

Maqasid Syariah in Harmonising Halal Cosmetics Regulation

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Abstract

As the country with the largest Muslim population in the world, Indonesia has great potential in the halal cosmetics industry, but realising this potential still faces various obstacles. Law No. 33 of 2014 concerning Halal Product Guarantee requires halal certification for products, including cosmetics, but its implementation is marked by dualism of authority between BPOM and MUI, a long and expensive certification process. This study aims to identify differences in halal cosmetic regulations between Indonesia and Malaysia, as well as ASEAN standards, to explore the causes of regulatory conflicts, and to propose regulatory harmonization that could enhance halal cosmetic exports from Indonesia. Qualitative methods were employed, combining comparative legal analysis and policy network analysis. Data were obtained from an analysis of key regulations in Indonesia, Malaysia, and ASEAN, interviews with stakeholders, and secondary data, including export statistics and global industry reports. The findings confirm that halal cosmetic regulations protect Muslim consumers, in line with the *maqasid asyariah*. Harmonising halal cosmetic regulations by adopting halal modules in the ACD, simplifying the national certification process (integration of BPOM-MUI), and achieving cross-border recognition of halal certification are important steps to reduce regulatory barriers. The contribution of this research lies in offering a cross-border perspective that has not been previously examined in the context of halal cosmetics. In practical terms, the research findings provide policy implications for strengthening Indonesia's position in the ASEAN market, enhancing legal certainty, expanding export access, and supporting SMEs in facing global competition.

Keywords

halal cosmetics regulations - halal industry - regulatory harmonisation-ASEAN standards

Introduction

Halal cosmetics regulations in Indonesia are an integral part of broader halal industry policies, which aim to meet the growing demand from Muslim consumers for products that are not only safe but also compliant with sharia law. As the country with the largest Muslim population in the world, Indonesia has established comprehensive regulations through Law No. 33 of 2014 on Halal Product Guarantee. This law stipulates that all products, including cosmetics, must obtain halal certification before they can be marketed.¹ This is in line with the global trend where halal product providers are not limited to the Muslim community, but also attract the interest of a wider market.²

In an effort to develop the halal cosmetics industry, it is important to optimise regulations by Islamic financial institutions, which can support industry players through financing, assistance, and education. This strategy aims to enhance the understanding and skills of business actors in producing quality halal cosmetics, while also ensuring they comprehend the product certification and standardisation process.³ Through this approach, it is hoped that producers will be better prepared to meet strict halal requirements, thereby enhancing the competitiveness of local products in the global market, including within the ASEAN context.

In the context of halal education and literacy, it is crucial to increase public and industry knowledge of the concepts of *halal* and *tayyib*, which encompass not only halal aspects but also the quality and safety of cosmetic products. Research by Kasri et al. emphasises the need for effective campaigns to increase consumer knowledge about halal products, which, in turn, can positively change attitudes towards the use of halal cosmetic products.⁴

¹ Wahyu Akbar et al., "Optimization of Sharia Banking Regulations in Developing the Halal Cosmetic Industry in Indonesia," *Jurnal Ilmiah Al-Syir Ah* 22, no. 1 (2024): 1, <https://doi.org/10.30984/jis.v22i1.2611>; Mustafa A A Halim and Mohd M Salleh, "Consumer Rights in Halal Products: A Study Based on Legal and Syariah Perspectives," *Food Research* 4, no. S1 (2020): 281–90, [https://doi.org/10.26656/fr.2017.4\(s1\).s31](https://doi.org/10.26656/fr.2017.4(s1).s31).

² Halim and Salleh, "Consumer Rights in Halal Products: A Study Based on Legal and Syariah Perspectives."

³ Akbar et al., "Optimization of Sharia Banking Regulations in Developing the Halal Cosmetic Industry in Indonesia."

⁴ Rahmatina A Kasri et al., "Intention to Consume Halal Pharmaceutical Products: Evidence From Indonesia," *Journal of Islamic Marketing* 14, no. 3 (2021): 735–56, <https://doi.org/10.1108/jima-06-2021-0192>.

Therefore, cooperation between the government, financial institutions, and industry players is crucial to developing education on halal regulations and promoting accurate information to the public.⁵

However, Indonesia faces significant challenges in exporting these products, as it controls only around 5% of the global halal cosmetics market. This poor performance can be attributed to several factors, including inconsistent regulations, market penetration strategies, and the need for a stronger brand position in the global arena.

The first aspect to be examined is the regulatory framework for halal cosmetics in Indonesia. As outlined in Law No. 33 of 2014 on Halal Product Guarantee, the certification process requires compliance with standards set by the Indonesian Ulema Council (MUI) and its affiliated institutions. However, challenges related to bureaucratic inefficiency and overlapping regulations can hinder producers from obtaining certification promptly, thereby affecting their ability to access international markets effectively.⁶ The situation is further complicated by the multitude of global halal standards, which can confuse consumers and producers as to which certification is universally accepted.⁷

Harmonising halal regulations at the ASEAN level is also a significant challenge. Although each country has its own regulatory framework, harmonising halal standards across the region can create a more integrated market and facilitate the exchange of halal products between countries. For example, in countries such as Malaysia and Brunei, halal certification regulations and practices are more established, which could serve as a model for Indonesia to improve its policymaking process.⁸ In line with this, research by Halim and Salleh shows that increased consumer awareness of halal product rights can also encourage improvements in regulatory practices and industry practices.⁹

In comparison, Malaysia has established a more streamlined halal certification process, facilitating rapid market access for its halal

⁵ Zikri M Gaznur, Henny Nuraini, and Rudy Priyanto, "Evaluation of Slaughter and Sanitation in Slaughterhouse Category Ii," *Iop Conference Series Earth and Environmental Science* 667, no. 1 (2021): 12100, <https://doi.org/10.1088/1755-1315/667/1/012100>.

⁶ Ali E Abdallah, Mohammed A Rahem, and Antonella Pasqualone, "The Multiplicity of Halal Standards: A Case Study of Application to Slaughterhouses," *Journal of Ethnic Foods* 8, no. 1 (2021), <https://doi.org/10.1186/s42779-021-00084-6>.

⁷ Abdallah, Rahem, and Pasqualone.

⁸ Rozaidah Idris, "Halal Education and Knowledge in Brunei Darussalam, Malaysia and Japan: A Comparative Study," 2025, 57–72, https://doi.org/10.1007/978-981-96-0393-0_4.

⁹ Halim and Salleh, "Consumer Rights in Halal Products: A Study Based on Legal and Syariah Perspectives."

products, including cosmetics.¹⁰ The Malaysian government actively supports the halal industry through various incentives aimed at increasing the visibility of Malaysian halal brands. Furthermore, strong marketing and branding strategies for Malaysian halal products have positioned them positively on the international stage, reflecting growing global demand driven by consumer awareness and preferences for ethically produced products that meet standards.¹¹

Consumer awareness and acceptance of halal products significantly influence purchasing decisions among target demographics in potential export markets. Research shows that although Indonesians have a high level of understanding of the concept of halal, the application of this awareness in purchasing decisions often varies based on factors such as trust in certification and perceptions of product quality.¹² Countries such as Malaysia and Thailand have effectively utilised branding and consumer engagement strategies that resonate well with both Muslim and non-Muslim consumers. This highlights the importance of Indonesian cosmetic brands implementing marketing strategies that emphasise halal compliance and engage customers through storytelling and educational campaigns that highlight the values and benefits of halal cosmetics¹³.

Research on halal cosmetics has been conducted, but only four main topics have been discussed, such as regulation and certification, which examine national policies and consumer protection.^{14,15,16} also discusses Science and Product Technology with a focus on raw material analysis,

¹⁰ Heri Sudarsono and Rindang N I Nugrohowati, "Determinants of the Intention to Consume Halal Food, Cosmetics and Pharmaceutical Products," *Journal of Asian Finance Economics and Business* 7, no. 10 (2020): 831–41, <https://doi.org/10.13106/jafeb.2020.vol7.no10.831>.

¹¹ Dwi I Handayani et al., "Ensuring the Halal Integrity of the Food Supply Chain Through Halal Suppliers: A Bibliometric Review," *Journal of Islamic Marketing* 13, no. 7 (2021): 1457–78, <https://doi.org/10.1108/jima-10-2020-0329>.

¹² Tanti Handriana et al., "Purchase Behavior of Millennial Female Generation on *Halal* Cosmetic Products," *Journal of Islamic Marketing* 12, no. 7 (2020): 1295–1315, <https://doi.org/10.1108/jima-11-2019-0235>.

¹³ Kasri et al., "Intention to Consume Halal Pharmaceutical Products: Evidence From Indonesia."

¹⁴ Akbar et al., "Optimization of Sharia Banking Regulations in Developing the Halal Cosmetic Industry in Indonesia."

¹⁵ Gunawan Widjaja and Hotmaria H Sijabat, "Technical and Regulatory Aspects of Alcohol Use in Halal Certification for Cosmetics Products," *J. Legal Ethical & Regul. Issues* 24 (2021): 1.

¹⁶ Khotibul Umam, Dyah Purbaningrum, and Iklim Matunasia Aci, "Challenges and Opportunities in Implementing a Halal Lifestyle: A Study of Global Halal Regulations," *MONETARIUM: Journal of Economics Business and Management* 1, no. 2 (2024): 75–86.

detection technology, and traceability systems^{17,18,19,20} also discusses Consumer Behavior and Markets with a focus on awareness, perception, purchase intent, and preferences among millennial Muslims^{21,22,23,24} and discussions on the Halal Economy and Industry, focusing on branding strategies, global competitiveness, and the halal supply chain^{25,26,27}. No research has been conducted on comparative analysis and harmonization of regulations in ASEAN regarding halal cosmetics.

This study focuses on a comparative analysis and efforts to harmonise halal cosmetics regulations in Indonesia with ASEAN standards, a topic that has not been studied in depth to date. While previous studies have only highlighted aspects of national laws and certification, product science and technology, consumer behaviour, and the economic and industrial dimensions of halal, this study makes a new contribution by offering an integrative cross-country perspective.

This study aims to identify differences between Indonesian and Malaysian halal cosmetics regulations and ASEAN standards, explore the

¹⁷ Ilyas Masudin et al., "Traceability System in Halal Procurement: A Bibliometric Review," *Logistics* 6, no. 4 (2022): 67.

¹⁸ Khairul Akmaliah Adham et al., "Diagnosing a Halal Certification System for Cosmetics: The Viable System Model Approach," *Systemic Practice and Action Research* 37, no. 2 (2024): 139–59.

¹⁹ Azura Amid, "Halal Detection Technologies," *Solving Halal Industry Issues Through Research in Halal Sciences*, 2024, 41–54.

²⁰ Micky Prathama, Imam Baihaqi, and Nur Aini Rakhmawati, "Halal Traceability Systems in the Supply Chain for the Cosmetics Industry: Literature Review and Research Agenda," in *2023 International Conference on Innovation and Intelligence for Informatics, Computing, and Technologies (3ICT)* (IEEE, 2023), 209–14.

²¹ Febrina Mahliza, Prita Prasetya, and Christian Kuswibowo, "The Preferences of Consumers' Halal Products in Cosmetics Market," *Kajian Branding Indonesia* 5, no. 2 (2023): 85–97.

²² Febrina Mahliza and Prita Prasetya, "Halal Cosmetics and Consumer Behavior: Insight from Millennials," *Journal of Enterprise and Development (JED)* 6, no. 1 (2024): 121–32.

²³ Shahedul Hasan et al., "Influence of Halal Marketing on Intention towards Halal Cosmetics: Halal Awareness and Attitude as Mediators," *Journal of Islamic Marketing* 15, no. 7 (2024): 1783–1806.

²⁴ Muhammad Asyraf Hasim et al., "Digital Marketing Strategies and Consumer Behaviour: Insights into Online Purchase Intention for Halal Cosmetics in Malaysia," *PaperASIA* 41, no. 1b (2025): 93–105.

²⁵ Mohammad Mominul Islam, "Halal Supply Chain Management Readiness and Halal Cosmetics in Bangladesh," *Journal of Islamic Marketing*, 2025.

²⁶ Mohd Amar Aziz et al., "Linking Demand Conditions to Competitive Advantage: The Role of Government Support Programs in the Halal Cosmetic and Personal Care Industry," *Journal of Islamic Marketing* 16, no. 4 (2025): 1031–50.

²⁷ Yudi Fernando et al., "Halal Beauty Supply Chain and Sustainable Operational Excellence: A Moderator of the Post-SARS-CoV-2 Mitigation Strategy," *Journal of Islamic Marketing* 15, no. 12 (2024): 3748–77.

causes of regulatory conflicts, and propose regulatory harmonisation to increase halal cosmetics exports in Indonesia. The benefits of this research not only enrich the academic literature on halal cosmetics regulations but also have practical implications for promoting the creation of more uniform regional standards, enhancing legal certainty, expanding market access, and strengthening Indonesia's halal industry's position in facing global competition.

Methods

This research method employs a qualitative approach that combines comparative legal analysis and policy network analysis to gain an in-depth understanding of differences in halal cosmetics regulations at the national and regional levels. Comparative legal analysis is conducted through a systematic review of key regulatory documents, including BPOM Regulation No. 23/2019 in Indonesia, the Malaysian Halal Certification Procedure, and the ASEAN Cosmetic Directive (ACD). This approach enables the identification of points of convergence and divergence within the existing legal framework, as well as their implications for policy harmonisation. Meanwhile, policy network analysis was conducted through in-depth interviews with key actors, including regulators (BPOM, Ministry of Industry), industry players, and related associations. This method was chosen to map the dynamics of interactions among actors, interests, and challenges faced in implementing regulations.

The research data sources consist of integrated primary and secondary data to strengthen the validity of the findings. Primary data were obtained through analysis of regulatory documents and semi-structured interviews with stakeholders, designed to explore practical perspectives on regulatory implementation. Secondary data includes halal cosmetics export statistics from the Ministry of Industry and UN Comtrade, as well as global industry reports such as the Global Islamic Economy Report, which provide quantitative context and international trends. The integration of these two types of data enables comprehensive triangulation, yielding an analysis that is both normative and empirical for understanding the complexity of halal cosmetics regulations in Indonesia, Malaysia, and ASEAN.

The Concept of *Maqāṣid al-Sharī'ah* in Halal Cosmetics Regulation

Maqāṣid al-Sharī'ah is a fundamental concept in Islamic jurisprudence, whose primary objective is to protect the welfare of individuals and society. The application of *Maqāṣid al-Sharī'ah* in halal cosmetics regulations plays an essential role in ensuring consumer protection, especially for Muslim consumers. This is evident in three main areas: preservation of religion, health, and financial justice.

First, the preservation of religion demands that Muslims avoid products containing haram (forbidden) substances. This aligns with the *maqāṣid* principle of safeguarding one's faith by steering Muslims away from haram items, including those found in cosmetic products, such as alcohol and porcine ingredients.²⁸ This operationalisation of *Maqāṣid* reinforces the obligation of compliance with Islamic law, providing clarity and safety in consumer choices.²⁹

Moreover, health and mental well-being are paramount in the regulation of halal cosmetics. The materials used in these products must be deemed safe and pure, aligning with the *maqāṣid*'s intention to enhance wellness and prevent harm.³⁰ Research has highlighted the importance of verifying the safety of cosmetic ingredients, emphasising that identifying harmful ingredients, such as those derived from non-halal sources, strengthens the halal market and aligns with consumer interests.³¹ Furthermore, studies underscore the importance of managing health risks associated with cosmetic products to ensure they do not adversely affect consumers' physical and psychological well-being.³²

Finally, addressing financial justice reflects the *maqāṣid* of ensuring fairness in transactions. Regulatory frameworks around halal cosmetics necessitate transparency and trust, fostering ethical business practices that ensure consumer rights are not only recognised but actively upheld.³³ This is particularly crucial in the halal market, where unfair

²⁸ Atiqah R Zabidi et al., "Screening Porcine DNA in Collagen Cream Cosmetic Products," *Food Research* 4, no. S1 (2020): 151–56, [https://doi.org/10.26656/fr.2017.4\(s1\).s05](https://doi.org/10.26656/fr.2017.4(s1).s05).

²⁹ Halim and Salleh, "Consumer Rights in Halal Products: A Study Based on Legal and Syariah Perspectives."

³⁰ Raihan M Isa et al., "Pertimbangan Antara Mudarat Dan Manfaat Dalam Penggunaan Produk Kecantikan," *Journal of Fatwa Management and Research* 28, no. 2 (2023): 123–53, <https://doi.org/10.33102/jfatwa.vol28no2.468>.

³¹ Zabidi et al., "Screening Porcine DNA in Collagen Cream Cosmetic Products."

³² Sudarsono and Nugrohowati, "Determinants of the Intention to Consume Halal Food, Cosmetics and Pharmaceutical Products."

³³ Halim and Salleh, "Consumer Rights in Halal Products: A Study Based on Legal and Syariah Perspectives."

practices could exploit consumers' religious sensibilities. The empowerment of consumers through informed choices regarding halal products aligns with both the *maqāṣid* principle of justice and the practical necessity of safeguarding consumer interests.³⁴

In summary, integrating the principles of *Maqāṣid al-Sharī'ah* into halal cosmetics regulation effectively supports and protects Muslim consumers by ensuring that the products they use are compliant with their religious beliefs, safe for health, and fair in economic transactions.

Halal Cosmetics Regulations in Indonesia

Halal cosmetics regulations in Indonesia involve several entities, primarily the Food and Drug Supervisory Agency (BPOM) and the Indonesian Ulema Council (MUI), while in Malaysia, JAKIM (Malaysian Islamic Development Department) plays a major role in supervision and certification. These three entities, along with the ASEAN Cosmetic Directive (ACD) standards, face challenges regarding the list of prohibited ingredients, the certification process, and labelling and halal claims.

List of Prohibited Substances

In the context of prohibited substances, both BPOM and JAKIM have lists of substances that are not permitted to achieve halal status. For example, alcohol and gelatin derived from pigs are two substances generally considered haram (forbidden) Farah, 2020). However, there are differences in how these substances are implemented and enforced. BPOM adheres to the requirements outlined in the Halal Product Assurance Act, while JAKIM has additional, more detailed criteria.³⁵ The ACD also regulates hazardous substances, but these regulations are not always aligned with the stricter halal guidelines observed in Muslim countries.³⁶

Certification Process

The certification process for halal cosmetic products in Indonesia through LPPOM MUI includes audits and verifications that can be time-consuming and costly, depending on the product type and audit requirements.³⁷ On the other hand, JAKIM has a more efficient process

³⁴ Halim and Salleh.

³⁵ Halim and Salleh.

³⁶ Zabidi et al., "Screening Porcine DNA in Collagen Cream Cosmetic Products."

³⁷ Akbar et al., "Optimization of Sharia Banking Regulations in Developing the Halal Cosmetic Industry in Indonesia."

and more affordable costs for producers, thereby encouraging faster access to the market.³⁸ The ASEAN Cosmetic Directive (ACD) aims to establish uniformity in the certification process among member countries; however, conflicts arise when each country seeks to maintain its own stricter regulatory policies.³⁹

Halal Labelling and Claims

In terms of labelling, BPOM Indonesia requires clear information to ensure that products on the market have obtained halal certification from MUI. Halal labelling is important in building consumer trust. Meanwhile, JAKIM has more specific guidelines on this aspect, and labelling violations are subject to heavier penalties in Malaysia than in Indonesia.⁴⁰ Halal claims are also a controversial area, with many companies in Indonesia tending to use the term 'halal' more loosely in their marketing, which can lead to misunderstandings among consumers.⁴¹ JAKIM, on the other hand, applies stricter standards for halal claims, ensuring the consistency and authenticity of products labelled halal.⁴²

Regulatory Differences That Cause Conflict

Halal cosmetics regulations in Indonesia and Malaysia differ significantly in their implementation, leading to conflicts and challenges for industry players. In this context, the Indonesian Food and Drug Administration (BPOM) and the Indonesian Ulema Council (MUI) control halal certification separately from product distribution permits. This process varies in duration but is often longer and involves rigorous testing of cosmetics available on the market. One key requirement is that

³⁸ Sudarsono and Nugrohowati, "Determinants of the Intention to Consume Halal Food, Cosmetics and Pharmaceutical Products."

³⁹ Aries Susanty et al., "Impact of Internal and External Factors on Halal Logistics Implementation," *Journal of Islamic Marketing* 13, no. 5 (2021): 1143–70, <https://doi.org/10.1108/jima-09-2020-0293>.

⁴⁰ Firdaus F Halimi et al., "Modelling Muslims' Revisit Intention of Non-Halal Certified Restaurants in Malaysia," *Journal of Islamic Marketing* 13, no. 11 (2021): 2437–61, <https://doi.org/10.1108/jima-01-2021-0014>.

⁴¹ Mohd H Hanafiah and Nurul A A Hamdan, "Determinants of Muslim Travellers Halal Food Consumption Attitude and Behavioural Intentions," *Journal of Islamic Marketing* 12, no. 6 (2020): 1197–1218, <https://doi.org/10.1108/jima-09-2019-0195>.

⁴² Norliza Katuk et al., "Halal Certification for Tourism Marketing: The Attributes and Attitudes of Food Operators in Indonesia," *Journal of Islamic Marketing* 12, no. 5 (2020): 1043–62, <https://doi.org/10.1108/jima-03-2020-0068>.

alcohol at concentrations exceeding 1% is considered non-halal, thereby limiting many products that contain such ingredients.⁴³

On the other hand, in Malaysia, JAKIM (Jabatan Kemajuan Islam Malaysia) integrates the halal certification process with distribution permits, which can shorten the certification time to around 3 months. Under Malaysian regulations, alcohol with a content of less than 5% is permitted under certain conditions, giving manufacturers more flexibility in formulating cosmetic products.⁴⁴ This creates a more favourable environment for cosmetics manufacturers in Malaysia compared to Indonesia, where stricter requirements can hinder innovation and market penetration.

Furthermore, the ASEAN Cosmetic Directive (ACD) has not yet established mandatory halal standards for all member countries. Each ASEAN country is expected to regulate its own halal standards, creating regulatory disparities that can confuse producers and consumers.⁴⁵ Uncertainty about the halal standards enforced can make it difficult for cosmetics manufacturers to export their products efficiently to other ASEAN countries.

As a result of systemic differences in these regulations, cosmetic manufacturers in Indonesia may be hampered by the time, cost, and complexity of obtaining halal certification, thereby reducing their ability to compete globally. Research shows that an integrated certification process, such as the one implemented in Malaysia, can provide a competitive advantage in the production and distribution of halal products.⁴⁶

Overall, the regulatory differences between BPOM and MUI in Indonesia and JAKIM in Malaysia, as well as the ambiguity in the ACD, demonstrate the need for harmonisation of halal regulations in the ASEAN region to support the growth of the halal cosmetics industry more effectively and efficiently. Cooperation among member countries in formulating consistent, comprehensive guidelines could be key to

⁴³ ADANG SONJAYA, ZAMRONI SALIM, and OPIK ROZIKIN, "Integrating Local Wisdom into a Halal Tourism Model: The Case of Indonesia.," *International Journal of Economics & Management* 18, no. 2 (2024).

⁴⁴ Aminudin Yakub and Fitriyani Zein, "Halal Certification in Government and Non-Governmental Organizations: A Comparative Analysis of Indonesia, Malaysia, and Thailand," *Jurnal Cita Hukum* 10, no. 1 (2022): 153–76.

⁴⁵ Anggito Abimanyu and Ihda Arifin Faiz, "ASEAN Halal Markets Analysis: Regulatory and Harmonization Challenges," *Global Review of Islamic Economics and Business* 11, no. 1 (2023): 25–44.

⁴⁶ Sharifah Zannierah Syed Marzuki, Collin Michael Hall, and Paul William Ballantine, "Restaurant Managers' Perspectives on Halal Certification," *Journal of Islamic Marketing* 3, no. 1 (January 1, 2012): 47–58, <https://doi.org/10.1108/17590831211206581>.

resolving these regulatory conflicts and strengthening the position of halal cosmetics in the global market.

Table 1. Regulatory Differences

Regulatory Aspects	Indonesia	Malaysia	ASEAN (ACD)
Authorised Institution	BPOM (distribution permit) & MUI (halal certification) are separate	JAKIM integrates halal certification with the distribution permit	There is no single institution; each country regulates itself.
Process Integration	Separate between distribution permits and halal certification	Integrated, simpler	Not mandatory, depending on the regulations of each country
Certification Time	Relatively long, because the distribution and halal certification processes are separate, plus rigorous testing.	Faster, on average, by ± 3 months	There is no uniform standard of time between countries.
Alcohol Regulations	Alcohol >1% is not halal.	Alcohol <5% is permitted with certain conditions	There are no specific halal rules regarding alcohol.
Regulatory Complexity	High costs and long lead times → hinder innovation and market growth	More flexible & manufacturer-friendly	Causing disparities between countries
Impact on Industry	Producers hampered in exports and innovation	Manufacturers are more competitive in distribution and production	Confusing manufacturers and consumers due to differing standards
Main Conflict	Dualism in regulation (BPOM–MUI) & strict alcohol regulations	More lenient, making it easier for manufacturers	No harmonisation of halal standards → barriers to intra-ASEAN trade

Source: Author's framework

The Roots of Regulatory Conflict

Regulatory conflicts in Indonesia's halal cosmetics industry, particularly those related to the protection of local MSMEs, and differences in halal fatwas issued by institutions such as MUI, JAKIM (Malaysia), and MUIS (Singapore Islamic Religious Council) indicate that protectionism may hinder the country's export potential. While the primary goal of protectionism is to shield micro, small, and medium-sized enterprises (MSMEs) from foreign competition, stringent regulations can

instead act as a barrier to the development of Indonesia's halal industry and slow its penetration into global markets.⁴⁷

Protectionism and Export Barriers

Indonesia has strict regulations for products seeking halal certification through BPOM and MUI, a process that typically takes between 6 and 12 months. This can slow down innovation and businesses' responsiveness to market needs, especially for MSMEs that lack the resources to navigate such a lengthy process.⁴⁸ Thus, despite the intention to protect MSMEs, complex regulations and high costs can make Indonesian products less competitive in the international market.

In comparison, Malaysia integrates the halal certification process with distribution permits, enabling a much shorter certification time of around three months. This creates a more conducive environment for industry players to innovate and adapt their products to global market demand.⁴⁹ As a result, Malaysia has become one of the pioneers in the halal cosmetics market, controlling a larger market share than Indonesia.

Differences in Halal Fatwas

Differences in halal fatwas between MUI, JAKIM, and MUIS add to the complexity of these regulations. For example, MUI considers alcohol with a concentration of more than 1% to be unclean, while JAKIM allows the use of alcohol in concentrations of less than 5% with certain conditions. Therefore, products that are permitted in one country may not be accepted in another, confusing both producers and consumers.⁵⁰ This uncertainty is exacerbated by the fact that the ACD does not have universally recognised halal standards, meaning that each ASEAN member country can make substantially different provisions.⁵¹

⁴⁷ Muhamad Takhim et al., "The Synergy of Islamic Banks and Muslim-Friendly Tourism: Patterns of Halal Industry Development in Indonesia," *International Journal of Sustainable Development and Planning* 18, no. 9 (September 26, 2023): 2723–31, <https://doi.org/10.18280/ijstdp.180911>.

⁴⁸ Wacel S Alrobaish et al., "Food Safety Governance in Saudi Arabia: Challenges in Control of Imported Food," *Journal of Food Science* 86, no. 1 (2020): 16–30, <https://doi.org/10.1111/1750-3841.15552>.

⁴⁹ Awal Fuseini, Phil J Hadley, and Toby G Knowles, "Halal Food Marketing: An Evaluation of UK Halal Standards," *Journal of Islamic Marketing* 12, no. 5 (2020): 977–91, <https://doi.org/10.1108/jima-02-2020-0037>.

⁵⁰ Abdallah, Rahem, and Pasqualone, "The Multiplicity of Halal Standards: A Case Study of Application to Slaughterhouses."

⁵¹ Waseem Khan et al., "Enablers of Halal Food Purchase Among Muslim Consumers in an Emerging Economy: An Interpretive Structural Modeling Approach," *British Food Journal* 122, no. 7 (2020): 2273–87, <https://doi.org/10.1108/bfj-08-2018-0528>.

Implications for Global Markets

The ambiguity and complexity of these regulations can hinder Indonesian industry players' access to global markets. In a survey conducted by Hanafiah and Hamdan, consumers tended to prefer products with clear halal certification, which is difficult to achieve when standards and governance differ between countries.⁵² In other words, although Indonesia has great potential as a halal market, regulatory challenges and varying interpretations of halal fatwas are hindering faster progress.

Although the purpose of protecting MSMEs is to maintain local competitiveness, without regulatory updates and uniformity in implementing halal fatwas, Indonesia could lose a significant opportunity in the halal industry, especially in the increasingly competitive ASEAN region.

From the above analysis, it is clear that regulatory conflicts could hinder the growth of Indonesia's halal cosmetics industry. Protectionist policies intended to support MSMEs need to be reviewed to avoid undermining their ability to compete in international markets. In addition, harmonisation of halal fatwas across domestic and foreign institutions can help create a more transparent and supportive climate for producers and consumers alike.⁵³

Impact on the Industry

The impact of halal regulations on Indonesia's cosmetics industry is significant, with two main issues frequently faced by businesses, particularly micro, small, and medium enterprises (MSMEs): high costs of meeting dual certification requirements and barriers to exporting products to international markets due to differing standards.

High Costs: Dual Certification

MSMEs in Indonesia must go through two stages of certification to obtain a cosmetic product distribution permit, namely from the Food and Drug Supervisory Agency (BPOM) and the Indonesian Ulema Council (MUI). This process can take between 6 and 12 months, resulting in high costs for businesses, especially MSMEs, which often do not have sufficient

⁵² Hanafiah and Hamdan, "Determinants of Muslim Travellers Halal Food Consumption Attitude and Behavioural Intentions."

⁵³ Mohd H Ali et al., "Impact of Supply Chain Integration on Halal Food Supply Chain Integrity and Food Quality Performance," *Journal of Islamic Marketing* 13, no. 7 (2021): 1515–34, <https://doi.org/10.1108/jima-08-2020-0250>.

resources to meet both requirements.⁵⁴ Research by Handayani et al. shows that high costs and complexity in obtaining certification can be a significant barrier for MSMEs to enter the halal market. However, they do not specify the costs of dual accreditation.⁵⁵ This could potentially result in the loss of valuable markets and hinder innovation in the products offered.

Export Obstacles: Product Rejection in Malaysia

Another problem faced by Indonesian industry players is the restriction on exports of cosmetic products to other countries, particularly Malaysia. In some cases, products from Indonesia have been rejected in the Malaysian market due to differences in halal standards between BPOM and JAKIM (Malaysian Islamic Development Department).⁵⁶ This occurs due to differences in regulatory materials or interpretations of halal fatwas issued by MUI and JAKIM, such as ingredients considered haram, which can cause confusion among producers and pose financial risks.⁵⁷ For example, alcohol, which is regarded as haram in Indonesia if it has a concentration of more than 1%, may be permitted in Malaysia with certain restrictions.⁵⁸

Implications for Industry Growth

This situation not only hinders the competitiveness of Indonesian MSMEs but also affects the overall potential of the halal cosmetics industry in the country. In a study conducted by Kavian et al., it was emphasised that the high costs and complexity of the certification process can prevent industry players from taking advantage of opportunities in the growing global halal market.⁵⁹ The implementation of uniform standards can increase opportunities for Indonesian products to compete

⁵⁴ Handayani et al., “Ensuring the Halal Integrity of the Food Supply Chain Through Halal Suppliers: A Bibliometric Review.”

⁵⁵ Handayani et al.

⁵⁶ Abdul H Ngah et al., “Halal Transportation Adoption Among Food Manufacturers in Malaysia: The Moderated Model of Technology, Organization and Environment (TOE) Framework,” *Journal of Islamic Marketing* 13, no. 12 (2021): 2563–81, <https://doi.org/10.1108/jima-03-2020-0079>.

⁵⁷ Fahmi A Hudaefi and Irfan S Beik, “Digital Zakāh Campaign in Time of Covid-19 Pandemic in Indonesia: A Netnographic Study,” *Journal of Islamic Marketing* 12, no. 3 (2021): 498–517, <https://doi.org/10.1108/jima-09-2020-0299>.

⁵⁸ Mohd F Said et al., “Exploring Halal Tourism in Muslim-Minority Countries: Muslim Travellers’ Needs and Concerns,” *Journal of Islamic Marketing* 13, no. 4 (2020): 824–42, <https://doi.org/10.1108/jima-07-2020-0202>.

⁵⁹ Foorough Kavian et al., “Migration, Stress and the Challenges of Accessing Food: An Exploratory Study of the Experience of Recent Afghan Women Refugees in Adelaide, Australia,” *International Journal of Environmental Research and Public Health* 17, no. 4 (2020): 1379, <https://doi.org/10.3390/ijerph17041379>.

in global markets and make this sector more conducive to innovation and growth.

Overall, the high costs of obtaining dual certification and export barriers stemming from differences in halal standards between Indonesia and Malaysia pose significant challenges for Indonesia's halal cosmetics industry. Efforts to reduce the cost burden of certification for MSMEs and revise regulations to harmonise halal standards across ASEAN are expected to improve the competitiveness of local products and expand access to global markets.⁶⁰

The impact of these inconsistent regulations not only directly affects MSMEs but also affects the potential for industrialisation and greater economic growth in the halal sector.⁶¹

Policy Recommendations

Based on the challenges faced by Indonesia's halal cosmetics industry, several policy recommendations can be proposed to enhance competitiveness and streamline the certification process, especially for micro, small, and medium enterprises (MSMEs).

Table 2. Policy Recommendations

Policy Aspect	Recommendation	Objective/Benefit
Regulatory Harmonisation	1. Adoption of the ASEAN Cosmetic Directive (ACD) with a halal module	Establish clearer standards, reduce uncertainty, enhance competitiveness in the ASEAN market
	2. Synchronisation of prohibited ingredients lists with ACD/JAKIM	Reduce conflicts between standards, facilitate cross-border marketing, unify consumer halal perceptions
Simplification of Processes	1. Integration of BPOM-MUI halal certification through a <i>single submission</i> scheme	Shorten certification time and costs, encourage more MSMEs to obtain halal certification
	2. Official recognition of JAKIM halal certification for exports to ASEAN	Facilitate market access, lower MSME costs, strengthen product reputation
Support for MSMEs	1. Subsidies for halal export certification costs	Reduce MSME financial burden, encourage

⁶⁰ Ali et al., “Impact of Supply Chain Integration on Halal Food Supply Chain Integrity and Food Quality Performance.”

⁶¹ Sofian Al-hakim et al., “Mosque-Based Economic Transformation: Ecosystem Model Analysis Using ANP,” *International Journal of Sustainable Development and Planning* 20, no. 2 (February 28, 2025), <https://doi.org/10.18280/ijstdp.200213>.

	participation in the halal industry
2. Training programs for export readiness and global market entry	Improve MSME capacity to face global challenges, expand international market access

Source: Author's framework

Regulatory Harmonisation

Adoption of ACD with Halal Module

Indonesia should consider adopting the ASEAN Cosmetic Directive (ACD) by incorporating a halal module, following Malaysia's approach. By integrating the halal module into the ACD, Indonesia can create clearer standards and reduce uncertainty for cosmetics manufacturers. This will help make Indonesian products more competitive in the ASEAN market. This harmonisation is also important in reducing the difficulties manufacturers face in understanding the different regulations in each country.⁶² Synchronisation of Prohibited Ingredients Lists Adopting a list of prohibited ingredients agreed upon with JAKIM or based on the ACD will help reduce confusion and conflict between different standards in Indonesia and neighbouring countries. This will facilitate cross-border marketing of halal products and harmonise consumer perceptions of what is considered halal.⁶³

Simplification of Processes

Integration of BPOM-MUI Halal Certification

The government should integrate the existing halal certification processes at BPOM and MUI into a 'single submission' scheme to reduce certification time and costs. This way, industry players will no longer need to go through two separate, time-consuming, resource-intensive processes. This step will be more efficient and could encourage more MSMEs to obtain halal certification.⁶⁴

Malaysian Halal Certification Recognition for Exports to ASEAN

It is crucial to secure official recognition of JAKIM-issued halal certification for export to ASEAN countries. This could facilitate market

⁶² Isa et al., "Pertimbangan Antara Mudarat Dan Manfaat Dalam Penggunaan Produk Kecantikan."

⁶³ Handayani et al., "Ensuring the Halal Integrity of the Food Supply Chain Through Halal Suppliers: A Bibliometric Review."

⁶⁴ Khan et al., "Enablers of Halal Food Purchase Among Muslim Consumers in an Emerging Economy: An Interpretive Structural Modeling Approach."

access for Indonesian products, especially given that Malaysia already has a strong reputation in the halal industry.⁶⁵ This recognition can also reduce the costs incurred by MSMEs to ensure that their products meet the halal standards applicable in each destination country.

Support for MSMEs

Export Certification and Training Subsidies

The government should provide financial support through subsidies for the halal certification process for MSMEs. This should be accompanied by a major training programme to prepare them to enter the export market. This programme will not only reduce certification costs but also improve the knowledge and skills of MSMEs to face global challenges, including certification and marketing requirements.⁶⁶

The implementation of these policy recommendations will create a more conducive environment for the development of Indonesia's halal cosmetics industry. Harmonisation of regulations, simplification of the certification process, and support for MSMEs will help improve the competitiveness of local products in the global market, drive economic growth, and strengthen Indonesia's position as a leader in the halal industry.⁶⁷

Conclusion

Analysis shows that regulatory fragmentation in Indonesia's halal cosmetics sector, with dual authority between BPOM and MUI, poses significant obstacles for industry players, especially micro, small and medium enterprises (MSMEs). Lengthy certification processes, strict alcohol regulations, and the lack of an integrated mechanism for distribution permits and halal certification lead to high costs and delays in innovation. In contrast, Malaysia, through JAKIM, has established a more efficient system by integrating halal certification and product registration, thereby accelerating certification times while strengthening global competitiveness. Differences in halal standards, particularly regarding alcohol content and labelling, highlight the lack of

⁶⁵ Mohammad Iranmanesh et al., "Customer Behaviour Towards Halal Food: A Systematic Review and Agenda for Future Research," *Journal of Islamic Marketing* 13, no. 9 (2021): 1901–17, <https://doi.org/10.1108/jima-01-2021-0031>.

⁶⁶ Ngah et al., "Halal Transportation Adoption Among Food Manufacturers in Malaysia: The Moderated Model of Technology, Organization and Environment (TOE) Framework."

⁶⁷ Fuseini, Hadley, and Knowles, "Halal Food Marketing: An Evaluation of UK Halal Standards."

harmonisation at the ASEAN level, which ultimately complicates cross-border trade and creates uncertainty for both producers and consumers.

At the global level, Indonesia's strict yet fragmented regulatory structure could weaken its position as a centre for the halal cosmetics industry. Protectionist policies intended to protect MSMEs may actually limit export opportunities and reduce adaptability to international market dynamics. Harmonising halal standards across ASEAN by adopting halal modules in the ASEAN Cosmetic Directive and simplifying national certification mechanisms are crucial steps to address regulatory conflicts and strengthen regional competitiveness. Without inclusive and integrated policy reforms, Indonesia risks falling behind its neighbours in capitalising on the rapid growth of the global halal cosmetics industry, despite its significant domestic potential.

Research Limitation

This study is limited to analysing halal cosmetics regulations in Indonesia, Malaysia, and the ASEAN Cosmetic Directive (ACD) framework, focusing on regulatory, certification, and labelling aspects, without examining technical aspects of product formulation or quantitative market data. For future research, it is recommended to conduct a broader comparative study involving other ASEAN countries, quantitative analysis on the impact of certification costs on SMEs, and cross-border consumer studies to understand perceptions and preferences regarding halal cosmetics.

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