

SAFEGUARDING HALAL FOOD INTEGRITY THROUGH STRICT LIABILITY: A CASE ANALYSIS OF PUBLIC PROSECUTOR V WEE MEE INDUSTRIES CO SDN. BHD.

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ABSTRACT

The halal food industry is not about following the rules of Shariah law. It is also about making sure the food is good and safe to eat. It is about protecting the people who buy the food. The idea of halalan tayyiban is to eat food that is allowed under Shariah law and to make sure it is clean and safe and good quality. So, companies that make food have to make sure their products are halal all the time. They also have to be honest about what's in the food they make. Let us look at a court case Public Prosecutor v Wee Mee Industries Co Sdn Bhd [1986] 1 MLJ 505. This case was about a company that put the word 'Halal' on their noodles. They were not honest about what was in the noodles. The halal food industry is very important. Companies have to be careful about what they say about their food. The halal food industry is about more than saying something is halal. It is, about the halal food being good and safe to eat. They said the seasoning powder had vegetable oil. This product was actually composed of animal fats. This case highlights the importance of transparency and correct labeling of food products and responsibility on part of the manufacturer. This study would examine the problems raised in this case and the implications of the principle of strict liability within the context of food safety laws. Further, this research will highlight the applicability of the concept of strict liability within the halal food industry. Our aim is to evaluate the effects of legal responsibility and integrity of halal in protecting consumer interests while ensuring that halal products are indeed halalan tayyiban. From our analysis, we conclude that halal food manufacturers must have complete control over the ingredients used in their products, production processes, and disclosure to consumers.

Introduction

The halal food industry is growing fast and it is not just about following the rules of Shariah law but also about keeping the food safe, good quality and protecting the people who eat it. The idea of halalan tayyiban in Islam means that food has to be allowed under Shariah law and it also has to be safe good quality and not harmful to the people who eat it. So the companies that make food have a responsibility to make sure their products follow all the halal rules and meet all the standards for keeping food safe.

In the halal food industry it is very important to label the food and be honest about what is in it so that the people who buy it can trust the company. When a firm reveals the ingredients used to prepare such meals, it may raise doubts as to the halal nature of such foods, and at the same time create concern regarding the safety of the meals. This is why there are regulations aimed at ensuring accountability of firms regarding their products.

The liability concept plays an important role for assuring the safety of food products as it provides a legal way of punishing firms even if they did not intentionally violate some legislation. In this way, consumers of such food products are protected from possible dangers.

The current research deals with one court ruling known as Public Prosecutor v Wee Mee Industries Co Sdn Bhd. The case took place in 1986. According to the case, a certain company labeled its noodles as Halal whereas in reality the meal contained animal fat that could not be included into such food.

Therefore, this study aims at examining these issues and explaining the application of the strict liability notion in ensuring the safety of food products. It also seeks to explore its relationship with the halal food industry and the influence of the halal integrity notion on protecting consumers' interests and on the halalan tayyiban concept. The halal food industry and the notion of halal integrity are essential aspects.

The companies should take care of ensuring that all processes concerning the production of food products are performed properly in order to protect the consumers' interests. People should consider the halal food products. They also should think about whether the products are safe and suitable for consumption. Halal food industry should comply with the legislation so that the customers could trust the purchased food products. The halalan tayyiban concept plays an extremely significant role since it guarantees the safety and high quality of halal food products. Companies should be interested in halal integrity and consumers of halal food products.

Facts of the Case

The case of the Public Prosecutor v Wee Mee Industries Co. Sdn Bhd is very important. It is about the issue of information on food products in the food industry. The problem is about the term Halal and what's in the food. Wee Mee Industries Co. Sdn Bhd is a company that makes noodles in Kuching, Sarawak.

On 14 May 1980 the people in charge went to Wee Mee Industries Co. Sdn Bhd. They found Wee Mee Industries Co. Sdn Bhd noodle products with information, on the packaging. The authorities looked into it. The company was charged under the Trade Descriptions Act 1972 for putting wrong information on its food products.

First charge

The company was accused of putting the Halal word on 15,074 packets of noodles. The people who accused the company said that Wee Mee Industries Co. Sdn Bhd used the 'Halal' label without following the rules, for 'Halal'. They claimed that this could make Muslim consumers think the products were 'Halal' when they were not. As a result the company was charged under Section 3(1)(a) of the Trade Descriptions Act 1972 for providing information on its products.

Second charge

The second accusation was about the ingredients listed on the packaging of 'Horlic' brand Curry Flavour Instant Noodles. The packaging stated that 'Edible Vegetable Oil' was used in the soup seasoning powder. However, when the seasoning powder was tested it was found to contain animal fat. The accusation was

that the ingredient list was incorrect because it did not mention animal fat. This charge was also, under Section 3(1)(a) of the Trade Descriptions Act 1972.

When the case was in the court Wee Mee Industries was found not guilty of the first charge about using the term 'Halal'. The court said that the accusers did not prove that the use of the term 'Halal' met the rules.. For the second charge the company was found guilty because the court believed a report that said the instant noodle seasoning powder had animal fat in it. After that the Public Prosecutor appealed the decision that said the company was not guilty of the charge and the company appealed the decision that said it was guilty of the second charge. The case of Public Prosecutor v Wee Mee Industries Co. Sdn Bhd is about the issue of trade descriptions in the food industry specifically, about the use of the term 'Halal' and the declaration of food ingredients.

Summary of the Case

The case of Public Prosecutor v Wee Mee Industries Co. Sdn. Bhd. [1986] 1 MLJ 505 is significant in illustrating the application of the strict liability principle within the context of food safety and halal regulation. This principle is pretty simple. It means that a company can get into trouble for problems with the food products they sell. The company can get in trouble for problems with the food products they sell even if they did not do it on purpose. The company can also get in trouble for problems with the food products they sell if they did it by accident. The food products they sell are the thing here. If there are problems with the food products, they sell the company is, in trouble. The main thing is that something went wrong with the food products.

In this case the court looked at whether the company was truthful about what was in their food products. They wanted to know if the company told the truth about their noodles. The court checked if the packaging said the right things about the food product being halal and what ingredients were used in the food products. The court had to decide if the company broke the law by saying their food product was halal. They also had to decide if the company was truthful about what was in the food product. The company was not found guilty of saying their food product was halal when it was not. This was because the court was not sure what halal really means in the law.

The court did say that companies must be careful when they say their food product is halal. They must make sure they are following the law. The court also said that companies must be truthful about what's in their food products. If a company does not tell the truth about what's in their food product that a big problem for the company can be. For example, the company did not say that their food product had animal fat in it. This is important because some people do not want to eat animal fat in their food products. So companies must make sure they are telling the truth about their food products.

This case is an example of why companies need to be honest about the food they sell. Food companies have to make sure they are doing what the law says when they claim that their food product is halal. Companies like these have to be truthful, about their food products especially when they say something is halal. They must also make sure they are telling the truth about what's in their food products. If companies are not truthful it can hurt peoples trust in the companies and their food products. It can also be a problem for halal food products. The Public Prosecutor, v Wee Mee Industries Co. Sdn. Bhd. Case is an example of this.

Strict Liability Principle

The principle of liability is a law that says a person, or a company is responsible for something that goes wrong even if they did not mean for it to happen. The people who are prosecuting do not need to prove that the person or company knew what they were doing was wrong. To say that someone is guilty of a crime it has to be shown that they did the crime on purpose and that they were in control of what happened. This principle is often used for laws that are meant to protect the public like laws about food safety, public health protecting consumers and protecting the environment.

In Malaysia this principle is used for laws that are meant to protect people who buy things. For example the Trade Descriptions Act 1972 which is now replaced by the Trade Descriptions Act 2011 says that it is against the law to put information on products. The people who make things and the people who sell

things have to make sure that all the information on the labels, packaging and advertisements is correct and does not confuse people who are buying things.

There was a case, Public Prosecutor v Wee Mee Industries Co. Sdn. Bhd., where the principle of liability was important. The court said that the people who make things have to make sure that the information on the labels is correct especially when it comes to saying that something is halal. Even though the court did not say that this was a case of liability the law is clear that the people who make things have to follow the rules and make sure that what they are selling is what they say it is.

When it comes to making sure that something is really halal this principle is very important. Every time someone says that something is halal, they have to be able to prove it with paperwork, audits tests in a laboratory and by checking where the ingredients come from. If a company makes something with ingredients that should not be in it they can get in trouble. This happens even if they did not mean to deceive people. The problem is that the label on the product is misleading.

The idea of liability is very important when it comes to halal claims. This is because it holds companies responsible for the products, they sell which's the halal products, in this case. The companies have to make sure the halal products are really halal. The principle of liability says that companies have to make sure that their products are what they say they are and that includes making sure that halal claims are true. The principle of liability is important for protecting consumers and making sure that companies are honest, about what they are selling.

Halal Forensic Analysis

Scientific evidence in determining product authenticity

In the context of halal industry, product authentication cannot only depend on labeling, statements by manufacturers or information on the packaging of the product. There must be sufficient scientific evidence to prove that the contents of a product match its stated specifications. Halal forensics is the science and technology employed in identifying, verifying, and evaluating the halal nature of a substance or a product.

Example where scientific evidence was used to establish the authenticity of information concerning food ingredients can be seen in Public Prosecutor v Wee Mee Industries Co. Sdn. Bhd. In this case, it was about the written information on the noodle packages and whether it was accurate to what was in the actual product. Secondly, it was about the noodle seasoning powder which contained some kind of fat or oil. This was analyzed in a laboratory test which revealed that there was animal fat in the product. However, on the label, the company stated Vegetable Oil as the ingredient.

It is important because this information will help the court determine whether or not the defendant has been truthful regarding its product. The instant noodle seasoning powder is one of the central things in this particular case. The court should establish what is contained within the noodles seasoning powder. The defendant has made certain claims about the product. There were some noodles contained in the product. The instant noodles contained the seasoning powder. The seasonings powder contained animal fat. On the other hand, the defendant claimed that there was Vegetable Oil in it. This will be considered by the court. The instant noodle seasoning powder case is about noodles. The instant noodles had a label. The label contained a claim. The claim was untrue.

Role of laboratory analysis in halal verification

Laboratory analysis becomes an important part of halal verification process since scientific proof becomes necessary to establish actual composition of a product. In the halal industry, laboratory tests become inevitable whenever there is any doubt about composition of raw material, chances of contamination, use of forbidden ingredients or any inconsistency in the labeling and composition of the product (Nakyinsige et al., 2012).

In the case of Public Prosecutor v Wee Mee Industries Co. Sdn. Bhd, a chemical analysis became important when a sample of instant noodle seasoning powder proved that the product contained animal fat in spite of being labeled as containing "edible vegetable oil." The contradiction in the manufacturer's information and actual composition became clear and affected the consumer's trust especially that of the Muslim consumer regarding the halal nature of the product.

The importance of halal forensics through laboratory analysis lies in ensuring authenticity of products by validating the ingredients, food content and origin of the ingredients used. These scientific methods become important as some substances cannot be known merely from observation or labeling information. People use methods such as PCR, GC-MS and LC-MS to verify whether food is halal. This is done in order to determine whether there are any animal-based or prohibited ingredients in the food. (As was mentioned by Rohman and Che Man in 2012.)

The staff of Wee Mee Industries did not use any of these technologies. The core principle remains the same for Wee Mee Industries. Wee Mee Industries applies scientific methods in order to prove that food is halal and to guarantee its safety for Wee Mee Industries. It proves that the process of verification of food in terms of its being halal does not have to involve the discovery of prohibited ingredients. Verification of halal status is important as well.

Application of halal forensic methods in food safety

Halal forensics is useful not only when deciding if a certain substance or product is in accordance with Shariah but also as a scientific method of assuring integrity, authenticity, and validity of halal products. According to Abu Bakar and Ramli (2019), halal forensics is used in identifying the true composition of food products, detecting contamination, adulteration, and mislabeling, and providing scientific evidence needed for law enforcement purposes. Moreover, Takhor et al. (2025) emphasize that halal forensics acts as an essential tool for consumer protection, increasing transparency of halal certification programs, and providing every claim of halality with scientific evidence.

The case of Public Prosecutor v Wee Mee Industries Co. Sdn. Bhd. provides an example of such scientific evidence. Chemical analysis of instant noodle seasoning powder was carried out to determine its actual composition. It made possible to decide if the information provided by the manufacturer on the label was in accordance with legal regulations. It should be noted that checking if a certain thing is halal is not just about looking at a halal logo but also at its content.

Halal forensic is important for ensuring food safety. In doing so, it ensures that all the elements that have been used in the production process, method of food preparation, and labeling conform to the principles of halalan tayyiban (halal and good). In this regard, it prevents fraud and mislabeling. Moreover, it enhances the confidence of consumers that halal products are indeed halal. In doing so, it strengthens the whole halal authentication system.

Importance of ingredients traceability and consumer protection

From the view point of the halal supply chain, the Public Prosecutor v Wee Mee Industries Co. Sdn. Bhd case illustrates the significance of traceability systems in food production. They are useful for determining the source of all ingredients used. In order to guarantee safety, quality and genuineness of the food products, traceability systems are vital. Traceability systems

Collect information about the source of raw materials, production process and distribution. The information collected enables the manufacturers to produce quality and safe products. As an example, the manufacturer needs to determine where his raw materials come from, such as oils and fats. This is mainly for the purpose of ensuring that he gets quality raw material. Mostly, it helps him to ensure his products are safe. The manufacturer has to test his raw material. Quality raw materials will produce quality products. Especially when it comes to halal products, clear information regarding the sources helps the manufacturers not to threaten the halalness of the product.

In this case study, halal forensics is extremely important because through science-based methods it provides evidence on product composition to reveal any inconsistencies between information given and product composition. Therefore, ingredient traceability systems along with the process of halal forensics are not only necessary to ensure compliance with halal requirement but also to protect consumers' rights and the overall halal industry credibility.

Conclusion

As we can see from the case of Public Prosecutor v Wee Mee Industries Co. Sdn. Bhd, halal in food industry is not just about the use of halal label but also about ensuring that the information on the product is accurate and the quality of raw materials is satisfactory. In other words, the producer meets all the legal requirements. Science such as analysis in a laboratory may help us find out the true product composition and prove its consistency with the information that is given to the consumer.

In addition, it is necessary to be aware of sources of all the ingredients to be able to control halal supply chain and to conduct a testing of these ingredients. The inability of the producing company to properly deal with raw materials or to provide people with wrong information may harm reputation of the Muslim consumers as well as that of the whole halal industry.

In other words, the case under analysis proves that people who produce goods should take care of compliance with the law no matter whether they claimed their innocence due to ignorance or mistakes. Therefore, the use of science, law and Islamic concepts is extremely essential for the production of halal goods of high quality. It goes without saying that halal forensics is not only about finding some errors but also about providing consumer protection and ensuring reliability of the whole halal industry. The latter requires the presence of halal goods and this is exactly what the concept of halalan tayyiban means.

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