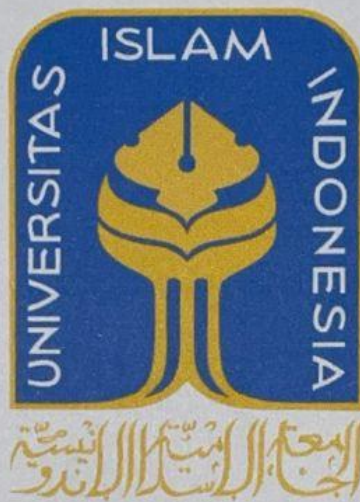


**BPOM REGULATION NUMBER 26 OF 2021
CONCERNING NUTRITIONAL VALUE
INFORMATION ON PROCESSED FOOD LABELS
FROM THE PERSPECTIVE OF SHATIBI'S
MAQASID**



By:

Fastabiq khoirul affan

21421089

THESIS

Submitted to the Department of Ahwal Syakhshiyah
Faculty of Islamic Studies, Islamic University of Indonesia
To fulfill one of the requirements for Obtaining the Islamic Law Degree

YOGYAKARTA

2025

*Acc
unfale Daffar
Munragas
25-2025*

**B POM REGULATION NUMBER 26 OF 2021
CONCERNING NUTRITIONAL VALUE
INFORMATION ON PROCESSED FOOD LABELS
FROM THE PERSPECTIVE OF SHATIBI'S
MAQASID**



Written By:
Fastabiq Khoirul Affan
21421089

Supervisor:
Prof. Dr. YUSDANI, M.Ag,

THESIS

Submitted to the Department of Ahwal Syakhshiyah
Faculty of Islamic Studies Universitas Islam Indonesia
Presented as Partial Fulfillment of The Requirements for Obtaining
a Bachelor's Degree in Law

YOGYAKARTA

2025

STATEMENT LETTER

STATEMENT LETTER

The undersigned below:

Name : Fastabiq Khorirul Affan
Student ID : 21421089
Place and Date of Birth : Cempaka, 3 May, 2001
Thesis Title : *BPOM Regulation Number 26 of 2021 Concerning Nutritional Value Information on Processed Food Labels from the Perspective of Shatibi's Maqasid*

Hereby declare that the results of writing this thesis are my own work and are of true authenticity. If it turns out that at a later date, the writing of this thesis is the result of plagiarism of other people's work, then I am willing to take responsibility and be willing to accept sanctions based on the rules and regulations that apply at the Universitas Islam Indonesia.

Thus, I make this statement honestly and not forcefully.

Yogyakarta, June 2, 2025
Undersigned



Fastabiq khoirul affan

EXAMINER'S APPROVAL



FAKULTAS
ILMU AGAMA ISLAM

Gedung K.H. Wahid Hasyim
Kampus Terpadu Universitas Islam Indonesia
Jl. Kaliurang km 14,5 Yogyakarta 55584
T. (0274) 898444 ext. 4511
F. (0274) 898463
E. fia@uii.ac.id
W. fia.uii.ac.id

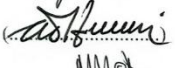
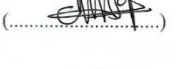
PENGESAHAN

Tugas Akhir ini telah diujikan dalam Sidang Tugas Akhir Fakultas Ilmu Agama Islam Universitas Islam Indonesia Program Studi Ahwal Al-Syakhshiyah Program Internasional yang dilaksanakan pada:

Hari : Selasa
Tanggal : 1 Juli 2025
Judul Tugas Akhir : BPOM Regulation Number 26 of 2021 Concerning Nutritional Value Information on Processed Food Labels from the Perspective of Shatibi's Maqasid
Disusun oleh : FASTABIQ KHOIRUL AFFAN
Nomor Mahasiswa : 21421089

Sehingga dapat diterima sebagai salah satu syarat untuk memperoleh gelar sarjana dari Program Studi Ahwal Al-Syakhshiyah Program Internasional Fakultas Ilmu Agama Islam Universitas Islam Indonesia Yogyakarta.

TIM PENGUJI:

Ketua/Pembimbing : Dr. Yudani, M.Ag (.....)
Penguji I : Dr. Drs. Asmuni, MA (.....)
Penguji II : Dr. Maulidia Mulyani, S.H., M.H. (.....)



INTERNAL MEMO

INTERNAL MEMO

Yogyakarta, June 2, 2025 M
Dzulhijjah 6, 1446 H

Subject : Thesis

Dear : Honorable Dean of the Faculty of Islamic Studies
Universitas Islam Indonesia
Yogyakarta

Assalamu'alaikum Wr. Wb.

Based on the appointment by the Dean of the Faculty of Islamic Studies, Universitas Islam Indonesia, with letter number: 149/Dek/60/DAATI/FIAI/II/2024, on February 7, 2025 AD / Sya'ban 4, 1446 H, for our duties as supervisor of the thesis:

Name : Fastabiq Khoirul Affan

Student Number : 21421089

The student of the Faculty of Islamic Studies, Universitas Islam Indonesia

Department : *Ahwal Syakhshiyah* International Program

Academic Year : 2024/2025

Thesis Title : BPOM Regulation Number 26 of 2021 Concerning Nutritional
Value Information on Processed Food Labels from the
Perspective of Shatibi's Maqasid

After researching and making necessary improvements, we finally decided that your thesis above fulfills the requirements to be submitted to the Munaqashah Trial of the Faculty of Islamic Studies, Universitas Islam Indonesia.

Thus, hopefully it can be tested soon, and together with us, we will send 4 (four) copies of the thesis in question.

Wassalamu'alaikum Wr. Wb.

Supervisor,


(Prof. Dr. YUSDANI, M.Ag.)

SUPERVISOR'S APPROVAL

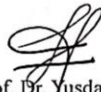
SUPERVISOR'S APPROVAL

The undersigned is the thesis supervisor, certifying that:

Name : Fastabiq Khorirul Affan
Student ID : 21421089
Thesis Title : *BPOM Regulation Number 26 of 2021 Concerning Nutritional Value Information on Processed Food Labels from the Perspective of Shatibi's Maqasid*

According to the process and the results of supervising over several months, and being made necessary improvements, then the concerned person can register herself to join the Munaqashah Trial of the *Ahwal Syakhshiyah* International Program Department, Faculty of Islamic Studies, Universitas Islam Indonesia.

Supervisor
Yogyakarta, June 2, 2025


Prof. Dr. YUSDANI, M.Ag.

MOTTO

Eat That Frog!

“By doing the most challenging task first, the rest becomes easier”¹

— Brian Tracy

¹ Brian Tracy, *Eat That Frog!: 21 Great Ways to Stop Procrastinating and Get More Done in Less Time* (San Francisco: Berrett-Koehler Publishers, 2017), <https://books.google.com/books?id=pFD5DQAAQBAJ>.

ARABIC LATIN TRANSLITERATION GUIDELINES

JOIN DECISION

MINISTER OF RELIGION AND MINISTER OF EDUCATION AND CULTURE OF THE REPUBLIC OF INDONESIA

Number: 158 of 1987

Number: 0543b//U/1987

Transliteration is the transfer of letters from one alphabet to another. Arabic-Latin transliteration here is the copying of Arabic letters with Latin letters and their devices.

A. Consonant

In the Arabic writing system, Arabic consonant phonemes are symbolized by letters. In this transliteration, some are symbolized by letters, and some are symbolized by signs.

The following is a list of the Arabic letters in question and their transliteration with Latin letters:

Table 0.1: Consonant Transliteration Table

Arabic letters	Name	Latin letters	Name
ا	Alif	Not symbolized	Not symbolized
ب	Ba	B	Be

ت	Ta	T	Te
ث	Ṡa	ṣ	es (with a dot on top)
ج	Jim	J	Je
ح	Ḥa	ḥ	ha (with dot below)
خ	Kha	Kh	ka and ha
د	Dal	d	De
ذ	Ẓal	ẓ	Zet (with a dot on top)
ر	Ra	r	er
ز	Zai	z	zet
س	Sin	s	es
ش	Syin	sy	es dan ye
ص	Ṣad	ṣ	es (with dot below)
ض	Ḍad	ḍ	de (with dot below)
ط	Ṭa	ṭ	te (with dot below)
ظ	Ẓa	ẓ	zet (with dot below)

ع	`ain	`	Inverted comma (above)
غ	Gain	g	ge
ف	Fa	f	ef
ق	Qaf	q	ki
ك	Kaf	k	ka
ل	Lam	l	el
م	Mim	m	em
ن	Nun	n	en
و	Wau	w	we
هـ	Ha	h	ha
ء	Hamzah	‘	apostrophe
ي	Ya	y	ye

B. Vowel

Arabic vowels, like Indonesian vowels, consist of single vowels or monophthongs and double vowels or diphthongs.

1. Single vowel

Single Arabic vowels whose symbols are signs or *harakat* are

transliterated as follows:

Table 0.2: Single Vowel Transliteration Table

Arabic letters	Name	Latin letters	Name
اَ	Fathah	a	a
اِ	Kasrah	i	i
اُ	Dammah	u	u

2. Double Vowels

Arabic double vowels whose symbols are a combination of harakat and letters, transliterated in the form of a combination of letters as follows:

Table 0.3: Double Vowels Transliteration Table

Arabic letters	Name	Latin letters	Name
يَا...	Fathah and ya	ai	a and u
وَا...	Fathah and wau	au	a and u

Examples:

- كَتَبَ kataba
- فَعَلَ fa`ala
- سَئِلَ suila
- كَيْفَ kaifa

- حَوْلَ haula

C. Maddah

Maddah or long vowels whose symbols are harakat and letters, transliterated in the form of letters and signs as follows:

Tabel 0.4: *Maddah* Transliteration Table

Arabic letters	Name	Latin letters	Name
أ...إ...ي...	Fathah and alif or ya	ā	a and line above
إ...ي...	Kasrah and ya	ī	i and line above
و...ؤ...	Dammah and wau	ū	u and line above

Examples:

- قَالَ qāla
- رَمَى ramā
- قِيلَ qīla
- يَقُولُ yaqūlu

D. Ta' Marbutah

There are two transliterations for *ta' marbutah*, namely:

1. *Ta' marbutah* live

Ta' marbutah live or which gets *fathah*, *kasrah*, and *dammah* harakat,

transliteration is “t”.

2. *Ta' marbutah* die

Ta' marbutah dies or which gets a *sukun harakat*, the transliteration is “h”.

3. If the last word with *ta' marbutah* is followed by a word that uses the article *al* and the two words are read separately, then the *ta' marbutah* is transliterated with “h”.

Examples:

- رَوْضَةُ الْأَطْفَالِ raudah al-atfāl/raudahtul atfāl
- الْمَدِينَةُ الْمُنَوَّرَةُ al-madīnah al-munawwarah/al-madīnatul munawwarah
- طَلْحَة talhah

E. Syaddah (Tasydid)

Syaddah or tasydid, which in Arabic writing is symbolized by a sign, the syaddah sign or tasydid sign, is transliterated with a letter, which is the same letter as the letter marked with the syaddah.

Examples:

- نَزَلَ nazzala
- الْبِرُّ al-birr

F. The Article

The article in the Arabic writing system is symbolized by a letter, namely *al*, but in this transliteration, the article is distinguished above:

1. The article followed by a shamsiyah letter

The article followed by shamsiyah letters is transliterated according to its sound namely the letter “l” is replaced by the letter that directly follows the article.

2. The article followed by qamariyah letters

The article followed by qamariyah letters is transliterated by the rules outlined in front and by its sound. Whether followed by a shamsiyah or qamariyah letter, the article is written separately from the word that follows and is connected without a gap.

Examples:

- الرَّجُلُ ar-rajulu
- الْقَلَمُ al-qalamu
- الشَّمْسُ asy-syamsu
- الْجَلَالُ al-jalālu

G. Hamzah

Hamzah is transliterated as an apostrophe. However, this only applies to hamzah located in the middle and at the end of words. Hamzah, located at the beginning of the word, is symbolized because in Arabic writing, it is in the form of alif.

Examples:

- تَأْخُذُ ta'khužu

- شَيْءٌ syai'un
- النَّوْءُ an-nau'u
- إِنَّ inna

H. Word Writing

Basically, each word, whether fail, *isim* or letter is written separately. Only certain words whose writing in Arabic letters is commonly combined with other words because there are letters or *harakat* that are omitted, then the writing of the word is also combined with other words that follow it.

Examples:

- | | |
|--|---------------------------------------|
| - وَ إِنَّ اللَّهَ فَهُوَ خَيْرُ الرَّازِقِينَ | Wa innallāha lahuwa khair ar-rāziqīn/ |
| | Wa innallāha lahuwa khairurrāziqīn |
| - بِسْمِ اللَّهِ مَجْرَاهَا وَ مُرْسَاهَا | Bismillāhi majrehā wa mursāhā |

I. Capital Letters

Although capital letters are not recognized in the Arabic writing system, they are used in this transliteration. The use of capital letters is like what applies in EYD, including the use of capital letters to write the initial letter of proper names and the beginning of sentences. When an article precedes a proper name, the initial letter of the proper name is written with a capital letter, not the initial letter of the article.

Examples:

- الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ Alhamdu lillāhi rabbi al-`ālamīn/
Alhamdu lillāhi rabbil `ālamīn
- الرَّحْمَنُ الرَّحِيمُ Ar-rahmānir rahīm/Ar-rahmān ar-rahīm

The use of initial capital letters for Allah only applies when the Arabic writing is complete and if the writing is combined with other words so that there are letters or harakat that are omitted, capital letters are not used.

Examples:

- اللَّهُ غَفُورٌ رَحِيمٌ Allaāhu gafūrun rahīm
- لِلَّهِ الْأُمُورُ جَمِيعًا Lillāhi al-amru jamī`an/Lillāhil-amru jamī`an

J. Tajweed

These transliteration guidelines are an inseparable part of Tajweed Science for those who want fluency in reading. Therefore, the inauguration of these transliteration guidelines needs to be accompanied by Tajweed guidelines.

ABSTRACT

BPOM REGULATION NUMBER 26 OF 2021 CONCERNING NUTRITIONAL VALUE INFORMATION ON PROCESSED FOOD LABELS FROM THE PERSPECTIVE OF SHATIBI'S MAQASID

Fastabiq Khoirul Affan
21421089

Indonesia is projected to have nearly 29 million people with diabetes by 2045, alongside a growing prevalence of prediabetic conditions that pose a serious threat to public health. This study evaluates BPOM Regulation No. 26 of 2021 concerning Nutritional Information on Processed Foods, specifically the provisions on serving size, through the framework of al-Syātibī's Maqāṣid al-Syarī'ah to assess its alignment with public welfare. The research employs a normative juridical method, using descriptive and prescriptive analysis based on the objectives of Islamic law (Maqāṣid al-Syarī'ah) and a review of the legal norm hierarchy. The results indicate that this regulation aligns with public health protection by mandating the inclusion of the Nutritional Information Table (ING) on processed food packaging, giving consumers standardized data to choose a healthy diet and reducing the risk of non-communicable diseases caused by overconsumption of sugar, salt, and fats. From the perspective of al-Syātibī's Maqāṣid, BPOM Regulation No. 26/2021 aligns with the protection of life (ḥifẓ al-nafs), intellect (ḥifẓ al-'aql), and progeny (ḥifẓ al-nasl), and is thus classified as part of the taḥsīniyyāh. This policy not only fulfills the objectives of Islamic law in safeguarding health but also promotes holistic public welfare.

Keywords: *BPOM Regulation, Processed Food Label, Nutritional Information, Maqasid Al-Syariah*

ABSTRAK

PERATURAN BPOM NOMOR 26 TAHUN 2021 TENTANG INFORMASI NILAI GIZI PADA LABEL PANGAN OLAHAN DALAM PERSPEKTIF MAQĀSID AL-SYARĪ‘AH MENURUT AL-SYĀṬIBĪ

Fastabiq Khoirul Affan
21421089

Indonesia diproyeksikan memiliki hampir 29 juta penderita diabetes pada tahun 2045, dengan peningkatan kondisi pradiabetes yang mengancam kesehatan masyarakat. Penelitian ini mengevaluasi Peraturan BPOM No. 26 Tahun 2021 tentang Informasi Nilai Gizi Pangan Olahan khususnya ketentuan ukuran sajian melalui kerangka Maqāsid al-Syāṭibī untuk menilai kesesuaiannya dengan kemaslahatan masyarakat. Metode penelitian adalah yuridis normatif, menggunakan analisis deskriptif dan preskriptif berdasarkan Maqāsid al-Syarī‘ah serta penelaahan hierarki norma. Hasil menunjukkan regulasi ini sejalan dengan perlindungan Kesehatan publik dengan mewajibkan pencantuman ING pada kemasan produk olahan yang memberi konsumen informasi baku untuk memilih pola makan sehat dan mengurangi risiko penyakit tidak menular akibat overkonsumsi gula, garam, dan lemak. Dari perspektif Maqāsid al-Syāṭibī, Peraturan BPOM No. 26/2021 selaras dengan perlindungan jiwa (ḥifz al-nafs), pemeliharaan akal (ḥifz al-‘aql), dan keturunan (ḥifz al-nasl), sehingga dikategorikan sebagai taḥsīniyyāh. Kebijakan ini tidak hanya memenuhi objektif syarī‘ah dalam menjaga kesehatan, tetapi juga mewujudkan kemaslahatan publik secara holistik.

Kata kunci: *Peraturan BPOM, Label Pangan Olahan, ING, Maqasid Al-Syariah*

PREFACE

بسم الله الرحمن الرحيم

الْحَمْدُ لِلَّهِ عَلَى إِحْسَانِهِ، وَالشُّكْرُ لَهُ عَلَى تَوْفِيقِهِ وَامْتِنَانِهِ، وَأَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَحْدَهُ لَا شَرِيكَ لَهُ، تَعْظِيمًا
لِشَأْنِهِ، وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ، أَدَّاعِي إِلَى رِضْوَانِهِ. اَللَّهُمَّ صَلِّ وَسَلِّمْ وَبَارِكْ عَلَى سَيِّدِنَا مُحَمَّدٍ
وَعَلَى آلِهِ وَأَصْحَابِهِ وَمَنْ تَبِعَهُمْ بِإِحْسَانٍ إِلَى يَوْمِ الدِّينِ.

All praise is due to Allah for His kindness, and thanks be to Him for His guidance and grace. I bear witness that there is no deity except Allah alone, without any partner, in exaltation of His status. And I bear witness that Muhammad is His servant and Messenger, the caller to His pleasure. O Allah, send Your blessings, peace, and blessings upon our master Muhammad, and upon his family, his companions, and those who follow them with excellence until the Day of Judgment.

The process of preparing and completing this thesis entitled “BPOM Regulation Number 26 of 2021 Concerning Nutritional Value Information on Processed Food Labels from the Perspective of Shatibi's Maqasid” cannot be separated from the support, guidance, advice, and supervision of various parties involved until this thesis can be completed properly. Therefore, my deepest gratitude goes to the honorable ones:

1. Prof. Fathul Wahid, S.T., M.Sc., Ph.D., as the Rector of Universitas Islam Indonesia.
2. Dr. Drs. Asmuni, M.A, as the Dean of the Faculty of Islamic Studies Universitas Islam Indonesia.
3. Dr. Anton Priyo Nugroho, S.E., M.M., as the Head of the Department Islamic Studies Faculty of Islamic Studies Universitas Islam Indonesia.

4. Krismono, SHI., MSI., as the Head of the Diploma Program in Family Law (Ahwal Syakhshiyah).
5. As the thesis supervisor, Prof. Dr. YUSDANI, M.Ag, has supervised me comprehensively and patiently during these several months.
6. As the academic supervisor, Muhammad Najib Asyrof, S.Pd.I., Lc., M.Ag., has guided and advised me in my educational journey in this department.
7. All lectures of the Study Program in Family Law (Ahwal Syakhshiyah) Faculty of Islamic Studies Universitas Islam Indonesia and Academic Civitas of Faculty of Islamic who have been giving helpful knowledge until this thesis can be finished.
8. Special thanks to my parents, Mrs. Pujiati A.Md.Keb., S.ST and Mr. Mohammad Bisri S.Pd., M.Pd, Words will never be enough to express my deepest gratitude for their boundless love, unwavering blessings, and ceaseless prayers that have carried me through every step of this journey. Your wisdom has been my guiding light, your encouragement my strongest shield, and your sacrifices both seen and unseen a testament to your endless devotion. I'm sorry I have not yet been able to make you truly proud, but please know that your prayers and sacrifices inspire me every day to keep striving and to give my absolute best.
9. For my one and only sister, drg. Mutia Puri Mentari, a Muslim woman whose steadfast iman and kindness I have always admired. Her husband, Amirul Iqbal S.Kom., M.Eng, who has been a great companion. And of

course, for my one and only nephew at this time, Tsaqif Muwaffiq Iqbal, whose endless cuteness and innocence never fail to bring joy.

10. My friends in arms AS IP 2021 also have a role and provide color in my university period.

11. Last but not least, to myself, I express gratitude for the steadfast perseverance and unwavering commitment demonstrated throughout this journey. As you embark upon the realities of life, carry forward with confidence, strength, and an enduring sense of purpose. Your resilience and excellence will continue to guide you toward success.

Yogyakata,

The author.

TABLE OF CONTENTS

STATEMENT LETTER	iii
EXAMINER’S APPROVAL.....	iv
INTERNAL MEMO	v
SUPERVISOR’S APPROVAL	vi
MOTTO	vii
ARABIC LATIN TRANSLITERATION GUIDELINES	viii
ABSTRACT	xvii
ABSTRAK	xviii
PREFACE.....	xix
CHAPTER I INTRODUCTION	1
A. Background	1
B. Research Questions	11
C. Research Objective and Benefits.....	11
D. Discussion systematics	12
CHAPTER II PREVIOUS STUDIES AND THEORETICAL FRAMEWORK	14
A. Previous Studies	14
B. Theoretical Framework.....	29
1. BPOM	29
2. Processed Food Labels	33
3. Nutritional Value Information.....	34
4. Maqāṣid Al-Syarī’ah.....	35
CHAPTER III RESEARCH METHOD	40
A. Type of Research and Approach	40
B. Data Sources	41
C. Supporting Data.....	43
D. Data Selection	43
E. Data analysis techniques	43
CHAPTER IV RESULTS AND DISCUSSION.....	46
A. Regulation of Nutrition Information on Food Labels in Indonesia... 46	
1. The Legal Status of BPOM in Food Regulation in Indonesia	46

2.	Obligations of Processed Food Producers in Providing Nutrition Information	47
3.	The Provisions for the Nutrition Facts Label (ING).....	49
4.	Comparison with International Regulations	50
	B. Analysis of the Compliance of BPOM Regulation Number 26 of 2021 with the Objectives of Public Health Protection in Indonesia..	51
	C. Analysis of Nutritional Information Provisions in BPOM Regulation Number 26 of 2021 from the Perspective of Maqāṣid Al-Syarī‘ah ..	59
	D. Prescriptive Analysis Of Issues.....	64
	CHAPTER V CONCLUDING REMARKS	68
	A. CONCLUSION	68
	B. SUGGESTION.....	69
	REFERENCES	71
	APPENDIX	75
	CURRICULUM VITAE.....	83

CHAPTER I

INTRODUCTION

A. Background

In recent decades, global consumption patterns have undergone a significant shift toward more convenient processed foods. Processed foods often contain high levels of sugar, which is a major contributing factor to obesity and overweight, subsequently increasing the risk of developing non-communicable diseases (NCDs). According to data from the World Health Organization (WHO), NCDs have become the leading cause of global mortality, accounting for 74% of total deaths worldwide in 2021.²

Non-Communicable Diseases (NCDs) are types of diseases that are not transmitted from one individual to another but are related to lifestyle, environmental, or genetic factors. Examples of NCDs include hypertension, diabetes, stroke, cancer, and heart disease. Processed foods, which include items such as fast food, salty snacks, processed meats, and fried foods, are closely linked to an increased risk of NCDs.

Research shows that the consumption of these processed food groups is significantly associated with various chronic diseases, such as hypertension, diabetes, and heart disease, for example, the consumption of fast food and salty snacks contributes to high rates of hypertension and

² World Health Organization, "Noncommunicable Diseases," last modified 2024, accessed December 18, 2024, <https://www.who.int/news-room/fact-sheets/detail/noncommunicable-diseases>.

diabetes.³

The shift in consumption patterns towards processed foods is not only occurring in Western countries but is also increasingly spreading in Muslim-majority countries, particularly in the Middle East and Southeast Asia. Processed foods that are high in sugar, salt, and fat not only pose a risk to health but can also affect lifestyles that should be maintained in accordance with Islamic teachings. Muslim majority countries such as Saudi Arabia, Kuwait, the United Arab Emirates, and Qatar have high diabetes prevalence rates, with Pakistan ranking the highest.⁴

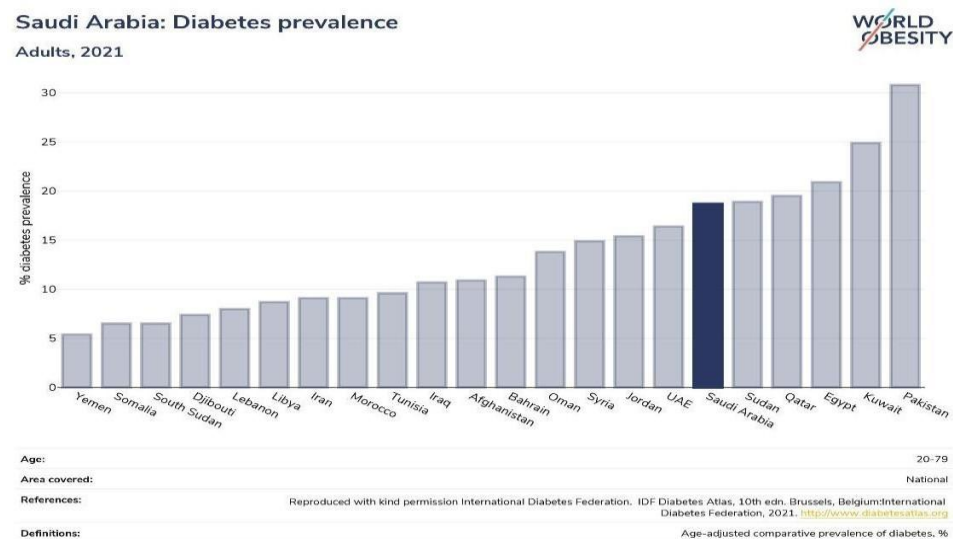


Image 1. Prevalence of Stroke According to the World Obesity Federation in Middle Eastern Muslim Countries

The Global Burden of Disease Study 2010 also revealed that non-

³ Swapnil Godbharle, Hema Kesa, and Angeline Jeyakumar, "Processed Food Consumption and Risk of Non-Communicable Diseases (NCDs) in South Africa: Evidence from Demographic and Health Survey (DHS) VII," *Journal of Nutritional Science* 13 (2024): e19, <https://doi.org/10.1017/jns.2024.13>.

⁴ World Obesity Federation, "Saudi Arabia: Diabetes Prevalence," Global Obesity Observatory, accessed December 27, 2024, https://data.worldobesity.org/country/saudi-arabia-186/#data_comorbidities/diabetes-prevalence.

communicable diseases (NCDs) have become the leading cause of death in Arab countries, with variations among nations of different income levels. In 2008, over 1.2 million people in the Arab world died from NCDs, accounting for nearly 60% of all deaths in the region. The percentage of deaths caused by NCDs varied by country, ranging from 27% in Somalia to approximately 84% in Oman and Lebanon. Furthermore, more than 34% of deaths due to NCDs occurred in individuals under the age of 60.⁵

also faces issues related to sugar consumption. According to the 2018 National Basic Health Research (Riskesdas) survey conducted by the Ministry of Health of the Republic of Indonesia, 61.3% of individuals aged 3 years and above consumed sugary drinks more than once a day, while 30.22% consumed them between one to six times per week. On the other hand, only 8.51% consumed sugary drinks less than three times a month.⁶

Diabetes is becoming an increasingly serious health issue in Indonesia. In 2019, the number of people with diabetes was recorded at approximately 19.4 million, and this figure is projected to rise to 28.5 million by 2045. The age-adjusted prevalence of diabetes also increased from 10.6% in 2019 to 11.7% in 2045. Even more concerning, around 73.7% of diabetes cases in 2019 were undiagnosed, indicating a lack of early detection and limited access to healthcare services.⁷

⁵ Hanan F. Abdul Rahim et al., "Non-communicable Diseases in the Arab World," *The Lancet* 383, no. 9910 (2014): 1490, [https://doi.org/10.1016/S0140-6736\(13\)62383-1](https://doi.org/10.1016/S0140-6736(13)62383-1).

⁶ Laporan Riskesdas 2018 Nasional," 2018.

⁷ International Diabetes Federation, *Diabetes-Related Health Expenditure in Indonesia*:

Looking ahead, Indonesia faces significant challenges related to diabetes. By 2045, the number of people with diabetes is projected to reach nearly 29 million. Additionally, prediabetic conditions such as impaired glucose tolerance (IGT) and impaired fasting glucose (IFG) continue to rise, potentially leading to more diabetes cases if adequate preventive measures are not implemented. This increase underscores the importance of enhancing early detection, improving access to healthcare services, and promoting healthy lifestyles to mitigate the future impact of diabetes.⁸

This phenomenon is closely linked to lifestyle changes influenced by modernization, urbanization, and increased income, which have led to excessive consumption of sugar, salt, and fat. However, the challenge of excessive sugar consumption in Muslim majority countries needs to be viewed from a broader perspective, encompassing public health policies and the role of Islamic values. Policies implemented in each country significantly influence consumption patterns. For instance, the high prevalence of non communicable diseases such as diabetes in Muslim-majority countries like Pakistan, Saudi Arabia, and Egypt is associated with government regulations on sugar consumption and societal lifestyles.

In this context, in line with what Satjipto Rahardjo stated in *Ilmu hukum*, “Law can function to control society and can also serve as a means

2000–2045, IDF Diabetes Atlas, 10th Edition 2021, accessed December 27, 2024, <https://diabetesatlas.org>.

⁸ *ibid*

to bring about changes in society.”⁹ This statement emphasizes that law plays a role as an instrument of social change, capable of guiding society toward better conditions. For example, regulations regarding the labeling of nutritional information on food and beverage products in Indonesia are a strategic step. This effort aims to raise public awareness about the importance of healthy consumption patterns, while also encouraging behavior change that is more responsible for health.

In order to enhance the food safety consumed by the public, the Indonesian government has issued various continuous regulations. Starting with Government Regulation Number 69 of 1999 on Food Labels and Advertisements, which regulates the clarity of information on food labels and advertisements to protect consumers from misleading claims.¹⁰ Until Law Number 18 of 2012 on Food, which serves as the legal foundation for food management, covering aspects such as availability, affordability, safety, and food quality.¹¹ This effort was followed by the establishment of Presidential Regulation Number 80 of 2017 on the Food and Drug Monitoring Agency (BPOM) as a specialized regulatory body in the field of drugs and food.¹²

This is supported by BPOM Regulation Number 26 of 2017 on the

⁹ Satjipto Rahardjo, *Ilmu Hukum* (Bandung: Citra Aditya Bakti, 1991), 189

¹⁰ Republik Indonesia, *Peraturan Pemerintah Republik Indonesia, Nomor 69 Tahun 1999 tentang Label dan Iklan Pangan*, (Jakarta: Sekretariat Negara, 1999).

¹¹ Republik Indonesia, *Undang-Undang Republik Indonesia, Nomor 18 Tahun 2012 tentang Pangan* (Jakarta: Sekretariat Negara, 2012).

¹² Republik Indonesia, *Peraturan Presiden Republik Indonesia, Nomor 80 Tahun 2017 tentang Badan Pengawas Obat dan Makanan* (Jakarta: Sekretariat Negara, 2017).

Organization and Work Procedures of BPOM to clarify the structure and institutional functions.¹³

In the aspect of processed food surveillance, the government regulates through BPOM Regulation Number 1 of 2018 on the Supervision of Processed Foods for Special Nutritional Purposes and BPOM Regulation Number 31 of 2018 on Processed Food Labels, which establishes safety standards and information on processed food products. The supervision of nutritional information labeling has evolved from BPOM Head Regulation Number HK.00.06.51.0475 of 2005, BPOM Head Regulation Number HK.03.1.23.11.11.09605 of 2011, to BPOM Regulation Number 22 of 2019. However, with advancements in science and technology, BPOM Regulation Number 26 of 2021 on Nutritional Information on Processed Food Labels was issued to replace the previous regulations. This regulation aims to ensure that nutritional information on processed food labels is more aligned with the needs of society and current developments.

BPOM Regulation No. 26 of 2021 outlines the provisions for including Nutritional Information (ING) on processed food labels. In paragraph (1), it states that the ING must be presented in the form of a table. Furthermore, paragraph (2) specifies that the ING table must contain several pieces of information, including serving size, number of servings per package, types and amounts of nutrients, types and amounts of non-nutrient

¹³ Badan Pengawas Obat dan Makanan, *Peraturan Badan Pengawas Obat dan Makanan Nomor 26 Tahun 2017 tentang Organisasi dan Tata Kerja Badan Pengawas Obat dan Makanan* (Jakarta: Badan Pengawas Obat dan Makanan, 2017).

substances, the percentage of the Adequate Intake (AKG), and footnotes. In paragraph (3), it explains that the types of nutrients that must be included in the ING table are total energy, total fat, saturated fat, protein, total carbohydrates, sugar, and salt (sodium). These provisions aim to provide clear and comprehensive information to consumers regarding the nutritional content of the processed foods they consume.¹⁴

Although the provisions regarding serving sizes have been clearly regulated in the regulations, their implementation often leads to confusion and misunderstandings among consumers. The main issue faced is that serving sizes are often not well understood by consumers. Many consumers only look at the nutritional content listed on the label, such as calories, fats, or sugars, and assume that these numbers represent the total amount in one package. In reality, these figures refer to the serving size per portion, and a single package often contains more than one serving. This can lead to consumers consuming more than they should, which ultimately poses health

INFORMASI NILAI GIZI / NUTRITION FACT		
Takaran Saji / Serving Size : 10 g		
13 Sajian per Kemasan / 13 Serving per Pack		
Energi Total / Total Calories : 45 kkal		
Energy dari Lemak / Calories from Fat : 15 kkal		
Energy dari Lemak Jenuh / Calories from Saturated Fat : 10 kkal		
	% AKG *) / % Daily Value*)	
Lemak Total / Total Fat	2 g	3 %
Lemak Trans / Trans Fat	0 g	0 %
Kolesterol / Cholesterol	0 mg	0 %
Lemak Jenuh / Saturated Fat	1 g	4 %
Protein / Protein	0 g	0 %
Karbohidrat Total / Total Carbohydrate	7 g	2 %
Gula / Sugar	2 g	

INFORMASI NILAI GIZI		
Takaran Saji: 25g		
8.5 Sajian per Kemasan		
JUMLAH PER SAJIAN		
Energi Total		140 kkal
		%AKG*
Lemak Total	9 g	13%
Kolesterol	3 mg	1%
Lemak Jenuh	2.5 g	13%
Protein	3 g	5%
Karbohidrat Total	12 g	4%
Serat Pangan	2 g	7%
Gula Total	7 g	

Image 2. Examples of serving sizes for various processed (Source: Personal Documentation, 2025)

¹⁴ Badan Pengawas Obat dan Makanan, *Peraturan Badan Pengawas Obat dan Makanan Nomor 26 Tahun 2021 tentang Informasi Nilai Gizi pada Label Pangan Olahan* (Jakarta: BPOM, 2021), Pasal 5.

risks, especially regarding excessive intake of sugar, salt, and fats.

Another challenge is the low level of nutritional literacy in society, which makes it difficult for consumers to understand the information on processed food labels, including serving sizes. This lack of understanding is further exacerbated by inadequate oversight of producers compliance in providing clear and accurate information regarding serving sizes on product label.¹⁵

From the problem above, the researcher feels that there is a gap in the application of serving sizes in Article 6 of BPOM Regulation No. 26 of 2021, which allows many producers to list serving sizes on their products as if they are safe, even though many of these products contain significant amounts of fats, sugars, and salts.

Excessive consumption of sugar and salt is highly dangerous. In this regard, nutritional information labeling plays a crucial role as it directly relates to public health. As a form of responsibility, the state has an obligation to protect the lives of individuals, considering that public health is also a fundamental right that must be guaranteed by the state. This aligns with the provisions of Article 28I paragraph (4) of the 1945 Constitution, which states: “The protection, promotion, enforcement, and fulfillment of human rights are the responsibility of the state, especially the government.”¹⁶

¹⁵ Anna Vipta Resti Mauludyani et al., “Knowledge on Nutrition Labels for Processed Food: Effect on Purchase Decision among Indonesian Consumers,” *Jurnal Gizi Dan Pangan* 16, no. 1 (March 8, 2021): 47–56, doi:10.25182/jgp.2021.16.1.47-56.

¹⁶ Republik Indonesia, *1945 Indonesian's Constitution*, Article 28I(4).

Thus, the right to life, as a component of human rights, must be guaranteed for all Indonesian citizens. This aligns with the principle of *ḥifẓ al-nafs* (protection of life), one of the five essential objectives (*al-ḍarūriyyāt al-khams*) in *maqāṣid al-syarī‘ah*.

According to Shatibi, *taḳlīf* (the imposition of legal obligations) in *syarī‘ah* aims to preserve the *maqāṣid* (objectives) of the law for the benefit of creation. These objectives are categorized into three levels: *ḍarūriyyah* (essentials), *ḥājiyyah* (complementary needs), and *taḥsīniyyah* (embellishments). The *ḍarūriyyāt*, or essential objectives, seek to protect the five fundamental human interests: *ḥifẓ al-nafs* (preservation of life), *ḥifẓ al-‘aql* (intellect), *ḥifẓ al-nasl* (lineage), *ḥifẓ al-dīn* (religion), and *ḥifẓ al-māl* (property).¹⁷

Maqāṣid al-Syarī‘ah can be interpreted as the philosophy of law or the wisdom behind legislative actions (*taḳlīf*), providing guidance for lawmakers and jurists in formulating laws that are meaningful, relevant, and aligned with human and societal needs, adapting to changing times and circumstances. Beyond these traditional objectives, contemporary scholars argue that the scope of *Maqāṣid al-Syarī‘ah* is neither static nor limited. In recent decades, many scholars, such as Jasser Auda, Ibn ‘Āsyūr, and Muḥammad Hāsyim Kamālī, have suggested that its scope should be

¹⁷ Ibrāhīm ibn Mūsā al-Syāṭibī, *Al-Muwāfaqāt fī Uṣūl al-Syarī‘ah*, ed. ‘Abd Allāh Darāz and ‘Abd al-Salām ‘Abd al-Shāfi Muḥammad, Riyadh: Ministry of Religious Affairs (Saudi Arabia), 2 vols, page 7.

expanded to include contemporary issues such as human rights, good governance, justice, freedom, and others.¹⁸

Based on this perspective, the researcher seeks to expand the scope of Maqāṣid al-Syarī'ah according to al-Syātibī, which was initially static and confined to the domain of uṣūl al-fiqh, as outlined in his work al-Muwāfaqāt. In real, the field of Maqāṣid should be dynamic and applicable to various contemporary issues. The Maqāṣid al-Syātibī approach was chosen because it is widely adopted, and overall, the concepts of maqāṣid presented by other scholars are similar to those of al-Syātibī. Therefore, when discussing the concept of maqāṣid in general, it usually refers to al-Syātibī's maqasid. He offers a systematic and comprehensive structure for understanding the objectives of the Syarī'ah through three levels of necessity. His approach enables a structured analysis of policies, particularly those related to societal well-being, as every legal and policy aspect can be categorized according to its level of urgency. The theory's emphasis on maṣlaḥah 'āmmah (public welfare) makes it highly relevant for addressing various modern policy issues.

Therefore, this study aims to examine BPOM Regulation No. 26 of 2021, specifically the provisions concerning serving sizes on processed food labels, through the lens of Maqāṣid al-Syātibī. The primary objective of this

¹⁸ Soofi and Masud AB Soofi dan M Masud, "International Law and Maqasid Al-Shariah," *SSRN Electronic Journal*, 2024, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4937103.

research is to evaluate the extent to which this regulation aligns with the protection and promotion of public well-being, particularly in terms of health and general welfare, which represent core objectives (maqāṣid) of Syarī‘ah.

B. Research Questions

Referring to the background of writing the thesis above, the author provides limitations on the “BPOM Regulation Number 26 of 2021 Concerning Nutritional Value Information on Processed Food Labels in the Perspective of Shatibi's Maqasid” The author's questions are as follows:

1. How does BPOM Regulation No. 26 of 2021 align with the objective of protecting public health?
2. How can the regulation on the nutritional value on processed food labels be analyzed from the perspective of Shatibi's Maqasid?

C. Research Objective and Benefits

1. Objectives

- a) To analyze the alignment of the provisions regarding serving size information on nutritional labeling in BPOM Regulation No. 26 of 2021 with the objective of protecting public health.
- b) To examine the nutritional information labeling on processed food products, specifically the serving size, from the perspective of Maqāṣid al-Syarī‘ah, with a focus on the protection of life (hifz al-nafs).

2. Benefits

a. Theoretical Benefits

- 1) Enhance scientific insights into the application of maqasid al-shariah in public health regulations, particularly regarding nutritional information labels.
- 2) Contribute academically to the study of Islamic law relevant to contemporary.

b. Practical Benefits

- 1) Provide input to the government, particularly BPOM, in refining regulations related to nutritional information labels to make them more effective and aligned with the principles of maqasid al-shariah
- 2) Increase awareness among Muslim communities about the importance of nutritional information labels.

D. Discussion systematics

To facilitate a comprehensive understanding of this research, a clear and structured discussion system is required. This study is organized into five chapters, each consisting of several interrelated sub-chapters. The outline of the chapters is as follows:

1. Chapter I: Introduction

This chapter serves as an introduction to the research, providing readers with an overview of the study's objectives and framework. It is divided into five sections: Background, Problem Formulation, Research Objectives, Research Benefits, and Discussion Systematics.

2. Chapter II: Previous Studies and Theoretical Framework

This chapter presents previous studies, the names of authors, and the conclusions drawn from each study. Additionally, the theoretical framework is discussed, along with the concept of Maqasid al-Shariah, which serves as the reference for analyzing BPOM Regulation No. 26 of 2021 concerning nutritional information labeling.

3. Chapter III: Research Methodology

This chapter outlines the research methods employed in this study, including the type of research and the approaches applied, it also discusses the sources of legal materials, the techniques used to collect these materials, and the qualitative descriptive and prescriptive analysis techniques used in the study.

4. Chapter IV: Analysis and Discussion

The fourth chapter presents the core of the discussion, analyzing BPOM Regulation No. 26 of 2021 through the lens of Maqāṣid al-Syarī'ah, particularly in terms of public health protection.

5. Chapter V: Conclusion and Recommendations

The final chapter summarizes the findings from the analysis and provides recommendations based on the research results. It also includes the bibliography and any relevant appendices, which offer supplementary materials to support the research.

CHAPTER II

PREVIOUS STUDIES AND THEORETICAL FRAMEWORK

A. Previous Studies

This study is titled "BPOM Regulation Number 26 of 2021 Concerning Nutritional Value Information on Processed Food Labels From The Perspective Of Shatibi's Maqasid." Based on the conducted search, the researcher has not found any studies that specifically address this topic. However, there are several research findings that are relevant to this study:

1. "The article titled *"Urgency of Legal Policy Related to Intake Sugar as an Effort to Protect Children from the Threat of Diabetes Mellitus in Indonesia"* by Agung Setiadi Nugroho discusses the pressing need for legal policies regulating sugar intake as an effort to protect children from the threat of diabetes mellitus in Indonesia. The study adopts a normative approach, utilizing two types of legal material primary and secondary and employs two analytical approaches: the legislative and conceptual approaches. The article reveals that, although the government has implemented four legal policies to prevent diabetes mellitus, there is still no specific regulation limiting excessive sugar content in food and beverages marketed to children. Current policies mainly impose requirements on business actors without mandating periodic control over sugar content in products. The article emphasizes the need for stricter supervision and specific regulations (*lex specialis*) to effectively reduce the risk of diabetes mellitus in children through better

sugar intake control.¹⁹ In the context of my research, there is a similarity in analyzing regulations related to public health policies, but the focus differs. While this article addresses the legal aspects of child protection through sugar intake regulation to prevent diabetes mellitus, my research will examine the public health policy from the perspective of Maqāṣid al-Sharī‘ah. The scope of Maqāṣid al-Sharī‘ah is broader, encompassing holistic objectives beyond a single issue such as childhood diabetes, and will focus specifically on BPOM Regulation No. 26 of 2021.

2. *"Analisa Pasal 412 KUHP Baru tentang Kohabitasi: Pendekatan Maqashid as-Syari'ah as-Syathibi dan Teori Social Engineering Roscoe Pound"* The article by Gusti Muslihuddin Sa'adi, Ahmadi Hasan, and Masyithah Umar analyzes Article 412 of the new Penal Code, which regulates cohabitation, through the approach of Maqāṣid al-Sharī‘ah and Roscoe Pound's social engineering theory. This study shows that the prohibition of cohabitation is in line with the principle of hifz al-nasl in maqashid al-shariah, although it falls under the category of takmilat ad-dharuriyat. The article also links the prohibition of cohabitation to the function of law as a tool to regulate society in order to preserve the nation's morality.²⁰ Both studies utilize Shatibi's Maqasid approach with its three-

¹⁹ Agung Setiadi Nugroho, "Urgency of Legal Policy Related to Intake Sugar as an Effort to Protect Children from the Threat of Diabetes Mellitus in Indonesia," *Review of National Law and Justice* 6, no. 2 (2024): 144–152.

²⁰ Gusti Muslihuddin Sa'adi et al., "Analisa Pasal 412 KUHP Baru tentang Kohabitasi (Pendekatan Maqashid Asy-Syari'ah Asy-Syathibi dan Teori Social Engineering Roscoe Pound)," *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory (IJIJEL)* 1 (2023), <https://shariajournal.com/index.php/IJIJEL..>

tiered structure. However, my research concentrates on the public health within the framework of BPOM's draft regulation on Nutritional Information on Processed Food Labels, whereas the article focuses ḥifẓ al-naṣl (preservation of lineage) in the context of regulating cohabitation. This distinction illustrates the varying application of Shatibi's Maqasid in different legal fields.

3. "Maqasid Shariah Based Governance Framework for Halal Industry in Malaysia" by Yasmin Hanani Mohd Safian, Ahmad Zaki Salleh, and Mohamad Aizat Jamaluddin (2021) highlights the importance of a maqasid shariah-based governance framework in Malaysia's halal industry to ensure compliance with shariah principles through both internal and external controls. The article proposes elements such as Islamic accountability, transparency, sharia audits, corporate social responsibility, and the role of the Internal Halal Committee in maintaining halal integrity within companies. The authors also emphasize the need for specific legislation to strengthen oversight of the halal industry.²¹ Both studies adopt the Shatibi's maqasid approach, Which categorizes *Maqāṣid* into three levels, this article emphasizes a combination of Ḥifẓ al-Dīn, Ḥifẓ al-Māl, and Ḥifẓ al-Nafs in halal governance. This difference in focus reflects the diverse application of maqashid shariah in different legal contexts.

²¹ Yasmin Hanani Mohd Safian et al., "Maqasid Shariah-Based Governance Framework for Halal Industry in Malaysia," *International Journal of Business and Economy*, vol. 3, no. 4, 2021, <https://myjms.mohe.gov.my/index.php/ijbec>.

4. The article titled “Applying the Principles of Maqasid Al-Shariah to Address Poverty and Hunger in Indonesia” by Fathoni Nur Alami, Wily Mohammad, and others (2024) discusses the application of Maqasid Al-Shariah principles in the context of poverty and hunger in Indonesia, particularly in relation to achieving Sustainable Development Goals (SDGs) 1 (No Poverty) and SDGs 2 (Zero Hunger). The article employs the core principles of Maqāṣid al-Syarī‘ah, such as Ḥifẓ al-Nafs (preservation of life) and Ḥifẓ al-Māl (preservation of wealth), to demonstrate the relevance of Islam-based strategies in enhancing food security and equitable distribution. The study also reviews initiatives such as zakāt, ṣadaqah, and the Islamic Foodbank model as practical approaches to support poverty alleviation and food security. Using a qualitative method and a systematic review of 25 academic papers, the article highlights the importance of cross-sector collaboration, sustainable agricultural practices, and consumption moderation as part of a holistic Islam-based solution. However, the research does not explicitly specify which scholar’s Maqāṣid framework is used in the study.²²
5. The article "*Analysis of Hifz Al-Mal in Maqasid Al-Shari'ah Against the Article 'Criminal Act of Corruption' in the Criminal Code of Indonesia*" by Sanuri examines the Maqāṣid al-Syarī‘ah perspective on articles in the Indonesian Criminal Code (KUHP) related to corruption. This article

²² Fathoni Nur Alami dan Wily Mohammad, "Applying the Principles of Maqasid Al-Shariah to Address Poverty and Hunger in Indonesia," *International Journal of Islamic Economics and Finance Studies* 6, no. 2 (2024): 102–125.

applies the principle of Ḥifẓ al-Māl (preservation of wealth) within the framework of Maqāṣid al-Syarī‘ah to evaluate changes in the *KUHP*, including the reduction of penalties for corruptors, which is deemed to lessen the deterrent effect. Using a descriptive-critical analytical method, the study concludes that several articles in the *KUHP* still fail to reflect optimal justice and maṣlaḥah, especially in addressing the nation’s urgent need to eradicate corruption. The research also emphasizes corruption as an extraordinary crime requiring a comprehensive approach and equitable policies to protect the broader public interest. This study employs the Maqāṣid al-Syarī‘ah framework of Al-Syātibī, which categorizes *maqāṣid* into three levels: ḍarūriyyāt (necessities), ḥāgiyyāt (complementaries), and taḥsīniyyāt (embellishments) as its analytical framework, although Al-Shātibī is not explicitly mentioned.²³ However, there is a difference in focus. This research highlights *hifz al-mal* in the context of corruption, while my study focuses on analyzing BPOM Regulation No. 26 of 2021 regarding nutritional information labeling.

6. The article titled "*Pengaturan Informasi Nutrigrade dalam Pemenuhan Hak Konsumen (Perbandingan Hukum Indonesia dan Singapura)*" by Rizki Ismu Alif, Hayatul Ismi, and Samariadi discusses the regulation of nutrigrade information in fulfilling consumer rights through a legal comparison between Indonesia and Singapore. The study highlights that

²³ Sanuri, "Analysis of Hifz Al-Mal in Maqasid Al-Shari'ah Against the Article 'Criminal Act of Corruption' in the Criminal Code of Indonesia," *Jurnal Ilmu Hukum Indonesia* 4, no. 2 (2019): 200–220.

Indonesia does not yet have specific regulations concerning nutrigrade, while Singapore has established nutrigrade information through the *Sale of Food Act 1973*, amended in the *Food (Amendment No. 2) Regulations 2021*. In Singapore, nutrigrade helps consumers choose healthier products by providing a rating system from A to D, reflecting sugar and saturated fat content. In contrast, Indonesia's regulations on nutritional information labeling only cover Front of Pack (FOP) Nutrition Labeling, which does not explicitly include nutrigrade. The article also emphasizes the importance of introducing nutrigrade regulations in Indonesia to ensure consumer rights in choosing healthy food and beverages and to encourage industry reformulation toward healthier products. In the context of my research, there is a similarity in analyzing BPOM regulations as a basis for study. However²⁴, the focus differs. This article uses a comparative legal approach to examine nutrigrade regulations in Indonesia and Singapore, while my research focuses on a prescriptive analysis of BPOM Regulation No. 26 of 2021 using the Maqāṣid al-Sharī'ah approach.

7. The article titled "*Aturan Sertifikasi Produk Halal dalam Tinjauan Maqāṣid al-Syarī'ah Jasser Auda*" by Moh. Aqil Musthofa examines the regulation of halal product certification in Indonesia through the perspective of Jasser Auda's Maqāṣid al-Syarī'ah framework. The article highlights that halal certification aims to provide comfort, security, safety,

²⁴ Rizki Ismu Alif, Hayatul Ismi, dan Samariadi, "Pengaturan Informasi Nutrigrade dalam Pemenuhan Hak Konsumen (Perbandingan Hukum Indonesia dan Singapura)," *Jurnal Hukum dan Kebijakan Publik* 9, no. 1 (2023): 50–73.

and assurance of halal product availability for society while enhancing value for businesses. Using the Maqāṣid al-Syarī'ah theory, the study The article outlines three levels of objectives in the Maqāṣid al-Sharī'ah framework: general objectives (al-maqāṣid al-'āmmah), specific objectives (al-maqāṣid al-khāṣṣah), and partial objectives (al-maqāṣid al-juz'iyyah). The general objectives include the protection of life (*ḥifẓ al-nafs*) and wealth (*ḥifẓ al-māl*). The specific objectives emphasize consumer protection from non-ḥalāl products and the promotion of economic benefits for businesses. Meanwhile, the partial objectives involve fostering a responsible work ethic, achieving blessings (*barakah*) in the production and consumption of ḥalāl products, and seeking the pleasure of Allah SWT. In my research, I adopt a similar approach by using *Maqāṣid al-Syarī'ah* to evaluate policies related to food products. However, significant differences exist in the theoretical frameworks employed. This article utilizes Jasser Auda's systems theory of *maqāṣid*, whereas my study is grounded in al-Syātibī's classical framework. Moreover, the object of study in this article focuses on ḥalāl certification regulations, while my research examines the regulation of nutritional information labeling.²⁵

8. The article titled "*Analisis Maqasid Syariah Jasser Auda Terhadap Undang Undang No 12 Tahun 2022 Tentang Tindak Pidana Kekerasan*

²⁵ Moh. Aqil Musthofa, "*Aturan Sertifikasi Produk Halal dalam Tinjauan Maqāṣid al-Syarī'ah Jasser Auda*," *Al-Faruq: Jurnal Hukum Ekonomi Syariah dan Hukum Islam* 1, no. 1 (2022): 13-26, <https://doi.org/10.58518/al-faruq.v1i1.1030>.

Seksual” karya Muhammad Maulana Tajuddin, Muhammad Ariza Hafizhullah, dan Muhammad Fuad Hasan. This article examines Law No. 12 of 2022 on Sexual Violence Crimes through the lens of Jasser Auda's Maqāsid al-Syarī‘ah. The research demonstrates that the law represents a transformative legal step to address the rising cases of sexual violence, including electronic-based violence, in Indonesia. Using a qualitative research method based on a literature study, the article analyzes the law-making process through Jasser Auda's six system theory features: cognitive nature, openness, wholeness, hierarchy, multidimensionality, and purposefulness. The study concludes that the Law on Sexual Violence Crimes aligns with Jasser Auda's Maqasid al-Shariah in efforts to protect victims and deliver legal justice.²⁶ There is a similarity in using Maqasid al-Shariah as an analytical framework, with the difference being that this research employs Auda's Maqasid, while my study uses al-Shatibi's Maqasid. Additionally, the laws analyzed as research objects differ.

9. This thesis, titled *”Analisis Maqasid Syariah Terhadap Peraturan Walikota Banda Aceh Nomor 111 Tahun 2020 Tentang Pembatasan Penggunaan Kantong Plastik di Supermarket, Swalayan, dan Mal”* by Ilham Kamil Rizkal, discusses Banda Aceh Mayor Regulation No. 111 of 2020, which aims to limit the use of plastic bags in supermarkets, mini-markets, and malls as a step to reduce plastic waste. Using the Sharia

²⁶ Muhammad Maulana Tajuddin et al., *”Analisis Maqasid Syariah Jasser Auda Terhadap Undang Undang No 12 Tahun 2022 Tentang Tindak Pidana Kekerasan Seksual,” Jurnal Hukum & Pembangunan Masyarakat* 14, no. 3 (2023): 1–12.

Maqasid approach, this study evaluates the policy in its effort to achieve the common good, including protecting the environment to keep it clean, healthy, and safe. The research employs a descriptive qualitative method with a normative approach to analyze the authority of the Mayor of Banda Aceh and the policy's implementation within the context of Sharia Maqasid. The findings show that this policy aligns with the Sharia Maqasid principles, particularly *hifz al-bi'ah* (preservation of the environment), supporting the creation of an ecosystem's sustainability.²⁷ There is a similarity in the use of Sharia Maqasid as an approach to assess public policy. The difference lies in the regulations that serve as the object of research, with this study referring to Sharia Maqasid in general without focusing on a specific maqasid, whereas my research is more focused on the principle of *hifz al-nafs* in analyzing BPOM Regulation No. 26 of 2021 regarding nutritional information on food labels.

10. The article titled “*Batas Usia Perkawinan dalam Undang-Undang Keluarga Islam Negeri Selangor Tahun 2003: Analisis Perspektif Maqasid Al-Syari’ah*” by Badrul Munir and Tengku Ahmad Shafiq bin Tengku Affandy, discusses the marriage age limits in the Selangor State Islamic Family Law 2003 through the perspective of Maqāṣid al-Syarī’ah. The study shows that Islam does not specifically set a marriage age limit in the

²⁷ Ilham Kamil Rizkal, "Analisis Maqasid Syariah Terhadap Peraturan Walikota Banda Aceh Nomor 111 Tahun 2020 Tentang Pembatasan Penggunaan Kantong Plastik di Supermarket, Swalayan, dan Mall," Skripsi, Fakultas Syari’ah dan Hukum, Universitas Islam Negeri Ar-Raniry Banda Aceh, 2023.

Koran and Hadith but establishes physical and mental capacity as the main requirement. Using primary data from relevant laws, the Koran, Hadith, and fiqh books, as well as secondary data in the form of supporting literature, the research was analyzed using a descriptive qualitative method. The article concludes that the marriage age limits set at 18 years for men and 16 years for women were adjusted to the needs of society at the time. However, this provision is considered less relevant for today's society and requires further evaluation. There is a similarity in the use of Maqāsid al-Syarī'ah to assess public policies.²⁸

11. The research titled "Legal Protection of the Palm Oil Industry Against the Use of Palm Oil Free (POF) Labels on Processed Food Packaging from the Perspective of BPOM Regulation No. 31 of 2018" by Suhaila Ritonga discusses legal issues related to the impact of the "Palm Oil Free" (POF) label on Indonesia's palm oil industry. This label is considered to discredit palm oil, which is a major commodity and an essential economic resource for Indonesia. The use of the POF label not only affects the image of the palm oil industry but also impacts the national economy, especially since Indonesia is the largest producer of palm oil in the world. This study employs a normative legal approach with a literature review method to analyze the impact of the POF label and the available

²⁸ Badrul Munir dan Tengku Ahmad Shafiq bin Tengku Affandy, "*Batas Usia Perkawinan dalam Undang-Undang Keluarga Islam Negeri Selangor Tahun 2003: Analisis Perspektif Maqasid Al-Syari'ah*," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 3, no. 2 (2019): 271–293.

legal protection. Based on BPOM Regulation No. 31 of 2018 and Law No. 18 of 2012 concerning Food, the study finds that the POF label violates legal regulations as it indirectly degrades palm oil products. The results of the study highlight two main points: first, the POF label significantly impacts consumers, the palm oil industry, and the national economy; second, stricter regulations, including administrative or criminal sanctions, are needed to protect the palm oil industry from the negative effects of this label. The findings conclude that the POF label constitutes a form of legal violation requiring stricter oversight and protection to ensure the sustainability of the palm oil industry.²⁹ Its similarity lies in the normative juridical research approach and the discussion of BPOM regulations in the context of products affecting public health, although this research adopts a consumer protection perspective.

12. The article “*Penggunaan Metode Maqasid Al-Syari‘ah Sebagai Alat Analisis*” by Abdul Helim and Aris Sunandar Suradilaga examines the application of the *Maqāṣid al-Syarī‘ah* methodology as an analytical tool in Islamic scholarly works. The study illustrates that *Maqāṣid al-Syarī‘ah* functions as a systematic methodological instrument in determining Islamic legal rulings. This includes several key steps: analyzing classical and contemporary scholarly opinions, deriving the *‘illah* (underlying

²⁹ Suhaila Ritonga, *Perlindungan Hukum Industri Minyak Kelapa Sawit terhadap Penggunaan Label Palm Oil Free (POF) pada Kemasan Pangan Olahan Perspektif Peraturan BPOM Nomor 31 Tahun 2018* (Undergraduate thesis, Universitas Islam Negeri Maulana Malik Ibrahim, Malang, 2021).

cause) and *ḥikmah* (wisdom) behind legal rulings, integrating the principles of Islamic legal theory (*uṣūl al-fiqh*), and identifying the primary benefits (*maṣlahah*) intended by the Syarī'ah.

The article adopts a library research approach by reviewing relevant primary, secondary, and tertiary sources. The authors underscore the significance of applying *Maqāṣid al-Syarī'ah* through practical, structured steps in order to produce legal analyses that are not only comprehensive but also responsive to contemporary social dynamics and changes.³⁰

13. An article titled "*Etika Produksi dalam Pandangan Maqasid Syari'ah*" by Agus Alimuddin. This article examines the ethics of production from the perspective of *Maqāṣid al-Syarī'ah*, specifically referencing the thought of Abū Ishāq al-Shāṭibī. The author highlights that production activities conducted without adherence to Islamic business ethics may result in resource exploitation and moral disintegration. Employing a literature study with a descriptive-analytical approach, the research argues that production within an Islamic economic framework must uphold the five essential objectives of *Maqāṣid al-yharī'ah*: the preservation of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-naḥs*), intellect (*ḥifẓ al-ʿaql*), lineage (*ḥifẓ al-nasl*), and wealth (*ḥifẓ al-māl*). These five dimensions form the foundation for ensuring sustainable, just, and beneficial production practices.

³⁰ A. Helim and A. S. Suradilaga, "Penggunaan Metode Maqasid al-Syari'ah sebagai Alat Analisis," *Jurnal Studi Agama dan Masyarakat* 20, no. 2 (2022): 145–60.

This article aligns with my research in utilizing the *Maqāṣid al-Syarī'ah* framework as an analytical tool. However, it differs in the object of analysis: this article discusses production as an economic activity, whereas my research focuses on the evaluation of legal regulations, particularly nutritional information labeling, through the lens of *Maqāṣid al-Syarī'ah* as conceptualized by al-Syāṭibī.³¹

14. The article “*Hak dan Kewajiban Suami Istri dalam Konsep Kesetaraan Gender Perspektif Maqasid Syariah*” by Muhammad Fuad Mubarak and Agus Hermanto explores the ideal relationship between husband and wife based on the principles of equality and justice. The study emerges from a concern over the continued dominance of patriarchal culture, which often marginalizes women's rights within the household. Utilizing the *Maqāṣid al-Syarī'ah* framework as formulated by Abū Ishāq al-Syāṭibī, the authors argue that a balanced and equitable marital relationship is a practical embodiment of Islamic values, specifically those that uphold mercy and universal well-being (*raḥmatan lil-‘ālamīn*).

This research employs library-based methods with a normative approach and qualitative analysis. It involves a review of relevant literature on the rights and obligations of spouses, which is then analyzed deductively through the lens of *Maqāṣid al-Syarī'ah*. The findings reveal that implementing gender equality in the family contributes significantly

³¹ A. Alimuddin, “*Etika Produksi Dalam Pandangan Maqasid Syariah*,” *Nizham Journal of Islamic Studies* (e-journal.metrouniv.ac.id, 2020), <https://e-journal.metrouniv.ac.id/nizham/article/view/1720>.

to realizing the core objectives of *Maqāṣid al-Syarī'ah*: *ḥifẓ al-dīn* (preservation of religion) is maintained through shared commitment to Islamic values; *ḥifẓ al-naḥs* (preservation of life) through mutual respect and safety; *ḥifẓ al-'aql* (preservation of intellect) through open dialogue and understanding; *ḥifẓ al-māl* (preservation of wealth) through fair and transparent financial management; and *ḥifẓ al-nasl* (preservation of lineage) through responsible and harmonious parenting. Thus, gender equality not only aligns with *Maqāṣid al-Syarī'ah* but also enhances the realization of public benefit (*maṣlaḥah*) within the family structure.

This article shares similarities with my own research in applying the *Maqāṣid al-Syarī'ah* framework according to al-Shāṭibī. However, the two studies differ in focus: while this article centers on gender and family relations, my research examines legal and policy dimensions, particularly the regulation of nutritional information labeling, through the same maqāṣid-based approach.³²

15. The article titled "*The Prohibition of Riba from the Perspective of al-Maqasid asy-Syariah*" The article by Abdurrahman Wahid and Ahmad Hasan Ridwan examines the prohibition of *riba* (usury) in Islam through the lens of al-Maqāṣid al-Sharī'ah, the framework of Islamic legal objectives designed to preserve *maṣlaḥah* (benefit) and prevent *mafsadah*

³² M. F. Mubarak and A. Hermanto, "*Hak dan Kewajiban Suami Istri dalam Konsep Kesetaraan Gender Perspektif Maqasid Syariah*," *JAKSYA: Journal of Islamic Law and Civil Law* (ejournal.iainutuban.ac.id, 2023), <http://ejournal.iainutuban.ac.id/index.php/jaksya/article/view/298>.

(harm). The authors argue that the prohibition of *riba* extends beyond a mere textual legal ruling; it carries profound moral, social, and economic implications. *Riba* is classified as a form of injustice, as it facilitates the exploitation of one party for the gain of another, thereby violating the principles of economic justice. The study adopts a library research method with a qualitative descriptive approach, utilizing both classical and contemporary sources relevant to *riba* and *al-syarī'ah*. The analysis involves a textual and contextual examination of the prohibition of *riba*, with the aim of uncovering the underlying objectives of the *Syarī'ah* behind this injunction. The findings demonstrate that the prohibition of *riba* is closely aligned with the five essential objectives (*ḍarūriyyāt*) of the *Syarī'ah* as identified by al-Syātibī: preservation of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-'aql*), wealth (*ḥifẓ al-māl*), and progeny (*ḥifẓ al-nasl*). The authors argue that *riba* promotes economic exploitation, undermines work ethics, encourages greed, and worsens socioeconomic inequality. Furthermore, the prohibition aims to safeguard the role of money as a medium of exchange, preventing its commodification for profit.³³

None of the fifteen reviewed articles analyze Regulation No. 26 of 2021 on nutritional labeling as a legal object. While several studies touch on labeling more broadly for example, Rizki Ismu Alif et al examine the

³³ A. Wahid and A. H. Ridwan, "Pengharaman Riba Dalam Perspektif Al-Maqasid Asy-Syariah," *Maqdis: Jurnal Kajian Ekonomi Islam* (ejournal.uinib.ac.id, 2023), <https://ejournal.uinib.ac.id/febi/index.php/maqdis/article/view/454>.

regulation of “nutrigrade label” information to fulfill consumer rights through a comparative legal analysis of Indonesia and Singapore, none maqāṣid based legal critique. Similarly, Pangaribuan and Permata focus primarily on the halal status of food products, and Padela and Shaikh et al address health and bioethics from a maqāṣid perspective, Yet neither considers the Nutritional Value Information on Processed Food Labels as a facet of the right to public health.

This study, treats Regulation No. 26 of 2021 as a contemporary case of public policy and interprets its provisions through al-Syāṭibī’s maqāṣid, offering a dynamic Islamic analysis within the scope of modern food regulation. By doing so, it not only reinforces the conceptual foundations of the study but also introduces a methodological innovation in the maqāṣid based analysis of modern state regulations.

Accordingly, this research situates itself at the intersection of classical Islamic legal theory and contemporary health regulation. It offers both conceptual and practical contributions by addressing a significant gap in the application of maqāṣid al-syarī‘ah to modern public health policies, particularly within the Indonesian context.

B. Theoretical Framework

1. BPOM

a. An Overview of BPOM

The Indonesian Food and Drug Authority (Indonesian FDA), also known as the Food and Drug Supervisory Agency (BPOM), is a non-

departmental government agency responsible for overseeing drugs and food in Indonesia. The agency's organizational structure was further strengthened through Presidential Regulation No. 80 of 2017 on BPOM and Presidential Instruction No. 3 of 2017 on Improving the Effectiveness of Drug and Food Supervision.³⁴

b. BPOM's Duties and Functions and Authority

Referring to Presidential Regulation No. 80 of 2017 on the National Agency of Drug and Food Control (BPOM), BPOM plays a vital role in overseeing drugs and food as part of efforts to protect public health and enhance national competitiveness. BPOM is a non-ministerial government agency directly accountable to the President through the Ministry of Health.³⁵

As stated in Article 2, BPOM's main task is to carry out government duties in the field of drug and food supervision in accordance with prevailing laws and regulations. Products monitored by BPOM include drugs, drug materials, narcotics, psychotropics, precursors, addictive substances, traditional medicine, health supplements, cosmetics, and processed food.³⁶

Article 3 outlines the functions of BPOM (National Agency of Drug and Food Control) as follows:

³⁴ Republic of Indonesia, *Presidential Regulation No. 80 of 2017 on the Integrated Investment Coordinating Plan*, State Gazette of the Republic of Indonesia Year 2017

³⁵ Ibid

³⁶ Ibid., Pasal 2.

- 1) Policy Formulation: Formulating national policies related to drug and food supervision.
- 2) Product Supervision: Monitoring products before and during their distribution to ensure safety, quality, and efficacy.
- 3) Coordination: Collaborating with central and regional government agencies in the implementation of supervision.
- 4) Law Enforcement: Addressing violations of regulations in drug and food supervision.
- 5) Technical Guidance: Providing training and supervision related to supervision to relevant parties.
- 6) State Asset Management: Managing state-owned property under BPOM's responsibility.³⁷

As an agency with significant authority in supervision, BPOM is granted the power to:

First, it has the authority to issue permits, including distribution permits and certifications, in line with established safety, efficacy, and quality standards.

Second, BPOM is empowered to conduct investigations, which include carrying out intelligence activities and investigations related to drug and food supervision.

Lastly, BPOM has the authority to impose sanctions, specifically

³⁷ Ibid., Pasal 3.

administrative sanctions, on those who violate applicable regulations.

c. BPOM Regulations

In Regulations issued by the Indonesian Food and Drug Authority (BPOM) constitute a form of legislation recognized for its existence and possessing binding legal force, as stipulated in Article 8 of Law No. 12 of 2011 on the Establishment of Legislation.³⁸ BPOM, as a body established by the government based on law, has the authority to issue regulations supporting the execution of its duties and functions. In line with Article 8 paragraph (2) of Law No. 12 of 2011, BPOM regulations are recognized and have legal force as long as they are mandated by higher legislation or established based on its authority.³⁹ This means that any regulation issued by BPOM must have a clear legal basis, either through delegation from a law or authority granted by higher regulations.

In Government Regulation No. 80 of 2017 concerning the Food and Drug Authority, it is stated that BPOM's main task is to oversee drugs and food.⁴⁰ To carry out this task, BPOM is entrusted with the function of formulating national policies in the field of drug and food supervision (Article 3 paragraph (1) letter a). Therefore, BPOM is authorized to draft

³⁸ Republik Indonesia. *Undang-Undang Nomor 12 Tahun 2011 tentang Pembentukan Peraturan Perundang-undangan*. Lembaran Negara Republik Indonesia Tahun 2011 Nomor 82.

³⁹ Ibid.

⁴⁰ Republik Indonesia, *Peraturan Pemerintah Nomor 80 Tahun 2017 tentang Badan Pengawas Obat dan Makanan*, Lembaran Negara Republik Indonesia Tahun 2017 Nomor 181.

and issue technical regulations, such as regulations on nutritional information on processed food labels. For example, BPOM Regulation No. 26 of 2021 on nutritional information on processed food labels is an implementation of BPOM's authority to provide consumer protection.⁴¹

2. Processed Food Labels

a. Processed Food

Processed food is the opposite of real food. It refers to any type of food that has undergone various forms of processing before consumption. Technically, processed food includes all foods that have been altered or treated in some way to enhance flavor, extend shelf life, or make them easier to digest.⁴²

Processed foods come in various types, ranging from items designed to prevent spoilage, foods containing additives such as corn or soy in various forms, to those enriched with chemicals to remain preserved on shelves or in refrigerators, this definition covers a wide range of foods, from ready-to-eat snacks to simple ingredients like milk, yogurt, cheese, condiments, and even ingredients used to make homemade spaghetti.⁴³

According to Article 1 of the Indonesian Food and Drug Authority (BPOM) Regulation No. 26 of 2021, processed food refers to food or

⁴¹ Badan Pengawas Obat dan Makanan Republik Indonesia, *Peraturan Badan Pengawas Obat dan Makanan Nomor 26 Tahun 2021 tentang Informasi Nilai Gizi pada Label Pangan Olahan* (Jakarta: BPOM, 2021).

⁴² Anastacia Marx de Salcedo, *In Defense of Processed Food* (London: Reaktion Books Ltd, 2023), 11.

⁴³ *Ibid.*, 13.

beverages produced through certain processes, either with or without the use of additives.⁴⁴

b. Labels

According to Article 1 Paragraph 2 of BPOM Regulation No. 26 of 2021, a processed food label, hereinafter referred to as a label, is any description of processed food that may take the form of images, text, a combination of both, or other formats. This label is included with processed food by being inserted into, attached to, or made part of the food packaging. The purpose of the label is to provide consumers with essential information about the product, including nutritional value, ingredients, and other relevant details.⁴⁵

3. Nutritional Value Information

On processed food labels, nutritional information aims to provide consumers with clear insights into the nutritional and non-nutritional content of the product, enabling them to make informed purchasing decisions based on complete and accurate information. According to BPOM Regulation Number 26 of 2021, Article 1 Paragraph (3), Nutritional Information (ING) refers to a list of nutritional and non-nutritional contents presented as the product is sold (as sold) in a standardized format.³⁸ Article 5 of the regulation further explains that ING must be displayed in a table

⁴⁴ Badan Pengawas Obat dan Makanan. *Peraturan BPOM No. 26 Tahun 2021 tentang Informasi Nilai Gizi pada Label Pangan Olahan*. Jakarta: Badan Pengawas Obat dan Makanan, 2021, Pasal 1.

⁴⁵ Ibid., Pasal 1 ayat 2.

format containing several key details, including serving size, servings per package, types and amounts of nutrients, types and amounts of non-nutritional contents, percentage of Daily Values (DV), and footnotes. The types of nutrients that must be listed in the ING table include total energy, total fat, saturated fat, protein, total carbohydrates, sugar, and salt (sodium).⁴⁶

4. Maqāṣid Al-Syarī‘ah

a. Definition of Maqāṣid Al-Syarī‘ah

The term Maqāṣid originates from the Arabic language and is the plural form of maqṣad (مَقْصَد), linguistically means the place of intention or the intended destination, derived from the root word "qaṣada," which means to proceed with purpose. In expressions like:

إليه مقصدي، وجهني

which means: “to him is my destination, direct me”⁴⁷

Etymologically, the word *syarī‘ah* (*ash-syarī‘ah*) originates from Arabic and carries several meanings, including “a place or source of water that is accessed without payment or bribe” and “a threshold or doorway.” However, in general usage, the term *syarī‘ah* refers to everything ordained by Allāh for His servants, including matters of belief, legal rulings, and ways of life. Thus, *syarī‘ah* encompasses all rules and principles that serve as guidelines for Muslims to live their

⁴⁶ Ibid., Pasal 5.

⁴⁷ Group of Authors, *Al-Mu‘jam al-Wasīṭ*, 4th ed. (Cairo: Majma‘ al-Lughah al-‘Arabīyah – Maktabat al-Shurūq al-Dawliyyah, 2004), vol. 1, 738

lives in accordance with the commands of Allāh SWT.

An example of this meaning can be found in Surah Al-Jāthiyah,⁴⁸ where Allah Subhānahu wa Ta‘ālā says:

ثُمَّ جَعَلْنَاكَ عَلَىٰ شَرِيعَةٍ مِّنَ الْأَمْرِ فَاتَّبِعْهَا وَلَا تَتَّبِعْ أَهْوَاءَ الَّذِينَ لَا يَعْلَمُونَ

“Then We put you (O Prophet Muhammad) on a clear path (syarī‘ah) of the matter (religion), so follow it and do not follow the desires of those who do not know.” Al-Jāthiyah [45]:18⁴⁹

The general definition of scholars defines Maqāṣid al-Syarī‘ah as the underlying purposes and wisdom that Islamic Sharia considers in legislating rulings to ensure the well-being and benefit of individuals and society. For example, Al-Raisūnī, a scholar who specialized in Maqāṣid, stated:

المعاني والغايات والآثار والنتائج التي يتعلق بها الخطاب الشرعي والتكليف الشرعي،
ويريد من المكلفين السعي والوصول إليها

“The meanings, purposes, effects, and outcomes related to the shar‘ī discourse and shar‘ī obligations, which the legally responsible (mukallafīn) are required to strive for and attain.⁵⁰ Similarly, Al-Fāsī defines Maqāṣid as:

الغاية منها، والأسرار التي وضعها الشارع عند كل حكم من أحكامها

“The objectives are the purposes and wisdoms established by the

⁴⁸ Ibid., 479.

⁴⁹ Al-Qur‘an, Al-Jāthiyah [45]:18, terj. Kementerian Agama Republik Indonesia, *Qur‘an Kemenag Online*, <https://quran.kemenag.go.id>.

⁵⁰ Aḥmad al-Raysūnī, *Mudkhal ilā Maqāṣid ash-Sharī‘ah*, 1st ed. (Dār al-Kalimah li al-Nashri wa at-Tauzī‘), 1431 H / 2010 M, 7.

Lawgiver for each of His laws”.⁵¹

b. Maqāṣid Al-Syarī‘ah as an Independent Branch of Islamic Studies.

The scholars of the classical period had not yet studied maqāṣid as an independent branch of Islamic studies. Instead, classical scholars regarded the discourse on Maqāṣid al-Syarī‘ah as part of the broader discussion within *uṣūl al-fiqh* (principles of Islamic jurisprudence). Imam al-Haramayn al-Juwaynī is considered the first *uṣūl* scholar to emphasize the importance of understanding maqāṣid al-syarī‘ah in the establishment of Islamic law, notably introducing the theory of the levels of necessity (*marātib al-ḍarūriyyāt*).⁵²

Subsequently, scholars such as al-Syātibī further developed the concept of *maqāṣid al-syarī‘ah*. His formulation of *maṣlahah* (public interest) extended the scope of *syarī‘ah* to encompass all its aspects not only matters not explicitly addressed in the textual sources.⁵³

However, the discourse on *maqāṣid* during this time was still within the framework of *uṣūl al-fiqh*. This is evident in al-Syātibī’s discussion in his famous book *Al-Muwāfaqāt*, which is a primary work in *uṣūl al-fiqh*. The peak of *maqāṣid* thought development occurred during the time of Ibn ‘Āshūr (d. 1397 AH), who focused on establishing *maqāṣid al-syarī‘ah* as an independent scientific discipline, separate from the

⁵¹ al-Fāsī, *Maqāṣid al-Sharī‘ah al-Islāmiyyah wa Makārimuhā* (Beirut: Dār al-Gharb al-Islāmī, 1995), 3.

⁵² Paryadi, "Maqashid Syariah: Definisi dan Pendapat Para Ulama," *Cross-Border* 4, no. 2 (2021): 201–216.

⁵³ Ibid.

framework of *uṣūl al-fiqh*. Ibn ‘Āshūr systematically formulated the concepts, principles, and substance of *maqāṣid*. Contemporary thinkers, both those studying *uṣūl al-fiqh* and Qur’anic interpretation, recognize Ibn ‘Āshūr as a major figure in *maqāṣid al-syarī‘ah* after al-Syāṭibī.⁵⁴

Modern scholars aim to adapt Islamic law to the constantly evolving social dynamics while maintaining the intellectual tradition of Islamic jurisprudence. They have also expanded the scope of *maqāṣid al-syarī‘ah* to address contemporary challenges. For instance, Rashīd Riḍā emphasized reform and women's rights, Muḥammad al-Ghazālī highlighted issues of justice and freedom, and Yūsuf al-Qaradāwī focused on human rights and human dignity. Through this approach, modern scholars strive to render *maqāṣid al-syarī‘ah* relevant as a flexible ethical and legal framework capable of responding to the needs of contemporary society.⁵⁵

c. Al-Syāṭibī’s Maqāṣid

According to Imam Al- Syāṭibī, *maqāṣid al-syarī‘ah* (the objectives of Islamic law) aim to preserve and protect human welfare. These objectives are categorized into three levels of need:

1) Daruriyyat (Essential Needs).

Consists of fundamental necessities that sustain life and religion, without which chaos and harm would prevail. These include the

⁵⁴ Ibid.

⁵⁵ Agus Hermanto, *Maqashid al-Syari'ah: Metode Ijtihad dan Pembaruan Hukum Keluarga Islam* (Malang: CV. Literasi Nusantara Abadi, 2022), 8.

preservation of religion (ḥifẓ ad-dīn), life (ḥifẓ an-nafs), intellect (ḥifẓ al-‘aql), lineage (ḥifẓ an-nasl), and wealth (ḥifẓ al-māl). For example, acts like prayer and faith strengthen religion, while prohibitions against murder and theft protect life and property. The approach to meeting these needs involves both ensuring their existence, such as obligating prayer, and preventing harm, such as forbidding theft or alcohol consumption.

2) Ḥajiyyat (Complementary Needs).

Provides ease and prevents hardship without threatening survival. This includes concessions in worship, such as performing dry ablution (tayammum) when water is unavailable, and permissibility in daily practices like lawful leisure and transactions, such as muḍārabah (profit-sharing).

3) Ṭahsīniyyat (Refinements).

Focuses on enhancing and beautifying life through ethical and aesthetic improvements. Examples include maintaining cleanliness in worship, performing voluntary acts, and fostering good morals in social conduct. Together, these three levels of needs ensure that Islamic law balances essential, supportive, and refining aspects of human life, creating harmony and protecting welfare.⁵⁶

⁵⁶ Ibrāhīm ibn Mūsā al-Syātibī, *Al-Muwāfaqāt fī Uṣūl al-Syarī‘ah*, ed. ‘Abd Allāh Darāz and ‘Abd al-Salām ‘Abd al-Shāfi Muḥammad, Riyadh: Ministry of Religious Affairs (Saudi Arabia), 2 vols, page 7.

CHAPTER III

RESEARCH METHOD

A. Type of Research and Approach

This study is qualitative research, focusing on the study of applicable legal principles or norms, specifically the regulation of Nutritional Information Labeling (NIL) on processed foods. As the selection of the research topic pertains to legal issues that are the subject of study, the type of research used in this study is normative juridical research.

The scientific value of a normative legal research study heavily depends on the approach used to address legal issues. An inappropriate approach can lead to inaccurate or even incorrect conclusions, thereby questioning the weight and validity of the research.⁵⁷ . Referring to the type of normative juridical research, the approaches I will use are as follows:

1. Statute Approach

The statute approach referred to by the researcher is the approach described by John Ibrahim. This approach has several distinctive characteristics. First, legal norms are logically interconnected, forming a coherent and comprehensive legal system. Second, these norms are designed broadly and in-depth to address various existing legal issues, minimizing the risk of legal gaps (all-inclusive). Third, these norms are

⁵⁷ Johnny Ibrahim, *Teori dan Metode Penelitian Hukum Normatif*, edisi revisi, cetakan kedua (Malang: Bayumedia Publishing, 2006), 299.

arranged systematically and hierarchically.⁵⁸

2. Maqāṣid Al-Syarī'ah Approach

This approach is used to connect the principles of *Maqāṣid al-Syarī'ah* according to Al-Syāṭibī with BPOM regulations, and to evaluate whether these regulations reflect the protection of consumer welfare in the face of the risks associated with excessive consumption of sugar, salt, and fat. With these two approaches, the research is expected to provide a comprehensive conclusion on the regulation of Nutritional Information Labeling from the perspective of positive law and *Maqāṣid al-Syarī'ah*.

B. Data Sources

The data used in this research includes all information related to the regulation on nutritional value information on processed food labels and Al-Syāṭibī's *Maqāṣid al-Syarī'ah* concept. The sources of data in this study consist of two main types: primary legal materials and secondary legal materials.

Primary legal materials are all written regulations enacted by the state that have binding legal force.⁵⁹ In this research, primary legal materials include various regulations relevant to the labeling of Nutritional Value Information (NVI) on processed foods, such as BPOM Regulation Number 26 of 2021 on nutritional value information and other regulations related to labeling policies. These sources are used to analyze the positive legal

⁵⁸ Ibid., 303.

⁵⁹ Ibid., 142.

regulations in force in Indonesia regarding nutritional value information labels.

Secondary legal materials can be defined as all legal sources that do not fall under the category of primary legal materials. In a narrower sense, secondary legal materials include law books containing teachings, doctrines, or scholarly writings, articles in legal journals, as well as terms or concepts found in legal dictionaries or encyclopedias. In a broader sense, secondary legal materials include unpublished legal scholarly works or legal articles published in newspapers or popular magazines. The secondary legal materials in this research include various relevant literature and supporting sources, such as literature on *Maqāṣid al-Syarī'ah*, particularly Al-Syāṭibī's work in *Al-Muwāfaqāt*, or studies discussing Al-Syāṭibī's thoughts on *Maqāṣid*, as well as scholarly articles addressing the application of *Maqāṣid al-Syarī'ah*. Additionally, academic studies on BPOM Regulation Number 26 of 2021, research related to nutritional labeling systems in other countries, such as Singapore, are also included. These can serve as comparative studies to assess the effectiveness of nutritional labeling in protecting consumers.

Furthermore, secondary legal materials also include relevant Islamic legal sources, such as literature on halal and *Ṭayyib* food, as well as articles linking Islamic law to public health. Legal dictionaries and encyclopedias are used to define legal terms and explain relevant doctrines. Additionally, popular articles and mass media discussing issues related to nutritional

labeling or consumer protection in Indonesia complement the understanding of the context and implementation of regulations. Lastly, reports from health or food organizations, such as WHO and FAO, are utilized to enrich the analysis and provide a global perspective. All these materials form a robust foundation to support the research from the perspectives of positive law and *Maqāṣid al-Syarī'ah*.

C. Supporting Data

The supporting data in this research includes the results of interviews conducted with BPOM (Indonesian Food and Drug Authority) Yogyakarta. These interviews provide valuable insights regarding the implementation of food labeling regulations, particularly in relation to the potential adoption of the Nutrigrade labeling system in Indonesia. The data obtained from BPOM Yogyakarta serves to clarify the regulatory framework, challenges, and possible policy directions regarding consumer protection through food labeling.

D. Data Selection

The selection of sources is carried out by identifying, evaluating, and prioritizing the most relevant legal materials for this research. This process ensures that both primary and secondary legal materials are carefully analyzed to produce accurate and in-depth conclusions.

E. Data analysis techniques

This research focuses on BPOM Regulation No. 26 of 2021 on Nutritional Value Information, analyzed using descriptive and prescriptive techniques

based on *Maqāṣid al-Syarī'ah*. This technique examines not only the application of legal norms in the regulation but also analyzes the relationships between norms, including the hierarchy of norms.

According to the theory outlined by Syamsul Anwar in his book *Hukum Perjanjian Syariah* (Islamic Contract Law), norms in Islamic law are categorized into three main levels:⁶⁰

1. Basic values (philosophical values), such as justice, equality, freedom, and public benefit (*maslahah*), which form the foundation of Islamic law.
2. General principles, which are more specific legal principles, such as the rule “*al-masyaqqah tajlib at-taysīr*” (hardship brings ease).
3. Concrete legal provisions, which are technical rules for implementing the law, such as the prohibition of usury (*riba*) or the obligation to fulfill agreements.

Referring to this structure of Islamic legal norms, positive law in modern legal systems can also be categorized into three main levels:

1. Basic values, such as justice, utility, and legal certainty, which represent the primary objectives of the law.
2. Legal principles, which are general principles like *pacta sunt servanda* (agreements bind the parties) and the principle of legality (no punishment without a rule).

⁶⁰ Syamsul Anwar, *Hukum Perjanjian Syariah: Studi tentang Teori Akad dalam Fikih Muamalat*, ed. 1, cet. 1 (Jakarta: Rajagrafindo Persada, 2007), xviii, 370.

3. Concrete legal provisions, which are technical rules found in laws such as the Indonesian Civil Code (KUHPperdata) or the Criminal Code (KUHP), for instance, the requirements for a valid contract or provisions for criminal offenses.

The legal materials in this study were obtained through library research, including legislation, scholarly literature, and relevant articles. These materials were systematically described and connected to address the research problems. The data processing was carried out using a deductive approach, which draws conclusions from general issues to specific problems. This approach examines the relevance of the legal norms in BPOM Regulation No. 26 of 2021 to the foundational values and goals of Maqāṣid al-Syarī'ah, as well as how these norms can promote public benefit (maṣlaḥah).

CHAPTER IV

RESULTS AND DISCUSSION

A. Regulation of Nutrition Information on Food Labels in Indonesia

1. The Legal Status of BPOM in Food Regulation in Indonesia

The Food and Drug Monitoring Agency (BPOM) is a non-ministerial government agency responsible for overseeing the circulation of medicines, food, and other products related to public health. The legal status of BPOM is regulated by several laws and regulations, including: a. Law Number 36 of 2009 on Health.

This law serves as the legal basis for BPOM in carrying out its duties to supervise medicines, food, and other hazardous materials that may affect public health. Article 196 of this law states that the government is responsible for overseeing the circulation of medicines and food.⁶¹

a. Law Number 18 of 2012 on Food

This law regulates the safety, quality, and nutrition of food, and grants the government the authority to supervise food products circulating in society. Article 86 of this law states that every food product circulated must meet safety, quality, and nutritional requirements. Although BPOM is not explicitly mentioned in both laws, as a non-ministerial government agency, BPOM is tasked with overseeing medicines and food in accordance with the provisions of

⁶¹ *Undang-Undang Republik Indonesia Nomor 36 Tahun 2009 tentang Kesehatan*, Pasal 196, <https://peraturan.bpk.go.id/Details/38778/uu-no-36-tahun-2009>

Presidential Regulation No. 80 of 2017.⁶²

- b. Presidential Regulation Number 80 of 2017 on the Food and Drug Monitoring Agency

This regulation establishes the duties, functions, and organizational structure of BPOM. The agency has the function of setting norms, standards, procedures, and criteria in the field of drug and food supervision.⁶³

- c. BPOM Regulation

Based on Presidential Regulation No. 80 of 2017, Law No. 36 of 2009, and Law No. 18 of 2012, BPOM has the authority to issue technical regulations related to the supervision of medicines and food. This authority is implemented through various technical regulations, such as BPOM Regulation No. 31 of 2018 and No. 22 of 2021, which serve as the basis for the implementation of drug and food supervision in Indonesia. The agency has 1,549 legal products, of which 260 regulations pertain to processed food.⁶⁴

2. Obligations of Processed Food Producers in Providing Nutrition Information

Before 2020, the requirement to include Nutritional Information

⁶² *Undang-Undang Republik Indonesia Nomor 18 Tahun 2012 tentang Pangan*, Pasal 86, <https://peraturan.bpk.go.id/Details/39100>

⁶³ *Ibid.*, Pasal 3.

⁶⁴ *Jaringan Dokumentasi dan Informasi Hukum Badan Pengawas Obat dan Makanan (JDIH BPOM)*, diakses 19 Februari 2025, <https://jdih.pom.go.id/>.

(ING) on processed food labels only applied to large-scale food industries, as regulated by BPOM Regulation No. 22 of 2018. In this regulation, Micro and Small Enterprises (UMK) were not required to include ING, so processed food products produced by UMK did not have specific rules regarding this matter.⁶⁵

However, with the release of BPOM Regulation No. 16 of 2020, the regulation changed and started requiring UMK to include ING on their product labels, although there may be some flexibility in technical aspects.⁶⁶ This requirement was later reaffirmed in BPOM Regulation No. 26 of 2021, which expanded the scope of the rule to cover all processed food businesses, including both large industries and UMK. Therefore, the regulation on displaying ING has evolved gradually, initially being required only for large industries, and eventually including UMK to improve nutritional transparency for consumers.⁶⁷

Micro and small businesses (UMK) are required to include labels just like non-UMK businesses. The main difference in the inclusion of Nutrition Information (ING) between UMK and general businesses lies in the requirements for laboratory testing, presentation format, and the regulations governing them. UMKs are not obligated to conduct their

⁶⁵ Badan Pengawas Obat dan Makanan (BPOM), *Peraturan BPOM Nomor 22 tahun 2018 tentang Pedoman Pemberian Sertifikat Produksi Pangan Industri Rumah Tangga*.

⁶⁶ Badan Pengawas Obat dan Makanan (BPOM), *Peraturan BPOM Makanan Nomor 16 Tahun 2020 tentang Pencantuman Informasi Nilai Gizi untuk Pangan Olahan yang Diproduksi oleh Usaha Mikro dan Usaha Kecil*.

⁶⁷ Badan Pengawas Obat dan Makanan (BPOM), *Peraturan BPOM Makanan Nomor 26 Tahun 2021 tentang Informasi Nilai Gizi pada Label Pangan Olahan*.

own laboratory analysis for ING inclusion but may use results from government or accredited laboratories. Additionally, they are supported by the ‘CETAK ING MANDIRI’ application to simplify label preparation. Regulations providing leniency for UMKs include BPOM Head Decision No. HK.02.02.1.2.12.21.494 of 2021.⁶⁸

In contrast, general businesses must adhere to BPOM Regulation No. 26 of 2021, which mandates laboratory testing for ING inclusion. Furthermore, all processed foods produced by general businesses are required to include ING, whereas UMKs only need to include ING on certain products, with exceptions for items such as coffee, tea, seasonings, and bottled water.

3. The Provisions for the Nutrition Facts Label (ING)

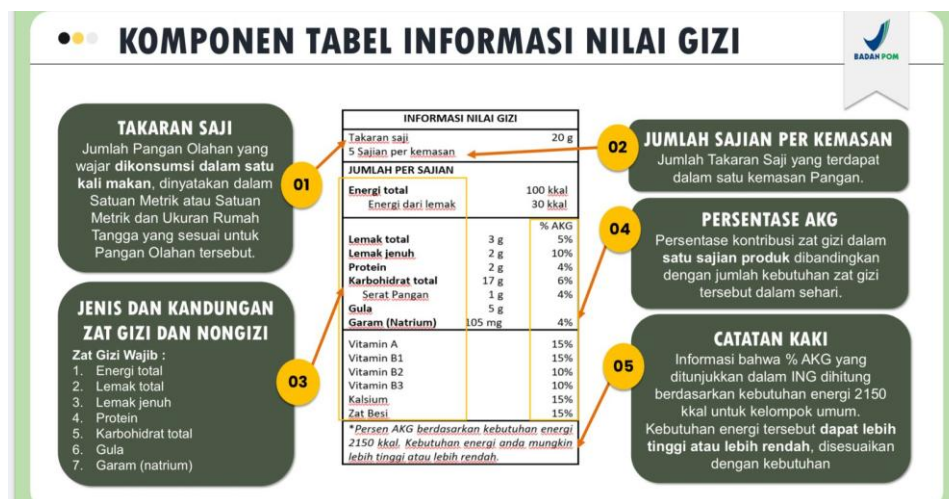


Image 3. Provisions for Nutrition Information on Processed Food Products (source: Indonesian Food and Drug Authority, 2025)

⁶⁸ Badan Pengawas Obat dan Makanan (BPOM), *Keputusan Kepala BPOM No. HK.02.02.1.2.12.21.494 Tahun 2021 tentang Kewajiban dan Persyaratan bagi Usaha Mikro dan Kecil dalam Mencantumkan Label dan Informasi Nilai Gizi* (Jakarta: BPOM, 2021).

The Nutrition Facts Table contains several main components, which are: serving size, which refers to the amount of food that is typically consumed in one meal; servings per container, indicating how many servings are in one package; the types and amounts of nutrients and non-nutrients, such as energy, fats, protein, carbohydrates, sugars, and salt; the percentage of the Recommended Daily Allowance (RDA), showing how much a serving contributes to the daily nutrient requirement; and footnotes, which explain that the RDA values are based on a 2,150 kcal daily requirement and may vary depending on individual needs.

4. Comparison with International Regulations

Table 1
Comparison of Indonesia's NI Regulations with Codex Alimentarius

Aspect	Codex Alimentarius (CXG 2-1985)	BPOM Regulation No. 26 of 2021
Objective	Provide accurate information to consumers, assist in making healthy food choices, and prevent misleading claims.	Same as Codex, with an emphasis on consumer protection in Indonesia.
Mandatory Components	Energy, protein, carbohydrates, fat, saturated fat, sugar, sodium.	Same as Codex, with additional requirements for trans fat and dietary fiber if specific conditions are met.
Presentation Format	Table format or other easily readable formats.	Mandatory in table format with a standardized structure.
Serving Size	Can be per 100 g/ml or per serving size.	Mandatory per serving size and total servings per package.
Percentage of Nutrient Reference Values (NRV) / Daily Values (DV)	Uses global NRV.	Uses national DV (2,150 kkal), adjusted to international standards.

Source: Analysis based on Guidelines on Nutrition Labelling Codex Alimentarius (CXG 2-1985) and BPOM Regulation No. 26 of 2021.

In Indonesia, regulations on Nutritional Information are governed by BPOM Regulation No. 26 of 2021. Meanwhile, international standards

for nutrition labeling are established in the Codex Alimentarius (CXG 2-1985). Therefore, it is essential to analyze Indonesia's labeling policies in comparison with Codex standards and assess the extent of their alignment.

Overall, Indonesia's Nutritional Information (NI) regulations conform to the international standards set by the Codex Alimentarius, with certain adaptations to accommodate national requirements. Notable differences, such as the inclusion of total servings per package and the use of household measures, enhance clarity for Indonesian consumers. Furthermore, BPOM regulations establish specific tolerance limits for nutrient analysis to ensure the accuracy of the information presented on food labels. Accordingly, Indonesia's NI regulations can be regarded as an adoption of international standards, with contextual modifications aimed at enhancing consumer protection within the country.

B. Analysis of the Compliance of BPOM Regulation Number 26 of 2021 with the Objectives of Public Health Protection in Indonesia

1. Review of Labeling Policies from the Legal and Human Rights Perspective

In international human rights law, the state is placed as the primary duty bearer with three fundamental obligations, namely:

- a. To respect : The state must refrain from actions that interfere with or violate human rights.
- b. To protect : The state must take measures to prevent human rights

violations by third parties, including individuals or companies.

- c. To Fulfill : The state must take active steps to ensure the fulfillment of human rights for all citizens within its jurisdiction.⁶⁹

Human rights can be classified into two main categories: Civil and Political Rights, and Economic, Social, and Cultural Rights. Civil and Political Rights focus on individual freedoms and protection from state power. Examples include the right to life, the right not to be tortured or treated cruelly, freedom of thought and religion, freedom of expression, and the right to vote and be elected. Meanwhile, Economic, Social, and Cultural Rights emphasize fulfilling basic human needs to achieve a decent life. Examples include the right to work, the right to education, the right to health, the right to an adequate standard of living, the right to housing, and the right to culture and environment.

Thus, the implementation of BPOM Regulation No. 26 of 2021 not only fulfills the state's obligation to protect the civil rights of the public to obtain accurate information but also upholds economic, social, and cultural rights through increased access to healthy food choices. The synergy between nutrition labeling regulations and public education efforts is a key strategy in preventing non-communicable diseases and achieving public health goals. Non-communicable diseases often claim many lives, which directly relates to the most fundamental human right:

⁶⁹ M. Syafi'ie, *Instrumentasi Hukum HAM, Pembentukan Lembaga Perlindungan HAM di Indonesia dan Peran Mahkamah Konstitusi*, (Yogyakarta: Pusat Studi Hak Asasi Manusia UII, 2012), 685.

the right to life. Without the right to life, other human rights cannot be realized.

This is emphasized in Article 6 of the International Covenant on Civil and Political Rights (ICCPR). This right is not only related to protection from direct threats but also includes aspects that support the continuity of human life, including access to adequate health.⁷⁰

Furthermore, Article 12, Paragraph 2 of the International Covenant on Economic, Social, and Cultural Rights (ICESCR) stipulates that states must take the necessary steps to achieve the full realization of the right to health, one of which is by creating conditions that guarantee access to medical services and healthcare for all people.⁷¹

The government, as the authority governed by law, must ensure that the policies implemented truly prioritize the safety of its citizens. The most concrete form of protection for public health is through policies that can prevent the harmful effects of consuming unhealthy food, considering the dangers posed by the excessive consumption of processed foods, such as the rising number of cases of degenerative diseases, which are becoming increasingly concerning. As a fundamental element of the state, humans occupy the highest position in the hierarchy of state components, so every decision made by the

⁷⁰ United Nations, *International Covenant on Economic, Social and Cultural Rights*, 1967, Article 6, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>.

⁷¹ Ibid., Article 13(2).

government must prioritize human welfare in all aspects of life.

This principle is in line with the concept of the rule of law as emphasized by Cicero, as quoted in Depari et al. (2024), which states that *salus populi suprema lex* (the welfare of the people is the highest law).⁷² This means that state policies should be oriented towards the welfare of the people, and one way to achieve this is by ensuring a healthy and informative food policy through a transparent food labeling system that is understandable to the public. This policy is not only intended to protect individuals' right to choose healthy food but also to prevent the harmful effects that may occur among vulnerable groups who are more easily influenced by the consumption of unhealthy food.

Normatively, the food labeling policy created by BPOM is in line with the mandate of Article 28H, Paragraph (1), which states: "Everyone has the right to live a prosperous life, both physically and mentally, to have a place to live, and to obtain a good and healthy environment, as well as the right to receive health services."⁷³ This is because the labeling policy on processed foods created by BPOM aims to provide clear information to consumers about the nutritional content, safety, and quality of products. With transparent labeling, consumers can make

⁷² Lisa Depari, Y. Trihoni Nalesti Dewi, dan Edward Kurnia Limijadi, "Program Vaksinasi Sars-Cov 2 dan Relevansinya dengan Pemaknaan Kebebasan Menentukan Pelayanan Kesehatan dari Perspektif Hak Asasi Manusia," *Soepra Jurnal Hukum*, 2024, <https://journal.unika.ac.id/index.php/shk/article/view/10480>.

⁷³ Republik Indonesia, *Undang-Undang Dasar Negara Republik Indonesia Tahun 1945*, Article 28H paragraph (1).

more informed decisions in choosing products that meet their health needs.

2. Effectiveness of Serving Size Provisions in Protecting Public Health

Article 6, Paragraph (1) states that the Nutritional Information Table (ING) as referred to in Article 5, Paragraph (2) must be listed per serving size.⁷⁴ This article specifies that the nutritional information, including the content of fats, sugars, salt, carbohydrates, and saturated fats, must be expressed based on one serving size. For example, if a product package weighs a total of 50 grams and consists of 5 servings per package, the nutritional content listed in the nutritional information table must be based on one serving size, which is 10 grams.

Unfortunately, understanding nutritional information as a whole requires careful attention and a good understanding. For example, many Americans still frequently misunderstand serving sizes. A Food Insight Survey (2021) of 1,000 respondents in the U.S. found that 91% claimed to understand serving sizes, and 90% understood portion sizes, but only 48% actually knew the correct definition of a serving size. About 50% of respondents tried to eat according to the serving size on the package, and 44% used it as a guide for portion sizes.⁷⁵

In Indonesia, according to an interview with the Pharmacist and

⁷⁴ Badan Pengawas Obat dan Makanan Republik Indonesia, *Peraturan Badan Pengawas Obat dan Makanan Nomor 26 Tahun 2021 tentang Informasi Nilai Gizi pada Label Pangan Olahan*, Pasal 6 ayat (1) (Jakarta: BPOM, 2021).

⁷⁵ Food Insight, “Consumer Survey: Understanding Portion and Serving Sizes.” January 26, 2022, <https://foodinsight.org/consumer-survey-understanding-portion-and-serving-sizes/>.

Food Supervisor BPOM, Mrs. Ratna, there has been no official survey on public understanding of nutritional information. However, many people still struggle to differentiate between serving sizes and portion sizes in everyday consumption. To improve public understanding, BPOM Yogyakarta regularly conducts socialization in various places about the importance of reading nutritional information and understanding serving sizes on food packaging. Additionally, BPOM plans to release regulations related to the Nutri Level on the Front of Pack labels, for which the draft regulation is currently in the process of being approved, in order to raise awareness about the risks of degenerative diseases such as type 2 diabetes caused by excessive consumption of sugar, salt, and fats.⁷⁶

Most people tend to assume that a food package is equivalent to one portion, rather than the number of serving sizes listed. For example, if a package of chips lists a serving size of 30 grams with 5 servings per package, many people still assume that the entire contents of the package constitute one portion that can be consumed in a single meal. In fact, the nutritional information on the label applies only to one serving size, so the total nutritional content in the package is actually five times the amount listed.

This situation is exacerbated by the tendency of the industry to

⁷⁶ Ratna Widi Astuti, Ahli Muda BPOM, interview by the author, Yogyakarta, 26 Februari 2025.

highlight appealing information on the front of the package, while the nutritional table is often placed on the side or back. However, this information is crucial for consumers to understand before purchasing a product. As stated by the Director of Processed Food Standardization at BPOM, Dra. Dwiana Andayani, Apt., the industry often prioritizes attractive packaging over presenting nutritional information that is easily accessible to consumers.⁷⁷

This raises concerns about the overall effectiveness of nutritional labeling, especially the serving size provisions, in protecting public health. Nutritional labels are intended to offer transparency, helping consumers make informed choices by providing detailed information on sugar, fat, sodium, and caloric content per serving. However, in practice, the way this information is presented particularly when the serving sizes are unrealistically small or confusing can mislead consumers into underestimating their actual intake.

This undermines the label's core function as a preventive tool in the face of growing health challenges. For example, the high prevalence of non-communicable diseases (NCDs) such as diabetes, hypertension, and cardiovascular disease is a major public health concern globally. According to WHO, NCDs were responsible for 74% of total global deaths in 2021. In Muslim-majority regions alone, NCDs accounted for

⁷⁷ Andayani, Dwiana. Quoted in Witri Nasuha, "Don't Get It Wrong Again, Here's a Smart Way to Read Nutrition Labels on Processed Foods" *Liputan6*, March 5, 2025. <https://www.liputan6.com/>.

over 1.2 million deaths in 2008 60% of total mortality with 34% occurring among individuals under 60 years old. This suggests that NCDs are not just an issue for older adults, but also seriously threaten the productivity and health of the working-age population.⁷⁸ This indicates that NCDs are not only a threat to the elderly but also to the productive population, which forms the backbone of economic and social development.

In Indonesia, one major contributor to this crisis is the excessive consumption of sugar-sweetened beverages. National data shows that 61.3% of the population aged three and above consume these drinks more than once per day. This significantly increases the risk of obesity and type 2 diabetes two major drivers of NCDs. The impact is evident in the rising number of diabetes cases, projected to grow from 19.4 million in 2019 to 28.5 million by 2045.⁷⁹ Without effective preventive strategies, including clearer and more realistic serving size labeling, the burden of these diseases will continue to escalate Rising Number of Diabetes Cases in Indonesia.

Furthermore, the implications extend beyond adult health. Nutritional transparency is also essential for protecting children and future generations. Pregnant and breastfeeding women require accurate

⁷⁸ World Obesity Federation, "*Saudi Arabia: Diabetes Prevalence*," Global Obesity Observatory, accessed December 27, 2024, https://data.worldobesity.org/country/saudi-arabia-186/#data_comorbidities/diabetes-prevalence

⁷⁹ Laporan Riskesdas 2018 Nasional," 2018.

information to support fetal and infant development. Inadequate labeling may lead to poor maternal dietary choices, negatively affecting child growth. Type 2 diabetes, which has a genetic component, can also manifest early in life, particularly when compounded by unhealthy dietary habits. Promoting clearer labels supports early education on nutrition and reduces long-term health risks.⁸⁰

Alarmingly, chronic illness among children is already increasing in Indonesia. In West Java alone, 125 children required hemodialysis in 2023, and 77 additional cases were reported by July 2024. Responding to this, Acting Governor Bey Machmudin called on the Ministry of Health to implement stricter labeling for sugar, salt, and fat content. He emphasized that existing labels are often difficult for the general public to interpret, limiting their usefulness. To address these challenges, improving the clarity, accuracy, and prominence of serving size information is a crucial step toward enabling healthier decisions and reducing the incidence of diet-related diseases.⁸¹

C. Analysis of Nutritional Information Provisions in BPOM Regulation

⁸⁰ Maggie A. Stanislowski et al., “Genetic Risk Score for Type 2 Diabetes and Traits Related to Glucose-Insulin Homeostasis in Youth: The Exploring Perinatal Outcomes Among Children (EPOCH) Study,” *Diabetes Care* 44, no. 11 (2021): 2553–2561, <https://doi.org/10.2337/dc21-0464>.

⁸¹ Mutiara Putri, “Puluhan Anak di Jabar Rutin Cuci Darah, Ini Penyebab & Fakta di Balikny,” *HaiBunda*, 9 Agustus 2024, <https://www.haibunda.com/parenting/20240809/puluhan-anak-di-jabar-rutin-cuci-darah-ini-penyebab-fakta-di-baliknya>.

Number 26 of 2021 from the Perspective of Maqāṣid Al-Syarī'ah

The application of maqāṣid al-syarī'ah is the most appropriate approach in formulating legal rulings related to the fields of mu'āmalah (social transactions) and local customs ('ādah), as these areas are inherently flexible and open to change over time. This stands in contrast to matters of ritual worship ('ibādah), which are fixed (tauqīfī) in nature and not subject to rational ijtihād.⁸²

In this context, the regulation requiring the inclusion of nutritional information labels on processed food products can be considered legitimate and aligned with the objectives of the syarī'ah (maqāṣid al-syarī'ah), as it aims to protect life (ḥifẓ al-naḥs), preserve intellect (ḥifẓ al-'aql), and safeguard lineage (ḥifẓ al-nasl). Thus, applying the maqāṣid approach in establishing such a regulation is highly relevant and contributes to the realization of public welfare (maṣlaḥah) in a comprehensive manner.

The preservation of syarī'ah in safeguarding interests (maṣāliḥ), whether essential (dharūriyyāt) or otherwise, is achieved through two complementary means. The first is preservation from the aspect of existence (*min jānb al-wujūd*), which involves legislating what ensures its presence, stability, and protection. The second is preservation from the aspect of non-existence (*min jānb al-'adam*), which entails preventing anything that could

⁸² M. Rusfi, "Maqasid Al-Syariah dalam Perspektif Al-Syatibi," *Asas: Jurnal Hukum dan Ekonomi Islam* (Academia.edu, 2019), 25, <https://www.academia.edu/download/68474468/pdf.pdf>.

lead to its removal, corruption, or disruption, whether these threats are actual or anticipated.⁸³

The researcher argues that nutrition facts labels on food product packaging, when analyzed from the perspective of *maqāṣid al-syarī‘ah*, fall under the category of *taḥsīniyyāt* according to the framework developed by al-Imām al-Syāṭibī. To arrive at an accurate conclusion, this analysis must follow al-Syāṭibī’s systematic reasoning as laid out in his seminal work, *al-Muwāfaqāt*. This means that the assessment of the role of nutrition labeling within the *maqāṣid* must consider not only its practical benefits but also its degree of connection to the direct protection of the five essential objectives of the *Syarī‘ah* (*al-ḍarūriyyāt al-khams*).

As a point of comparison, it is crucial first to understand how al-Syāṭibī defines the two preceding categories of *maqāṣid*, namely *al-ḍarūriyyāt* and *al-ḥājiyyāt*. Al-Syāṭibī explains *al-ḍarūriyyāt* as:

ما لا بد منه في قيام مصالح الدين والدنيا، بحيث إذا فقدت لم تجر مصالح الدنيا على استقامة، بل على فساد وتهارج وفوت حياة، وفي الآخرة فوات النجاة والنعيم والرجوع بالخسران المبين

which mean: “That which is absolutely essential for the preservation of religious and worldly welfare. Without it, the affairs of the world would collapse, leading to corruption, chaos, and the loss of life; and in the hereafter, it would result in the loss of salvation, eternal bliss, and lead to

⁸³ Ahmad al-Raysuni, ed., *Naẓariyyat al-Maqāṣid ‘inda al-Imām al-Shāṭibī*, 2nd ed. (Riyadh: al-Dār al-‘Ālamiyyah lil-Kitāb al-Islāmī, 1412 AH / 1992), 126, accessed May 23, 2025, <https://shamela.ws/book/8343/128#p6>.

manifest ruin.”⁸⁴

Al-Syātibī further states that the *ḍarūriyyāt* consist of five elements:

وَمَجْمُوعُ الضَّرُورِيَّاتِ خَمْسَةٌ، وَهِيَ: جَفْظُ الدِّينِ، وَالنَّفْسِ، وَالنَّسْلِ، وَالْمَالِ، وَالْعَقْلِ، وَقَدْ
قَالُوا: إِنَّهَا مُرَاعَاةٌ فِي كُلِّ مَلَةٍ

“There are five essential values: the protection of religion, life, progeny, wealth, and intellect. These are upheld in every religious tradition.”⁸⁵

Meanwhile, *al-ḥājīyyāt* is defined by al-Syātibī as:

مَا يَفْتَقِرُ إِلَيْهِ لِلتَّوَسُّعِ وَرَفْعِ الضِّيقِ الْمُؤَدِّي فِي الْغَالِبِ إِلَى الْحَرَجِ وَالْمَشَقَّةِ

“That which is needed to bring ease and remove hardship, which, if not fulfilled, may result in difficulty and distress, though not to the level of widespread harm.”⁸⁶

Nutrition labeling does not directly serve to preserve life, intellect, or progeny in the same substantial manner as matters classified under *ḍarūriyyāt*. Rather, it functions to improve dietary habits, encourage healthy eating etiquette, and prevent imbalanced or excessive lifestyles. Thus, its role is best understood as a complementary support in realizing the primary objectives of the *Syarī‘ah*, without serving as a direct substitute for them.

In al-Muwāfaqāt, al-Syātibī defines *taḥsīniyyāt* as:

الْأَخْذُ بِمَا يَلِيْقُ مِنْ مَحَاسِنِ الْعَادَاتِ، وَتَجَنُّبُ الْمَدْنَسَاتِ الَّتِي تَأْبَاهَا الْعُقُولُ الرَّاجِحَاتُ، وَيَجْمَعُ
ذَلِكَ قِسْمَ مَكَارِمِ الْأَخْلَاقِ

⁸⁴ Ibrāhīm ibn Mūsā al-Lakhmī al-Gharnāṭī al-Syātibī, al-Muwāfaqāt, ed. Mashhūr Ḥasan Āl Salmān (Kairo: Dār Ibn ‘Affān, 1997), vol. 2, 20.

⁸⁵ Ibid.

⁸⁶ Ibid., 21.

“Adopting refined customs and avoiding offensive practices rejected by sound minds. This includes all matters related to noble character.”⁸⁷

In this context, nutrition labeling can be considered part of *mā yaḥsunu* that which enhances and perfects life similar to the etiquettes of eating and drinking, which al-Syāṭibī categorizes under *taḥsīniyyāt*:

آداب الأكل والشرب، ومجانبة النجاسات والمستخبثات، والإسراف والإقتار في المتناولات

“The etiquettes of eating and drinking, avoiding impure and repugnant foods, as well as refraining from extravagance or miserliness in consumption.”⁸⁸

Al-Syāṭibī even includes the prohibition of killing women, children, and monks during warfare as part of *taḥsīniyyāt*. Although these prohibitions relate to the protection of life (*ḥifẓ al-nafs*), they are classified under *taḥsīniyyāt* because they do not pertain directly to the essential level of protection, but rather reflect the ethical and moral excellence of the *Syarī‘ah*.⁸⁹

By applying the same logic, although the current state of public health in Indonesia is alarming and nutrition labeling has significant practical urgency, its position within the *maqāṣid* framework remains within the level of *taḥsīniyyāt*, not *ḍarūriyyāt*. According to al-Syāṭibī, anything that does not directly contribute to the preservation of the five essential objectives is

⁸⁷ Ibid., 22.

⁸⁸ Ibid.

⁸⁹ Ibid.

considered an ethical and aesthetic complement within the Islamic legal system.

Therefore, nutrition facts labeling is best categorized as *taḥsīniyyāt*, as its function is to raise awareness, improve lifestyle choices, and indirectly support the higher objectives of the *Syarī‘ah*, in accordance with the classifications of *maqāṣid* formulated by al-Syātibī.

D. Prescriptive Analysis Of Issues

From the discussion of the BPOM regulation on nutrition information, we can identify the following main issues:

1. Overly Dense and Technical Labels

Current nutrition labels are text-heavy, full of numbers and technical terms that confuse ordinary consumers. In particular, the serving size often misleads consumers, causing them to consume excessive sugar, salt, and fat. This outcome runs counter to the five objectives of *maqāṣid al-syarī‘ah* and violates the socio-economic and cultural human right to health.

2. Rising Prevalence of Non-Communicable Diseases (NCDs)

The prevalence of NCDs continues to climb, yet the regulation has not evolved dynamically. Nutrition labeling is not viewed as a strategic policy tool to combat public-health challenges.

3. Lack of Promotion and Public Familiarity

Nutrition Information Labels (ING) are not actively promoted, so they remain unfamiliar to the general public. Without public education on the

importance of selecting healthier products, the labels fail to achieve their goal of raising consumer awareness.

Recommendations to Achieve Maṣlaḥah (Public Benefit):

1. Implement a Nutri-Level Front-of-Package Label Immediately

The draft Nutri-Level label simplifies nutritional information using a grading system from level A to D, combined with color coding, and is placed on the front of the package. The Nutri-Level grade is determined based on the content of sugar, salt (sodium), and total fat per 100 mL of ready-to-consume processed food. This helps consumers quickly determine whether a processed food is healthy⁹⁰. It aims to Preserve life by preventing overconsumption that endangers health. And aim to protect intellect by ensuring adequate nutrient intake, thereby enhancing brain function and cognitive development. Also aim to Safeguard progeny by reducing the genetic risk of NCDs such as type 2 diabetes, which often correlates strongly with family history.

2. Adaptively Update Regulations

In the draft design of the Nutri-Level label, the nutrition label has been simplified using a visual system such as color coding and placed on the front of the product. This makes it easier for consumers to know whether the processed food is healthy or not. The purpose is to preserve life (ḥifẓ al-naḥs) by preventing excessive consumption that endangers

⁹⁰ Badan Pengawas Obat dan Makanan (BPOM), *Rancangan Peraturan Badan Pengawas Obat dan Makanan tentang Informasi Nilai Gizi pada Label Pangan Olahan*, 9 September 2024, 46–48.

health, protect intellect (ḥifẓ al-‘aql) by ensuring adequate nutrient intake to enhance the community’s intelligence, and safeguard progeny by preventing non-communicable diseases with a genetic component such as type 2 diabetes, which is often strongly linked to family history and heredity, and is therefore frequently referred to as a hereditary disease.

3. Promotion of Nutrition Information Labels and Nutri-Level on Mass Media and Public Education on the Importance of Choosing Healthier Products

Conduct campaigns and promote Nutrition Information Labels and Nutri-Level through mass media such as television advertisements and social media to increase public awareness and understanding of the function of these labels. This initiative should be part of a national campaign to encourage the public to choose healthier products.

4. Ban advertisements and promotions of processed foods with low grades, such as C and D, in mass media and public spaces

Once the Nutri-Level regulation is enforced, advertisements for products with low grades like C and D should be prohibited. This regulation is very strategic because it prevents consumers from being influenced by ads for unhealthy products and encourages producers of processed foods to compete in creating healthier options.

The implementation of the above recommendations is expected to improve the readability and credibility of processed food labels, strengthen

public nutrition literacy, and ensure the protection of consumer rights in accordance with maqāṣid al-syarī'ah and human rights principles.

CHAPTER V

CONCLUDING REMARKS

A. CONCLUSION

1. The analysis demonstrates that BPOM Regulation No. 26 of 2021 effectively advances the objective of protecting public health by mandating clear, serving-based nutritional information on processed food labels. By requiring that the Nutritional Information Table (ING) present nutrient content per serving, the regulation equips consumers with standardized data to make informed dietary choices, thereby mitigating risks associated with overconsumption of sugar, salt, and fats. Although public understanding of serving sizes remains a challenge, BPOM's ongoing socialization campaigns and the forthcoming Nutri-Level in Front of Pack initiative further reinforce the regulation's role in preventing non-communicable diseases, preserving life (*ḥifẓ al-nafs*), and safeguarding cognitive and physical health across the population.
2. From the perspective of Shatibi's Maqasid, BPOM Regulation No. 26 of 2021 fully aligns with the higher objectives of the *Syarī'ah* namely, the protection of life (*ḥifẓ al-nafs*), the preservation of intellect (*ḥifẓ al-ʿaql*), and the safeguarding of lineage (*ḥifẓ al-nasl*). Nutrition labeling functions as *taḥsīniyyāt*.

In sum, the research questions are conclusively addressed: first, BPOM Regulation No. 26 of 2021 aligns with the objective of protecting public health by providing accurate, serving-based nutrient disclosures and

fostering regulatory innovation (e.g., Nutri-Level labels) to combat the country's growing chronic-disease burden; second, through the lens of Maqāṣid al-Syātibī's, the regulation not only fulfills a primary necessity by directly safeguarding life and progeny but also supports intellectual well-being and communal welfare, thereby embodying the Maqāṣid's holistic vision of public benefit (maṣlaḥah).

B. SUGGESTION

To enhance the depth and breadth of understanding regarding the implementation and implications of nutritional labeling regulations, future research is encouraged to explore several key directions. These recommendations aim to address the limitations of the present study and to contribute to a more comprehensive, interdisciplinary, and contextually rich body of knowledge. The following areas are proposed for further investigation:

1. Expanding the Scope of Regulation

This study focuses exclusively on BPOM Regulation Number 26 of 2021, which governs the presentation of nutritional information on processed food labels, without addressing other regulations or international policies. To gain a broader policy perspective, future research could conduct comparative analyses with labeling regulations in other countries.

2. Methodological Diversification Toward Empirical Research

This study is grounded in document analysis and the normative framework of *maqāṣid al-syarī'ah*, without incorporating empirical

methods such as consumer surveys or field experiments that could capture actual patterns of understanding and behavior in interpreting nutrition labels.

3. Engaging a Broader Range of Stakeholders

The sources of information in this study are primarily derived from interviews with BPOM officials at the provincial and city levels. To produce a more comprehensive analysis of regulatory implementation and impact, future studies should involve a wider range of stakeholders, including representatives from the food industry, consumer NGOs, professional nutrition associations, and public health practitioners. This multi-stakeholder approach will enrich the understanding of operational challenges and the real-world effectiveness of the regulation.

REFERENCES

- Abdul Rahim, Hanan F., et al. "Non-communicable Diseases in the Arab World." *The Lancet* 383, no. 9910: 1490, 2014 [https://doi.org/10.1016/S0140-6736\(13\)62383-1](https://doi.org/10.1016/S0140-6736(13)62383-1).
- Abd al-Ghafar, Muhammad Hassan. "Kitāb al-Qawā'id al-Fiqhiyyah Bayna al-Aṣālāh wa at-Tawjīh". Al-Maktaba al-Shamela. Accessed March 2, 2025. <https://shamela.ws/book/37692/174#p1>.
- Abdul Rahim, Hanan F., Michael H. M. Ali, Victor M. Mercado, Muhammad Al Hanafi, and Nabil B. Zahran. "Non-communicable Diseases in the Arab World." *The Lancet* 383, no. 9910 (2014): 1490. [https://doi.org/10.1016/S0140-6736\(13\)62383-1](https://doi.org/10.1016/S0140-6736(13)62383-1).
- Alami, Fathoni Nur, and Wily Mohammad. "Applying the Principles of Maqasid Al-Shariah to Address Poverty and Hunger in Indonesia." *International Journal of Islamic Economics and Finance Studies* 6, no. 2 (2024): 102–125.
- Alif, Rizki Ismu, Hayatul Ismi, and Samariadi. "Pengaturan Informasi Nutrigrade dalam Pemenuhan Hak Konsumen (Perbandingan Hukum Indonesia dan Singapura)." *Jurnal Hukum dan Kebijakan Publik* 9, no. 1 (2023): 50–73.
- Alimuddin, A. "Etika Produksi Dalam Pandangan Maqasid Syariah." *Nizham Journal of Islamic Studies* (e-journal.metrouniv.ac.id, 2020). <https://e-journal.metrouniv.ac.id/nizham/article/view/1720>.
- Al-Qur'ān. "Al-Jātsiyah [45]:18." Terj. Kementerian Agama Republik Indonesia. *Qur'an Kemenag Online*. <https://quran.kemenag.go.id>.
- Andayani, Dwiana. Quoted in Witri Nasuha, "Don't Get It Wrong Again, Here's a Smart Way to Read Nutrition Labels on Processed Foods." *Liputan6*, March 5, 2025. <https://www.liputan6.com/>.
- Anwar, Syamsul. *Hukum Perjanjian Syariah: Studi tentang Teori Akad dalam Fikih Muamalat*. 1st ed., cet. 1. Jakarta: Rajagrafindo Persada, 2007.
- Astuti, Ratna Widi. Interview by the author. Yogyakarta, February 26, 2025.
- Badan Pengawas Obat dan Makanan Republik Indonesia. *Keputusan Kepala BPOM No. HK.02.02.1.2.12.21.494 Tahun 2021 tentang Kewajiban dan Persyaratan bagi Usaha Mikro dan Kecil dalam Mencantumkan Label dan Informasi Nilai Gizi*. Jakarta: BPOM, 2021.
- Badan Pengawas Obat dan Makanan Republik Indonesia. *Peraturan Badan Pengawas Obat dan Makanan Nomor 26 Tahun 2021 tentang Informasi Nilai Gizi pada Label Pangan Olahan*. Jakarta: BPOM, 2021.
- Badan Pengawas Obat dan Makanan Republik Indonesia. *Peraturan BPOM Nomor 22 Tahun 2018 tentang Pedoman Pemberian Sertifikat Produksi Pangan Industri Rumah Tangga*. Jakarta: BPOM, 2018.
- Badan Pengawas Obat dan Makanan Republik Indonesia. *Peraturan BPOM Nomor 16 Tahun 2020 tentang Pencantuman Informasi Nilai Gizi untuk Pangan Olahan yang Diproduksi oleh Usaha Mikro dan Usaha Kecil*. Jakarta: BPOM, 2020.
- Badan Pengawas Obat dan Makanan Republik Indonesia. *Peraturan BPOM Nomor 26 Tahun 2021 tentang Informasi Nilai Gizi pada Label Pangan Olahan*. Jakarta: BPOM, 2021.
- Badan Pengawas Obat dan Makanan. *Peraturan Badan Pengawas Obat dan Makanan Nomor 26 Tahun 2017 tentang Organisasi dan Tata Kerja Badan Pengawas Obat dan Makanan*. Jakarta: Badan Pengawas Obat dan Makanan, 2017.
- Badan Pengawas Obat dan Makanan. *Peraturan Badan Pengawas Obat dan Makanan Nomor 26 Tahun 2021 tentang Informasi Nilai Gizi pada Label Pangan Olahan*.

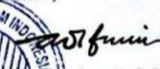
- Jakarta: BPOM, 2021.
- Badan Pengawas Obat dan Makanan. *Rancangan Peraturan Badan Pengawas Obat dan Makanan tentang Informasi Nilai Gizi pada Label Pangan Olahan*. Draft regulation, September 9, 2024, 46–48. Jakarta: BPOM, 2024.
- Depari, Lisa, Y. Trihoni Nalesti Dewi, and Edward Kurnia Limijadi. “Program Vaksinasi Sars-CoV-2 dan Relevansinya dengan Pemaknaan Kebebasan Menentukan Pelayanan Kesehatan dari Perspektif Hak Asasi Manusia.” *Soepra Jurnal Hukum*, 2024. <https://journal.unika.ac.id/index.php/shk/article/view/10480>.
- Fāsi, ‘Abd al-Majīd, alal. “Maqāṣid al-Sharī‘ah al-Islāmiyyah wa Makārimuhā”. Beirut: Dār al-Gharb al-Islāmī, 1995.
- Food Insight. “Consumer Survey: Understanding Portion and Serving Sizes.” January 26, 2022. <https://foodinsight.org/consumer-survey-understanding-portion-and-serving-sizes/>.
- Godbharle, Swapnil, Hema Kesa, and Angeline Jeyakumar. “Processed Food Consumption and Risk of Non-Communicable Diseases (NCDs) in South Africa: Evidence from Demographic and Health Survey (DHS) VII.” *Journal of Nutritional Science* 13 (2024): e19. <https://doi.org/10.1017/jns.2024.13>.
- Group of Authors. *Al-Mu‘jam al-Wasīṭ*. 4th ed. Cairo: Majma‘ al-Lughah al-‘Arabīyah – Maktabat al-Shurūq al-Dawliyyah, 2004.
- Helim, A., and A. S. Suradilaga. “Penggunaan Metode Maqasid al-Syari‘ah sebagai Alat Analisis.” *Jurnal Studi Agama dan Masyarakat* 20, no. 2 (2022): 145–60.
- Ibrahim, Johnny. *Teori dan Metode Penelitian Hukum Normatif*. Revisi ed., cet. 2. Malang: Bayumedia Publishing, 2006.
- International Covenant on Economic, Social and Cultural Rights. United Nations, 1967. Article 6. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>.
- International Diabetes Federation. *Diabetes-Related Health Expenditure in Indonesia: 2000–2045*. IDF Diabetes Atlas, 10th ed. 2021. Accessed December 27, 2024. <https://diabetesatlas.org>.
- Jaringan Dokumentasi dan Informasi Hukum Badan Pengawas Obat dan Makanan (JDIH BPOM). Accessed February 19, 2025. <https://jdih.pom.go.id/>.
- Laporan Risesdas 2018 Nasional*. 2018.
- Mauludyani, Anna Vipta Resti, Sri Wahyuni, Yulia Arisanti, and Dwi Kartika Sari. “Knowledge on Nutrition Labels for Processed Food: Effect on Purchase Decision among Indonesian Consumers.” *Jurnal Gizi dan Pangan* 16, no. 1 (March 8, 2021): 47–56. <https://doi.org/10.25182/jgp.2021.16.1.47-56>.
- Musthofa, Aqil, M. “Aturan Sertifikasi Produk Halal dalam Tinjauan Maqāṣid al-Syarī‘ah Jasser Auda.” *Al-Faruq: Jurnal Hukum Ekonomi Syariah dan Hukum Islam* 1, no. 1 (2022): 13–26. <https://doi.org/10.58518/al-faruq.v1i1.1030>.
- Mubarok, M. F., and A. Hermanto. “Hak dan Kewajiban Suami Istri dalam Konsep Kesetaraan Gender Perspektif Maqasid Syariah.” *JAKSYA: Journal of Islamic Law and Civil Law* (ejournal.iainutuban.ac.id, 2023). <http://ejournal.iainutuban.ac.id/index.php/jaksya/article/view/298>.
- Munir, Badrul, and Tengku Ahmad Shafiq bin Tengku Affandy. “Batas Usia Perkawinan dalam Undang-Undang Keluarga Islam Negeri Selangor Tahun 2003: Analisis Perspektif Maqasid Al-Syari‘ah.” *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 3, no. 2 (2019): 271–93.
- Nugroho, Agung Setiadi. “Urgency of Legal Policy Related to Intake Sugar as an Effort to Protect Children from the Threat of Diabetes Mellitus in Indonesia.” *Review of*

- National Law and Justice* 6, no. 2 (2024): 144–52.
- Paryadi. “Maqashid Syariah: Definisi dan Pendapat Para Ulama.” *Cross-Border* 4, no. 2 (2021): 201–216.
- Putri, Mutiara. “Puluhan Anak di Jabar Rutin Cuci Darah, Ini Penyebab & Fakta di Balikinya.” *HaiBunda*, August 9, 2024. <https://www.haibunda.com/parenting/20240809/puluhan-anak-di-jabar-rutin-cuci-darah-ini-penyebab-fakta-di-balikinya>.
- Rahardjo, Satjipto. *Ilmu Hukum*. Bandung: Citra Aditya Bakti, 1991.
- Raysūnī, Aḥmad, alal. “Mudkhal ilā Maqāsid ash-Sharī‘ah”. 1st ed. Dār al-Kalimah li al-Nashri wa at-Tauzī‘, 1431 H/2010 M.
- Raysuni, Aḥmad, alal. “Naẓariyyat al-Maqāsid ‘inda al-Imām al-Shāṭibī”. 2nd ed. Riyadh: al-Dār al-‘Ālamiyyah lil-Kitāb al-Islāmī, 1412 AH/1992. Accessed May 23, 2025. <https://shamela.ws/book/8343/128#p6>.
- Republic of Indonesia. *Peraturan Pemerintah Nomor 80 Tahun 2017 tentang Badan Pengawas Obat dan Makanan*. Lembaran Negara Republik Indonesia Tahun 2017 Nomor 181.
- Republic of Indonesia. *Presidential Regulation No. 80 of 2017 on the Integrated Investment Coordinating Plan*. State Gazette of the Republic of Indonesia Year 2017.
- Republic of Indonesia. *Undang-Undang Nomor 12 Tahun 2011 tentang Pembentukan Peraturan Perundang-undangan*. Lembaran Negara Republik Indonesia Tahun 2011 Nomor 82.
- Republik Indonesia. *Peraturan Pemerintah Republik Indonesia Nomor 69 Tahun 1999 tentang Label dan Iklan Pangan*. Jakarta: Sekretariat Negara, 1999.
- Republik Indonesia. *Peraturan Presiden Republik Indonesia Nomor 80 Tahun 2017 tentang Badan Pengawas Obat dan Makanan*. Jakarta: Sekretariat Negara, 2017.
- Republik Indonesia. *Undang-Undang Dasar Negara Republik Indonesia Tahun 1945*, Pasal 28I ayat (4).
- Republik Indonesia. *Undang-Undang Dasar Negara Republik Indonesia Tahun 1945*. Article 28H(1).
- Republik Indonesia. *Undang-Undang Republik Indonesia Nomor 18 Tahun 2012 tentang Pangan*. Jakarta: Sekretariat Negara, 2012.
- Republik Indonesia. *Undang-Undang Republik Indonesia Nomor 18 Tahun 2012 tentang Pangan*. Jakarta: Sekretariat Negara, 2012.
- Republik Indonesia. *Undang-Undang Republik Indonesia Nomor 36 Tahun 2009 tentang Kesehatan*. Jakarta: Sekretariat Negara, 2009.
- Ritonga, Suhaila. *Perlindungan Hukum Industri Minyak Kelapa Sawit terhadap Penggunaan Label Palm Oil Free (POF) pada Kemasan Pangan Olahan Perspektif Peraturan BPOM Nomor 31 Tahun 2018*. Undergraduate thesis, Universitas Islam Negeri Maulana Malik Ibrahim, Malang, 2021.
- Rizkal, Ilham Kamil. *Analisis Maqasid Syariah Terhadap Peraturan Walikota Banda Aceh Nomor 111 Tahun 2020 Tentang Pembatasan Penggunaan Kantong Plastik di Supermarket, Swalayan, dan Mall*. Skripsi, Fakultas Syari’ah dan Hukum, Universitas Islam Negeri Ar-Raniry Banda Aceh, 2023.
- Rusfi, M. “Maqasid Al-Syariah dalam Perspektif Al-Syatibi.” *Asas: Jurnal Hukum dan Ekonomi Islam* (Academia.edu), 2019, 25. <https://www.academia.edu/download/68474468/pdf.pdf>.
- Sa’adi, Gusti Muslihuddin, et al. “Analisa Pasal 412 KUHP Baru tentang Kohabitasi (Pendekatan Maqashid Asy-Syari’ah Asy-Syathibi dan Teori Social Engineering Roscoe Pound).” *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory (IJIJEL)* 1 (2023). <https://shariajournal.com/index.php/IJIJEL>.

- Safian, Yasmin Hanani Mohd, et al. "Maqasid Shariah-Based Governance Framework for Halal Industry in Malaysia." *International Journal of Business and Economy* 3, no. 4 (2021). <https://myjms.mohe.gov.my/index.php/ijbec>.
- Salcedo, Anastacia Marx de. *In Defense of Processed Food*. London: Reaktion Books Ltd, 2023.
- Sanuri. "Analysis of Hifz Al-Mal in Maqasid Al-Shari'ah Against the Article 'Criminal Act of Corruption' in the Criminal Code of Indonesia." *Jurnal Ilmu Hukum Indonesia* 4, no. 2 (2019): 200–20.
- Soofi, Masood A. B., and M. Masud. "International Law and Maqasid Al-Shariah." *SSRN Electronic Journal* (2024). https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4937103.
- Stanislawski, Maggie A., et al. "Genetic Risk Score for Type 2 Diabetes and Traits Related to Glucose-Insulin Homeostasis in Youth: The Exploring Perinatal Outcomes Among Children (EPOCH) Study." *Diabetes Care* 44, no. 11 (2021): 2553–2561. <https://doi.org/10.2337/dc21-0464>.
- Syafi'ie, M. Instrumentasi Hukum HAM, Pembentukan Lembaga Perlindungan HAM di Indonesia dan Peran Mahkamah Konstitusi. Yogyakarta: Pusat Studi Hak Asasi Manusia UII, 2012.
- Syāṭibī, Ibrāhīm ibn Mūsā, alal. "*Al-Muwāfaqāt fī Uṣūl al-Syarī'ah*". Edited by 'Abd Allāh Darāz and 'Abd al-Salām 'Abd al-Shāfi Muḥammad. 2 vols. Riyadh: Ministry of Religious Affairs (Saudi Arabia), 2014.
- Tajuddin, Muhammad Maulana, et al. "Analisis Maqasid Syariah Jasser Auda Terhadap Undang Undang No 12 Tahun 2022 Tentang Tindak Pidana Kekerasan Seksual." *Jurnal Hukum & Pembangunan Masyarakat* 14, no. 3 (2023): 1–12.
- Tracy, Brian. *Eat That Frog!: 21 Great Ways to Stop Procrastinating and Get More Done in Less Time*. San Francisco: Berrett-Koehler Publishers, 2017. <https://books.google.com/books?id=pFD5DQAAQBAJ>.
- Wahid, A., and A. H. Ridwan. "Pengharaman Riba Dalam Perspektif Al-Maqasid Asy-Syariah." *Maqdis: Jurnal Kajian Ekonomi Islam* (ejournal.uinib.ac.id, 2023). <https://ejournal.uinib.ac.id/febi/index.php/maqdis/article/view/454>.
- World Health Organization. "Noncommunicable Diseases." Last modified 2024. Accessed December 18, 2024. <https://www.who.int/news-room/fact-sheets/detail/noncommunicable-diseases>.
- World Health Organization. *Noncommunicable Diseases*. 2024. Accessed December 18, 2024. <https://www.who.int/news-room/fact-sheets/detail/noncommunicable-diseases>.
- World Obesity Federation. "Saudi Arabia: Diabetes Prevalence." Global Obesity Observatory. Accessed December 27, 2024. https://data.worldobesity.org/country/saudi-arabia-186/#data_comorbidities/diabetes-prevalence.
- World Obesity Federation. "Saudi Arabia: Diabetes Prevalence." *Global Obesity Observatory*. Accessed December 27, 2024. https://data.worldobesity.org/country/saudi-arabia-186/#data_comorbidities/diabetes-prevalence.

APPENDIX

Appendix 1. Research Permit Letter

	FAKULTAS ILMU AGAMA ISLAM Gedung K.H. Wahid Hasyim Kampus Terpadu universitas islam indonesia Jl. Kaliurang km 14,5 Yogyakarta 55584 T. (0274) 898444 ext. 4511 F. (0274) 898463 E. fiaii@uii.ac.id W. fiaii.uii.ac.id
Nomor : 198/Dek/60/DAATI/FIAI/II/2025	Yogyakarta, <u>13 Februari 2025 M</u>
Hal : Izin Penelitian	<u>14 Sya'ban 1446 H</u>
Kepada : Yth. Pimpinan Badan POM RI Yogyakarta Jl. Tompeyan IV, Tegalrejo, Kec. Tegalrejo Kota Yogyakarta, Daerah Istimewa Yogyakarta. 55244 di Daerah Istimewa Yogyakarta	
<i>Assalamu 'alaikum wr. wb.</i>	
Dengan ini kami sampaikan dengan hormat kepada Bapak/Ibu, bahwa bagi mahasiswa Program Sarjana Fakultas Ilmu Agama Islam Universitas Islam Indonesia Yogyakarta yang telah menyelesaikan teori, diwajibkan menulis karya ilmiah berupa skripsi.	
Sehubungan dengan hal tersebut di atas, mahasiswa kami:	
Nama	: FASTABIQ KHOIRUL AFFAN
No. Mahasiswa	: 21421089
Program Studi	: Ahwal Al-Syakhshiyah IP
mohon diizinkan untuk mengadakan penelitian di instansi/lembaga yang Bapak/Ibu pimpin, dengan judul penelitian:	
<i>BPOM Regulation Number 26 of 2021 Concerning Nutritional Value Information on Processed Food Labels in the Perspective of Al-Shatibi's Maqasid</i>	
Demikian, atas perhatian dan kerjasamanya diucapkan terima kasih.	
<i>Wassalamu 'alaikum wr. wb.</i>	
Dekan,  Dr. Drs. Asmuni, MA 	

Dipindai dengan
CS CamScanner

Appendix 2. List of Question and Interview Process (Expert Respondent)

Day/date : Wednesday, 26th february 2025

Time : 12.20pm – 13.30 pm

Place : Balai Besar POM Yogyakarta

Respondent : Ratna Widi Astuti

Job : Food and Pharmaceutical Inspector in BBPOM Yogyakarta

Researcher: Thank you, Ma'am. For the purpose of this interview, I would like to emphasize that all the questions I ask are purely for academic research purposes, to support the data for my normative legal study.

Mrs. Ratna: Okay. I have read your email about the regulation regarding labeling. I can't recall the exact regulation number right now, but I'll try to find it later. Basically, information related to labels is indeed regulated under food labeling laws. One of the points regulated is what must be included on the label, including nutritional information. So far, BPOM requires nutrition facts labeling only for medium to large industries, or for products classified as functional food, special dietary food, infant food, and so on.

Researcher: I see. How about the requirement of nutritional labeling for micro and small enterprises (UMK)? Is there a specific policy from BPOM regarding this?

Mrs. Ratna: Well, in 2021, BPOM issued a new regulation that also requires micro and small enterprises (UMK) to include nutritional information. However, for UMK, we've developed a specific formula based on certain food categories. So, UMK businesses are not required to conduct laboratory testing on their products.

Researcher: So, micro and small businesses are still required to include nutritional labeling, but without the need for lab testing, is that right, Ma'am?

Mrs. Ratna: That's right. For certain products, testing is not necessary. In general, the mandatory nutritional information includes six items: carbohydrates, protein, fat, saturated fat, sugar, and salt. But for functional or special foods like those for nursing mothers or infants under one year old the requirements vary. It's all regulated.

Researcher: Has this regulation concerning nutritional labeling for UMK been officially established and legally enforced?

Mrs. Ratna: Yes. It's regulated under BPOM Regulation No. 1 of 2021. We also have an app called BPOM ING Table. You can send me your WhatsApp number and I'll send you the regulation and the app link. In the app, business owners just select the food type, net weight, and serving size. Serving sizes are already formulated. For example, for chips, the serving size ranges from 20 to 40 grams.

Researcher: That's very interesting, Ma'am. So BPOM has already provided serving size guidelines based on product types?

Mrs. Ratna: Yes, that's right. BPOM has categorized various types of food in a special table. If the business owner has an account, they just log in to the app and choose whether their business is micro or small. Then they can choose one of two methods: with lab testing (by entering test results) or without lab testing, based on the 163 Food Types listed in BPOM Regulation No. 1 of 2021 and the BPOM Head's Decree. For example, if they produce tempeh, they just select "tempeh product," and proceed. The app will show a food description. Sometimes business

owners are unsure of their product category, this app helps clarify that.

Mrs. Ratna: If you open the regulation, the food types will appear in a model like this. It shows the food category, nutrient content per 100 grams, and so on. There's a description, content, and serving size. This forms the basis for the ING Table app I mentioned earlier. It also includes how the calculations are done. I'll send it to you as a reference. The full regulation can be downloaded from our JDIH (Legal Information Documentation Network).

Researcher: I have a few more questions, Ma'am. Regarding nutritional information, do you think the public easily understands the content? For example, do people have enough knowledge to interpret the nutrition facts on food labels?

Mrs. Ratna: To answer that, ideally a survey is needed. But currently, we've been conducting a lot of public education so that people become more aware of nutrition. That's one of the reasons we require UMK to include nutritional information on their products. Previously, this obligation only applied to medium and large-scale industries. But now, since most of our food industry consists of UMK, we want them to also help educate the public.

Researcher: If UMK are required to include nutritional information, doesn't that burden them, Ma'am? Since there are usually additional costs for product testing.

Mrs. Ratna: Yes, that's definitely a challenge. That's why we developed a simpler formulation for UMK (a nutritional information formulation that doesn't require lab testing for micro and small businesses). We hope this serves as a form of education for both business owners and consumers. Consumers will know, "Oh, this product contains such and such." Especially now with the increase in degenerative diseases

like diabetes and hypertension, people need to know their limits for sugar, sodium, and so on.

Researcher: That's true, Ma'am. I often see on snack packaging that it contains 100 grams, but the serving size on the label is only 20 grams. So the calorie count looks small. But if you eat the whole pack, the calories multiply five times.

Mrs. Ratna: Exactly. That's why education is important. Many people don't realize that label information often refers to the serving size, not the whole package. If consumers don't read or understand the label properly, they may misunderstand. Education is not only the government's responsibility, but also that of businesses and educational institutions. We're also drafting a new regulation called Nutri Level, which will use color labels to make it easier for the public to choose healthier foods. For example, if it has a red label, it means less healthy; if green, then it's healthier.

Researcher: So this upcoming regulation also supports that effort, right?

Mrs. Ratna: Absolutely. This regulation is designed to help people understand the information on food packaging more easily. One way is by using color indicators. Consumers can immediately tell if certain contents like sugar or sodium are high, moderate, or low. There's also a "healthier choice" logo. That can also help people make better product choices.

Researcher: The Nutri Level regulation is still under proposal, right, Ma'am?

Mrs. Ratna: Yes, we are currently in the proposal phase for the implementation of that logo so it can be officially used soon. However, for the "healthier choice" logo, we have already started implementing it. Currently, there are 20 food categories

that have their nutritional profile standards set. For example, for instant noodles, we have set sodium limits. If the sodium content is below a certain level, producers can claim their product is healthier.

Researcher: Oh, I've seen that logo, Ma'am. One example would be Lemonilo, right? Are there other categories besides instant noodles?

Mrs. Ratna: Yes, there are also categories like ready-to-drink beverages. For this category, we've set maximum limits for sugar content. So, if a product meets that standard, producers can declare it as a healthier choice. Oh, and even though the Nutri Level label is placed on the front, full nutritional information must still be included on the back according to the previous format. So it's just an addition to the existing rule.

Researcher: So on the front, the information is more concise, such as total fat or the type of fat, right Ma'am? That way, consumers can immediately see it.

Mrs. Ratna: Yes, exactly. On the front of the packaging, producers can display key information like total fat, type of fat, sugar, and so on. The aim is to help consumers quickly identify the main contents without reading the full label on the back.

Researcher: So it's not replacing the old format, but adding extra information on the front of the package?

Mrs. Ratna: That's correct. The original, complete format is still required on the back according to the previous regulation, while the front labeling is just an additional feature to help consumers better understand the product content.

Researcher: Regarding laboratory testing, Ma'am, is the testing done directly by BPOM, or are there third-party labs involved?

Mrs. Ratna: For UMK, we've already created a special formulation outlined in the BPOM regulation. This guideline was developed centrally by BPOM. We have a standards division and also collaborate with BUMN laboratories in formulating these regulations.

Researcher: Oh, so state-owned labs (BUMN) are also involved in developing testing standards, Ma'am?

Mrs. Ratna: Yes, that's right. For example, with products like tempeh chips, we've already set standard serving sizes like how many spoons of sugar and salt are allowed. All of this is outlined in the formula that serves as a reference for testing UMK products. If you access the website, you'll see around 163 food types available. Just select, for example, tempeh chips. Then the description of that food will appear. Sometimes even we get confused about which category a product belongs to. But the system already provides descriptions, even for items like siomay. This is all based on BPOM regulations. For example, for 100 grams of tempeh, we've already set the energy and nutrient contents. This complies with the regulation.

Researcher: What about the format, Ma'am?

Mrs. Ratna: The nutritional information format differs depending on the food type. For processed foods, it generally follows one format, but for baby food and complementary foods, the format is different. There are also specific formats for medical foods (KMK), breast milk substitutes, and maternal milk. So the standards do vary, and they're all regulated in the nutritional labeling regulation. Now, for processed foods that combine several types like bread types A, B, and C, if they're

sold as a bundle, there will be a specific calculation. There is also a tolerance margin for nutrient content. For example, if the label says 10 grams of carbs, the test result doesn't have to be exactly 10 grams. There's a tolerance of around 1% to ensure compliance.

Appendix 3. Documentation



The author with Ratna Widi Astuti, Food and Pharmaceutical Inspector at BBPOM Yogyakarta. (Personal documentation)

CURRICULUM VITAE

Personal Information

Full Name : Fastabiq Khoirul Affan

Place, Date of Birth : Cempaka, Mei 3, 2001

Gender : Male

Religion : Islam

Nationality : Indonesian

Address : Jl. Arjuna no.17, Kec. Kotagajah, Lampung Tengah.

Phone Number : +62 898 8235 662

Email : fastabiqk28@gmail.com

Educational Background

- SD IT Insan Mulia (2007-2014)
- Daarul Huffazh Lampung (2014-2017)
- Imam Bukhari Surakarta (2017-2021)