

**FATWA  
INDONESIAN COUNCIL OF ULAMA  
Number: 33 of 2011**

**About  
FOOD AND DRINK COLORING LAW  
FROM COCHINEAL INSECTS**



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

**Weigh** : 1. that the food and drink colorings that are widely used today do not only come from chemicals but also come from vegetable and animal materials, including the Cochineal insect; 2. that the public needs an explanation regarding the law on using food and drink coloring derived from the Cochineal insect; 3. that therefore, the Fatwa Commission of the Indonesian

Ulema Council

considers it necessary to establish a fatwa on the Law of Coloring Food and Drinks from Cochineal Insects to be used as a guideline by the community.

**Remember** : 1. The Word of Allah SWT, among others:

هُوَ الَّذِي خَلَقَ لَكُمْ مَا فِي الْأَرْضِ جَمِيعًا

"He is God, who made everything on earth for you"

QS. Al-Baqarah[2]: 29.

قُلْ لَا أَجِدُ فِي مَا أُوحِيَ إِلَيَّ مُحَرَّمًا عَلَى طَاعِمٍ يَطْعَمُهُ إِلَّا أَنْ يَكُونَ مَيْتَةً  
أَوْ دَمًا مَسْفُوحًا أَوْ لَحْمَ خِنْزِيرٍ فَإِنَّهُ رِجْسٌ أَوْ فِسْقًا أُهِلَّ لِغَيْرِ اللَّهِ بِهِ

"Say: "I have not found in the revelations that were revealed to me, anything that is forbidden for those who want to eat it, except if the food is carrion, or flowing blood or the flesh of pigs - Because indeed all of them are unclean - or animals slaughtered in the name of other than Allah ". QS. Al-An'am [6]: 145.

وَيُحِلُّ لَهُمُ الطَّيِّبَاتِ وَيُحَرِّمُ عَلَيْهِمُ الْخَبَائِثَ

".....and makes lawful for them all that is good and forbids for them all that is bad..." QS. Al-A'raf [7]: 157

2. Hadiths of the Prophet SAW, among others:

عَنْ سَلْمَانَ الْفَارِسِيِّ قَالَ: سُئِلَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ  
السَّمْنِ وَالْجُبْنِ وَالْفِرَاءِ، قَالَ: "الْحَلَالُ مَا أَحَلَّ اللَّهُ فِي كِتَابِهِ وَالْحَرَامُ مَا  
حَرَّمَ اللَّهُ فِي كِتَابِهِ، وَمَا سَكَتَ عَنْهُ فَهُوَ مِمَّا عَفَا عَنْهُ" (رواه ابن ماجه  
والبيهقي والحاكم والطبراني والترمذي)

"Salman al-Farisi said: The Prophet SAW was asked about margarine and cheese and fur, he said: halal is what God has permitted in His Book, haram is what He has forbidden in His Book, while what is not mentioned in both is allowed" HR . Ibn Majah, al-Baihaqi, al-Hakim, at-Tabrani, and at-Tirmidhi

عَنِ ابْنِ عَبَّاسٍ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: لَا ضَرَرَ وَلَا  
ضِرَارَ (رواه أحمد ومالك وابن ماجه)

"from Ibn Abbas RA, he said: The Messenger of God SAW said: It is not permissible to harm/harm others and it is not permissible (also) to repay harm (losses caused by others) with harm (deeds that harm him)." HR. Ahmed

عَنِ ابْنِ عُمَرَ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: "أُحِلَّتْ لَنَا  
مَيْتَانِ وَدَمَانِ، فَأَمَّا الْمَيْتَانِ فَالْحُوتُ وَالْجَرَادُ، وَأَمَّا الدَّمَانِ فَالْكَبِدُ  
وَالطَّحَالُ" (رواه أحمد)

"From Abdullah ibn Umar RA, he said: The Messenger of God SAW said: two carcasses and two blood are permissible for Muslims; while two carcasses are fish and grasshoppers, while two bloods are liver and spleen" HR. Ahmed

عَنْ مِلْقَامِ بْنِ التَّلْبِ عَنْ أَبِيهِ قَالَ: صَحِبْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ  
فَلَمْ أَسْمَعْ لِحَشْرَةِ الْأَرْضِ تَحْرِيماً (رواه أبو داود والبيهقي)

"Narrated by Malqam bin at-Talami, from his father, he said: I accompanied the Prophet SAW and did not hear from him about the prohibition of small animals of the earth" HR. Abu Daud and al-Baihaqi

عَنْ أَبِي هُرَيْرَةَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : إِذَا وَقَعَ  
الدُّبَابُ فِي شَرَابٍ أَحَدِكُمْ فَلْيَغْمِسْهُ، ثُمَّ لِيَنْزِعْهُ فَإِنَّ فِي أَحَدِ جَنَاحَيْهِ  
دَاءً وَفِي الْآخَرِ شِفَاءً. (أَخْرَجَهُ الْبُخَارِيُّ، وَأَبُو دَاوُدَ).

"From Abu Hurairah RA, Rasulullah SAW said: if a fly falls in your drink, then put it all in, then lift it (and throw it away), because in one wing there is disease and in the other wing there is medicine" HR . al-Bukhari and Abu Dawud.

### 3. Fiqh rules:

الأصلُ في المنافعِ الإباحةُ

"The original law of something beneficial is that it can be/changed"

الأَصْلُ فِي الْأَشْيَاءِ النَّافِعَةِ الْإِبَاحَةُ، وَفِي الْأَشْيَاءِ الضَّارَّةِ الْحُرْمَةُ.

"The original law of something beneficial is permissible and the original law of something harmful is haram".

الأَصْلُ فِي الْأَشْيَاءِ الْإِبَاحَةُ، مَا لَمْ يَقُمْ دَلِيلٌ مُعْتَبَرٌ عَلَى الْحُرْمَةِ.

"The original law about something is permissible as long as there is no conclusive argument that prohibits it."

**Notice :**

1. Scholars' opinions on the definition of al-hasyarat; among others:

a. An-Nawawi's opinion in the book "Al-Majmu' Syarh Al-Muhadzab", Maktabah Syamilah, Volume 9, p. 13, as follows:

(وَأَمَّا) الْحَشْرَاتُ فَبِفَتْحِ الْحَاءِ وَالشَّيْنِ وَهِيَ هَوَامُّ الْأَرْضِ وَصِغَارُ دَوَابِّهَا..

"Hasyarat are fleas/insects and small animals on earth"

b. Zakaria al-Anshari's opinion in the book "Tuhfatu at-Thullab", Publisher: Maktabah Usaha Keluarga Semarang, p. 128, as follows:

.. كَحَشْرَاتٍ وَهِيَ صِغَارُ دَوَابِّ الْأَرْضِ كَخُنْفَسَاءٍ وَدُودٍ وَكُدْرَةٍ وَطَاوُسٍ وَذَبَابٍ وَمَا تَوْلَدَ مِنْ مَأْكُولٍ وَغَيْرِهِ

"... "Such as pests, namely small soil animals such as beetles, caterpillars, tawus, flies, and uget-uget (sindat) found on fruit and others"

2. Opinions of the ulama regarding the law of consuming al-harequisites, among others:

a. An-Nawawi's opinion in the book "Al-Majmu' Syarh Al-Muhadzab" Maktabah Syamilah, Volume 9, p. 13 and pp. 16, as follows:

وَلَا يَحِلُّ أَكْلُ حَشْرَاتِ الْأَرْضِ كَالْحَيَّاتِ وَالْعَقَّارِبِ وَالْفَأْرِ وَالْخَنَافِسِ وَالْعُظَاءِ وَالصَّرَاصِيرِ وَالْعَنَاكِبِ وَالْوَزَغِ وَسَامِّ الْأَبْرَصِ وَالْجُعْلَانَ وَالذَّيْدَانَ، وَبَنَاتِ وَرْدَانَ وَحِمَارِ قُبَانٍ لِقَوْلِهِ عَزَّ وَجَلَّ: وَيُحْرَمُ عَلَيْهِمُ الْخَبَائِثُ...

"It is not halal to eat small animals on earth such as snakes, scorpions, mice, beetles, soft animals, cockroaches, spiders, geckos, worms, insects, because of the word of Allah SWT: and it is forbidden to you al-khobaits"

(فرع) فِي مَذَاهِبِ الْعُلَمَاءِ فِي حَشْرَاتِ الْأَرْضِ كَالْحَيَّاتِ وَالْعَقَّارِبِ وَالْجُعْلَانَ وَبَنَاتِ وَرْدَانَ وَالْفَأْرِ وَنَحْوِهَا \* مَذْهَبُنَا أَنَّهَا حَرَامٌ وَبِهِ قَالَ أَبُو حَنِيفَةَ وَأَحْمَدُ وَدَاوُدُ وَقَالَ مَالِكٌ حَلَالٌ

"The opinion of the scholars of the school about small animals of the earth such as snakes, scorpions, cockroaches, rats and the like, the Shafi'i school prohibits them, so do Imam Abu Hanifah and Imam Ahmad, while Imam Malik thinks it is halal"

- b. Opinions in the book "Al-Iqna", Maktabah Syamilah, Volume: 2, Page: 236, as follows:

وَلَا تَحِلُّ الْحَشْرَاتُ وَهِيَ صِعَارُ دَوَابِّ الْأَرْضِ كَخُنْفَسَاءٍ وَدُودٍ،  
وَلَا مَا تَوَلَّدَ مِنْ مَأْكُولٍ وَغَيْرِهِ.

"It is not halal for small earth animals (al-hajual) such as beetles, caterpillars and animals that are born in food, and others"

- c. Ibn Qudamah's opinion in the book "As-Syarh Al-Kabir", Maktabah Syamilah, Volume: 11, p. 73, as follows:

...فَعَلَى هَذَا مِنَ الْمُسْتَحَبَّاتِ الْحَشْرَاتُ كَالدَّيْدَانِ وَالْجَعْلَانِ  
وَبَنَاتِ وَرْدَانَ وَالْخَنَافِسِ وَالْفَأْرِ وَالْأَوْزَاعِ وَالْحَرَبَاءِ وَالْعَضَا  
وَالْحَرَاذِينَ وَالْعَقَارِبِ وَالْحَيَاتِ، وَبِهَذَا قَالَ أَبُو حَنِيفَةَ وَالشَّافِعِيُّ  
وَرَخَّصَ مَالِكٌ وَابْنُ أَبِي لَيْلَى، وَالْأَوْزَاعِيُّ فِي ذَلِكَ كُلِّهِ إِلَّا  
الْأَوْزَاعِ، فَإِنَّ ابْنَ عَبْدِ الْبَرِّ قَالَ هُوَ مُجْمَعٌ عَلَى تَحْرِيمِهِ،

"Similar to this issue regarding the law of disgusting animals are al-harequisites such as worms, beetles (type of scarabs), cockroaches, beetles, rats, geckos, chameleons, ad-adha, rats (type of rattus), scorpions, and snakes, all according to imam Abu Hanifah and imam as-Syafi'i are forbidden. While according to Imam Malik, Ibnu Abu Laila and al-Auza'i, the law is permissible, except for geckos, because Imam Ibnu Abdul Bar said the consensus of the scholars about its prohibition.

3. The opinions of the scholars regarding the law on animals whose blood does not flow, include:

- a. Al-Bakri's opinion in the book "I'anaah at-Thalibin", Maktabah Syamilah, Volume: 1, p.: 108, as follows:

(قَوْلُهُ: كَمَا لِكِ وَأَبِي حَنِيفَةَ) أَيِ فَإِنَّهُمَا قَاتِلَانِ بَطْهَارَةَ مَا لَا نَفْسَ  
لَهُ سَائِلَةٌ، فَالْفَعَالُ مُوَافِقٌ لَهُمَا.

"Imam Malik and Imam Abu Hanifah think that an animal whose blood does not flow is sacred. Imam al-Qufal agrees with both of them"

- b. Ibn Qudamah's opinion in the book "Al-Mughni", Maktabah Syamilah, Volume: 3, page: 238, as follows:

فَصَلُّ : وَدَمٌ مَا لَا نَفْسَ لَهُ سَائِلَةٌ، كَالْبَقِّ، وَالْبَرَاغِيثِ، وَالذُّبَابِ،  
وَنَحْوِهِ، فِيهِ رَوَاتَانِ؛ إِحْدَاهُمَا، أَنَّهُ طَاهِرٌ. وَمِمَّنْ رَخَّصَ فِي دَمِ

الْبَرَاعِيثِ عَطَاءٌ وَطَاوُسٌ وَالْحَسَنُ، وَالشَّعْبِيُّ وَالْحَاكِمُ وَحَبِيبُ بْنُ أَبِي ثَابِتٍ وَحَمَادٌ وَالشَّافِعِيُّ وَإِسْحَاقُ؛ وَلِأَنَّهُ لَوْ كَانَ نَجَسًا لَنَجَسَ الْمَاءَ الْيَسِيرُ إِذَا مَاتَ فِيهِ،

*"The blood of animals whose blood does not flow like fleas, flies and the like have two opinions, one of which is said to be holy. Among the people who allow the blood of ticks are a-„Athay, Thawus, al-Hasan, as-Syaybi, al-hakim and Habib bin Abi Tsabit, Hamad, as-Syafiyyi and Ishaq, on the grounds that the blood is impure then become a bit of water impurity in which the carcass is immersed"*

4. Statement from LP POM MUI at the fatwa commission meeting on May 4 2011 which stated that cochineal insects which are used as ingredients for food and drink coloring do not contain any danger. In certain parts, cochineal insects are similar to grasshoppers. Chochineal insects are also included in the category of insects whose blood does not flow.
5. Papers DR. KH. Munif Suratmaputra entitled Coloring from Cochineal for Medicines, Cosmetics and Food in the Study of Fiqh which was presented at the fatwa commission meeting on May 4 2011, which concluded that food coloring from Cochineal insects is halal.
6. Opinions of participants in the Fatwa Commission meetings on March 3 2011, April 7 2011, April 14 2011, May 4 2011, and May 12 2011, July 6 2011, as well as the Fatwa Commission Plenary meeting on August 10 2011.

By relying on Allah SWT

### DECIDE

Establish : **LAW ON FOOD AND BEVERAGE COLORING FROM COCHINEAL INSECTS**

#### **First**

: **General requirements:**

In this fatwa, what is meant by:

Cochineal insects are insects that live on cacti and feed on plant moisture and nutrients.

Cochineal insects are animals that have many similarities with grasshoppers and their blood does not flow.

#### **Second**

: **Rule of law**

Food and drink colorings derived from Cochineal insects are halal, as long as they are useful and not harmful.

#### **Third**

: **Closing**

1. This fatwa is valid on the date it is stipulated, provided that if at a later date it turns out that it needs improvement, it will be corrected and perfected as appropriate.

2. So that every Muslim and those who need it can know, we urge all parties to disseminate this fatwa.

Set in Jakarta

On the date: 10 Ramadhan 1432 H  
10 August 2011 M

**FATWA COMMISSION  
INDONESIAN COUNCIL OF ULAMA**

Chief,

Secretary,

**PROF.DR.H. HASANUDDIN AF., MA DR.H. ASRORUN NI'AM SHOLEH, MA**