

Implementation of the Decree of the Head of BPJPH No. 20 of 2023 Concerning Amendments to the Decree of the Head of BPJPH No. 57 of 2021 and LPPOM MUI Number SK 46/DIR/LPPOM MUI/XII/14 Regarding the Practice of Buying and Selling Food with Inappropriate Names (Case Study of Food Venues in Binjai City)

Deva Anggraini¹, Muhammad Nur Iqbal²

^{1,2}Institut Syekh Abdul Halim Hasan Binjai

Email: devaanggraini.mhs@insan.ac.id, muhammadnuriqbal@insan.ac.id

This study aims to analyze the implementation of the Decree of the Head of BPJPH Number 20 of 2023 and LPPOM MUI SK Number 46/DIR/LPPOM MUI/XII/14 regarding the practice of naming inappropriate food products in culinary Micro, Small, and Medium Enterprises (MSMEs) in Binjai City. The phenomenon of using controversial or inappropriate product names, such as "Nasi Goreng Satan," reflects a growing trend in marketing strategies that prioritizes uniqueness and consumer attraction, yet raises concerns in terms of compliance with the halalan thayyiban principle. In particular, such naming practices pose administrative and ethical challenges in fulfilling halal certification requirements, especially in relation to decency, Islamic values, and public perception. This research employs a qualitative method with a socio-legal approach, aiming to examine not only the regulatory framework but also its implementation in real social contexts. Data were collected through in-depth interviews with business actors and Halal Product Process Assistants (PPPH), field observations of culinary MSMEs, and analysis of relevant regulatory documents. The data analysis technique utilizes SWOT analysis (Strengths, Weaknesses, Opportunities, Threats) to identify key issues and formulate appropriate mitigation strategies for business actors. The results indicate that there is a significant gap between existing halal product naming regulations and actual branding practices in the field. This gap is primarily caused by the low level of literacy and understanding among MSME actors regarding halal regulations, as well as concerns about losing brand identity and commercial attractiveness when changing product names. Furthermore, weak socialization and limited assistance contribute to the persistence of such practices. To address these challenges, this study proposes several mitigation strategies, including strengthening halal literacy through digital platforms and social media, enhancing persuasive and continuous assistance by PPPH, and reconstructing brand identity that aligns with ethical and decency values while maintaining market competitiveness. These strategies are expected to support MSMEs in achieving halal compliance without compromising their business sustainability and branding effectiveness.

Keywords: Halal Certification, BPJPH Regulation, LPPOM MUI, Product Naming, MSMEs, SWOT Analysis.

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Corresponding Author:

Deva Anggraini

Institut Syekh Abdul Halim Hasan Binjai

devaanggraini.mhs@insan.ac.id

1. Introduction

The development of the culinary industry in Indonesia, particularly in Binjai City, shows significant dynamics along with the rapid advancement of digital technology and changes in people's lifestyles. This transformation is marked by the increasing number of Micro, Small, and Medium Enterprises (MSMEs) operating in the culinary sector and the increasing diversity of product innovations offered to consumers. Increasingly fierce competition requires businesses to not only rely on product quality but also develop

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creative and adaptive marketing strategies to attract consumers' attention amidst the rapid flow of digital information [1]. In this context, branding becomes an important instrument in building product identity while creating differentiation in the market.

One rapidly growing marketing strategy is the use of sensational branding, which is naming products with unique, provocative, and even controversial terms to attract consumer attention. This phenomenon is evident in the emergence of various product names such as "Devil's Fried Rice," "Devil's Noodles," or "Genderuwo Seblak," which are used to describe the level of spiciness or unique taste of food [2]. In Binjai City, this practice has become quite a popular trend because it is considered capable of creating a curiosity effect and increasing visual appeal, especially on social media. These names not only function as product identities, but also as effective promotional tools in building engagement with consumers, especially the younger generation.

However, behind this creativity, inappropriate product naming practices raise new issues in the legal and sharia context. This is because Indonesia, as a country with a majority Muslim population, has established a Halal Product Guarantee (JPH) system that requires all food products to meet halal standards, not only in terms of ingredients and production processes, but also in terms of product naming. The government, through the Halal Product Guarantee Organizing Agency (BPJPH), has issued BPJPH Head Decree Number 20 of 2023 as an improvement on BPJPH Head Decree Number 57 of 2021, which expressly stipulates that product names must not conflict with Islamic law and social norms of decency [3].

These provisions are reinforced by the guidelines from LPPOM MUI through Decree Number 46/DIR/LPPOM MUI/XII/14 concerning the Naming of Halal Products, which prohibits the use of names that lead to disbelief, sin, and things that are disgusting or inappropriate [4]. From a sharia perspective, product naming is not only an administrative aspect, but also reflects moral and ethical values in consumption. Therefore, the use of terms such as "devil" or "devil" in food names has the potential to conflict with the principle of *halalan thayyiban*, which emphasizes that products must not only be halal in substance, but also good and worthy in meaning.

The phenomenon of product naming that does not comply with decency norms in Binjai City cannot be separated from the influence of social media which encourages a culture of instant consumption and an orientation towards virality. MSMEs tend to adopt marketing strategies that focus on visual appeal and uniqueness without considering the long-term implications for legal compliance and sharia values [5]. This condition indicates the still low level of legal literacy and halal literacy among business actors, where compliance aspects are often considered an administrative burden, rather than an integral part of business sustainability [6].

Furthermore, semantically, the use of terms containing negative elements such as spirits or evil can create perceptions that are inconsistent with Islamic values. In the concept of *thayyib*, food should represent goodness, cleanliness, and blessings, so the use of names that contradict these values can diminish the spiritual meaning of consumption [7]. This demonstrates a gap between modern branding practices and the principles of sharia that should be the foundation of the community's economic activities.

Legally, the Decree of the Head of BPJPH Number 20 of 2023 serves as an important instrument in controlling product naming practices to ensure they remain in accordance with moral values and applicable legal provisions. This regulation not only serves as a normative guideline, but also as a supervisory mechanism in the halal certification system, particularly through the *Sihalal* system. Product names that do not comply with the provisions can become administrative obstacles that lead to the rejection of halal certification, thus directly impacting the legality and competitiveness of products in the market [8]. On the

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other hand, the use of foreign terms such as "corndog" also requires standardization to avoid creating ambiguity regarding the halal status of products in the eyes of Muslim consumers.

The enactment of the Decree of the Head of BPJPH Number 20 of 2023 also reflects a significant transformation in the governance of halal certification in Indonesia following the transfer of authority from LPPOM MUI to the Halal Product Assurance Organizing Agency (BPJPH). Previously, LPPOM MUI played a dominant role in determining halal standards and certification procedures, including guidelines related to product names that were considered inappropriate or potentially misleading for Muslim consumers. However, after the implementation of Law Number 33 of 2014 concerning Halal Product Assurance and its subsequent regulations, BPJPH assumed a broader regulatory and administrative role in managing halal certification. Through the Decree of the Head of BPJPH Number 20 of 2023, the government strengthened legal certainty regarding product naming standards within the halal certification process, while still referring to the substantive principles and halal guidelines that had long been developed by LPPOM MUI. This transition demonstrates an effort to create a more integrated, transparent, and accountable halal assurance system while maintaining consistency with Islamic legal values and consumer protection principles. [10]

In an effort to bridge the gap between branding creativity and legal compliance, the role of education and outreach is crucial. Halal Product Process Facilitators (PPPH) are responsible for providing understanding to MSMEs regarding the importance of compliance with halal regulations, including in the aspect of product naming [9]. However, in practice, the mentoring process often faces various challenges, such as resistance from business actors who are worried about losing brand identity and customer loyalty due to product name changes. Therefore, a persuasive and humanistic approach is needed so that business actors can accept changes without feeling economically disadvantaged.

Based on this description, this study aims to comprehensively analyze the implementation of the Head of BPJPH Decree Number 20 of 2023 and the LPPOM MUI guidelines regarding food product naming practices in Binjai City, as well as identify sociological factors that influence the level of compliance of MSMEs with these regulations [10]. This study also seeks to formulate mitigation strategies that can bridge the interests between aspects of legal compliance and business sustainability of business actors.

Using a qualitative approach, this research is expected to contribute to the development of a more inclusive, equitable, and sustainable sharia economic ecosystem. Furthermore, this research is also expected to raise collective awareness among the public, particularly MSMEs in Binjai City, regarding the importance of propriety and ethics in all economic activities. Therefore, strengthening halal regulatory literacy is not merely an administrative obligation but also a long-term investment in maintaining the integrity and trust of the halal market at the local and national levels.

2. Literature Review and Problem Statement

The Concept of Halalan Thayyiban in Islamic Business Ethics

The basic principle of food consumption and production for Muslims is not only based on the legal status of halal (permissible), but must also meet the criteria of thayyib (good, proper, and appropriate). The concept of halal thayyiban is an integration between fulfilling sharia requirements related to raw materials, production processes, and aspects of quality, health, safety, and ethical values in a product [1]. From an Islamic perspective, consumption is not solely aimed at fulfilling biological needs, but also has a spiritual dimension related to the blessings and goodness obtained from the product consumed. Therefore, the thayyib aspect is an important indicator in assessing the suitability of a product, not only from a physical perspective, but also from the meaning and symbols attached to the product.

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In the context of Islamic business ethics (*adab al-tijarah*), product identity, including brand naming, is part of a trust that must be properly maintained. Product names not only serve as a means of identification, but also as a representation of the values and image that are intended to be conveyed to consumers. The use of product names that refer to negative entities such as demons, devils, or spirits can philosophically harm the values of *thayyib*, because they contain meanings that are not in line with the principles of goodness in Islam [2]. This shows that product naming cannot be separated from the moral responsibility of business actors in maintaining the sanctity of sharia values.

Furthermore, literacy regarding Sharia values in business is a crucial long-term investment in maintaining economic stability and the integrity of the halal market. Just as Sharia financial literacy emphasizes an understanding of the prohibitions on usury, *gharar*, and *maisir*, literacy in product naming ethics also requires business actors to internalize Islamic values in every aspect of their business [3]. Without adequate understanding, business actors tend to fall into practices that deviate from Sharia principles in the sole pursuit of commercial gain, potentially damaging consumer trust and long-term business sustainability.

Legal Basis for Halal Product Guarantee in Indonesia

Regulations regarding Halal Product Assurance (JPH) in Indonesia have undergone significant developments, especially since the enactment of Law Number 33 of 2014 concerning Halal Product Assurance, which changed the nature of halal certification from voluntary to mandatory [4]. This transformation aims to provide legal certainty and protection for Muslim consumers so they can consume products that are guaranteed halal in their entirety, both in terms of ingredients, production processes, and other aspects. Thus, halal certification is not only a religious necessity, but also part of the consumer protection system in Indonesia.

The implementation of this law is then elaborated through various derivative regulations issued by the Halal Product Assurance Organizing Agency (BPJPH). One of the most recent regulations is Decree of the Head of BPJPH Number 20 of 2023 concerning the Criteria for the Halal Product Assurance System (SJPH), which is a refinement of the previous regulation [5]. This regulation emphasizes the importance of ethical product naming as part of the halal assurance system. Product names are not permitted to use terms that conflict with Islamic law or societal norms of propriety, so the symbolic aspect of a product is also a consideration in the halal certification process.

This regulation also serves as an administrative risk mitigation tool in the halal certification process. Product names that do not comply with the provisions can create technical obstacles in the certification application system and even potentially lead to rejection. Therefore, this regulation serves not only as a normative guideline but also as a control mechanism to ensure that every product circulating in the community comprehensively meets halal standards [6].

Synergy of BPJPH and LPPOM MUI Regulations

Before the establishment of BPJPH as an official government institution, LPPOM MUI had already established guidelines regarding the naming of halal products through LPPOM MUI Decree Number 46/DIR/LPPOM MUI/XII/14. These guidelines detail the criteria for product names that are not permitted in the halal context, including names containing elements of Satan or evil figures, terms that lead to immorality or impoliteness, and names that can mislead consumers regarding the halal nature of the product [7]. These guidelines are an important basis for maintaining the integrity of halal products, not only from a substantive aspect, but also from a symbolic aspect.

The synergy between BPJPH regulations and LPPOM MUI guidelines creates more comprehensive standards for the halal certification system in Indonesia. In practice, the Sihlal system used by BPJPH integrates these various provisions, including the product name verification process. This system serves as an initial filter to detect the use of terms that do not comply with Sharia principles, thus preventing violations from the administrative stage [8].

The coordination between BPJPH and LPPOM MUI demonstrates efforts to harmonize state regulations and religious authorities in maintaining the quality of halal products. This synergy is expected to make the halal certification process more effective and ensure that products distributed are not only halal in substance but also reflect Islamic ethical and decency values. This is crucial for building consumer trust and strengthening Indonesia's position as a global hub for the halal industry.

Regulatory Literacy and Behavior of MSME Actors

The low level of compliance of MSMEs with halal regulations is often influenced by limited legal literacy and low levels of self-efficacy in dealing with policy changes. Lack of understanding of regulations makes it difficult for business actors to adapt their business practices to applicable provisions, including in terms of product naming [9]. Furthermore, psychological factors such as fear of change also become obstacles in the adaptation process, especially when the changes are perceived as having the potential to impact brand identity and consumer loyalty.

The phenomenon occurring in Binjai City demonstrates a gap between theoretical knowledge and practical application. The use of product names such as "Devil's Fried Rice," "Hotdog," and "Corndog" reflects that business owners still prioritize creativity and market appeal over compliance with halal regulations. This suggests that branding is often positioned as a primary strategy for increasing sales, without considering the potential legal and sharia implications [10].

Furthermore, the fear of losing brand equity is also a factor influencing business owners' decisions to rebrand. Many businesses feel that changing a product's name can reduce its appeal and disrupt existing relationships with consumers. Therefore, an approach that is not only normative but also persuasive and educational is needed to increase business awareness [11].

Efforts to increase halal regulatory literacy can be implemented through various strategies, such as extensive outreach through social media, training for MSMEs, and direct mentoring by Halal Product Processing Assistants (PPPH). This approach is expected to help business actors understand the importance of regulatory compliance as part of business sustainability. Thus, increasing literacy serves not only as an educational tool but also as a means to build collective awareness regarding the importance of integrity in the sharia economic ecosystem [12].

3. Method

This study uses a qualitative method with an empirical juridical approach to analyze the implementation of halal product naming regulations on MSMEs in Binjai City. This approach was chosen because it is able to examine the gap between applicable legal norms and practices in the field in more depth and contextually [13]. The research location was determined purposively in culinary centers in Binjai City which have quite high MSME activity. The research subjects included culinary business actors and Halal Product Process Facilitators (PPPH) as key informants who understand the regulatory aspects and their implementation. Primary data were collected through in-depth interviews to explore the perspectives of business actors and

halal facilitators, direct observation of the use of brand identities on products, and documentation of relevant regulations, such as the Decree of the Head of BPJPH Number 20 of 2023 [14].

Furthermore, data analysis techniques are carried out through several stages, namely data reduction, data presentation, and systematic drawing of conclusions to produce valid and structured findings [15]. In addition, this study also uses a SWOT (Strengths, Weaknesses, Opportunities, Threats) analysis to formulate mitigation strategies that can be implemented by business actors in adjusting product naming practices to applicable regulations. Data validity is guaranteed through source and technical triangulation techniques, namely by comparing the results of interviews, observations, and existing legal documents, so that an objective and comprehensive picture is obtained regarding the implementation of halal product naming regulations in the field [16].

4. Results and Discussion

Typology of Culinary Product Naming in Binjai City

Based on direct observations conducted at several culinary hotspots in Binjai City, such as Binjai Merdeka Square, Bandarjo Tanjung Jati, and Kebun Lada, researchers found a diversity of product naming practices that could be categorized as "anomalous" or not fully compliant with halal certification regulations. This phenomenon indicates that MSMEs tend to use naming strategies oriented towards market appeal without considering applicable normative and legal aspects. In practice, product naming serves not only as an identity but also as a marketing tool capable of influencing consumer perceptions and interests.

In general, culinary product names in Binjai City can be classified into three main categories. First, names that contain elements of spirits or evil, such as "Satan Fried Rice," which is used to describe extreme spiciness and create a unique and challenging impression for consumers. Second, names that use foreign terms that have not been standardized, such as "Corndog" and "Hotdog," are often used without adequate explanation of their meaning and origin, potentially creating ambiguity in the halal certification process. Third, names that contain elements of impoliteness or sensationalism, which are generally used to attract the attention of consumers, especially teenagers, through a provocative approach.

These three typologies demonstrate a tendency among business actors to prioritize commercial aspects over regulatory compliance. This indicates a gap between actual practices and the normative provisions established in the Halal Product Assurance system. Therefore, a more comprehensive understanding is needed among MSMEs regarding the importance of product naming that is not only attractive for marketing but also compliant with Sharia principles and societal norms of propriety.

Internal and External Factors of MSMEs (SWOT Analysis)

Based on in-depth interviews with several MSMEs in Binjai City, we obtained an overview of the internal and external conditions influencing their readiness to adapt product naming practices to halal regulations. To analyze these conditions more systematically, a SWOT (Strengths, Weaknesses, Opportunities, and Threats) analysis approach was used to identify the supporting and inhibiting factors faced by these businesses.

The analysis shows that MSMEs possess a high level of creativity in building product branding and have established a loyal customer base for their product names. However, weaknesses remain, including low levels of regulatory literacy, particularly regarding BPJPH Decree Number 20 of 2023, and concerns about the risk of declining sales if product names are changed. Furthermore, significant opportunities exist through the government's Free Halal Certificate (Sehati) program, as well as assistance from PPPH

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(Indonesian Halal Product Promotion Agency) that can assist businesses in the halal certification process. However, businesses also face the threat of rejection by the Sihlal system and potential administrative sanctions if they fail to adjust their product identity. The following is a summary of the SWOT analysis results:

Aspect	Description
Strengths	There is high creativity in branding and customer loyalty that has been formed towards the old product name.
Weaknesses	Low level of regulatory literacy regarding BPJPH Decree No. 20 of 2023 and concerns about the risk of financial loss due to rebranding
Opportunities	The availability of the Free Halal Certificate (Sehati) program from the government as well as assistance from PPPH in Binjai City
Threats	The risk of rejection of certification applications in the Sihlal system and potential administrative sanctions if product identity adjustments are not made.

This analysis shows that successful regulatory implementation depends not only on legal aspects, but also on the psychological readiness, knowledge, and external support received by MSMEs. Therefore, a comprehensive strategy is needed to optimize existing strengths and opportunities while minimizing weaknesses and threats in the process of adapting to halal regulations.

Implementation of BPJPH Decree No. 20 of 2023 and LPPOM MUI Decree No. 46 of 2014

Field findings indicate that the implementation of BPJPH Head Decree Number 20 of 2023 in Binjai City still faces various substantial challenges, both administratively and in terms of business actors' understanding. Normatively, the Sihlal system has been designed as a digital instrument capable of detecting keywords deemed inconsistent with sharia principles, including in product naming aspects. However, in practice, many MSMEs have not yet applied for halal certification because they feel constrained by the requirement to change the name of a product that has long been used and is familiar to consumers [17].

From the regulator's perspective, product naming such as "Devil's Fried Rice" is categorized as a violation of naming ethics in the Halal Product Assurance system. Although the raw materials used substantially meet halal criteria, the product identity is considered to contain elements of falsehood that are contrary to Islamic values [18]. This is in line with the guidelines of LPPOM MUI Decree Number 46/DIR/LPPOM MUI/XII/14 which emphasizes that halal products must not only be free from haram ingredients, but must also reflect the values of purity and appropriateness in their naming [19]. Thus, the symbolic aspect of the product becomes an inseparable part of the halal certification process.

In the local context of Binjai City, Halal Product Processing Assistants (PPPH) often face obstacles in providing outreach and assistance to MSMEs. Many business owners believe that changing product names can reduce market appeal and customer loyalty. This indicates a gap between the normative objectives of the regulation and the economic realities faced by business owners on the ground [20]. Therefore, implementing the regulation requires not only a strong legal framework but also a strategic approach that can bridge the interests of regulators and business owners.

The Dilemma of Branding Creativity and Sharia Compliance

The research results indicate a complex dilemma between creativity in product branding and the demands of compliance with sharia principles. On the one hand, business actors are required to create unique and attractive product identities to compete in a competitive market. However, on the other hand, they must

also comply with regulations that stipulate limitations on product naming. This situation creates a gap between "written law" and "reality on the ground," where business practices often do not fully align with applicable normative provisions [21].

Based on an interview with an employee of the Mie Aceh Seulawah UMKM, it was discovered that the name "Devil Fried Rice" was intended as a metaphor to describe the extreme level of spiciness, not as a form of glorification of spirits. The business owner believes that the name is an effective marketing strategy to attract consumers. However, from a regulatory perspective, the use of the term is still considered inappropriate because it has the potential to harm the sharia values that form the basis of the halal product assurance system [22].

In addition, the use of foreign terms such as "Corndog" and "Hotdog" is also part of the globalization phenomenon in the culinary world that influences the branding patterns of MSMEs. Based on the results of interviews with one of the business actors in the Binjai Merdeka Square area, it was found that the use of these terms is based on market trends and a lack of awareness of the implications of halal regulations. In fact, the business actor admitted that he had not registered his product for halal certification due to a lack of information about the procedure and the assumption that the process requires high costs [23]. This shows that the problems faced are not only related to compliance aspects, but also to limited information and regulatory literacy.

Thus, this dilemma between creativity and compliance cannot be resolved through legal approaches alone; it also requires an educational and persuasive approach that can raise business awareness without stifling innovation. Therefore, a balance is needed between flexibility in branding and adherence to Sharia principles.

Mitigation Strategies and Strengthening Regulatory Literacy

To address the problems encountered in the field, mitigation strategies are needed that are not only normative, but also applicable and sustainable. One strategy that can be implemented is branding reconstruction or rebranding that maintains commercial appeal without violating sharia provisions. For example, the name "Nasi Goreng Setan" can be changed to "Nasi Goreng Petir" or "Nasi Goreng Pedas Nendang," which still reflects the product's character but is more in line with norms of propriety [24]. This strategy demonstrates that compliance with regulations does not have to sacrifice the creative aspect of marketing.

Furthermore, strengthening the role of Halal Product Process Facilitators (PPPH) is a crucial factor in increasing MSME compliance with regulations. This assistance should not only be administrative in nature but also prioritize a persuasive and educational approach. PPPH needs to provide an understanding that halal certification is not merely a legal obligation, but also a long-term investment that can increase consumer trust and product competitiveness in the market [25]. Thus, business actors are expected to have a higher awareness of the importance of integrity in business.

In today's digital era, utilizing social media is also an effective strategy in increasing halal regulatory literacy. The Halal Task Force in Binjai City can utilize digital platforms to disseminate educational content that is interesting and easy to understand for MSMEs, especially the millennial generation. Disseminating information through social media is considered more effective because it can reach a wider audience and adapt to current public information consumption patterns [26]. Overall, the mitigation strategy implemented must be collaborative, involving the government, halal facilitators, and business actors themselves. With synergy between various parties, it is hoped that the implementation of halal product naming regulations

can run more optimally, while creating a business ecosystem that is not only competitive but also in accordance with sharia values.

5. Conclusion

Based on the analysis and discussion, it can be concluded that the implementation of BPJPH Head Decree Number 20 of 2023 and LPPOM MUI Decree Number 46 of 2014 in Binjai City still faces challenges in empirical practice. Although the raw materials for MSME products in Binjai generally meet halal criteria, significant ethical inconsistencies in product naming remain. Businesses understand the use of names containing elements of falsehood, such as "Satan Fried Rice," as a branding strategy to represent the level of spiciness, without considering the legal and administrative implications that could hinder the halal certification process. Furthermore, the use of foreign terms such as "Corndog" and "Hotdog" also demonstrates the need to strengthen administrative literacy to avoid ambiguity regarding product halal information in the eyes of consumers.

Furthermore, the main factors behind the continued use of names that do not comply with decency norms are low literacy of halal regulations among MSMEs, as well as concerns about economic risks, particularly the potential loss of brand equity if product names are changed. Therefore, comprehensive mitigation measures are needed through synergy between Halal Product Process Facilitators (PPPH) and MSMEs, prioritizing an educational, persuasive, and humanistic approach. Reconstruction of product naming ethics should be seen as part of strengthening the halal identity that not only meets sharia compliance aspects but also can increase the competitiveness of Binjai MSMEs in the broader halal market, so that creativity in marketing can remain in line with sharia provisions and state regulations.

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