

# AN ANALYSIS OF HALAL BRAND NAMES IN THE MALAYSIAN FOOD INDUSTRY

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(Received 07<sup>th</sup> June 2025; revised 03<sup>rd</sup> August 2025; accepted 17<sup>th</sup> August 2025)

**Abstract.** It is undeniable that Malaysia is a well-known country and has become a role model for other countries due to its leadership in the halal industry, as mentioned in the Global Islamic Economy Report 2022 by Thomson Reuters. The industry in Malaysia continues to cement its status as a global leader in Halal. Malaysia has established comprehensive halal standards, halal certification, halal parks, halal incentives, and an extensive ecosystem-supported codex. Malaysia offers a complete halal ecosystem that includes production, services, infrastructure, government support, and human capital. Therefore, the industry incorporates brand elements into its products to enhance brand awareness and familiarity, as each element integrates strong values that contribute to brand equity. Brand elements serve as tools for identifying and differentiating products. The company chooses leading brand elements such as brand names, logos, slogans, and packaging to enhance their brand awareness and showcase the advantages and strength of their product. However, the focus of this research is on halal brand names. Many issues arise with halal brand names, as some companies engage in imitation, fraud, and misrepresentation to falsely present their brands as halal without providing any proof or evidence of their halal status. In addition, the current guidelines for halal brands are found to be insufficient and lacking in detail, which emphasises the need to develop a structure that can serve as guidance for the industry. Thus, the objective of this research is to analyse the application of halal brand names in the food industry and to propose a structure for halal brand names. This research employed qualitative methods to conduct in-depth interviews with 14 experts from various fields, including halal agencies, industry, consultants, and academia. The findings revealed five halal principles for the application of halal brand names: (1) The essence of Asl: Permissibility of Things; (2) The prohibition of things due to their impurity and harmfulness; (3) Anything conducive to the Haram is itself Haram; (4) Falsely representing the Haram as Halal is prohibited; and (5) Avoiding doubtful things. The application of halal brand names needs to be in accordance with halal principles to ensure the brand is not misrepresenting, misleading, or causing confusion for the consumer.

**Keywords:** *halal brand name, food industry, Islamic principles, Malaysia*

## Introduction

Some companies are attempting to persuade consumers to choose their food products over those of their competitors. The company takes the initiative to set themselves apart from their competitors. Industry players implement branding strategies to enhance their brand image and establish a dominant market perception, highlighting their strengths and minimising their weaknesses. The food and beverage industry needs to convince the consumer that the products that they offer are high quality and value. Therefore, the industry adopted brand elements in its products to enhance brand awareness and familiarity, as each element integrates strong features that contribute to brand equity (Farhana, 2012). Brand elements serve as tools for identifying and differentiating

products. The company can choose brand names, symbols, logos, and characters as core brand elements to enhance their brand awareness and showcase the product's advantages and strength (Farhana, 2012). Strength is crucial in building a lasting connection with consumers, ultimately leading to brand loyalty. By consistently reinforcing these elements through marketing efforts and customer engagement, companies can establish a strong brand presence in a competitive market. On the top 10 list of market capital in Malaysia, there are about 8 companies that are shariah-compliant; meanwhile, another 2 companies are not. A company that is shariah-compliant has halal certification, sells halal products, follows shariah guidelines, and does not violate or do unethical practices. On the other hand, a company that disregards shariah or sells prohibited items such as alcohol, pork, and beer clearly does not possess halal certification. However, as an Islamic country, the company needs to apply Islamic values and shariah-compliant significance to protect the business from any harms and damages to the brand. To achieve this, businesses must ensure that their practices align with ethical standards and community expectations while fostering a culture of transparency and integrity. By doing so, they not only uphold their commitment to Islamic principles but also build trust and loyalty among their customers, ultimately leading to long-term success.

Even though there is theory applied to Islamic or halal brands, the outcome is still ambiguous and leaves much uncertainty, as there is no clear understanding of the term because of the limited research (Yusof and Jusoh, 2014). Thus, to understand the halal brand, this study explained halal brands, especially on brand elements, because it is core to creating a brand that consists of the features of brand names, logos, slogans, and packaging (Alnsour et al., 2018). Research on halal brand elements can ensure the entrepreneur creates halal brand followers with shariah compliance; this study discusses the guidelines from primary sources, which are the Holy Quran and Sunnah, and supporting guidelines that have been provided by halal authorities. These guidelines are essential for establishing trust and authenticity within the halal market, ultimately fostering consumer loyalty and enhancing brand reputation. By aligning brand elements with Islamic principles, entrepreneurs can effectively appeal to a growing demographic of conscientious consumers seeking products that meet their ethical and religious standards. Therefore, the purpose of this research is to examine the elements of the Halal brand, with a specific focus on the use of these brand names in the Malaysian food industry. Since this research is still limited in number and discussion, it is necessary to conduct it in detail for the government, industry, and consumers, as people may misunderstand, misinterpret, and misconceive the true meaning of halal brands. Research on Halal brands should not be taken for granted because of being careless or negligent in establishing the company; it can put them in harm's way, whether in this world (Dunya) or the world hereafter (akhirah). The significance of adhering to halal principles extends beyond mere compliance; it fosters trust and integrity within the marketplace. Therefore, comprehensive research and clear communication about halal branding are essential to ensure that all stakeholders can make informed decisions that align with their values and beliefs.

### ***Literature review***

#### ***Halal brand in perspective of Islamic law***

A brand that thrives in the consumer's mind is one that is steadfast, unique, and trustworthy, firmly rooted in its market proposition. The proposition in the Islamic

market should be fully compliant with Sharia law. Some authors concur that in trade and commerce activities within the industry, brands should adhere to sharia-compliant practices (Alserhan, 2010). According to Yusof and Jusoh (2014), brands must not only adhere to sharia-compliant practices but also undergo stringent procedures to obtain halal certification. Therefore, sharia-compliant practices play a crucial role in Islamic brand features, particularly given the prevalent moral issues within the industry and consumer perception of Islamic products (Ismail and Alias, 2016). The core concept of shariah is concerned about permissible approved behaviours and prohibited haram things that adhere to the Islamic law (shariah) for Islamic teaching. Sharia-compliant rules in trade and commerce clearly define prohibitions and permissible activities or actions that they cannot be involved in, such as consuming alcohol or exceeding the ethical boundaries set by Islamic teaching (Arham, 2010; Derigs and Marzban, 2008). Shariah deals with religion, consumption, behavior, and practical daily matters, i.e., marketing products or services. Allah SWT says in surah al-Maidah verse 48: "For each We have appointed a divine law and a traced-out way."

Allah SWT provides the way and guidelines for Muslims. People need to perform their responsibilities and duties in this world. Muslims are highly aware of the permissible and prohibited food, which leads them to consider Halal brands when making their choices. Meanwhile, the food industry should be responsible for providing halal brands that are shariah-compliant to consumers as part of their product promotion. However, Malaysia boasts a complex multiracial population, comprising three major ethnic groups: Malay, Indian, and Chinese, all of which have diverse religious backgrounds. According to JAKIM, non-Muslims own more than 60% of halal food manufacturers. The interference between Muslim and non-Muslim manufacturers leads to shariah issues. Shariah issues can lead to friction between both Muslim and non-Muslim manufacturers due to their lack of understanding of the concept of shariah, the importance of applying it in production, and the potential negative impact of ignorance on their brand. Shariah issues manifest themselves in the Halal brand, as outlined below: Companies use product imitation as a strategy to mimic the offerings of their competitors. The company copies a product already on the market. The company did not credit the original company for duplicating their products. This action violates Shariah rulings, as it involves one party causing harm to another for their own benefit. They trample on the rights (haq) of others and treat them unfairly. False advertising involves making exaggerated claims about the brand's potential benefits to consumers or users. The company deceived the consumer in order to persuade them to believe a false narrative and buy the products. The trademark or slogan used in the brand's expression has the potential to mislead consumers. It is not shariah-compliant, as it contradicts the teachings of Islam. Defamation: When a company accuses or discredits a product, it commits an offense. A competitor defames a product by making untrue statements that have the potential to damage another brand. The malicious action by the accused against another person is considered a violation of shariah, as it involves insulting and blaming others. Shariah issues arise in the market, potentially affecting halal brands. People should be aware of the rules and the significance of applying Shariah principles in trade and commerce. Lack of awareness and immoral acts are often not compliant with Shariah values in producing the brand. The research is no less important to expose the consumer and stakeholder, and every relevant party should develop and imply practices in the business if they want to ensure the brand is accepted for every and long-term establishment by creating a brand relationship with the Muslim consumer. A brand that

does not adhere to Shariah will turn off consumers, particularly Muslims, as it does not align with their religious beliefs and values.

### ***Halal brand name***

Malaysia is actively promoting the food and beverage industry to stimulate economic growth through both export and import of products. The Malaysian government supports the Manual Procedure of Halal Certification, also known as MPPHM. MPPHM and the Malaysia standard for the industry, which serve as guidelines for training, handling, manufacturing, and storing halal food brands in Malaysia (Talib and Johan, 2012). However, despite the favourable growth in the halal industry, there are numerous cases of brand elements in halal brands. It can be challenging to distinguish the products available in the market as authentic and original, given that some of them replicate the halal logo. They create the authentication of products by implementing the brand elements that can indicate the product is a halal brand. How can one determine whether a product is a halal brand? What are the characteristics of a halal brand? By identifying the halal brand elements, we can resolve all these questions, ensuring a clear understanding of the conceptualization of brand elements in halal brands and eliminating any confusion. Communication connects names through the delivery of words or information. The name serves as the strongest link to a person's individuality and personal identity, serving as a sign of recognition. It serves as a unique identifier for each individual. It's crucial to choose a name that reflects a person's positive identity, as it symbolizes something positive. People need to avoid a name that can lead to bad names and misfortunes because of his name that leads to the name. There is a hadith that states the name. Narrated Al-Musaiyab: "From al-Musaiyab, that his father (Hazn bin Wahb) went to the Prophet PBUH, and the Prophet PBUH asked (him), "What is your name?" He replied, "My name is Hazn." The Prophet PBUH said, "You are Sahl." Hazn said, "I will not change the name with which my father has named me."

In this hadith, the prophet remains silent when he discovers that a Companion is using his name in an unfavorable manner. In this hadith, the Prophet PBUH remains silent (taqrir) in response to a Companion's action of keeping his name with a bad meaning. This is an indication (qarinah) that using a name with a bad meaning is makruh (discouraged) and not haram. This concept has also led to the incorporation of brand elements into the formulation of brand names. Halal brand names ensure the authenticity of the product and convey the brand's identity clearly. Without a name or a negative reputation, the brand may stand out as a negative one and fail to project a positive image to consumers and stakeholders. The company needs to ensure the products that carry the hallmark of the brand are named properly and have an advantage in appealing to the consumer.

Ibn Al-Musaiyab added, the researcher have had roughness (in character) ever since." In this hadith, the prophet remains silent when he discovers that a Companion is using his name in an unfavorable manner. In this hadith, the Prophet PBUH remains silent (taqrir) in response to a Companion's action of keeping his name with a bad meaning. This is an indication (qarinah) that using a name with a bad meaning is makruh (discouraged) and not haram. This concept has also led to the incorporation of brand elements into the formulation of brand names. Halal brand names ensure the authenticity of the product and convey the brand's identity clearly. Without a name or a negative reputation, the brand may stand out as a negative one and fail to project a positive image to consumers and stakeholders. The company needs to ensure the

products that carry the hallmark of the brand are named properly and have an advantage in appealing to the consumer.

## Materials and Methods

This study, in the field of Islamic studies, focuses on the identification of halal brands. This study collects data and theoretical information about halal brand names discussed in previous studies to better understand the determination of halal brand names in the food industry. However, previous studies only focused on halal brand names, neglecting to emphasise the unique characteristics of halal products. To study halal brand names in depth, this study uses qualitative methods to study the actual practices and determination of the situation of halal industry players. Informants were selected based on their areas of expertise and field of work. Informants can provide Islamic or brand knowledge related to economics, business, sharia law, halal, and muamalat. Interviews are a tool to learn the views and opinions of informants based on their experiences and knowledge. For more information about the informants who will be interviewed for this research, please refer to the following details: The research will conduct interviews with halal agencies, including the Malaysian Islamic Development Department (JAKIM), the Selangor Islamic Religious Department (JAIS), and the Halal Development Corporation (HDC), to gain insight into the guidelines set for the food and beverage industry. There are various guidelines in the halal industry, such as MS 1500:2019, Food Hygiene Regulations 2009, and the Trade Description Act 2011. However, existing guidelines for halal brands lack specificity, as they are either generic or exclusive to a particular halal domain. This research will compile relevant guidelines to provide more systematic information, facilitate the review process, and serve as a reference for parties involved with Halal brands. There are three categories of experts interviewed in this research to study halal brand names, namely the food industry, consultants, and academics.

**Food Industry:** Since this research is conducted on the F&B industry, the researcher will interview entrepreneurs to find out the implications and practices of halal brands, whether they are syariah-compliant or otherwise. From the industry-specific interview responses, this research aims to understand the strategies used by companies to promote their brands, the processes involved in brand promotion, and the guidelines used by the food and beverage industry in brand development. **Consultant:** The researcher interviewed consultant informants who came from halal and marketing backgrounds. A consultant is a professional who offers guidance and advice to individuals who are struggling to develop their halal brand components. **Academics:** Academics were selected to gain insights and information for in-depth understanding based on research theory. Academics should have a background in business management to gain insight into the branding aspects, or they should have an Islamic background to understand the application of Islamic law in determining the halal and haram status of halal brand elements, including whether they are syariah compliant or not. Based on feedback from industry interviews, this research aimed to understand the strategies used by companies to promote their brands, the procedures they follow in doing so, and the guidelines used by the food and beverage industry to develop their brands. The data was then analysed using a qualitative data analysis. The qualitative analysis approach implemented the methodology proposed by Tracy (2024). This qualitative analysis procedure needs to be carried out sequentially and requires simultaneous and iterative implementation. During

the initial phase of the research, the researcher will face uncertainty in the analysis of qualitative data. This issue requires proactive exploration by the researcher. After a thorough investigation and analysis of all qualitative data by the researcher, the goals and objectives of the study became more specific. Qualitative data analysis involves three stages: coding, memo, and thick description. Yusof and Romli (2019) explained that a memo involves documenting and evaluating initial findings during field data collection. The data is then categorised to form themes of study findings through deductive and inductive analysis. Qualitative methods require the researcher to explain the data analysis, process, and analysis of the results of the study comprehensively.

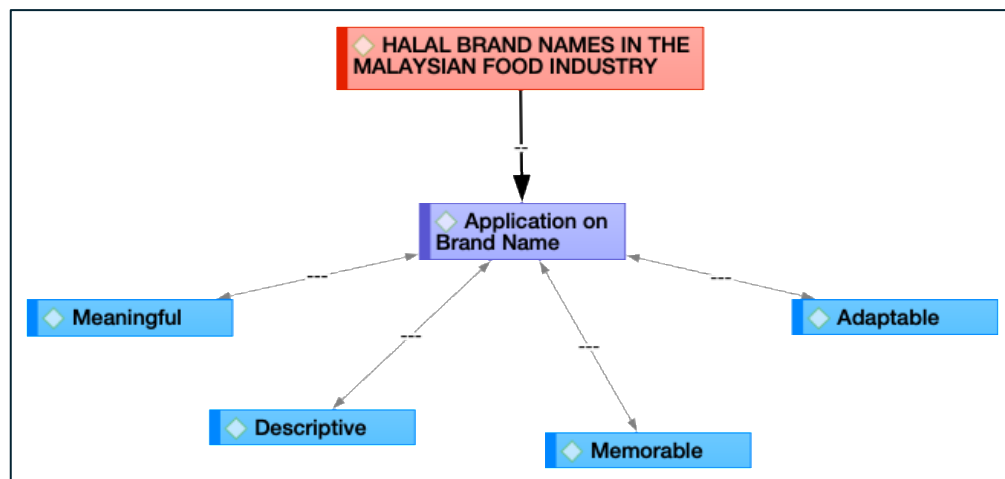
## **Results and Discussion**

### ***Application on brand name***

The selection of a brand name is vital for the image of the company and its products. Marketers should take this into consideration when selecting a brand name because it is able to provide recognition and distinguishes a product from competitors. Naming is important to create such a powerful effect through marketing strategies used by manufacturers and marketers to provide a valuable first insight into the consumer mind. To select the brand name is a long journey because you need to follow the steps for the company to create a successful brand name. Brand name is important because if a brand doesn't have a name, it's hard to market the products. Before understanding the application of a brand name, it is important to know the flow process of a brand name, which consists of three stages, which are creation of the brand name, evaluation of the brand name, and brand name registration. From expert no. 7 quote "In the process of determining the most suitable brand name, we usually have a muafakat. Like us under Sdn Bhd, we have a board of directors, and we have determination and agreement with our members. We usually call that suggestion a discussion. We can ask a person to give an idea." This is also similar to expert no. 11, where "there has to be a brainstorming process to get a suitable name. So, the first step in determining the brand name is by having a discussion through a meeting with the relevant parties to discuss a suitable name for the brand. The purpose of discussion is to brainstorm to get ideas on the suitable name from various people. A brainstorming session is effective when you need to give potential ideas and solutions in providing a free-flowing structure that allows the whole team an opportunity to share the idea. The process of creating the name usually depends on the company.

The second step is evaluation of the brand name. Brand name is one of the most powerful sources for brand identity. Expert no. 11 said the process of selecting the final name will be brought to a meeting, and they will present the names, and people will discuss and evaluate to get the appropriate name, as quoted. "We have several menu names, and the name will be brought to the meeting between the head of department... So from there, marketing will present the available menus and people will decide... So they will discuss to get the appropriate final menu name." Expert no. 11 mentioned they will collect roughly 10 names and discuss with each other to get the agreement, and the final decision is based on the majority, said expert no. 7. According to expert no. 8, he mentioned he will give a reason and suggestion if he finds that the name is not suitable or cannot be patented or does not comply with certain characteristics. "From that, we

will collect 10 names. And we discuss with each other so that when we agree on putting the name, 6 agree and 2 disagree. We take the majority. Expert no. 7 said, "We may think some names are right, and so may others." He mentioned they will collect roughly 10 names and discuss with each other to get the agreement, and the final decision is based on majority. According to expert no. 8, "we will give a reason why we cannot use the name and provide some suggestions. For example, we will say your name is not suitable for us to patent because we have to say why. Such as because someone has done this or because he does not comply with those characteristics..." Thus, the expert mentioned he will give a reason and suggestion if he finds that the name is not suitable because it either cannot be patented or does not comply with certain characteristics. Lastly, registering the brand name of the business or trade name is a sign capable of distinguishing the products provided by the company and protected under the Trademarks Act 1976. From expert no. 1, MyIPO is the organisation where people can register their brand name. "My IPO is people can register the name, such as a generic name, if they have the trademark. If I want to register the name, such as a branded name, for example, chicken." This suggestion on the trademark registration is important; also, the company needs to avoid using the brand names that are registered as shared. "Usually, we can't take someone else's name; we take a name that hasn't been registered yet so that there will be no lawsuit process in the future." From expert no. 8: "If the name has been patented, we avoid copying it because we fear there will be a copyright issue later. Because if there is a copyright issue, we will be sued, and many other things will happen. The above is the explanation of the process in determining the brand name. However, there are certain criteria or characteristics that need to be taken into consideration to generate good qualities and effectiveness of the name as divided into four, which are (a) Meaningful, (b) Descriptive, (c) Memorable, and (d) Adaptable (Figure 1).



*Figure 1. Key characteristics in the application of halal brand names.*

### **Meaningful**

The best answer for evaluating the candidate of a brand name is to understand the reasoning behind the name's creation (Kapferer, 2008). By doing so, the company can discover the brand's intentions and objectives to understand the area of legitimacy and know well the scopes of competence for the band name. According to expert 11, the

history of the brand name starts from the owner and her friends; they travelled across the world. So, from the experience of travelling and eating the recipes from many places, they decided to combine three of the recipes from various countries to originate their own recipe. Meanwhile, expert no. 3 shared that the meaning of their brand is not only for Malaysia but also international. She shared the journey of the owner on how they developed the brand and used the brand name based on the owner experienced. According to expert no. 2, he mentioned the establishment of the brand name and logo is because of the story behind the brand that makes the brand exist until now.

### ***Descriptive***

A descriptive name is a naming structure that allows one to identify the services a business insight company offers. There is a clue in the brand name useful for positioning the brand very clearly. According to expert 8, the setting name needs to be based on the product itself. Expert 8 mentioned things such as if it is a food product, it needs to have an element of food. After obtaining a product niche, it needs to have specifications on what kind of products to make the keyword smaller and categorise them. From expert 3, the factor on choosing the product name is also based on the product but more specifically based on the ingredient, so the brand name is related to the product. Expert no. 4 shares the same opinion with these experts because he believes people set up the brand name based on the criteria and name of the product in order to be in line with the business.

### ***Memorable***

The best answer for evaluating the candidate of a brand name is to understand the reasoning behind the name's creation (Kapferer, 2008). By doing so, the company can uncover the brand's intentions and objectives, understand its area of legitimacy, and clearly identify the scopes of competence for the brand name. According to expert no. 7, to give a positive effect on the brand name, the name should be easy to mention and recognise by the consumer. To make it memorable, "the use of a brand name has to be catchy; people have to say it easily, and people have to remember it-that's important," said the expert at 8. That means with a catchy name, consumers are able to remember the brand name. Meanwhile, expert no. 3 mentioned the name should be simple and cliché to make it not too complicated for consumers and easy to remember. It also needs to be catchy; it is also the factor the company considers when creating the brand name.

### ***Adaptable***

Adaptable brand name where the name is relative to the context of the environment and learning from the market to reflect the preferences and behaviour of the consumer. The expert 4 shared the company need to find the brand name that is close to the consumer. For example, knowing the brand target consumer based on the community, whether Islamic or conventional, to understand the target consumer as mentioned by expert no. 4. Its similar to opinion no. 7, where the need is to be based on the target market; either it is intentional, which is a focus on names that sound Western, Middle Eastern, or Asian, or it is intended for the Muslim community by creating Islamic names. Meanwhile, expert no. 9 thought that the selection of a brand name needs to be based on locality to meet the regulations of the country, specifically for export products.

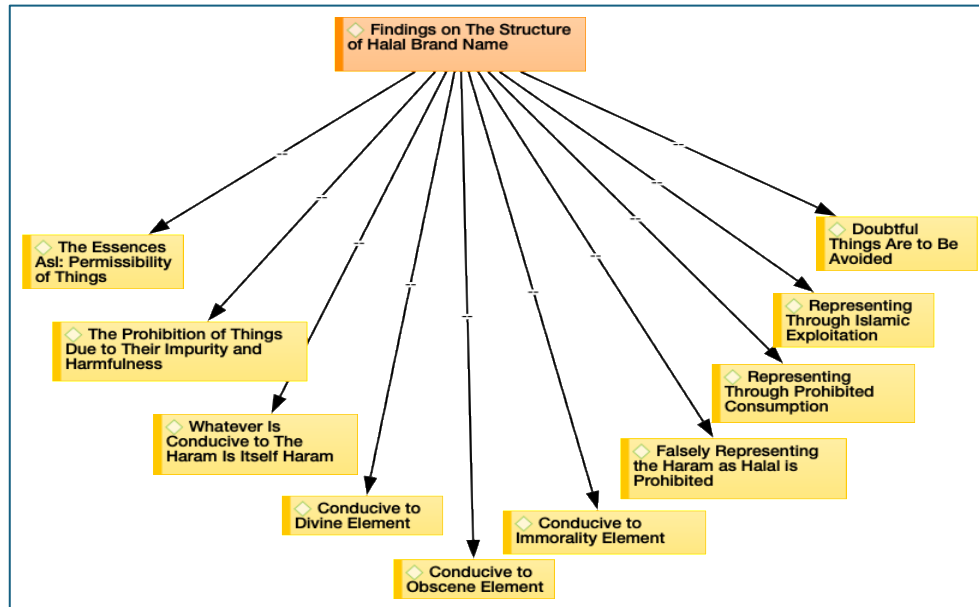


Lastly, expert no. 11 said the selection of brand name needs to be understood by all levels of society, including Muslim and non-Muslim. Aside from using a name that is well known and understood by consumers, a name based on a trend also factors into selecting the brand name. Henceforth, the application of the Halal brand name is divided into three categories, which are meaningful, adaptable, and descriptive. The most expert agreed opinion is from industry and consultants, especially that brand names should be descriptive and adaptable. The expert pinpointed that description is necessary because it needs to be created based on the nature of the product and in line with the business. Aside from that, adaptability is also seen as especially important for the brand to market their product.

### ***Findings on the structure of halal brand names***

The halal industry is at the peak of development and shows impressive growth. The industry started to take off as a market phenomenon in the first decade of the twenty-first century. The rapid growth is partly because of the strict regulations on food safety, hygiene, business development, and economic fairness. The halal industry has been largely driven by market demand and realities. Market participants and industry experts are emphasising the need to build on earlier success by making advancements in Islamic principles and scientific knowledge for its future development. As the demand in the halal industry is increasing, many scholars are concerned about the halal brand for the industry to venture into the halal market. The brand should be emerging with the application of brand and Islamic principles to ensure they successfully develop and enter the halal market. Muslim jurists have discussed the source evidence and developed rules to regulate the halal industry. Halal and haram are clear; there are no black and white categories. There is a grey area known as syubhah, which means doubtful.

This research discusses the determination of brand name in terms of halal. Discussion will use the Islamic law approach by using sources from al-Quran and interpretations of Islamic scholars that are related to halal brand elements. Determination of halal and haram in matters related to halal brand elements used principles of halal and haram from Kitab al-Halal wa al-Haram fi al-Islam written by Shaykh Yusuf Al-Qaradawi. Al-Qardhawi, in his book, stated that basically Islam takes a firm stance against any prohibition, whether overt or hidden. Everything that relates to something that is haram is then haram. Principles of halal and haram developed by al-Qardhawi to resolve contemporary halal issues that are symul and cover every mazhab that are applicable for everyone due to their comprehensiveness. Islam has established the basic principles for everyone to use as guidance that consists of 11 rulings include (1) the essence of asl: permissibility of things; (2) to make lawful and to prohibit is the right of Allah SWT alone; (3) prohibiting the halal and permitting haram is similar to committing syirk; (4) the prohibition of things is due to impurity and harmfulness; (5) what is halal is sufficient and what is haram is superfluous; (6) whatever is conducive to the haram is itself haram; (7) falsely representing the haram as halal is prohibited; (8) good intentions do not make haram acceptable; (9) doubtful things are to be avoided; (10) the haram is prohibited to everyone alike; (11) necessity dictates exception. From all of these 11 principles, research has selected five principles that were found to be most relevant to the subject of research, which aligned for the researcher to build the structure of halal brand elements in the food industry.



**Figure 2.** Findings on the structure of halal brand elements in the food industry.

### ***The essences Asl: Permissibility of things***

The first principle comes from the qawaid fiqhiyyah method, which is al-aslu fi al-asya al-ibahah. According to al-Qardhawi, the origin of everything created by Allah SWT is halal and permissible. There is no single thing that is haram unless there is a valid text from al-Quran and Hadith prohibiting it. If there is no valid nass, such as a hadith that is considered weak (dai'if) or clear (sarih), that indicates haram, then the matter is considered recommended (mandub) because of the origin.

### ***Halal is very fast***

For the first category on this principle, it indicates that halal is wide and broad, and Allah SWT has mentioned that everything in this world is halal. The views on the Islamic principles on halal are very vast in the sense of aghlabiyyah, meaning generalisation of jurisprudence. Aghlabiyyah, which are general in nature and suitable for covering most of the problems, are especially important for contemporary areas as expressed in the form of perfect propositions. However, aside from its generalisation, there are some conditions that were added from expert no. 1 and expert no. 2, as further mentioned. The brand name expert no. 1 said the selection doesn't have yes or no, which is subject to the generalisation, but they can refer to the authority if they want to ensure the suitability of the brand name. The situation is the same with the concept of halal, where we refer to the correct source, e.g., al-Quran, to ensure permissibility or forbiddenness. For this context, industry can refer to the halal authority, which is someone who is proficient and knowledgeable on halal and the wide selection of brand names, as stated in Quran Surah an-Nisa verse 59: "O you who have believed, obey Allāh and obey the Messenger and those in authority among you. If you disagree about any matter, refer to Allāh and the Messenger, provided that you believe in Allāh and the Last Day. This approach is the most effective and yields the best outcomes.

Meanwhile, For the brand name, expert no. 2 mentioned that besides the broad name, the company also needs to select a good name. A good name for a brand name is

important for these principles, as a company can take its manfaah by taking advantage of using a good name, as mentioned in Quran Surah Luqman verse 20: "Have you not seen that Allah SWT has given you everything in the heavens and on earth and has blessed you with both seen and unseen favours?" "Still" there are some who dispute about Allah SWT without knowledge, or guidance, or an enlightening scripture." From the verse, Allah SWT reminds His creatures of all the favours He has showered upon them, which provide everything in this world for human use. The phrase *سَدِيعٌ*, which means "full" or "plenty," indicates that Allah SWT provides numerous perfect blessings for humans to benefit from, as Allah SWT is very generous towards His creatures. From these, it is clear that the Islamic principles on the essence of Asl: Permissibility of Things are agreed upon by experts no. 1, 2, 5, 9, 12, and 13. As Allah SWT mentioned on the wide selection of halal things, it is in accordance with the opinion of experts that there is no specific selection of halal brand names, including brand name, logo, slogan, and packaging, that is suitable to be used in the halal industry. This is because the selection of the four brand elements that can be used by industry for all existing things in the world needs to be considered company nature of business, products, target market, consumer attention, and many other factors that the industry needs to consider. However, despite the generalisation of the four brand elements, there are additional things added only for the brand name, where it is recommended for them to refer to the agency, which is important for indicating the suitability of things regarding halal (expert no. 13). Also, the chosen good meaning from the brand name is to take the benefits and advantages to captivate the consumer by bringing a good moral and value (expert no. 2).

### ***Everything is halal, except for things against Allah SWT***

The second category under the essence of asl is permissibility of things aside from the generalisation; it cannot be from something that Allah SWT is against. This is an important rule from Allah SWT about what is allowed, stating that everything in daily life, like eating, drinking, working, selling, and marketing, is generally acceptable unless it goes against what Allah SWT has forbidden, as mentioned in the Al-Quran, Surah Yunus, verse 59: "Have you seen what Allah SWT has sent down to you of provision, of which you have made [some] lawful and [some] unlawful?" Say, "Has Allah SWT permitted you to do so, or do you invent [something] about Allah SWT?" "Have you seen what Allah SWT has sent down to you of provision, of which you have made [some] lawful and [some] unlawful?" Say, "Has Allah SWT permitted you to do so, or do you invent [something] about Allah SWT?" And also hadith narrated by Ad-Daruqutni "Allah SWT has prescribed certain obligations for you, so do not neglect them; He has defined certain limits, so do not transgress them; He has prohibited certain things, so do not do them; He has kept silent concerning other things out of mercy for you and not because of forgetfulness, so do not ask (questions concerning them)." With that basis, humans can do anything as long as it's not illegal. Since it is Allah SWT who has given humans the *riq'i*, He is the only one who is qualified to determine halal and haram. Halal, or haram, is told by Allah SWT in the Qur'an and in the hadith of the Prophet. Humans cannot freely forbid something that is halal and cannot willingly legalise something that is halal. That is the complement to this principle, where everything is halal except for the prohibitions, as per the expert

***The prohibition of things due to their impurity and harmfulness is a principle that outlines what is considered halal and haram based on their effects on humanity***

The halal and haram determined by Allah SWT are based on reasonable and rational justifications that benefit humanity. Thus, Allah SWT will not allow anything except good, and he will not prohibit anything except bad. This has been explained in Quran Surah an-Nisa verse 160-161: For wrongdoing on the part of the Jews, We made unlawful for them [certain] good foods which had been lawful to them, and for their averting from the way of Allah many [people]. And [for] their taking of usury while they had been forbidden from it, and their consuming of the people's wealth unjustly. And we have prepared for the disbelievers among them a painful punishment." This prohibition is based on qadri, which means it is determined by their own will in committing forbidden acts. In other words, in the beginning, Allah SWT gave them freedom and good things, but it turns out they replaced many things that were lawful for them, and it is opposed by Allah SWT messenger. Allah SWT informed them that due to their actions, they had committed various major sins, and then Allah SWT forbade them food that was lawful for them before. Therefore, in Islam, it is illegal to legalise unlawful conduct because it can cause harm and danger. Things that bring benefits are halal. Something that does more harm than good is haram, and something that has greater benefits is halal. For the first application of halal brand elements on the scope of brand name, there are two experts who shared their opinion regarding this, where expert no. 6 mentioned the creation of the brand name should be thoyyiban and good things, meaning it is free from purity and harmfulness, and the decision on the name is based on the fifth surah in the Quranic Surah al-Maidah, verse 4: "They ask you [O Mohammad] what has been made lawful for them. Say, Lawful for you are good and lawful." The firm answer from Allah SWT when Prophet Muhammad was asked about what halal is, and the answer is short: ath-thoyyibat, meaning the goods. Therefore, everything that is good is lawful to use, and what Allah SWT has prohibited is actually not good for humans, as mentioned by expert no. 1, where the name called "Mee Racun" is not suitable for halal application, as the name indicates an intoxicant and is harmful to eat as racun also can be called poison. Meanwhile, according to expert 6, the application of a bad name cannot be used on a halal brand, as it brings a bad meaning. In the application of slogans, no elements of trickery may be used to persuade consumers to purchase the products; only factual statements are permitted. It is forbidden to use any words or statements with the intention of tricking the consumer, as it is against the Quranic verse above in Surah an-Nisa: 160-161. The use of forbidden slogans can harm consumers, as buyers may be misled and engage in fraudulent branding activities by failing to state the truth. Meanwhile, expert number 9 expressed the opinion that if a slogan claims something positive, such as being healthy, it must be supported by evidence that guarantees the product is safe for consumption and adheres to the principle mentioned in Surah al-Baqarah verse 111: "....Produce your proof if you should be truthful."

***Whatever is conducive to the haram is itself haram***

Religion is important for maintaining faith and adhering to the right path. Knowing and understanding halal and haram is essential for humankind to protect them from conducting sinful activities. The importance of humankind should make an effort to

attain faith and ensure protection from any evil and disobedience. In this matter, the faith of Muslims can be invalidated and damaged when their aqidah is with additional understanding and action that are against Allah SWT, which may lead them astray. If Islam has forbidden something, then it should be done in any way possible to avoid the illegal acts. The sin of unlawful acts is not limited only to the action of the perpetrator himself directly but covers a very wide area, including all the people who are associated with him either through property or attitude. This is because anything that leads to haram is haram. Where Islam has prohibited something, then any will or any means that can lead to an unlawful act is also unlawful. This coincides with the translation of Surah Maidah verse 2: "And cooperate in righteousness and piety, but do not cooperate in sin and aggression. And fear Allah; Allah is severe in penalty." From the verse, the method should be understood: if it is haram, then the law is haram. All forms of connections (zara'i) that lead to either halal or haram are treated similarly by Islam. Whenever Islam prohibits something, it also prohibits all the means that could lead to it. Islam prohibits all the circumstances that might possibly involve or intermingle with haram things. Similarly, in committing the haram, the sin will not be limited to the preparator alone but will extend to include all those who have participated in it one way or another. For these principles, the application of halal brand elements is divided into four, which are (a) conducive to divine element, (b) conducive to obscene element, (c) conducive to prohibited consumption, and (d) conducive to immorality element.

### ***Conducive to divine element***

Islam teaches his creature that Allah SWT does not share his divine attributes with anyone. Associating partners with Allah SWT is disallowed according to the oneness (Tawhid), as there are no other gods except Allah SWT. Muslims only need to pray, fear, hope, and perform acts of worship directed solely to Allah SWT. This is because for those who worship others or accept other gods, it is like those who practice syirk, the deification or worship of anyone besides Allah SWT. The explanation is based on Surah an-Nisa verse 48: "Indeed, Allah does not forgive association with Him, but He forgives what is less than that for whom He wills. And he who associates others with Allah has certainly fabricated a tremendous sin." Even Allah SWT, who is ar-Rahman and ar-Rahim, won't forgive polytheists. This is because the sin of matching Allah SWT with other religions is prohibited. From the verse, it explains that Allah SWT does not allow anything to be associated with him, and it is considered as committing syirk. So, his creature's actions can't involve other religions' deities, as only Allah SWT is worthy of worship. Experts number 1 and number 6 stated that names associated with religious elements may violate shariah and have negative implications for the halal industry in Malaysia. Meanwhile, according to expert no. 7, a brand name cannot symbolise other religions, such as the Christian religion. Expert no. 8 and no. 10 further mentioned that an example name of a god, such as Jesus or Dewa Maharaja Cina, is not allowed to be used as a touch on the aspect of religiosity. The brand name that contains religious elements is not allowed because it can have negative implications for the halal industry in Malaysia, as mentioned by Expert No. 13.

### ***Conducive to obscene element***

The functions of branding and advertising to promote products closely relate to the development of the halal industry and the high demand from consumers. Industry

players employ a variety of ways and methods to sell and promote their products. The purpose of branding executed by industry is to create crowd and consumer attention to make consumers aware and influence them to purchase the products. However, as the halal industry expanded and created many competitors, the industry started to feel urgency to promote their brand well in any method and ignore things that were against Islam, such as promotion through obscene elements (Jaapar et al., 2022). Obscene is a thing disallowed in Islam and mentioned in Surah al-Isra verse 32: And do not approach unlawful sexual intercourse. Indeed, it is considered immoral and evil behaviour. In Surah al-Ahzab, verse 33, it states: "And abide in your houses and do not display yourselves as was done in the former times of ignorance." And also in Surah an-Nur verse 31: "And tell the believing women to reduce [some] of their vision and guard their private parts and not expose their adornment except that which [necessarily] appears thereof and to wrap [a portion of] their headcovers over their chest." From the verse above, Allah SWT always highlights his creature to cover their aurah and protect themselves from being disclosed by the vision of others. All of this is important to avoid adultery and sexual connotation to protect their dignity. According to expert no. 1, the name that is using sexuality, such as virgin shake, is not suitable, as it indicates sexuality due to the name that is irrelevant in Islam. Meanwhile, for expert no. 8, the mentioned brand name cannot consist of any pornographic element.

### ***Conducive to immorality element***

Islam is a source of ethical business practices that promotes economic expansion and development that has a positive impact on people lives. Understanding business ethics with a solid religious foundation and having a philosophy of life has served as a stimulus for halal business transactions. The genuine halal obligation is for a Muslim, fellow business partner, consumer, and definitely for Allah SWT, so the goal of morality is significant to build a strong attitude and good behaviour while conducting business in the halal industry. Allah SWT has said in the Quran that immorality is an action that is disliked by Allah SWT in Surah an-Nur verse 19: "Indeed, those who like that immorality should be spread [or publicised] among those who have believed will have a painful punishment in this world and the Hereafter." From the above verse, Allah SWT has prohibited immorality in all aspects and punishes those who engage in it. Under this principle, it is classified as immoral where the application of halal brand elements with unethical practices is used against Akhlaq ethics in Islam. According to expert no. 2, a name is considered inappropriate if it originates from an organisation known for problematic behaviour, such as the mafia (an organised international group of criminals) or a cartel (independent organisations involved in the production and distribution of illegal drugs). The expert mentioned that building the brand name for a food product is considered unsuitable, as it is immoral to be used. Meanwhile, expert no. 7 said the brand name cannot be associated with the name of a cursing word or swearing word because it is deemed to be impolite, rude, and indecent. The brand name also cannot be racist, as it can lead to prejudice or discrimination towards someone or a different race, as mentioned by expert no. 8.

### ***Fasely representing the haram as halal is prohibited***

Presently, halal has been recognised as a symbol of global safety and quality that has become a choice among consumers with different backgrounds, races, and religions.

The ultimate outcomes of halal brands carry great commercial value and become opportunities for the business to enter the halal industry. However, due to high demand for the halal brand, there are many acts of abuse or misleading claims to represent their brand as a halal product, and they are subject to criminal sanctions under relevant laws in Malaysia. The bad practice of false representation is not only allowed to be implemented in Malaysia, but it is also against Islamic rule. The reason for the prohibition is due to resorting to technical legalities by acting deviously, actions excused by inspiration from Satan to commit the haram. The act of being devious by changing the name of a haram thing to a halal name while the thing is still retaining the essence, and obviously by changing the name, the essence remains. Narrated by Ubadah bin Samit: "People among my nation will drink wine, under some other name that they will give it." This is a reference to the fact that Allah SWT has prohibited the act of devious tactics since the change of the action or name while retaining its essence as a tactic to remain unchangeable. Therefore, even when people invent new terms to refer to intoxicants, the act of consuming alcohol remains prohibited.

### ***Representing through prohibited consumption***

Consumption is essential for the consumer's pursuit of a fulfilling life. The consumer should select goods that align with Islamic law. The goal of consumption is to conform to Islamic law and receive the blessing from Allah SWT by consuming the good things and not consuming things that are prohibited by Allah SWT. Allah SWT is really against those who have committed fraud or are being deceitful to others based on Surah al-Baqarah verse 9: "They [think to] deceive Allah and those who believe, but they deceive not except themselves and perceive [it] not. seek to deceive Allah and the believers, yet they only deceive themselves, but they fail to perceive it." From the above verse, Allah SWT has prohibited his creatures who deceive Allah SWT and hide the evil, as in fact Allah SWT knows everything that is hidden and visible. The essence of being deceitful and deceiving others is against Allah SWT, as they are being unfair and making other people lose for their own benefit. Thus, humans cannot commit fraud, either hidden or visible. Under this principle the company cannot falsely represent things as the brand being halal by using any of the prohibited consumption elements as against what Allah SWT has taught Muslims. Expert no. 6 mentioned that food that indicates haram, such as beer, is haram to use in a brand name. Experts no. 7 also shared the brand name cannot use prohibited consumption names such as pig. For experts, no. 9 explained more details that to build the brand name, it needs to follow JAKIM guidelines, such as not referring to animals that are prohibited by Islam, such as dogs, and not drinking prohibited drinks, such as alcoholic beer. The experts further explained that that kind of name is prohibited because it can be falsely interpreted as the name of that thing, and they might consume it because the product is falsely represented through the brand name by using a prohibited consumption element. Expert no. 10 also shared the names of prohibited things, such as dog, because if the authority allows the use of such a name, it is not suitable to be used to obtain a halal certificate, as the integrity of halal will be questioned. According to expert no. 14, the name or packaging containing elements such as alcohol, pigs, and dogs is not allowed. The experts from no. 5, 6, 9, and 14 mentioned the name that is not allowed and needed to refer to the MPPHM Appendix. From the MPPHM on page 103, the researcher has classified prohibited names under MPPHM that are not allowed as names similar to haram things, such as

alcoholic drink names (ale, beer, kaoliang, erguotou, and others), and names of ingredients mainly with pork, for example, bak kut teh, bacon, xa xiu, and others, and also names consisting of the word dog, for example, hot dog.

### ***Representing through Islamic exploration***

Islam was revealed to teach humankind about Allah SWT, inform them of his existence, and complete a set of values as guidance for them by conforming to these rules. Exploitation of religions refers to the act of acquiring material wealth, power, fame, and high status by manipulating religious beliefs. From past to present, there have always been those who want to take advantage of and misuse Islam by exploiting and abusing it for their own material goals and gaining personal benefits. People exploit society's values through religious belief and emotion by using religion with the methods of lies, hypocrisy, extortion, and violence for the sake of society. It is a tremendous issue for humankind, as many are engrossed in chasing after worldly gain by deceiving others until they forget how to distinguish between halal and haram (Jais et al., 2017). In the hadith of Abu Hurairah, it is stated, "In the end of time, there shall come men who will swindle the world with religion, deceiving the people with the soft skins of sheep; their tongues are sweeter than sugar, and their hearts are the hearts of wolves." Allah [Mighty and Sublime is He] says: 'Is it me you try to delude, or is it against me whom you conspire? By Me, I swear to send upon these people, among them, a Fitnah that leaves them utterly devoid of reason.' In this hadith, individuals blindly utilising religion as a tool to reap worldly benefits are willing to create an easy path for themselves. However, these exploitation activities occurred in the past and currently occur in the present by using modus operandi by utilising religion as a platform to garner consumer intention and trust. This is sad and disappointing, as this person was willing to go that far and used Islamic elements, like taking the name of a Surah to use the brand name on the Al-Quran, even though it sounds good; however, expert no. 1 said it is not suitable for business. The expert also mentioned that some non-Muslims use Islamic names to present their products as Muslim products, such as the brand name Bihun Musolla. According to No. 5, the name and logo that are associated with the implementation of an Islamic element can cause confusion for the consumer, as they cannot evaluate the status of halal or haram on the surface. Expert no. 6 also shared the brand name and that Allah SWT's name is disallowed to be used for halal brands, as Allah SWT name is only dedicated to him. Expert no. 7 mentioned that industry players tend to use Islamic names as a marketing tool to attract them to purchase the product; however, this issue is very sensitive. Expert no. 12 disagrees with the use of Islamic names or images, arguing that it can confuse consumers about whether a brand is halal. She believes that if a brand is confident in its halal status, it should apply for halal certification instead of disguising its product with an Islamic name. Therefore, Islam has strongly forbidden any form of manipulative activities in business or using Islam as a commercial tool to increase sales of revenue for the business. The products that are sold by having "elements of religion can lead to confusion and make others be in the state of syubhah, as they are self-claimed without showing any evidence on the status of halal. The religion exploitation is dangerous, as it can create fitnah upon Islam because the actual objectives deviate with other things not for Allah SWT. There are 9 experts who agree that the exploitation of religion is prohibited, such as using images or words that indicate the products are halal and may be subject to the Trade Description Act 2011,



section 28. Any guilty company can be fined an offence not exceeding RM 5 000 000 or imprisoned for a period not exceeding five years, or both. Thus, the Islamic exploitation is not only against Allah SWT but also against Malaysian regulation to protect consumers from being deceived by the irresponsible parties.

### ***Doubtful things are to be avoided***

Halal is an absolute order by Allah SWT towards humans to consume halal and does not contain any haram element or even anything in between that creates doubt. Doubts have direct negative implications in the halal industry because holistically, the word *toyyiban* refers to nutritional properties and integrity, which is clean, no harm, and no doubt. This is because the halal concept is not only limited to halal and haram; in fact, suspicion matters are also included and need to be considered to avoid stepping close to haram from illegal things. Its general and widespread nature allows it to be adopted by all communities regardless of religion, culture, race, and country. But this generality has made it hard for consumers to know what halal food is; scholars must specialise it by establishing some principles to help consumers. According to Al-Qaradhawi, Allah SWT will always guide humans and not leave them behind in the darkness of halal and haram, as both are clear. Meanwhile, in the space between halal and haram, there is one thing that is referred to as doubtful, called *syubhah*. Doubtful things are vague things, whether they are halal or haram, as the status of *hukm* is unspecified. Islam has stated that leaving doubtful matters cannot be included in prohibited things. The basis of these principles is as stated by the Prophet. Narrated by An-Nu'man bin Bashir: I heard Allah's Messenger (ﷺ) saying, 'Both legal and illegal things are evident, but in between them there are doubtful (suspicious) things, and most of the people have no knowledge about them. So whoever saves himself from these suspicious things saves his religion and his honour. And whoever indulges in these suspicious things is like a shepherd who grazes (his animals) near the Hima (private pasture) of someone else, and at any moment he is liable to get in it. (O people!) Beware! Every king has a Hima, and the Hima of Allah on the earth is His illegal (forbidden) things. Beware! There is a piece of flesh in the body; if it becomes good (reformed), the whole body becomes good, but if it gets spoilt, the whole body gets spoilt, and that is the heart. (Al-Bukhari). The matter of doubt has been emphasised in the Hadith on *syubhah*, which is equal to unclear between right and wrong; however, it is feared that *syubhah* will cause a person to fall into things or illegal acts. These matters of suspicion are the result of the similarity between two things that have been mixed to the point of difficulty to distinguish between one of the two; thus, doubtful or *syubhah* should be avoided to preserve purity of soul and faith of Islam by staying away from something that Allah SWT is against. For this principle, the element that is usually discussed by the expert is that the element cannot bring any confusion or *syubhah* element. From experts no. 2, 6, and 9 on all the application halal brand elements, as they stated, it should not have a *syubhah* element to avoid confusion. Things that can cause confusion, such as the name "Harimau Menangis" mentioned by expert no. 1, because the name can have interpretations of different meanings. Experts no. 7 and no. 5 shared that JAKIM prohibits using the brand that resembles non-halal products because it can cause confusion, and with the confusion, it can lead to uncertainty, which needs to be avoided. Meanwhile, expert no. 12 shared the name that could bring confusion if the company used an Islamic name regarding Islamic exploitation. According to expert no. 13, specify on all brand elements that the brand cannot use names that are synonymous with non-halal names.

## **Conclusion**

In conclusion, on the application, brand names are divided into four, which are that the brand names should be meaningful, descriptive, memorable, and adaptable. The meaning of brand names lies in their ability to communicate the brand essence and foster a positive emotional connection, which is shaped by the history and experiences encountered during the brand's creation. The history and experiences of the brand can inform consumers on the expedition that makes consumers aware of the establishment of the brand through the brand name. For the aspect of the brand name, it should be descriptive, where the name should be described on the product itself to display the nature and product descriptions for the consumer to directly understand about the product by only reciting or hearing the brand name. Meanwhile, from the aspect of brand name, it should be memorable so that consumers can instantly recognise and know about the brand. The characteristics for the memorable brand name are that the name should be catchy, simple, easy to read, and easy to memorise. To make the brand name memorable, the brand name cannot be too complicated, long, and hard to pronounce, as it can be difficult to remember if the name is complicated. Next, adaptable brand names are also important, as the name should be modified according to the local market. This is because if the brand name is too foreign, it can cause unfamiliarity and make consumers feel far away from the brand. A brand name that is unusual for the consumer can create ignorance and make them uninformed, making it hard for the consumer to associate with and understand it. The rising of the Muslim population has enhanced the development of the halal industry, as it necessitates the whole business modus operandi to be orientated with the needs of Muslims. Muslim consumption is guided by the two main sources, the Quran and the Hadith, as guidance to prohibit them from consuming whatever is haram. There are direct verses of the Quran and Hadith that have been discussed on the prohibited foods, actions, and practices that are not allowed to be used in Islam. This whole situation gives birth to halal branding and marketing, as halal is no longer subjected only to consumers; industry also needs to be aware of the practices and ways to develop their business according to the halal principles. Through halal principles on halal and haram in halal brand names to facilitate the industry to build their halal brand elements. Those principles include (a) the essence of Asl: permissibility of things; (b) the prohibition of things due to their impurity and harmfulness; (c) whatever is conducive to the Haram is itself Haram; (d) falsely representing the Haram as Halal is prohibited; and (e) doubtful things are to be avoided.

## **Acknowledgement**

The authors thank the Academy of Contemporary Islamic Studies, Universiti Teknologi MARA, Shah Alam for technical support.

## **Conflict of interest**

The author confirms that there is no conflict of interest involved with any parties in this research study.

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