Ayuni, 2023).

Furthermore, halal certification for beer products does not provide legal certainty to Muslim consumers. Failure to use names that comply with Islamic law can deprive consumers of their rights. In Islam, legal certainty means providing justice, transparency, and accountability in accordance with Islamic law. In this regard, MUI Fatwa Number 44 of 2020 clearly stipulates that names prohibited by Islamic law are not considered halal. However, the BPJPH (Indonesian Food and Drug Authority) erred by approving self-declared halal certification for beer products.

Munculnya sertifikasi halal pada produk brewbeer dapat menyebabkan ketidakkonsistenan dalam regulasi yang dibuat oleh BPJPH, LPPOM, dan Fatwa DSN-MUI itu sendiri. Selain itu juga, akan adanya kekhawatiran yang dirasakan oleh konsumen dalam memahami status sertifikasi halal. Even though the product's ingredients and processing are halal, naming that does not comply with Islamic law can erode consumer confidence in the product. Furthermore, halal beer has sparked debate among Muslims, causing concern and division among them.

Granting halal certification to beer products also violates the principle of "*ad-dhararu yuzalu*," which means harm must be eliminated. Dengan adanya halal brewbeer menyebabkan adanya perspepsi negatif dari masyarakat terhadap klaim sertifikasi halal, dan munculnya kesalahfahaman konsumen bahwa bir juga bisa halal. Padahal memang produk brewbeer tidak mengandung bahan yang haram, hanya namanya saja adalah bir. Oleh karena itu, pemberian sertifikasi halal pada produk brewbeer lebih banyak menimbulkan kemadharatan, sehingga harus dihilangkan.

Berdasarkan Fatwa DSN-MUI Nomor 110/DSN-MUI/IX/2017 tentang Akad Jual Beli, pada bagian kedua dijelaskan bahwa akad jual beli harus dinyatakan secara jelas dan tegas serta dipahami dan dimengerti oleh Penjual dan Pembeli. Pada bagian keempat, dijelaskan pula bahwa mutsman/mabi' yaitu barang yang diperjualbelikan harus berupa barang yang dapat diperjualbelikan menurut syariah dan peraturan perundang-undangan. Dalam hal ini, brewbeer tidak mengandung kejelasan. Produk brewbeer memiliki sesuatu yang kontradiktif, disatu sisi namanya adalah beer, namun disisi lain telah tersertifikasi halal. dengan demikian, jual beli brewbeer tidak sah karena mengandung gharar.

As stipulated in the provisions of the DSN MUI Fatwa No. 110/DSN-MUI/IX/2017 in the fourth section, that mutsman/mabi' must be goods or rights that may be utilized according to sharia and may be traded according to sharia and

applicable laws and regulations. Furthermore, in the seventh section, every sale and purchase agreement must fulfill its pillars and conditions; if the pillars and/or conditions are not met, the agreement is void.

CONCLUSION

The “brewbeer” product received halal certification with Number ID32110011552230823, dated November 13, 2023. In the certificate, there is a Code KF-SD-202311077889, which indicates that this certificate was issued through a self-declaration scheme. Thus, the “brewbeer” Producer obtained halal certification through a self-declaration scheme. Brewbeer products are substantially halal because they only use ingredients in the form of espresso, soda, and palm sugar. Brewbeer products do not use haram ingredients or contain ingredients with high critical points, ensuring that the product is substantially halal. However, brewbeer products should not receive halal certification because they do not comply with the halal criteria stipulated by SNI 99004:2021 concerning General Requirements for Halal Food, LPPOM MUI Decree Number SK46/Dir/LPPOM MUI/XII/14 concerning Product Naming and Type Rules, and MUI Fatwa Number 44 of 2020 concerning the Use of Names, Shapes, and Packaging of Products that Cannot be Halal Certified. Therefore, according to the Author, there needs to be synchronization of regulations between the self-declaration scheme regulations and regulations regarding product naming. In addition, based on a review of Sharia Economic Law on the Halal Certification Phenomenon for “brewbeer” products, it shows that the halal certificate is not in line with the objectives of Sharia in terms of preserving religion (Hifz al-din), preserving wealth (Hifz al-Mal), preserving reason (Hifz al-aql), and preserving descendants (Hifz an-Nasl). That is related to the name of the beer used for the halal certificate. However, in substance, this halal-certified product aligns with the preservation of lives. Halal certification for “brew beer” also contradicts the principles of al-ikhtiyath and adzara’i and contains gharar.

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