

Bureaucratic Efficiency Issuance Of Halal Certificates For Micro And Small Businessmen

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Abstract

The obligation to be halal certified for micro and small business actors must be implemented no later than October 17 2026, but to date there are still many micro and small business actors who do not have a halal certificate. This research aims to evaluate the bureaucracy of issuing halal certificates for micro and small businesses. As well as providing recommendations so that the bureaucracy of issuing halal certificates for micro and small businesses becomes efficient. The research method used in this research uses a socio legal study approach. Primary data collection was carried out by conducting interviews with several micro and small business actors, the halal task force of the ministry of religion and the cooperative, SME and industry services. Meanwhile, secondary data was collected through library studies of primary and secondary legal materials. To obtain answers to deductive syllogism research problems. The results of the research obtained several conclusions, namely first, the obligation to be certified halal for micro and small business actors is still not implemented well, there are still many micro and small business actors who do not have a halal certificate. The influencing factor is a lack of knowledge because the outreach carried out by the halal task force and the SME and industrial cooperatives service has not reached all micro and small business actors. Second, the bureaucracy of issuing halal certificates for micro and small businesses is inefficient regarding time and energy. The time required to issue a halal certificate is an average of 2 to 3 months compared to the 12 working days required for self-declaration and the regular 21 working days. The fee for issuing a halal certificate is free if you apply through the self-declare mechanism, and is charged if you go through the regular route. The institutions involved in issuing halal certificates are MUI, LPH, and BPJPH. However, MUI involvement is still with the Central MUI.

I. Introduction

A Halal Certificate is a recognition of the halal status of a product issued by BPJPH based on a written halal fatwa issued by the MUI, Provincial MUI, Regency/City MUI, Aceh Ulema Consultative Assembly, or Halal Product Fatwa Committee. One of the products that must be halal-certified is food products. Food as stipulated in Article 1 of the Food Law is the most important basic human need and its fulfillment is part of the human rights of the Indonesian people. Food must always be available in sufficient quantities, safe, high quality, nutritious, and diverse, and at a price that is affordable to the community and does not conflict with the religion, beliefs, and culture of the community. According to the general explanation of the Food Law, for this goal to be achieved, a food system needs to be formed that protects producers and consumers. Therefore, the state must pay attention to how to fulfill and protect the community.

As a Muslim, the need for food cannot be separated from the teachings of his religion, because a Muslim is prohibited from consuming something that is not halal, both food and drink. Halal food is food that if consumed does not cause sin, and haram food is food that if consumed will cause sin from Allah SWT (Hasan, 2014).

The issue of the halalness of a food product requires research through a laboratory to ensure that the raw materials, manufacturing process media, and even the packaging do not contain non-halal materials. Halal issues must also obtain a halal statement through a fatwa from the MUI, Provincial MUI, Regency/City MUI, Aceh Ulema Consultative Assembly, or Halal Product Fatwa Committee and this cannot be done through individual *ijtihad* but through collective *ijtihad* by gathering scholars, food experts, chemists, and experts in other disciplines. (Syofyan Hasan, 2014)

In the past, the halalness of food could be easily determined by looking at the raw materials used. However, now with the development of science and technology in the field of food, determining whether a food product is halal or not is no longer simple. Many food products on the market that are found both by small, medium, and even imported food industries in food processing sometimes use auxiliary materials derived from pork for economic reasons. Many processed products use technology, preservation, packaging, genetic engineering, and even the use of chemicals in their food products. To provide a guarantee of safety, halalness, and peace of mind for consumers, especially Muslims, the government has appointed an authorized institution to carry out halal certification. (Faidah, 2017)

Halal certification for food products is not only important for consumers but also important for business actors. Consumers need food products that are safe to consume, free from all kinds of dangers that can have negative impacts on health can calm the mind,

and are not mixed with non-halal ingredients. Meanwhile, for businessmen, halal certification is important to gain consumer trust. Especially now, the need for halal food has become a demand that must be met, especially for both Muslims and non-Muslims.

After the issuance of Law Number 33 of 2014 concerning Halal Product Guarantee (hereinafter abbreviated as UUJPH), the voluntary nature of halal certification became mandatory. However, the UUJPH has been effective since October 17, 2019, and is carried out in stages, the first stage is applied to food products for 5 years until 2024, but currently, the period of this obligation has been extended until October 17, 2026. The extension of the period of obligation to have halal certification for micro and small business actors is because until now the number of businessmen who do not have halal certificates is still quite high. The postponement is a form of government support for micro and small businessmen.(BPJPH, 2024b)

The obligation to have halal certification for food products traded in the territory of Indonesia must be realized by October 17, 2024. If it has passed the deadline, food products that are not yet halal-certified will be subject to administrative sanctions. The government through BPJPH as the party responsible for implementing the halal certification system is considered stronger, but there are still several things that need to be fixed to carry out the mandate of the UUJPH, especially adequate implementing regulations and institutions involved in issuing halal certificates. This indicates that even though the design is new, the halal certification system is ideal but not yet ready to be implemented. So it is still uncertain whether the halal certification system in Indonesia is moving in a better direction. (Akim et al., 2019)

Article 4 UUJPH states that products entering, circulating, and traded in the territory of Indonesia must be halal certified. The obligation as stated in Article 4, specifically for micro and small businessmen as stated in Article 4A, states that "(1) For micro and small businessmen, the obligation to be halal certified as referred to in Article 4 is based on the statement of the Micro and Small Businessmen". Paragraph (2) "The Statement of Micro and Small Businessmen as referred to in paragraph (1) is carried out based on the halal standards set by BPJPH."

The statement of businessmen(Self-declare) must meet BPJPH standards, there are requirements for producers to be able to independently declare their products when the product and its manufacturing process fall into the low-risk category of exposure to haram elements. (Antara, 2020) Apart from the issue of convenience for micro and small businessmen in obtaining halal certificates, in reality, there are still many micro and small businessmen who do not have halal certificates and do not know how to obtain halal certificates, even though this obligation must have been implemented by October 17, 2026. Another obstacle experienced by micro and small businessmen is the difficulty in

obtaining information about the halalness of the ingredients used. Therefore, education and socialization are needed so that they are not confused. (Bisnis, 2023) The lack of information can be addressed through socialization of the importance of halal certification for snack products. (Akbar et al., 2023)

UMK businessmen engaged in food and beverage products have very large potential for the realization of halal products so that efforts are made to optimally carry out optimal steps or strategies to realize the halal food industry. (Salam & Makhtum, 2022) This must be a concern for the state so that it becomes a national strength to become the center of the world's food industry.

The conditions described above show that on the one hand, to implement the UUJPH there are still several weaknesses, both in terms of its implementing regulations which are not yet complete and the involvement of parties in issuing halal certificates are still limited, so serious efforts are needed from the government through an efficient bureaucracy. Therefore, this article will describe the factors that influence and the obstacles that occur for micro and small businessmen to obtain halal certification, so that the government can take policies to overcome these problems.

2. Research Method

The research method used in this study uses a socio-legal study approach, to how the bureaucracy of issuing halal certificates can be as efficient as possible so that the expected goals of the issuance of the halal product guarantee law can be achieved according to the specified period. Primary data collection was carried out by conducting searches with several micro and small businessmen, the Halal Task Force of the Ministry of Religion, and the Cooperatives and UMK and Industry Services. At the same time, secondary data collection was carried out through a literature study of primary legal materials and secondary legal materials. To obtain answers to research problems, draw conclusions/verify deductive syllogisms.

3. Results and Discussion

The Regulation of Halal Product Guarantee as an Instrument for Muslim Consumer Protection

a The halal issue is not only sensitive in Indonesia but has also become a concern for the international community. Muslim consumers are beginning to realize the importance of the halal aspect of food, beverage, drug, and cosmetic products, as well as products resulting from chemical, biological, and genetic engineering processes. For all of these products, a normative response is needed from the state to guarantee the

constitutional rights of citizens based on the 1945 Constitution, and the philosophical norms of the state, Pancasila. (Mashudi, 2015)

Pancasila is the basis and ideology of the state which is a noble agreement conceptualized by the founders of the nation that is difficult to replace with others. Because Pancasila is a guiding star as a legal ideal (reconsider). (Sidharta, 2013) The formation of positive law must refer to the basic ideas contained in Pancasila. So in the formation of law, its implementation cannot be separated from the values contained in Pancasila. (Karjoko, 2017)

To facilitate the formation and elaboration of legal instruments and rules of authority, understanding the values of Pancasila is a necessity. The legal system to be formed should be an exemplification of the Pancasila ramification into a legal system containing principles and rules. In line with that, to protect Muslim consumers from consuming processed products, the government forms legal norms that are manifestations of the reflection of the first principle of Pancasila. (Rosidah, 2020)

The first principle of Pancasila, point six, states that developing an attitude of mutual respect for the freedom to practice worship according to each religion and belief. Halal guarantees are basically to guarantee the freedom to practice worship according to Islam. This guarantee is also protected in the 1945 Constitution. In Article 28J and 29 paragraph (2) it is a constitutional right for Muslims to obtain products that are safe for consumption, both safe in terms of health and safe according to sharia. (Rosidah, 2020)

Consumer protection is all efforts that guarantee legal certainty to protect consumers, as stated in Article 1 number 1 of the Consumer Protection Law. Consumer protection is a term used to describe how legal certainty is provided to consumers to fulfill things that can harm their interests.

To realize this protection, the government and the DPR have ratified the UUJPH since 2014 which came into effect in 2019. In this UUJPH, the form of protection for Muslim consumers is realized in legislation. This is not the first time the government has regulated halal certificates. Previous laws and regulations, namely the Consumer Protection Law, and PP on Food Labels and Advertisements, have regulated halal certificates. It's just that the existing regulations are voluntary. Only businessmen who want halal labeling can then apply and produce halal products. Meanwhile, businessmen who do not want to are not subject to any sanctions other than not being allowed to include halal labels according to their perceptions.

The Halal Product Guarantee Law aims to provide protection and guarantees regarding the halalness of products consumed and utilized by the public. Guarantees regarding halal products should be carried out by the principles of protection, justice, legal certainty, accountability and transparency, effectiveness and efficiency, and

professionalism. Therefore, the guarantee of the implementation of halal products aims to provide comfort, security, safety, and certainty of the availability of halal products for the community in consuming and using products and increasing added value for businessmen to produce and sell halal products.

3.2. Bureaucratic Efficiency in Issuing Halal Certificates for Micro and Small Businessmen

Bureaucracy is a system for managing a large organization to obtain efficient, effective, and rational management. (Thoha, 2011) According to Rouke, bureaucracy is a structured system of administration and implementation of daily tasks, in a clear hierarchical system, carried out with written rules, carried out by certain parts that are separate from other parts, by people who are selected because of their abilities and expertise in their fields. (Thoha, 2011) In the public sector, the concept of bureaucracy is interpreted as a process and system that is created rationally to ensure a mechanism and work system that is orderly, certain, and easy to control. (Said, 2007)

According to Webber, the prominent characteristic of modern law is the way of implementing justice in society, which places great emphasis on bureaucratic structures. (Rahardjo, 2000) Bureaucracy is a type of organization designed to complete administrative tasks on a large scale by systematically coordinating the work of many people. (Peter M. Blau dan Marshall Meyer, 2000)

The word efficient means right or appropriate to do (produce) something (without wasting time, energy, or cost); able to carry out tasks properly and carefully; useful; appropriate. The word efficient also means doing work properly and being able to carry out tasks carefully, and effectively. (Pustaka, n.d.)

Bureaucratic efficiency is a key factor in ensuring the provision of quality public services that are responsive to the needs of the community. (Ishak et al., 2020) The decision-making process has a strategic role in the implementation of government policies and the management of public resources. Best practices from other countries, such as the implementation of integrated information technology, simplification of administrative procedures, and active community involvement, are an inspiration in designing improvement steps. The implications of the importance of structural reform, investment in information technology, changes in organizational culture, and increasing community involvement in the decision-making process as steps to improve bureaucratic efficiency in public administration. (Malik et al., 2023)

The issuance of halal certificates is now the authority of BPJPH (Halal Product Guarantee Agency) which was originally issued by MUI. The obligation to have halal certification for all products circulating in Indonesia shows that the issuance of halal

certificates is a large-scale and extensive job. Therefore, a system is needed to regulate the issuance of halal certificates to run efficiently, effectively, and rationally. (Thoha, 2011) The issuance of halal certificates can run efficiently if it is carried out by the period, effort, and costs as required in UUJPH and is carried out properly, carefully, and effectively. (Pustaka, n.d.)

3.2.1. Issuance of Halal Certificates through the Self-Declare Mechanism

Based on UUJPH, there are two mechanisms for issuing halal certificates, namely the regular and self-declare mechanisms. The regular mechanism is intended for medium and large businessmen, while self-declare is intended for micro and small businessmen. As Article 4A of UUJPH states that:

- (1) For Micro and Small Businessmen, the obligation to have a halal certificate as referred to in Article 4 is based on a statement by the Micro and Small Businessmen.
- (2) The statement of the Micro and Small Businessmen as referred to in paragraph (1) is carried out based on the halal standards set by BPJPH.

The obligation to have a halal certificate for micro and small businessmen is further regulated in the PP PBJPH. The articles in question can be explained as follows:

Article 79

- (1) The obligation to have a halal certificate for micro and small businessmen is based on a statement from the micro and small businessmen.
- (2) The micro and small business actors as referred to in paragraph (1) are productive businesses that have net assets or have annual sales results by the provisions of laws and regulations with the following criteria:
 - a. The product is not risky or uses materials whose halal status has been confirmed; and
 - b. the production process whose halal status has been confirmed and is simple.
- (3) The statement from the micro and small business actors as referred to in paragraph (1) is carried out based on the halal standards set by BPJPH.
- (4) The halal standards as referred to in paragraph (3) consist of at least:
 - a. statement from the business actor in the form of an agreement/oath containing:
 - 1) the halal status of the product and materials used; and
 - 2) PPH.
 - b. the existence of PPH assistance.
- (5) The statement from the business actor as referred to in paragraph (4) letter is submitted to BPJPH to be forwarded to MUI.
- (6) After receiving the documents from BPJPH as referred to in paragraph (5), MUI will hold a halal fatwa session to determine the halal status of the Product.

- (7) BPJPH issues a Halal Certificate based on the written halal fatwa as referred to in paragraph (6).
- (8) The criteria for micro and small Businessmen as referred to in paragraph (2) are regulated in the BPJPH Regulation.

Article 80

- (1) PPH assistance as referred to in Article 79 paragraph (4) letter b is carried out by Islamic community organizations or Islamic religious institutions that are legal entities and/or universities.
- (2) PPH assistance as referred to in paragraph (1) may also be carried out by government agencies or business entities as long as they partner with Islamic community organizations or Islamic religious institutions that are legal entities and/or universities.
- (3) PPH assistance as referred to in paragraph (1) verifies and validates the halal statement by Businessmen.
- (4) Implementation of PPH assistance as referred to in paragraph (3) is regulated in the BPJPH Regulation.

From the provisions of Articles 79 and 80 of the PP PBJPH, the self-declare mechanism does not apply to all products produced by micro and small businessmen, but there are restrictions, namely the product is not risky or uses materials that have been confirmed as halal and the production process is confirmed as halal and simple. This means that outside of these provisions, the halal certificate submission mechanism must still be carried out regularly even though the applicant is a micro and small businessmen

Registration Flow Self Declare(BPJPH, 2024a)

1. Businessmen are required to create an account on the ptsp.halal.go.id page;
2. Create a halal certificate application letter (self-declare). As a reference, here is an example of a format that we can use. [Click here](#).
3. Businessmen are required to make a statement that their products comply with halal standards so that the form can be further verified
4. After that, verification and validation will be accompanied by PPH and carried out by the Halal Product Guarantee Organizing Agency (BPJPH) of the Ministry of Religion;
5. If it has been verified and validated, BPJPH will issue a Document Receipt Letter (STTD). To obtain validation, business actors are required to complete the following documents:
 - a. Business Identification Number which can be accessed on the website www.oss.go.id
 - b. Halal provider documents such as Determination Decree, KTP, and resume
 - c. List of product names and materials

- d. SJPH (Halal Product Assurance System) documents
 - e. Product processing process
 - f. Latest photos/videos during production
6. Next, Halal Certificate Issuance by BPJPH; and
7. In the last step, Businessmen can download the Halal Certificate from the page that was previously accessed.

The requirements for obtaining free halal certification are stated in the Decree of the Head of BPJPH No. 150 of 2022, namely:(BPJPH, 2024a)

- 1. The product is not at risk or uses materials that have been confirmed as halal; The production process is confirmed as halal and simple
- 2. Have a Business Identification Number (NIB)
- 3. Have annual sales results (turnover) of a maximum of IDR 500 million as evidenced by an independent statement
- 4. Have a location, place, and Halal Product Process (PPH) equipment that is separate from the location, place, and equipment for non-halal products
- 5. Have or do not have a distribution permit (PIRT/MD/UMOT/UKOT), a Certificate of Hygiene Sanitation Eligibility (SLHS) for food/beverage products with a shelf life of less than 7 (seven) days, or other industrial permits for products produced from related agencies/agencies
- 6. The products produced are in the form of goods as detailed in the types of products in the attachment to this decree
- 7. The materials used have been confirmed as halal; Does not use hazardous materials
- 8. Has been verified as halal by a halal product process assistant; The type of product/product group that is certified halal does not contain elements of slaughtered animals unless it comes from a producer or slaughterhouse/poultry slaughterhouse that has been halal certified
- 9. Uses production equipment with simple technology or is done manually and/or semi-automatically (home business, not a factory business)
- 10. The product preservation process is simple and does not use a combination of more than one preservation method
- 11. Willing to complete the halal certification application documents with an online self-declaration mechanism through SIHALAL.

For micro and small businessmen who apply for halal certificates through the self-declare mechanism, there is no charge. This is as stated in Article 44 of the UUJPH (Amendment based on Law No. 6 of 2023 concerning Job Creation) in conjunction with 81 PP PBJPH. Meanwhile, through the regular mechanism, applications for halal certificates

for micro and small businessmen are still subject to a fee based on the Ministry of Finance's SBM of at least 300,000 rupiah.

Table: Service Rates of the Public Service Agency of the Halal Product Guarantee Agency at the Ministry of Religion.(BPJPH, 2024a)

No	Type of Service	Unit	Tarif (Rp)
A	Halal Certificate for Goods and Services: 1. Per Halal Certificate Regular Process 2. Extension of Halal Certificate 3. Addition of Product Variants or Types 4. Registration of Overseas Halal Certificates	Per Certificate	300.000 s.d 5.000.000.000
B	Halal Auditing Institution Accreditation	Per Institution	2.500.000 s.d 17.500.000
C	Halal Auditor Registration	Per Person	300.000
D	Halal Auditor and Halal Supervisor Training		1.600.000 s.d 3.800.000
E	Halal Auditor and Halal Supervisor Competency Certification		1.800.000 s.d 3.500.000

Although the government has made it easier for micro and small businessmen to obtain halal certificates, based on the results of tracing micro and small businessmen who distribute food and beverages, there are still many business actors who do not have halal certificates. Many micro and small businessmen are still unaware of the obligation to have halal certification for the products they trade. They do not understand the obligation to have halal certification and do not even know how to obtain it. This means that information related to halal certification has not reached them. (Salam & Makhtum, 2022) However, some traders know information about halal certification from fellow food traders. Information was obtained from micro and small businessmen under the guidance of the Cooperatives, SMEs, and Industry Services. Micro and small businessmen under the guidance of the Cooperatives Service are assisted in obtaining halal certificates.

The socialization carried out by the Central BPJPH, the Cooperatives, SMEs and Industry Service, and the Halal Task Force in the regions has been massive. However, this socialization has not yet targeted businessmen who are spread across several different places. Socialization is more often carried out in business centers such as malls or markets. Efforts made by the Halal Task Force in the regions to socialize halal certificates use a ball-picking system. In addition to socialization, the Halal Task Force also sets up stands in the areas visited.(Surakarta), n.d.) However, not all market traders who have received information about the obligation to be halal certified responded well to the socialization efforts that have been carried out. (Akbar et al., 2023)

Micro and small businessmen (UMK) in many regions said that taking care of halal certification was easy, even for UMK it was not charged a penny, aka free. The opinions of traders say that taking care of halal certificates is not as difficult as imagined. By applying online through the PUSAKA Kemenag application or Sihahal via tsp.halal.go.id and being assisted by a halal assistant, halal certificates can be obtained quickly and easily. Whereas previously many were worried if they were asked to pay every year and it turned out that the information was not true. (BPJPH, 2024a)

For micro and small business actors, lack of access to information about the ease of obtaining halal certificates can lead to different perceptions. There are still micro and small businessmen who believe that obtaining halal certificates requires a complicated process, expensive costs, and a long production process. This makes them reluctant to register the products they sell to obtain halal certificates, especially since they do not have an SIB (Business License). However in fact SIB can be easily obtained by registering online via oss.go.id. (NN, 2024)

From the various problems still faced by micro and small business actors above, it is appropriate to socialize through media that are easily accessible to the public such as television or social media. The main obstacle for businessmen is information about halal certificates that is not detailed, which leads to different perceptions from businessmen.

The bureaucracy of issuing halal certificates with a self-declare mechanism has been carried out online via the PUSAKA Kemenag application or Sihahal via tsp.halal.go.id. and can be assisted by halal assistants.(Marince et al., 2022) Applying for a halal certificate through self-declare only takes 12 working days.(BPJPH, 2024a) Verification and validation of documents carried out by PPH assistants can also be done online through the application provided or by meeting directly with businessmen. With the advancement of technology, the process of issuing halal certificates can be done quickly and efficiently. (Malik et al., 2023)

Although the issuance of halal certificates through the self-declare mechanism should be completed within 12 working days, in reality, the period cannot be met, on

average the registration process until the certificate is issued takes 2 to 3 months. (Styahadi, 2024) With existing resources, longer time, higher costs, and less manpower can make work inefficient. (Thoha, 2011) The slow time required for issuance is due to several factors, namely, (1) businessmen have not prepared all the documents needed for online registration, (2) businessmen do not have a Business Identification Letter (SIB), (3) business actors do not have an account to register online, (4) business actors do not understand technology, (5) PPH Companions who are still not professional. (Styahadi, 2024)

3.2.2. Issuance of Halal Certificates through Regular

The difference in the issuance mechanism for halal certificates between self-declare and regular lies in the examination carried out by the LPH. Self-declare does not require an examination by the Halal Inspection Agency (LPH) but is based on the statement of the business actor himself whose standards have been determined by BPJPH. The second difference is the costs arising from the issuance of the halal certificate, for self-declare, there is no charge or it is free while regular pay is according to the criteria of the Ministry of Finance's SBM. The third difference is the period required to issue a halal certificate, for self-declare it is only 12 working days while the regular mechanism requires 21 working days.

Figure 3: Mechanism for Issuing Regular Halal Certificates (BPJPH, 2024a)

1. Before registering, make sure the businessmen has an active email and Risk-Based NIB (if not, please register or migrate NIB via <https://oss.go.id>).
2. The businessmen creates an account, then submits a Halal Certification application by filling in the data and uploading the required documents via <https://ptsp.halal.go.id/> (SIHALAL).
3. BPJPH verifies the conformity of the data and the completeness of the application documents.
4. LPH calculates, determines, and fills in the inspection costs in SIHALAL.
5. Businessmen make payments and upload proof of payment on SIHALAL
6. BPJPH verifies payments and issues STTD (Document Receipt Letter) on SIHALAL
7. LPH carries out the inspection (audit) process and uploads the Inspection Report on SIHALAL
8. The MUI Fatwa Commission holds a Fatwa Session and uploads the Halal Decree on SIHALAL
9. BPJPH issues a Halal Certificate
10. Businessmen download the halal certificate on SIHALAL if the status is "Issued SH"

The bureaucracy carried out in issuing halal certificates is a large-scale job. Halal certificates are not only issued for food and beverage products but the next stage is also applied to other products such as medicines, cosmetics, and derivative products. The large number of tasks and the wide scale of work in issuing halal certificates becomes inefficient if only served through the Central BPJPH. Although the integration and digital transformation process has an impact on the acceleration of the halal certificate service process, in 2021 to 2022 the new halal certification service can be completed from 62 days to an average of 40 days. According to Aqil, this achievement is indeed not ideal from the Service Level Agreement (SLA) target which should be completed within 21 days. The average achievement of the new certification service is better than in previous years. In 2019 to 2020 the halal certificate completion process took from 352 days to 158 days.(BPJPH, 2022) With existing resources, longer time, higher costs, and less manpower can make work inefficient.(Thoha, 2011)

The failure to achieve the target period for issuing halal certificates within 21 days can be caused by several factors, including the fact that regional BPJPHs have not been formed and the number of LPHs in each district or city is still very lacking. The number of LPHs has currently reached 55 spread across various regions, but the existence of LPHs is very important in the process of issuing regular halal certificates.(BPJPH, 2024a) Meanwhile, the district or city MUI has been formed but has not been involved in the process of issuing halal certificates. The existence of these obstacles can result in the issuance of halal certificates through the regular mechanism becoming less efficient. (Prendergast, 2003)

To accelerate the service process, the regular mechanism of issuing halal certificates can be decentralized to the Regional BPJPH. This is in line with the provisions of Article 5 paragraph (4) of the UUJPH. In the author's opinion, it is time for representatives of the Regional BPJPH to be formed at the district/city level. In addition, the formation of LPH representatives in each district/city must be encouraged. Meanwhile, the involvement of the MUI, by the amendment to Law No. 22 of 2023 concerning Job Creation has implicitly mandated the Provincial MUI, Regency/City MUI, Aceh Ulema Consultative Assembly, or Halal Product Fatwa Committee to be involved in issuing halal fatwas. However, until 2024, their involvement is still being implemented. As the ideal type of bureaucracy is the existence of hierarchical levels in a position from top to bottom, it can produce an ideal bureaucracy. (Peter M. Blau dan Marshall Meyer, 2000)

The bureaucracy of issuing halal certificates through regular mechanisms shows a less-than-ideal process. As an ideal type of rational bureaucracy, there is a hierarchy in a position from top to bottom. Until now, the Halal Task Force at the Ministry of Religious

Affairs in the Regency or City is not a direct subordinate of the Central BPJPH, but an employee of the Ministry of Religious Affairs in the Regency or City who is given additional duties. The authority of the Halal Task Force at the Ministry of Religious Affairs in the Regency or City is to conduct socialization, the halal certificate registration process, and assistance to businessmen. They have not been given the authority to verify documents and the halal certificate issuance process. The authority to issue halal certificates still lies with the Central BPJPH. This shows that in the bureaucracy of issuing halal certificates, there is no hierarchy of positions from top to bottom. All authority to issue halal certificates is still the authority of the Central BPJPH. (Peter M. Blau dan Marshall Meyer, 2000)

LPH is the front guard in examining and testing the halalness of a product and also has an important role in accelerating the bureaucracy of issuing halal certificates. If LPH does not have representatives in the district/city, the inspection process will take longer and cost more, this will affect the costs that must be paid by businessmen. So in terms of cost, budget inflation makes the issuance process less efficient. (Pustaka, n.d.)

BPJPH Region can with MUI expand the fatwa session to the provincial and district/city MUI. With the decentralization of LPH and Fatwa Commission in the regions, it is hoped that prime halal certification services can be realized quickly. Thus, it is hoped that the bureaucracy of halal certificate issuance will be more efficient, especially if the issuance period can reach the Service Level Agreement (SLA) target and the issuance costs can be efficient if the inspection is carried out by LPH in the regions.

4. Conclusion

Until 2024, there are still many micro and small businessmen who do not have halal certificates. Although socialization has been carried out by the Central BPHPH, the Halal Task Force in the Regions, the Cooperatives, UMK, and Industry Service, there are still several factors that influence it, namely a low understanding of the obligation to obtain halal certificates, socialization has not reached all businessmen, low economic capacity to register halal certificates, some do not yet have a Business Identification Letter (SIB).

The bureaucracy of issuing halal certificates for micro and small business actors is carried out through two mechanisms, namely self-declare and regular. Self-declare is intended for micro and small businessmen if the materials used are confirmed and the production process is guaranteed to be halal. The self-declared mechanism is free of charge. The period that should be 12 working days in reality takes 2 to 3 months. Thus, the bureaucracy of issuing through self-declare is not yet efficient in terms of time and

energy but is efficient in terms of cost. While the regular mechanism is charged according to the provisions of the Ministry of Finance's SBM, the period that should have been completed within 21 working days, in reality, takes 2 to 3 months. The length of the period that cannot be achieved according to the Service Level Agreement (SLA) target is because all the processing processes are still carried out by the Central BPJPH, and the halal fatwa hearing is carried out by the Central MUI. There are still a few LPHs that carry out the examination that have representatives in the regions. Thus, the bureaucracy of issuing halal certificates through the regular mechanism is not yet efficient in terms of time and energy. Meanwhile, in terms of cost, it depends on the level of complexity of the production process and the materials used.

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