

The Problem Faced by Muslim Consumers Regarding The Distribution of Imported Cosmetics Without Halal Labels (Perspective of Masail Fiqiyah)

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Abstract

The year 2026 marks the starting point for regulations requiring imported cosmetics to be halal certified. This condition raises various issues, including health risks, consumer protection, and business compliance with halal regulations, especially for imported cosmetics in Indonesia. This certainly poses a challenge for Muslim consumers, the majority of whom are very concerned about the halal status of products. According to Islamic teachings, two things must be considered in the use of products, namely cleanliness and purity. This means that cosmetics must also be clean and pure to be categorized as halal. Cosmetics are generally only for external use, but they are required to have halal certification because if they are contaminated or derived from something that is haram, then the law becomes contrary to the recommendation to use something that is halal. Halal fatwas are issued by authorized religious institutions, such as the Indonesian Ulema Council (MUI), and then established in the form of certificates through the Halal Product Guarantee Agency (BPJPH). The problems addressed in this study are: How are fiqh principles applied in determining the halal status of products, taking into account raw materials, production processes, and the problems faced by consumers due to the circulation of imported cosmetics that are not halal certified? What are the problems faced by Muslim consumers due to the circulation of imported cosmetics that are not halal certified? This study uses a descriptive qualitative method with an approach based on a literature review of Islamic law, fiqh masail, and analysis of regulatory documents and related data collected through journal reviews, BPOM and BPJPH documents, and current news sources. The analysis was conducted to identify the main issues, policies, impacts, and problems related to halal cosmetics. In terms of fiqh, halal certification is a normative rule created, proposed, and approved by scholars and the government, which in this case can be referred to as *ijma'*, whereby scholars agree that halal certification and labeling in the field of *mu'amalah* (buying and selling), especially food, must be accompanied by the legality of a halal certificate, which is regulated by the text. In line with the *ijma'* of scholars in fiqh law regarding *qiyas*, halal certification does not exist in the Qur'an and was created by humans (Muslims). According to scholars of *usul fiqh*, *qiyas* is determining the law of an event or incident that has no basis in the text by comparing it to another event or incident whose law has been determined based on the text because there is a similarity between the two events. *Qiyas* related to halal certification is in accordance with one of the pillars of *qiyas*, namely *Ashal*, which means the basis, which is an event whose law has been determined based on the text. *Ashal* is also called *ma'is 'alialah* (the measure) or *musyabbah bih* (the place of comparison), or *mahmul'alaih* (the place of comparison). Thus, halal certification, which is not mentioned in the Qur'an but is compared and measured by the text "eat what is lawful for you," can strengthen the legality of the law. Within the framework of fiqh *mu'amalah*, the principles of precaution and protecting the interests of the people encourage consumers to avoid products that are highly questionable. Fiqh emphasizes the importance of fulfilling the right to information and avoiding misleading claims in order to avoid *al-ittiham bi-zhulm* (accusations of negligence/injustice in transactions). The low level of compliance among producers and distributors of imported cosmetics, who have not yet optimally met the latest halal requirements, has resulted in many products that do not meet the standards for imported cosmetics still being freely sold in the market, both through e-commerce and traditional markets.

Keyword : Muslim consumers, imported cosmetics, Masail Fiqiyah

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Introduction

Regulations related to halal cosmetics are being strengthened with provisions that will come into effect in 2026, requiring imported cosmetics to be halal certified. This situation raises various issues, including health risks, consumer protection, and business compliance with halal regulations, especially for imported cosmetics in Indonesia. This certainly poses a challenge for Muslim consumers, the majority of whom are very concerned about the halal status of products. Cosmetics that are not labeled as halal raise doubts and concerns regarding the use of ingredients that may be haram or najis and not in accordance with Islamic law. This is not limited to the use of raw materials that contain haram ingredients, such as alcohol from khamr, gelatin from pigs, and animal derivatives that are not slaughtered in accordance with Islamic law, which are prohibited in halal cosmetics, but also on the manufacturing, packaging, distribution, and other processes. In addition, the use of cosmetics must be in line with Islamic values, avoiding excessive behavior (israf) and having intentions that are in accordance with Islamic law. Because the above process could potentially pose health risks and violate consumers' rights to clear information. The issue of halal and haram cosmetics is important for Muslims. As stated in the Quran, every Muslim is commanded to use and consume products that are halalan thayyiban (halal and good), as mentioned in Surah Al-Baqarah verse 168:

“O mankind, eat what is lawful and good from what is on earth, and do not follow the footsteps of Satan...” (QS. Al-Baqarah: 168).

يَا أَيُّهَا النَّاسُ كُلُوا مِمَّا فِي الْأَرْضِ حَلَالًا طَيِّبًا وَلَا تَتَّبِعُوا خُطُوَاتِ الشَّيْطَانِ إِنَّهُ لَكُمْ عَدُوٌّ مُبِينٌ

In addition to the above verse, there is a hadith narrated by Imam Muslim which means: What is halal is clear and what is haram is clear, and between the two there are matters that are shubhat (ambiguous), most people do not know the ruling on them. Whoever is cautious about matters of shubhat, he has indeed saved his religion and his dignity." (HR. Muslim).

According to Islamic teachings, two things must be considered in the use of products, namely cleanliness and purity. This means that cosmetics must also be halal and pure. Cosmetics are generally only for external use, but they must have Halal certification because if they are contaminated or derived from something that is haram, then the ruling becomes contrary to the recommendation to use something that is halal. Therefore, as Muslim consumers, we must be vigilant about the circulation of these cosmetics because, in the context of Islamic law, the halal status of products is an obligation. The halal status of cosmetic products can be obtained through a fatwa issued by religious scholars, which plays an important role in providing guidance to Muslims regarding the products they use, including the halal status of cosmetic products. Fatwas are issued by authorized religious institutions, such as the Indonesian Ulema Council (MUI), and then certified by the authorized institution, the Halal Product Guarantee Agency (BPJPH). The purpose of this research is to examine the principles of fiqh in determining the halal status of products, taking into account raw materials, production processes, and the problems faced by consumers due to the circulation of imported cosmetics that are not halal certified.

Literature Review

2.1 Problems faced by Muslim consumers due to the circulation of imported cosmetics that are not certified halal

The Qur'an clearly encourages Muslims to choose what is halal and thayyib, as stated in QS. Al-Baqarah verse 168 and QS. Al-Ma'idah verse 3. MUI Fatwa Number 26 of 2013 emphasizes that cosmetics must meet halal and thayyib requirements, the ingredients must be

pure, not harmful, and not derived from prohibited parts of the human body. The use of haram cosmetics does not receive rukhshah (concession) because cosmetics are considered tahsiniyyat (enhancements). Imported cosmetics without halal labels in Indonesia pose significant problems for Muslim consumers in terms of religion, health, and consumer rights to clear information. The increasing awareness of Muslims regarding the importance of halal cosmetics has driven the need for strict regulations and mandatory halal certification. The policy requiring halal certification starting in 2026 is a progressive step that is expected to comprehensively address this issue. Imported cosmetics without halal labels pose serious problems for Muslim consumers in terms of religion, health, and the right to information. The Qur'an and MUI fatwas provide a strong theological basis for Muslims to choose halal and thayyib products. Indonesia's regulation mandating halal certification starting in 2026 is a major step toward encouraging business compliance and protecting Muslim consumers. The current lack of clarity surrounding halal labeling causes losses and risks that must be addressed immediately and thoroughly. Consumers have the right to obtain clear information about the halal status of the products they purchase, a basic right that is in line with consumer protection and the religious values held by many people. This information should not only cover the general halal status, but also important details such as the production process, raw materials used, source of ingredients, certifications held, and labeling mechanisms that guarantee the authenticity of halal claims. When consumers have easy and transparent access to this information, they are able to make purchasing decisions that are in line with their beliefs, preferences, and practical needs. In addition, transparency of halal information strengthens trust in businesses, reduces uncertainty, and encourages ethical and responsible economic practices. However, in reality, lack of transparency is still common in sales through e-commerce and traditional markets. In the realm of e-commerce, consumers often find it difficult to find complete information sheets about the halal status of the products they are interested in. Product descriptions can be vague, label images do not always reflect the actual contents of the packaging, and relevant certification histories are sometimes difficult to access or their validity is questionable. Reliance on product photos and simple descriptions without detailed explanations of the production process also adds to the uncertainty, undermining consumer confidence in halal claims. In traditional markets, transparency issues arise in the form of limited access to written information and independent verification. Sellers sometimes do not explicitly include halal information, or the information provided is inconsistent between sellers. As a result, consumers who want to ensure the halal status of a product must go through a lengthy process of questioning, requesting documents that should be publicly available, or even taking the risk of purchasing products without certainty. This situation causes losses not only for consumers, but also for businesses committed to compliance and integrity. On the other hand, opportunities to improve the situation remain through collaborative efforts between businesses, regulatory authorities, digital platforms, and religious communities. Enhancing labeling standards, publishing easily accessible certifications, and implementing halal verification practices. Uncertainty regarding halal certification has the potential to foster mistrust, reduce customer loyalty, and pose a reputational risk to the brands involved. On the other hand, opportunities to improve the situation remain through collaborative efforts between businesses, regulatory authorities, digital platforms, and religious communities. Improving labeling standards, publishing easily accessible certifications, and implementing consistent halal verification practices can help restore consumer confidence. E-commerce platforms and traditional markets can integrate user-friendly information mechanisms, such as links to halal certificates, detailed descriptions of raw materials, and clearly documented production process records, so that consumers can independently assess halal claims before making a purchase. Educating consumers on how to read labels, understand certifications, and recognize reliable sources of information is also an important part of efforts to increase transparency. Thus, consumers' right to obtain clear halal information is no longer just a dream, but a protected and consistently implemented practice across various distribution

channels, while also promoting a more fair, ethical, and sustainable business ecosystem. Regarding cosmetics without halal labels, whether or not they potentially contain haram ingredients because they are not halal-certified, posing a risk of concern for consumers who want to ensure compliance with sharia law, it is difficult for consumers to assess whether the product contains prohibited elements, such as ingredients derived from pigs, alcohol in levels that can cause side effects, or other ingredients that may be harmful to health. This lack of clarity also opens up the possibility of cross-contamination and contact between halal and haram ingredients during the production process, which ultimately raises serious concerns about product safety and compliance with religious principles and health standards. For consumers who rely on halal certification as an integral part of their religious practices and lifestyle, this lack of information adds to the cognitive burden of choosing safe and suitable cosmetics. On the other hand, the production of halal-certified cosmetics provides assurance that the raw materials have undergone rigorous assessment of their source, production process, and labeling, thereby increasing consumer confidence in their safety. For consumers who rely on halal certification as an integral part of their religious practices and lifestyle, this lack of information adds to the cognitive burden of choosing safe and suitable cosmetics. On the other hand, the production of halal-certified cosmetics provides assurance that raw materials have undergone rigorous assessment of their sources, production processes, and labeling, thereby increasing consumer confidence in product safety and reinforcing the industry's commitment to ethical integrity and sharia compliance. Therefore, the use of cosmetics without halal labels raises serious questions about the potential presence of haram or harmful ingredients, as well as their impact on the health, safety, and religious obligations of consumers who value halal as an important part of their lives.

Research Methodology

This study uses a descriptive qualitative method with an approach based on a literature review of Islamic law, *fiqh masail*, and analysis of regulatory documents and related data collected through journal reviews, BPOM and BPJPH documents, and current news sources. The analysis was conducted to identify the main issues, policies, impacts, and problems related to halal cosmetics.

Results

4.1 The principles of *fiqh masail* in determining the halal status of cosmetic products

Muslim consumers in Indonesia are increasingly aware of the importance of halal cosmetics, not only for religious reasons, but also for safety and health reasons. Surveys show that the majority of Muslims demand products that have a halal label as a guarantee of halal status and ingredient safety. However, in reality, there are still many imported cosmetics that have BPOM distribution permits but do not have MUI labels, causing uncertainty and concern about the use of these products. MUI Fatwa Number: 26 of 2013 concerning Halal Standards for Cosmetic Products and the use of cosmetics for decorative purposes is permissible on the following conditions:

- a. the ingredients used are halal and pure
- b. they are intended for purposes that are permissible under sharia law; and
- c. they are not harmful.

The following are excerpts from the Indonesian Ulema Council regarding halal standards for cosmetic products and their use

لا ضرر ولا ضرار

Meaning: Do not endanger yourself or others.

The Indonesian government, through Government Regulation No. 42 of 2024, stipulates that starting October 17, 2026, all imported cosmetics must be halal certified. This certificate guarantees that the product meets sharia standards and safety for Muslim consumers. BPJPH has compiled guidelines for halal certification of cosmetic products involving relevant ministries and institutions such as BPOM and the Ministry of Health, so that this regulation provides a legal umbrella for the protection of Muslim consumers and ensures the credibility of the Indonesian halal market. Businesses that fail to comply with this obligation may face administrative sanctions such as product recalls and written warnings. BPJPH has developed technical guidelines for halal certification of cosmetics to ensure standards and certainty for consumers and businesses. This is a significant step in enhancing the protection of Muslim consumers and regulating the halal cosmetics market. In fiqh, halal certification is a normative rule created, proposed, and approved by scholars and the government, which in this case can be referred to as *ijma'*, whereby scholars agree that halal certification and labeling in the field of *mu'amalah* (buying and selling), especially food, must be accompanied by the legality of a halal certificate, which is regulated by the text. In line with the *ijma'* of scholars in fiqh law regarding *qiyas*, halal certification does not exist in the Qur'an and was created by humans (Muslims). According to the scholars of *usul fiqh*, *qiyas* is determining the law of an event or incident for which there is no basis in the text by comparing it to another event or incident for which the law has been determined based on the text because there is a similarity between the two events. *Qiyas* related to halal certification is in accordance with one of the pillars of *qiyas*, namely *Ashal*, which means the basis, which is an event for which the law has been determined based on the text. *Ashal* is also called *maqis 'aliah* (the measure) or *musyabbah bih* (the place of comparison), or *mahmul'alaih* (the place of comparison). Thus, halal certification, which is not mentioned in the Qur'an but is compared and measured against the text “eat what is lawful for you,” can strengthen the legality of the law. *Maslahah*, which in language means bringing goodness or benefit and/or preventing harm, is achieved through healthy, halal, and good food and drink. There needs to be a halal label marked with halal certification. Where traders are less aware of the importance of this. With halal certification, *maslahah* can be achieved and the community can be reassured. *Maslahah* in this case is *maslahaha mursalah*, which is the benefits that arose after the Prophet's death, the benefits that arose in the minds of humans after the Prophet's death, and these benefits are recognized and do not contradict sharia. Thus, *maslahah mursalah* can be adapted to the inclusion of halal labels marked with halal certification for the sake of comfort and certainty regarding the halal status of food. In the context of cosmetics, a product is considered halal if it does not contain ingredients that are prohibited in Islam, such as ingredients derived from blood, pork, or alcohol. Cosmetic products used by Muslims must meet several fiqh principles to be considered halal, namely that the ingredients of the cosmetic product are considered halal if they do not contain haram ingredients. Cosmetics manufacturers in Indonesia must comply with these regulations to attract Muslim consumers. In addition to using non-haram ingredients to make cosmetics halal, they must also pay attention to the manufacturing process, which must be free from contamination by haram elements. If the tools or materials used are contaminated, the product will be considered haram. After the ingredients and production process, safety and health are equally important. In addition to being halal, cosmetic products must be safe to use. Islam encourages its followers to maintain health and avoid harm to the body. In Islamic jurisprudence, the halal status of cosmetic products is strictly regulated, given the importance of ensuring that the ingredients used and their intended purposes align with the principles of Islamic law. Cosmetic products, like other products, must meet the halal criteria established in Islamic law. The ingredients used in cosmetics must be examined for halal compliance based on two main principles in Islamic jurisprudence: whether the ingredient contains prohibited elements (haram) and whether the ingredient is safe and does not harm the health of its users. The following is an analysis of common ingredients used in cosmetics:

1) Alcohol.

Alcohol in cosmetics is used as a solvent or antiseptic. In fiqh, alcohol from fermented grapes (khamr) is haram and najis, so it should not be used on the skin. However, non-intoxicating alcohol that does not come from khamr is still debated. Some scholars argue that this type is acceptable if it does not harm the body.

2) Gelatin.

Gelatin is used in cosmetics, such as face masks and anti-aging products. Gelatin from non-halal animals, such as pigs, is prohibited in Islam. Conversely, gelatin from halal animals slaughtered according to Islamic law can be used and is halal. Products with gelatin from unclear sources or animals not slaughtered according to Islamic law are considered haram.

3) Synthetic Ingredients.

Synthetic ingredients in cosmetics are considered halal if they do not contain haram raw materials and are not harmful to health. In fiqh, as long as they are free from haram or najis elements, their use is permitted. However, if they contain elements that are potentially harmful to the body, the product may be considered haram according to Islamic principles.

4) Animal Derivatives.

Cosmetic products containing animal derivatives, such as fat or collagen, must come from halal animals slaughtered in accordance with Islamic law. Animal derivatives from animals that are not slaughtered in a halal manner, such as pigs or animals that died naturally, are haram. However, if collagen or other ingredients come from halal animals that have been slaughtered in accordance with Islamic law, then these ingredients are considered halal. In addition to the ingredients used, the purpose of using cosmetics is also a consideration in determining the halal status of a product. From an Islamic fiqh perspective, the purpose of using cosmetics must be in accordance with Islamic teachings that emphasize a balance between physical and spiritual needs. Several aspects that need to be considered are as follows:

1) Skin Care and Health. Beauty and Aesthetics. The use of cosmetics for aesthetic purposes, such as makeup, is permitted in Islam as long as it is not excessive and complies with norms of modesty. Beauty is a gift from Allah, and makeup to beautify oneself in front of one's husband is permitted. However, if it is used to attract the attention of the opposite sex outside of marriage or to show arrogance, it can become an ethical and fiqh issue.

2) Limits on the Use of Cosmetics.

From a fiqh perspective, the limits on the use of cosmetics are related to the concept of israf (excess). Islam prohibits excess in all things, including appearance. Therefore, excessive use of cosmetics, which can lead to wastefulness or arrogance, is considered incompatible with the principles of fiqh. In addition, cosmetics used to cover or hide physical defects excessively can also be considered contrary to Islamic teachings, which encourage believers to accept Allah's creation and not hide things that should be accepted.

From a fiqh perspective, the halal status of cosmetic products greatly depends on the ingredients used and their intended purpose. Cosmetic ingredients such as alcohol, gelatin, synthetic materials, and animal-derived products must meet halal criteria in accordance with Islamic law. Additionally, the purpose of using cosmetics must also maintain a balance between aesthetic needs and morality in Islam, avoiding arrogance and wastefulness. Therefore, Muslims must be wise in choosing cosmetic products that are not only halal, but also in line with fiqh principles that emphasize simplicity, health, and modesty.

Conclusion

- 1) Within the framework of fiqh muamalah, the principles of precaution and protecting the interests of the community encourage consumers to avoid products that are highly questionable. Clarity regarding the source of raw materials, compliance with halal standards, and transparency in the supply chain are key requirements for ensuring the validity and safety of products for Muslim consumers. From the consumer's perspective, fiqh emphasizes the importance of fulfilling the right to information and avoiding misleading claims in order to avoid al-ittiham bi-zhulm (accusations of negligence/injustice in transactions).
- 2) Health risks from using cosmetics containing harmful or haram ingredients such as mercury, hydroquinone, and parabens are very likely if using non-halal labeled cosmetics because there is no guarantee that these cosmetic products are free of harmful ingredients. The absence of halal labels causes moral and spiritual harm to Muslim consumers. Consumers have minimal information about products and incomplete or fictitious ingredients on product labels, including fake distribution permit numbers, which makes it difficult for consumers to choose safe and halal products. The low level of compliance among manufacturers and distributors of imported cosmetics, which have not yet optimally met the latest halal requirements, has resulted in many products that do not meet the standards for imported cosmetics still being freely sold in the market, both through e-commerce and traditional or direct markets.

Recommendations

- 1) Basic fiqh principles are needed in assessing the halal status of raw materials, production processes, and product certification. Then, prioritize the precautionary principle, which is to protect the interests of the people. If there is any doubt about the halal status of a product, it is better to refrain from using it or choose an alternative that is clearly halal by using local products rather than imported products if they cause harm.
- 2) Imported cosmetics businesses must proactively register and obtain halal certification before marketing their products to gain the trust of Muslim consumers. This also requires the government to tighten supervision and educate consumers about the importance of halal cosmetics, as well as to collaborate with various parties, including the Indonesian Food and Drug Administration (BPOM) and the Indonesian Halal Product Certification Agency (BPJPH), to maximize outreach and supervision so that regulations are implemented effectively.

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