

## FOOD AND BEVERAGE PRODUCTS CONTAINING ALCOHOL/ETHANOL

Fatwa Commission of the Indonesian Ulema Council (MUI) after:

Considering: a. that the teachings of Islam aim to maintain the safety of religion, soul, intellect, offspring, and wealth, and therefore, everything

that benefit the achievement of these goals

ordered, encouraged or permitted to be performed, is

that is detrimental to the achievement of the goal is prohibited or

it is recommended to stay away;

b. that currently alcohol is widely used as a raw material,

additives, and/or auxiliary materials in production

food and beverages, both home and industrial scale;

c. that the Indonesian Ulema Council has established fatwa No. 11

2009 On Alcohol Law, but Questions

community, especially from food producers about

its application in food and beverage products;

d. that therefore it is considered necessary to have a fatwa on

Food and beverage products containing alcohol/ethanol

to be used as a guideline.

Remembering: 1. The Word of Allah SWT; Among others:

a. The Word of Allah SWT which commands to consume

Healthy Foods, including:

يَأْتِيهَا النَّاسُ كُلُّوا مِمَّا فِي الْأَرْضِ حَلَالًا طَيِّبًا وَلَا تَتَّبِعُوا خُطُوَاتِ الشَّيْطَانِ إِنَّهُ لَكُمْ عَدُوٌّ مُبِينٌ ١٦٨

“O humanity! Eat from what is lawful and good on the earth and do not follow Satan’s footsteps. He is truly your sworn enemy.” (2:168)

b. The Word of Allah SWT which explains the dangers and prohibitions

Khamr, among others:

﴿يَسْأَلُونَكَ عَنِ الْخَمْرِ وَالْمَيْسِرِ قُلْ فِيهِمَا إِثْمٌ كَبِيرٌ وَمَنْفَعٌ لِلنَّاسِ وَإِثْمُهُمَا أَكْبَرُ مِنْ نَفْعِهِمَا﴾

“They ask you ‘O Prophet’ about intoxicants and gambling. Say, “There is great evil in both, as well as some benefit for people—but the evil outweighs the benefit.” (2:219)

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا تَقْرَبُوا الصَّلَاةَ وَأَنْتُمْ سُكَرَىٰ حَتَّىٰ تَعْلَمُوا مَا تَقُولُونَ

“O believers! Do not approach prayer while intoxicated<sup>1</sup> until you are aware of what you say” (4:43)

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا إِنَّمَا الْخَمْرُ وَالْمَيْسِرُ وَالْأَنْصَابُ وَالْأَزْلَامُ رِجْسٌ مِّنْ عَمَلِ الشَّيْطَانِ فَاجْتَنِبُوهُ لَعَلَّكُمْ تُفْلِحُونَ ٩٠

“O believers! Intoxicants, gambling, idols, and drawing lots for decisions<sup>1</sup> are all evil of Satan’s handiwork. So shun them so you may be successful.” (5:90)

c. The Word of Allah SWT which explains the prohibition to

plunge into destruction, including:

﴿وَلَا تُفْؤَا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ

“Spend in the cause of Allah and do not let your own hands throw you into destruction ‘by withholding’” (2:195)

2. Hadith of the Prophet PBUH; Among others:

a. Hadith of the Prophet PBUH which explains the haram of khamr and

each intoxicating, including:

كُلُّ مُسْكِرٍ خَمْرٌ وَكُلُّ مُسْكِرٍ حَرَامٌ (رواه مسلم عن ابن عمر)

"All that is intoxicating is khamar and all that is Getting drunk is haram. (HR. Muslim and Ibn Umar, as in the Book of Saheeh Muslim juz 3 page 1587, hadith number 2003).

كُلُّ شَرَابٍ أَسْكَرَ فَهُوَ حَرَامٌ (رواه البخاري عن عائشة)

"Every intoxicating drink is haram" (HR. Bukhari, as in the book saheeh al-Bukhari juz 1 Page 95 Hadith Number 239)

مَا أَسْكَرَ كَثِيرُهُ فَقَلِيلُهُ حَرَامٌ (رواه أحمد وأبو داود والترمذي والنسائي وابن ماجه وابن حبان وحسنه الترمذي)

Something that if a lot is intoxicating, then even a little is haram." (HR Ahmad, Abu Daud, Tirmidhi, Nasai, Ibn Majah, and Ibn Hibban. Narrators in the sanad of this Hadith and at-Tirmidhi considered him hasan).

b. The hadith of the Prophet PBUH who ordered to stay away from khamr because he

The source of evil, as he said:

"Stay away from Khamar, for he is the key to all evil." (HR.

Al-Hakim and Ibn Abbas).

"Khamar is the source of evil." (Narrated by At-Tabrani, ad-Daru Quthni,

and Ibn Hibban considered it saheeh)

c. Hadith of the Prophet PBUH which explains the threat to everyone involved in the Khamr production chain, as well as

He said:

لَعَنَ اللَّهُ الْخَمْرَ وَشَارِبَهَا وَسَاقِيَهَا وَبَائِعَهَا وَمُبْتَاعَهَا  
وَعَاصِرَهَا وَمُعْتَصِرَهَا وَحَامِلَهَا وَالْمَحْمُولَةَ إِلَيْهِ (رواه أحمد  
و الطبراني عن ابن عمر)

"Allah curses (curses) khamar, its drinker, its offerer,

the trader, the buyer, the extortioner, the retainer or

its depositor, its bearer, and its receiver." (HR. Ahmad and

Thabrani from Ibn Umar, as in the Book of Musnad

Ahmad, juz 2 page 97, hadith number 5716 and the book al-Mu'jam

al-Ausath juz 8 page 16 hadith number 7816.

d. Hadith of the Prophet (saw) which explains the source of khamr can

assorted, as he said:

عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ عَنْ أَبِيهِ رَضِيَ اللَّهُ عَنْهُمَا عَنِ النَّبِيِّ  
صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ مِنَ الْجِنِّطَةِ خَمْرٌ وَمِنَ التَّمْرِ  
خَمْرٌ وَمِنَ الشَّعِيرِ خَمْرٌ وَمِنَ الزَّبِيبِ خَمْرٌ وَمِنَ الْعَسَلِ خَمْرٌ  
(رواه أحمد)

"From Abdillah ibn Umar from his father from the Prophet PBUH he

said: From wheat can be made khamr, from dates can be made

made khamr, from jewawut can be made khamr, from raisins

can be made of khamr, and from honey there is khamr". (HR.

Ahmad)

عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ: سئِلَ رَسُولُ اللَّهِ صَلَّى  
اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الْبَيْعِ وَالْبَيْعِ نَبِيذِ الْعَسَلِ وَكَانَ أَهْلُ الْيَمَنِ  
يَشْرَبُونَهُ فَقَالَ كُلُّ شَرَابٍ أَسْكَرَ فَهُوَ حَرَامٌ (رواه مسلم  
وأحمد)

"From Aisyah ra she said: The Prophet PBUH was asked about al-Bit' – i.e. the feeling of dates, while the inhabitants of Yemen drinking it often, so he said: "Every drink that which is intoxicating, then the law is haram". (HR. Muslims and Ahmad)

e. Hadith of the Prophet PBUH which explains his activity of drinking water  
Squeeze the raisins and if they remain until the third day then throw them away:

The Prophet PBUH once made raisin soaking (infusion water) in a bowl, then he drank it that day and the next day and the next day again. On the afternoon of the third, if there are still The rest, he saw. threw it away. (H.R. Muslim, from Ibn 'Abbas date)

The Prophet (peace and blessings of Allaah be upon him) made a raisin soak (water infusion) in the evening, then in the morning he drink it, then drink it again in the morning and the next night (the second day). Likewise in the morning and The evening of the next day again (the third day) is on Ashr. If There was still leftover, he gave it to the maid, or tell him to throw it away (H.R.Muslim from Ibn 'Abbas ra).

f. Atsar Shahabat, from Ibn Abbas ra:

عَنْ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: حُرِّمَتِ الْخَمْرُ  
بِعَيْنِهَا، وَالْمُسْكِرُ مِنْ كُلِّ شَرَابٍ.

"Ibn Abbas RA. Said: It is forbidden for Khamr because of its substance, and that is intoxicating from every drink". (HR. Al-Nasa'i, hadith number 6748)

### 3. Fiqhiyyah Rules; Among others :

"The danger must be eliminated"

Hazards are avoided as much as possible

"The condition of the hajat (secondary needs) can sometimes occupy emergency conditions (that threaten primary needs)".

#### 1. The Opinion of Shaykh Khathib as-Syarbaini in Mughni al-Muhtaj

which confirms that the meaning of Rijs is unclean.

"The word "rijs" in sharia terminology in general is "najis",

As ijma' scholars tend to think so. Shaykh

Abu Hamid al-Ghazali based (his opinion) on the fact that khamr

is unclean according to the ijma' of the ulama, and there is even the possibility that

is the ijma' of the Companions. It is mentioned in the book al-Majmu' that

Imam Rabi'ah, the teacher of Imam Malik, is of the opinion that khamr is not

najis (holy), and some scholars have expressed the opinion that they are not unclean

khamar of al-Hasan and al-Laits. And the party who declares

khamr is unclean on the grounds that if khamr is holy then it is lost doubt, for the drink of Paradise must be holy". (Al-Khathib al-Syarbaini, Mughni al-Muhtaj, jld. 1, p. 222)

2. Imam al-Nawawi's explanation in the book al-Majmu' about Scholars' views on the impurity of khamr:

"Khamr is unclean in our opinion (Shafi'iyyah), Imam Malik, Imam Abu Hanifah, Imam Ahmad and other scholars, except opinion reported by qadhi Abu Thayyib and others according to the opinion of Imam Rabi'ah, the teacher of Imam Malik, and the Imam Daud al-Dzahiri who stated that khamar is not najis (holy) even if it is still haram, like poison from plants, such as hashishy intoxicating. And Shaykh Abu Hamid al-Ghazali launched the opinion that the uncleanness of khamar is ijma'" (Al-Nawawi, al-Majmoo' Syarh al-Muhadhab, vol. II, p. 563)

3. The opinion of Imam al-Nawawi in the Book of Al-Majmu' about nabitdz, which has not yet become a musker:

"... As for the second type of raisin marinade, then as long as

The condition is not excessive and does not turn into intoxicating (then drinkable). It's like water is put in.

into it date seeds or raisins, or honey or the like, so as to make it a sweet. This second type, based on

ijma' is sacred, drinkable and sold. Really, according to

madhhab kami and jumhur, boleh drink it, as long as it does not

turns intoxicating, even if it's more than three days.

While Imam Ahmad ra. Opinion, not (drink it)

after three days. (Al-Majmu' Syarh al-Muhazzab, vol. II, p. 565)

4. Imam al-Mawardi's opinion regarding the definition and limits of drunkenness is as follows:

"And scholars differ on the limits of intoxication. According to

Imam Abu Hanifah said the limit of drunkenness is the loss of mind so that

cannot distinguish between heaven and earth and cannot

distinguish between his mother and his wife. According to the scholars of Shafi'iyah,

The limit of intoxication is if the person who is drunk does not speak

so that it cannot be understood and run with

Stunt. Meanwhile, if the condition is more than that, then the

had been very drunk". (Al-Mawardi, al-Ahkam as-

Sulthaniyah, Juz I, p. 462)

5. Imam al-Syaukani's opinion on the three-day fermentation limit:

Words (on the third day found in the text of the hadith)

indicates that the currant marinade after three days is suspected to be strong

has turned intoxicating, so it is directed to

stay away from it/not drink it. (Al-Syaukani, Nail al-Authar, vol. 3,

p. 183)

6. Opinion of Scholars on alcohol/ethanol:

"... That the status of unclean or not khamr there is a difference between scholars. And the prophet according to Imam Abu Hanifah is holy, so Alcohol. Alcohol is not the same as khamr. European Perfume Not only is it made of alcohol, but in it there are alcohol and also some other sacred ingredients. So there is no reason for the opinion that alcohol is unclean, even for those who declare their uncleanness khamr" ( Fataawa Dar al-Ifta' al-Mishriyyah, vol. VIII, p. 413)

"Alcohol is found in many food and beverage ingredients with varying levels. Alcohol is not a dirty substance, because it is used for cleaning agents. and often Alcohol is used for medical, hygiene and other purposes make the opinion that desecrates alcohol as something that weight, and it is contrary to the nash of the Quran" (Fataawa Dar al-Ifta' al-Mishriyyah, vol. VIII, p. 413)

"I have explained in detail the reasons for the difference of opinion against the impurity of alcohol. Although all scholars agree that alcohol is haram to drink but in terms of impurity or not Scholars have different opinions, including mixed perfumes alcohol. With the reason that alcohol is often used in medicine, cleanliness, perfume, and so on, so I think it's more lightening when wearing an opinion that states alcohol

not unclean. Thus alcohol is equated with a toxic substance

that are harmful. And if alcohol is used the same as

On the other hand, not all scholars agree on this point.

about the impurity of khamr, especially those made from other than the

wine." (Athiyah Shaqar, *al-Islam wa Masyakil al-Hayah*, p. 45)

7. Scholars' opinion about vinegar derived from khamr: All scholars agree that vinegar derived from khamr that occurs naturally is sacred and halal. This is in line with the words of the Prophet (peace be upon him):

"The best side dish is vinegar; the best side dish is vinegar" (HR.

Muslim, number 3824)

In the case of changing khamr into vinegar by engineering means,

for example, by adding onions or salt or

By heating, there are differences of opinion of scholars.

Scholars of the Shafi'i madhhab, Hanabilah and some Maliki scholars are of the opinion that the law is haram. But the Hanafi school (except Abu

Yusuf) and most of the Maliki sects are of the opinion that the law is

Come on. (Al-Nawawi, *al-Majmu' Syarh al-Muhazzab*, vol. II, p. 596)

8. Explanation from LP POM MUI in the Joint Team meeting of the Fatwa Commission and LP POM that:
  - a. Alcohol is a general term for any organic compound that has a functional group
  - b. called a hydroxyl group (-OH) bonded to a carbon atom. The general formula of such alcohol compounds is R-OH or Ar-OH where R is the alkyl group and Ar is the aryl group.
  - c. Chemically, alcohol does not only consist of ethanol, but also includes other compounds, such as methanol, propanol, butanol, and so on. It's just that ethanol

(with the chemical formula C<sub>2</sub>H<sub>5</sub>OH) is widely used for the production of food products, medicines and cosmetics. However, ethanol (or ethyl alcohol) in the trading world is known by the trade name alcohol.

d. Judging from the manufacturing process, ethanol can be distinguished into ethanol by-products of the khmer industry and ethanol from the non-khaminr industry (either the result of chemical synthesis from [petrochemicals] or the products of the non-khar fermentation industry).

9. Explanation from LP POM MUI in the Joint Team meeting of the Fatwa Commission and LP POM that the following fruits when left in a closed container at 29 degrees Celsius for three days have the following alcohol/ethanol content:

a. grape juice is 0.76%,

b. apple juice is 0.32%,

c. date juice is 0.33% (and in other studies 0.51%).

So from the data of the study, it was concluded that the average alcohol/ethanol content in fruit juice juice juice for three days was 0.5%.

1. The Decree of the National Muzakarah on Alcohol organized by the MUI on 13-14 Rabiul Akhir 1414 Hijri coincided with September 30, 1993 in Jakarta
2. Resolution of the Coordination Meeting of the Fatwa Commission and LP POM MUI and the Ministry of Religion of the Republic of Indonesia, on May 25, 2003 in Jakarta.
3. Fatwa of the Indonesian Ulema Council Number 4 of 2003 concerning the Standardization of Halal Fatwa.
4. Fatwa of the Indonesian Ulema Council Number 11 of 2009 concerning Alcohol Law.
5. Results of the MUI Fatwa Commission Working Group Meeting for Food, Drugs and Cosmetics and the LPPOM MUI Team on 8

January 2017, March 23, 2017, December 4, 2017, January 18, 2018,

and February 10, 2018.

15. Opinions of the participants of the plenary meeting of the fatwa commission of the Indonesian Ulema Council

on February 28, 2018.

By trusting in Allah SWT

## : FATWA ON FOOD AND BEVERAGE PRODUCTS

### CONTAINS ALCOHOL/ETHANOL

First: General Provisions

In this fatwa, what is meant by:

1. Khamr is every intoxicating drink, either from grapes

and others, whether cooked or not.

2. Alcohol is ethyl alcohol or ethanol, a chemical compound with formula (C<sub>2</sub>H<sub>5</sub>OH).

3. Alcoholic beverages are:

a) Beverages containing ethanol and other compounds, between

methanol, acetaldehyde, and ethyl acetate made by

Fermentation by engineering from different types of plant-based raw materials

that contain carbohydrates, or

b) Beverages with ethanol and/or methanol added with

deliberately.

Second: Legal Provisions

1. Alcoholic beverages that fall into the category of khamr are drinks

containing alcohol/ethanol (C<sub>2</sub>H<sub>5</sub>OH) of at least 0.5 %. Drinks

Alcoholics that fall into the category of khamr are unclean and the law

haram, a little or a lot.

2. The use of alcohol/ethanol produced by the non-khamr industry (good as

the result of chemical synthesis [from petrochemicals] or industrial products

non-Khamr fermentation) for the ingredients of its legal food products

mubah, if medically it is not dangerous.

3. The use of alcohol/ethanol produced by non-chemical industries (whether it is the result of chemical synthesis [from petrochemicals] or industrial products non-khamr fermentation) for the ingredients of legal beverage products mubah, if it is not medically harmful and as long as the alcohol/ethanol (C<sub>2</sub>H<sub>5</sub>OH) in the final product is less than 0.5%.

4. Use of intermediate products that are not consumed directly like flavors containing alcohol/ethanol non-khamr for food products the law is mubah, if medically harmless.

5. Use of intermediate products that are not consumed directly like flavors containing alcohol/ethanol non-khamr for the ingredients of beverage products, the law is mubah, if medically harmless and as long as alcohol/ethanol levels (C<sub>2</sub>H<sub>5</sub>OH) in the final product less than 0.5%.

### Third: Provisions Related to Beverage Products Containing Alcohol

1. Beverage products that contain khamr are haram.

2. Fermented beverage products that contain alcohol/ethanol At least 0.5%, the law is haram.

3. Fermented beverage products containing alcohol/ethanol less than 0.5% is legally halal if medically it is not harmful.

4. Non-fermented beverage products containing alcohol/ethanol

less than 0.5% that does not come from khamr is halal,  
if medically harmless, such as soft drinks  
which is added flavors that contain alcohol/ethanol.

#### Fourth: Provisions Related to Food Products Containing Alcohol/Ethanol

##### 1. Fermented food products containing alcohol/ethanol

The law is halal, as long as the process does not use ingredients  
haram and if medically harmless.

##### 2. Fermented food products with the addition of alcohol/ethanol

non-khamr is halal by law, as long as the process is not  
use illegal substances and if medically unsafe  
harmful.

##### 3. Vinegar/vinegar derived from khamr is good on its own

or through engineering, the law is halal and holy.

##### 4. Food products made from fermented milk in the form of paste/solids that

Containing alcohol/ethanol is halal, as long as it is in the process  
do not use illegal substances and if medically not  
harmful.

##### 5. Food products that are added to khamr are haram.

#### Fifth: Recommendations

##### 1. The public is encouraged to choose holy food and drinks

and halal and avoid the use of food products and

unlawful and unclean drinks, as well as those that use substances that are

It is not clear what is halal and its purity.

##### 2. Business actors are asked to make this fatwa as a guideline for

ensure the purity and halal of food and beverages that are produced and traded to Muslims.

3. The authorities make this fatwa as a guideline in carry out the halal certification process for food products, beverages, medicines and cosmetics.

Sixth: Closing Provisions

1. This fatwa comes into effect on the date set, with the provision that if in the future it turns out that improvements are needed, it will be corrected and perfected as appropriate.
2. So that every Muslim and those in need can know it, urge all parties to disseminate this fatwa.

Set in: Jakarta

On : 12 Jumadil Akhir 1439 H

28 F e b r u a r i 2018 M

FATWA COMMISSION

INDONESIAN ULEMA COUNCIL

## **FATWA SUMMARY: Alcohol/Ethanol in Food & Beverages**

### **1. Main Authority**

#### **► MUI Fatwa Commission**

- Alcoholic drinks ( $\geq 0.5\%$  ethanol) → **haram & najis**

- Non-khamr ethanol → **mubah (permissible)** if safe
- Small amounts (< 0.5%) → **halal** if not harmful
- Fermented food → **halal** (with conditions)
- Food/drink with khamr → **haram**

## 🔍 2. Qur'anic Basis

### ➤ Allah (Qur'an)

- Halal & good (tayyib) → **permissible**
- Khamr → **haram**
- Harm must be avoided

## 🔍 3. Hadith Basis

### ➤ Prophet Muhammad ﷺ

- Every intoxicant → **haram**
- Small amount of intoxicant → **also haram**
- Khamr → source of evil

## 🔍 4. Classical Scholars

### ➤ Al-Nawawi

- Khamr → **najis (impure)**
- Non-intoxicating fermented drinks → **permissible**

### ➤ Al-Mawardi

- Defines intoxication → loss of intellect  
 ↳ Basis for determining "drunkenness"

### ► Al-Syaukani

- Fermentation beyond 3 days → likely intoxicating → **avoid**

### ► Al-Khathib al-Shirbini

- Khamr = **najis (impure)**

### ► Abu Hanifa

- Khamr may be **pure (not najis)**
- But still **haram to drink**

### ► Al-Ghazali

- Supports **consensus that khamr is najis**

## 📖 5. Contemporary Scholars / Institutions

### ► Dar al-Ifta al-Misriyyah

- Alcohol ≠ always khamr
- Alcohol → **not necessarily najis**
- Permissible in:
  - medicine
  - hygiene
  - industry

### ► Athiyyah Saqr

- Alcohol → **not najis**
- Allowed for practical uses (medicine, perfume)

## 6. Scientific Input

### ▶ LPPOM MUI

- Alcohol = chemical group (not only ethanol)
- Ethanol sources:
  - Khamr-based
  - Non-khamr (synthetic/industrial)
- Natural fermentation ≈ **0.5% alcohol**

## 7. Key Differences of Opinion

### ▶ Alcohol vs Khamr

- Same → majority (strict)
- Different → some contemporary scholars

### ▶ Impurity (Najis)

- Najis → majority
- Not najis → minority (e.g. Abu Hanifa)

### ▶ Vinegar from Khamr

- Not allowed (engineered) → some scholars
- Allowed → others
  - 👉 Final fatwa: **halal**

## 8. Fiqh Principles

- الأصل في الأشياء الإباحة → everything is permissible by default
- الضرر يزال → harm must be removed
- الحاجة تنزل منزلة الضرورة → need can take place of necessity



## FINAL CONCLUSION (Fatwa Position)

- Khamr → ✘ haram
- Alcohol (non-khamr) → ✔ permissible with conditions
- < 0.5% ethanol → ✔ halal if safe
- Fermented food → ✔ halal
- Adding khamr → ✘ haram