

## TOWARDS SHARI'AH COMPLIANT FOOD TRUCK TRANSACTIONS CONCEPT AND THE RELEVANCE OF THEIR APPLICATION: AN OVERVIEW

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**Abstract:** *The food truck business is a new phenomenon among Malaysians today. Food truck business activities among Muslims should be carried out in accordance with rules and procedures that comply with Shariah standards. The concept of Shariah not only governs man in carrying out his life in order to realize the Divine will, but covers all behavior, spiritual, mental as well as physical. Shariah principles also cover the whole way of life which includes beliefs (faith) and practices (deeds), personal, legal and social behavior. The problem that needs to be addressed is the lack of a conceptualized model that is specific to food trucks that complies with the Shariah concept and no halal certification is issued for the food truck business. The objective of the study was to present a Shariah -compliant food truck concept model, provide Shariah guidelines to food truck dealers and facilitate customers to identify Shariah -compliant food trucks. Library research and research methods will be used to gather information related to Shariah -compliant food truck concept models. The results of this study will provide a complete picture related to the concept of Shariah -compliant food truck transactions. The new concept of food truck presented is in line with Islamic requirements and current trends. In fact, it should be highlighted and practiced to increase the dignity of Islamic teachings among the community. It is hoped that the concept presented can be applied in the operation of Shariah -compliant food truck business in Malaysia.*

**Keywords:** *Food Truck, Transaction, Concept, Shariah Compliant*

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## Introduction

Food truck business is a new phenomenon and trend among Malaysians. People are very excited and attracted to the food and services provided by the food truck operators. A wide variety of food and beverages are prepared and sold casually to customers. If the food truck operator is a Muslim then it is recommended that he comply with Shariah rules related to business or Shariah Compliant. This group of researchers would like to propose a Shariah -compliant food truck concept that is relevant to the needs of today's society. This is because the research team feels that there is still a lack of awareness and information related to Shariah -compliant food trucks in Malaysia. This paper contains a discussion of the definition of food truck, Shariah Compliant application to food truck and Shariah Compliant Criteria.

### Definition of Food Truck

Generally a food truck is a vehicle that is converted into a complete mobile food stall. Food and beverages are provided in a light, simple and quickly served form to customers. Food truck business habits are found in campus areas, around work administration centers, industrial areas, markets and public focus areas. Food trucks are also defined as “Vehicles (motorcycles excluded) that are modified and used for food or beverage sales activities and the like, have decorations on the body of the vehicle and have cooking equipment and service equipment in the modified vehicle (Seberang Perai Municipal Council Licensing Department, 2017) ”.

### Shariah Compliant Applications to Food Trucks Shariah Compliant Definition

All human beings in this world need a system of rules of life as a guide and guarantee the happiness of life according to the Islamic mold. Islamic law is also an Islamic law and rule that governs the entire life of mankind, both Muslims and non -Muslims. In addition to having laws and rules, Islamic law can also solve the problems of this whole life. Therefore, Islamic law must be understood and obeyed by all Muslims in order to be practiced in our daily routine according to the true requirements of Islam. The word 'syariah' as already known is derived from Arabic. From a literal point of view it carries two quite different meanings, but according to an interrelated understanding that is the source of water i.e. flowing water where this water is used by animals and humans as a basic necessity in life. The second meaning carries the meaning of a clear and straight path. From a term or technical point of view, the word syariah carries some meaning of all the laws or rules that have been set or legislated by God through the Apostles to regulate human life in all matters and is called syariah is because it is a straight path without any deviation from the truth (Wan Hassan Wan Embong, 2002). Matters that include the laws of Allah against all human actions in the form of (halal, haram, makruh, sunat). It is conveyed by the Prophet based on the Quran and used as a guide by humans whether the command is related to practical acts or iktiqadi. Islamic scholars and scholars have also put forward some meanings for sharia with a general and specific meaning. In particular, sharia is all the laws that have been legislated by God to regulate all aspects of human life. While in general the syariah is "Din" or "Millah" which also carries the meaning of religion which it refers to any system of life enacted by humans or revealed from heaven.

The emphasis on shariah compliance is not only implemented in the Islamic financial and banking system, but also in business. The food and service industry is also taken into account in terms of shariah compliance in Malaysia and abroad. Initiatives to measure seriousness in implementing multi -dimensional development in accordance with the framework of Maqasid Syariah require high determination, clear and correct thinking as well as strategies that comply with the mold of Islamic Shariah. This foundation is the main goal to strengthen the efforts and roles of all stakeholders so that Muslims become caring people and ensure that the people enjoy

a prosperous life in this world and in the hereafter. Shariah and its implementation play an important role for all Muslims.

Shariah-compliant business ethics are obtained from two main sources of Islamic law, namely the Quran and hadith (Mohd Nizho Abdul Rahman & Mohd Shukri Hanap, 2005). operations or products. In other words, the concept based on sharia is the most perfect measure to determine an operation or product that coincides with sharia law. The important thing is that the operation and the product itself comply with the rules and principles of Islamic muamalat, such as avoiding riba, gharar, maysir and substances whose use is prohibited such as alcohol, pork, drugs and the like. Also includes things that are prohibited because there is an element of suspicion/ ambiguity of the law about it. All of these prohibitions need to be monitored to ensure that they cannot be in any product that has Shariah-compliant status.

**Shariah Compliant Criteria.** There are seven (7) Shariah Compliant criteria for food truck business. The discussion for each criterion is as follows:

### 1. Source of Funds

The development of Islamic entrepreneurship shows the need for a strong support system. It includes in terms of funding that supports the financial aspects of the entrepreneur himself. As an Islamic entrepreneur, the source of business financing must be from a halal source and free from the grip of usury (Ab. Mumin Ab. Ghani & Nor `Azzah Kamri, 2005). Financing is a tool or instrument used by companies to cover capital expenditure or the day -to -day operations of the company. Financing serves to mobilize all available sources or sources of capital in an efficient manner so that the amount required for investment and consumption will always be available through savings. This financing can be short -term, medium or long -term (Mohamed Dahlan Ibrahim, 2002).

Source of funds is an effort made by business managers to find or raise funds for the use of financing business operations (sutihat rahayu suadh, 2014). Business capital is a determinant of the profitability of a business. Funds obtained either from the owner's savings or deposits or obtained funds from various types of assistance, loans and financing provided by Islamic financial and banking institutions to assist entrepreneurs in Malaysia. The selection of funding sources will determine the financial liabilities and risks of the business. The management of fund resources and their use to achieve the financial goals of the business must be clear. Capital is a key factor in starting a business. Whether small, medium or industrial business.

To ensure that the transactions carried out are appropriate and in accordance with the tenets of Islamic muamalat (Osman Sabran, 2002), then the party who handles the financial affairs of this business must know about the principles of financial management system based on syara '. Therefore, fund management and monitoring can be done smoothly in line with the requirements of syara '. Savings, financing, loans, investments, sales, purchases and debts in Islam will only be able to be implemented well when there are parties who carry it out. Managers need to ensure that the funds raised result from shariah -compliant capital and operating systems. Profits earned are kept in Islamic banking institutions such as al-wadiah accounts and channeled for financing and investment activities based on Islamic principles (Osman Sabran, 2002). Financial managers need to make financial planning, determine the best mix method for short-term financing and long -term as well as the need to formulate an orderly financial strategy. Islamic entrepreneurs have a wide selection of capital sources to finance their business whether provided by the government or other financial institutions. Its selection must be ensured to comply with Islamic

principles and adapted to the level of business so that the risk can be minimized (Ab. Mumin Ab. Ghani & Nor `Azzah Kamri, 2005).

## 2. Employee

Just like a normal business the food truck business also requires manpower to run the business. According to Noor Idahwati Mohd Noor and Nooraini Othman (2011) employees are important because they are human resources that must be developed in order to realize each objective built by an organization. Human resources that are generated diligently and based on Islamic law sourced from the Quran and hadith will produce quality work. Furthermore, Azura, Hanizatul and Sidek (2006), stated that in the employee selection process, employers expect that a person has good communication skills when interacting with customers. In addition, they emphasize soft skills such as the ability to make decisions and be able to control conflicts. Accordingly, the recruitment and selection of employees is among the productive ones. This coincides with a study that has been done by Hinrichs (1976). To meet Shariah-compliant criteria, food truck owners must ensure the employees appointed meet certain requirements. Among others, in Islam, it is stipulated that the selection of employees must be seen from the aspect of goodness, namely the ability and honesty in performing the work and the perfection of the work done. According to Darwish (2000), the concept of Islamic work ethic is to work hard as Rasulullah s.a.w said which means: Verily Allah s.w.t. like when a person does one thing (job) he does it diligently. In another narration he mentions... when working he always improves the quality of his work (narrated by al-Baihaqi). This coincides with the holy verse of the Qur'an in surah al-Qasas verse 26,: A good worker is one who is strong (al-qawiyy) and trustworthy (al-amin). Therefore, the above proposition states that an employee should perform the task with excellence that is always improve the quality and quality of work. Employees also need to have a dynamic and structured personality that influences cognitive, motivation and behavior in a variety of situations (Mohammad Ghozali & Nor `Azzah Kamri, 2015). Even to ensure that the goal of seeking pleasure is achieved, then it is better for the employees to consist of Muslims only and they do not leave the obligatory worship during working hours.

## 3. Premise

Premises based on the Dewan Bahasa Dan Pustaka Dictionary are buildings and areas where businesses are managed. The construction of the concept of premises based on Islam does not need to be seen in isolation from the basic dimensions of conventional premises. However the operation of the basic dimension needs to be adjusted and adapted to fit the limitations of Islamic sharia (Suraiya et al. 2009). The developed premise has three dimensions that form the framework of the premise model with Islamic identity, namely physical space, non -physical space, and members. The three are united under the element of monotheism which recognizes the relationship between man and the Creator. The physical space should be beautifully designed and have all the basic amenities that are good and comfortable. Even taking into account the human need to fulfill their obligations to God, namely the prayer space. Non -physical space covers the atmosphere, background music, hours of operation and program filling on the premises. Premises should be in the nature of encouraging good (maaruf) and preventing bad (mungkar). While the member dimension refers to the human being who is the driving force that gives the pulse to the activities of a premise. The characteristics of the premises that follow Islamic law include cleanliness, safety and basic facilities provided by the premises. Although, the truck business is considered a business without premises (building or area), the operator must ensure that some features such as cleanliness and safety can be met.

#### 4. Products.

Nowadays, a variety of products have been cultivated in running the food truck business. The main product focus in the food truck business is food and beverage. This is due to the demand of many customers for food and beverage facilities as it is easy to move where crowded places are. In the shariah -compliant food truck business concept, the main products featured are *toyyiban* halal -based food and beverages. All sources in producing products must be clearly scrutinized and have good care in producing halal and clean products. This approach is to prevent the occurrence of contamination that causes easy spoilage of raw materials and food products during transportation or distribution activities carried out. To ensure hygiene and safety in the preparation of food and beverages by food truck operators, they must comply with the standards set by the Department of Islamic Development Malaysia (JAKIM) and the Department of Standards Malaysia, namely MS2400: 2010 to ensure hygiene and halal level in all cultivation processes, breeding, feeding, preparation, cutting, packaging and transportation in the food truck business. This is to ensure the quality of the product in accordance with JAKIM standards and to gain the trust of customers to get the product. According to Talib and Hamid (2012, businesses that produce food and beverage based products, entrepreneurs must know and understand the principles of halal *toyyiban* where they must understand and obtain the basic necessities in the preparation of food and beverages kept neat and clean and in a way that halal according to Islam. In addition, food truck business operators also need to know about the quality aspects of halal food to ensure the well -being of Muslim consumers as well as to maintain customer loyalty and customer trust in the products offered to customers (Talib, 2009).

#### 5. Marketing

The marketing promotion trend used nowadays is through social media. Where the contagious power that is the craze of society can now help advance all the businesses that are run. According to internet sources (<http://www.butterkicap.com>, 2017) the way to promote food truck business is by entrepreneurs having to popularize their food trucks. Entrepreneurs need to introduce the business to the community as well as maintain customer trust in the business conducted. In addition, entrepreneurs can also donate food from food trucks for specific events to introduce their products. Entrepreneurs need to exhibit good hygiene and preparation to customers so that they want to repeat to get products sold to customers and become loyal customers. Entrepreneurs can also promote their business on social media by creating a website (Rita Wahyuni, 2016) as well as facebook, twitter and instagram accounts to promote their business as well as get many "followers" to ensure they always follow the development of the business. Entrepreneurs also need to constantly innovate their business to keep up with the trend of customer needs nowadays. Attractive packaging is also one of the promotional strategies to attract customers. Attractive, neat and clean packaging and preparation of food and beverages for sale can attract customers. This is because, packaging and preparation play a role in running the promotion because it is a "first impression" that is able to attract customers to own the product. Apart from that, entrepreneurs need to find a strategic place to further market their sales products. This is because a strategic place is a place where many people focus to gain customers in introducing sales products and can further improve the quality of products in the future when many people buy, entrepreneurs can get comments on the products offered. Therefore, improvements need to be made from time to time to ensure product quality is always in accordance with shariah standards and provide satisfaction to customers. Reasonable prices also need to be placed in running a food truck sales venture as price is one of the customer's attractions to own the product. The price should be placed in line with the capital that has been issued and take into account incidental costs to ensure convenience to both customers and operators. Reasonable prices can attract many customers as well as they will also promote more products to their contacts. Finally, to ensure

that food trucks are Shariah compliant, operators must ensure that all marketing methods used are true and free of fraud.

## 6. Contract.

In dealing with fellow human beings, understanding the concept of covenant is very important so that all matters done comply with the guidelines set by Islam. The word contract is a word that is synonymous with the word contract. From the point of view of the use of Arabic, it has various meanings such as promises, guarantees, trusts and bonds (either real bonds such as tying ropes or symbolic bonds such as *ijab* and *qabul* bonds in a sale-purchase agreement) (<http://e-muamalat.islam.gov.my>). Meanwhile, Kamus Dewan also gives the meaning of *akad* as an agreement: bond, understanding, agreement. It occurs in agreements on trade (working conditions etc.). (DBP Online Dictionary - Dewan Bahasa dan Pustaka, [prpm.dbp.gov.my](http://prpm.dbp.gov.my)). The concept of sale and purchase contract in this food truck business is the same as other sale and purchase contracts because it also means that each sale and purchase contract will have an effect on the goods contracted. (Wahbah al-Zuhayli, 2002). Every trader who ventures into the field of business must be protected from all elements that can provoke quarrels, injustice, disputes, oppression and dissatisfaction between sellers and customers.

In the Qur'an repeatedly reminds traders to be honest and strictly forbids fraud and irregularities in business. The word of Allah which means: "And suffice all measures and scales with justice." (Al-An'am, 6: 152) (<http://www.surah.my/6>) other than "And do not reduce the measure and scales." (Surah Hud, verse, 84). (<http://www.surah.my/6>) These two verses explain that fraud in all aspects is haram in all forms of *mualat* in Islam including business. Muslim traders are encouraged to:

- 1) Emphasize the quality of work or results on the goods traded.
- 2) Always prioritize communication between customers, respectful, gentle and consider the interests of all parties.
- 3) Always be open -minded and strive to meet the needs of users. Customer satisfaction is their top priority.
- 4) Always be on time because the good and effective use of time will be able to help traders and entrepreneurs complete the work quickly, accurately and on time. ([Http://e-muamalat.islam.gov.my](http://e-muamalat.islam.gov.my))

Through the above discussion, it is clear that with the existence of ethical traders based on the teachings of the Qur'an, it is certainly possible to form a noble personality and subsequently achieve excellence in life in this world and in the hereafter. This is what will be emphasized in the food truck syariah later.

## 7. Takaful

Takaful is an alternative to conventional insurance which is illegal because it contains elements of *riba*, *gharar*, and gambling. It is also a financial instrument that has its own importance and is fundamental to Islamic insurance. Its existence is as an alternative to the existing conventional insurance in today's world of conventional banking and finance.

Al-Takaful which is based on several concepts namely (ISRA, Islamic Financial System):

- i. The concept of *al-mudarabah* i.e. the capital owner will invest the money paid by the participant into a shariah-compliant investment place in addition to following the terms and conditions as contained in the takaful contract and the profits will be shared based on the total ratio that has been agreed)

- ii. Al-tabarru 'is the participant's agreement to release a mutually agreed amount of contribution as a donation to be channeled to the takaful fund (Engku Rabiah and Hassan Scott). The tabarru's contribution serves as a mutual aid and guarantee that will be channeled to any member of the participants if they are hit by a disaster or tragedy such as death, accident, catastrophe or the like (Engku Rabiah and Hassan Scott).
- iii. al-wakalah is to appoint or entrust a person to perform a task, which by law can be given to another person. All risks are borne by the fund and the operating surplus is wholly owned by the participant. Takaful investment funds are also based on wakalah bi ajr contracts where the operator charges certain fees to participants for the services offered and all of these are seen to comply with Islamic law. Takaful participants also not only aim to contribute and obtain protection, but are also interested in making investments (Azman Mohd Noor, 2010).

Dr Nasih 'Ulwan stated that takaful can be translated as unity in a society and mutual support for each other (' Abd Allah Nasih 'Ulwan, 1983) Each individual in the alliance must be responsible for every situation that occurs (Muhammad Syakir Sula, 1996) ). Dr 'Abd Sattar Abu Ghuddah stated that the meaning of takaful in the context of Islamic insurance is translated as the participation of a group of individuals in a takaful scheme to enable them to cooperate in bearing any harm that occurs (' Abd Sattar Abu Ghuddah, 2008). AAOIFI defines it as an agreement between individuals (participants) who are exposed to risk to protect themselves from certain harms/risks by paying contributions based on a "commitment to donate" (iltizam bi al-tabarru ') (AAOIFI Standard, Standard no. 26/2, 465, accessed 31 December 2016).

In the context of this food truck, it is proposed to obtain insurance such as consulting services and management of general takaful insurance coverage provided by companies that consist of coverage such as ([http://insistamilat.com.my/perkhidmat-perlindungan-takaful-am-bukan-kontrak /](http://insistamilat.com.my/perkhidmat-perlindungan-takaful-am-bukan-kontrak/)):

- Money In Savings And Travel.
- All Equipment Risks.
- Public Liability.
- Group/Individual Personal Accidents.
- Workers' Compensation.
- Surgery And Hospital.
- Fire.
- Home Ownership.
- Breach of Trust (fidelity).
- Theft.
- Professional Indemnity

## Conclusion

Shariah -compliant food truck business is a necessity for Muslims nowadays. Most Muslims, especially young people, are very interested in such businesses. The ideas presented in this paper are important to be taken into account by the parties who set the guidelines for food truck business in Malaysia. Therefore, it is hoped that the views provided can help the authorities to prepare guidelines and set specific criteria for the operation of Shariah-compliant food trucks in Malaysia

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