



A STUDY OF FOUR GENERALLY RECOGNIZED AS  
SAFE (G.R.A.S) SUBSTANCES FOUND IN  
PACKAGED FOODS FROM A FIQH AND  
MAQAASID PERSPECTIVE

BY

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A thesis submitted in fulfillment of the requirement for  
the degree of masters of Halal Industry Management

International Institute for *Halal* Research & Training  
International Islamic University Malaysia

July 2017

## ABSTRACT

In today's world foods are rife with artificial additives, some of which may come from doubtful sources or have a potential to harm. Many of these additives have not been dedicated with any critical Islamic research, and thus a ruling has not been ascertained for each of them. This research analyzes four common food additives from an Islamic perspective. The guidelines that are used for these four additives can also be used to ascertain the rulings for all food additives. The four additives that are explored in this research are l-cysteine, soy lecithin, high fructose corn syrup and aspartame. These additives are classified as 'generally recognized as safe' (G.R.A.S) by the United States Food and Drug Administration. From an Islamic perspective, the researcher has determined that these four substances can be considered lawful with a few important considerations. Details of how these additives would be viewed in light of the Four *Ma'dtha'hib* are also included in the research.

## ملخص البحث

لقد انتشرت في العالم اليوم أطعمة مصنوعة بإضافات اصطناعية. هذه الإضافات قد تأتي من مصادر مشكوكة أو من مصادر لها قابلية للإضرار. وكثير من هذه المواد المضافة لم تدرس ببحث إسلامي حاسم، وبالتالي لم يتم التأكد من الحكم بالنسبة لها. وقد تناول هذا البحث أربعة مضافات غذائية شائعة والحكم عليها من منظور إسلامي - يمكن استخدام المبادئ المقدمة في هذا البحث للتأكد من أحكام إضافات أخرى أيضا. تناول البحث المضافات التالية: ل-سيستين، الليسيثين الصويا، شراب الذرة عالية الفركتوز والأسبارتام. تصنف هذه المواد على أنها (G.R.A.S) معترف بها عموما من قبل إدارة الغذاء والدواء الأمريكية أنها آمنة .

قرر الباحث أن المواد الأربع يمكن اعتبارها آمنة مع بعض الاعتبارات المهمة .

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## **ACKNOWLEDGEMENT**

I begin with the name of Allah, the most merciful – the compassionate. It truly is on account of Allah’s infinite grace that I have been able to complete this dissertation and all praise is due to Allah alone. Thereafter, I would like to extend my profound gratitude and heartfelt thanks to my amazing supervisor Asst. Prof. Dr. Betania Kartika Muflih, my co-supervisor Asst. Prof. Dr. Mohammad Aizat Jamaludin and Dr. Hammed Ademola Monsur. I would also like to take this opportunity to thank the director of INHART, Prof. Dr. Irwandi Jaswir and all INHART lecturers for their knowledge, continued support and ongoing encouragement; it truly was an enlightening journey! I would like to extend my gratitude to my parents (Sh. Mahmoud Murad and Feryal Ali), my family members and to my community (members of Fort McMurray, Canada) for their ongoing encouragement and support. Finally, it is my pleasure to dedicate this work to my beloved wife, Qudsia Karimi, for her constant encouragement, patience, love and care as I worked on this research for many sleepless nights. May Allah reward her with the best in this life and in the next. Ameen.

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## LIST OF ABBREVIATIONS

DI	Description of Impurity
EFSA	European Food Safety Authority
F.D.A	Food and drug administration
FFDCA	Federal Food, Drug, and Cosmetic Act
G.R.A.S.	Generally Recognized as Safe
GHP	Good Hygiene Practices
GMP	Good Manufacturing Practices
HAL	<i>Istihala</i>
HAK	<i>Istihlak</i>
HTYT	<i>Ihtiyat</i>
HFCS	High Fructose Corn Syrup

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# **CHAPTER ONE**

## **INTRODUCTION**

### **1.1 BACKGROUND OF THE STUDY**

Considering the ever-changing world we live in, foods - packaged and otherwise - are manufactured and processed with many chemical additives. Some of these additives have proven to be harmful and have been banned; whereas others are still undergoing a ‘trial and error’ process. The American Food and Drug Administration (F.D.A) has a list of ‘safe ingredients’, known as ‘generally recognized as safe’ (G.R.A.S). From an Islamic perspective, some of these items have been discussed briefly on various *Fatwa* websites. This research will clarify the ruling of four such substances (L-cysteine, High Fructose Corn Syrup, Soy Lecithin, Aspartame) and highlight important Islamic guidelines that should be upheld regarding these additives and others.

### **1.2 PROBLEM STATEMENT**

“Generally Recognized As Safe” is a generic term that includes many food additives, some of which may be considered simplistic additives and others that are complex. The researcher, Michael F. Markel, stated that GRAS does not undergo the scrutiny it should, and the regulations place the burden of certifying an additive on the food additive manufacturer, or the food processor who wishes

to use it, to establish the negative; namely, that the proposed use of the substance is not likely to be dangerous to health.<sup>1</sup>

From this it is evident that not all items designated ‘safe’ are actually safe. Ongoing research has indicated the condition of these additives, and from it a *Shari’ah* ruling can be deduced.

### **1.3 RESEARCH OBJECTIVES**

#### **1.3.1 General Objective**

This research will present *Fiqh* formulas (based on the guidelines of the Four *Ma’dtha’hib*) that can be used to assess any food additive.

#### **1.3.2 Specific Objectives**

- a. To examine L-cysteine from a *Maqaasid* and *Fiqh* perspective.
- b. To examine high fructose corn syrup from a *Maqaasid* and *Fiqh* perspective.
- c. To examine soy lecithin from a *Maqaasid Fiqh* perspective.
- d. To examine aspartame from a *Maqaasid* and *Fiqh* perspective.

### **1.4 RESEARCH QUESTIONS**

Four common food additives defined as G.R.A.S (generally recognized as safe) have been selected for this study. Each of the four will be studied through a *Maqaasid* and *Fiqh* approach. The main questions that this research will address are the following:

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<sup>1</sup> MARKEL, M. F.. (1959). THE FOOD ADDITIVES AMENDMENT OF 1958. The Business Lawyer,14(2), 514–522. Retrieved from <http://www.jstor.org/stable/40683322>

- a. Should a precautionary approach be taken with food additives? Should they be used cautiously until evidence indicates that they are safe for use?
- b. Are the four chosen food additives lawful or unlawful considering the guidelines found within *Maqaasid* and *Fiqh* principles?
- c. What are the probable views of the Four *Ma'dtha'hib* regarding these four substances?

### **1.5 SIGNIFICANCE OF THE STUDY**

This study is among the '*Nawazil*' (i.e. matters that were not present during the Prophet's era, may Allah praise him). The four substances that this research has taken into consideration have not been studied significantly from an Islamic perspective; usually, only a few sentences that highlight the chosen ruling (issued by a *mufti*) or a single paragraph that mentions a summarized ruling (either prohibited or lawful) can be found online. At times, general statements from the four *Ma'dtha'hib* may be mentioned, but are not fully clarified.

Since these food items are used commonly within industry and the average consumer, this research will prove useful in that capacity.

### **1.6 RESEARCH SCOPE**

This research is predominantly a *Maqaasid* and *Fiqh* study of four food additives that are commonly added to packaged foods. Scientific research will be cited as a *Shari'ah* ruling cannot be established unless the nature of a substance is understood correctly.

## **1.7 LIMITATIONS OF THE STUDY**

Since this research generally analyzes modern food additives from the perspective of the Four *Ma'dtha'hib*, not every possible opinion within the framework of the *Ma'dtha'hib* is given. Instead, a general synopsis of a probable view within each *Madth'hab* is provided, backed by statements from the *Madth'hab*. Furthermore, no analysis of the strongest opinion is provided.



## CHAPTER TWO

### RESEARCH METHODOLOGY

#### 2.1 INTRODUCTION

This research study is based upon the qualitative method and can be considered a form of investigative researching wherein an opinion may be formed about various issues. As this research is concerned with four chosen G.R.A.S. substances, it is predominantly a *Fiqh* and *Maqaasid* based research.

#### 2.2 RESEARCH METHODOLOGY

Scientific research relevant to the four substances is analyzed to understand the harm and benefit of the substance being studied. This is significant in ascertaining the ruling from a *Maqaasid* perspective, as one of the *Maqaasid* (aims) of Islamic law is to preserve human life. The narration states:

حَدَّثَنَا أَحْمَدُ بْنُ رِشْدِينَ قَالَ: نَا رَوْحُ بْنُ صَالِحٍ قَالَ: نَا سَعِيدُ بْنُ أَبِي أَيُّوبَ، عَنْ أَبِي سَهْلٍ، عَنْ الْقَاسِمِ بْنِ مُحَمَّدٍ، عَنْ عَائِشَةَ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: لَا ضَرَرَ وَلَا ضِرَارَ

**Meaning:** A'ishah, may Allah be pleased with her, said that the Messenger of Allah, may Allah praise him, said: “**Do not harm yourselves or allow harm to extend to others.**”<sup>2</sup>

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<sup>2</sup> Al-Mu'jam al-Awsat, At-Tabrani, 1/90. Graded 'Hasan' by Imam an-Nawawi (Bustan al-Aarifeen) [online edition ~ dorar.net]

Scientific research has been taken primarily from the following recognized sources:

- a. *The National Center for Biotechnology Information* (NCBI), which is part of the United States National Library of Medicine (NLM), a branch of the National Institutes of Health.<sup>3</sup>
- b. *The European Medicines Agency (EMA)*, which is a European Union agency for the evaluation of medicinal products. It is parallel to the drug part of the U.S. Food and Drug Administration (FDA).
- c. *SAGE journals*, which is an independent publishing company that contains thousands of journals and medical research papers.
- d. *Nature Research Journal*, which is an English multidisciplinary scientific journal, first published on 4 November 1869. The Science Edition of the 2010 Journal Citation Reports ranked it the world's most cited scientific journal.
- e. *US FDA* (United States Food and drug administration) reports.

In relation to the *Maqaasid* aspect of this research, studies from scientific journals is analyzed and a ruling is then associated with the substance in question; if ample evidence is present, it would be deemed either 'safe' or 'unsafe'. If more evidence and research is required, it will be stated, along with a recommendation for following the concept of *al-Ihtiyat* (precaution).

Individual views of nutritionists may be presented to augment certain aspects within the research. It must be noted that an Islamic ruling cannot be built

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<sup>3</sup> <https://www.ncbi.nlm.nih.gov/home/about/>

upon views/opinions that are unsubstantiated. The *Fiqh* principle states, ‘No consideration is given to an assumption’ and ‘no consideration is given to a notion that is evidently flawed.’

In relation to the *Fiqh* perspective, *Fiqh* resources were chosen for this research in no specific order; the works selected from each of the Four *Ma'dtha'hib* are viewed as important source works within their respective *Ma'dtha'hib*. An examination of the guidelines pertinent to food additives is made from these texts wherewith formulas are given that can be used to determine rulings of any food additive. A final formula is also provided by the researcher that has been derived from the principles of the Four Imams, which may be used to verify the lawfulness of food additives.

Since these additives are the result of our modern era, there are a few probable outcomes that can be envisioned when examining them through the “lens” of each *Madth'hab*; some of these probabilities are stated.

In relation to the quotation method of verses from the Qur'an, *Sunnah* and statements of scholars, they are quoted in Arabic and then translated into English.

The translations that are used for the Qur'an are:

- a. *Sahih International* Translation of the Meanings of the Qur'an.
- b. *The Quran*, translated by Maulana Wahiduddin Khan.

These two translations were chosen for their clarity and modern English usage. Qur'anic quotes are cited in a “**chapter : verse**” fashion.

Hadeeth are cited with their *Isnad* (chain of narration) then *Matn* (text) and a translation is given thereafter. The researcher has personally translated the translations given within this research. The ruling of individual narrations from a perspective of their authenticity is not mentioned.

## CHAPTER THREE

### LITERATURE REVIEW

#### 3.1 INTRODUCTION

This segment of the research outlines important concepts that one should be aware of when studying food additives.

The narration states:

وَحَدَّثَنِي أَبُو كُرَيْبٍ مُحَمَّدُ بْنُ الْعَلَاءِ حَدَّثَنَا أَبُو أُسَامَةَ حَدَّثَنَا فَضِيلُ بْنُ مَرْزُوقٍ حَدَّثَنِي عَدِيُّ بْنُ ثَابِتٍ عَنْ أَبِي حَازِمٍ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَيُّهَا النَّاسُ إِنَّ اللَّهَ طَيِّبٌ لَا يَقْبَلُ إِلَّا طَيِّبًا وَإِنَّ اللَّهَ أَمَرَ الْمُؤْمِنِينَ بِمَا أَمَرَ بِهِ الْمُرْسَلِينَ فَقَالَ "يَا أَيُّهَا الرُّسُلُ كُلُوا مِنَ الطَّيِّبَاتِ وَاعْمَلُوا صَالِحًا إِنِّي بِمَا تَعْمَلُونَ عَلِيمٌ" وَقَالَ "يَا أَيُّهَا الَّذِينَ آمَنُوا كُلُوا مِنْ طَيِّبَاتِ مَا رَزَقْنَاكُمْ" ثُمَّ ذَكَرَ الرَّجُلَ يُطِيلُ السَّفَرَ أَشْعَثَ أَغْبَرَ يَمُدُّ يَدَيْهِ إِلَى السَّمَاءِ يَا رَبِّ يَا رَبِّ وَمَطْعَمُهُ حَرَامٌ وَمَشْرَبُهُ حَرَامٌ وَمَلْبَسُهُ حَرَامٌ وَغُذِيَ بِالْحَرَامِ فَأَنَّى يُسْتَجَابُ لِذَلِكَ

**Meaning:** Abu Hurairah, may Allah be pleased with him, said that the Messenger of Allah, may Allah praise him, said: "O people! Indeed, Allah is pure<sup>4</sup> and He only accepts that which is pure.<sup>5</sup> Indeed Allah, the Exalted, has ordered the believers with the same command given to the Messengers, He says: "O Messengers eat what is pure and do good deeds, indeed I am aware of what you do" and He says: "O you who believe eat from the pure of which We have provided." The Prophet, may Allah praise him, then mentioned (the story of) a

<sup>4</sup> The word 'Tayyib' in reference to Allah refers to a few things: a. Allah is perfect – He is far removed from every imperfection. b. Allah is pure – above every impurity.

<sup>5</sup> The meaning of pure in this context is that Allah only accepts that which is Halal (condoned as lawful within the Shari'ah)

person who had traveled a long distance; his hair had grown shaggy and his attire was dusty and he was raising his hands to the heavens, saying: “O my *Rubb...O my Rubb!*” – but his food was unlawful, his beverage was unlawful, his clothing was unlawful, and he was nourished with that which was unlawful – so how can Allah respond to his supplications?”<sup>6</sup>

### 3.2 CONCEPT OF ‘TAYYIB’ IN ISLAM

Since this research study is looking at four common food additives, it is important to understand that all additives must conform to the concept of ‘*Tayyib*’. In this segment, the concept of ‘*Tayyib*’ is clarified.

Allah, the Exalted, says:

يَا أَيُّهَا الَّذِينَ آمَنُوا كُلُوا مِن طَيِّبَاتِ مَا رَزَقْنَاكُمْ وَاشْكُرُوا لِلَّهِ إِن كُنتُمْ إِيَّاهُ تَعْبُدُونَ

**Meaning:** O you who believe, eat that which is ‘*Tayyib*’ of what we have provided and be thankful to Allah, if indeed you worship Him.<sup>7</sup>

Even though the word ‘*Tayyib*’ is usually rendered in English as ‘pure’, ‘good’, ‘wholesome’ and an array of other synonyms, these words fail to convey the complete concept of ‘*Tayyib*’. Before, I propose a definition for the word ‘*Tayyib*’, it is important to review the context of ‘*Tayyib*’ within the Qur’an and Sunnah. Allah, the Exalted, commands us to eat from that which is ‘*Halal-Tayyib*’ in four instances in the Qur’an:

يَا أَيُّهَا النَّاسُ كُلُوا مِمَّا فِي الْأَرْضِ حَلَالًا طَيِّبًا وَلَا تَتَّبِعُوا خُطُوَاتِ الشَّيْطَانِ ۚ إِنَّهُ لَكُمْ عَدُوٌّ مُّبِينٌ<sup>8</sup>

<sup>6</sup> Sahih Muslim (online edition ~ dorar.net) #1015 / Imam Ibn Rajab (1994) *Jami’ al-Uloom wal-Hikam*, Egypt, Dar-Al-Mutamin for Distribution, vol. 1, pg. 204.

<sup>7</sup> Qur’an 2:172

<sup>8</sup> Qur’an 2:168

وَكُلُوا مِمَّا رَزَقَكُمُ اللَّهُ حَلَالًا طَيِّبًا ۚ وَاتَّقُوا اللَّهَ الَّذِي أَنْتُمْ بِهِ مُؤْمِنُونَ<sup>9</sup>  
فَكُلُوا مِمَّا غَنِمْتُمْ حَلَالًا طَيِّبًا ۚ وَاتَّقُوا اللَّهَ ۚ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ<sup>10</sup>  
فَكُلُوا مِمَّا رَزَقَكُمُ اللَّهُ حَلَالًا طَيِّبًا وَاشْكُرُوا نِعْمَتَ اللَّهِ إِنَّ كُفْرَكُمْ إِيَّاهُ تَعْبُدُونَ<sup>11</sup>

The above commandments are significant, as they direct us to verify two things when we consume any food item: they must be *Halal* and *Tayyib*.

Imam at-Tabari, may Allah have mercy on him, explained this divine command saying:

ومعنى قوله "حلالا" - طلقا . وهو مصدر من قول القائل "قد حل لك هذا الشيء" أي صار لك مطلقا، وأما قوله: "طيبا" فإنه يعني به طاهرا غير نجس ولا محرم

**Meaning:** “*Halal*” is a reference to something you have been given permission to acquire, as one would say, ‘this is lawfully yours.’ As for, “*Tayyib*” this is a reference to the quality of the food, that it be pure in itself and free from any impurities or unlawful substances.<sup>12</sup>

Imam an-Nasafi, may Allah have mercy on him, said:

(طيبا) طاهرا من كل شبهة

**Meaning:** *Tayyib* is (a substance – food item) that is free from every doubt.<sup>13</sup>

Imam Ibn A’shoor, may Allah have mercy on him, summed up the opinions regarding the term ‘*Tayyib*’ saying:

وأصل معنى الطيب معنى الطهارة والزكاء والوقوع الحسن في النفس عاجلا وآجلا ، فالشيء المستلذ إذا كان وخما لا يسمى طيبا : لأنه يعقب ألما أو ضرا ، ولذلك كان طيب كل شيء أن يكون من أحسن نوعه وأنفعه

<sup>9</sup> Qur’an 5:88

<sup>10</sup> Qur’an 8:69

<sup>11</sup> Qur’an 16:114

<sup>12</sup> Tafsir at-Tabari (online edition ~ dorar.net) Surat al-Baqarah, Verse #168

<sup>13</sup> An-Nasafi A., (2005) Tafsir an-Nasafi, Dar al-Kalim at-Tayyib, Damascus Vol. 1 pg, 149

و الطيبات وصف للأطعمة قرن به حكم التحليل ، فدل على أن الطيب علة التحليل ، وأفاد أن الحرام ضده وهو الخبائث ، كما قال في آية الأعراف ، في ذكر الرسول - صلى الله عليه وسلم - ويحل لهم الطيبات ويحرم عليهم الخبائث .

وقد اختلف أقوال السلف في ضبط وصف الطيبات فعن مالك : الطيبات الحلال - فأخذ مالك بعلامته وهي الحل كيلا يكون قوله (الطيبات) حوالة على ما لا ينضبط بين الناس مثل الاستلذاذ

وعن الشافعي : الطيبات : الحلال المستلذ ، فكل مستقذر كالوزغ فهو من الخبائث حرام .  
**Meaning:** The word ‘*Tayyib*’ linguistically refers to the literal meaning of purification (Al-Taharah) and sanctification (Al-Zakaa). It is a reference to what is beloved to an individual (from things that are acquired or will be acquired). If what is beloved is harmful, it is not called ‘*Tayyib*’, for it would be followed by pain and harm. Therefore, ‘*Tayyib*’ must be the best of its kind and should be beneficial in terms of its nature. The combination of the words ‘*Tayibbat*’, which is a description given to food, and ‘*Halal*’ indicates that what is considered *Tayyib* is endowed with the ruling of ‘*Halal*’. *Haram* (i.e. what is prohibited) is what is opposite to this and it is known as ‘*Khaba’ith*’(defilement). The Pious Predecessors<sup>14</sup> had varying views as to what the guideline of *Tayyib* was. Imam Malik, may Allah have mercy on him, simplified this stating: “*Tayibaat = Halal*”. He did not want the word *Tayyib* to be abused by people, who may refer this to their preferences and tastes. Imam ash-*Shafi’ee*, may Allah have mercy on him, said: “*Tayibaat* refers to what is lawful and enjoyed; every *Mustaqdhar* (repulsive

<sup>14</sup> The word ‘salaf’ is translated here into ‘pious predecessors’. In general, it refers to the first three generations (Sahabah, Ta’bieen and Tabie’ at-Tabi’ee). However, in this context, it would refer to the Four Imams and the other scholars who lived during their eras.