**An Analysis Fatwa on Cosmetics Products Used in The Islamic Boarding School**

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| **ARTICLE INFO** | **ABSTRACT** |
| **Article History:**Received: Revide:  Accepted:  | **Purpose:** This study aims to present one of the products in halal standardization, namely perfume. Halal standards in products are currently in legal interest to ensure the quality and trustworthiness of products that are widely circulating in the market. The application of halal standardization is an urgent need in Indonesia, especially for products used by Muslims.**Method:** The approach in this research is to use descriptive qualitative methods. In connection with this, data collection was also carried out regarding the number of students and teachers, the number and type of perfume, as well as sales data and applicable halal product standards. The research data was obtained from the interview of the students and the teachers of Darussalam Gontor Islamic Institution in Magelang.**Findings:** The results of this study found the number of students and teachers at the Darussalam Gontor Modern Islamic Institution Magelang, the number and type of perfume, as well as the sales data and the applicable halal product standards, concluded that some research results, that perfume products sold by cooperation section and mini market and used by most of the students and teachers, have not all had halal standards and certificates. In addition, both students and teachers still do not know about the halal standards that apply to perfume products. |
| **Keyword**s: Halal; Fatwa; Cosmetics; Standard; Product. |
| **Paper Type:**Research Paper |
|  | **Originality/Values**: It can be concluded that the research perfume products sold by the student and teachers, have not all had halal standards and certificates. However, MUI still urges the public to choose cosmetics that are holy and halal and avoid cosmetic products that are Haram and unclean. Cosmetics and perfume are necessities of tahsiniyat or one of the complementary syar'i needs (tertiary). |
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# INTRODUCTION

Indonesia is the fourth most populous country in the world, and with the largest Muslim population in the world. Therefore, the halal aspect of the product is a must for the country in providing domestic products that are halal-certified.[[1]](#footnote-1) This is to provide peace and comfort for the population, especially Muslims. The presence of the state in providing halal product legal certainty to the community is important.[[2]](#footnote-2) In various provisions and regulations, it is emphasized that products that enter, circulate, and are traded in the territory of Indonesia must be certified halal.

However, most of the population and Muslim community in Indonesia are not aware of the law of the use of perfume products that are widely circulating in the market, especially the number of perfume products today use. Elements of chemical compounds such as alcohol which are used as solvents which makes the law of wearing them questionable, whether it is lawful or Haram. In addition, there are still many Muslims who ignore the aspects of halal perfume products sold in the community, such as whether or not there is a halal label on the perfume bottle or packaging.[[3]](#footnote-3)

The issue of the halal standard of a product is a complicated problem and cannot be seen easily. Halal Standardization of product requires several in-depth laboratory studies to ascertain raw materials, manufacturing processes, media and even packaging.[[4]](#footnote-4) Therefore, it is necessary to have halal standardization. This halal standardization has a function to provide certainty, protection and peace of consumers, especially Muslims, from consuming or using a product.[[5]](#footnote-5) There are the right of consumer to comfort, security and safety in consuming goods and or services. This shows that every consumer, including Muslim consumers who constitute the majority of consumers in Indonesia, has the right to obtain goods that are comfortable and can be consumed or used by them.

Based on the background above, the authors limit the discussion of this thesis to the following issues, First, to know the standardization of the halal perfume products used in the Darussalam Gontor Modern Islamic Institution Campus 5 Magelang. Second, is the analysis of Fatwa DSN MUI Number 26 of 2013 on perfume products used at the Darussalam Gontor Modern Islamic Institution, Campus 5 Magelang

The objectives of this study are as follow is to explain the standardization of halal perfume products that are purchased and circulated in the community. And so, to analyze the MUI Fatwa Number 26 of 2013 on perfume products used at the Darussalam Gontor Modern Islamic Boarding School, Campus 5 Magelang. The main focus of this research, This research is useful for expanding and for deepening knowledge, especially relating to the use of perfume in worship. In general, this research is expected to provide development benefits in the realm of knowledge, especially the science of maqashid sharia and can be used as a reference for further research, especially in the field of Islamic law. In addition to its theoretical uses, it is hoped that the results of this study can answer the problems of the people which are increasingly diverse according to the times, especially in Darussalam Gontor Modern Islamic Institution Campus 5 Magelang. The results of this research are expected to contribute, especially in the field of law so that it can enrich the scientific treasures in Indonesia and at the same time can be a reference for practitioners in the field of law and the general public in facing similar problems in everyday life.

This type of research carried out by the author is using field research, and others that are relevant.[[6]](#footnote-6) In compiling data from object of students and teachers at Darussalam Gontor Modern Islamic Institution Campus 5 Magelang and writing this research, the author has to collect data and information needed in this study.[[7]](#footnote-7) Including research and studies and discussions obtained from previous research journals, theses, books, magazines, journals and books related to this research.[[8]](#footnote-8) The documentation method is to find data about variables.[[9]](#footnote-9) Or things in the form of notes or writings, newspapers, magazines, or journals.[[10]](#footnote-10)

In analyzing the data, the author uses descriptive qualitative analysis, it was obtained from the results of the research, so that an objective, logical, consistent and systematic conclusion is obtained in accordance with the objectives of the author in this study. Descriptive analysis is the statistic used to analyze data by describing the collected data as it is.[[11]](#footnote-11) Some of the data analysis techniques used in this study were editing, organizing, and finding results.[[12]](#footnote-12) Editing is checking the data that has been found in terms of completeness, clarity of meaning, suitability and harmony with one another, relevance and uniformity of units or groups of data. The application in this research is to read the literature that is related to the discussion, by looking for the sentence that is the subject of discussion. Organizing as systematic arrangement of data needed in the pre-planned exposure framework, namely in accordance with the problem. Finding the results, conducting further analysis of the results of data processing using rules and theories so that a conclusion can be obtained.

**LITERATURE REVIEW**

Consumers also have the right to correct, clear and honest information regarding the conditions and guarantees of goods and or services.[[13]](#footnote-13) This implies that the *halal* information provided by companies and producers must be correct, or have been tested first.[[14]](#footnote-14) Thus, producers cannot claim that their products are *halal* before going through a predetermined *halal* test.[[15]](#footnote-15) The standardization of *halal* products is also very much needed by producers to attract Indonesian consumers, who are predominantly Muslim.[[16]](#footnote-16) It is also important for increasing competitiveness as well as for export needs, especially for the destinations of Muslim countries.[[17]](#footnote-17) The form of *halal* standardization for producers is that they must have a *halal* certificate.[[18]](#footnote-18) However, there are problems in making *halal* certificates, which producers feel burdened by the costs involved in obtaining the certificate.[[19]](#footnote-19) In addition, this has hampered investment growth in the food industry, especially for small and medium scale enterprises (SMEs).[[20]](#footnote-20) In addition, *halal* standardization embodied in *halal* certification is still an obstacle, especially for products that do not directly intersect with the *halal* requirements that must be applied.[[21]](#footnote-21)

**METHODOLOGY**

Based on the background above, the authors limit the discussion of this thesis to the following issues, First, to know the standardization of the *halal* perfume products used in the Darussalam Gontor Modern Islamic Institution Campus 5 Magelang. Second, is the analysis of Fatwa DSN MUI Number 26 of 2013 on perfume products used at the Darussalam Gontor Modern Islamic Institution, Campus 5 Magelang. The objectives of this study are as follow is to explain the standardization of *halal* perfume products that are purchased and circulated in the community.

To analyze the MUI Fatwa Number 26 of 2013 on perfume products used at the Darussalam Gontor Modern Islamic Boarding School, Campus 5 Magelang. The main focus of this research, This research is useful for expanding and for deepening knowledge, especially relating to the use of perfume in worship. In general, this research is expected to provide development benefits in the realm of knowledge, especially the science of *maqashid sharia* and can be used as a reference for further research, especially in the field of Islamic law. The results of this research are expected to contribute, especially in the field of law so that it can enrich the scientific treasures in Indonesia and at the same time can be a reference for practitioners in the field of law and the general public in facing similar problems in everyday life.

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**RESULTS AND DISCUSSION**

# Overview of Halal Standart

Standards are certain measurements that are used as benchmarks. Standard is a guideline or model that is mutually agreed upon and acceptable at a practical level to achieve predetermined goals. The benefits that are felt after implementing standards include increased consumer confidence in products and companies, more guaranteed product quality, increased company productivity, and increased motivation and morale of workers. The Oxford Dictionary provides several conceptual understandings regarding “standard” definitions is standard as a benchmark of achievement based on the level of best wishes.[[30]](#footnote-30)

Production is an activity that is carried out to add value to an object or create new objects so that it is more useful in meeting needs. The activity of increasing the usefulness of an object without changing its form is called service production.[[31]](#footnote-31) While the activity of increasing the usefulness of an object by changing its nature and form called the production of goods.[[32]](#footnote-32) Production is the impact of a change from two or more inputs and resources to one or more outputs or products. These activities in the economy are expressed in terms of the production function. The production function shows the maximum amount of output that can be generated from the use of a number of inputs using a certain technology.[[33]](#footnote-33) The abstract conception of the production function which is based on value allows economists to analyze various problems such as determining the income contribution of the factors of production, the influence of the factors of production on economic growth, technological changes and the characteristics of technological unemployment.[[34]](#footnote-34)

Production creates goods and services to meet human needs. Production activities require production factors such as natural resources, labor, capital and technology.[[35]](#footnote-35) In essence, production is the creation or addition of benefits or form, time and place to the factors of production so that they are more beneficial to human needs. Therefore, production focuses on efforts to create more uses of goods and services to meet the needs of many people.[[36]](#footnote-36) In general, the company's goal with production is to get maximum profit.[[37]](#footnote-37) So it is necessary to plan and calculate carefully the quality and quality of production results.

The term halal in the Holy Qur’an means what is allowed. The word halal comes from the root word which means open. Etymologically, the word halal means things that can be done, because they are free or not bound by the provisions that prohibit them, or it can also be interpreted as anything that is free from the dangers of the world and the hereafter. In the context of food, halal food is food that can be consumed, produced and commercialized.[[38]](#footnote-38) Meanwhile, the word halal in the encyclopedia of Islamic law is: anything that causes a person not to be punished if using it, or something that can be done according to syara.[[39]](#footnote-39) The command to do everything with halal standards is also contained in the verses of the Qur'an and the hadith of the Prophet Muhammad, namely:

ﻳٰٓﺎَﻳُّﻬَﺎ ﺍﻟﻨَّﺎﺱُ ﻛُﻠُﻮْﺍ ﻣِﻤَّﺎ ﻓِﻰ ﺍﻻَﺭْﺽِ ﺣَﻠٰﻼً ﻃَﻴِّﺒًﺎ ۖﻭَّﻻَ ﺗَﺘَّﺒِﻌُﻮْﺍ ﺧُﻄُﻮٰﺕِ ﺍﻟﺸَّﻴْﻄٰﻦِۗ ﺍِﻧَّﻪ ﻟَﻜُﻢْ ﻋَﺪُﻭٌّ ﻣُّﺒِﻴْﻦ

"O all human beings! Eat what is lawful and good from what is on earth, and do not follow the steps of Satan; because actually Satan is a real enemy to you" (Surah al-Baqarah: verse 168).

ﻳٰٓﺎَﻳُّﻬَﺎ ﺍﻟَّﺬِﻳْﻦَ ﺍٰﻣَﻨُﻮْﺍ ﻛُﻠُﻮْﺍ ﻣِﻦْ ﻃَﻴِّﺒٰﺖِ ﻣَﺎ ﺭَﺯَﻗْﻨٰﻜُﻢْ ﻭَﺍﺷْﻜُﺮُﻭْﺍ ﻟِﻠّٰﻪِ ﺍِﻥْ ﻛُﻨْﺘُﻢْ ﺍِﻳَّﺎﻩُ ﺗَﻌْﺒُﺪُﻭْﻥَ

"O you who believe! Eat among the good fortunes that We give you and give thanks to Allah, if it is really only Him you worship” (Surah al-Baqarah: verse 172)

**HALAL CERTIFICATION PROCESS**

In practice, measurement of the halalness of a product, and in this case a perfume product, must be given clear boundaries. To take halal measurements on perfume products, there are several things that must be completed and that must be submitted and done for know the standard measure of the halal perfume product.[[40]](#footnote-40) The things that must be considered.

1. Halal Policy

Halal policy stipulation is carried out by the halal management department and disseminates halal policy to all company stakeholders. Halal policy must be fulfilled as an absolute requirement to meet the standard of product halalness.

1. Has a Halal Management Team

The determination of the Halal Management Team is carried out by the highest management which covers all parts involved in critical activities and has clear duties, responsibilities and authorities.

1. Training and Education

Companies that apply for a halal certificate must have a written procedure regarding the implementation of training. Companies must also carry out internal training which is conducted at least once a year and external training which is conducted at least once every two years. Education and training are requirements to meet the halal standard of products and educate halal standardization.

1. Material

In the manufacture of halal-certified products, the ingredients used must not come from materials that are Haram or unclean. To declare the material, the company must have supporting documents about all the materials used.

1. Product

Product characteristics must not have a smell or taste that leads to Haram products or products that have been declared Haram by the MUI fatwa. In addition, the brand or product name registered with MUI must not use a name that leads to something that is expected or something that is not in accordance with Islamic law.

1. Production Facilities

Companies that register for halal certification must have production facilities, including:

1. Processing industry: for a company engaged in the processing industry, it must guarantee that there is no contamination of Haram or unclean materials to the product. Production facilities can also be used interchangeably and without the use of products containing Haram or najis ingredients.
2. Restaurant / Catering / Kitchen : The kitchen is registered to get a halal certificate specifically for the production of halal food. In addition, the facilities and equipment used are also devoted to serving halal products. In implementing halal standardization in products in food, it must be ensured that the product is halal.
3. Written Procedure for Critical Activities

 Companies must have written procedures regarding crisis activities, namely activities in the production process that will affect the halal status of the product.

1. Search Ability

Companies wishing to obtain MUI halal certification must have written procedures to ensure product traceability. The traceability of the product has been certified and approved by LPPOM MUI if is produced in a place that meets the criteria, which is free from pork and its offspring.

1. Handling of Products Not Meeting Criteria

Companies that register for halal certification must have written procedures for handling products that do not meet the criteria. Companies can do this by not selling them to consumers who only want halal products and if they are already sold, the company must withdraw them.

1. Internal Audit

 Companies that register for halal certification must have a written procedure, namely an internal audit of the implementation of HAS (Halal Assurance Certificate). Internal audits are conducted at least every six months and are carried out by competent and independent internal auditors. The results of the internal audit are submitted to LPPOM MUI in the form of a report which is conducted every six months.

1. Management Review

 Top management or its representatives must conduct a review of management. This review is carried out at least once a year and has the objective of assessing the effectiveness of HAS implementation and formulating future sustainable improvements.

The institution that has the authority to set the halal standard for a product is the Institute for the Assessment of Food, Drugs and Cosmetics (LPPOM MUI).[[41]](#footnote-41) The Institute for the Assessment of Food, Drugs and Cosmetics of the Indonesian Ulama Council or abbreviated as LPPOM MUI is an independent institution under the MUI that is tasked with carrying out the halal certification process, starting from registration, document collection, auditing, to making reports before the halal status of the ingredients is determined by the Fatwa Commission.[[42]](#footnote-42) Products that can be issued a halal certificate by the MUI include food products, medicines, cosmetics, consumer goods (chemicals, soaps, detergents, skin, water filters, and so on). The Food Research Institute for Drugs and Cosmetics (LPPOM MUI) was established on January 6, 1989. LPPOM MUI has a vision: “To become a trusted halal certification body in Indonesia and the world to provide peace for Muslims as well as being the world's halal center that provides information, solutions and halal standards that are recognized nationally and internationally.”

LPPOM MUI (Institute for the Study of Food, Drugs and Cosmetics, the Indonesian Ulama Council) is an institution that has a strong duty to research, study, analyze and decide whether products are good [food](https://id.wikipedia.org/wiki/Pangan) and their derivatives, drugs and cosmetic products.[[43]](#footnote-43) They safe for consumption from both sides [health](https://id.wikipedia.org/wiki/Kesehatan) and in terms of the teaching of Islam, namely halal or permissible and good for consumption by Muslims, especially in the region [Indonesia,](https://id.wikipedia.org/wiki/Indonesia) In addition, this Institute also provides recommendations, formulates provisions and provides guidance to community service.

Fatwa is a term regarding opinion or interpretation on a related issue [with Islamic law](https://id.wikipedia.org/wiki/Hukum_Islam).[[44]](#footnote-44) Fatwa itself is from arabic word means "advice", "answer" or "opinion".[[45]](#footnote-45) What is meant is a decision or official advice taken by an institution or individual whose authority is recognized, delivered by a person[mufti](https://id.wikipedia.org/wiki/Mufti) or [cleric](https://id.wikipedia.org/wiki/Ulama), as a response or answer to a question raised by a *mustafti* who has no attachment.[[46]](#footnote-46) Fatwa MUI is a decision or opinion given by MUI regarding a problem in the life of Muslims. Referring to the type and hierarchy of statutory regulations in Law Number 12 of 2011 concerning the Formation of Legislative Regulations, the position of the MUI Fatwa is not a type of statutory regulation that has binding legal force.*UU No 12 of 2011 Article 2 Verse 1 Regarding the Formation of Legislative Regulations*, n.d. The MUI Fatwa only binds and is obeyed by Muslims who feel they have ties to MUI itself. The MUI fatwa does not have the legality to force it to be obeyed by all Muslims. Fatwas have a high position in Islam.[[47]](#footnote-47)

The determination of the fatwa is based on the Qur'an, al-Sunnah, ijma 'and Qiyas.[[48]](#footnote-48) Meanwhile, others like, *al-istihsan*, al-term, *sad ad-dari'ah*. Trial raw materials or those used in products that have not been registered for halal certification do not need to get approval from LPPOM MUI including for production scale trials. The new raw material can be registered at the same time as the registration of a new product at registration for development or extension if it certified halal. For the Indonesian people, the word halal is something that is familiar. With the majority of the population being Muslim, making halal certification a necessity that must be met by products circulating in the Indonesian market.[[49]](#footnote-49)

Without halal certification, Muslim consumers doubt the ingredients in these products. Safe or not for consumption by Muslim consumers. Then it is necessary to determine the halalness of the product especially in perfume products. Therefore, halal certification from MUI is currently a mandatory requirement that must be fulfilled by several types of products in Indonesia. Halal certification is also important in the procedure for determining the halal status of perfume products.[[50]](#footnote-50) Therefore, Muslims, especially in Indonesia, now tend to choose products that are clearly halal, namely by choosing products with a halal logo. The product's halal logo is obtained after the producer has gone through the halal certification process.[[51]](#footnote-51)

# CONCLUSIONS

In relation to the main problems that have been formulated in the introductory chapter, and based on the descriptions in the following chapters, the following conclusions are drawn. From the data collected regarding the number of students and teachers at the Darussalam Gontor Modern Islamic Institution Campus 5 Magelang, the number and type of perfume, as well as the sales data and the applicable halal product standards, it can be concluded that some research results, that perfume products sold by cooperation section and mini market and used by most of the students and teachers at the Darussalam Gontor Islamic Boarding School, Campus 5 Magelang, have not all had “halal” standards and certificates.

Students and teachers at Darussalam Gontor Modern Islamic Institution Campus 5 still do not know about the halal standards that apply in perfume products. The majority of students and teachers buy perfume products that are sold and used in Gontor Campus 5 based on rational and logical reasons, such as the aroma and fragrance of the perfume, the durability of the perfume, the price of the perfume, and the quality of the perfume. There are still few who pay attention to the “halal” label or standard printed on perfume products.

Analysis of the points and provisions regarding the MUI DSN Fatwa Number 26 of 2013 concerning the halal standards of cosmetic products and their use as well as their relationship and relation to this research include. Fatwa DSN MUI Number 26 of 2013 has not yet regulated in detail and in full halal standards and terms of use and production, in this case perfume products. In addition, the absence of halal certification obligations on perfume products circulating in the community is one of the causes for the low halal certification and halal standardization of perfume products.

The use of materials that are not considered “halal”, such as alcohol as ingredients in cosmetics are punished permissible (allowed) provided that it does not exceed the level determined by MUI and is not intoxicating and endangering consumer especially the Muslim community in Indonesia and in accordance with the concept of “maqashid syari'ah” in the concept of *hifdz al-nafs* at the *tahsiniyah* level which means maintaining the soul (body and spirit) from damage. However, MUI still urges the public to choose cosmetics that are holy and halal and avoid cosmetic products that are Haram and unclean. Cosmetics and perfume are necessities of *tahsiniyat* or one of the complementary syar'i needs (tertiary) that do not reach an emergency level or threaten the existence of a person's soul.

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