



Looking at Some Animal Feeds with Respect to Halal Concept

Aamir Iqbal*, Abdul Qudoos, I.Sadi Çetingül, Syed Rizwan Ali Shah, Ismail Bayram

Department of Animal Nutrition and Nutritional Diseases, Faculty of Veterinary Medicine, Afyon Kocatepe University, Afyonkarahisar, Turkey.

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ABSTRACT

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* Corresponding Author

e-mail:
aamir_vet @ yahoo.com

In halal food supply chain, animal feed is considered as the initial critical control point in ensuring the halal integrity of animal chain. The uncertainties in the halalness, quality, and safety of the animal feed may consequently affect the halal and acceptable status of the halal food products. The use of pig intestines and carcasses as feed for cultivated fish by irresponsible farmers has led to frustration and anger among the Muslims community. Such practices have created uncertainties of the legality of such fish due to non-concrete solution to this subject matter. The present review utilizes qualitative approach in which data is collected through library research. The findings of this library study could be made as reference or guidelines to the authoritative bodies and policymakers in developing legal provision for the production, importation, manufacture, sale and use of halal feed, which shall be based on the Islamic principles. Muslims do not consume non-halal food. For this reason, farmers or related sector should collectively take the responsibility to ensure the quality, safety and halal integrity of animal production from farm to fork to sustain halal food supply.

Introduction

It is certainly the cattle and sheep that feed off najasaat (filth as defined by sharia). There is controversy over chickens and whether the ruling of jallalah applies to them. Ibn Hazm argued they don't because they are known for eating filth and they were not prohibited. The majority indicated that the ruling is general and applicable to all edible meat, as Ibn Hajar indicated in Fath al-Bari. There is also another matter worth noting, which is that the animal is considered jallalah only if the majority of its food is najis, as Ibn Qudamah reported from the Hanbalis in al-Mughni, and it is also the Hanafi position. According to some, it

becomes jallalah only if the animal's odor changes and that position was ascribed to the majority by Imam an-Nawawi.

The majority considered the consumption of jallalah to be makrooh, notharam. This position is held by the Hanafis, most Shafi'is, and some Hanbalis. The Malikis don't even dislike it. Some, including some shafi'is and Hanbalis consider it haram. The proof is on the side of this latter group because of a report by Ahmad and Abi Dawood, from Ibn 'Umar, that the Messenger of Allah (blessings and peace be upon him) forbade eating jallaalah and [drinking] its milk. There are other reports from other companions as well.

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The concept of jallalah

Discussion with regard to animal feed and feeding will directly relate to the concept of Jallalah. From the Islamic perspective, al-jallalah refers to the category of animals that eat on filth and impurities (Ibn Manzur, 1990), consistently, or regularly being fed with such feed, which consequently resulted in changes of the animal's smell, taste and color of the meat. Reference (Qal'ahji, 1996), in his book *Mu'jam Lughah al-Fuqaha'* has defined al-jallalah as animal that most of its diet is from filth. The term al-jallalah came from the Arabic word 'jalla' which means contaminant or impurity (Ibn Manzur, 1990) and the contaminant also included the excrements of other animals (Jamaludin, 2011).

According to Hanafi school of thought, al-jallalah refers to animals that survive on eating only filth and impurities, thus changing the smell of their meats (Thawilah, 2012). The majority of leading schools (Hanbali, Syafi'i, and Maliki) however conclude al-jallalah as an animal which most of its diets are from filth but also consume other elements as food. The strongest opinion on the matter is the opinion given by the Shafi school of thought, who had connected the consumption of the impurities with the present of unpleasant smell and other physical changes of the meat, sweat, taste, and color, which therefore indicate that the animals are categorized as al-jallalah (Nawai, 1990). This is, therefore, understandable that al-jallalah refers to animals that live with the consumption of filth and impurities which as a result produce unpleasant smell and changes to its meat.

Muslim jurists have a different opinion on animals that fall into the category of al-jallalah as whether it is only limited to halal animals with four legs (al-An'am) or generally applicable to all animals including poultry and aquatic animals. The Hanafites had restricted this category among the four-legged animal such as camel, cow, and goat. Based on the method of qiyas, all consumable animal included fish can be classified as al-jallalah due to the same reason (illah); the changes in smell, color and/or taste due to their habits of eating filth (Al-Shafi'i, 1996). Reference (Syafi'i Hadzami, 2000), sharing the same view, considered that all animal including camel, cow, goat, chicken, fish, and other edible animals can be regarded as al-jallalah if they meet the criteria specified earlier.

It is, however, necessary to note that animal can only be considered as al-jallalah when most of the nutrition they consumed are impure and there are noticeable changes in these three criteria; the smell, taste or color of the meat and/or by-products or the sweat of the animal (Al-Akiti, 2003). This is similar to the opinion of (Nawai, 1990) who states that the classification of the animal as al-jallalah is attributed not to the amount of impurities consumed, but by the changes in the smell and stench of the animal. This is due to the fact that some animals ordinarily eat certain amounts of filth or their own droppings, and that does not make any changes in their meats and smell, which is the main legal reasoning for the animal to be regarded as al-jallalah. According to Al-Akiti (2003), any cleaning or cooking methods on the

meat of al-jallalah will not remove its legal ruling of makruh, unless the animal recover to its normal state by quarantine and be fed with uncontaminated feed before slaughter.

Animal feed is one of the essential elements in the production of halal food products. In choosing animal-based halal food products, a Muslim should be concerned not only about the sources of the animals and the slaughtering process, but also the way the animals were raised and fed. This is due to the emerging issues related to animal feeding, in which animals were being fed with unsuitable, unnatural feed, mainly because of the so-called 'economic considerations'. The improper feeding practices are believed to be the reason for the spread of Mad Cow Disease (Bovine Spongiform Encephalopathy) which has infected human beings through infected meat consumption (Brown et al., 2001). Hence, Muslim concern for eating halal food must also extend to a concern for eating food from animals that are fed with halal and safe feed.

Many studies had been conducted on the aspect of management, safety and quality of animal feed. Some of these studies focus on management and assurance system applied in the production of animal feed (den Hartog 2003) while other studies identify the contaminations and hazards associated with feed (Kan and Meijer, 2007; Sapkota et al., 2007; Maciorowski et al., 2007). Latest studies on animal feed in Malaysia are concentrated more on the potential use of locally available feed ingredients (Zahari and Wong, 2009; Ng, 2003) and detection of contaminants in animal feed

(Reddy and Salleh, 2011; Khayoon et al., 2010; Afsah-Hejri et al., 2013). These studies, however, do not specify the importance of halal in animal feeding and feed production.

According to Lodhi (2010), animal feed and fodder are among the Halal Control Point (HCP) in agricultural production systems that need to be evaluated in the halal supply chain to preserve the halalantoyyiban integrity of the animal-based products from farm to fork. Omar et al. (2012) in their research had identifies five Halalan Toyyiban Critical Control Points (HTCCP) in the poultry supply chain which include feeding and feed sources as the third HTCCP. Findings of this research suggested that the animal feed sources and the livestock should be halal certified to preserve the halalan toyyiban status of the halal poultry. Bonne and Verbeke (2008), on the other hand, have identified Halal production as the first Halal Critical Control Point (HCPs) to be evaluated in the halal meat chain and underlined the importance of quarantine process for animal that feed on filth and other animal proteins and by-products.

The practice of feeding animal with animal waste and animal by-products is a common practice in agriculture and has been observed in many countries including Malaysia and the Asian countries (Zaidah et al., 2011). This agricultural practice has raised an Islamic legal issue and created uncertainties among Muslim community due to non-availability of clear answers and solution to this subject matter. This review is, therefore, attempts to scrutinize the Islamic perspective on the use of such

feed for animals produced for human consumption, particularly the Muslim communities and the importance of quarantine process for contaminated animal by non-halal feed to fulfill the Shariah requirement of halal.

Islamic rules on non-halal feed

The issue of feeding animals with non-halal, or occasionally term as najis materials is not a new phenomenon. In fact, it has long been discussed by Muslims jurists, whom have divided the discussion into two categories; feeding the edible and the non-edible animals. According to Hammad (2004), the non-edible animals are permitted to be fed with non-halal feed according to the Hanbalites and Malikites. The opinion of this group of scholars are based on the fact that animals such as hunting dogs and eagles, and other non-edible animals are not meant for consumption, thus there is no harm to feed them with non-halal feed. Nevertheless, Muslim jurists express different opinions with regard to issue of feeding non-halal feed to animals that can be eaten. According to Hanbali school of thought, animals are permitted to be fed with impurities and filth, if the meats and milk are not to be consumed in a short period of time (Hammad, 2004). This opinion is based on the typical practice in farming, in which livestock are left freely grazing forage and somehow may also eat some filths and impurities in the pastureland.

The Fatwa (Islamic verdict) from Kelantan and Selangor however differ from the above point of view in the sense that these fatwa disallowed feeding aquacultured fish with feed derived from

najis (filth) and animal waste as a step of Saddu zarai' (preventing vices), besides for the purpose of maintaining the sensitivity of Muslim community in the country. This fatwa is supported with the fatwa from Indonesia which prohibits the production and trading of animal feed that contain swine elements or other non-halal animals (Majelis Ulama Indonesia, 2012). The fatwa of Brunei, on the other hand, discourages the practice of feeding animals with filthy feeds and selling those animals without proper quarantine process (Abu, 2004). However, according to Hammad (2004), based on the accepted theory of Istihalah, it is not an offence from the perspective of Shari'ah to feed edible animals with feed which contains impurities. The animal is, therefore, permissible to be consumed by Muslim. It is, however, important to note that the permissibility of such practice only applicable, provided that the animal is not being fed only with such feed in its entire lifetime, and that, there should be a suspension time for the animal to recover its body from the impurities.

Evidences from the Qur'an and hadith

The term al-jallah is neither mentioned nor stated directly of its prohibition in the Qur'an. However, there are many verses in the Qur'an that directly stated about the prohibition against the consumption of pork, carrion, blood and intoxicant for Muslim, such as in al-Baqarah, verse 173. He hath only forbidden you dead meat, and blood, and the flesh of swine, and that on which any other name hath been invoked besides that of Allah. But if one is forced by necessity, without willful disobedience,

nor transgressing due limits, then is he guiltless. Allah is Oft-forgiving Most Merciful.

The substances mentioned in the above Qur'anic verse are considered as najis and harmful, thus forbidden to be taken as food and drinks in normal daily condition. The use of some of these substances (swine proteins and by-products, meat leftover from slaughterhouses, carcasses, urine and manure) as raw materials in animal feed production may indirectly affect the lawful status of the animals being fed with this feed. The condition is even worse if the traces of the contaminants are still remained in the animal body even after slaughter or prior to consumption. The prohibition of eating the meat and milk of aljallalah also appears in Kitab ad-Dahaya (Sacrifices) in the hadith number 4452 and 4453. Based on the collation of these hadith, it can be understood that the Prophet (P.b.u.h) prohibited the use of al-jallalah for the purpose of sacrifices and slaughter for consumption. Besides the clear prohibition of al-jallalah in the hadiths, consideration should also be given to the possibility of harm that can be caused by feeding animal with unnatural and inappropriate feeds. In the case of fish being fed with non-halal feed, those fish may be affected in quality and may be unsafe for consumption due to contamination by the sewage and waste water of the swine. Islam completely forbids anything that lead to harm or can cause harm. This is in line with the Islamic principle 'Harm shall be removed', in which harmful must be avoided whenever possible. Therefore, it

is imperative to state that animal should be fed with suitable nourishment in accordance with the nature of their diet and should not be fed with any element that can be considered as najis from the Shari'ah perspective.

Opinions of muslim scholars

The main issue debated among Muslims scholars related to animal feed is the Islamic position and legal ruling of animals that eat on non-halal feed for a living. This issue has been discussed by classical Islamic Jurist in Chapter of 'Legal ruling on eating al-jallalah' (Nawawi, 1990). In determination of the legal ruling of eating al-jallalah, there are three main opinions of the jurists. The first opinion is mubah (permissible) while the second and third opinion is haram and makruh. Muslim jurists such as Hassan al-Basri and Imam Malik considered it as mubah (an action as neither forbidden nor recommended) to be eaten, provided that the animals undergo certain quarantine period, until the animal return to normal condition.

These Muslim jurists permitted the consumption of meat, milk and eggs of animal that being fed filth based on the argument that animal could not be regarded as najis due to the habits of eating filth. This is supported by the fact that Islam never regards an alcoholic as a person who had defiles the whole body with alcohol and that non-Muslim who consume non-halal foods is not physically najis (Hammad, 2004).

The Hanbalite majority position in respect of al-jallalah is haram (prohibited), which is also seen from an opinion from Shafi'ite scholar. The

opinion is based on the evidences from the hadith that had been discussed earlier. The proponents of this view use the literal meaning of the hadith to support their opinion on the illegality of jallalah (Al-Zuhayli, 1985). These Islamic jurists insisted that the prohibition of Jallalah as recorded in hadith narrated by al-Tirmidzi is referred not to the physical (zat) of the animal, but the reason by which made the animal become al-jallalah. Their argument stands on the rationale that even clean and halal feed consumed by the animal will become najis in the stomach and therefore should not be taken as a reason to include this as prohibited.

Some scholars from Shafi'i and Hanbali schools opine that it is makruh to eat the meat if there is noticeable unpleasant smell. According to al-Shafi'i, al-jallalah can only be eaten after the animal changes its non-halal type of feeding to clean and natural feeding habit (Al-Shafi'i, 1996). This is consistent with Nawawi who said: "Kids growing up drinking milk of a dog is legally regarded as al-jallalah" (Nawawi, 1990). Majority of scholars are agreed upon the ruling of makruh against riding the aljallalah animals based on the previously mentioned hadith. Al-Shafi'i proposed that it is abominable to ride al-jallalah without liner or blanket due to the possibility of direct contact with the animal's sweat. Hanafites also held this view with a higher level of rigidity, which is totally makruh without exception. These jurists cited the hadith under discussion as evidence for their argument. The reason for the prohibition is similar to that given by Al-Shafi'i, besides as a

measure taken for prevention of disease from the animals to human through direct physical contact.

Conclusion

From the above account, it is apparent that Muslim should not only concern on the halal aspect of food products but should also extend his consideration on halal animal feed utilization and feeding of animals used for halal food production. This is because, from the Islamic perspective, halal animal should not be fed with non-halal feed, or feed derived from porcine and najis materials as this may eventually turn the meat to become non-halal for Muslim consumption. Despite the existing fatwa from Malaysia, Indonesia and Brunei that have prohibited the consumption of al-jallalah and the non-halal feeding practices, no alternative solutions are provided by these institutions to be applied by the Muslim consumers, fish traders, wholesalers, farmers and feed millers in addressing this issue. The adoption of al-istibra' or quarantine process, based on the opinions and guidelines given by the Islamic scholars is seen as a good solution. Proper quarantine process should be conducted as purification method to remove contaminations from jallalah animal to guarantee the halalantoyyiban aspect of the animal-based products. Nevertheless, certain prerequisite conditions need to be established for this process. The inclusion of this alternative solution as reference and guidelines to those involved in the animal feed and livestock industry shall be a judicious effort in preventing

Muslims from consuming non-halal food. Besides, those involved in the animal feed industry, including farmers should collectively take the responsibility to ensure the quality, safety and halal integrity of animal feed through the implementation of Halalan Toyyiban Critical Control Points evaluation along the feed supply chain from farm to fork, good animal feeding practices at the farm level, and good manufacturing practices during the manufacturing process and distribution of animal feed and inputs.

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