

## The Needs of Systematic Governance for Halal Supply Chain Industry: Issues and Challenges

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### ABSTRACT

The halal industry is predicted to become the most important industry in the near future due to an increase in demand. The World Competitiveness Scoreboard has listed Malaysia in the ranking as a potential leader in the halal industry compared to other Muslim country. However, the perceptions of the Halal industry has been tarnished due to governments' failures in several issue areas over the past several decades. The area of issues including lack of public service delivery needs such as the ambiguity of functions, conflicting roles, poor of job performance, the role of uncertainty and more. Therefore, the needs of an opinion such as experts in industry practitioner, regulators and enforcers for systematic governance in Halal industry are required. This conceptual paper purposely to identify the issues and challenges of governance in the Halal supply chain industry. The paper is part of the literature review which related to the halal governance activities. The findings shall attend a reference to the government of halal authority, higher institutions for academicians and researcher toward development of halal industry in Malaysia.

**KEYWORDS:** Halal Governance, Halal Industry, Systematic Governance.

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### INTRODUCTION

The evolution of the world halal market is more than 2.4 billion dollars with a growth rate exceeding 10 percent per year. Malaysia is aiming towards the achievement to be a well-known halal-hub, a holistic approach towards halal industry is undertaken because Muslims are more discerning towards halal food and product choices. Malaysia is among the fast growing countries in the East Asian region with a population of 28 million people, GDP per capita that ranks within the top 50 in the world, and an export driven economy that has grown consistently even in the midst of the recent economic downturn. The Halal food industry shows a growth from USD 587.2 billion to USD 641.5 billion for the same time in 2010 [3]. The halal industry encompasses many sectors across the halal value chain. The term halal and haram usually describe food products, meat products including food ingredients, beverages and food contact materials, other food related products, beauty cosmetics and personal care goods. Halal or haram is definitely according to the Holy Quran and the Shari'ah principle [8]. Halal products means that the product is Shariah guideline, i.e. do not involve directly of haram and related which means prohibited components, misappropriation of labor or the atmosphere and are not going for harmful or intended for harmful of daily practise. Muslims are obliged by religion to clearly scrutinize products to make sure that they are applicable to use and consume halal products.

The word "Halal" means permissible or lawful by Islamic laws. It refers to foods or products consumed by Muslims. According to [17], halal is when it used in relation to food in any form in the course of trade or commerce where it is applied to lawful products such as foods or drinks. Halal can also take any other expression that indicates or likely to be understood as permission by the Islamic religion and Shariah guidelines to consume and utilize them. The development of the halal industry in Malaysia is parallel with the development of the small and medium- sized enterprises (SMEs). As the halal industry becomes the new source of economic growth in Malaysia, there is a need to promote its intrinsic value and worth to a wide array of parties. These include the involvement of government ministries and other relevant authorities and halal related agencies. The halal industry encompasses a very wide range of goods and services. It does not only apply to food, but also between societies, finance, clothing and Muslims generally agree upon this definition specially in the halal industry.

## LITERATURE REVIEW

### **The Importance of Effective Governance in Halal Industry**

The need to establish a systematic governance for halal industry is currently the most pressing issue. A systematic policy and process concerning Halal and ways of consumption is essential for consumer's satisfaction [2].

Governing is a practise whereby 'officers of the state attempt to rule' [6], which may be more promising to start with the field of practice and to look for ways participants seek to order practice. This involves identifying or constituting to various agencies, the relationship between these agencies and the machinery of government [7]. In Malaysia, as there are more than 20 different ministries and agencies that continue to have input in halal regulation [15] and governance of halal is unsystematic. The belief in halal reassurance is based on a well thought individual conviction, rather on institutional assurance. Consumers are more concerned with the halal logo [10] and some of the Muslim consumers trust halal logo more than those carrying ISO or similar certification [14]. However, the halal logo should be parallel with the systematic governance so that other countries may use and replicate similar method. The output of the halal governance in Malaysia must be the same as the logo approved globally.

The need of systematic governance and collaborative in the country among governmental and non-government is seen as the first step that need to be seriously undertaken prior moving to an international level. One entity body could represent the country in implementing halal standards from the breeding to retailing. The process should be monitored and verified by institutional halal industry. Thus, confidence is instilled in the halal chain process in accordance to the halal standard.

### **Halal Certification and Supervision**

All Islamic requirements and guidance remains unclear, from breeding to retailing, who are checked and monitored in the certification procedure. Several ideologies of halal have yet to be formalized, the authority in ensuring the Halal status of food items and products especially those imported from outside remains unclear. In Malaysia, a government agency, Department of Islamic Development Malaysia (JAKIM) stated that to be work togetherwith the management of the halal chain, especially in adhering to halal standards for acquiring ingredients before a company can be given Halal certification. However, one of the main problems faced by halal certification is the lack of proper policy and monitoring which makes it very difficult to prove if a food-producer adheresto halal requirements especially during production. In [9], the Director-General of Institut Kefahaman Islam Malaysia (IKIM) stated that "It's only when we send representatives to those companies that all of a sudden, everything is in place, but as soon as the representatives leave, it's back to business as usual".

### **Monitoring and Inspecting**

Many questions arise on the authority of daily inspection on business with the use of Halal products. The issue of agencies is not attending to the production house to monitor and inspect. The issue of lack expertise and lack of number of staff was the reason the monitoring and inspecting activities decrease. Monitoring is a potential issue in halal certification especially after the issuance of the Halal certificate, where many companies no longer worry to comply with the halal needs as stated in the certification. Undoubtedly, certification and quality reassurance alone will not provide a satisfactory solution to determine the consumer's need of foods and products.

Issues pertaining quality, safety and hygienic, generic halal aspects, inclusive of the slaughter, storage, display, preparation as well as the hygiene or sanitation are adhered based on guidelines as stated by JAKIM [13]. However, not all of these guidelines are observed. For instance, clear ideologies have yet to be formalized and properly controlled. There are allegations companies do not adhere to halal procedures despite have been certified halal, this allegation misleads the community.

However, application for halal certification is increasing due to the rising demand of consumers. This entails rising incomes in primary markets for halal food, increasing demand for safe, high quality and variety of halal foods [5]. Hence, some policy actions are to establish as governance of halal is disorderly by the government in Malaysia [15]. Although the legislation made by the government would eliminate the problem of fake halal certificates from unreliable sources, yet policy mechanisms are needed to secure the confidence of Muslims in certifying products with several legislation for the protection of consumers in terms of halal foods and products. Nowadays, the presence of Muslims is noticeable socially and politically, thus, there is pressing need for halal-certified food products [12].

However, it remains unclear whether the process of foods and products care based on the monitoring elements. For example, slaughter of meat and poultry to be conducted at abattoirs that adhere to the Islamic law [12]. A production house that manufactures food consumed by Muslim must also follow the relevant Shariah guidelines. Halal food is not only for Muslim consumption, the guidelines of the Halal standard are hygienic to the non-Muslims as well for consumption. Furthermore, relevant agencies practice different policies although aligned to the same ministry and policy. Policy and rules are made for the ministry such as MOH (Ministry of

Health), MOA (Ministry of Agriculture) and more ministry and the agencies enforce and implement the policy as stated. The policy is unclear and non-standardized practices. Another issue is the implementation of activities which includes inspection and monitoring, usually limited to some activities only, commonly gate of entry. Most of the imported products are checked at the gate of entry which is checked for the presence of pork, pork of goods or alcohol and halal certificates. Halal regulation is difficult to be applied and it mainly covers imports, exports, inspection and enforcement [20].

### **Halal and Regulatory**

Standards and Acts are tools for agencies to enforce and implement all of the activities. There is no such mother law or parental law that can be a highest law of halal related matters for halal industry in Malaysia. As far halal governance existence in the halal industry, it is crucial for formulating Halal Act or Halal Regulation that could be a single reference and principal law for halal industry. It is because the issue of different entities with different rights, duties and powers as well as conflict of jurisdiction which results incomprehensiveness occur within both prosecution and jurisdiction. For example, JAKIM and MAIN (Majlis Agama Islam Negeri) need to provide courses and complete module for training in relation to the examination and action to exercise the duties. The MDTCC (Ministry of Domestic Trade, Cooperatives and Consumerism) has appointed JAKIM officers and state Islamic officers as enforcement officers known as assistant trade description controllers under the Trade Descriptions Act 2011. In other words, JAKIM uses the Act (TDA 2011) from MDTCC. JAKIM as the enforcer of Halal supply chain activities however has no veto power. Currently, the ministry has already selected 240 personnel from JAKIM, JAIN (Jabatan Agama Islam Negeri) and MAIN. Modules which relevant to the examination and action must be conducted often to further enhance and create specific rules of enactment to the officers. Appropriate knowledge and exposure pertaining to the raids activities, actions, examinations and knowledge of acts such as the Evidence Act, the Criminal Procedure Code and others which related to the activities [20] must be enhanced. However, limitations arise in the context of modules since there are no firm selection sessions to select JAIS officers as there are officers who do not perform the assigned task [20]. Another issues are the officers itself are not prepared to face the challenges of implementation responsibilities. Not only issues related to the affordability, proficiency and capability of the officers, JAIS also has to deal with the new allocation of staffs or officers in the department [20]. Thus, many officers are not capable of these duties.

### **Halal Certification and Authorized Agencies**

As the demand for halal goods develops and the industry itself is fast heading towards maturity, there is an crucial needs for one common way for halal industry use as a whole. Every individual, organization of Islamic or agency can apply a halal certificate. Any kind of production for commercialization, the acceptability of the halal certificate which depends upon the country of import the goods or the Muslim community in that country whom assisted through such halal certification.

In Malaysia, the Department of Islamic Development (JAKIM) issues the genuine halal certification, which is under Ministry in the Prime Minister's Department controlled. To apply a halal certificate for exports products, the issuing body of the halal certificate must be listed on each country's approved list by JAKIM, Malaysia. Accordingly, every time a local buyer purchases import product, the logo is viewed prior purchase. Products that carry halal logo have more meaningful comparative to those with other similar certifications [13]. The inspection of the food ingredient is important, especially if the product is exported.

The expanding halal food market represents a significant opportunity for international food companies to produce, not only in Muslim countries but also in Western markets. The ever-growing Muslim populations, among whom halal observance is on the increase, represents high impact in the economic revenue. Imported products might be assumed not to be halal, the greater needs of a detected system and easily recognizable certification system is required [12]. When the halal standard system internationally is applied, it would be easier for consumers to buy, either local or imported products, as the halal global standard is applied around the world.

The halal certificate and logo guarantees Muslims as what they consume or use is according to the Islamic laws and guidelines, and the manufacturers meet the halal standards [23]. When halal body certifies a product, a symbol is published on the package to notify consumers that the product is ready for consumption. There are several other symbols used by halal-certifying producers for trade purpose, such an Arabic letter, or the actual word "halal". However, the Muslim consumer will accept products if the logo is from the local halal authority or, in the case of imported products, if it indicates a trustworthy of halal certification of the organization itself. In Malaysia, JAKIM provide information that everyone can get it through the main webpage of JAKIM. Halal logo from different countries that recognized by JAKIM are notified as a guide for consumers.

The halal logo is an authoritative, independent and reliable testimony to support halal food. Furthermore, it provides highest profit to the company with a greater market share. The halal certification enhances the marketability of products in Muslim countries. Moreover, with a small investment cost, multiple growths in

profit are attained. As a result, the halal product's image is boosted and meets customers' needs. JAKIM's approach of halal certification according to Islamic branding could be the vehicle for guaranteeing positive Islamic branding. However, some principles are still debated and there is no worldwide authority on halal neither is there a consistent halal trademark, hence quality assurance founded on the Islamic branding appearances not be adequate in Malaysia and consumers seek additional assurance through effective mechanisms. Hence, the absence of a scheme and authority for having efficient monitoring and controlling of the halal control points throughout the marketing chain, together with the absence of a honesty of halal quality signal or label [11] makes consumers to look for additional assurance through civic quality coordination.

Another related serious issue is who supposedly should checking, monitoring, controlling, and certify halal quality. In other words, the issue of what constitutes halal in the industry; the steps and procedures for quality assessment and monitoring is of paramount consideration for policy redirection. Previous research shows that a person can strictly follow the dietary rules and eat halal meat without following other religious prescriptions [4].

The halal certificate and logo not only guarantees Muslims to buy what they consume or use according to the Islamic laws, but also encourage manufacturers to meet the halal standards [22]. Halal Logo is a guidance to the Muslims because halal products are the absolute key for the consumption to the majority population in Malaysia [13], and manufacturers who have successfully obtained a halal certificate by JAKIM that will provide confidence to the buyers.

Manufacturers and marketers use Halal certification and logos as a way to inform and reassure their target consumers that their products are Halal and Shariah-compliant [18]. JAKIM, the Department of Islamic Development Malaysia is rewarded as the sole issuer of the halal certificate in Malaysia. However, the problem of the absence of a globally standardized in halal authority been raised up in international halal discussion (SMIIC Forum 2015: Standardization and Conformity Assessment on Halal Issues).

Perhaps, one may argue that the main challenge for the execution of a effective Islamic branding lies in overcoming of the existing problem of standards and holistic principles as well as the formation of independent control mechanisms that signal halal quality through a trustworthy label [1]. Members of Organization of Islamic Countries (OIC) have their own institution for Halal certification issue and the standards that there are use is different from one country and another.

### **Development of Conceptual Framework for Halal Governance**

Generally governance refers to the changes in the role, structure and operation process of the government, or the way social problems are resolved [9]. Three main components for halal governance in Halal industry are formulating, implementing and regulatory. According to [21], good governance includes some or all of the following features such as formulating, implementing and regulatory. An efficient public service includes the effectiveness of each agency; an independent judicial system and legal framework to enforce contracts; the accountable administration of public welfare; an independent public auditor, responsible to a representative legislature; respect for the law and human rights at levels of government; a pluralistic institutional structure. Whereas, in [22] classifies the key aspects of governance involving:

- Institutions and actors within government and agencies
- Roles and responsibilities with clearly define functions
- Power dependence in relationships between organizations
- Autonomous self-organizing systems
- Leading by the use of 'steer and guide' rather than command

### **Institutions and Actors within Government and Agencies**

An institution and actors in the Halal industry within government and agencies referring to all agencies in halal sectors include ministry, department and all divisions that related to halal matter such as a halal hub department. Ministry are known to formulate strategies and provides incentives to encourage in halal products and services. The ministry's attention is not only in the planning, drafting and forecast, the ministry also takes a whole view and has operated with the other institution. In example, Malaysia Ministry of Trade and Industry (MITI) operated with the Ministry of Finance to plan and offer encouragements and support endways the whole chain of the halal industry.

At the international level, MITI undertakes an active role in upholding the Malaysian Halal Standard to be used as a point of reference for the International Halal Standard. MITI monitor the agencies which are under MITI such as the Halal Industry Development Corporation (HDC). HDC carries the Malaysian Halal industry toward a mutual goal. By encouragement growth and participation of local businesses in the global Halal market, HDC sets the bar for Halal best practices in Malaysia to enhance the development of Halal standards globally. Through unparalleled knowledge and practise, HDC is reference toward a better understanding of Halal for all in Malaysia. In other words HDC as a main role in promoting Malaysia till international level.

### **Roles and Responsibilities with Clearly Define Functions**

Employees will work efficiently if there is clearly defined job roles and responsibilities. This is particularly important of large institutions to ensure no part of the workload is overlooked. In smaller organizations job roles may be less structured as employees may be required to take on a variety of tasks and responsibilities. Governing reflect the different structural forces inherent in the constitution of policy and interact with one another policy and objective. An issue of lacking an expert in certain areas such as in enforcement activities should consider training for new members as well. There is lack of person in charge of the halal enforcement because it is considered as a new industry. To ensure that the total of halal industry can be achieved, the demand for halal inspectors, executives and supervisors are really needed [16]. The structural dimension of governing not something that has to be forced, but it is clearly defined and well informed about the task and job description instead. Practitioners will be sensitive to the context and the frame of work as well this 'tolerance for ambiguity' becomes a valuable skill for practitioners [19].

### **Power Dependence in Relationships between Organizations**

In [6] stated that the field of practice started in the way of employees seek to order practice which involves recognizing or constituting or deferring to explicit agencies in order, and the relationship between agencies and the machinery of government creates collaboration. The Uniformity should be an important agenda in handling the prosecution of halal related matters in Malaysia. It is true that JAKIM has no power to carry out examinations of halal related matters by reasons of law and enactment. It is undeniably under the powers of MDTCC. Thus, it creates collaboration both agencies to in the halal supply chain for inspection and monitoring activities.

### **Autonomous Self-Organizing Systems**

As the halal industry encompasses many sectors along the value and supply chain, the agency itself will use the act and regulation as a tool to implement an activity that belong to the agencies itself. With sufficient legal and ethical of practices towards halal industry, the agency such as Ministry of Health will refer to the Food Act 1983 and Food Regulation 1985. The agency is made by means of regulations, local-by laws or any rules and regulation that pointed to [24].

### **Leadingby the Use of 'Steer and Guide' Rather Than Command**

With sufficient implementation and involvement of halal agencies towards an objective and policy of halal industry, it gives guidance to the agencies without waiting command from the top. It creates creativity of the employee to ensure halal perspective will be achieved successfully. It also aims to provide platform and share information and upholding the integrity of the halal industry.

### **Halal Supply Chain**

Halal supply chain can be defined as the integration of business process and activities from the early point of origin to the last point of consumption, according to the Islamic law known as Syariah [5]. There are four basic of halal governance in halal industry.

### **Formulating**

For halal governance, formulating is to develop a plan, system or proposal carefully, thinking about all details. The ministry will formulate the policy to ensure the objective is achieved. Ministries that formulate policies are Ministry of Health (MOH), Ministry of Agriculture (MOA) and other relevant ministries. The objective is in tandem to establish Malaysia as a global Halal hub for the promotion, distribution and production of Halal Products and services to countries all over the world.

### **Implementing**

Halal governance activities and implementation are defined to make something such as idea, plan, system to be used as stated by the ministry that formulate the policy and the agencies implement according to the mission, vision and objective of the industry. The agencies, who implement tasks, are JAKIM, KPDNKK, DVS (Department of Veterinary Service), Royal Malaysia Customs and other agencies responsible for implementation and enforcement.

### **Regulatory**

Regulatory is defined to control an activity, process or the industry who officially abides to the rules. In Malaysia, DSM (Department of Standards) is the agency that governs regulatory. The introduction of MS1500:2004 certification, Malaysia now promotes standard which can be replicated by other countries as a coherent for Halal certification. Other standards such as MS1500:2009 which is for Halal Food-production,

preparation, Handling and Storage. MS1900:2005 is for Quality Management systems-Requirements from Islamic Perspective and more about standards for halal industry by Department of Standards Malaysia.

## METHODOLOGY

Since there are limited studies in the field of halal governance, further studies are necessary to obtain a better understanding of the subject matter. Relevant publications available through online databases and trade magazine were searched for this study such as Emerald, Elsevier, ProQuest, ScienDirect and related articles of the relevant topic. Google Scholar was also used in related articles with the key words halal industry, halal supply chain, systematic governance, halal governance and more keywords related to halal industry. Trade magazines such as Halal Journal magazines were used in this study, as academic papers published on the subject matter are still limited. The researcher also used information that was received from unstructured interview and observation from selected agencies of halal industry in Malaysia.

## DISCUSSION

This paper has managed to highlight some pertinent issues related to the need of systematic halal governance. The process of halal principle remains unclear, the activities to issue of halal certificate include from breeding to retailing. The issue of not formalized principles of halal, one would be rightly correct to say that they are obviously not in controlled of the activities of implementation such as monitoring and inspecting. Pertaining to this matter, unified view and cooperative among important stakeholders such as industries, certifying agencies and religious representatives which may contribute to the solution of systematic halal governance was conducted. Regardless of positive development of halal industry and the development on the halal governance framework, it is observed that there is some regulatory issue that are inherently essential to halal governance system such as the legal status of the laws. In addition, this study concludes that the attention of policy makers, industry practitioners, enforcers and religious representatives in most cases have different viewpoints on halal production and processes. The need of unified stakeholder 'network governance' or 'collaborative governance' could bring mutual agreement and understand of each other function. When the idea of the unified body comes across in the Halal industry, differences of viewpoints are not essential. They will be in a one body to govern the whole process halal supply chain in the future.

The role of the government agencies and collaboration among them will strengthen the position of Halal as a role model in the Muslim nations. Not only that the confidence level of halal agencies will be more firm towards halal objective and the consumer of halal products will be more trusting and satisfied. Consumers are aware and concern with the integrity of halal status, especially when it comes from the government authority. The issue of halal status would give an impact towards buyer because of the factor integrity along halal food supply chain. With the sufficient involvement from government part, it will help to coordinate and facilitate of the halal activities and necessary steps will ensure the integrity of the halal industry successfully protected. Realizing that the role of government and position in halal industry which is non-profit oriented agencies will create more confidence among consumers as it is not focusing for profit matters. The relevant authority body in halal certification and halal traceability system is the sole identifying mark to tell that the product has met the necessary Islamic requirements and been proven by the halal authority body. Main agencies of Halal players in Malaysia involve of policy makers such as Economic Planning Unit (EPU), Ministry of Finance (MOF), Ministry of Health (MOH), Ministry of Agriculture (MOA), Ministry of Trade and Industry (MITI) for implementation in terms of halal activities. Whereas, Department of Standards Malaysia (DSM) providing for halal standards such as Halal food-production, preparation, handling and storage. In terms of promoting and halal training HDC, Malaysia External Trade Development Corporation (MATRADE) and Malaysia Productivity Corporation (MPC) more to promoting and training for halal industry. A lot of things to do for halal governance in ensuring that the objective will be achieved.

## CONCLUSION

Halal governance with three main components namely formulating, implementing and regulating enable the sustainable development of all governance in Halal Industry that will promote common understanding throughout all agencies. The development of the Halal industry accelerates to be competitive and able to integrate with world economies. A common standard of practices has yet to be fully established, functional of each agency and sustainable with regulatory in the industry itself. On the other hand, there are numerous benefits of systematic governance not only for the government, but also for the national entity to be as a benchmark for halal industry. On the government side, it strengthens the policy of halal industry, to the performance on overall consumer welfare and has better political relations with the other country. This study represents the first attempt to develop a conceptual framework for halal governance in halal industry.

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