

BREACH OF HALAL FOOD INTEGRITY STANDARDS; FOOD ADULTERATION – PUBLIC PROSECUTOR V INTAN BIOTECH INDUSTRIES SDN BHD [2025] MLJU 1245

^{i,*} Alia Nabihah Ahmad Zairi

ⁱFaculty of Syariah and Law, Universiti Sains Islam Malaysia (USIM), 71800, Nilai, Negeri Sembilan, Malaysia

*(Corresponding author) e-mail: alianbhhzairi@gmail.com

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ABSTRACT

Food adulteration is a major concern for food safety authorities in a worldwide level. The addition of the prohibited substances into our daily food products can result in serious health risks to the consumers; it might also reduce public trust and create challenges for regulatory enforcement. As the food supply chains have become more complex, cases involving food fraud and breach of food integrity are becoming increasingly common which makes it difficult to identify the parties responsible whenever food safety issues arise. This paper will deeply examine the Public Prosecutor v Intan Biotech Industries Sdn Bhd case, concerning a coffee product that was discovered to contain a prohibited medicinal substance, Sildenafil under the Malaysian law and Food Acts 1983. This case study adopts a theoretical legal analysis technique to analyse the facts of the case, proven evidence, expert witnesses' testimony and the court's reasoning behind its ruling. The results demonstrate that while the prosecution was successfully proving the presence of the sildenafil in the coffee sample, it was then failed to hold beyond a reasonable doubt that the product's originality was from the accused company. This case highlights the importance of supply chain management, scientific solid proves, product traceability, and appropriate level of investigations in food adulterations.

Introduction

The integrity of Halal food is the main key for many consumers, especially in Muslims majority countries where foods shall meet specific religious requirements to be considered as lawful and pure. Halal food standards cover every part of food production, starting from the source of ingredients until processing, handling, preparing, and packaging. This is to ensure that no forbidden substances or harmful contaminants are present in the foods. The effort to maintain the Halal integrity is considered important not only for religious reasons but also to ensure consumer trust, food safety, and market access (Ahmad, 2025).

However, the growing demand for Halal certified products has also led to many challenges, especially relating to food adulteration and food fraud. Food adulteration refers to adding cheaper, instant substances that might be harmful, which leads to a lower quality and safety of the food products (Choudhary et al., 2020). Adulteration that occurs in halal food industry can cause the break of trust for consumers and it violated health and religious standards. This breach can lead to a serious problem, including health risks for consumers and loss of confidence in Halal certification bodies (Sawyer & Izah, 2024).

The case of Public Prosecutor v Intan Biotech Industries Sdn Bhd shows the way legal systems adopt such breaches. In this case, the Intan Biotech company was accused of adulterating Halal food products, which led to the charges of the said provisions. This highlights the role of law enforcement in protecting food integrity, punishing those dishonest practices, and ensuring that the companies will comply with Halal certification standards. Legal action also will serve as a punishment in order to combat others from committing the same offense and reassures consumers that their religious and health rights are being safeguard (Mohamed & Hashim, 2022).

In the effort of ensuring Halal food integrity, it requires cooperation from many sectors and bodies. Manufacturers must follow good manufacturing practices and ethical guidelines that has been highlighted by the regulated bodies. Regulators need to enforce strict inspections and food safety laws and consumers should be aware and demand for the transparency about the food that they buy. As the world's technology has evolve and being so advance such as modern testing methods, it's also help on detecting adulteration early and accurately. This helps in protecting the food supply chain from contamination and fraud acts. (Ahmad, 2025).

As for the conclusion, maintaining Halal food integrity is very important for health, religion, and consumer confidence. Food adulteration will negatively affect this integrity, and it can lead to legal consequences, as seen in the case of Intan Biotech. A combined effort involving legal measures, awareness, and technology is crucial to uphold the standards of Halal food and protect consumers.

Food Adulteration

The term food adulteration describes the addition, substitution, removal, or any modification of food ingredients that may affects compromises a product's authenticity, safety, composition, or quality. According to Bansal et al. (2017), these behaviours might happen accidentally as a result from insufficient manufacturing controls and failure to follow the quality control by quality management systems, or perhaps they can happen on purpose for financial advantage and gain. Food adulteration is acknowledged by the World Health Organization and global food regulatory agencies as a serious public health issue. Industrial chemicals, hazardous materials, pharmaceutical compounds, failure ingredients, artificial colouring agents, and unreported additives are some of the examples of adulterants. Customers might unintentionally put themselves at a risk for health problems because they are usually unaware that they already have consume the adulterated food products.

Anagaw et al. (2024) also claims that since food supply chains get more complicated nowadays, there are more chances and potential for food adulteration to happens. It is very challenging to keep an eye on product integrity through the supply chain since modern food items sometimes go through several suppliers before it reaches consumers. Because of these difficulties, there are weaknesses that scammers might take advantage for financial gain purposes. The act of adding medicinal substances to food items is one type of food adulteration that is very concerning and create worrisome to consumers. Some of the undeclared medicinal compounds that have been discovered in certain goods found to be intended for weight reduction, sexual enhancement, or improved vitality. These drugs could have quick physiological impacts that improve customer satisfaction and boost product sales. However, since customers are

unaware of these chemicals' existence or their harmful effects, it would then cause a serious health hazard to them.

Food items that include medicinal ingredients are strictly regulated under Malaysian law. For example, Sildenafil contents is prohibited in food products and it is categorized as a regulated medical medication. Based on the Food Act of 1983, the presence sildenafil in a food product is a breach of food safety laws and that might lead to criminal prosecution. The severity of this problem can be seen in the Intan Biotech case. In addition to raising questions about food safety, the finding of sildenafil in a coffee beverage brought to light more general concerns about product authenticity, traceability, and producer responsibility.

Fact of the Case

On 18 October 2022 at 11.35pm, an inspection and food handling was conducted by a team of environmental health officer led by SP1 at a shop lot Fajar PD U2 Enterprise in Port Dickson, Negeri Sembilan. They bought three sachets of a premix coffee called as “Kopi Campuran Kopi Kunyit Hitam Jenama Yusmira (The Yusmira Coffee)” The health officer was then instructed his team to send the sample of the Yusmira Coffee for a chemical analysis in Department of Chemistry. The coffee was analyzed for Sildenafil and Tadalafil substances. The Science Officer in charge conducted the analysis using laboratory method accredited by Skim Akreditasi Makmal Malaysia (SAMM) and when the result comes out, it was found positive for the Sildenafil contents and negative for Tadalafil. Sildenafil was actually known as a controlled medicinal substance used to treat the inability to get or keep an erection mostly for men. This issue was sent to the Port Dickson District Health Office as a report.

Investigations showed that the product had passed through several levels of distributors before reaching the retail shop. It shows that the owner of the shop lot bought the coffee from the other shop called Felisa Beauty at Kampung Baru Kuala Lumpur which they testified that they managed to get their hands on the stocks through a business owner of Mazlahhasani Enterprise in Kelantan. The business owner then testified that he ordered and received the goods from Intan Biotech Sdn Bhd through its employee, Suzila. On the packaging itself stated that it was manufactured by the said company. By that means, they were charged under Section 13B(1) of the Food Act 1983. It stated that “no person shall sell or prepare any adulterated food” which contravene with the acts of selling adulterated food.

However, during the investigation and witness testimonies it was found that the Yusmira coffee supplied by the Suzila did not directly come from the company but rather from some market in Rantau Panjang. Suzila was also admitted that the Yusmira coffee that she bought was a counterfeit product and obtained from a dark marketplace. She further admitted that she had used the company's documents without the company's knowledge or authorization in order to sell the product. This creates a gap in understanding the origin manufacturer of the coffee because there is no solid evidence neither proof to shows that it does not come from the Intan Biotech Industries Sdn Bhd.

Summary of The Case

On this case, the court has arisen the issues of the case pertaining the consideration of the coffee as an adulterated food and whether the coffee was originated from Intan Biotech Industries Sdn Bhd. The court held that the prosecution had successfully proven that the coffee contained Sildenafil which was not permitted under the prescribed standards for premix coffee under rule 269A of the Food Regulations 1985 and was also considered an adulterated food product under subsection 13B of Food Act 1983. It was firmly supported with the Testimony given by authorised officer and there was no break in the chain of evidence for the whole process. It was also be said in the case report where it was stated in the Poison Act 1952 that Sildenafil is a scheduled poison belonging to Group B poison which means it cannot be sold by retail except through prescription by registered medical practitioners. Therefore, there is no gap and beyond unreasonable doubt that the Yusmira Coffee contained added substances not specified under regulated provisions and thus deemed as adulterated food.

The second issue discussed regarding whether the Yusmira coffee originated from Intan Biotech Industries or not. It was unclear about the manufacturer as Suzila, who was believed to be the one that supplied the stock to another witness, said that she obtained the coffee stock from some marketplace in

Rantau Panjang and not directly from the said company. There was also no evidence to firmly prove that Suzila obtained the Yumira coffee from Intan Biotech Industries. Additionally, the product was inserted into the company's distribution process without the company's knowledge. Therefore, the court found that Suzila's witness testimony created a reasonable doubt as to whether the tested product actually originated from Intan Biotech Industries.

To sum it all up, the court held that the prosecution indeed successfully proved that the coffee contained Sildenafil and was therefore considered as adulterated food. Nevertheless, the prosecution team has failed to prove that the sample was manufactured from Intan Biotech Industries. There was a reasonable doubt regarding the originality of the sample product which led to the failure of establishing a prima facie case against the company. The court found that Intan Biotech Industries was acquitted and discharged from charge without being called to enter its defence.

Means of Evidence

Documentary Evidence

The documentary evidence in the case of Public Prosecutor v Intan Biotech Industries Sdn Bhd [2025] MLJU 1245 includes:

The purchase receipts (P6 & P&):

The purchase receipts which was a sale receipts as a prove of the sale transaction process between the health officer (SP3) and the SP3. This is regarding the purchase of 3 Yumira Coffee sachets bought from the Fajar PD U2 Enterprise in Port Dickson. This also demonstrates that the coffee product had been lawfully obtained.

Request for analysis form:

SP5, who is the certified legally chemist has issued the formal request for a chemical analysis pertaining to the presence of Sildenafil and Tadalafil in the Yumira Coffee sachet samples. This chemical analysis was brought to the Department of Chemistry, and it was carried out according to the parameters requested by the health officer in line with official procedures.

Chemist Report (P19):

The analysis holds out by the certified chemist (SP5) revealed that the Yumira coffee was indeed turned out positive for the Sildenafil content but however negative for Tadalafil content. It was considered as a significant piece of supporting document to prove the presence of unidentified substance that shows it non-compliance with the Food Act 1983 and Food Regulations 1985. The detailed investigation provides clear scientific evidence that the product contain substance prohibit in the said provisions. The prosecution's claim that the product affects food safety regulations negatively was based on the report.

Delivery orders and company records:

During the trial and witness investigations, it was revealed that the products have gone through a number of delivery sections a few business records were presented. Few documents were used to trace the movement of the Yumira Coffee through a different distributor before it made its way to the retail shop in Port Dickson. However, it was then discovered that some of the delivery orders were manipulated by the company's employee, Suzila without the knowledge of the company. The vailidy and authenticity of the records has also been questioned, and it affects the prosecution's claim that the Yumira coffee was manufactured and made directly from Intan Biotech Industries Sdn Bhd.

These documentary exhibits, along with the chemist's findings and the packaging itself, formed the key evidence in the case, leading the court to conclude that the respondent had subsequently breach the halal integrity where the products were deemed as adulterated food.

Physical Evidence

The main physical evidence was the Yusmira Coffee sample taken by the health officers during the food sampling inspection in Public Prosecutor v Intan Biotech Industries Sdn Bhd. The product was purchased from a retail outlet in Port Dickson, and it was later being divided, sealed and preserved as per procedures laid down under the Food Act 1983 before being submitted for laboratory analysis. The Yusmira Coffee sample prove as the physical evidence that directly connected to the offense, and it became the key evidence to determine whether the product complied with the Malaysian food safety regulations, Food Act 1983 and Food Regulations 1985. During the investigation of the products including packaging, labelling, brand identity and the manufacturer information were being examined, it was found by the chemical laboratory analysis of the presence of the substance Sildenafil. Sildenafil was considered prohibited to be used in a premix coffee product under the said regulations. The scientific discovery has caused the Yusmira Coffee sample as crucial physical evidence to support the prosecution's claim that the product was adulterated and not safe for consumers.

However, the significance of the Yusmira Coffee sample was more than the lab results. During the trial questions, the authenticity and origin of the product itself were raised. Prosecution witness SP9, who was the company's employee, stated that some of the Yusmira Coffee products purchased separately from a marketplace in Rantau Panjang were not supplied directly by Intan Biotech Industries Sdn. Bhd. SP9 also admitted that the products purchased from the marketplace were a counterfeit product and that company documents were used to facilitate the distribution of the company. By that means, while physical evidence confirmed the presence of Sildenafil, there was still a gap and doubt whether the sample analysed was from the accused company, Intan Biotech Industries. This cause a great impact product's evidential value as the prosecution was required to have a solid prove that there was a direct link between the adulterated coffee sample and the manufacturer. Therefore, the Yusmira Coffee sample was not only evidence of food adulteration, but also an important element in the issues about the authenticity, traceability and validity of the product in the supply chain. Eventually, the court found that the doubt to the authenticity of the physical evidence caused a reasonable doubt and was one of the reasons for the failure of the prosecution to prove a prima facie case against the company.

Expert Witnesses

In Public Prosecutor v. Intan Biotech Industries Sdn Bhd case, expert witnesses' testimony was very much crucial since it provides a scientific proof of the Yusmira coffee product's composition. A certified chemist from the Department of Chemistry Malaysia, who performed the laboratory analysis on the coffee samples which was provided by the health officer, served as the primary expert witness. The certified chemist verified that the sample eventually contained sildenafil, a medicinal substance commonly used to treat erectile dysfunction by using an approved chemical testing procedure. Consequently, the research revealed that the product sample does not meet the requirements set out by the Food Regulations 1985 for premix coffee and Food Act 1983 for adulterated food.

Since the chemist's report objectively proved that the product included an unreported medicinal substance, it was considered as an essential piece of evidence. From the view of halal forensics, the expert witness (the verified chemist) was a crucial witness in identifying substances that may affects the integrity, safety, and quality of food items. The scientific findings backed the prosecution's argument that the coffee was not pure and could contain dangerous substances for consumers.

However, the court held that the prosecution had failed to prove that the sample of coffee examined originated and came straight from Intan Biotech Industries Sdn. Bhd. despite the evidence of the convincing expert testimony. Consequently, even though the expert witness was able to prove that sildenafil was present in the product sample, there was not enough evidence and direct link to prove beyond a reasonable doubt that the accused company was responsible for the contaminated sample and liable for the charges. This case highlights the importance of new scientific evidence with proper traceability and supply chain documentation in food and halal forensic investigations.

Issues Involving Halal Breach as in Food Adulteration

Presence of Undeclared Pharmaceutical Substances in Food Products

The discovery of sildenafil which is a drug used for erectile dysfunction for men in coffee products sold as "health drinks" has caused a major problem for food safety and Halal integrity. The legal case of Public Prosecutor v. Intan Biotech Industries Sdn. Bhd. shows that Halal science is now actually expanding much more than just checking for pork and alcohol substance. Nowadays, Halal forensic science grows a broader concept as it also functions to find hidden drugs and chemicals that make food unsafe or harmful for consumptions (Azmi et al., 2024). These drugs are often hidden in instant coffee mixes to make people feel a booster in energy, leading them to believe that the product is a powerful natural medicine when it is actually a pharmaceutical drug in disguise.

One of the biggest challenges for scientists is that these products do not always use usual sildenafil. Instead, they often contain different types which are slightly changed versions of the drug made in secret labs to avoid being caught by basic tests. A study of the Malaysian market from 2014 to 2016 found that many herbal and food products were filled with these hidden drugs at high doses (Bujang et al., 2017). Drinking these without knowing is very dangerous. It can cause heart attacks, dangerous low blood pressure, or can cause bad reactions if the person is already taking heart medicine.

From a Halal point of view, this is a serious violation of the Halalan Toyyiban principle. In the Islamic faith, Halal means that the food is allowed and permissible, however Toyyib means it must also be wholesome which means it is safe, clean, and good for you. Therefore, if a drink has hidden drugs that can hurt your health or if the label lies about what is inside, the product is no longer considered Toyyib. Religious rules state that food must be pure and free from anything harmful. Because these coffee products are sold through deception and contain dangerous hidden ingredients, they are considered haram (forbidden) because they might threaten human life and it is based on a lie.

To combat this, modern labs use high-tech machines to prove the counterfeit. The highly used techniques tool is called liquid chromatography high resolution mass spectrometry. This machine is very sensitive that it can find even the tiniest amounts of hidden drugs or fake versions that other tests might miss out (Yusop et al., 2019). Other than that, labs also use a quicker and cheaper tests like ELISA that are used to scan many products at once to see if they have the sildenafil contents inside. Using these scientific tools is the only way to ensure the Halal industry stays honest and that the food we buy is safe and healthy for everyone's consumptions.

Product Authenticity and Counterfeit Product Issues

The issue of halal forensic in the case of Public Prosecutor v Intan Biotech Industries is about the authenticity of the product and the possibility of the product being counterfeit. Those evidence that was being brought over the court was the coffee sample tested by the authorized officers that have been purchased individually at a marketplace in Rantau Panjang and then supplied using company documents. A witness admitted that some items might have been black-market counterfeits. This leaves the origin and traceability of the sample in question uncertain and raises the question whether the seized product was indeed coming from the accused manufacturer.

Product origin verification is one of the hardest subjects in halal forensics. Counterfeit products may closely resemble the real packaging, branding and labelling. Even the certification logos and labels alone, are no longer enough to guarantee an authenticity, as they can be forged or misused. (Usman et al., 2023). Counterfeit goods may pass the standard quality checks and halal assurance systems and may contain illegal chemicals, unsafe materials, or false information to mislead buyers. Scandals like the illegal importation of fake halal meat mixed with beef in Malaysia demonstrate how that fraud may destroy the confidence of Muslims and negatively impact halal supply chains.

Thus, traceability systems are important to ensure the halal integrity in production and distribution processes. Traceability means tracing a product "from farm to fork", including raw materials, processing, storage, transport and during final sale. Therefore, the authorities can know where the product came from and what it has passed through. Firm halal traceability reduces the risk of contamination of undeclared substances, and it's also helps to quickly locate the point of cross-contamination if any problem occurs.

(Susilo, 2024). If the traceability is poor or non-existent, as in the case of Intan Biotech, it is actually very difficult for the court to prove beyond reasonable doubt that the tested sample is indeed manufactured by the accused company, even when laboratory analysis confirms the presence of prohibited substance such as sildenafil. This means forensic traceability evidence is considered important as chemical testing for the legitimacy of halal certification, the attribution of legal accountability and the recovery of consumer confidence. Recent work therefore suggests comprehensive halal traceability models and new technologies such as blockchain, QR/RFID tags and integrated information systems to create transparency, secure records of a product's supply chain and improve proof of authenticity.

Health Implication

This case focuses on the serious health, halal and public-trust issues caused by the hidden sildenafil in a coffee product. Research on adulterated supplements and halal *tayyiban* supports that undeclared pharmaceutical ingredients would negatively impact safety and Islamic consumer rights. Sildenafil is a prescription medicine used to treat erectile dysfunction and heart problems and should only be taken under a medical supervision due to its dosage restrictions and heart risks possibility. Some “natural” products, however, often in high or uncontrolled quantities, illegally add sildenafil or its clones.

One study found that 70% of sexual-enhancement supplements contained undisclosed drug ingredients, with concentrations of sildenafil as high as 116.55 mg per tablet, exceeding the standard maximum medicinal dose and putting users at risk of overdose if they believe they are consuming a herbal product. (Petrova-Gueorgieva et al., 2022).

Large regulatory data sets from the US, Korea and Europe confirm that sexual-enhancement and weight-loss products are repeatedly found with undeclared sildenafil and other drugs, putting consumers at risk of accidental misuse, drug interactions and serious side-effects. (Shin et al., 2022) A clinical series of slimming coffees, teas and capsules found sibutramine and sildenafil in all 12 products tested, and users reported weight loss, but also tachycardia, chest pain, seizures and dependence. (Carles et al., 2026).

With all factors taken into consideration, the presence of hidden sildenafil in a halal-branded coffee goes against the *tayyib* principles of safety and transparency, violates Islamic consumer protection ideals, and fits into a larger global cycle of food fraud where undeclared pharmaceuticals in “natural” products pose serious risks to public health systems, individual health, and trust in halal food.

Conclusion

As a conclusion, Public Prosecutor v Intan Biotech Industries Sdn Bhd highlights the importance of halal forensic science in effort to guarantee food safety, product authenticity and ensure consumer protection. Sildenafil was proven found in the Yasmira coffee sample by the laboratory chemical analysis, shows that undeclared medicinal substances may be found in food products using scientific procedures. This discovery creates a serious concern regarding food adulteration and the possible health hazards to consumers who may accidentally consume medicinal substances.

This case also revealed a significant problem with product traceability and authenticity. Due to uncertainties pertaining the product's origin and errors in investigation procedures, the prosecution was then unable to fully prove that the tested sample came from Intan Biotech Industries Sdn Bhd. even though forensic chemical examination verified the presence of sildenafil substances. Consequently, the accused company was declared not guilty as the court determined that there was a reasonable question about the company's authenticity.

Overall, this case highlights that a comprehensive and solid chain of evidence, scientific evidence is insufficient on its own. In effort to support forensic conclusions and prove accountability, thorough investigations, adequate records, and efficient traceability mechanism are crucial and important. In order to maintain customer confidence, safeguards public health and uphold the integrity of halal products in the marketplace, the case highlights the significance of strengthening halal certification systems and regulatory enforcement.

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