

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Shari'ah Guidelines for Ingredient's Evaluation in Halaal Certification System

Researching ingredients is the very soul of Halaal Certification. If, in any given organisation, this specific department is solid, that organisation will become the criterion of reliability. However, if this department is deficient, the organisation may very well prove to be a liability and source of harm for itself, its clients as well as the consumers in general.

It was our great fortune to have had the opportunity of studying the concept and process of Halaal Certification from an organisation that not only had a strong research department (for researching the origins and constituents of ingredients) as well as an invaluable data base, but it has also been serving this sector for the last 21 years. The vast experience of this organisation has been of great assistance to us every step of the way and, through the grace and mercy of Allah ﷻ, we have been saved from making major errors.

In the last ten years, however, the various challenges in the field of Halaal and Haraam as we have witnessed in Pakistan, has perturbed us immensely. Some of the important issues which we have had to address during this period are as follows:

1. We found a flavourant which contains the powder of either dead, or at least doubtful chicken
2. We found Tartaric Acid which was derived from wine/alcoholic beverages
3. We found ingredients containing Tallow¹
4. We found brushes made with pig hair which were being used in the production area
5. We found ingredients produced in a plant that also produces ingredients made from pork
6. We found the use of a red colourant which is derived from an insect
7. We had to reject a number of cases because of the use of animal rennet
8. We found the use of impure (*najis*) eggs in certain products

¹ Melted and subsequently solidified Beef Fat.

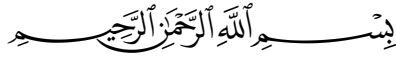
In short, we realised that this aspect of Islam has not received the attention and is not treated with the sensitivity it deserves, as a result of which, the above-mentioned incidences occurred and the industry unwittingly utilised these ingredients. Even worse than that, some Halaal Certification Bodies permitted the use of these ingredients without doing an in-depth analysis thereof, to such an extent that meat was imported from China and the importing company even obtained a fatwa that this meat is Halaal!

One of the main reasons for all these discrepancies is the absence of specialised and specific training regarding raw materials and ingredients. Furthermore, we have neither seen any guidelines nor any standard in this regard either.

Hence, in order to encourage one and all to give this invaluable branch of Deen the importance which it rightfully deserves, the responsibility of drawing up a comprehensive treatise regarding the topic was placed on the shoulders of Mufti Muhammad Ahsan Zafar Saheb. Maa shaa Allah, Mufti Saheb has prepared the treatise before you as a means of guidance and assistance for the Halaal Certification Bodies and all the companies preparing products within the Halaal market and industry.

May Allah ﷻ make this effort a means of benefit for this country, its people and for mankind at large – Aameen!

Mufti Yusuf 'Abdur-Razzaaq Khan
CEO: SANHA Pakistan
Friday, 20 Ramadhaan 1438 AH
16 June 2017



Shari'ah Guidelines for Ingredient's Evaluation in Halaal Certification System

By: Mufti Muhammad Ahsan Zafar – Director, SANHA Pakistan

A very important step in the certification process is scrutinising and examining the ingredients. In other words, we need to check whether all the ingredients found in the product which is being certified are Halaal or not. The reason for this is that, if even one ingredient is Haraam or doubtful, not only will the entire certification be incomplete and deficient, but it is termed “fundamental non-conformance” in the terminology of the certification industry. This means that the product in question will never be certified until and unless this single shortcoming is removed.

Those responsible for scrutinising the ingredients have a religious and ethical duty to do a complete analysis of the origin of each ingredient. Hence, these few basic principles regarding the evaluation of the Halaal or Haraam status of ingredients are being discussed for the enlightenment of all persons in any way associated with the research and development of new products, purchasing ingredients, the internal auditors as well as the evaluation department of any Halaal Certification Body.

First and foremost, a few steps of the Halaal evaluation process of ingredients will be explained. Thereafter, by means of a flow chart, a number of Shari'ah rules with regards to ingredients will be mentioned so that one is easily able to analyse any ingredient in light of the principles and rules laid down by the Shari'ah.

Identifying the Origin of Ingredients:

The most important aspect to consider, when it comes to the analysis of any ingredient, is to determine the actual origin of that particular ingredient. How will it be possible to correctly evaluate or establish whether the ingredient is Halaal or Haraam without correctly determining its origin and source? For

example, if one needs to evaluate the Halaal status of gelatine, one will first need to be certain about what gelatine actually is, where and what it can be derived from, what is used in the preparation process and what exactly that process is.

It is of the utmost importance that one seeks the support and assistance of professionals in chemistry as well as nutrition, in such a situation.

First Stage:

The very first step in the evaluation process is to determine whether the product under scrutiny is a single element or a compound. In other words, is the ingredient one thing in itself or is it made up of other ingredients. There are certain flavours which outwardly seem to be a single element. However, upon further analysis one realises that it is made up of more than 125 different ingredients! Now, all 125 ingredients will have to be considered during the evaluation process.

Second Stage:

The second fundamental step is to determine the source and origin of the element or the ingredients within that element. This is also referred to as traceability. In other words, one needs to see if the ingredient is plant-based, animal based or is it derived from an inorganic substance or substances. Sometime an ingredient can only have a single source. However, it is also possible for an ingredient to have a number of possible sources in that it may be derived from plants as well as animals. There may also be 3 possible sources. Take glycerine, for example. It may be derived from plants, minerals as well as animals. Hence, it is of the utmost importance to know exactly what the source of the ingredient is.

Third Stage:

Once the source of the ingredients has been determined, one will also need to identify the various processes involved in preparing the ingredients, which processing aids were used etc. For example, it is possible that some of the processing aids in the production of sugar are not from Halaal sources. Similarly,

if inactive ingredients have been used in the production process, it will be as necessary to evaluate these ingredients as it is necessary to evaluate active ingredients.

Furthermore, in the Halaal evaluation of ingredients one will also have to pay special attention to scrutinising the producers of the ingredients in question together with taking care to note at which factory and of which manufacturer this ingredient (which is being classified as Halaal) has been obtained. It has happened time and again that a single manufacturer produces the very same ingredient at different factories and that the ingredient produced at one factory is Halaal while the very same ingredient produced at a different factory is not.

Fourth Stage:

The Shari'ah ruling regarding the ingredient – whether it is Halaal or Haraam – will be based on the origin of the ingredient, which has just been determined. If one has made any mistake in determining the origin of the ingredient, one will obviously not be able to establish the correct Shari'ah ruling regarding it.

Fundamental Shari'ah Principles Regarding *Hillat* and *Hurmat*

The most basic principle in the Shari'ah regarding whether something is Halaal or Haraam is this:

The Shari'ah has recognised four reasons why any given ingredient may be Haraam. They are:

- | | |
|------------------------------------|---|
| 1. Najaasat (It is impure) | 3. Nashah (It causes intoxication) |
| 2. Mazarrat (It is harmful) | 4. Istikhbaath (It is considered filthy) |

Once we have determined the origin and source of the substance, we will look at the following:

1. Is it pure or impure? If it is impure, it will be considered Haraam.
2. If it is pure, we will have to see if the substance (ingredient) is harmful to our health or not. If so, it will be considered Haraam.

3. If it is pure and does not seem to be harmful to our health, we will look at whether or not it leads to intoxication. If it does, it will be considered Haraam.
4. In the event that it is pure, seemingly harmless and does not lead to intoxication, we will consider whether or not it is a vile/filthy substance. If it is, it will be regarded as Haraam.
5. However, if any given substance is pure, seemingly harmless, does not lead to intoxication and is also not considered filthy, it will be deemed Halaal.

Important Principle:

Based on the above-mentioned explanation, it is clear that the issue of purity and impurity is distinctly separate from the issue of *hillat* and *hurmat*. The fact that something is *najis* (impure) is only one reason why it may be considered Haraam. Hence, one cannot say that a substance will necessarily be Halaal if it is pure. It is possible that a certain substance is pure, but, since it is harmful to our health, it is also considered Haraam. A simple example of this is sand. Similarly, a certain substance may be pure, but, since it leads to intoxication, it will be considered Haraam.

The Shari'ah Ruling Regarding the Basic Sources of Nutrients:

As we have already explained, there are 3 main sources of all ingredients:

1. Plants
2. Animals
3. Minerals or Inorganic Material

We will now present the Shari'ah ruling regarding these 3 possible sources in the form of a flow chart so that, after pinpointing the source of the ingredient, one will easily be able determine whether it is Halaal or Haraam in light of the above-mentioned principles.

Plants

Examples include grapes, maize, saffron etc.

All plants are pure and halaal except in two cases

2. These are intoxicating – For example: Grape wine, Opium, Cocaine etc. are all haraam.

1. These are harmful – For example: Nuxvomica (poison nut), Baladur (Dhobi Nut or Oriental Cashew) will be haraam if they are

Intoxicating substances can be divided into 2 main categories:

If, somehow, the harmful nature of any plant is removed, it will no longer be prohibited.

2. Liquid Intoxicants. Examples of this include grape wine, alcohol etc.

1. Dry Intoxicants. Examples include Opium, Cannabis etc.

Dry intoxicants could be used in 2 ways

There are 2 types of intoxicating liquids

2. In Food for Consumption

1. External Application

2. All other alcoholic beverages besides Absolutely Haraam

1. Absolutely Haraam and completely impure alcoholic beverages. It is haraam to drink this and it will render the body impure if it touches it.

b. For Medicinal Purposes

a. For no real reason – merely for enjoyment and amusement

All dry intoxicants are physically pure and may be used for external application

Hillat and Huramat

Tahaarat and Najaasat

The use of so little, for reasonable production purposes that it does not lead it to intoxication

Enough to become intoxicated

There are 4 beverages of this kind

Enough to cause intoxication

So little that it does not lead to intoxication

It is Haraam to use dry intoxicants for fun and amusement (i.e. if there is no reasonable acceptable need for it).

Permissible

Completely Haraam

1. *Khamr* (Raw grape wine)
2. *Tilaa* (Boiled grape wine)
3. *Naqee'ut-Tamr* (Date wine)
4. *Naqee'uz-Zabeeb* (Raisin wine)

Completely Impermissible. The rules of using Haraam ingredients for medicinal purposes will apply

Permissible

Apart from the above mentioned 4 Haraam beverages, the alcohol derived from any other alcoholic beverage is physically pure. It may thus be used for external application only and may also be used as trade goods on that basis

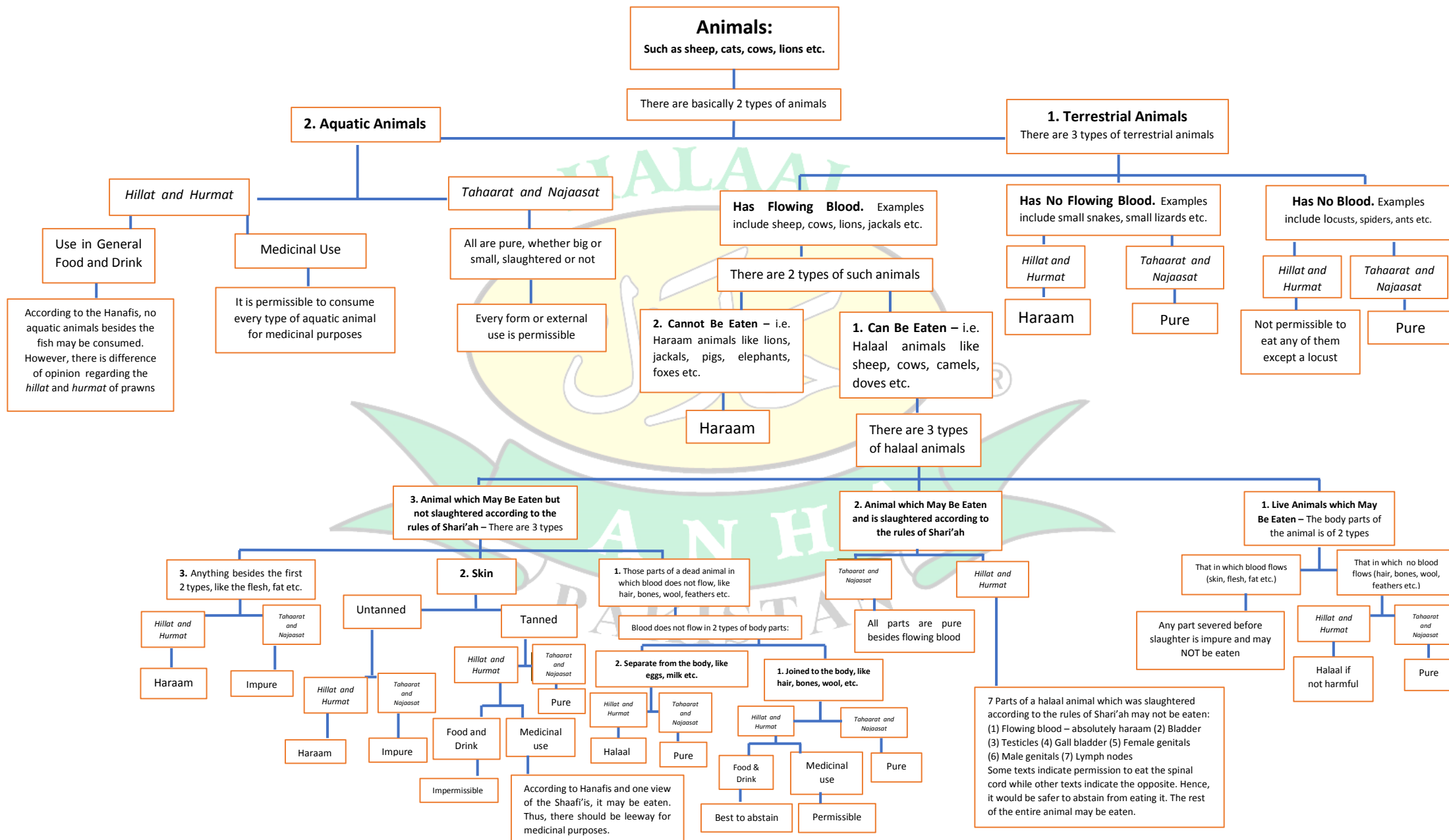
Minerals: All Minerals are pure and halaal except for 2 cases

1. These are Harmful: Examples include eating sand - if it is harmful it will be haraam.

If the harmful nature is somehow removed, there will remain no reason to prohibit it. Hence, if it is not harmful to eat sand, it will be permissible

2. These lead to intoxication

If the inorganic substance is intoxicating, the same rules will apply as were discussed under plants



Written by:

Mufti Ahsan Zafar

Tuesday, 27 Rajab, 1438 / 25 April 2017

Endorsed by:

Members of the Shari'ah Research Department:

SANHA Halaal Associates Pakistan

Mufti Shu'ayb 'Aalam

Mufti Yusuf 'Abdur-Razzaaq

Mufti Arif Ali Shah

References

- ۱۔... طبعی جوہر، بہشتی زیور، حصہ نہم: ص ۷۷۷ (دارالاشاعت کراچی)
- ۲۔... احیاء العلوم: ۱۱۵/۲ (قدیمی کتب خانہ)
- ۳۔... طبعی جوہر، بہشتی زیور، حصہ نہم: ص ۷۷۷ (دارالاشاعت کراچی)
- ۴۔... اعلاء السنن: ۳۶۵/۱ (ادارۃ القرآن)
- ۵۔... رد المحتار: ۳۲/۳ (الفتح - ایم۔ سعید کپٹنی)
- ۶۔... رد المحتار: ۳۵۵/۲ (الفتح - ایم۔ سعید کپٹنی)
- ۷۔... طبعی جوہر، بہشتی زیور، حصہ نہم: ص ۷۷۷ (دارالاشاعت کراچی)
- ۸۔... رد المحتار: ۳۵۸/۶ (الفتح - ایم۔ سعید کپٹنی)
- ۹۔... طبعی جوہر، بہشتی زیور، حصہ نہم: ص ۷۷۷ (دارالاشاعت کراچی)
- ۱۰۔... رد المحتار: ۳۵۸/۳۵۷ (الفتح - ایم۔ سعید کپٹنی)
- ۱۱۔... الجوہرۃ النيرة: ۱۷۳/۲ (قدیمی کتب خانہ)
- ۱۲۔... تکملة فتح الملہم: 342/3 (دار الفکر دمشق)
- ۱۳۔... فتاویٰ قاضیخان: ۲۶۰/۳ (الطبع العالی، کھٹو)
- ۱۴۔... اکمال کے موضوع پر شیخ الاسلام حضرت مفتی محمد تقی عثمانی صاحب دامت برکاتہم کادرس۔
- ۱۵۔... فتاویٰ رشیدیہ: ۳۷۱ (ادارۃ اسلامیات - لاہور)
- ۱۶۔... احسن الفتاویٰ: ۳۸۳/۸ (الفتح - ایم۔ سعید کپٹنی)
- ۱۷۔... طبعی جوہر، بہشتی زیور، حصہ نہم: ص ۷۷۷ (دارالاشاعت کراچی)
- ۱۸۔... الفتاویٰ الہندیہ: ۲۸۹/۵ (دار الفکر / کتب رشیدیہ)
- ۱۹۔... حاشیۃ الطحطاوی علی المراقی: ۸۳ (قدیمی کتب خانہ)
- ۲۰۔... الفتاویٰ الہندیہ: ۲۸۹/۵ (دار الفکر / کتب رشیدیہ)
- ۲۱۔... طبعی جوہر، بہشتی زیور، حصہ نہم: ص ۷۷۷ (دارالاشاعت کراچی)
- ۲۲۔... بدائع الصنائع: ۳۶/۵ (دار الکتب العلمیہ / رشیدیہ)
- ۲۳۔... البحر الرائق: ۱۱۳/۱ (دار الکتب العلمیہ)
- ۲۴۔... طبعی جوہر، بہشتی زیور، حصہ نہم: ص ۷۷۷ (دارالاشاعت کراچی)
- ۲۵۔... بدائع الصنائع: ۲۳/۱ (دار الکتب العلمیہ / رشیدیہ)
- ۲۶۔... بدائع الصنائع: ۳۵/۳ (دار الکتب العلمیہ / رشیدیہ)
- ۲۷۔... مآخوذ جسر نقل فتاویٰ دارالافتاء دارالعلوم کراچی:
- ۲۸۔... بدائع الصنائع: ۸۶/۱ (دار الکتب العلمیہ / رشیدیہ)
- ۲۹۔... السعایۃ: ۴۱۶/۱ (سبیل اکیڈمی لاہور)
- ۳۰۔... مآخوذ جسر نقل فتاویٰ دارالافتاء دارالعلوم کراچی:
- ۳۱۔... الفتاویٰ الہندیہ: ۳۳۹/۵ (دار الفکر / رشیدیہ)
- ۳۲۔... الجوہرۃ النيرة: ۱۶/۱ (قدیمی کتب خانہ)
- ۳۳۔... السعایۃ: ۴۰۸/۱ (سبیل اکیڈمی لاہور)
- ۳۴۔... مآخوذ جسر نقل فتاویٰ دارالافتاء دارالعلوم کراچی:
- ۳۵۔... حاشیۃ الطحطاوی علی المراقی: ۸۳ (قدیمی کتب خانہ)
- ۳۶۔... الموسوعة الفقهية الكويتية: ۹۶/۷ (وزارۃ الاوقاف والشئون الاسلامیۃ، الكويت)
- ۳۷۔... السعایۃ: ۴۱۶/۱ (سبیل اکیڈمی لاہور)
- ۳۸۔... احکام القرآن للجصاص: ۱۵۰/۱ (دار الفکر)
- ۳۹۔... الفتاویٰ الہندیہ: ۲۳/۱ (دار الفکر / رشیدیہ)
- ۴۰۔... طبعی جوہر، بہشتی زیور، حصہ نہم: ص ۷۷۷ (دارالاشاعت کراچی)
- ۴۱۔... مآخوذ جسر نقل فتاویٰ دارالافتاء دارالعلوم کراچی:
- ۴۲۔... حاشیۃ الطحطاوی علی المراقی: ۹۱ (قدیمی کتب خانہ)
- ۴۳۔... طبعی جوہر، بہشتی زیور، حصہ نہم: ص ۷۷۷ (دارالاشاعت کراچی)
- ۴۴۔... البحر الرائق: ۱۱۲/۱ (دار الکتب العلمیہ)
- ۴۵۔... طبعی جوہر، بہشتی زیور، حصہ نہم: ص ۷۷۷ (دارالاشاعت کراچی)
- ۴۶۔... المحيط البرہانی: ۲۷۵/۲ (ادارۃ القرآن)
- ۴۷۔... البحر الرائق: ۱۸۵/۱ (ومنحة الخالق تحته دار الکتب العلمیہ)
- ۴۸۔... الموسوعة الفقهية الكويتية: ۲۲۹/۲۰
- ۴۹۔... حاشیۃ الطحطاوی علی المراقی: ۹۱ (قدیمی کتب خانہ)
- ۵۰۔... الموسوعة الفقهية الكويتية: ۶۲/۳۰
- ۵۱۔... طبعی جوہر، بہشتی زیور، حصہ نہم: ص ۷۷۷ (دارالاشاعت کراچی)
- ۵۲۔... فتاویٰ رشیدیہ: ۳۸۸ (ادارۃ اسلامیات - لاہور)
- ۵۳۔... تکملة فتح الملہم، (مسألة الروبيان) 289/3: (دار الفکر دمشق)