

ADDRESSING CHALLENGES AND ISSUES IN ESTABLISHING A HALAL PHARMACY FOR MUSLIM COMMUNITIES

MAZUKI, N. M.^{1*} – BHARI, A.²

¹ *Academy of Contemporary Islamic Studies (ACIS), University of Universiti Teknologi MARA Perlis Branch, Perlis, Malaysia.*

² *Academy of Contemporary Islamic Studies (ACIS), Universiti Teknologi MARA Shah Alam, Selangor, Malaysia.*

**Corresponding author
e-mail: nurmarfaiza93[at]gmail.com*

(Received 15th August 2024; revised 19th November 2024; accepted 27th November 2024)

Abstract. The proposal to establish a halal pharmacy seeks to address critical challenges in the pharmaceutical industry, particularly in meeting the healthcare needs of Muslim communities. This initiative emphasizes the establishment of a dedicated pharmacy offering comprehensive services that strictly adhere to Islamic dietary and ethical guidelines, ensuring compliance with halal principles. Central to the concept of a halal pharmacy are Islamic principles such as Tayyib (purity and wholesomeness), the prohibition of any forbidden substances, and adherence to Shariah-compliant business practices. One of the main challenges is the implementation and recognition of the halal logo, which plays a pivotal role in assuring consumers of the halal status of pharmaceutical products. The halal logo, governed by regulatory bodies, serves as a crucial symbol for Muslim consumers to trust the integrity of the products they purchase. This concept paper adopts a qualitative approach to investigate the feasibility of establishing a halal pharmacy, focusing on the challenges of implementing halal logo. The study aims to highlight the challenges faced in the halal pharmacy sector by identifying gaps, examining stakeholder perspectives, and addressing issues related to halal certification, compliance, and ingredient sourcing. The findings are expected to provide actionable insights for developing effective strategies and policies, fostering the growth of halal pharmaceutical services to meet the demands of a growing global market.

Keywords: *pharmaceutical industry, halal certification, halal logo, challenges, Malaysia*

Introduction

In recent years, the concept of halal pharmacies has emerged as a significant development within the intersection of healthcare and religious observance, particularly within Muslim communities worldwide. The term "halal" refers to practices that are permissible or lawful according to Islamic law (Sharia), encompassing not only dietary restrictions but also ethical and procedural considerations. A halal pharmacy, therefore, seeks to provide pharmaceutical products and healthcare services that align with Islamic principles, catering to the specific needs and preferences of Muslim consumers. The establishment of halal pharmacies responds to the growing demand for healthcare options that respect religious beliefs and dietary guidelines. Muslims adhere to strict halal requirements, which extend beyond food to encompass medication and personal care products. Many conventional pharmaceuticals may contain ingredients or utilize processes that are non-compliant with halal standards, presenting challenges for Muslim individuals seeking healthcare solutions that align with their faith.

The primary objective of a halal pharmacy is to offer a range of halal-certified medications, supplements, and personal care items that meet the ethical and dietary

requirements outlined in Islamic law. This includes ensuring that medications are free from alcohol, pork-derived ingredients, and other substances deemed haram (forbidden) in Islam. Moreover, halal pharmacies may adopt specific protocols in sourcing, manufacturing, and dispensing products to uphold halal integrity throughout the supply chain. The emergence of halal pharmacies reflects broader trends towards cultural competence and religious accommodation in healthcare delivery. By providing dedicated halal-certified services, these pharmacies aim to enhance access to quality healthcare while respecting the diverse religious and cultural backgrounds of their clientele. Additionally, halal pharmacies play a vital role in promoting health equity and inclusivity within healthcare systems, addressing the specific needs of Muslim patients who may otherwise face barriers to receiving culturally appropriate care.

Halal pharmaceutical industry in Malaysia

The pharmaceutical industry in Malaysia is a key sector targeted for promotion and development by the Government. Products manufactured by Malaysian pharmaceutical companies fall into four main categories: prescription medicines, over-the-counter (OTC) products, traditional medicines, and health/food supplements. These companies are involved in the production of generic drugs, traditional medicines, and herbal supplement (MIDA, 2020). Given the emerging concerns surrounding halal pharmaceuticals and Malaysia's proactive stance in addressing these issues, the pharmaceutical industry is being positioned as a key halal-compliant sector. This strategic move underscores the industry's importance not only for domestic consumption but also as part of Malaysia's export agenda (Ramli et al., 2012). Azam and Abdullah (2020) observed healthcare products and pharmaceuticals that align with halal principles are emerging as a potential segment within the halal industry, exhibiting impressive growth performance. These products not only comply with dietary and ethical guidelines but also cater to an expanding consumer base seeking halal-certified option. The success and expansion of halal healthcare products highlight their potential as integral components of lifestyle offerings within the halal industry.

Materials and Methods

This qualitative study undertook a comprehensive analysis of previous and current publications within the halal pharmaceutical industry, with a focus on identifying and addressing challenges related to implementing halal logos and issues within the halal pharmacy sector. A systematic review of articles and relevant sources was conducted to extract information, identify recurring themes such as halal pharmaceuticals, halal logos, challenges and issues, and the role of regulatory bodies, and derive significant insights pertaining to the challenges faced by halal pharmacy stakeholders. Data were analyzed thematically to provide a deeper understanding of the operational and regulatory hurdles encountered by industry players, including manufacturers, retailers, and certification bodies. By synthesizing findings from existing literature, this study highlights the importance of fostering collaboration among stakeholders to ensure compliance with halal standards and enhance consumer trust in halal pharmaceutical products..

Results and Discussion

Islamic principle of halal pharmaceutical industry in Malaysia

As narrated by Abu Darda, a companion of the Prophet Muhammad (saw),

“The Prophet (saw) said Allah has sent down both the disease and the cure and He has appointed a cure for every disease, so treat yourself medically, but use nothing unlawful.”

The obligation and necessity for halal pharmaceuticals apply to every Muslim. Thus, it is essential for Muslim consumers seeking halal pharmaceutical products to ensure these prerequisites are met. Given the importance of religious beliefs in their decision-making process, consumers prioritize pharmaceuticals that adhere to halal standards, use permissible ingredients, and have accurate product labeling (Naimat et al., 2023). On short, the Islamic rulings on seeking medical treatment are divided into two categories: obligatory and permissible. For the general public, the ruling is permissible as long as one can endure the pain, remain patient, or the illness is not severe. The necessity of seeking medical treatment becomes obligatory for Muslims who cannot endure the pain they are experiencing or when the illness threatens their life. Therefore, Muslims have the choice to either seek treatment for their illness or to endure the pain as a test from Allah. However, the ruling on seeking medical treatment can change to forbidden if the patient believes that the power to cure the illness comes solely from the medication used, whereas the reality is that healing comes from the power of Allah. Similarly, if the patient seeks treatment with substances that are forbidden and prohibited by Islamic law, then seeking such treatment would be considered forbidden (Marzi, 2020).

Halal pharmaceuticals are drug products derived from permissible sources, including animals, plants, organic, or inorganic substances, prepared, manufactured, and extracted in accordance with Islamic guidelines (Khan and Shaharuddin, 2015). Halal pharmaceutical products must not only exclude Haram constituents but also adhere to the principle of Tayyib, signifying cleanliness, purity, and adherence to standard manufacturing practices. Therefore, a pharmaceutical product should not only be Halal but also meet the criteria of cleanliness and purity as defined by Islamic law. The Ministry of Health Malaysia (MOH), through the Pharmacy Services Division, plays a role in ensuring that medicines in Malaysia are registered with MOH. Registered pharmaceutical products are evaluated for safety, efficacy, and quality, while traditional registered products are assessed for safety and quality with the primary aim of protecting our health. This aligns with the concept of Thoyyiban. Furthermore, the Drug Control Authority (DCA) also requires pharmaceutical companies to declare if their products contain ingredients derived from animals by placing labels indicating that the product contains animal-sourced ingredients such as bovine (cow), porcine (pig), and others. Raw materials like magnesium stearate, glycerin, or gelatin can be obtained from animal sources.

Challenges in halal pharmaceutical industry in Malaysia

The challenges explored in this study regarding the Halal Pharmaceutical Industry in Malaysia focused on the uses of halal logo and other related challenges within the industry. The discussion drew insights from previous literature related to halal

certification and legal frameworks, encompassing complex processes involved in obtaining and displaying the halal logo on pharmaceutical products.

Discussion on halal logo

JAKIM is a reputable authority in Malaysia designated as the primary entity responsible for guidelines and regulations related to halal certification. Its functions include administering halal matters, issuing halal certificates, and monitoring and enforcing halal regulations in Malaysia (Aziz, 2011). In fact, the use of the halal logo for pharmaceutical products is voluntary, and it is not appropriate to consider a product as haram for use solely because it lacks the halal logo (Shohaimi et al., 2018). This situation contradicts the principles of consumers' right to access information. In short, the obligation to disclose information should rest with the seller rather than placing the burden on the buyer to investigate. This situation highlights the critical necessity for disclosing ingredients in products labeled as halal and those that are not, which is currently not addressed by existing legislation (Aziz et al., 2022). The inclusion of a halal label or certification plays a vital role in ensuring the rights of Muslim consumers are protected. Aziz et al. (2022) stated another reason why pharmaceutical products lack halal certification is because such certification may confuse consumers about the medicine's status and its halal logo. The presence of halal labels on certain medicines may create a perception that medicines without such labels are considered *haram* or non-halal. This could have negative implications for pharmaceutical sellers who do not intend to seek halal certification.

In Islam, the use of non-halal pharmaceuticals is permitted under the principle of necessity. Given the situation of emergency, however, Muslim may have a negative perception if they need to be treated with such medicine. Requiring pharmaceuticals to be halal certified seems contradictory to the exception granted to Muslims seeking medical treatment. The assumption is that halal labeling on pharmaceutical products is deemed unnecessary because it is believed that everyone using pharmaceuticals is unwell and thus permitted to consume any medications (Dayan et al., 2021). This justification has been a contributing factor to the absence of halal certification for pharmaceutical products in recent years. The principle that Islam permits the use of non-halal pharmaceuticals based on necessity has influenced the regulatory landscape, leading to a situation where halal certification is not mandatory for all pharmaceutical products. This approach reflects the understanding that in cases of necessity, Muslims are allowed to use medications that may not meet halal criteria, emphasizing the importance of ensuring access to essential treatments and medications even if they do not carry a halal certification.

In addition, the process of obtaining halal certification for pharmaceutical products is described as cumbersome and time-consuming, particularly due to the presence of various certifying bodies or authorities each with distinct halal compliance criteria (Azam and Abdullah, 2021). The halal pharmaceutical industry faces challenges due to certification requirements and the interpretation of halal standards. Annabi and Ibidapo-Obe (2017) suggest that standard guidelines must be developed to ensure consistency and reliable halal certification across different regions and regulatory framework. In light of the increasing demand for halal pharmaceutical products, halal certification and labeling have emerged as essential sources of information for consumers seeking to avoid deception (Karjoko et al., 2020). Many previous researchers agreed that the lack of certification and labeling may lead to issues of misinformation and falsehood among

consumers, potentially misleading them due to the unavailability of prevalent and credible information regarding the halal status of products (Luthviati and Jenvitchuwong, 2021). The lack of certification and labeling could potentially lead to misinformation and confusion among consumers, ultimately misleading them especially when credible information about the halal status is not readily available. Karjoko et al. (2020) stated that access to product information, particularly regarding halal status, significantly influences consumer purchasing decisions, underscoring the need for manufacturers to provide detailed and accurate information.

Discussion on additional challenges in halal pharmaceutical

Currently, Malaysia does not have a dedicated statute specifically addressing Halal certification. Instead, various fragmented laws within the criminal and civil legal frameworks can be invoked to safeguard consumers of halal pharmaceuticals. These laws encompass provisions related to consumer protection, product labeling, and adherence to Islamic dietary and ethical guidelines. The administration of the halal industry, especially in halal pharmaceuticals, involves multiple private companies and government departments with complementary, overlapping, and sometimes competing roles. Additionally, there is a lack of strong task force support within the existing administrative framework (Aziz et al., 2022; Sahari et al., 2022). Up until today, there has been minimal effort to ensure that medications consumed by the more than 1 billion Muslims globally are certified as halal and align with Shariah requirements. To oversee large-scale industries such as halal pharmaceuticals, there is currently a lack of specific laws and regulations in place. Therefore, it is imperative to implement guidelines to ensure that halal pharmaceutical companies adhere to consistent standards (Ramli et al., 2012). Hence, there is a need for guidelines to ensure that all halal pharmaceutical companies adhere to the same standard. The Department of Standards Malaysia which serves as the national standards and accreditation body of Malaysia, has developed MS 2424:2012.

Latiff and Zakaria (2016) stated, before the standard MS 2424:2012 Halal Pharmaceuticals-General Guidelines and the Malaysia Halal Certification Procedure Manual (MPPHM) second edition were established, JAKIM only accepted halal certification applications for traditional medicine products and health supplements. Therefore, any product categorized as a pharmaceutical output by the Ministry of Health Malaysia would have their certification applications rejected. There are various issues raised in halal certification in Malaysia, particularly in the pharmaceutical category. One of the challenges faced by the industry is the difficulty in meeting the requirements or criteria set out in halal certification standards or procedures manuals. The challenges faced by the industry encompass sourcing halal raw materials or ingredients necessary for product processing. In the pharmaceutical sector, fundamental compounds derived from pigs may be utilized as active ingredients or inactive excipients in formulations. Additionally, a significant portion of capsules currently on the market are sourced from non-halal origins. This highlights the difficulties in ensuring the halal status of pharmaceutical products, particularly in sourcing and utilizing ingredients that comply with Islamic dietary laws and ethical guidelines (Aziz et al., 2022). Most of the ingredients bought from external suppliers are derived from animal sources such as gelatin and stearates, typically produced from animal fats, and their halal status is often unknown (Rahman, 2012). Furthermore, for most manufacturers, they have too many

products used in disease treatment, and it is impossible to list complete lists of ingredients used.

Moreover, concerns also arises on the use of equipment and milling machines which must take into account the equipment and milling machines used by manufacturers of raw materials that are still used in pharmaceutical products, or machines and equipment used in processing may involve mixing with previously processed materials whose sources cannot be ensured whether they are halal or otherwise (Rahman, 2012). For example, capsules from bovine sources produced using the same equipment as capsules from porcine sources are not halal if they come into contact without proper cleaning or purification according to Islamic law (Maifiah and Ismail, 2023). Meanwhile, in terms of cleaning for certain equipment and milling machines, it is done according to the regulatory rules established by the relevant authorities or agencies, and this cleaning does not comply with Islamic law (Rahman et al., 2022). Additionally, most capsules and certain contents such as stearic acid or magnesium stearate produced by pharmaceutical manufacturers are derived from animal sources and their halal status is unknown (Herdiana et al., 2023).

Conclusion

Efforts are needed to educate consumers that the absence of a halal label does not imply non-compliance with halal principles. By promoting awareness and accurate information, policymakers can address consumer concerns and ensure informed decision-making. Understanding and implementing standards like MS 2424:2012 Halal Pharmaceuticals-General Guidelines are essential and require comprehensive training and harmonization among certification bodies and industry stakeholders. Addressing challenges in the halal pharmaceutical industry will unlock opportunities and provide better guidelines for policymakers to support its expansion in Malaysia.

Acknowledgement

This research is self-funded.

Conflict of interest

The authors confirm that there is no conflict of interest involve with any parties in this research study.

REFERENCES

- [1] Annabi, C.A., Ibidapo-Obe, O.O. (2017): Halal certification organizations in the United Kingdom: An exploration of halal cosmetic certification. – *Journal of Islamic Marketing* 8(1): 107-126.
- [2] Azam, M.S.E., Abdullah, M.A. (2021): Halal standards globally: A comparative study of unities and diversities among the most popular halal standards globally. – *Halalsphere* 1(1): 11-31.
- [3] Azam, M.S.E., Abdullah, M.A. (2020): Global halal industry: realities and opportunities. – *IJIBE (International Journal of Islamic Business Ethics)* 5(1): 47-59.
- [4] Aziz, M.N.M. (2011): The Halal. – *JAKIM* 2p.

- [5] Aziz, N.A., Abdullah, S.M., Nasrun, M., Roslan, M.A., Awang, M.N. (2022): Halal labelling for the Malaysian pharmaceutical products: a legal review. – *International Journal of Academic Research in Business & Social Sciences* 12(5): 1759-1776.
- [6] Dayan, F., Sheraz, M.M., Al Mahmood, A.K., Islam, S. (2021): The application of necessity in medical treatment: An Islamic biomedical perspective. – *Bangladesh Journal of Medical Science* 20(1): 24-32.
- [7] Herdiana, Y., Sofian, F.F., Shamsuddin, S., Rusdiana, T. (2023): Towards halal pharmaceutical: Exploring alternatives to animal-based ingredients. – *Heliyon* 10: 19p.
- [8] Karjoko, L., Gunawan, S., Sudarwanto, A.L. (2020): Patent policy on the pharmaceutical sector in Indonesia. – *Journal of Legal, Ethical and Regulatory Issues* 23(5): 13p.
- [9] Khan, T.M., Shaharuddin, S. (2015): Need for contents on halal medicines in pharmacy and medicine curriculum. – *Archives of Pharmacy Practice* 6(2-2015): 38-40.
- [10] Latiff, J.A., Zakaria, Z. (2016): Pelaksanaan Malaysian standard MS 2424: 2012 halal pharmaceuticals-general guidelines. – *Journal of Shariah Law Research* 1(1): 119-140.
- [11] Luthviati, R.D., Jenvitchuwong, S. (2021): Implementation of Halal Product Assurance in the Pharmaceutical Sector in Indonesia. – *Journal of Human Rights, Culture and Legal System* 1(3): 164-179.
- [12] Maifiah, M.H.M., Ismail, W.N.E.S.W. (2023): Porcine And Bovine-Derived Ingredients: Islamic Rules in Halal Pharmaceutical Products. – *Journal of Fatwa Management and Research* 28(3): 41-57.
- [13] Malaysian Investment Development Authority (MIDA) (2020): Guide on pharmaceutical industry in Malaysia. – Kuala Lumpur: Malaysian Investment Development Authority 35p.
- [14] Marzi, M. (2020): The ruling of refusing to get treatment or undergo surgery. – Mufti of Federal Territory Office 8p.
- [15] Naimat, N., Mustafa, M.S.A., Nasrijal, N.M.H., Mahat, I.R. (2023): Challenges and Opportunities in the Halal Pharmaceutical Industry in Malaysia. – *Information Management and Business Review* 15(4(I)): 73-78.
- [16] Rahman, A. (2012): Halalkah ubat anda. – *Crescent News* 265p.
- [17] Rahman, S.A., Azhar, A.A.S., Majeed, A.B., Nizaruddin, M.A. (2022): Qualitative study on processes, issues and challenges in implementation of islamic obligatory cleansing (Sertu) in halal pharmaceutical industry. – *International Journal of Health Sciences* 6(s7): 46989-47007.
- [18] Ramli, N., Salleh, F., Azmi, S.N. (2012): Halal pharmaceuticals: A review on Malaysian standard, ms 2424: 2012 (p). – *Journal of Arts and Humanities* 1(1): 137-142.
- [19] Sahari, N.H., Aziz, N.A., Harun, N.H., Mazlan, F.A., Latiff, J.A. (2022): Conceptual Framework Of A Unified Legal Control Of Halal Meat Import For A Sustainable Halal Industry In Malaysia. – *Journal of Fatwa Management and Research* 27(2-SE): 80-94.
- [20] Shohaimi, N.S., Salleh, B.F.M., Farok, I.M. (2018): Panduan penggunaan ubat-ubatan dari perspektif Islam. – Kementerian Kesihatan Malaysia 40p.