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**PROCEDURES FOR HALAL CERTIFICATION ISSUED BY  
JAKIM: A CASE STUDY**

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I hereby declare that the work in this academic project is my own except for quotations and summaries which have been duly acknowledged.

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*Wassalam.*

## ABSTRAK

Kajian ilmiah ini adalah satu kajian yang berbentuk kajian lapangan. Sebahagian maklumat yang diperolehi adalah daripada kajian lapangan yang tertumpu di Jabatan Kemajuan Islam Malaysia (JAKIM), Putrajaya untuk memperolehi data, juga didapati daripada beberapa buah perpustakaan. Kajian ilmiah ini akan membincangkan mengenai prosedur pengeluaran sijil halal yang dikeluarkan oleh JAKIM. Penulis membuat kajian ini bertujuan untuk mengenalpasti tentang prosedur pengeluaran sijil halal yang dikendalikan oleh JAKIM. Hasil kajian mendapati bahawa JAKIM telah menggunakan beberapa kaedah untuk mengeluarkan sijil halal diantaranya ialah sentiasa membuat pemeriksaan di premis-premis juga kilang pengeluaran dari semasa ke semasa. Para pengeluar adalah wajib untuk mengikut syarat-syarat yang telah ditetapkan oleh JAKIM bagi mendapatkan sijil pengesahan halal, dan JAKIM satu-satunya organisasi yang diberi kuasa untuk mengendalikannya.

## **ABSTRACT**

This academic project is a fieldwork study, where apart of the information is getting from Malaysia Department Of Islamic Development (JAKIM), Putrajaya where it is become the first recourses to get data and also from other libraries. This academic project is discussed about the procedures of halal certificate that produced by JAKIM. The researcher does this study is to identify the procedure of producing halal certificate that conducted by JAKIM. The result from this study, it is found that JAKIM had used some methods in producing halal certificate. One of the method is by doing spot-checks from time to time in the premises and manufacture. All products must follow the conditions that stated by JAKIM to ensure that they can get this halal certificate. It is because only JAKIM has the priority to conduct it.

## ملخص البحث

هذا يبحث يتناول موضوعه عن قاعدة التسجيل "الحلال" من مصلحة الشؤون الإسلامية بماليزيا ( JAKIM) وقد جمعة المعلومات لهذا البحث الميداني وخاصة من مصلحة الشؤون الإسلامية بماليزيا للحصول الأفكار والعنا مر الهامة وخضت في عين طريقتين المنهج بمكتبي. ويهدف الباحثة من هذا البحث لمعرفة القاعدة تسجيل الحلال و خصوصا لاستعمال تسجيل الحلال من مصلحة الشؤون الإسلامية بماليزيا. والنتيجة هذا البحث أن مصلحة الشؤون الإسلامية بماليزيا تستعمل قاعدة تسجيل الحلال وتفتش في كل الوقت في المطاعم والمصانع و غير ذلك. ويجب على المطاعم والمصانع إتباع قاعدة تسجيل الحلال لأن مصلحة الشؤون الإسلامية بماليزيا حركة تعطي وتصدر قاعدة الحلال فقط.

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- Appendix A : Form Of Halal Certification
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## GLOSSARY

<i>Al-Quran</i>	the Holy book by Allah SWY to prophet Muhammad (p.b.u.h)
<i>As-Sunnah</i>	the tradition of Prophet Muhammad (p.b.u.h) including his deeds, saying and approval
<i>Fatwa</i>	formal legal opinion by a Mufti
<i>Hadith</i>	the tradition of Prophet Muhammad (p.b.u.h)
Hukum Syara'	practical laws of Islam
Islam	a word meaning literally 'submission' (to the will God). Islam is the name of one of the world's great monotheistic religious
<i>Mufti</i>	jurisconsult who is authorized to issue a <i>fatwa</i>
Muslim	believer of Islam
<i>Surah</i>	chapter of the Al-Quran. The number preceding colon denotes the chapter number while numbers after the colon denotes the verse number
<i>Dharurah</i>	necessity/in case emergency
<i>Halal</i>	reported speech of the Prophet
<i>Haram</i>	lawful in the Syariah Law
Makruh	abominable, reprehensible but not unlawful in the <i>Syariah</i>
<i>Mazhab</i>	a school of thoughts founded on the opinion of a faqih. The four main schools now are Hanafi, Malik, Shafi'I and Hambali
<i>Najis</i>	impure, the opposite of <i>tahir</i> . There are variations in opinion as to what are <i>najasat</i> . However, wine and other intoxicants are regarded as <i>najis</i> by all <i>fuqaha</i> . <i>Najasa</i> impurity
<i>Syariah</i>	lit. Road, the legal modality of a people based on the revelation of their Prophet. The final <i>Syariah</i> is that Islam
<i>Syirk</i>	the unforgivable wrong action of worshipping something or someone other than Allah or associating something or someone as a partner with Him. <i>Mushrik</i> (plural <i>mushrikun</i> ): some one who commits shirk

<i>Jahiliyyah</i>	“ignorance”. A term used by theologians for an ignorance of religious truths
<i>Ahlul-Kitaab</i>	“the people of the book” a term used in the Quran for Jews and Christians as believers in a revealed religion. Some sects of the Shariah include the Majusi (Magi) under this term
<i>Ijma’</i>	the third foundation of Islam
<i>Ijtihad</i>	“exertion”, the logical deduction on a legal or theological question by a mujtahid or learned and enlightened doctor, as distinguished from <i>Ijma’</i>
<i>Masbooh</i>	allowed
<i>Makruh</i>	reprehensive
<i>Qiblat</i>	“Anything opposite”, the direction in which all Muhammadans must pray, whether in their public or in their private devotions, namely towards Makkah
<i>Qiyas</i>	to compare. The fourth foundation of Islam, that is to say the analogical reasoning of the learned with regard to the teaching of the Quran, Hadith and <i>Ijma’</i>
<i>Zabihah</i>	cut or divided pathways
<i>Zina</i>	adultery/ fornication
Islamic Law	the laws of Islam as provided for, administered and applied in Malaysia

**ABBREVIATION**

JAKIM	(Jabatan Kemajuan Islam Malaysia) Department Of Islamic Development Malaysia
KPDHEP	(Kementerian Perdagangan Dalam Negeri dan Hal Ehwal Pengguna) Ministry Of Internal Trade and Consumer Affairs
CODEX	Bahagian Kawalan Mutu Kementerian Kesihatan
BAHEIS	Bahagian Hal Ehwal Islam
JAIN	(Jabatan Agama Islam Negeri) State Islamic Department
Bhd	Berhad
Ibid	Ibidem
Sdn	Sendirian
SWT	Subhanallah Wa Ta'la
p.b.u.h	Peace be upon him

## CHAPTER 1

### INTRODUCTION

#### 1.1 Background Of Research

Food is the basic source of energy for one's body. Allah provides various types of food for human being. Nowadays we can easily buy food such as fast food in the fast food restaurant. Food is a main attraction to a lot of people, especially children because they are easily attracted to the packaging and the colours presentation of the food. As a Muslim, one should be fully aware that the selection of food is very important because not all foods are consumable, hence, there is a necessity to examine whether the food is *halal* or *haram*. Muslim must eat clean and good food. This is based on the verse of Quran,

"يأيهالدين آمنوا كلوا من طيبات ما رزقناكم واشكروا لله ان كنتم اياه تعبدون"

(Al-Quran. Al-Baqarah 2 :172)

*"O ye who believe! Eat of the good things wherewith We have provided you, and render thanks to Allah if it is (indeed) He Whom ye worship."*<sup>1</sup>

Based on this verse Islam emphasizes on the importance of food selection such as the source, cleanliness, ways of cooking and the serving. It is considered as a code of ethics for the Muslim compared to the non-Muslim. To determine the food is *halal* or *haram* it is very important because if we are careless it might results in the consumption of *haram* food.

Realizing the importance of *halal* food, in Malaysia there is a special body to monitor on the validity of the food consumed by Muslim in Malaysia namely the Islamic Development Department Of Malaysia hereinafter known as (JAKIM) or Ministry Of Internal Trade and Consumer Affairs hereinafter known as (KPDNHEP). This

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<sup>1</sup> All the Translation by Dr. Muhammad Taqi-ud-din Al-Hilali and Dr. Muhammad Muhsin Khan. *The Noble Quran*. Saudi Arabia: Darussalam, Riyadh.

Department has the responsibility to responsibly take the initiative to endorsement of halal certificate to the selected food outlets and premises. This is done to facilitate the Muslims in Malaysia to select *halal* food. Besides that, it is the responsible of the government endorse the halal logo foods consumed by Muslim in Malaysia. halal logo is to be produced to the selected food outlets and products, which have been certified in following the guideline of *halal* food.

However, there are still some doubts on the issuance of halal certificate among the Muslims in Malaysia, which the Muslims still indecisions about the foods and beverages with *halal* label are really *halal*. To clarify the doubt on the procedure, a research is made to see the reality of the procedures underlying the *halal* food.

The writer hopes this research can give advantage to Muslim and manufacturer to appreciate the procedure of *halal* by knowing and understanding the procedures, it is hoped that “halal certificate” should be doubted by the Muslims.

## **1.2 Aim Of Research**

The writer has chosen this topic for research to explore the procedures of halal certification issued by Islamic Development Department Of Malaysia hereinafter known as (JAKIM). Generally, this research will discuss about the procedures of halal certification concept of *halal* food in Islam and it relation with food technology. The aim of this research is to provide general overviews on the practices in the certification on of *halal* done by JAKIM. It is hoped that such information will be beneficial to Muslims.

## **1.3 Objective Of Research**

There are several objectives in this research:

- 1- To identify the existing procedures in determining *halal* food. It is as knowledge to the writer especially and to the society generally. Beside that, it one of the ways who are people want getting halal certificate.

2- To highlight on the function and role of Islamic Department Development of Malaysia hereinafter known as (JAKIM) and *halal* food. The function and roles of JAKIM to ensure that the food is *halal* all the time is very important because the rulings are related to *hukm Syara'*.

3- To identify that procedures in granting halal certificate.

#### **1.4 Scope Of Research**

The scope of this research is to conduct a research in Islamic Development Department Of Malaysia hereinafter known as (JAKIM), Putrajaya to get the information about the procedures of “halal certification”. Although, there are other departments like Ministry Of Internal Trade and Consumer Affairs (KPDNHEP) guide about *halal* food but JAKIM is more available, because only JAKIM have the authority to produce the halal certification. The Department which has the authority to produce halal certificate for foods.

#### **1.5 Research Methodology**

In order to ensure the smooth-running of this academic project, the writer employs doctrinal research. The method employed can be divided into two primary data and secondary data.

For the secondary data, the writer uses this method to gather data about Islamic Development Department Of Malaysia hereinafter known as (JAKIM), the types of document such as pamphlet and books distributed by JAKIM. To get more information the writer also make research libraries such as Islamic University College of Malaysia (IUCM) library, University Malaya (UM) library, Islamic Center library, National library and Islamic International University of Malaysia (IIUM) library.

For the primary data the writer employs interview method. It is very important to get more information about the topic. The writer interview the officer in charge with halal

certification in JAKIM. Besides that, the writer also collect the information available from the Internet, such as JAKIM's website and so on.

## 1.6 Literature Review

*Ahmad H. Sakr, (1991)* in his book entitled *Ramuan Makanan Islam*, in this book the writer describes about the ingredient needed in the food, which it is deemed *halal* or *haram* by Islam. It is a guideline to society especially to Muslims. It also describes about the types of addition in food namely additive which the substance perform action as a flavour or conserve, and ways how to increase healthy by consuming food. This is compared with writer research because the writer will discuss about the procedures *certificate halal* issued by JAKIM. Although, in this book have the information needed by the writer.

*Che Wan Jasimah Wan Mohammad Radzi, (2000)* in her book entitled *Konsep Kesihatan Melalui Pemakanan Pendekatan Islam dan Sains*, in this book the writer describes about the relation between estimation of in science and technology research with Islamic religion in context of food. Besides that, the writer also describes in general about food in healthy aspect, scientist research and religion. The writer also describes about the scale of food according to religion, scientist research and Islamic scientist research. The writer tried to compare the views between scientist research and religion in food aspect. This research is different from the existing literature. This is because the writer discusses about the procedures of halal certificate issued by JAKIM. In this research the writer describes about the concepts of *halal* from Islamic perspective, *halal* and *haram* in the food and the procedures on how JAKIM handles the issuance of halal certificate.

*Jabatan Kemajuan Islam Malaysia, (2001)* in the pamphlet entitled *General guidelines on the slaughtering of animal and the preparation and handling of halal food*, in this book describes the guideline which is needed to be followed by the manufacturer and food factory to determine their item is *halal* or not. Besides that, this

book also describe about the procedures of issuance halal certificate by JAKIM and the aspect which can bring to the cancellation or withdrawal of *halal* status. This book is very important to the writer because it give a lot of information in writing this research which is especially about the procedures of halal certification.

In this research, it provides a general overview on the concept of *halal* in food industry in Malaysia. It also explores on the available rules pertaining to halal certification.

## CHAPTER 2

### CONCEPTS OF “HALAL FOOD” IN ISLAM

#### 2.1 Introduction

*Halal, haram, harus, makruh* and *syubhah* are five categories in the scale of religions appreciations according to the theory of the *fikh*. This guideline must be followed by a Muslim. As we know, Allah not creates anything with futile. Allah forbids an item purposely because of it become harmful in our life. There are categories of *hukum* under Islamic law. *Halal* is lawful, *haram* is forbidden, *Masbooh* is permissible, *makruh* is reprehensive *syubhah* is indecisions and *dharurah* is exceptions All categories present different concept.

#### 2.2 Halal (Lawful)

The word *halal* is an Arabic word, which means allowed or permitted. Meaning *halal* by *istilah* is permitted or allowed too used and get advantages of things were permitted by *syara'* based on certain prove from Al-Quran and Hadith, for fulfill physics requirements including food, drinking and medicine.<sup>2</sup>

Based on the verse of Quran,

"اليوم احل لكم الطيب"

(Al-Quran. Al-Maidah 5: 5)

*'Made lawful to you this day are all kinds of Halal (lawful) food'*

Another verse mention,

"يا أيها الذين آمنوا كلوا من طيبات ما رزقناكم واشكروا لله ان كنتم اياه تعبدون"

(Al-Quran. Al-Baqarah 2: 172)

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<sup>2</sup> n.a. n.d. *Ensiklopedia Hukum Islam* 2. Jakarta: Pt Ichthiar Van Hoeve. p. 506.

'O ye who believe! Eat of the good things wherewith We have provided you, and render thanks to Allah if it is (indeed) He whom ye worship'.

"وكلوا مما رزقكم الله حلال طيبا واتقوا الله الذي التم به مؤمنون"

(Al-Quran. Al-Maidah 5 : 88)

'And eat of the things which Allah has provided for you, lawful and good, and fear Allah in whom you believe'

*Halal* foods are those foods which are permissible to eat, and it fulfills the conditions under Islamic law to ensure the food or drink as *halal* or *haram*. There are the products are definitely *halal*, Milk (from cows, sheep, camels, and goats), honey, fish, plants which are not intoxicant, fresh or naturally frozen vegetables, fresh or dried fruits, legumes and nuts like peanuts, cashew nuts, hazel nuts, walnuts and grains. Although, for example camel, according to the *hukm syara'* camel is *halal* to eat, but if the method of slaughter not follows the guidelines, which is mention in Islamic law, there are become *haram*.

### 2.3 Haram (Forbidden)

The word *haram* is Arabic word which means forbidden by the sacred law. Within the sphere of *haram* itself there are gradations depending of the validity of the forbidden action, which may be void (*batil*), deficient (*fasid*) or even fully valid (*sahih*). *Haram* is a surely demand by *syara'* for leaving. It this sin for those who consume this item and vice versa.<sup>3</sup> Based on the verse of Quran,

"انما حرم عليكم الميتة والدم ولحم الخنزير وما اهل به لغير الله فمن اضطر غير باغ ولا عاد فلا اثم عليه"

إن الله غفور رحيم"

(Al-Quran. Al-Baqarah 2 : 173)

'Forbidden to you (for food) are: Al-Maitah (the dead animals-cattle- beast not slaughtered), blood, the flesh swine, and that on which Allah's Name has not been

<sup>3</sup> H.A.R Gibb, J.H Kramers.1974. *Shorter Encyclopedia Of Islam*. Leiden: E. J Brill. p. 133-134.

*mentioned while slaughtering (that which has been slaughtered as a sacrifice for other than Allah (or has been slaughtered for idols, on which Allah's Name has been mentioned while slaughtering). But if one is forced by necessity without willful disobedience nor transgressing due limits, then there is no sin on him. Truly, Allah is Off-Forgiving, Most Merciful'*

According to the above mention verse, Islam provides the guideline for the Muslim to choose food which not is forbidden. Allah has ordered the blood, carcass, pig and animal that has been slaughtered without the name of Allah is unlawful to eat. These foods are unlawful because there are dangerous to our life.

## **2.4 Masbooh (Permissible)**

According to the Islamic law any item foods or drinks can be *masbooh*. Not all foods and drinks are forbidden except has mention in Al-Quran and Hadith. If there is prove that the foods and drinks are forbidden, the *Hukm* still *masbooh*.<sup>4</sup> According to the verse of Quran,

" هو الذى خلق لكم ما فى الارض جميعا "

(Al-Quran. Al-baqarah 2 : 173)

*'He it is who has created for your benefit all that is in the earth'*

Hence, Allah creates foods and drinks that are lawful to be eaten.

### **2.1.4 Makruh (Reprehensive)**

The word *karahah* is an Arabic word, which means hated by Allah. The *karahah* or *makruh* is less in degree than the *haram*, and the punishment for *makruh* acts is less than for those that are *haram*, except when done to excess and in a manner, which leads an individual toward what is *haram*. As an example, there are foods that are

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<sup>4</sup> Mu'ammal hamidy. n.d. *Halal dan haram Dalam hubungan Islam*. Vol. 1. Surabaya: P.T Bina Ilmu. p. 21.

*Makruh* to eat, onion and garlic, which are not cooked and bad smell food, that effect the body, mouth, sweat and urine. The smell can disturb other people.<sup>5</sup>

### 2.1.5 Syubhah (Indecisions)

The word *Syubhah* is Arabic word which means indecisive. That means any item that is suspect or indecisive because of a person cannot determine either the food is *halal* or *haram*. If it is not mentioned in Al-Quran and Hadith. a person can try to make his or her decision, to consume the foods. Because of may be it bought to indecisions. Islam encourages Muslims to leave anything which is near to *haram*.<sup>6</sup> For example, bread, as we know it is a *halal* food. But if the packing of the bread has no halal logo it is will become unknown whether the bread is *halal* or not. Anyway, for a Muslim who is eats a *syubhah* item on forty days their heart was darkness.<sup>7</sup> It is mention in Holy Quran,

"كلا بل ران على قلوبهم ما كانوا يكسبون"

(Al-Quran. Al-Muthaffifin 83 : 14)

'*Nay! But on their hearts is the Ran (covering of sins and evil deeds) which they used the earn.*'

It is clearly that Allah forbidden to the Muslim to eat any foods that it brings to *syubhah*. Because there are nearly with *haram*.

### 2.5 Dharurah (Exceptions)

*Dharurah* is an Arabic word which mean the fear or worried of the destroyed of soul based on confident or *zan*. It is not only when a people near of die. Muslims are

<sup>5</sup> Che Wan Jasimah Wan Mohammad Radzi.2000. *Konsep kesihatan Melalui Pemakanan Pendekatan Islam Dan sains*. Kuala Lumpur: Utusan Publications & Distributions Sdn. Bhd. p. 25.

<sup>6</sup> Ahmad H. Sakr. 1991. *Ramuan makanana Islam*. KL: Dewan Bahasa Dan Pustaka Kementerian Pendidikan Malaysia. p. 20.

<sup>7</sup> Majlis Tertinggi Urusan Keislaman Mesir.1997. *Sunnah Rasulullah Dari Kupasan Hadis (Sunnah Dalam Hadis-hadis Mengenai, Makanan, Minuman, Haiwan, Buruan, Sembelihan, Korban)*. Selangor: Thinker's Library Sdn. Bhd. p. 20.

permitted to eat or drink unlawful foods or drinks when in the circumstances of *dharurah*, but only little bit of the food for life.<sup>8</sup>

Muslims enable to eat unlawful foods or drinks under exceptional conditions such as follow:

- a) By mistake and
- b) If one is compelled to do so without willful disobedience.<sup>9</sup>

Based on the verse of Quran,

"فمن اضطر في مخمصة غير باغ ولا عاد فلا اثم عليه ان الله غفور رحيم"

(Al-Quran. Al-baqarah 2 : 173)

*'But if one if forced by necessity without willful disobedience nor transgressing due limits, then there is no sin on him. Truly, Allah is Off-Forgiving, Most Merciful'*

- c) For fear of dying of hunger or disease.<sup>10</sup>

According to the Quran,

"فمن اضطر في مخمصة غير متجانف لاثم فهن الله غفور رحيم"

(Al-Quran. Al-Maidah 5 : 3)

*'But if one if forced by necessity without willful disobedience nor transgressing due limits, then there is no sin on him. Truly, Allah is Off-Forgiving, Most Merciful'*

- d) Seafood is exceptional to the category of forbidden food of dead meat. Seafood is lawful whether it is caught alive or found dead, unless it is spoiled or poisoned.<sup>11</sup>

<sup>8</sup> Mohammad Mazhar Husaini. 1981. *Food and Nutrition in Islam*. n.p: Crescent Publishing Co. Aligarh. p. 10.

<sup>9</sup> Mohammad Mazhar Husaini. 1981. *Food and Nutrition in Islam*. p. 10.

<sup>10</sup> Mohammad Mazhar Husaini. 1981. p. 11.

<sup>11</sup> Mohammad Mazhar Husaini. 1981. p. 11.

e) It is as mention in Quran,

"وهو الذى سخر البحر لتأكلوا منه لحما طريقا"

(Al-Quran. An-Nhl 16 : 13)

*'And he it is Who has subjected the sea (to you), that you eat thereof fresh tender meat (i.e fish)'*

### **2.5.1 The Conditions Of DharuraH (Exceptions).<sup>12</sup>**

a) The situation of dharurat must already appear with truth. It is not expected will happen in future. Examples the situations were bring to die or destroy of property.

b) A person have no another choice, except do something prohibition term. That means have no another lawful way to avoid from danger except with eat or take the prohibition item.

c) A person must have causes of infirm to encourage those used the prohibitions item, such as take care of their animate or their bodies from destroy causes of hungry.

d) A person who is face with the situation must not contravene basic and principle of Islam. They forbidden to lawful of *zina*, killing and so on.

e) Only little of rate, just for avoid from danger.

f) In the context of medical, when used every prohibition thing, as a medicine must have notice first, with condition have no another lawful medicine.

### **2.6 Halal Food, Guidelines By Islamic Development Department Of Malaysia (JAKIM)**

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<sup>12</sup> n.a. 1994. (trans) Syed Ahmad Hussain et al.. *Fiqh dan Perundangan Islam*. Kuala Lumpur: Dewan Bahasa Dan Pustaka Kementerian Pendidikan Malaysia. Vol. III. p. 598-600.

According to the guidelines issued by JAKIM *halal* food means foods which are to consume permitted under Islamic Law. Islamic law is based under *Al-Quran*, *Hadith*, *Ijma'* and *Qiyas*.<sup>13</sup> Besides that, the foods must fulfill the following conditions:-

- a) The food or its ingredients do not contain any components or products of animal that are not *halal* to Muslims according to the Syariah Law or animals which are not slaughtered according to the Syariah Law.<sup>14</sup>
- b) The food does not contain any ingredients that are considered *najis* (filthy) according to the Syariah Law.
- c) It is not prepared, processed or manufactured using equipment that is contaminated with things that are considered *najis* according to the Syariah Law.
- d) During its preparation, processing, packaging, storage or transportation, it should be physically separated from other food that does not meet the requirements stated in items (a), (b) or (c) above or things that have been decreed as *najis* by the Syariah Law.<sup>15</sup>

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<sup>13</sup>Department of Islamic Development. 2001. *General Guidelines on the slaughtering of animals and the preparation and handling of halal food*. Malaysia: Department of Islamic Development p. 1.

<sup>14</sup>Department of Islamic Development. 2001. *General Guidelines on the slaughtering of animals and the preparation and handling of halal food*. p. 2.

<sup>15</sup>Ibid. p. 2.