

**THE EFFECTIVENESS OF BPOM'S SUPERVISION IN CENTRAL
JAKARTA ON THE HALAL-LABELLED FOOD PRODUCTS**

THESIS

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SYARIA FACULTY

MAULANA MALIK IBRAHIM

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2015

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THESIS

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Maulana Malik Ibrahim State Islamic University of Malang

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STATEMENT OF THE AUNTENTICITY

In the name of Allah (swt),

With conciousness and responsibility towards the development of science, the author declares that the thesis entitled:

THE EFFECTIVENESS OF BPOM'S SUPERVISION IN CENTRAL JAKARTA ON THE HALAL-LABELLED FOOD PRODUCTS

Is truly the author's original work. It does not incorporate any material previously written or published by another person. If it is proven to be another person's work, duplication, plagiarism, this thesis and my degree as the result of this action will be deemed legally invalid.

Malang, 6th of February 2015

Author,

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APPROVAL SHEET

After examining and verifying the thesis of Holilatul Maghfiroh, NIM 11220091, Islamic Economics Law Department, Department of Sharia Faculty of State Islamic University, Maulana Malik Ibrahim of Malang entitled:

THE EFFECTIVENESS OF BPOM'S SUPERVISION IN CENTRAL JAKARTA ON THE HALAL-LABELLED FOOD PRODUCTS

The supervisor states that this thesis proposal has met the scientific requirements to be proposed and to be tested by Proposal Thesis Board of Examiners.

Malang, 5th of February 2015

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Author,

Holilatul Maghfiroh

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TRANSLITERATION GUIDANCE

Process of writing Arabic transliteration in this thesis used transliteration guidance based on decision of minister of religion and minister of education and culture Republic of Indonesia number 158 year 1987 and number 0543 b/U/1987 which can be explained like this:

A. Letter

ا	=	a	ز	=	z	ق	=	q
ب	=	b	س	=	s	ك	=	k
ت	=	t	ش	=	Sy	ل	=	l
ث	=	ts	ص	=	Sh	م	=	m
ج	=	j	ض	=	dl	ن	=	n
ح	=	h	ط	=	Th	و	=	w
خ	=	kh	ظ	=	Zh	ء	=	'
د	=	d	ع	=	'	ي	=	y
ذ	=	dz	غ	=	Gh			
ر	=	r	ف	=	F			

B. Long Vowel

Vowel (a) long	=	â
Vowel (i) long	=	Î
Vowel (u) long	=	Û

C. Diftong Vowel

أُو	=	aw
أَي	=	ay
أُو	=	Û
إَي	=	Î

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ABSTRAK

Holilatul, Maghfiroh, 11220091, **EFEKTIFITAS PENGAWASAN BPOM JAKARTA PUSAT TERHADAP PRODUK MAKANAN BERLABEL HALAL**. Skripsi, Jurusan Hukum Bisnis Syariah, Fakultas Syariah, Universitas Islam Negeri Malang, Pembimbing: H. Alamul Huda, M.H.I

Kata Kunci: Efektifitas, Pengawasan, BPOM, Makanan, Label, Halal

Mayoritas penduduk di Indonesia adalah muslim. Dalam Islam seorang muslim diwajibkan untuk mengonsumsi makanan yang halal. Oleh karena itu, Negara harus memberikan perhatian terhadap jaminan akan kehalalan suatu produk makanan. Khusus untuk produk makanan, pemerintah membentuk suatu lembaga untuk mengawasi produk makanan yang beredar di Indonesia yaitu BPOM (Badan Pengawas Obat dan Makanan). Pengawasan produk makanan berlabel halal merupakan bagian dari tugas BPOM. Sampai dengan saat ini, banyak produk makanan yang berlabel halal namun tidak mengikuti prosedur yang sesuai dengan peraturan di Indonesia. Oleh karena itu, sangat penting untuk mengetahui efektifitas pengawasan BPOM terhadap produk makanan berlabel halal sebagai bentuk perlindungan konsumen khususnya masyarakat muslim

Penelitian ini memiliki dua rumusan masalah, yaitu: 1) Bagaimana Efektivitas Pengawasan BPOM Jakarta Pusat terhadap peredaran produk pangan berlabel halal? 2) Apakah kendala-kendala yang dihadapi BPOM RI dalam pengawasan terhadap peredaran produk pangan berlabel halal? Penelitian ini merupakan penelitian yuridis empiris. Hal ini karena salah satu bentuk penelitian hukum empiris adalah penelitian terhadap efektifitas hukum yang membahas bagaimana hukum beroperasi dalam masyarakat. Pendekatan yang digunakan adalah pendekatan yuridis sosiologis. Sedangkan pengumpulan datanya melalui observasi dan wawancara. Data dalam penelitian ini dianalisa menggunakan teknik analisis data deskriptif kualitatif.

Hasil penelitian ini menunjukkan bahwa pengawasan makanan berlabel halal yang dilakukan oleh BPOM RI belum efektif. Pengukuran efektifitas pengawasan menggunakan analisa beberapa peraturan yang berkaitan dengan label halal. Pengawasan yang belum efektif ini disebabkan adanya kendala-kendala yang dihadapi oleh BPOM dalam melakukan pengawasan. Kendala-kendala tersebut dapat diklasifikasikan menjadi dua golongan, yaitu kendala internal dan kendala eksternal. Kendala internal merupakan kendala yang timbul dari BPOM itu sendiri, sedangkan kendala eksternal merupakan kendala yang muncul dari eksternal BPOM yaitu pelaku usaha dan masyarakat.

ABSTRACT

Holilatul, Maghfiroh, 11220091. **THE EFFECTIVENESS OF BPOM'S SUPERVISION IN CENTRAL JAKARTA ON THE HALAL-LABELLED FOOD PRODUCTS.** Undergraduate thesis from the Department of Syariah Business Law, The Faculty of Syariah, Islamic State University of Malang. Advisor: H. Alamul Huda, M.H.I

Key Words : Effectiveness, Supervision, BPOM, Food, Label, Halal

The majority of Indonesian citizen is Muslim. In Islam a Muslim is obligated to eat halal food. Therefore, Indonesian government should give primary attention to to guarantee any halal food. Particularly for food products, government established an institution to supervise food product circulated in Indonesia, which is BPOM (Badan Pengawas Obat dan Makanan). The supervision of halal-labelled food product is the task of BPOM of Republic of Indonesia. Up to now, there are many halal-labelled food product but they are not licensed based on procedures set in Indonesia. So that, it is obviously important to know the effectiveness of BPOM's supervision toward halal-labelled food product as the assurance for consumers especially for Muslims.

This study investigated two research problems: 1) How is the effectiveness of BPOM's supervision to the circulation of halal-labelled food product? 2) What are the obstacles faced by BPOM RI in supervising the circulation of halal-labelled food product? This study is an empirical-juridical research. It is because one of the empirical law research is defined for the effectiveness of law investigating how law operates in society. This study used juridical sociologic approach. Meanwhile the data collection is gathered through observation and interview. The data was analyzed using descriptive qualitative data analysis technique.

The result of the study showed that the supervision of BPOM RI is still not effective. The measure used for evaluating the effectiveness of supervision is using an analysis of the regulation regarded halal label. The supervision which is not effective is caused by some obstacle confronted by BPOM in conducting supervision. Those obstacles can be classified to be two group, which are internal and external factors. Internal obstacles emerge, while external obstacles come from the company or society.

الملخص

خليلة المغفيرة ، 11220091، فعالية الإشراف BPOM في وسط جاكرتا التسمية على المنتجات الغذائية الحلال .أبحاث ، قسم القانون التجاري الشريعة، كلية الشريعة، الجامعة الإسلامية في مالانج، المشرف : الحج آلام الهدي الما جستير .

كلمات البحث :فعالية ,الرصد ,BPOM، الغذاء، التسمية، الحلال.

أكثر سكان اندونيسيا من المسلمين .في الإسلام، لا بد من مسلم أن يتناول الطعام الحلال . ولذلك، يجب على الدولة أن تولي اهتماما لضمان المنتجات الغذائية الحلال. وخاصة بالنسبة للمنتجات الغذائية، أنشأت الحكومة وكالة للإشراف على المنتجات الغذائية المتداولة في اندونيسيا BPOM يعني (وكالة الدواء و الغذاء.) الإشراف على المنتجات الغذائية الحلال هو جزء من أهمية BPOM الجمهورية الإندونيسية .حتى هذا الوقت، أكثر من المنتجات الغذائية الحلال ولكنها لم تتبع الإجراءات للوائح في إندونيسيا . ولذلك، فمن المهم أن نعرف مدى فعالية الرقابة BPOM على المنتجات الغذائية الحلال وصفت بأنها شكل من أشكال حماية المستهلك، وخاصة المجتمع المسلم.

لهذه الدراسة المشكلتان اثنتان ، وهي (1 :كيف فعالية رصد BPOM على تداول المنتجات الغذائية وصفها بأنها حلالا؟ (2هل القيود التي تواجهها BPOMالجمهورية الاندونيسية في الإشراف على تداول المنتجات الغذائية وصفها بأنها حلالا؟ هذا البحث هو اختصاص التجريبية .وذلك لأن شكل واحد من البحوث القانونية التجريبي هو دراسة فعالية القانون الذي يعالج كيفية إعمل القانون في المجتمع. النهج في هذه الدراسة هو المنهج السوسيولوجي الاعتبارية .و أما جمع البيانات من خلال الملاحظة والمقابلات .وقد تم تحليل البيانات في هذه الدراسة باستخدام تقنيات تحليل البيانات النوعية وصفية.

و نتائج الدراسة أن مراقبة الأغذية الحلال أجرتها BPOM جمهورية إندونيسيا لم تكن فعالة .قياس فعالية المراقبة باستخدام التحليل المتعدد الأنظمة المتعلقة التسمية الحلال. الرقابة لم تكن فعالة بسبب القيود التي تواجهها BPOM في إجراء المراقبة .ويمكن تصنيف هذه القيود إلى فئتين، وهي القيود الداخلية والقيود الخارجية. القيود الداخلية هي نشأت عن BPOM نفسها، وأما أن القيود الخارجية هي القيود الخارجية الناجمة عن BPOM يعني من الشركات والمجتمع .