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It is my great pleasure to welcome you here in Bandung, West Java, Indonesia to the first Padjadjaran International Conference on Halal Innovation. We are very grateful to the Rector and Director of Innovation and Academic Corporation and Business of Universitas Padjadjaran for their tremendous support they have provided and to the conference organizing committee for huge effort in engaging the program. We are also grateful to all of the speakers and participant for your extraordinary enthusiasm to participate in this event.

Halal market has increasingly grown across the world with both the increasing halal concern and muslim population growth as the main driving forces. To ensure halal compliance of food in the market, it is necessary to look at it from different point of views including method for halal analysis, methodology of halal food assessment, halal system management, screening of porcine/alcohol-based ingredients and alternatives of halal food ingredients. Therefore, all experiences of respective researchers, academicians, practitioners, government and professionals worldwide need to be gathered in a common unified voice in the form of a conference. Following the conference, it is expected to identify forthcoming chances and challenges with a view to strengthen halal food industry amongst muslim countries, establish a network, share idea and recent finding on halal food as well as launch Padjadjaran Halal Centre as the innovation center of excellent.

The conference will be held for two days and I sincerely hope you will enjoy the conference and have an interesting experience during your stay in Bandung.

Finally we thank for all parties participating in the conference.

Bandung, October 13 2016

Dr. Efri Mardawati
CONTENT

COMMITTEE .......................................................................................................................... iii
GREETINGS CHAIR OF COMMITTEE ..................................................................................... iv
DOCUMENTATION OF ACTIVITY .......................................................................................... v
CONTENT ................................................................................................................................. vi

THE FIRST DAY

Keynote Speaker Presentation 1 : The Local Regulation Concerning Develops and Supervision of Hygienic Goods and Halal Products In West Java Province
    Hening widiatmoko .............................................................................................................. 1

Keynote Speaker Presentation 2 : Regulations on Export and Import of Halal Products
    Imran Musa ......................................................................................................................... 7

Keynote Speaker Presentation 3 : Development of Halal Nutrition Framework
    Hajah Mariah Abdul Latif .................................................................................................... 26

Keynote Speaker Presentation 4 : Halal By Design : An Approach to Halal Pharmaceuticals Production
    Slamet Ibrahim S ................................................................................................................. 42

Keynote Speaker Presentation 5 : Current Situation and Analysis of Japan’s Halal Market
    Hajj Kyoichiro Sugimoto .................................................................................................... 56

Keynote Speaker Presentation 6 : Utilizing Market Opportunity of Global Halal Industry
    Irfan Syauqi Beik ................................................................................................................. 67

Keynote Speaker Presentation 7 : Detection of Pork Contents On Meat and Meat Products using Enzymatic and Genomic Approach for Halal Authentication
    Roostita L. Balia ................................................................................................................. 71

Keynote Speaker Presentation 8 : Assurance Scheme in the Halal Product Supply Chain
    Sufrin Hannan ...................................................................................................................... 78

Keynote Speaker Presentation 9 : Critical Point Of Fermented Products
    M. T.A.P. Kresnowati ......................................................................................................... 86

THE SECOND DAY

Keynote Speaker Presentation 1 : The Role of Halal Center on Halal Implementation in University
    Sukoso, Siti Asmaul M, Herawati and Hartati K. ................................................................. 100

Keynote Speaker Presentation 2 : Global Trend and Business Opportunity
    Sapta Nirwandar .................................................................................................................. 116
Keynote Speaker Presentation 3: Partnership on Halal Pharmaceutical Industries
Mas Rahman Roestan ................................................................. 128

Keynote Speaker Presentation 4: Halal Certification
Lukmanul Hakim ................................................................. 140

Keynote Speaker Presentation 5: Muslim Friendly Tourism of West Sumatera and Introducing to West Sumatera Halal Tourism
Irwan Prayitno ........................................................................... 154

Invited Speaker Presentation 1: Halal Management Science for SME's Competitiveness Development
Dwi Purnomo ............................................................................ 169

Invited Speaker Presentation 2: Halal Ingredient in Dairy Products
Robi Andoyo ............................................................................. 175

Actualization and The Discover Of Islamic Law Through Majelis Ulama Indonesia
Fatwas in The Field of Halal Products Warranty
Renny Supriyati ........................................................................ 181

Local Fermented Foods According to Halal and Health Perspective
Siti Nur Fatimah ......................................................................... 186

Consumers Concern on Halal Status of Purchasing of Chicken Meat In Traditional Markets of Aceh Besar District
Teuku Shaddiq Rosa¹, Teuku Reza Ferasyi¹,², Razali¹,², Hamdani Budiman¹,³, Fakhrurrazzi⁴, Nurliana⁵ .................................................. 192

The Role of Universities In The Success Implementation Law of The Halal Products Assurance (LHPA) Number 33 Year 2014
Muhammad Yanis Musdja ......................................................... 201

Halal Management System: Learning from Malaysia
Junardi Harahap .......................................................................... 211

Use Potential of Local Propolis Extract as Halal Biocovering on Storage of Domestic Chicken Eggs Biocovering at Room Temperature
Tri Cahyanto¹, Yani Suryani¹, Ucu Julita¹, Ida Kinashi¹, Opik Taupik Kurahan², Fani Fitriani¹ ................................................................. 213

Packaging Could be Critical Point in Halal Compliance
Yana Cahyana¹, Efri Mardawati¹, and In-in Hanidah¹ ......................................................... 218

Characterization of Hodgsonia macrocarpa Seed Oil From West Sumatera As An Alternative Halal Food Additives
Silvi Octavia, Elly Desni Rahman, Firdaus ......................................................... 222

Requirement of Halal Certification for Fresh Fruits
Yana Cahyana¹, Herlina Marta², Tien Siti Halimah¹ and Efri Mardawati¹ ... 227
Active and Pharmaceutical Materials Of Drug: Halal Or Haram?
Enny Rohmawaty ........................................................................................................... 230

Effectiveness Of Noni Fruit (Morinda citrifolia) Juice As Antibacterial In Poultry Incubator Disinfection
Marlina, E.T., T.B.A. Kurnani., Y.A. Hidayati, E. Harlia ...................................................... 236

The Potency of Vanilla Pasta As The Source of Halal and Natural Flavor
Mira Sofyaningsih\textsuperscript{1}, Dwi Setyaningsih\textsuperscript{2}, Sugiyono\textsuperscript{3} ........................................................................ 239

Factors Affecting Halal Products Purchase Intention In Several Country: A Literature Review
Herlina Marta\textsuperscript{1}, Efri Mardawati, Yana Cahyana, Sarah Bintang ........................................... 250

The Making of Transparent Solid Soap using Palm Oil Based with Addition of White Tea Extracts (Camellia sinensis) as The Active Ingredients
Asri Widyasanti\textsuperscript{4}, Chintya Listiaris Farddani\textsuperscript{5}, Dadan Rohdiana\textsuperscript{6} .............................................. 254

Mapping of Halal Critical Point in the Supply Chain Process Flow of Agroindustrial Product of Chicken Meat IN West Java (Case Study: Traditional Slaughterhouse X Tasikmalaya in West Java)
Dwi Purnomo\textsuperscript{7} Prayuda Surya Lesmana\textsuperscript{8}, Totok Pujianto\textsuperscript{9} Anas Bunyamin\textsuperscript{10} ........................................... 265

Determination of Alcoholic and Hydrocyanic Acid Compounds and Quality Assessment of Modified Cassava Flour
Hevenney Vianie Heroney, Joko Sulisty, and Hasmadi Mamat ........................................... 270

A Preliminary Study of Contribution Factor on implementing Halal System in Small Medium Enterprise
Rahmah, D. M., Mardawati, E., Nurliyasari, D, Putri, S., H, *) .................................................... 278

Effect Of Using Noni Fruit (Morinda citrifolia Linnaeus) As Disinfectant On Decreasing Number And Genus Of Fungi In Poultry Incubator
Yuli Astuti Hidayati; Kurnani Tb.B.A; Marlina E. T. ................................................................. 284

Merging Food Production Quality Assessment Parameters According to the Critical Point Halal and Good Manufacturing Practices
Totok Pujianto, Dwi Purnomo, and Seruni Rara Jingga ........................................................ 287

Production of Gelatin from Fish Bone (Euthynnus affinis) Using Acid Solution
Efri Mardawati, Mona Surya Utami\textsuperscript{1}, Herlina Marta\textsuperscript{1}, Dian Kurniati\textsuperscript{1}, Yana Cahyana\textsuperscript{1}, and In-in Hanidah\textsuperscript{1} .................................................................................................................. 300

Review on the Halal Level of Raw Material: Alternative Protein Source for Fish Food Used in the Feed Manufactures in Indonesia
Rostika, R.\textsuperscript{1} and Dewanti, L.P.\textsuperscript{1} ........................................................................ 309

Halal Analysis Critical Control Point (HACCP) In Production Of Sweet Potato Bread
Yulia Rahmawati, Elly Lasmanawati Wiraatmadja, Ai Mahmudatussa’adah* ........................................... 315
THE ROLE OF UNIVERSITIES IN THE SUCCESS IMPLEMENTATION LAW OF THE HALAL PRODUCTS ASSURANCE (LHPA) NUMBER 33 YEAR 2014

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ABSTRACT

Halal certification according to Law of the Halal Product Assurance (LHPA) Number 33 Year 2014 will be enforced mandatory and it will begin in 2017. For the implementation of this LHPA is required professional personnel and qualified laboratories. Therefore, violations of the LHPA will be given severe punishment, such as imprisonment of up to 5 years in prison or a fine up to Rp. 2 billion. OBJECTIVE: Calls on Universities to be actively involved in the success of the implementation of LHPA number 33, year 2014. ANALYSIS OF ISSUES AND CHALLENGE: When the observation is based on analysis of SWOT (Strengths, Weaknesses, Opportunities, Threats) about implementation of Law of the Halal Product Assurance (LHPA) Number 33 Year 2014, RI. Strengths: LHPA No. 33, 2014 is a grace for the Indonesian people especially and the world generally, because mandatory provisions of the halal certificate according to LHPA will guarantee the existence of a halal safety, cleanliness, nutritious, quality, authentic of the products. To achieve this, it depends on the role of universities, because universities are the institutions that very capable to make the implementation of this LHPA, especially for being halal audit institutions. Weaknesses: Indonesia still does not have representative laboratory for examination Halal and also still do not have Halal standards for foods, drugs, cosmetics and other products. At this time the Halal standard for food, drug and cosmetics still partially was made by Majelis Ulama Indonesia (MUI). On the other hand, Human resources professionals to implement the law LHPA No. 33, 2014 are still limited. Opportunities: Implementation of the LHPA No. 33, 2014 will provide a very valuable opportunity for Indonesian people to get the product Halalanthoyyibun, as reminded by Allah SWT in surah Al-Baqarah 168. In order for all mankind to consume foods that halalanthoyyibun. Threats: There are some groups that want the LHPA No. 33, 2014 is canceled or certification of Halal only voluntary, especially the group of adulteration and fraudsters and in the Al-Quran called Mutaffifin group. CONCLUSION: To make the implementation of LHPA No. 33, 2014, it is required the involvement of the universities, because to be Halal Auditor, must graduate of majoring in of Food Technology, biochemistry, chemistry, biology, Industrial Engineering and Pharmacy, where, this human resources is generally owned by the university.

Key Words: Law, Halal products, Mandatory, University

1. INTRODUCTION

Philosophy and History of Haram Food.

As we know, The story of Adam and Eve is told in the Qur’an, bible and the Tourah that lived in paradise with happiness. Then Adam and Eve were driven out by God from paradise, because They had eaten Haram Food or Eternity/khuldi fruit. If Adam and Eve did not eat Haram Food, of course we as descendants of Adam, we are still living in paradise until this day. If we take a lesson from the
history of Adam and Eve. God does not like people who eat haram food. God will give punishment in various forms of disadvantage to they eat the haram foods.

Analog with the story of Adam and Eve. We must be careful in choosing foods. We should consume foods that are recommended by God and leave food which is forbidden by God.

The Background of the Birth the Law of the Halal Products Guarantee (LHPG) Number 33 Year 2014.

That consuming of halal food and good (HALALANTHOYYIBAN) is an obligation not just for Islamic people but for all mankind. As it is said in the Quran on surah Al Baqarah verse 168, “O mankind, eat from whatever is on earth [that is] lawful and good and do not follow the footsteps of Satan. Indeed, he is to you a clear enemy”. As has been shown, according to evidence based medicine, that due to consuming of Haram foods, such as, alcohol, pork, heast animal, blood, disgusting animal and animals were slaughtered in a way not true, all of this haram food will have an adverse effect to the people who had consumed it.

Therefore food, drug and cosmetic very play an important role for the health and safety of mankind. In the current era of free trade, each country is free to export and import of food, drug and cosmetic from one country to another country. In the current era of free trade, there is a very large adulteration and fraud by industry player, whether originating in domestic and abroad in order to seek profit maximization. As we know, this has been reminded by Allah in the Quran at letters Muttafin, Surah 1 – 3. “Woe to those that deal in fraud. Who, when they take a measure from people, take in full. But if they give by measure or by weight to them, they cause loss.”

That the warnings of Allah in the Koran on the letter Muttafin about adulteration and fraud in trade has existed since long time ago and will always exist until the Day of Judgement. Therefore we must always be vigilant against troublemakers that do by Muttafin groups. Based on these reasons, the parliament and the president of Indonesia has succeeded in making LHPG Number 33 year 2014.

2. HALAL AND HARAM IN ISLAM FOR FOOD.

Basically anything that exists on earth is Halal, while foods that are forbidden (Haram) in Islam is as shown in diagram 1.

![Diagram of Classification of Food in Islam](image_url)

Figure 1. Classification haram and halal food in islam
According To Evidence Based Medicine:

Pork and its by products are Haram in Islam, because of some reason, such as: genetic pig is very similar with human genetic. Therefore, the chemical compounds that exist in pig is very easily transmitted to human. Already known, there are many chemical compounds found in pig working as a trigger cardiovascular disease and cancer, besides that, on the pig also live various kinds of bacteria, viruses and worms that cause infectious diseases in humans. Or in terms of other words. Pigs are the most abundant animals cause various diseases and metabolic disorders to humans than other animals for human consumption.

According To Evidence Medicine:

Animal is slaughtered according to sharia of Islam is the most excellent quality. That is animal flesh that has values halalanthyayiban. While, animals improperly slaughtered is unhealthy because the blood of these animals do not come out perfectly at the time of slaughter or the animal is stressed or in pain so the quality of the meat does not fulfill the quality halalanthyayiban.

Animals killed in the name of anyone other than Allah is haram in Islam, because the legitimate requirements of slaughter according to Islamic figh is the intention Alcohol and intoxicants and its byproducts is Haram in Islam, because Alcohol is an organic compound solvent. Alcohol will damage organic compounds of the human body, especially the enzymes in the human body. Therefore, alcohol will damage the mindset, behavior and physical of human being.

Carnivorous animals and birds of pray, generally contain xenobiotic compounds. The xenobiotic compounds are a compounds that can damage homeostasis and metabolic reactions in the human body. Therefore this compound is haram in islam.

Blood and blood byproducts is haram in Islam due to blood carries a variety of toxins and waste products from the remnants of food that is not processed in the body and the rest of the body's metabolism. In the body, the compound metabolic waste is filtered through the kidneys and excreted through the urine. because blood contains a lot of toxins and harmful to the body, therefore, consuming blood is haram in islam.

3. ISSUES ABOUT ADULTERATION AND FRAUD THAT DO BY INDUSTRY PLAYERS AND TRADERS IN MODERN ERA.

In accordance with the development of science, where the more advanced science, the more advanced definite forms the Action Adulteration and Fraud that do by Industry Players and Traders. Some forms Adulteration and Fraud that do by Industry Players and Traders in Modern Era:

Food Products

1) Counterfeiting rice with rice manufacture from plastics that come from China, In this case, just horrendous Indonesian society. On the other hand, there is a lot going on. the rice poor quality is given whitening and fragrances to make impression that rice which sold is new rice and has good quality and smells good. Whereas, chemicals that are added very dangerous for health.

2) Many fruits are imported given layer of wax or soaked in formalin, so that the fruit is not easily damaged and marketed in Indonesia.

3) Formalin is used for preservative a variety of foods, such as for dried fish and dried foods, it may interfere with the function of the liver and lead to cancer.

4) There are lot of food products containing derivatives of pork products, especially from pig gelatin, such as, ice cream, sausages, candies, jams, bread, meatballs and others. Or beef, buffalo, goat, sheep is mixed with pork, because the price of pork is cheap, just about Rp. 50,000 per kg and beef, goat, buffalo have price are expensive, about Rp. 100,000 per kg.
5) There are sourced meats from haram meat, such as meat rats, dogs, monkeys, etc are used for making meatballs, sausages and other food products, and is said to be made from halal meat such as beef, goat, sheep, buffalo.
6) The use of textile colorants for some food products, because the price is low and the color is more attractive, textile colorants is danger for health.
7) The halal logo was made by the company itself, but the food does not fulfill halalahooiyihon concept.
8) The use of food additives which exceed the limits of the provisions, so that the food is better, longer-lasting and more attractive.
9) Fresh food given preservative, such as bread, sausages, sweets and juice to delay the expiration of the food.
10) The chicken died yesterday (tiren) because bird flu disease or other diseases for sale in some markets.
11) Water is injected into the meat, so that weight was heavier or meat which already have a long age is soaked in Sodium Nitrate to make it look such as fresh meat.
12) Food contain Food additive, but it said without use food additives.
13) Use of improper Stunning method for slaughtering animals and animals not slaughtered according the Islamic sharia, or animals is slaughtered in a way that is not true.
14) Weighing are not in accordance with the measure to the detriment of consumers.
15) Etc.

Products of Drug and Cosmetic
1) There are so many drugs syrups that contain high concentration alcohol sold in Indonesia.
2) There are so many aphrodisiac drug group, included hard drugs (Drugs just can be purchased with Prescription a doctor) that is not registered and sold freely by the community to increase orgasm, the drugs contains hazardous materials and harmful for health.
3) There are many ingredients of drugs have whitening and slimming that harmful for health and sold with freely.
4) There are many drug products that contain pork derivatives, such as, capsules, ointments, creams, vaccines and others.
5) Some food supplements are circulating, actually classified as drugs. If the product is not used correctly will make hazard for health.
6) Many antibiotics or other drugs that have a concentration of less than the minimum dose that has effect. This causes bacteria becoming resistant and harmful to health.
7) Many drug stores and community selling drug products that are not registered or sourced from foreign countries and harmful for health.
8) Many herbal products are mixed with chemicals harmful for health. This chemical compound intentionally added for make herbal were impressed a very potent.
9) Many drugs that should not be marketed in a foreign country is marketed in Indonesia.
10) There are several ingredients that have not been confirmed by WHO about their safety but some already marketed in Indonesia.
11) And chemicals, drugs or cosmetics, etc are prohibited and dangerous.

4. LAW OF THE HALAL PRODUCT GUARANTEE (LHPG) NUMBER 33 YEAR 2014

The main changes are set at JPH Law No. 33 Year 2014 is to change the halal certificate from voluntary becomes mandatory for the Food, Drug and Cosmetics. Enforcement of industry players must have a halal certificate will begin in late 2016 and will be implemented gradually until 2019 for drugs and cosmetics. As mentioned in Article 67 of LHPG No. 33 Year 2014.
Priorities halal certificate is mandatory for food, after this will be followed for drugs and cosmetics. For this arrangement, the Government is preparing a Government Regulation (GR) for LHPG No. 33 Year 2014.

After this GR issued by the government, the Ministry of Religion Affairs (MORA) will make Regulation of MORA (RM) for LHPG No. 33 Year 2014. According to Article 65 LHPG No. 33 Year 2014 GR and RM should be finished not later than on 25 September 2016.

According to LHPG No. 33 Year 2014, after the LHPG No. 33 Year 2014 is implemented. There are only 2 types of products will be circulating in Indonesia later, namely Halal products and non-Halal products. According to LHPG No. 33 Year 2014, Article 26, paragraph 2, for products that are not halal industry player should write on the label of the products writings NOT HALAL.

![Flowchart of Halal and Haram Products](image)

**FIGURE 2. Types of Products that will be Distributed in Indonesia According to Law of the Halal Products Guarantee No. 33 Year 2014**

During this time, standardization, inspection, assessment and awarding the Halal certificate to the industry players are all carried out by the Indonesian Ulama Council (Majelis Ulama Indonesia/MUI) through the Research Institute for Food Drug and Cosmetics MUI (Lembaga Pengkajian Pangan Obat-obatan dan Kosmetika MUI /LP POM MUI). After LHPG No. 33 Year 2014 is implemented, the function of MUI just a Institute giver of fatwa.

Institutions that will provide the Halal Certificate is Halal Products Guarantee Organizing Agency (HPGOA), the Agency will soon be formed and will exist under of MORA, the HPGOA did not act as a Halal Auditor Institute (HAI). For HAI will be carried out by government agencies and organizations belonging to the Islamic community that legal entity, as stipulated in Article 12 and 13 LHPG No. 33 Year 2014. Therefore, there will be some HAI in Jakarta as well as in the provinces or in districts that need it.

Organization and Procedure for Obtaining Halal Certificate according to LHPG, No. 33, 2014 as illustrated in the below.
Important Note About LHPG, no. 33, 2014

1) Article 30, verse 2, HPGOA assign HAI for Halal analysis ≤ 5 days, since the application submitted by Industry Player
2) Article 33, verse 4. MUI give Halal Fatwa or Fatwa not halal ≤ 30 days,
3) since delivery of Halal analysis by HPGOA
4) Article 35, HPGOA publish Halal certificate or notification is not halal ≤ 7 days from receipt of notification from MUI
5) Article 42 verse 1, Halal certificate is valid for four (4) years
6) Article 43, foreign Halal products are imported into Indonesia, must use this Law unless there is statement from Halal Institute recognized by HPGOA. But mandatory be registered by HPGOA before products are distributed in Indonesia (Article 47 verse 3)
7) Article 57, Industry Player that does not keep halal products have gained the Halal Certificate referred to in Article 25 letter b shall be punished with imprisonment for a maximum of 5 (five) years or a fine of Rp 2,000,000,000.00 (two billion rupiah )
8) Article 57, Everyone involved in the implementation of process HPG that is not maintain the confidentiality of formulas that contained in information is submitted by industry player as referred to in Article 43 shall be punished
9) with imprisonment for a maximum 2 (two) years or a maximum fine Rp. 2,000,000,000.00 (two billion Rupiah).

5. THE ROLE OF UNIVERSITIES IN THE SUCCESS IMPLEMENTATION LAW OF THE HALAL PRODUCTS ASSURANCE (LHPA) NUMBER 33 YEAR 2014

As it is said at Article 4, LHPG, No. 33, 2014, “Products that enter, circulate, and traded in Indonesia are required to have (Mandatory) halal certificate”. Therefore mandatory for Halal certificate not just for food but also for drug and cosmetic. While, Human Resources (HR) Halal examiner is only granted to a minimum of Strata-1 (S-1) graduates in the field of Food Technology, chemistry, Biology, Biochemistry, Industrial Engineering and Pharmacy. As it is said at Article 14, Paragraph 2-C, LHPG, No. 33, 2014, “14.c. Have the minimum education Bachelor degree in the field of food, chemical, biochemical, industrial engineering, biology, or pharmacy”. Therefore, the
objects to be examined are the Food, Drug and Cosmetic, of course, scholars most responsible and most widely know for this examination are Bachelor in the field of Food Technology, chemistry, Biology, Biochemistry, Industrial Engineering and Pharmacy their knowledge much more know for examination of food, drug and cosmetic compared with the Strata-1 (S-1) than others graduates. Human Resources for this Halal examiner at LHPG, No. 33, 2014 is called Halal Auditor and will work on Halal Auditor Institute (HAI).

Besides that in the Industry which will make Halal products. The industry must have Supervisor Halal, as it is said at Article 28 at LHPG, No. 33, 2014, which mentions Halal Supervisor functions are:

a. Supervising the production process Halal in the industry;
b. Determining corrective and preventive actions;
c. Coordinating production process Halal; and
d. Accompanying Halal Auditor from LPH at the time of inspection.

In the Article 28 paragraph (3) at LHPG, No. 33, 2014 mentioned, Supervisor Halal appointed by the company and reported to HPGOA.

Human Resources are allowed as Halal Supervisor do not mentioned in the LHPG No. 33 Year 2014. We hope about this will be determined in the future in government regulation or in ministerial regulation of religion affair for LHPG No. 33 Year 2014. Of course, this is better, when the person skilled or familiar with the products that they will produce. Start from acquiring material, manufacturing process, analysis of the product, resulting in the production of Halal products, the guaranteed of halalness is very well. Therefore, for Supervisor Halal in industry it is some like in Article 14, Paragraph 2-C, JPH Law No. 33 Year 2014, namely: Strata-1 (S-1) graduates in the field of Food Technology, chemistry, Biology, Biochemistry, Industrial Engineering and Pharmacy.

6. THE ROLE OF UNIVERSITIES IN TROUBLESHOOTING FOR SUCCESSFUL LHPG, NO. 33, YEAR 2014

In order to be a successful implementation must fulfill the following requirements:

a. LHPG No. 33 Year 2014 should be supported by government regulations and regulations of ministers of religious affair that right to be properly implemented.
b. Supported by Human Resources and a good understanding on the Implementation of LHPG No. 33 Year 2014
c. Having the facilities and infrastructure for the implementation of LHPG No. 33 Year 2014.

In order to succeed implementation LHPG, NO. 33, year 2014, Universities should play a role either in the form of Universities, organizations, individuals and government agencies engaged in the Halal Products.

Role of Universities in order to succeed implementation LHPG, NO. 33, year 2014 can be classified into three terms, namely:

A. The role of universities as legislative

As we know, to be able to carry out LHPG No. 33 Year 2014. At this time Indonesia do not have a book halal standardization for food, drug and cosmetic. Whereas in LHPG No. 33 Year 2014 has stipulated penalties fairly heavy to Industry players and workers involved in carrying out the process of Halal.

Penalties will be imposed on the player and the industry and workers involved in carrying out the process of Halal, if they deviate from the Halal standards that have been determined. Therefore, Indonesia must have book for Halal standards.

On the other hand, although, there have been efforts by SMIIC. This institution is under the OIC countries, to make one Halal Standard one Standard Logo in the world. However, this does not know when it will be completed, while the implementation mandatory have Halal Certificate according to LHPG No. 33 year 2014 should be started in early 2017.
And we know, that to make the book of Halal standardization for food, drug and cosmetic is quite difficult, because the work is almost the same as we make book Pharmacopoeia. Moreover, at present there is no one country in the world that already have a book halal standardization for food, drug and cosmetic.

Therefore universities much more understand about food, drug and cosmetic, the universities should be the main initiator to make the book of standardization for food, drug and cosmetic.

B. The role of universities as executive

In the executive, the role of universities for successful implementation of LHPG No. 33 Year 2014, universities can work as an employee on Halal Products Guarantee Organizer Agency (HPGOA), as an Auditor Halal in Halal Audit Institute (HAI) and Supervisor Halal food on industry of food, drug or cosmetic. The role of universities will be more dominant in this field, because mandatory halal is not only for food but also for drugs and cosmetics and other products. As it is said at Article 4, "Products that enter, Circulate, and traded in Indonesia are required to have (Mandatory) halal certificate".

As an Auditor Halal the role of universities, it is said on Article 15 of LHPG No. 33 Year 2014 Halal auditors referred to in Article 14 on duty:

a. inspect and assess the materials used;
b. inspect and assess the processing of products;
c. inspect and assess the system of slaughter;
d. researching the location of Products;
e. researching equipment, production space, and storage;
f. inspect the distribution and presenting products;
g. inspect halal assurance system Industry Player; and
h. reported the results of inspection and / or testing of the Halal Auditor Institute.

While the task as Halal Supervisor at Industrial, it is said on Article 28 of LHPG No. 33 Year 2014:

(1) Halal Supervisor referred to in Article 24 letter c on duty:
   a. supervising HPP of company;
   b. determine the corrective and preventive actions;
   c. coordinating the HPP; and
   d. accompany Halal Auditor of HAI at the time of examination.

(2) Halal supervisors must fulfill the following requirements:
   a. Muslim; and
   b. lots of insight and understanding the law of halal.
(3) The supervisor Halal determined by the leadership of the company and reported to HPGOA.
(4) Further provisions regarding Halal Supervisor stipulated in the Regulation of the Minister.

B. The role of universities as judicative

Therefore, the existence of sanctions against violations of LHPG No. 33 Year 2014, there will be many disputes, both in of fraud on halal products, as well as against fraud committed by workers involved in the process of halal product assurance. Then, as it is said at:

Article 56 of LHPG No. 33 Year 2014: Industry Player that does not keep halal products have gained the Halal Certificate referred to in Article 25 letter b shall be punished with imprisonment for a maximum of 5 (five) years or a fine of Rp 2,000,000,000.00 (two billion rupees).

Article 57 of LHPG No. 33 Year 2014: Everyone involved in the implementation of process
Halal Products Guarantee that is not maintain the confidentiality of formulas that contained in

The Role of Universities In The Success Implementation Law of The Halal Products Assurance (LHPA) Number 33 Year 2014

information is submitted by industry player as referred to in Article 43 shall be punished with imprisonment for a maximum 2 (two) years or a maximum fine Rp. 2,000,000,000.00 (two billion Rupiah).

Due to the fairly heavy sanctions to industry players and everyone involved in the implementation of process Halal Products Guarantee, then, there will be many disputes in the implementation of mandatory Halal later. To be able to resolve the dispute with justice certainly needed graduates in the field who are experts in halal products. Both for internal dispute resolution, in the pretrial and as an expert witness in court.

6. CONCLUSION

a. The role of Muslim scholars is highly expected to make success the implementation LHPG No. 33 year 2014

b. Halalanthoyyib food (Halal Food Safety) is the best food for all mankind, but to obtain the necessary standardization that eligible.

c. At this time, standardization the best in the world for foods, drugs and cosmetics are made by FAO and WHO. besides that there are also sources quite well, such as, the US Pharmacopoeia, Merck Index, Martindale, etc

d. The provisions halalanthayyib in Islam when in Integrate with the standardization of drugs, foods and cosmetics made by FAO and WHO will provide the best products halalanthayyib for mankind.

e. Indonesia /OIC countries have to be made as soon as possible to create a kind of attachment or addition to the the standardization books were made by FAO and WHO which contains about clarification, halal, shubhat and haram and additional standardization based on the provisions of Islam, etc.

f. Therefore, this work is hard work, then countries OIC (SMIIC), ASEAN or Indonesia should form a permanent committee for this work. Or by handing out a special section to the OIC certain countries, as was done by FAO and WHO.

REFERENCES:


Invited Speaker

Dr. Muhammad Yani Musdja, M.Sc.

This is to certify that:

October 13-14 2016, Bandung, Indonesia
in The First Padjadjaran International Conference on Halal Innovations.