



## Halal Certification Obligations for Hamper-Based Florist Businesses in Indonesia: A Juridical and Islamic Economic Law Perspective

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**Abstract.** The proliferation of hamper-based floriculture in Indonesia signifies a fundamental paradigm shift from conventional decorative services to the complex distribution of consumable commodities. This structural evolution generates profound jurisprudential implications, particularly concerning statutory halal certification obligations. This study critically examines the halal compliance mandate for hybrid florist enterprises through the dual analytical lenses of Indonesian positive law and Islamic economic law (*Fiqh al-Mu'amalat*). Employing a doctrinal legal research methodology, this inquiry utilizes statutory, conceptual, and analytical frameworks to qualitatively evaluate primary, secondary, and tertiary legal materials via deductive reasoning. The findings demonstrate that under positive legal norms, the halal certification obligation for hamper-based florists is juridically contingent upon the enterprise's degree of operational intervention in the production, repackaging, and physical distribution of the consumables. Entities exclusively providing aesthetic services are statutorily exempt, whereas those engaged in downstream product assembly bear strict legal liability. Conversely, from the jurisprudential paradigm of Islamic economic law, this obligation assumes a far more expansive fiduciary scope. Anchored in the foundational axioms of *halalan tayyiban* (wholesome permissibility), the strict prohibition of *gharar* (transactional ambiguity), and the realization of *maslahah* (public interest), Islamic jurisprudence mandates absolute informational transparency and consumer safety. Consequently, hybrid florist operators are legally and ethically compelled to exercise heightened due diligence (*ihhtiyat*) in verifying and preserving the halal integrity of their commercial supply chains.

**Keywords:** Halal Certification; Florist Hampers; Islamic Economic Law; Halalan Tayyiban; Gharar.

### 1. BACKGROUND

The floriculture and floral retail sector has experienced exponential commercial growth in recent years, propelled by escalating consumer demand for aesthetic curation and event organization, ranging from religious observances to state and corporate functions. However, the contemporary demand for floral products is no longer confined to mere aesthetic utility; it has aggressively expanded into the broader service and trade industries, generating substantial economic value (Purba et al., 2024). Evolutionarily, the commercial trajectory of the florist industry has transcended the conventional provision of decorative botany. It has metamorphosed into a hybridized business model encompassing bespoke decoration services, floral arrangements, and the distribution of diverse consumable commodities within integrated service packages. This phenomenon signifies a fundamental paradigm shift from a purely service-dominant logic to an enterprise model exhibiting complex characteristics of retail trade and multi-tier product distribution (Vargo & Lusch, 2004; Purba et al., 2024).

This commercial hybridization is most prominently reflected in the proliferation of the hamper trend in Indonesia, which has fundamentally redefined the construct from a symbolic gift into a bundled consumable commodity of high economic significance. The specific focus on the 2024–2026 temporal paradigm in this study is analytically imperative. This period coincides directly with the critical transitional phase of Indonesia's mandatory halal certification enforcement mandated under Law No. 33 of 2014 and subsequent implementing regulations which established a definitive compliance deadline for food, beverage, and consumable products by October 2024 (Faridah, 2019; Soemitra & Mahendra, 2022). Furthermore, post-COVID-19 pandemic market dynamics have catalyzed a structural shift in consumer behavior. The pandemic necessitated remote social connections, which consequently accelerated the utilization of hampers as essential mediums for professional communication and branding strategies in both personal and corporate spheres (Vritimes, 2026). During the Eid al-Fitr seasons of this period, these packaged bundles have entrenched themselves as highly lucrative opportunities for Micro, Small, and Medium Enterprises (MSMEs), permanently altering the distribution ecosystem of consumable goods (Neowanto, 2026).

From a commercial jurisprudence and marketing perspective, the packaging framework of these hampers plays a critical role. Packaging is not merely a protective vessel; it functions as an essential medium of commercial communication and a determinant of consumer protection. It directly influences consumer cognition and purchasing decisions while serving as the primary legal conduit for conveying statutory product information, including ingredient composition and consumption safety parameters (Erijanto & Fibrianto, 2018; Tieman, 2011). In the context of hampers, the packaging and the disparate internal commodities form an indivisible legal unit, thereby positioning the hamper as a complex, composite consumable product. This complexity arises because hampers invariably aggregate items from disparate third-party suppliers and production chains. Consequently, this multi-sourced bundling triggers profound legal implications regarding informational transparency most notably concerning the halal status of each constituent item, which remains an absolute statutory right and primary concern for Muslim consumers under Indonesian consumer protection frameworks.

From a normative economic law perspective, this shift in the operational nature of the business inherently alters the legal status of the operators. Whereas conventional florists were historically classified as providers of decorative services and thus insulated from strict consumer product safety and halal regulations the contemporary hamper model forcefully subjects these actors to the regulatory purview of product trade standards. This regulatory shift engenders novel legal consequences and compliance burdens previously alien to the floriculture sector (Yuanitasari et al., 2023).

Viewed through the epistemological lens of Islamic economic law (*Fiqh al-Mu'amalat*), this structural transformation exposes critical vulnerabilities regarding transactional transparency and the prohibition of *gharar* (informational asymmetry or uncertainty) (Ahmad, 2020; Nurjanah et al., 2024). When a single hamper consolidates various products possessing disparate origins and unverified halal statuses, the failure to provide unequivocal disclosures to the end-consumer introduces prohibited ambiguity. Such informational deficits constitute a direct violation of the *halalan tayyiban* principle, which philosophically and legally mandates that commodities must not only possess substantive permissibility (halal) but must also manifest empirical safety, hygiene, and clarity throughout their entire supply chain and distribution process (Zainarti et al., 2026; Tieman, 2011).

Therefore, the contemporary hamper phenomenon cannot be reduced to a mere macroeconomic trend; it represents a fundamental disruption in business classification paradigms that generates critical juridical implications, specifically concerning the strict liability of halal certification. This operational shift necessitates rigorous academic scrutiny, as it directly governs the legal responsibilities of florist business actors in guaranteeing the halal integrity of the composite products they distribute.

Simultaneously, MSMEs act as the foundational pillars of the Indonesian national economy. According to the Ministry of Cooperatives and SMEs, the demographic of MSMEs in the 2024–2025 fiscal period encompassed approximately 66 million operational units, functioning as the primary engine for gross domestic product and workforce absorption (Badan Pusat Statistik, 2025). A substantial majority of these entities operate within the intersecting spheres of the culinary and creative economies, directly encompassing modern hybrid florist ventures. Nevertheless, the aggressive

expansion of this sector must be rigorously subordinated to prevailing regulatory frameworks, particularly the national architecture for Halal Product Assurance. Through Law No. 33 of 2014, the State unambiguously mandates that all designated products entering, circulating, or traded within Indonesian jurisdiction must possess formal halal certification. This statutory framework was enacted to manifest legal certainty (*kepastian hukum*) and to fulfill the State's constitutional obligation to protect Muslim consumers (Faridah, 2019).

Despite this statutory mandate, empirical compliance among MSMEs reflects systemic deficiencies. Data from the Halal Product Assurance Organizing Agency (BPJPH) indicates that as of 2024, the issuance of halal certificates plateaued at approximately 3 million a marginal fraction when juxtaposed against the tens of millions of active MSMEs (Ridwan, 2025). This severe disproportion highlights a systemic failure in translating mandatory legal obligations into functional compliance within the lower-tier economic sectors.

This jurisprudential dilemma becomes exponentially more complex when applied to hamper-based florists. Unlike primary culinary producers who manufacture direct consumables, hamper florists predominantly function as downstream assemblers entities that curate, repackage, and distribute pre-existing products within a synthesized bundle. Florists systematically aggregate items from a fragmented supply chain containing a volatile mixture of certified and uncertified commodities. This structural reality creates a distinct regulatory lacuna regarding the exact legal position and certification liabilities of downstream assemblers. Extant literature highlights that the pervasive non-compliance among MSMEs is driven by chronic halal illiteracy, the misconception of certification as a non-essential economic externality, and institutional socializing deficits (Khairunnisa et al., 2025; Soemitra & Mahendra, 2022). Crucially, recent socio-legal analyses reveal that downstream actors those not engaged in primary extraction or cooking falsely presume immunity from halal mandates (Yuanitasari et al., 2023). This exposes a perilous "grey area" in the jurisprudential enforcement of halal laws targeting distributors and repackagers.

While existing scholarship has exhaustively audited halal compliance within primary MSME food producers, there is a pronounced academic void concerning the

juridical analysis of hybrid business models that fuse aesthetic services with the unregulated assembly of consumable goods. Consequently, this research is founded on the hypothesis that the halal certification obligation for hamper-based florists is not absolute, but conditionally contingent upon the precise legal threshold of the actor's involvement in the modification, repackaging, and physical distribution of the constituent commodities.

By resolving this regulatory ambiguity, this article provides a crucial practical contribution to the trajectory of Indonesian legal policy. Specifically, by delineating the precise legal status and liabilities of hybrid florist models, this study offers actionable jurisprudential certainty for the Halal Product Assurance Organizing Agency (BPJPH) to formulate targeted regulatory oversight, while simultaneously establishing a concrete, legally sound compliance blueprint for MSME hamper entrepreneurs navigating the mandatory halal ecosystem.

## **2. LITERATURE REVIEW**

The jurisprudential foundation of this study is anchored in fundamental doctrines of Islamic economic law (*Fiqh al-Mu'amalat*) and contemporary conceptualizations of hybrid business models. Central to this theoretical framework is the principle of *halalan tayyiban*, which functions as a dual-axis standard mandating both the substantive permissibility (*halal*) of a commodity and the processual dimensions of safety, hygiene, and empirical quality (*tayyib*). This principle dictates that a product's halal status is not exclusively contingent upon its raw ingredients, but is equally determined by its processing, packaging, and distribution methodologies. Furthermore, the prohibition of *gharar* (contractual or informational uncertainty) is a critical metric in evaluating consumer transactions. In Islamic economic law, the failure of a business actor to provide transparent, unequivocal disclosure regarding the halal status and exact composition of bundled commodities introduces prohibited ambiguity. Such informational asymmetry structurally disadvantages consumers and violates foundational principles of transactional fairness. Additionally, the principle of *maslahah* (public interest) underpins the legal necessity of mandatory halal regulatory frameworks, aiming to protect the physical and spiritual well-being of consumers (*maqashid al-shariah*) from the latent harms of legally ambiguous products. From a commercial perspective, this study

operationalizes the concept of the hybrid business model, conceptualizing the structural evolution of florists from a purely service-dominant logic historically confined to providing aesthetic experiences to a complex enterprise integrating downstream product distribution and repackaging.

The global proliferation of halal commerce has catalyzed a corresponding evolution in international halal jurisprudence, transitioning from voluntary ethical codes to rigorous statutory mandates. Recent international scholarship (2020–2025) extensively documents this global regulatory paradigm shift. Kamali (2021:75-82) comprehensively elucidates how the internationalization of the halal industry necessitates structural legal convergence, particularly in mitigating uncertainty and preserving integrity within complex, transnational supply chains. In a comparative jurisdictional context, the enforcement of halal certification upon micro, small, and medium enterprises (MSMEs) universally exposes systemic regulatory friction. Examining Malaysia's mature regulatory framework under the Department of Islamic Development (JAKIM), Basarud-din et al (2022) demonstrate that despite centralized state facilitation, small-scale distributors and repackagers disproportionately struggle with high compliance costs and the rigid auditing requirements associated with multi-component bundled goods. Similarly, within non-Muslim majority jurisdictions such as the United Kingdom, legal scholars like Fuseini et al (2021) highlight that small retail and distribution businesses frequently operate in a legally ambiguous space; the absence of codified, state-backed halal standards for secondary repackaging exacerbates *gharar*, leaving consumer protection heavily reliant on fragmented, private certifications.

Within the Indonesian domestic context, extant literature has robustly audited halal compliance within the MSME sector, albeit with a restrictive focus on direct food and beverage manufacturers. Research by Faridah (2019) delineates that statutory halal obligations in Indonesia are theoretically expansive, legally binding the entire supply chain, encompassing secondary processing, packaging, and downstream distribution. This legal necessity is corroborated by Tieman (2011), who doctrinally asserts that physical distribution and warehousing are indivisible components of the halal assurance architecture, mandating strict integrity from all intermediary actors. Nevertheless, empirical compliance among MSMEs remains chronically deficient. Khairunnisa et al.

(2025) attribute this compliance deficit to acute halal illiteracy and a pervasive socio-economic perception that formal certification lacks tangible commercial utility for small operators. Compounding this issue, socio-legal investigations by Yuanitasari et al. (2023) expose a critical regulatory blind spot: downstream business actors who do not engage in primary manufacturing persistently misinterpret the law, erroneously presuming exemption from halal mandates. Concurrently, the juridical significance of packaging has been underscored by Erijanto and Fibrianto (2018), who define it as a legally binding medium for mandatory product disclosure and safety assurance, while Purba et al. (2024) chronicle the commercial mutation of modern florists from simple aesthetic decorators to entities possessing complex trade and distribution characteristics.

Despite this robust body of literature, a pronounced epistemological void persists regarding the juridical analysis of hybrid business models that fuse aesthetic service provision with the unregulated assembly of consumable products. While contemporary studies predominantly address primary producers in the culinary sector (Rosita et al., 2023), the regulatory status of hamper-based florists entities that systematically aggregate diverse commodities from disparate suppliers into novel, complex packages remains largely unexamined. By synthesizing prevailing positive legal norms with the foundational principles of Islamic economic law, this study postulates that halal certification obligations for hamper-based florists are not uniformly absolute, but rather conditionally contingent upon the specific legal threshold of the actor's direct intervention in the modification, repackaging, and physical distribution of the traded consumables.

### **3. RESEARCH METHODS**

This study employs a normative juridical method. According to Soerjono Soekanto, normative legal research is conducted by examining library materials or secondary data as the primary basis for analysis. This type of research does not focus on empirical behavior in the field, but rather on existing legal norms and how such norms are interpreted in practice (Soekanto & Mahmudji, 2003:35). This method is utilized to examine how positive law regulates halal certification obligations and how these norms can be interpreted within the context of hamper-based florist businesses.

Furthermore, Peter Mahmud Marzuki explains that normative legal research aims to discover truth based on the logic of legal scholarship, namely by analyzing prevailing

legal principles, concepts, and rules in order to address specific legal issues (Marzuki, 2005:33). In this study, the legal issue in question concerns the obligation of halal certification in hamper-based florist businesses, which operates within a regulatory grey area.

The approaches employed in this research include the statute approach. This approach is carried out by examining various laws and regulations related to Halal Product Assurance, including Law Number 33 of 2014 on Halal Product Assurance, Law Number 11 of 2020 on Job Creation, and Government Regulation Number 42 of 2024 on the Implementation of Halal Product Assurance. This approach aims to understand the structure of legal norms governing halal certification obligations, as well as the scope of legal subjects bound by these regulations.

The conceptual approach is employed to examine legal concepts relevant to this study, such as the concept of business actors, product distribution, halal supply chains, and hybrid business models. This approach is essential for explaining the phenomenon of hamper-based florist businesses, which are not explicitly regulated but can be analyzed through existing legal concepts (Saputra & Zikky, 2025).

The analytical approach is used to examine the relationship between prevailing legal norms and the practices of hamper-based florist businesses. The analysis is conducted by constructing legal arguments regarding whether the activities of repackaging and distributing products within hampers can be categorized as part of the object of halal certification obligations.

The data used in this study consist of secondary data, including primary legal materials in the form of laws and regulations related to Halal Product Assurance; secondary legal materials such as books, academic journals, and previous research relevant to halal certification, MSMEs, and Islamic economic law; and tertiary legal materials, including legal dictionaries and other supporting literature.

Data collection is carried out through library research, namely by collecting, reviewing, and analyzing various relevant literature sources (Sugiyono, 2014:100). Furthermore, data analysis is conducted qualitatively using a deductive reasoning method, which involves drawing conclusions from general legal norms to specific cases. In this

context, the general norm concerning halal certification obligations is analyzed to determine its application to hamper-based florist businesses as the object of study.

Therefore, the normative juridical method employed in this study is expected to provide a comprehensive analysis of halal certification obligations in hamper-based florist businesses, both from the perspective of positive law and Islamic economic law.

#### **4. RESULTS AND DISCUSSION**

##### **A. Regulatory Framework of Halal Certification in Indonesia**

The statutory mandate for halal certification in Indonesia is unequivocally codified within Law Number 33 of 2014 concerning Halal Product Assurance. This foundational legislation establishes a strict normative paradigm, stipulating that all commodities entering, circulating, and commercialized within the jurisdictional boundaries of Indonesia are subject to a mandatory halal certification regime. This unequivocal directive is articulated in Article 4, which effectively shifts the regulatory framework from a voluntary, market-driven mechanism to a statutory obligation enforced by the state apparatus (Undang-Undang Nomor 33 Tahun 2014 Tentang Jaminan Produk Halal, 2014).

Crucially, the regulatory purview of this legislation is not narrowly confined to primary manufacturers; it expansively captures all entities engaged in the secondary processing, packaging, physical distribution, and retail commercialization of products (Law No. 33 of 2014, Art. 1, Pt. 10). From the perspective of Islamic economic law, this extensive scope legally operationalizes the concept of an integrated halal supply chain, thereby imposing a shared liability (*mas'uliyah*) across all intermediate actors to preserve product integrity from the point of origin to the end consumer (Faridah, 2019; Tieman, 2011).

To fully comprehend the stringency applied to consumable goods within the florist hamper model, a comparative jurisprudential analysis with other regulated sectors such as cosmetics, pharmaceuticals, and usable goods (*barang gunaan*) is highly instructive. Under the phased implementation scheme formalized by the State, there is a distinct regulatory bifurcation. Food and beverage items, which constitute the core components of florist hampers, were subjected to the earliest and most stringent compliance deadlines.

In stark contrast, sectors involving cosmetics, biological products, and chemical pharmaceuticals are granted significantly extended transitional periods. From an Islamic jurisprudential standpoint, this staggered enforcement reflects the socio-legal accommodation of *darurah* (exigent necessity) and *rukhsah* (legal concessions). Pharmaceuticals often involve complex chemical syntheses or life-saving necessities that temporarily mitigate strict liability, whereas cosmetics require complex dermatological safety evaluations (Kamali, 2021; Wibowo & Ahmad, 2016). Conversely, the standard confectionaries and beverages distributed by hybrid florists do not meet the legal threshold of *darurah*; their direct, non-essential ingestion demands immediate, uncompromising adherence to the *azim* (strict rule) of halal compliance.

This mandatory certification framework was subsequently fortified and procedurally streamlined by Law Number 11 of 2020 concerning Job Creation (Omnibus Law). Acknowledging the profound regulatory burden placed on micro, small, and medium enterprises (MSMEs), this legislation restructured the compliance landscape by introducing risk-based licensing and state-facilitated certification mechanisms (Undang-Undang Nomor 11 Tahun 2020 Tentang Cipta Kerja, 2020). The underlying intent is to enhance the institutional capability of the state to formalize the informal economy without stifling entrepreneurial agility.

The technical execution of these sweeping mandates is definitively detailed within Government Regulation Number 42 of 2024 concerning the Implementation of Halal Product Assurance. This executive regulation decisively eliminates any lingering ambiguity regarding downstream actors. It explicitly asserts that the statutory obligation to maintain halal integrity is inextricably attached not only to primary producers but equally to those parties engaged in the repackaging, bundling, and distribution of goods (Peraturan Pemerintah (PP) Nomor 42 Tahun 2024 Tentang Penyelenggaraan Bidang Jaminan Produk Halal, 2024). Consequently, hybrid enterprises operating in multi-component assembly such as hamper florists are legally subsumed under this rigorous statutory monitoring framework.

## **B. Classification of Hamper-Based Florist Businesses**

Based on the author's observations, as well as the operational characteristics and level of involvement in the product value chain, hamper-based florist businesses can be classified into three main categories: decorative service florists, hamper distributor florists, and hybrid florist businesses. This classification is not merely descriptive but also carries juridical implications in determining the legal responsibilities of business actors with respect to halal certification obligations.

***Florists as Decorative Service Providers (Service-Based Business)***

The first category consists of florists that operate purely as decorative service providers, namely businesses that offer floral arrangements without involving consumable products. In this model, the primary value offered lies in aesthetics and symbolic meaning rather than direct consumption.

From a legal perspective, florists in this category are not subject to halal certification obligations, as the object of their business does not relate to food, beverages, or other consumable products regulated under Law Number 33 of 2014 on Halal Product Assurance. Therefore, halal obligations do not attach to this type of business (Faridah, 2019).

From an economic perspective, this model represents a service-based business (service-dominant logic), where value is created through experience and aesthetics rather than through the consumption of goods (Vargo & Lusch, 2004).

***Florists as Hamper Distributors (Distribution-Based Business)***

The second category consists of florists acting as hamper distributors, namely businesses that sell packaged consumable products without engaging in production processes. In practice, business actors procure products from third parties (suppliers) and assemble them into hampers for resale to consumers.

Although they do not engage in production, florists in this category are part of the consumable product distribution chain. In the context of halal law, distribution constitutes an integral component of the halal assurance system, thereby imposing a responsibility on business actors to ensure that distributed products comply with halal standards (Tieman, 2011).

Studies indicate that actors involved in product distribution play a crucial role in maintaining halal integrity throughout the supply chain (Zainarti et al., 2025). Therefore, although not explicitly obligated in the same manner as producers, distributor florists bear an indirect responsibility in ensuring the halal status of the products they market.

### ***Florists as Hybrid Businesses (Hybrid Business Model)***

The third category represents the most complex form, namely florists operating as hybrid businesses that combine decorative services with the trade of consumable products. In this model, business actors not only distribute products but also engage in repackaging, product bundling, and even simple production activities, such as preparing snacks or beverages.

From a legal perspective, repackaging activities may be categorized as part of processing or light production, thereby potentially triggering halal certification obligations. This is consistent with the provisions of Government Regulation Number 42 of 2024 on the Implementation of Halal Product Assurance, which includes packaging and distribution as components of halal assurance implementation.

Conceptually, this model is recognized as a hybrid business model, referring to the combination of service provision and goods trading within a single business entity (George et al., 2021). In the context of MSMEs, this hybrid model has increasingly developed in line with product innovation and evolving market demands.

However, the complexity of this model also gives rise to broader legal implications. When florists engage in repackaging and combine multiple products into a single hamper, they substantively create a “new product” distinct from its original components. This strengthens the argument that florists in this category bear a greater obligation to ensure the overall halal status of the products they offer.

## **C. Analysis of Halal Certification Obligations in Hamper-Based Florist Businesses**

### ***Florists Not Subject to Halal Certification Obligations***

Florists that operate solely in decorative services without involving consumable products are not categorized as businesses required to obtain halal certification. This is because the object of their business is not related to products subject to halal obligations

as stipulated in Article 4 of the Halal Product Assurance Law. Therefore, halal certification obligations do not attach to this type of business (Faridah, 2019).

### ***Florists Subject to Halal Certification Obligations***

Florists that directly produce or process consumable products, such as preparing food or beverages within hamper packages, fall under the category of business actors required to obtain halal certification. This is in line with the provision that all consumable products traded must be halal-certified (Undang-Undang Nomor 33 Tahun 2014 Tentang Jaminan Produk Halal, 2014).

Furthermore, Article 155 of Government Regulation No. 42 of 2024 on the Implementation of Halal Product Assurance stipulates that products required to be halal-certified include both goods and services. Goods subject to halal certification include, among others, food, beverages, pharmaceuticals, cosmetics, chemical products, biological products, genetically engineered products, and consumer goods that are used or utilized. Meanwhile, services subject to halal certification include slaughtering, processing, storage, packaging, distribution, sales, and/or serving.

Accordingly, hamper-based florist businesses may fall within the category of business actors required to obtain halal certification, as they function as providers of goods - such as food, beverages, pharmaceuticals, and cosmetics - as well as service providers involved in packaging and distribution activities (Peraturan Pemerintah (PP) Nomor 42 Tahun 2024 Tentang Penyelenggaraan Bidang Jaminan Produk Halal, 2024).

### ***Florists in the Jurisprudential Grey Area***

This category constitutes the focal point of our jurisprudential inquiry. Hamper-based florists that exclusively procure, repackage, and distribute commodities sourced from fragmented third-party suppliers occupy a precarious legal and regulatory vacuum.

To empirically contextualize this legal ambiguity, an examination of contemporary Micro, Small, and Medium Enterprises (MSMEs) operating within Indonesia's digital economy serves as a critical case study. Observations across prominent e-commerce and social media platforms reveal a pervasive operational model: hybrid florists systematically assemble composite packages integrating confectionaries, artisanal beverages, and decorative botanicals under a unified proprietary brand identity. However,

a fundamental disjuncture exists between positive legal norms and actual commercial practices. In practice, a significant majority of these operators fail to disclose the discrete halal status of the constituent components, thereby injecting prohibited ambiguity (*gharar*) into the consumer transaction.

The implementation of mandatory halal certification within this specific micro-economic sector encounters profound structural and operational challenges. Business actors confront a trilemma of systemic hurdles. First, prohibitive compliance costs and the perceived bureaucratic opacity of the certification process severely deter formal registration, particularly for enterprises operating on marginal profit structures (Juliana et al., 2024). Second, there is an acute deficit in halal literacy; many operators labor under the legal misconception that merely sourcing "Muslim-friendly" or superficially permissible products absolves them of the statutory duty to verify formal certification (Khairunnisa et al., 2025). Third, and most critically from a supply chain paradigm, hybrid florists are heavily reliant on highly volatile upstream suppliers. Securing a fully compliant halal value chain becomes an almost insurmountable logistical hurdle when primary vendors and home-industry suppliers themselves lack statutory certification (Andespa et al., 2024; Tieman, 2011).

Consequently, the enforcement of this statutory mandate exacts a transformative impact on the operational management of hamper enterprises. To mitigate legal liability and conform to Islamic commercial ethics, business operators are compelled to radically restructure their procurement protocols. The mandate necessitates the implementation of rigorous supplier screening mechanisms (vendor due diligence), stringent spatial segregation of certified and uncertified inventory within their production facilities, and a fundamental overhaul of packaging design to incorporate transparent, itemized halal disclosures. This shift demands a higher institutional capability from the MSMEs, transitioning their operations from informal assembly to regulated product management.

From a regulatory standpoint, this operational complexity demonstrates that florists do not function as mere passive conduits of distribution. By stripping original packaging, cross-contaminating potential storage areas, and rebundling these commodities, the operator engages in the constructive assembly of a *de novo* commercial product. Through the lens of Islamic economic law and positive regulatory frameworks, such activities

legally impute strict liability upon the business actor to guarantee the holistic halal integrity of the final hamper, regardless of their non-involvement in the primary extraction or cooking processes.

From the paradigm of *Fiqh al-Mu'amalat* and modern supply chain jurisprudence, every intermediary node within the distribution network bears an unyielding fiduciary duty (*amanah*) to preserve halal integrity (Ahmad, 2020). Therefore, the florist's operational role in downstream product curation demands rigorous legal scrutiny and cannot be ethically or statutorily disregarded under the guise of being a mere decorative service.

#### **D. Analysis from the Perspective of Islamic Economic Law (*Fiqh al-Mu'amalat*)**

From the jurisprudential paradigm of Islamic economic law (*Fiqh al-Mu'amalat*), the statutory obligation to preserve the halal integrity of commodities is not exclusively strictly confined to primary manufacturers; it is an overarching fiduciary duty (*amanah*) that extends across all intermediary nodes within the distribution chain. This principle resonates with the doctrine of collective responsibility in commercial transactions, positing that every business actor participating in the circulation of goods bears strict liability to ensure that the final consumer receives products strictly compliant with Sharia parameters (Tieman, 2011; Ahmad, 2020).

##### **The Principle of *Halalan Tayyiban* as a Substantive and Processual Standard**

Within Islamic commercial jurisprudence, the principle of *halalan tayyiban* functions as a dual-axis metric, evaluating both the substantive permissibility of a commodity and the rigorous processual methodologies associated with its handling. *Halal* denotes the definitive legal permissibility of the object under Islamic law, whereas *tayyib* encompasses the empirical dimensions of hygiene, safety, premium quality, and absolute suitability for consumption (Zainarti et al., 2026).

Substantively, the product must be inherently free from categorically prohibited (*haram*) and impure (*najis*) elements. Processually, every logistical phase—from procurement and storage to the final repackaging must adhere to strict quality assurance protocols. In the practical context of a hybrid florist enterprise, the implementation of *halalan tayyiban* requires rigorous operational protocols. It is insufficient for a florist to

merely procure raw items that are substantively halal. Practically, the florist must enforce strict spatial segregation in their assembly studios to prevent cross-contamination (*najis*) between consumable goods and potentially hazardous chemical agents commonly used in floriculture, such as alcohol-based floral preservatives, pesticides, or non-food-grade adhesives. Failure to maintain this hygienic boundary fundamentally voids the *tayyib* aspect, rendering the hamper compromised, regardless of the initial status of the enclosed snacks.

### ***The Prohibition of Gharar and the Imperative of Supplier Screening***

In Islamic economic law, the doctrine of *gharar* constitutes a profound prohibition against informational asymmetry, deception, or uncertainty within a contractual exchange. *Gharar* materializes when there is ambiguity regarding the object of the transaction, which invariably disadvantages one party and corrupts the integrity of the contract (Nurjanah et al., 2024; Kamali, 2021:85-92).

In the operational matrix of hamper-based florists, *gharar* manifests acutely when operators fail to provide transparent, itemized disclosures regarding the halal status of the constituent products. Bundling anonymous, unverified commodities into a new package places the Muslim consumer in a legally precarious position, unable to ascertain compliance. In *fiqh muamalah*, omitting critical product provenance such as stripping the original halal labeling during repackaging is not a mere administrative oversight; it is an exploitative ambiguity categorized as *gharar al-fahish* (excessive uncertainty).

To systematically eliminate this *gharar*, business operators are mandated to operationalize stringent "Supplier Screening Protocols" (vendor due diligence). In practice, a florist must not engage in blind procurement. The enterprise must establish a Standard Operating Procedure (SOP) requiring all third-party suppliers (e.g., local bakeries, chocolate artisans) to furnish valid halal certificates prior to the execution of any purchase agreement. If a supplier operates within the informal sector without certification, the florist must either independently verify the ingredients to ensure zero risk of *syubhat* (doubt) or exclude the vendor entirely from their supply chain. Thus, halal certification serves as a structural mechanism to eradicate transactional ambiguity.

### ***The Principle of Maslahah as the Foundation of Halal Policy Implementation***

From a macro-jurisprudential perspective, the principle of *maslahah* (public interest) serves as the philosophical bedrock for the formulation and enforcement of halal regulations. Conceptually, *maslahah* mandates the acquisition of benefit and the decisive preemption of harm (*jalb al-masalih wa dar' al-mafasid*), aiming to safeguard the foundational objectives of Sharia (*maqashid al-shariah*), specifically the protection of religion (*hifz al-din*) and the protection of life and physical well-being (*hifz al-nafs*) (Dusuki & Abdullah, 2007; Hikam & Khasanah, 2023).

In practice, executing the halal mandate within a small florist business directly actualizes *maslahah*. For example, implementing transparent, serialized labeling on the exterior of the hamper which clearly demarcates the halal status and expiration dates of all internal components acts as a protective shield for the consumer. It prevents the spiritual harm of consuming illicit substances and the physical harm of consuming expired or cross-contaminated goods. The policy must, however, be continuously calibrated. Over-reliance on self-declaration mechanisms by informal suppliers may still breed uncertainty, indicating that state oversight must balance entrepreneurial facilitation with rigorous auditing to ensure the policy genuinely reflects *maslahah 'ammah* (broad public interest) rather than serving as a mere administrative formality.

### ***Business Actors' Fiduciary Responsibility and the Principle of Ihtiyat***

Ultimately, halal compliance transcends statutory administrative burdens; it is a profound manifestation of Islamic business ethics. The modern complexity of composite products, such as hampers, inherently plunges unverified goods into the category of *syubhat* (the legally doubtful).

Therefore, from a Sharia perspective, business actors are compelled to exercise the principle of *ihtiyat* (legal precaution) and *sadd al-dhari'ah* (blocking the means to harm) (Ramlan & Nahrowi, 2014). For florist entrepreneurs, this moral fiduciary duty translates into concrete, practical imperatives: (1) instituting mandatory vendor due diligence; (2) retaining original halal logos on repackaged items; (3) providing an aggregate ingredient and halal index card within the hamper; and (4) deliberately rejecting aesthetically

pleasing but legally ambiguous commodities. By adopting these rigorous practical measures, hybrid florists bridge the gap between regulatory compliance and ethical commercial excellence, ensuring absolute protection for the Muslim consumer.

## 5. CONCLUSION AND SUGGESTIONS

While the statutory mandate for halal certification in hamper-based floriculture remains juridically conditional upon the enterprise's degree of product repackaging, Islamic commercial jurisprudence (*Fiqh al-Mu'amalat*) imposes an absolute fiduciary duty to preserve halal integrity throughout the entire downstream supply chain. To resolve the prevailing regulatory ambiguity, the Halal Product Assurance Organizing Agency (BPJPH) must promulgate targeted regulatory frameworks that establish simplified, risk-proportionate certification pathways specifically tailored for hybrid micro-distribution models. Concurrently, it is imperative that the Ministry of Cooperatives and SMEs (Kemenkop UKM) executes strategic capacity-building interventions by subsidizing compliance costs and institutionalizing halal literacy programs focused on rigorous vendor screening protocols. By synergizing these institutional mandates, the State can systematically eradicate transactional deception (*gharar*) and actualize holistic public interest (*maslahah*), thereby guaranteeing absolute consumer protection without stifling the economic agility of grassroots micro-enterprises.

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