

Juridical Analysis of the Responsibility of Cosmetic Manufacturers for the Halal Needs of Muslim Consumers

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ABSTRACT – The halalness of cosmetic products has become an essential aspect for Muslim consumers who seek products in accordance with their religious values. This research discusses the legal responsibilities of cosmetics manufacturers towards Muslim consumers, the impact of the absence of halal certification on purchasing decisions, as well as the steps needed to ensure their products are in accordance with halal principles. Using a normative juridical approach, this study evaluates relevant regulations, such as Law Number 33 Year 2014 on Halal Product Guarantee, as well as compares international standards to provide a comprehensive view. The analysis shows that the absence of halal certification can undermine the trust of Muslim consumers and affect their loyalty and purchasing decisions. Manufacturers are faced with legal and moral obligations to ensure transparency of production processes, compliance with halal standards, and truthful labeling. Strategic measures, such as raw material audits, employee training and continuous supervision, are needed to mitigate legal risks and create trust in the market. This study suggests the need for regulatory strengthening and harmonization of international halal standards to support producers and protect the rights of Muslim consumers.

Keywords: halal cosmetics, legal responsibility, halal certification, purchase decision, halal regulation, Muslim consumers, consumer confidence.

A. INTRODUCTION

Today's Muslim consumers no longer view product halalness as a religious obligation, but have made it an essential element that reflects their identity and lifestyle. The stronger urge to consume goods that are in line with the provisions of Sharia is also reinforced by the increasing awareness of the importance of translating religious values in all aspects of

consumption. In the cosmetics industry, attention to the raw materials used as well as the production process gains particular significance, given the need to ensure that every stage of the product's manufacture is aligned with religious principles.

The sensitivity of the Muslim community to the elements contained in cosmetics is rooted in the effort to ensure the alignment of ingredients and production methods with the rules of Sharia. The development of information technology, especially easy access to the internet, facilitates increased public literacy about the types of ingredients that can potentially enter the body or be applied to the skin. Along with this widespread access to information, Muslim consumers are becoming increasingly critical to evaluate the fulfillment of halal requirements on a product.

The rise of discussions in the public sphere, especially in online media, regarding the urgency of halalness outside the food sector indicates that cosmetics are no longer considered a secondary need. Muslim consumers explicitly demand transparency regarding the source of raw materials and production methods, as uncertainty in both aspects has the potential to cause fundamental doubt. Such doubts can undermine trust and encourage them to switch to other brands or products that offer firmer halal guarantees.

In line with the growth of religious awareness, there is also a collective understanding that protecting the rights of Muslim consumers is a fundamental obligation. The absence of adequate information on halal labeling often triggers concerns about the validity of certain ingredients, especially if they are derived from animals that do not comply with religious requirements. If these concerns are not immediately answered by valid data, there is the potential for legal issues to arise involving producers, consumers and authorities.

The sheer scale of the market among Muslim consumers is driving new trends in business practices. However, without the assurance of halalness, Muslim consumers still experience hesitation to use cosmetic products, so the purchase decision is strongly influenced by how far the guarantee of harmony with Sharia has been pursued. This condition proves the central role of Muslim consumers to shape the dynamics of market demand, which is experiencing continuous development.

The absence of halal certification in the cosmetics industry raises doubts among Muslim consumers. Tajuddin et al. (2000) underline that the presence of non-halal ingredients, such as alcohol or ingredients from animals that are not slaughtered according to sharia regulations, can trigger these doubts. This situation represents a potential violation of religious values that are important to Muslim consumers. In Indonesia, Law Number 33 Year 2014 on Halal Product Guarantee has introduced an obligation for manufacturers to promote halal standards in their products, especially cosmetics aimed at Muslims. However, the realization of this legal norm in the field still encounters obstacles. One of the main obstacles lies in the lack of compliance of producers and the limited awareness of the urgency of applying halal labels.

Arifa and Nugraha (2022) emphasized that halal labeling in cosmetics is a crucial element to meet the expectations and beliefs of Muslim consumers. However, the existence of such labels is often ignored, leading to legal uncertainty and information clarity. This situation is highlighted, considering that the cosmetics market in Indonesia is predominantly inhabited by Muslim consumers who require halal assurance.

Muslim consumers have the right to obtain products in accordance with their religious principles. When manufacturers ignore halal certification information, there is the potential for a significant decline in trust. Several studies have shown that this distrust has a direct impact on consumers' decision to choose or reject a cosmetic product that is considered questionable.

Pribadi and Fitriana (2023) point out that manufacturers have a social and ethical responsibility to ensure that halal demands are met, as cosmetics are closely linked to the lifestyle of Muslim consumers. They emphasize that manufacturers' understanding of the

importance of halal certification should not only focus on food products, but also extend to the rapidly growing cosmetics industry.

Muslim consumers in the global market are increasingly emphasizing the importance of halal in the cosmetic products they use. The absence of halal labeling creates religious ambiguity, and creates trust issues with manufacturers. As a result, producers who do not pay attention to halal aspects have the potential to lose opportunities in markets that require legal certainty and clarity of product halalness.

Mohammadian and Hajipour (2016) state that producers who include halal certification in their products have the opportunity to expand their market reach, especially in countries with large Muslim populations, such as Indonesia and Malaysia. However, this potential increase in demand is also accompanied by increasingly intense demands from consumers, requiring clarity of production processes that meet halal standards.

The non-fulfillment of the need for halal labeling in the cosmetics industry indicates that there is a lack of synchronization between applicable legal regulations and practices in the field. This condition results in the emergence of questions regarding the effectiveness of legal protection of Muslim consumers, as well as underlining the existence of a void in the fulfillment of rights for consumer groups that are highly dependent on upholding the principle of halalness.

This research stems from questions regarding the legal responsibilities of cosmetics manufacturers towards Muslim consumers when the products offered are not halal certified, the impact of the absence of halal certification in cosmetics on the purchasing decisions of Muslim consumers, and the efforts needed to ensure that cosmetic products meet halal principles. With this focus, this study aims to analyze the legal and ethical responsibilities of cosmetics manufacturers towards Muslim consumers regarding the importance of halal certification, identify the extent to which the presence of halal certification affects the purchasing decisions of Muslim consumers, and make recommendations for cosmetics manufacturers to further increase awareness and implementation of halal standards in the production process.

This research is important to provide a deeper understanding of Muslim consumers' rights to cosmetic products that are in accordance with

their religious beliefs. The marketing of halal products among Muslim consumers should be done with attention to Sharia compliance and certification that can guarantee the safety and conformity of these products with Islamic values. Cosmetic manufacturers need to adopt a more transparent and ethical approach to providing information regarding the halalness of their products.

B. METHOD

This research uses a normative juridical approach to examine the legal responsibility of cosmetics manufacturers to provide products that comply with halal principles. This approach allows the tracing of regulations, analysis of applicable regulations, and the application of legal principles that protect the rights of Muslim consumers to purchase halal cosmetic products. Ishak (2019) highlights the importance of understanding and applying legal provisions such as Government Regulation Number 31 Year 2019 in Indonesia to guarantee the halal status of products marketed to Muslim consumers.

In this study, the data used consists of several relevant and comprehensive sources. First, secondary data is drawn from various scholarly journals, legal articles, and reports that discuss producer responsibility as well as halal certification. These sources were obtained from reputable academic databases, such as JSTOR, Google Scholar, and ScienceDirect, which provide access to current research and studies in related fields.

This research also involved analyzing legal and regulatory documents relating to the protection of Muslim consumers in the purchase of halal products. One of the main regulations analyzed is Law Number 33 Year 2014 on Halal Product Guarantee. To enrich the analysis, global standards and policies implemented in other Muslim-majority countries are used as comparisons. This aims to assess the effectiveness of existing regulations in Indonesia, as stated by Siahooei in 2011. With this approach, the research is expected to provide insight into halal regulation and consumer protection.

Data were collected through literature studies and searches of relevant legal documents. The literature used includes various studies on producer responsibility, Muslim consumer perceptions, as well as the impact of halal certification on cosmetic products. Articles and

reports collected from academic databases and related journal publications will support the analysis and discussion in this study.

Data analysis was conducted using a descriptive-qualitative method. The first step is to classify the data based on main categories such as national regulations, international case studies, and producer social responsibility towards halal certification. Once the data is classified, an analysis is conducted to evaluate the interrelationship between the legal responsibilities of producers and the perceptions and needs of Muslim consumers. This approach is effective to understand the importance of halal as a fundamental aspect in the purchase decision of cosmetic products by Muslim consumers (Arifa & Nugraha, 2022).

The research procedure in this study involves several systematic steps designed to achieve the research objectives. First, relevant literature and legal documents were identified, including the collection of various sources relating to the responsibility of cosmetics manufacturers as well as the protection of Muslim consumers. Next, the second stage is the analysis of legal regulations, in which the relevant regulations are analyzed to assess the level of responsibility of cosmetics manufacturers to provide halal-certified products. Finally, in the synthesis of findings stage, the results of the regulatory analysis and literature study will be combined to answer the problem formulation that has been set and provide appropriate policy recommendations. With this procedure, it is expected that the research can make a meaningful contribution to the understanding of the responsibilities of cosmetics manufacturers and consumer protection.

This research approach aims to provide a clearer insight into the legal protection and responsibilities of cosmetics manufacturers to meet the needs of Muslim consumers for halal-certified products.

C. RESULTS AND DISCUSSION

Legal Responsibility of Cosmetics Manufacturers to Muslim Consumers in the Case of Non-Halal Certified Products

The legal responsibility of cosmetics manufacturers towards Muslim consumers in the case of non-halal certified products involves juridical analysis based on consumer protection law, halal regulation, and the principle of fairness in trade. Juridically, cosmetics manufacturers have an obligation to provide

truthful and non-misleading information about their products, as stipulated in many consumers protection legal systems. For Muslim consumers, the absence of halal certification on cosmetic products can be considered as a form of neglect of the consumer's right to obtain certainty over the conformity of products with sharia principles.

Research shows that Muslim consumers are increasingly aware and careful to choose the cosmetic products they use, especially related to the halal aspect. Products without halal labeling have the potential to influence the purchasing decisions of Muslim consumers, as this is considered a violation of their religious beliefs. Cosmetic products that are not halal-certified may raise concerns among Muslim consumers who need assurance of compliance with Islamic law. In response, cosmetic manufacturers concerned with the Muslim market segment are expected to ensure that their products meet halal standards to protect consumer rights (Almasitoh, 2016).

When manufacturers fail to provide halal certification, this may lead to legal claims from consumers who feel aggrieved that the products do not meet halal standards. Under consumer protection law, manufacturers are required to ensure that the products they market are safe and meet the specific needs of certain consumer groups, including religious needs. For example, Muslim consumers rely on the existence of halal certification as proof that the product has been produced in accordance with sharia rules, covering raw materials, production processes and distribution.

The absence of halal certification impacts consumer confidence and can be the basis for lawsuits. In certain jurisdictions, such as in countries with a majority Muslim population, the law requires halal certification for certain products. This can strengthen the legal position of Muslim consumers if products claimed to be halal do not meet the standards. Manufacturers may also be in breach of legal obligations if they fail to provide transparent information regarding the halal status of products, as required by labeling and packaging regulations (Azmi & Elgharbawy, 2022).

From a legal responsibility perspective, manufacturers have a moral and legal obligation to ensure that their products comply with general safety standards, and meet the trust needs and religious values of their consumers. This is supported by findings showing that Muslim consumers tend to pay special attention to the validity of halal certification as a form of

assurance of product halalness and safety. Several studies have also shown that halal-certified products have a competitive advantage in the marketplace, which makes producer responsibility both legally and business-strategically important.

In situations where halal certification is not yet legally required, manufacturers can still face legal challenges if their products are proven to mislead consumers. Claims of fraud or misrepresentation can be filed by consumers who feel that the information provided about the product does not reflect reality. Halal certification therefore serves as both a marketing tool, and as legal protection for manufacturers from potential legal disputes.

Cosmetic manufacturers have a great responsibility to ensure the halalness of their products. This is to fulfill legal requirements and to increase Muslim consumers' confidence in the products they offer. Regulations such as Law No. 33 of 2014 on Halal Product Guarantee in Indonesia encourage manufacturers to comply with halal standards so that the needs of Muslim consumers can be met ethically and legally (Fauzi, 2022).

Cosmetic manufacturers have a legal responsibility to ensure that their products comply with the needs of Muslim consumers, especially regarding the halal aspect. The inability or negligence to provide halal certification can have serious juridical implications, both in the form of violations of consumer protection law and potential lawsuits from aggrieved consumers. Therefore, halal certification is a strategic step and must be considered by cosmetics manufacturers as a form of their legal and ethical responsibility.

The Impact of the Absence of Halal Certification on Cosmetics on Muslim Consumer Purchasing Decisions

Muslim consumers' trust and loyalty to cosmetic products is often based on the belief that the products they use are free from non-halal ingredients. Rahmawaty and Rakhmawati (2022) emphasized the importance of the halal label as a symbol of manufacturers' compliance with Islamic values, which significantly influences purchasing decisions and consumer loyalty. The study found that consumers tend to be more loyal to brands that consistently deliver halal-certified products so manufacturers have a responsibility to maintain this standard as a form of respect for Muslim consumers.

Muslim consumers in Indonesia see the halal label as a sign of quality and safety. Manufacturers that provide products without halal certification may lose a significant market segment as Muslim consumers will choose products with halal labels that they trust. This shows that halal is not just a legal aspect but also an important element in marketing cosmetic products to Muslim consumers (Arifa & Nugraha, 2022).

The absence of halal certification on cosmetic products can create unique challenges to Muslim consumers' purchasing decisions, especially regarding trust, brand loyalty, and compatibility with religious values. From a juridical perspective, manufacturers that do not provide halal assurance on their products can be considered failing to fulfill the basic right of Muslim consumers, namely the right to products that are in accordance with their beliefs. This creates a gap that affects purchasing preferences and decisions.

Halal certification is not only a symbol of trust, but also a guarantee that gives consumers a sense of security to choose products. Without a halal logo, Muslim consumers often feel hesitant and decide not to buy the product, even if the quality or price of the product is considered competitive. This shows the importance of clarity of halal status to attract and maintain the loyalty of Muslim consumers.

Research by Azmi and Elgharbawy (2022) also highlights that products without halal certification are often seen as products that do not care about the spiritual needs of Muslim consumers. This impacts on individual purchasing decisions, and overall brand reputation. In the long run, brands that do not prioritize halal certification could potentially lose market share in the segment of Muslim consumers who are increasingly aware of the importance of product halalness.

Yusuf and Yajid (2017) assert that the absence of halal certification complicates consumers' ability to make decisions that are in line with their religious values. This is because consumers often have no way to verify the ingredients or production processes used in cosmetic products. This vagueness increases consumer anxiety and tends to lead them to other halal-certified brands.

Research by Tajuddin et al. (2022) highlighted that the absence of halal certification can create confusion, especially in international markets that have different halal certification standards.

Muslim consumers in the global market need uniform standards to provide certainty. Without a widely recognized certification, consumers are often reluctant to purchase certain cosmetic products even if they are advertised as halal.

Bakar et al. (2017) also pointed out that products without halal certification run the risk of being perceived as non-transparent by consumers. This ambiguity affects consumers' perceived value of the product, where products without halal certification tend to be perceived as having lower quality. This has a negative impact on purchasing decisions, especially among consumers who prioritize trust and religious values to choose cosmetic products.

Overall, the absence of halal certification is not just a bottleneck in Muslim consumer preferences but also a strategic challenge for cosmetics manufacturers. This emphasizes the importance of transparency, social responsibility and religious conformity to build trust and win the growing Muslim market.

Steps Manufacturers Need to Take to Ensure Their Products Are Halal Compliant

The industrial era 4.0 opens up great. Despite the growing demand for halal products, cosmetics manufacturers face several challenges in obtaining halal certification. One of the main challenges is the complexity in the supply chain of raw materials that may contain non-halal elements or potentially raise questions regarding their halalness. Manufacturers often have to conduct rigorous raw material audits and work with suppliers who understand the importance of halal in the cosmetics production process (Syaada, 2022).

Factors such as halal awareness, product knowledge, and compliance with Islamic standards have a significant influence on the halal certification process in the cosmetics industry. However, the cost and time required to obtain certification can be an additional burden for manufacturers. As a result, some manufacturers may choose not to take up halal certification, although this could potentially hinder access to the rapidly growing Muslim market segment (Hajipour et al., 2015).

The steps that cosmetics manufacturers need to take to ensure their products comply with halal principles involve compliance with legal regulations, halal certification standards, and moral responsibility towards Muslim consumers. From a juridical perspective, these steps include

a structured and well-documented process to ensure products meet halal requirements, including raw materials, production processes, and distribution.

First, manufacturers must conduct a thorough raw material audit. Yusuf and Yajid (2017) explain that all ingredients used, both active and additional ingredients, must come from halal sources. Ingredients such as gelatin, alcohol, or other animal products should be verified to be shariah-compliant. Manufacturers should work with suppliers who can provide complete documentation regarding the origin of the ingredients.

Secondly, manufacturers need to implement production processes that are free from non-halal contamination. Production facilities must be free of haram or unclean ingredients, and the equipment used must not be contaminated with them. This includes separation of production lines between halal and non-halal products (Azmi & Elgharbawy, 2022).

Third, manufacturers must adopt halal certification standards and procedures. Bakar et al. (2017) noted that manufacturers must apply for certification to a recognized halal certification body, such as JAKIM in Malaysia or Indonesian Ulema Council (MUI) in Indonesia. This process involves a thorough audit of raw materials, production methods and supply chain management.

Fourth, it is important for manufacturers to conduct training for employees on halal standards. Employees must understand the importance of halal principles in every stage of production. This training ensures that all individuals involved have a common understanding of the importance of sharia compliance.

Fifth, manufacturers must ensure transparency in labeling and packaging. Tajuddin et al. (2022) emphasized that products must clearly state their halal status on the packaging, complete with an officially recognized halal logo. This provides assurance to consumers that the product has met halal standards.

Finally, manufacturers are advised to conduct ongoing surveillance after halal certification has been obtained. This involves regular inspections and quality control to ensure that halal standards are adhered to in every batch of production.

Juridically, these measures reflect the legal responsibility of manufacturers to comply with

halal-related regulations in their jurisdiction. In Muslim-majority countries, such as Indonesia and Malaysia, laws often require halal certification as a legal condition for marketing products. Failure to meet these standards can lead to legal sanctions, including fines, product distribution bans, or lawsuits from aggrieved consumers.

The steps that manufacturers need to take to ensure their products are halal compliant include raw material audits, segregation of production processes, halal certification, employee training, labeling transparency, and ongoing surveillance. Compliance with these measures fulfills legal responsibilities, and builds Muslim consumer confidence in cosmetic products.

To support the implementation of halal certification, the government has an important role to play in providing clear guidelines for cosmetics manufacturers. Cosmetics manufacturers must meet halal certification requirements set by certification bodies such as the Indonesian Ulema Council (MUI) in Indonesia. Strict regulations and guidance from the government can help manufacturers to ensure compliance with halal standards, while providing more confidence to Muslim consumers (Putri, 2018).

Complexity in halal standards between countries can be an obstacle to meeting the expectations of Muslim consumers. Internationally uniform halal standards will make it easier for cosmetics manufacturers to market their products in countries with large Muslim populations, while ensuring their responsibility to provide safe and halal products on a global level (Tayob, 2020).

D. CONCLUSIONS

This research underscores the importance of halalness in cosmetic products in response to the increasing religious awareness of Muslim consumers. Halal certification fulfills religious demands, and becomes a strategic element that increases consumer trust and loyalty to a brand. When manufacturers fail to provide halal-certified products, consumers are likely to doubt the quality and compatibility of the product with their religious values, which ultimately affects purchasing decisions. On the other hand, halal certification provides assurance on the raw materials and production process, making it an important tool to maintain the trust of Muslim consumers. The legal

responsibility of manufacturers is not limited to meeting regulatory standards, but also includes a moral obligation to ensure that the products marketed do not violate sharia principles.

Cosmetics manufacturers need to adopt a comprehensive approach to ensure their products comply with halal principles. This can be done by conducting rigorous raw material audits, implementing production processes that are free from contamination by non-halal ingredients, and ensuring transparency through clear labeling. Training for employees on the importance of halal standards is also necessary to ensure compliance at every stage of production. The government is expected to strengthen regulations and supervision of the implementation of halal certification, including providing clear guidance to producers. Harmonization of halal standards at the international level needs to be realized to support global market access for cosmetics manufacturers. Halal certification bodies have a strategic role to provide guidance and accelerate the certification process, making it easier for manufacturers to meet standards. For Muslim consumers, literacy related to the importance of halal must continue to be improved to encourage transparency and accountability of cosmetics manufacturers throughout the supply chain.

REFERENCES

- Al-Hajla, A. 2017. Brand Management in Religious Markets: The Brand Personality Dimensionality of Islamic Professional Sports. *Journal of Halal Studies and Research*, 2(2), 1898.
- Almasitoh, E. A. 2016. Dampak Produk Tanpa Label Halal dalam Membuat Keputusan Pembelian Produk Kosmetik. Skripsi, UIN Walisongo.
- Arifa, N. N. & H. H. A. Nugraha. 2022. The Urgency of Halal Label in Cosmetics for Muslim Women in Pemalang City. *Journal of Islamic Marketing*, 10(1), 38-53.
- Azmi, N. A. N. & A. A. Elgharbawy. 2022. Halal Cosmetics: Trend or Obligations?. *Technology*, 21(2), 281-292.
- Bakar, E. A., N. N. Rosslee, A. M. M. Ariff, M. Othman, & P. Hashim. 2017. Consumers' Trust and Values Towards Halal Cosmetics and Personal Care Products. *Malaysian Journal of Consumer and Family Economics*, 20(2), 21-35.
- Fauzi, I. 2022. Menyoal Bisnis Kosmetik Bersertifikat Halal (Analisis Undang-Undang Nomor 33 Tahun 2014 Tentang Jaminan Prodak Halal). *BISNIS: Jurnal Bisnis dan Manajemen Islam*, 10(1), 2477-5533.
- Ishak, A. 2019. Penerapan Produk Halal Berdasarkan PP No. 31 Tahun 2019 (Khusus Konsumen Beragama Islam). *Lex Privatum*, 7(3), 156-163.
- Hajipour, B., M. Gharace, M. R. Hamidizadeh, & F. Mohammadian. 2015. Raising Halal Cosmetic Awareness among the Respective Consumers. *International Journal of Academic Research in Business and Social Science*, 5(7), 338-349.
- Mohammadian, F. & B. Hajipour. 2016. Halal Cosmetics Supply Chain - A Conceptual Model. *International Journal of Supply Chain Management*, 5(1), 33-43.
- Pribadi, S. & D. Fitriana. 2023. Legal Security Regarding Labels and Certification of Halal Food Products Based on Law Number 33 of 2014 Concerning the Assuredness of Halal Products. *Journal of Legal Protection*, 3(1), 236-240.
- Putri, T. U. 2018. How Significant Arabic Brand Name, Halal Logo and Manufacturer Country of Origin Image Trigger Consumer Purchase Decision on Halal Cosmetic. *International Journal of Engineering and Technology*, 7, 539-543.
- Rahmawaty, A. & I. Rakhmawati. 2022. Repurchase Intention of Halal Cosmetic Product among Muslim Consumers: The Roles of Islamic Branding, Halal Awareness, and Trust. *Jurnal Kajian Ekonomi dan Bisnis*, 15(1), 1-20.
- Siahooei, A. A. 2011. Knowledge, Attitude and Practice Towards Halal Cosmetics in Malaysia. Tesis, Univerisiti Putra Malaysia.
- Syaada, A. G. 2022. The Role of Consumers' Product Knowledge and Religiosity of Young-Adult Muslims on Purchase Decision in Halal Cosmetics. *Asian Journal of Research in Business and Management*, 4(3), 320-332.
- Tajuddin, E., F. A. Asuhami, N. R. A. Rashid, M. A. Jamaludin, M. S. A. Sani, & H. B. Jaiyeoba. 2023. Global Halal Cosmetics Standards: Requirements and Issues. *Journal of Halal Industry & Services*, 6(1), 1-18.
- Tayob, S. 2020. Trading Halal: Halal Certification and Intra-muslim Trade in South Africa. *Sociology of Islam*, 8(3-4), 322-342.
- Yusuf, E. & M. S. A. Yajid. 2017. Related Topic: Halal Cosmetics. In book *Skin Permeation and Disposition of Therapeutic and Cosmeceutical Compounds*, 101-107.