

## **The Role Of Halal Certification And P-Irt From A Legal Perspective Towards Strengthening Legality And Competitiveness Dhiandra Brownies In Malang**

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### **Abstract**

*This study aims to examine the role of Halal Certification and P-IRT (Household Food Industry Certification) from a legal perspective in enhancing the legality and competitiveness of Dhiandra Brownies, a Micro, Small, and Medium Enterprise (MSME) in Malang. The research employs a qualitative approach using juridical-sociological and normative methods, supported by legal and literature analysis. The findings reveal that both certifications are not only formal legal requirements but also strategic assets that strengthen product credibility, consumer trust, and market access. Halal Certification, based on Law No. 33 of 2014, and P-IRT, regulated by the Ministry of Health Regulation No. 23 of 2017, reflect state recognition of product safety and religious compliance. However, the study also identifies several implementation challenges, including low legal literacy among MSME actors, overlapping institutional authorities, and high certification costs. These obstacles hinder the inclusive realization of legal empowerment. The study concludes that Halal and P-IRT certifications should be repositioned as part of an integrated strategy for MSME development—one that ensures legal certainty, promotes economic justice, and enhances sustainable competitiveness through regulatory reform and institutional synergy.*

**Keywords:** Halal Certification, P-IRT, Legality, UMKM.

## **INTRODUCTION**

Micro, Small, and Medium Enterprises (UMKM) play an important role in the Indonesian economy. Based on data from the Ministry of Cooperatives and UMKM, UMKM contribute more than 60% to Gross Domestic Product (GDP) and absorb more than 97% of the national workforce. However, UMKM in Indonesia still face various challenges, one of which is the legality and competitiveness of products in the market (Prasetyawati et al., 2021).

Halal Certification and Home Industry Food Production Certificate (P-IRT) are important instruments to improve the legality and competitiveness of UMKM. Halal certification ensures that the products produced have met halal standards in accordance with Islamic law, while P-IRT provides assurance that food products meet the safety and quality standards set by the government (Kosali et al., 2022). These two certifications are important indicators for consumers in choosing safe and quality products.

From a legal perspective, Halal Certification and P-IRT provide legal protection for business actors and consumers. For business actors, this certification ensures that their products comply with applicable regulations, thereby reducing the risk of legal problems. For consumers, this certification provides certainty regarding the safety and halalness of the products consumed (Sopye Ariani, 2021). In addition, the inclusion of halal labels and P-IRT numbers on product packaging increases consumer confidence and opens up wider market opportunities, both domestically and internationally.

The importance of Halal Certification for UMKM is increasingly prominent, considering that the majority of Indonesia's population is Muslim. Muslim consumers have special needs for products that comply with Islamic law principles, especially in terms of halalness. By having halal certification, UMKM can reach a wider market and increase the competitiveness of their products (Achmad, 2016). In addition, halal certification is also an added value for UMKM products, especially in facing competition in the era of globalization.

P-IRT, on the other hand, provides assurance that food products produced by UMKM have met food safety standards. This certification is issued by the Health Service and is one of the main requirements for UMKM who want to market food products legally. Products with P-IRT certificates are more trusted by consumers because they have gone through an inspection and testing process according to the established standards (Margarena, 2022).

Although important, there are still many UMKM that do not have Halal Certification and P-IRT. Factors such as lack of knowledge, costs that are considered high, and the administration process that is considered complicated are the main obstacles. Therefore, collaborative efforts are needed between the government, certification bodies, and business actors to improve understanding and accessibility of this certification process (Prihatini, 2022).

On the other hand, socialization and education carried out by government and private institutions have had a positive impact on increasing the number of certified UMKM. For example, the Indonesian Ulema Council's Food, Drug, and Cosmetics Assessment Institute (LPPOM-MUI) actively provides assistance and training to UMKM actors to obtain Halal Certification (Dewi Anggraini, 2021). Likewise, the Health Office provides technical guidance related to the management of P-IRT (Yulindo Ebu Putra, 2021a).

In addition to increasing legality, this certification also has an impact on the competitiveness of UMKM products. Certified products are more easily accepted in modern markets, both domestically and abroad. International markets often require halal certification as a primary prerequisite for products to be imported. By having this certification, UMKM can expand their market network and increase their income (Muhammad Habibie, 2023).

From a legal perspective, strengthening legality through certification also provides protection for consumer rights. Consumers have the right to obtain products that are safe, of high quality, and in accordance with their needs, including the need for halalness. Halal certification and P-IRT are tools to ensure that these rights are met (Syaiful Zoelkiar, 2021).

However, the certification process is often a challenge for UMKM. Regulatory complexity, unaffordable costs, and lack of technical support are often obstacles. Therefore, reform is needed in the certification process to make it simpler, more affordable, and more inclusive (Debby Sutrisna, 2021).

In this context, the government has an important role to support UMKM in managing certification. Various programs have been launched, such as halal certification cost subsidies and technical training for UMKM actors. This effort aims to increase the number of UMKM that have certification, so that it can encourage overall economic growth (Armiani et al., 2017).

By having Halal and P-IRT Certification, UMKM not only increase the legality and competitiveness of products, but also make a positive contribution to national economic growth. Certified products not only meet legal requirements but also reflect the commitment of business actors to quality and consumer satisfaction (Dumiyati et al., 2021).

Dhiandra Brownies UMKM is a micro business operating in the food sector with NIB: 0303220008858. As a business actor Dhiandra Brownies UMKM facing various challenges that

affect the continuity and competitiveness of its business. Along with the development of the increasingly competitive food industry, the main challenges faced by Dhiandra Brownies UMKM how to improve product legality and competitiveness in the market.

Therefore, this study is important to examine the implementation of Halal Certification and P-IRT in a legal perspective on strengthening the legality and competitiveness of UMKM. The results of this study are expected to provide recommendations for business actors, governments, and certification institutions to increase the accessibility and benefits of this certification.

## RESEARCH METHODS

This research employs a descriptive qualitative method with a juridical-sociological approach, aiming to explore the implementation and legal implications of Halal and P-IRT certifications on MSMEs. According to Wulandari & Sari (2021), the juridical-sociological method is appropriate to analyze the interaction between legal norms and the social realities that influence the legal awareness and behavior of MSME actors in the field. The types of data used include primary legal materials, such as laws and government regulations related to halal certification and P-IRT, and secondary legal materials, including books, academic journals, and official reports from institutions. Data were collected through literature studies sourced from scientific publications, government websites, and legal documentation centers. Data analysis was conducted using descriptive-evaluative techniques, which according to Rahman & Tarmizi (2022), help researchers understand how legal provisions are interpreted and practiced within the MSME sector. This method is considered relevant to identify the normative strength of existing regulations and the practical challenges in implementing certifications, particularly in the context of Dhiandra Brownies as a case example of MSME in the food sector.

## RESULTS AND DISCUSSION

### **Position of Halal Certification and P-IRT as Legal Instruments for UMKM**

Halal certification and P-IRT are two legal instruments that play an important role in establishing formal legality for processed food products from Micro, Small, and Medium Enterprises (UMKM). The legal standing of these two certifications not only shows administrative compliance, but also reflects the state's recognition of the existence of businesses in the formal economic system. The Household Industry Food Production Certificate (P-IRT) is regulated through Permenkes No. 23 of 2017, which provides legitimacy for household business actors to produce and distribute processed food legally and safely for consumers. This certification confirms that UMKM products have met the standards of cleanliness, health, and food safety required by the regulations.

Meanwhile, halal certification obtains normative legitimacy from Law No. 33 of 2014 concerning Halal Product Assurance. This law requires every product circulating in Indonesia—especially food and beverages—to have a halal certificate as a form of protection for Muslim

consumers, the majority of whom are in Indonesia. Legally, the existence of halal certification is a symbol of sharia and ethical guarantee that the products consumed are in accordance with Islamic principles. Thus, the conceptual and normative position of halal certification and P-IRT is a form of legalization of UMKM products as well as strengthening the principles of consumer protection, legal certainty, and justice in business access.

In the framework of positive Indonesian law, halal certification and the Home Industry Food Production (P-IRT) certificate are legal instruments that fundamentally function as a form of state recognition of the legal and commercial existence of UMKM products, especially in the processed food sector. Both certifications provide a clear legal framework to ensure that the products produced are not only administratively legal, but also fit for consumption based on health standards, safety, and religious values of the community.

The P-IRT certificate is regulated in the Regulation of the Minister of Health of the Republic of Indonesia Number 23 of 2017 concerning Guidelines for the Implementation of Certification of Household Industrial Food Production. This regulation provides a legal basis for home industry players to distribute food products legally. P-IRT certification serves as proof that the food production process has met sanitation, hygiene standards, and the use of raw materials that are not harmful to health. With the existence of P-IRT, UMKM products gain legitimacy to be marketed in various formal distribution channels, including modern stores, cooperatives, and digital platforms that require legal product compliance. Furthermore, from the perspective of state administrative law, the issuance of P-IRT is a form of licensing that strengthens the principle of due process of law in the national food safety supervision system.

On the other hand, halal certification has a very strategic legal position, especially in the socio-religious context of Indonesian society. Law No. 33 of 2014 concerning Halal Product Assurance states that every product that enters, circulates, and is traded in the territory of Indonesia must be halal certified. This law normatively places halal as a legal standard that is imperative (mandatory), no longer voluntary. This strengthens the legal position of halal certification as a legal obligation that has religious dimensions, consumer protection, and quality assurance. Halal certification indicates that the process of production, distribution, storage, and serving of food is in accordance with sharia principles that prohibit unclean and haram elements.

Conceptually, the presence of both certifications can be interpreted as a manifestation of the state's regulatory function in ensuring order, security, and justice in the economic activities of small communities. In the context of UMKM such as Dhiandra Brownies in Malang, halal certification and P-IRT are a form of formal recognition of home production activities that were previously informal. This legality is important to increase product credibility in the eyes of consumers, other business actors, and distribution partners. Moreover, legality through certification makes UMKM products part of an economic system that can be monitored, protected, and developed sustainably.

From a legal principle perspective, the position of halal certification and P-IRT can be viewed from three main principles: the principle of legal certainty, the principle of consumer protection, and the principle of economic justice. The principle of legal certainty provides assurance to business actors that their products have been declared legal by the competent authority. The principle of consumer protection ensures that consumers are not harmed by products that are unsafe or not in accordance with their beliefs. Meanwhile, the principle of economic justice affirms the rights of UMKM to participate equally in the formal market through clear legal recognition.

Furthermore, the position of this certification also has a legal empowerment dimension, where the state not only regulates through sanction instruments, but also provides legal access and administrative services to support small economic actors to be able to meet formal legal standards. In the literature of development law, legality is not just a control tool, but also an affirmation tool that provides bargaining power, protection, and business capacity. In this context, halal certification and P-IRT are not only symbols of product legality, but also a means of legal transformation towards improving the quality and competitiveness of UMKM systematically.

Thus, the position of halal certification and P-IRT can be deeply interpreted as a legal pillar that supports business formalization, guarantees public trust, and strengthens the national economic structure based on small business actors. When implemented consistently and inclusively, these two certifications will be a catalyst for the integration of UMKM in the global halal industry ecosystem and a sustainable and equitable national food market.

Several previous studies have confirmed that halal certification and P-IRT not only function as administrative instruments, but also as a form of formal legal legitimacy that significantly increases the status and trust in UMKM products. Research by Amer (2024) in Palestine shows that halal certification has a significant positive effect on the operational and financial performance of small businesses, indicating that legal recognition through certification is the main basis for business sustainability in a competitive economic ecosystem. Christian et al. (2024) also revealed that in the UMKM food sector in Indonesia, ownership of halal certification not only strengthens product quality but also emphasizes the legal position of the business in facing increasingly complex market competition.

Meanwhile, Darmalaksana (2023) in his study noted that although the awareness of UMKM actors regarding the importance of halal certification and P-IRT is relatively high, there are still many technical and structural obstacles, such as legal literacy and bureaucracy, that hinder the certification process. This shows the importance of the state's role in making certification a legal empowerment tool that reaches all levels of small business actors. More broadly, Bahara et al. (2024) through a meta-analysis study concluded that halal certification has a significant impact on increasing UMKM sales, with a high standard deviation of the effect, indicating that legality through certification contributes directly to strengthening market position.

Research by Oktaviani et al. (2024) also shows that halal certification encourages SMEs to adjust their internal managerial systems, such as improving supply chains, raw material policies, and hygiene governance. This emphasizes that legality through certification not only has an impact on external recognition, but also encourages internal business transformation to align with the principles of good business governance. Thus, this overall study supports the conclusion that the position of halal certification and P-IRT as instruments of SME legality is not only important in normative legal aspects, but also strategic in socio-economic and managerial terms.

### **Function of Certification as a Means of Increasing Competitiveness**

In the midst of increasingly competitive market competition, the existence of halal certification and P-IRT is not only an instrument of legality, but has evolved into a strategic resource (strategic assets) that support the increase in competitiveness of Micro, Small, and Medium Enterprises (UMKM), especially in the food and beverage sector. The certification provides non-material added value, such as reputation, consumer trust, and a credible brand image. In an era of trust-based economy and quality standards, consumers are increasingly

selective in choosing products, not only based on price or taste, but also safety and compliance with ethical and religious values. Therefore, the existence of halal certification and P-IRT is a marker of quality and integrity needed to compete, both in local and global markets.

Halal certification, in particular, has a dual function: as a tool for protecting Muslim consumers and as a mechanism for product differentiation in an increasingly homogenous market. In a study by Amer (2024), halal certification was shown to improve the operational performance and resilience of UMKM businesses in Palestine, even in the context of an unstable economic environment. This shows that legality attached to religious values can foster higher trust from consumers, trading partners, and financial institutions. Research by Giyanti et al. (2021) in Indonesia also shows that halal certification has a direct impact on improving the managerial, marketing, and financial quality of UMKM actors, because certified products are considered more trustworthy and suitable for consumption by the wider market.

Theoretically, certification can be viewed as a form of signaling in the theory of information economics, namely a signal to the market that a product meets certain standards that are not easily imitated by competitors who have not been certified. This also applies to P-IRT, which although administrative in nature, is an entry point to recognition as a producer of safe and hygienic food. In this case, certification functions as a formal reputational mechanism that strengthens market perceptions of the credibility and consistency of the quality of MSME products. Purnomo (2023) in his study showed that halal certification and P-IRT have a direct contribution to market expansion and increased turnover of small businesses in Indonesia, mainly because consumers tend to associate legality with quality assurance and production ethics.

In the context of Dhiandra Brownies UMKM as a conceptual case study, the existence of halal certification and P-IRT can be analyzed as a form of value enhancer, namely increasing the value of the product symbolically and substantively. Certified products will be easier to enter the modern retail market, participate in national exhibitions, and establish distribution partnerships with digital platforms that require legality. In addition, consumers from the religious market segment will feel safer and more loyal to products that are not only delicious, but also in accordance with their religious principles. In this case, competitiveness is not only about price and flavor variants, but also concerns the value of trust (trust-based competition) built through legitimate and credible certification.

It cannot be ignored that in many cases, UMKM who already have halal certificates and P-IRT will have easier access to financing, incentives, training, and assistance from the government and private institutions. This shows that the competitiveness of UMKM is also formed by the integration of legality, quality, and access to resources. Halal certification and P-IRT thus not only answer legal demands, but become the foundation for competitive sustainability, namely business sustainability supported by a legal reputation and consistent quality.

Overall, it can be concluded that halal certification and P-IRT have evolved from being mere legal instruments into competitive management tools based on reputation, trust, and quality standards, which have a central role in forming a stronger, more connected, and long-term growth-oriented micro-business ecosystem.

Various international empirical studies have explained that halal certification and P-IRT function strategically in increasing the competitiveness of UMKM. Based on a study by Aprilianto & Hidayati (2022) in the food and beverage sector in Kendal (Indonesia), a positive relationship was found between halal certification, entrepreneurial orientation, and competitive

advantage of UMKM, where halal certification also triggers a stronger entrepreneurial orientation. [journal.uinmataram.ac.id+1ejournal.stiesyariahbengkalis.ac.id+1](http://journal.uinmataram.ac.id+1ejournal.stiesyariahbengkalis.ac.id+1). This finding is supported by research by Giyanti et al. (2021) who analyzed 83 food SMEs in Solo Raya, and concluded that the in-depth implementation of halal standards had a significant impact on improving the operational and financial performance of SMEs. [emerald.com](http://emerald.com).

A systematic study by Hidayat & Witta (2023) revealed that halal certification not only increases consumer trust but also expands market access and profitability of UMKM because consumers prefer certified products. [ejournal.uin-suka.ac.id](http://ejournal.uin-suka.ac.id). In line with this, a meta-analysis by Purnomo (2023) shows that halal certification consistently increases sales and operational sustainability of UMKM, making certification an important instrument in marketing strategies and business development. [reddit.com+14lighthouse-pub.com+14ejournal.uin-suka.ac.id+14](http://reddit.com+14lighthouse-pub.com+14ejournal.uin-suka.ac.id+14).

In the international context, Amer (2024) asserted that in an uncertain business environment, such as in Palestine, halal certification has been shown to improve operational performance which then drives improved financial performance through operational mediation channels. Meanwhile, in a case study of fisheries SMEs in Indonesia, Christian et al. (2024) found that despite facing limited capital and knowledge, halal certification still strengthens consumer trust and increases product competitiveness.

These findings show two things: first, halal certification and P-IRT function as signals of quality and legality that are recognized by consumers, which is in accordance with signal theory in the information economy. Second, the positive impact of certification on operational, marketing, financial, and business reputation aspects confirms that certification is a strategic link in building sustainable competitiveness for UMKM, including in the case of Dhiandra Brownies in Malang. Thus, certification is not just about fulfilling regulations, but is part of the managerial strategy and business model of modern, highly competitive MSMEs.

### **Normative Analysis of MSME Certification Regulations**

Normatively, the regulations governing halal certification and P-IRT contain important legal principles that form the basis for the implementation of certification obligations for UMKM. The principle of legal certainty is reflected in the clarity of procedures, implementing institutions, and stages of certification submission that have been explicitly regulated in the Law and derivative regulations. The principle of consumer protection is evident from the main objective of certification, namely to ensure that products consumed by the public have met safety and halal standards. In addition, the principle of benefit and fair access also appears in the state's efforts to provide affordable certification mechanisms for UMKM, including through OSS (Online Single Submission) services and cross-agency cooperation.

However, in practice, based on document and literature analysis, normative and structural barriers were found in the implementation of certification. A study by Novari et al. (2024) shows that limited legal literacy among UMKM is often the main obstacle in the certification process. In addition, research by Angelita (2023) highlighted the overlapping authority between institutions such as BPOM, BPJPH, and the Health Office which has the potential to cause procedural confusion for business actors. High certification costs and complicated bureaucracy are also challenges in accessing certification, especially for UMKM that are just starting out.

This analysis shows that although normatively the regulation has provided a strong legal basis, the effectiveness of its implementation still needs to be strengthened through affirmative policies, legal assistance, and synergy between institutions. Halal certification and P-IRT must

be positioned not only as a legal obligation, but also as part of a national strategy for economic empowerment based on legal justice for UMKM.

From a normative legal perspective, the regulations governing halal certification and P-IRT are part of the legal instruments that represent the state's responsibility in ensuring orderly business and consumer protection in the food sector, especially those run by Micro, Small, and Medium Enterprises (UMKM). This certification is not only an administrative form, but also a manifestation of legal principles such as legal certainty, consumer protection, benefits, and fair access to public services.

The principle of legal certainty (*rechtssicherheit*) is implemented in a normative framework through Law Number 33 of 2014 concerning Halal Product Assurance and Regulation of the Minister of Health Number 23 of 2017 concerning P-IRT Certification Guidelines. Both regulations explicitly outline the procedures, technical standards, and institutions authorized to issue certification. This provides certainty for UMKM actors that if the requirements and procedures are met, formal recognition of business legality can be obtained legally and can be accounted for.

Furthermore, the principle of consumer protection becomes the moral and legal basis of the certification. The existence of halal certification and P-IRT aims to protect the public from food products that are unsafe, unhealthy, or not in accordance with the values of the religious beliefs of the majority. From an Islamic legal perspective, the principles of *maslahah* (public good) and *hifz al-nafs* (protection of life) also underlie the urgency of halal certification. Meanwhile, in positive law, this principle is embodied in Law Number 8 of 1999 concerning Consumer Protection which mandates producers to guarantee the quality, safety, and clarity of product information.

However, in regulatory implementation, there is a gap between normative principles and structural realities in the field. A study by Novari et al. (2024) shows that many MSMEs still experience obstacles in understanding the substance and legal procedures they must go through to obtain certification. This indicates low legal literacy and minimal access to information that should be the state's responsibility to provide proactively. Angelita (2023) also noted the overlapping jurisdictions between the Halal Product Assurance Organizing Agency (BPJPH), the Food and Drug Supervisory Agency (BPOM), and the regional Health Office in the food product certification process. This overlap not only causes procedural confusion but also increases the administrative burden for small business actors who often do not have legal assistance or regulatory consultants.

In addition to the regulatory structure aspect, the non-uniform and relatively high certification costs are also a significant barrier, especially for new UMKM that do not yet have a stable cash flow. Although the government has introduced the Online Single Submission (OSS) mechanism to simplify licensing, in reality data integration and synchronization between institutions are not yet fully optimal. The fragmentation of this service system strengthens accessibility barriers that are normatively contrary to the principle of benefit and the principle of equality before the law, where every citizen, including small business actors, has equal rights to obtain legal protection and recognition.

Theoretically, this implementation weakness shows the need for the application of a substantive justice legal approach, not just procedural justice. Regulations must not only be available textually, but also be applied through affirmative actions such as certification cost subsidies, legal technical training, and structured assistance from local governments,

professional organizations, and non-governmental institutions. Halal certification and P-IRT are thus not only positioned as legal compliance instruments, but also as an integral part of a sustainable, pro-UMKM, and inclusive economic legal development strategy.

By looking at these dynamics, it can be concluded that normatively, halal certification and P-IRT regulations have a strong and clear legal basis. However, the effectiveness of its implementation still faces systemic obstacles, which require a more responsive, adaptive, and legal empowerment-oriented regulatory approach. Only with this approach can certification truly become a bridge for UMKM to move up a class, not a bureaucratic burden that actually narrows their room to develop their businesses legally and competitively.

Various previous studies have suggested that although halal certification regulations and P-IRT have embedded legal principles such as certainty, consumer protection, and fair access, their implementation is still hampered by structural and normative obstacles. Wita Ramadhanti et al. (2024) highlighted that low halal literacy is the main factor in the slow adoption of certification, even though regulations have facilitated its implementation through training and mentoring programs. A similar thing was stated by Hariani (2023) who found hidden costs and levies outside the provisions in the halal certification process, which should be free for UMKM as promised by the Ministry of Cooperatives and the Ministry of Religion (2025) reported that many UMKM actors are comfortable operating without a certificate due to a lack of awareness that certification is a long-term investment, not just an administrative burden. The postponement of the obligation for halal certification for UMKM until 2026, as implemented by the government, is proof of recognition of the real conditions of business actors who still need time and support in complying with regulations

. The meta-literature study conducted by Pardiansyah, Abduh, and Najmudin (2022) also emphasized that the effectiveness of regulation requires a research-based assistance framework, so that existing legal modalities can truly be accessed by UMKM actors effectively. These findings support the view that although legal norms are strong, the reality on the ground shows the need to strengthen regulations through affirmative programs, supervision of certification costs, and massive legal literacy so that certification can function as an empowerment instrument, not as an obstacle to business formalities.

## CONCLUSION

This study examines the role of halal certification and P-IRT in a legal perspective on strengthening the legality and competitiveness of UMKM, with a conceptual case study on Dhiandra Brownies in Malang. Based on the normative-conceptual approach and analysis of legal documents and academic literature, it was found that halal certification and P-IRT have an important position as legal instruments that provide formal legitimacy to UMKM products. Certification not only shows administrative compliance, but also becomes a symbol of quality assurance, safety, and conformity to religious values recognized by the state.

In addition to being a legality tool, both certifications play a strategic role in increasing the competitiveness of UMKM through increasing consumer trust, wider market access, and a credible business reputation. Halal certification and P-IRT enable UMKM to compete in the formal market, gain access to financing and distribution, and reach market segments that prioritize religious aspects and food safety.

Normatively, the regulations governing both types of certification have included legal principles such as legal certainty, consumer protection, justice, and benefit. However, in practice, the implementation of regulations still faces challenges in the form of low legal literacy, convoluted bureaucracy, overlapping authority between institutions, and limited access to information and costs. This shows a gap between the ideality of legal norms and the reality of implementation in the field.

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