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Best Practice in Halal Frozen Meat Products in Brunei Darussalam: A Legal Review

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Abstract

This paper provides a legal review of the best practices in halal frozen meat products in Brunei Darussalam. This paper examines the regulatory framework for halal meat production in Brunei and analyses the country's current state of halal frozen meat products. This paper aims to review the laws and regulations governing importing of halal frozen meat products in Brunei Darussalam. Moreover, this paper also aims to provide recommendations for improving the legal and regulatory framework governing the importation of halal frozen meat products in Brunei Darussalam. This paper has implemented qualitative methods using library research, and all the information for the findings is obtained through secondary sources. Overall, the paper highlights the importance of ensuring that halal frozen meat products comply with Islamic dietary laws, the production process adheres to the strict rules and regulations of the country and ensuring that imported meat products have their certificate and permit to be able to commercially sold and consumed in the country.

1. Introduction

Brunei Darussalam is known as one of the oil and gas producers. Since the first oil production, the economy has run heavily on oil revenues. However, Brunei began to generate more non-oil activities to diversify its economy a decade ago. The halal and agricultural sectors are among those Brunei is now emphasizing, per the country's Eleventh National Development Plan (2018-2023). Recently, Brunei Darussalam has supported agricultural growth and facilitated the outsourcing of farming commodities and food supply to ensure food security (Ministry of Foreign Affairs, n.d). In addition, Borneo Bulletin Yearbook 2022 has reported that Brunei aspires to enhance the supply of its red meat by opening sites for ruminant livestock enterprises for PDS Abattoir Sdn Bhd (PDS). Nonetheless, Brunei imports most of its raw beef primarily from Australia, the United Kingdom, Malaysia, China, and India (Khalid, Haji Masr, Muhammad, and Pang, 2018).

As stated on the website of Brunei Darussalam National Single Window (BDNSW), meat products are regarded as restricted and controlled goods. Thus, halal certification and permits for halal frozen meat products are necessary to ensure that the halal integrity of the supply chain is preserved from any fraudulent exploitation practices. However, numerous illegal frozen meat importation cases have been reported over the past few years. For instance, in 2023 alone, the local newspaper Borneo Bulletin reported several cases of frozen meat without a halal permit and smuggled raw meat seized by the authorities.

These reported cases show that the authorities are now proactive in conducting surveillance and inspection.

On the other hand, it is alarming that the number of reported incidents is increasing and that more fraud is occurring, raising serious concerns. Hence, this paper aims to review the laws and regulations governing importing halal frozen meat products in Brunei Darussalam. Moreover, this paper aims to provide recommendations for improving the legal and regulatory framework governing the importation of halal frozen meat products in Brunei Darussalam.

Considering the benefit of this paper, it aims to highlight the best practices in meat importation for the government and industry to pay attention to. When the best practices are met and followed, it will outline the effective, streamlined process and improve overall efficiency. Existing research on meat importation has a limited focus on what is considered the best practices. Hence, this paper adequately adds to the scholarly literature and discussion.

Materials and methods

As for the materials and methods, this paper has implemented qualitative methods using library research. The information for the findings were obtained through secondary sources, mainly from journals, books, newspapers, and electronic media such as Google Scholar, ResearchGate, and other related official websites. This mainly involved around 18 articles and journals from the relevant field.

3. Results and discussion

3.1 Literature review on halal meat products

In Malaysia, particular halal requirements must be met to ensure that halal meat products are *Halalan Toyyiban* following modern practice. MS1500: 2019, Halal Food-General criteria, and Malaysian Protocol for Halal Meat and Poultry Productions are among the Malaysian standard criteria for halal meat products. Both functions are designed to aid in implementing the halal certification process. In addition, the Department of Islamic Development Malaysia (JAKIM) has issued the new Manual Procedure for Malaysia Halal Certification (MPMHC) (Domestic) 2020 and Malaysian Halal Management System (MHMS) 2020 to promote halal integrity in Malaysia's halal certification process. The standards are crucial for supporting Malaysia's halal meat sector development by ensuring Muslims have real access to only halal meat products as well as preventing any misconduct. The government's efforts have demonstrated the need to protect specific important Shariah values, particularly the religion (faith), body, and mind of Malaysia's Muslim society. It involves the notion of *Sadd al-zara'ie* (stopping the means) and the government's accountability as the *'Ulul amr* to guarantee that *Halalan Toyyiban* meat will be enough and accessible in the local market through the adoption of effective halal governance to address halal meat-related concerns (Ruzulan & Ishak, 2021).

Overall, these authorities work together to ensure that halal frozen meat products meet the requirements and standards for halal certification and that the importation and exportation of these products are adequately regulated.

3.4 Issue: illegal meat importation

Since the emergence of COVID-19 in Brunei, it is acknowledged that the price of imported animal products such as beef and lamb has skyrocketed (Musa & Basir, 2021) as cited in (Sulaiman & Hashim, 2022). For instance, beef prices rose from \$15.20 per kilogram in September 2020 to \$16.14 per kilogram in December 2020. Similarly, by 2020, frozen beef prices had risen from \$12.40 to \$13.50 per kilogram. Hence, it is not surprising that individuals and businesses are more likely to commit food crimes as the cost of food rises (Sulaiman & Hashim, 2022).

Between the years 2020 and 2023, several cases of illegal meat importation have been recorded. On December 29, 2020, an article titled "Frozen Meat without Halal Permit Seized" was published by Borneo Bulletin. The news reported that a joint operation in Temburong District, conducted by BKMh, RCED, and Narcotics Control Bureau (NCB), seized 1.4 tonnes of smuggled frozen meat.

Whereas on February 11, 2021, an article titled 'Smuggled Raw Meat, Beef Lungs Seized Outside House' was published by Borneo Bulletin. The article stated that RCED and BKMh had discovered 1,120kg of raw meat and 191.2kg of beef lungs outside a residence in Mentiri, which has since been confiscated. According to the report, the absence of a halal logo from MUIB on the raw meat and beef lungs suggests they were likely imported into the country without the necessary halal import permit.

Lastly, on January 9, 2023, Borneo Bulletin published an article about meat smuggling titled 'Meat without Halal Import Permit Confiscated in Raid.' The report detailed a joint

operation conducted by the BKMh and the RCED, confiscating six packets of marinated lamb meat, one packet of marinated chicken, and two packets of marinated beef. The meat products were brought into Brunei without a halal import permit, and the raid occurred at a residence in Kampong Mata-Mata, Gadong.

Upon reviewing these published articles, it is evident that all these articles have mentioned that imported halal meat into Brunei must possess a valid halal import permit approved by the relevant authorities. The articles mentioned above have also emphasized the importance of public collaboration in reporting cases of illegal meat importation to the authorities. Nonetheless, the escalating cases of unlawful meat importation have caused apprehension, prompting the authorities and the public to undertake requisite measures and initiatives to mitigate these cases.

3.5 Recommendation

As for recommendations, firstly, the authorities must step up to strengthen the enforcement of HMA and the penalty to intimidate and discourage offenders. Additionally, the authorities should amplify inspections at ports, borders, and the market to ensure that there are no illegal meat import activities. This can be achieved by having two BKMh officers witnessing every shipment or recruiting additional inspectors.

Secondly, reducing individual and corporate ignorance of meat importation legislation is necessary. Hence, it is recommended that the relevant authority be more transparent and open regarding the steps and procedures for Halal import meat (Khalid *et al.*, 2018) by educating the public through any means, such as mass media.

Additionally, acquiring a permit has also been regarded as a challenge for some businesses. They perceived it as burdensome, complicated, lengthy, and expensive. It is suggested that to improve the system's efficiency, recruiting more qualified staff is recommended to quicken the process. Moreover, letting the importing company hire a qualified halal certifier in the country of origin to witness and report to the relevant agency is also a way to improve efficiency. Other than that, the government may appoint local halal certifiers as their representatives in the country of origin.

Finally, it is recommended that the government set up a service or agency with the work scope on halal matters, but primarily to assist and consult companies in applying for certification and permits related to halal. This resolves the 'burdensome, lengthy, and complicated' process of getting a halal certification and permit. This is beneficial for many individuals as it makes it simpler for companies to get halal certification and provides skilled graduates with more significant employment opportunities.

4. Conclusion

As Brunei imports most of its raw beef primarily from foreign countries, halal certification and permits for halal frozen meat products are necessary. This is to ensure that the halal integrity of the supply chain is preserved from any fraudulent and exploitation practices. Consequently, only those with a Halal Import Permit and an export permit from the meat country of origin can import frozen meat products. By highlighting the HMA Section 4[2], the slaughtering house must acquire a permit and certificate to import and distribute the halal frozen

Table 1: Summary of Authorities' Role in Administering and Managing Halal Frozen Meat Products

Ministry	Department/Agency	Role (s)
MORA	MUIB	1. Established HMA and HCHLO. 2. Halal Accreditation Body (approves the issuance of Halal Certificate and Halal Permit). 3. The Religious Council shall be the authority responsible for 4. advising His Majesty, the Sultan and Yang Di-Pertuan on all matters relating to the Islamic Religion. 5. For this Article, His Majesty the Sultan and Yang Di-Pertuan may make laws concerning matters relating to the Islamic Religion after consultation with the Religious Council, but not necessarily in accordance with that Council's advice.
	BKMH	1. To enforce HMA and HCHLO; 2. To control and handle imported halal frozen meat in Brunei. 3. To ensure the imported meat is from the slaughterhouses certified halal by MUIB. 4. To monitor halal slaughterhouses and certificates issued by the Department of Syariah Affairs.
MOH	FSQCD	1. To ensure the importers comply with the Public Health (Food) Act (Chapter 182) and Public Health (Food) Regulation (R1 Chapter 182).
MPRT	DAA	1. Inspecting and certifying frozen meat products to comply with MORA sets' halal requirements. 2. They are working with abattoirs, meat processors, and importers to ensure that frozen meat products meet halal standards. 3. To strengthen traceability through mandatory registration for commercial importers. 4. To inspect and approve applications for authorized quarantine areas. 5. To conduct document and physical inspections at the Brunei Darussalam port of entry. 6. Appointed as the national and international focal point for Sanitary and Phytosanitary (SPS) measures on plant and animal commodities.
MOFE	RCED	1. To administer the regulations governing importing and exporting halal frozen meat products. 2. To ensure frozen meat products meet halal requirements. 3. To ensure all necessary permits and documentation are in place for importation and exportation. 4. To inspect products and their clearance for importation and exportation.

Source: Authors Developed the Table Based on Published Materials.

meat to Brunei Darussalam. In addition, individuals and companies must adhere to Brunei's importation regulation which entails acquiring the necessary licenses and permits to guarantee that the imported goods are safe and conform to Brunei's guidelines. Violating the law may result in severe consequences such as financial penalties, confinement, and other lawful consequences.

In conclusion, each of the authorities has roles and responsibilities to ensure that halal frozen meat products comply with *Shari'ah* law, meet the requirements and standards for halal certification, and that their importation and exportation are appropriately regulated. The researchers have suggested a few recommendations to overcome the illegal smuggling of frozen meat importation cases. This paper has achieved its objective of reviewing the laws and regulations governing the importation of halal frozen meat products in

Brunei Darussalam and discovering the role of relevant authorities, as well as addressing the gaps and proposing recommendations to improve the administration and management of the permits for halal frozen meat products in Brunei Darussalam. BKMH, alongside other agencies, will persist in monitoring and conducting operations regularly to ensure compliance with the country's laws and regulations. The public must also follow the halal meat importation regulations established by the agencies and relay information regarding the dubious sale of meat products in the country to BKMH. Lastly, the public is also urged to acknowledge and be aware of the status of the frozen meat products they purchased as lawful and halal in the country to avoid any doubtful matters.

References

- Attorney General's Chamber. Custom Order 2006. Retrieved from <https://www.agc.gov.bn/AGC%20Images/LOB/Order/ABC/C/Custom%20Order,%202006/Customs%20Order,%202006.pdf> (Accessed on March 3, 2023).
- Attorney General's Chamber. Halal Meat Act Chapter 183. Retrieved from https://www.agc.gov.bn/AGC%20Images/LAWS/ACT_PDF/H/CHAPTER%20183.pdf
- Azalie, I. Z.N. & Samad, N. F. H. (2022). Brunei as a Global Halal Food Hub: Production Network and Strategic Relations in Halal Food Production. *Journal Of Contemporary Islamic Studies*, Volume 8 (Special Issues). Retrieved from https://jcis.uitm.edu.my/images/journal/volume8/issue3si/1_Brunei_as_a_Global_Halal_Food_Hub_Production_Network_and_Strategic_Relations_in_Halal_Food_Production.pdf
- Brunei Darussalam National Single Window. (n.d.). License or Permit. Retrieved from: <https://bdnsw.mofe.gov.bn/Pages/ImpExpLicenceorPermit.aspx> (Accessed on March 3, 2023).
- Brunei Darussalam National Single Window. (n.d.). Prohibited and Restricted Goods. Retrieved from: <https://bdnsw.mofe.gov.bn/Pages/ImpExpProh-RestictionGoods.aspx> (Accessed on March 3, 2023).
- Department of Economic Planning and Statistics, Ministry of Finance and Economy. (n.d). Eleventh National Development Plan (2018-2023) Brunei Darussalam. Retrieved from: https://deps.mofe.gov.bn/DEPD%20Documents%20Library/NDP/NDP11_Eng.pdf (Accessed on March 30, 2023).
- Deuraseh, N. (2019). Shariah and Life: *Halalan Toyyiban* Perspective. Brunei Darussalam: UNISSA Press, Universiti Islam Sultan Sharif Ali
- Ibrahim, N. H. (2022). Halal Policy in Brunei Darussalam. *Journal of Halal Science and Technology*, 1(1), 86-91.
- Khalid, A. M., Haji Masr, M., Muhammad, N., & Pang, W. L. (2018). Brunei Darussalam: Halal Meat and Meat Products Processing. *ERIA*, pp.89-117. Retrieved from https://www.eria.org/uploads/media/RURB_2018_Chapter_4_Halal_meat_Brunei.pdf
- Ministry of Foreign Affairs. (n.d). Quick Facts on Brunei Darussalam. Retrieved from: <https://www.mfa.gov.bn/usa-washington/SitePages/businessinbrunei.aspx> (Accessed on March 30, 2023).
- Ministry of Health (n.d). Importation of Food & Drinks. Retrieved from: <https://www.moh.gov.bn/SitePages/Food%20Safety%20and%20Quality%20Control%20Division.aspx> (Accessed on April 1, 2023).
- Ministry of Health. (n.d). Importation of Fresh Meat. Retrieved from: <https://www.moh.gov.bn/SitePages/Fresh%20Meat%20Import.aspx> (Accessed on April 28, 2023)
- Ministry of Health. (n.d). Personal Imports, Trade Samples & Seized or Detained or Detained Goods. Retrieved from: <https://www.moh.gov.bn/SitePages/Personal%20Import.aspx> (Accessed on April 28, 2023).
- Ministry of Primary Resources and Tourism. (n.d.). Biosecurity Division, Department of Agriculture and Agrifood; Organizational Structure. Retrieved from: <http://www.agriculture.gov.bn/SitePages/Biosecurity.aspx> (Accessed on March 3, 2023).
- Othman, A. (December 29, 2020). Frozen Meat without Halal Permit Seized. Retrieved from Borneo Bulletin's Website: <https://borneobulletin.com.bn/frozen-meat-without-halal-permit-seized-2/> (Accessed on March 3, 2023).
- Othman, A. (February 11, 2021). 'Smuggled' Raw Meat, Beef Lungs Seized Outside House. Retrieved from Borneo Bulletin's Website: <https://borneobulletin.com.bn/smuggled-raw-meat-beef-lungs-seized-outside-house/> (Accessed on March 3, 2023).
- Othman, A. (January 9, 2023). Meat without Halal Import Permit Confiscated in Raid. Retrieved from Borneo Bulletin's Website: <https://borneobulletin.com.bn/meat-without-halal-import-permit-confiscated-in-raid-2/> (Accessed on March 3, 2023).
- Othman, B., Shaarani, S. M., & Bahron, A. (2016). The Potential of ASEAN in Halal Certification Implementation: A Review. *Pertanika Journal of Social Sciences and Humanities*, 24(1), 1-24. Retrieved from https://myjurnal.mohe.gov.my/filebank/published_article/44592/1.pdf
- Ruzulan, Z., Jamaludin, M. A., & Ishak, A. H. (2021). Meat and meat-based products: Challenges and opportunities in halal food security. *IOP Conference Series: Earth and Environmental Science*, 756(1). Retrieved from <https://iopscience.iop.org/article/10.1088/1755-1315/756/1/012017/pdf>
- Sulaiman, S., & Hashim, N. (2022). The Emergence of Halal Food Crimes amidst COVID-19: An Analysis of Illegal and Frozen Meat Issues in Brunei Darussalam. In *Journal of Contemporary Islamic Studies*, Volume 8 (Special Issue). Retrieved from https://jcis.uitm.edu.my/images/journal/volume8/issue3si/12_The_Emergence_of_Halal_Food_Crimes_amidst_COVID-19_An_Analysis_of_Illegal_and_Frozen_Meat_Issues_in_Brunei_Darussalam.pdf