

SAFEGUARDING CONSUMER RIGHTS: ENHANCING LEGAL PROTECTION AGAINST UNLABELED FOOD PRODUCTS

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Abstract

This article addresses the deficient regulations that fail to prioritize consumer interests, resulting in inadequate consumer rights protection. As a result, an abundance of food products disregards labeling requirements in the community. This research seeks to identify remedies and legal safeguards to protect consumers from the dangers of unlabeled food products. The study uses a normative legal research methodology to focus predominantly on a literature review. The data sources include both primary and secondary legal scholarship. The study's findings indicate that the current legal protection for consumers against unlabeled food products needs to be improved. In addition, the supervision of circulating food products intended to protect consumers has yet to be implemented effectively.

Keywords: *Legal Protection; Unlabeled Product; Customer Protection*

1. Introduction

A serious challenge for modern society is the problem of ensuring food safety, which has reached the international scale. The global nature of the issue highlights the need for coordinated efforts among nations to tackle this problem effectively. In today's increasingly interconnected world, protecting the health and safety of consumers has become an issue of international significance.¹ The problem of unlabeled food products has received much attention in recent years due to the expansion of worldwide trade and the movement of food goods across international borders.² Consumption of unlabeled food goods, which may or may not comply with proper labeling regulations and pose dangers to public health and safety, places consumers worldwide at risk of potential adverse health effects.³

¹ Margaret E Kruk et al., "High-Quality Health Systems in the Sustainable Development Goals Era: Time for a Revolution," *The Lancet Global Health* 6, no. 11 (November 1, 2018): e1196–1252, doi:10.1016/S2214-109X(18)30386-3.

² Daniel Beltran-Alcrudo et al., "Transboundary Spread of Pig Diseases: The Role of International Trade and Travel," *BMC Veterinary Research* 15, no. 1 (February 22, 2019): 64, doi:10.1186/s12917-019-1800-5.

³ Katrina Oselinsky et al., "GMO Food Labels Do Not Affect College Student Food Selection, Despite Negative Attitudes towards GMOs," *International Journal of Environmental Research and Public Health* 18, no. 4 (2021): 1761, doi:10.3390/ijerph18041761.

Despite the global scale of the food safety problem, its solution seems possible through the effective operation of relevant national institutions in the first place. National institutions play a crucial role in enforcing regulations, conducting inspections, and ensuring compliance with food safety standards. However, their effectiveness is not limited to the national level alone. In an interconnected world, the successful operation of these institutions becomes paramount for safeguarding consumer rights and well-being across borders. Collaboration and information-sharing between countries are essential to address food safety issues that transcend national boundaries.⁴

This article dives into the critical problem of unlabeled food products. It highlights the requirement for increased legal protection to secure consumers' rights on a global scale. It draws attention to the fundamental shortcomings of the regulations already in place, which cannot address the issues effectively provided by unlabeled food products.

Everyone, at one point in time, in a single position/alone or in groups with other individuals, under any circumstances, is required to function as a consumer for a particular good or service. This general condition, from several different perspectives, demonstrates the existence of numerous flaws in consumers, such that customers do not have a "safe" position in the market. Therefore, consumers fundamentally want legal protection that is applicable across the board. As a result of the relatively weak position of consumers in general compared to the relatively powerful position of producers in many respects, consumer protection will perpetually feel relevant, and it will always be essential to explore it more thoroughly.⁵

2. Method

This study used normative research. The author collects data from primary and secondary legal literature. These sources—legal dictionaries, textbooks, journal papers, and encyclopedias—form a solid research basis. The author collects legal books from extensive library efforts. This involves reading, analyzing, and extracting data from law books, legal journals, websites, and other materials relating to the main topic. This phase identifies and gathers research materials. Qualitative descriptive methods are used to analyze relevant materials. In this step, researchers carefully collect and choose data for analysis. Systematically organizing the selected data allows

⁴ Aliesia Mytnyk et al., "Food Safety Control as a Guarantee of Consumer Protection: Institutional Component," *Journal of Environmental Management and Tourism*; Vol 13 No 1 (2022): *JEMT*, Volume XIII, Issue 1(57), Spring 2022, 2022, doi:10.14505/jemt.v13.1(57).15.

⁵ Martina Lestari Ritonga, "Juridical Review Consumer Legal Against Labeling Of Food Products Based On Law No. 8 Year 1999," *Journal of Law Science* 3, no. 4 (October 30, 2021): 153–63, doi:10.35335/jls.v3i4.1684.

a cohesive and structured study problem analysis. Qualitative descriptive research will be used to report the findings in depth. This strategy helps academics understand the topic and draw conclusions. Researchers can find patterns, themes, and linkages by systematically evaluating the acquired data. This research approach has normative elements. First, as the main source, legal literature emphasizes legal principles and notions. The research seeks to expand legal knowledge and provide normative insights by consulting authoritative legal writings. Qualitative descriptive approaches for systematic analysis ensure the research's rigor. This strategy meticulously selects and organizes relevant data, reducing bias and assuring study validity and dependability.

3. Results and Discussion

3.1. Unveiling the Power of Labels: Empowering Consumers with Information Rights

Legal protection helps to preserve human rights by obstructing the ability of third parties to violate those rights in the future. This protection extends to the community, guaranteeing that everyone can exercise their rights to the fullest extent possible. Legal protection comprises various legal remedies that law enforcement officials are obligated to give to create a sense of mental and physical security in individuals, sheltering them from interference and multiple dangers posed by any party. Protection of this kind is necessary for safeguarding human rights and maintaining a just and secure society.⁶

Within the context of consumer protection, the legislative standards that govern labeling play an essential part in preserving the health and safety of consumers. These regulations serve as protections because they establish standards and obligations for providing accurate and thorough label information. Because of the intricacy of the issue, these requirements are dispersed throughout several laws and regulations in Indonesia. Law Number 8 of 1999 Concerning Consumer Protection, Law Number 18 of 2012 Concerning Food, Government Regulation Number 69 of 1999 Concerning Food Labels and Advertising, Minister of Trade Regulation No. 22/M-DAG/PER/5/2010 Concerning Obligation to Affix Labels on Goods, Law Number 36 of 2009 Concerning Health, and the Decree of the Minister of Health No. 924/Menkes/SK/VIII/1996 Concerning Amendment are all necessary regulations that address labeling requirements.

Incorporating these legal measures results in crucial protections being afforded to customers, which in turn contributes to customers' overall safety. Consumers should be able to easily access important information about the items they eat, such as the ingredients, the nutritional content, the

⁶ Syaharie Ja'ang et al., "Legis Ratio of Legal Protection of Local Food," *Technium Social Sciences Journal* 29, no. 1 (2022): 231–40.

allergies, and the expiration dates, thanks to accurate product labeling. Consumers can make educated selections based on their dietary requirements, preferences, and possible health hazards as a result. Furthermore, these labeling restrictions serve as a tool to combat fraudulent practices, deceptive advertising, and the circulation of hazardous or counterfeit items in the market. This can be accomplished by reducing the information found on product labels.

In its most fundamental meaning, legal protection is the provision of the required framework to protect human rights and encourage feelings of safety. Within the larger consumer protection framework, the legislative regulations governing labeling are essential components that assure customers' safety and make it easier for them to make informed decisions. The authorities can ensure that consumers are sufficiently protected by consolidating and reinforcing these regulations, which will establish a fair and transparent marketplace that upholds the rights and well-being of persons.

Law Number 8 of 1999 Concerning Consumer Protection serves as the broad legislative foundation for consumer protection in Indonesia; nevertheless, it does not directly regulate labeling, particularly when it comes to food goods. Labels and Advertising: Government Regulation 69 of 1999 provides more explicit requirements. Before the release of this government regulation, the rules for labeling products were merely summarized in Law Number 7 of 1996 concerning Food. This law was passed in 1996.

Food labels are defined as any information connected to food presented in pictures, writings, a mix of both, or other forms attached to, inserted into, affixed to, or is a component of food packaging. This definition comes from Article 1 point 3 of Government Regulation Number 69 of 1999. Food labels are defined in this regulation as any information linked to food presented in these forms. Likewise, this definition of food labels is adopted in Article 1 number 15 of Law Number 7 of 1996 concerning Food.

These regulations establish the groundwork for labeling standards in Indonesia, emphasizing the necessity of providing customers with accurate and thorough information. Food labels are extremely important in expressing important information about the product, including the components of the product, any potential allergens, nutritional information, and dates of manufacture and expiration. Consumers can make educated judgments about the food products they buy when there is adequate labeling, considering their dietary requirements, preferences, and the potential health hazards.

Nevertheless, despite these standards, difficulties still exist in successfully implementing and enforcing the requirements for labeling products. Consumers are exposed to potential dangers since certain food products are sold in the market despite not complying with appropriate labeling rules. Given the circumstances, it is necessary to thoroughly analyze the existing legal protections afforded to customers who purchase labeled food goods.

To address these concerns, additional research must be conducted to investigate the various potential solutions and ways the current legal system might be improved. This research should center on raising consumer understanding about their rights and the significance of accurate labeling, encouraging greater transparency in the food business, and working to strengthen enforcement mechanisms. Consumers may better protect their health and well-being by ensuring that legislative protections are successfully implemented and enforced. This will allow consumers to make more educated decisions, which will, in turn, protect their health.

Furthermore, in Article 2 of Government Regulation Number 69 of 1999 concerning Labels and Advertising, it is determined that: Every person who produces or imports packaged food into the territory of Indonesia for trading is obligated to put a label on, inside, and or on the food packaging; The labeling as referred to in paragraph (1) is carried out in such a way that it is not easy to be separated from the packaging, not quickly faded or damaged, and is located on the part of the food packaging that is easy to see and read.⁷ Then in Article 3 of Government Regulation Number 69 of 1999 concerning Food Labels and Advertisements, it is determined that: The label as referred to in Article 2 paragraph (1) contains information regarding the food in question; The information as referred to in paragraph (1) shall at least: Product name; List of materials used; Net weight or net contents; Name and address of the party producing or importing food into the territory of Indonesia; and Expiry date, month and year. From the explanation of the articles above, it can be seen that the label is different from the brand. According to Article 1 point 1 of Law Number 15 of 2001 concerning Marks, a mark is a sign in the form of an image, name, word, letters, numbers, color arrangement or a combination of these elements which has distinguishing features and is used in the activities of trading goods and services.⁸ Brands can be used as a sign that can distinguish the results of one company from another.⁹

⁷ Nur Husni Emilson, Made Warka, and Krisnadi Nasution, "Regulation of Food Product Labelling in Indonesia," *Technium Social Sciences Journal* 24 (2021): 261–65.

⁸ Rachmad Usman, *Hukum Hak Atas Kekayaan Intelektual : Perlindungan Dan Dimensi Hukumnya Di Indonesia* (Bandung: Citra Aditya Bakti, 2003).

⁹ Abdulkadir Muhammad, *Kajian Hukum Ekonomi Hak Kekayaan Intelektual* (Bandung: Citra Aditya Bakti, 2001).

In terms of function, a mark can function as an identification mark to distinguish the production results produced by a person or several people together or a legal entity from the production of a person/several people or other legal entities, as a promotional tool, so that it is sufficient to promote the products produced by mentioning the brand and as a guarantee for the quality of the goods.¹⁰ Information as understanding is a stimulus that consistently moves behavior (behavior) between the sender and recipient of information.¹¹ Furthermore, Vincent Gaspersz, said that information is data that has been processed into something useful for the recipient and has real or perceived value in current and future decisions.¹² Among the various information about consumer goods or services needed by consumers, it seems that the most influential at this time is information sourced from business actors. Mainly in advertisements and labels, without reducing the influence of various other forms of entrepreneur information.¹³

The label is the information required by legislation as regulated in Government Regulation Number 69 of 1999 concerning Food Labels and Advertisements, Minister of Trade Regulation No. 22/M-DAG/PER/5/2010 concerning Obligation to Affix Labels on Goods.¹⁴ The absence of inadequate information from business actors is one of the types of product defects (information defects) that will significantly harm consumers. The importance of delivering correct information to consumers about a product, so that consumers are not wrong about the description of a particular product. Submission of information to consumers can be in the form of representations, warnings, or in the form of instructions.¹⁵

A correct representation of a product is needed because one of the causes of loss to consumers is the misrepresentation of certain products. The losses experienced by consumers in Indonesia in relation to misrepresentation are very much due to being tempted by advertisements or brochures of certain products, while the advertisements or brochures do not always contain correct information because in general they only highlight the advantages of the product being promoted, on the contrary, the weaknesses the product is covered.¹⁶

¹⁰ Ahmad Fauzan, *Perlindungan Hukum Hak Kekayaan Intelektual* (Bandung: Yama Widya, 2006).

¹¹ Widyahartono, *Industri Informasi Dalam Dekade 80-an (Informatie Industrie In de Jarem Tachtig D. Overkleeft)* (Bandung: Alumni, 1983).

¹² Vincent Gaspersz, *Sistem Informasi Manajemen (Suatu Pengantar)* (Bandung: Armico, 1988).

¹³ Celine Tri Siwi Kristiyanti, *Hukum Perlindungan Konsumen* (Jakarta: Sinar Grafika, 2008).

¹⁴ Shendy Maria Fricella and Moch Andry Wikra Wardhana Mamonto, "Consumer Protection Against Processed Food Advertisements with Misleading Health Claims," *Daengku: Journal of Humanities and Social Sciences Innovation* 3, no. 2 (February 8, 2023): 279–93, doi:10.35877/454RI.daengku1433.

¹⁵ Agnes M. Toar, *Tanggung Jawab Produk, Sejarah, Dan Perkembangannya* (Bandung: Citra Aditya Bakti, 1998).

¹⁶ Ahmadi Miru dan Sutarman Yodo, *Hukum Perlindungan Konsumen* (Jakarta: Raja Grafindo Persada, 2008).

This warning, which is part of providing information to consumers, is a complement to the production process. This warning given to consumers plays an essential role in relation to the safety of a product.¹⁷ Thus the manufacturer (manufacturer is obliged to convey a sign to consumers). The producer's task does not end with simply circulating a product. In addition to warnings, instructions to ensure efficient product use are also essential to prevent harm to consumers. Including information for consumers in the form of instructions or instructions for using a product is an obligation for the manufacturer so that the product is not considered defective (due to the absence of information or inadequate information). On the other hand, consumers are obliged to read, or follow information instructions and procedures for the use or utilization of goods and/or services, for the sake of security and safety.¹⁸

The right to information is one of the most basic consumer rights. Consumers then determine/choose products to meet their needs through this correct and complete information. Therefore, providing false, misleading and dishonest information through labels violates consumer rights. Violating the rights of others means committing acts that violate the law.¹⁹

Today's consumers confront a landscape that is radically different from that of fifty years ago.²⁰ The evolution of technology, the proliferation of products and brands, and the rising purchasing power of consumers have significantly altered how consumers access information and the level of awareness they expect. In this article, we will investigate why consumers now require more pertinent information and examine the two distinct categories of consumers: the well-informed and the uninformed.

3.2. Empowering Consumers: The Crucial Role of Labeling in Ensuring Protection

Article 1 point 1 of Government Regulation Number 69 of 1999 concerning Food Labels and Advertisements states that food is anything that comes from biological sources and water, both processed and unprocessed, which is intended as food or drink for human consumption, including food additives, ingredients food raw materials, and other materials used in the process of preparing,

¹⁷ Endang Sri Wahyuni, *Aspek Hukum Sertifikasi & Keterkaitannya Dengan Perlindungan Konsumen* (Bandung: Citra Aditya Bakti, 2003).

¹⁸ Ibid.

¹⁹ Yusuf Sofie dan Somi Awan, *Sosok Peradilan Konsumen Mengungkap Berbagai Persoalan Mendasar BPSK* (Jakarta: Piramedia, 2004).

²⁰ John H Fleming and Jim Asplund, *Human Sigma: Managing the Employee-Customer Encounter* (Simon and Schuster, 2007).

processing, and or making food or beverages.²¹ Trade in expired food, use of dyes that are not intended for food, formalinized food, food containing preservatives, or other actions that are detrimental to the community, can even threaten the health and safety of human life, especially for children. through fraud on food labels.²²

Law Number 18 of 2012 concerning Food states that each label must contain information about food correctly.²³ Food products should not be stated, described or presented incorrectly, misleading (misleading or deceptive), or lead to the emergence of a wrong impression of the character of the food product. A description or presentation through words, pictures, or other means should not be directly or indirectly suggestive to give consumers the impression and association of other products. Understanding correct and not misleading means that the terms used on labels should be interpreted the same way, both by the government (for monitoring purposes), producers (for fair competition), and consumers (to make their choice). The truth of the information on the label should be studied and evaluated using scientific principles, namely based on scientific facts and data that can be accounted for. This is especially important in relation to international trade. However, it should be realized that these facts and data may change over time. It could even be that it differs between countries, so the need arises for information transparency and harmonization. One of the benefits of including correct information on labels and advertisements is to educate consumers about food-related matters. Important information generally conveyed through labels and advertisements include, among others, how to store food, proper processing methods, the nutritional content of certain foods, the function of these nutrients on health, and so on.²⁴

3.3. Enhancing Consumer Safety: Strengthening Legal Safeguards against Unlabeled Food Products

It is recognized that in the field there are business actors who commit violations as stipulated in Article 8 paragraph (1) letter (i) of Law Number 8 of 1999 concerning Consumer Protection, which states: Business actors are prohibited from producing and/or trading goods and/or services

²¹ A Gustina et al., "Functional Food in Indonesia: An Analysis of Legal and Institutional Framework," in *IOP Conference Series: Earth and Environmental Science*, vol. 443, 2020, 012089, doi:10.1088/1755-1315/443/1/012089.

²² Dedi Barnadi, "Makanan Jajanan (Street Food) Anak Sekolah," n.d.

²³ Maswandi, Jamillah, and Widyawati Anggresia Manihuruk, "Legal Protection for Consumers on Online Trade of Imported Food Products That Do Not Have a Circulation License in Indonesia," *Konfrontasi: Jurnal Kultural, Ekonomi Dan Perubahan Sosial* 8, no. 4 (November 30, 2021): 265–72, doi:10.33258/konfrontasi2.v8i4.163.

²⁴ Lisa M. Soederberg Miller and Diana L. Cassady, "The Effects of Nutrition Knowledge on Food Label Use. a Review of the Literature," *Appetite* 92 (September 1, 2015): 207–16, doi:10.1016/j.appet.2015.05.029.

that do not put a label or make an explanation of the goods containing the name of the goods, size, net or net weight/content, composition, rules of use, date of manufacture, side effects, name and address of the perpetrator. business and other information for use which must be installed/manufactured according to the provisions. Besides that, there are still many frauds in implementing e-commerce activities as it is known that they have greater benefits or advantages compared to conventional trading. The advantages of e-commerce are macroeconomic and microeconomic benefits.²⁵ The mechanism of e-commerce transactions that are carried out indirectly or without face-to-face allows the goods and/or services that are transacted are not following what is desired or agreed upon by the parties.²⁶ This uncertainty occurs because using a unique code in the e-commerce payment system causes the payment of a transaction value to differ from the nominal value agreed upon in the previous relevant transaction.²⁷

Looking at the conditions in the field, many unlabeled food products are traded at low prices, so that they can be widely circulated in the market and consumed by the public. Of the many food products without these labels, most come from products produced by home industries, such as chips, sweets, pickles, snacks and others. These business actors only produce and trade household products wrapped in clear plastic, without any information.²⁸

The provisions of Article 8 paragraph (1) letter (i) of Law Number 8 of 1999 concerning Consumer Protection clearly state that business actors are prohibited from producing and/or trading goods and/or services that do not put a label or make an explanation of goods containing the name of the goods, size, net or net weight/content, composition, rules of use, date of manufacture, side effects, name and address of business actor as well as other information for use which according to the provisions must be installed/manufactured. In line with Article 8 paragraph (1) letter (i) of Law Number 8 of 1999 concerning Consumer Protection, Article 97 of Law Number 18 of 2012 concerning Food explains that the inclusion of labels inside and/or on food packaging is written or printed with use Indonesian language and contain at least information regarding the product name, list of materials used, net weight or net content, and address of the party producing

²⁵ Rais Agil Bahtiar, "Potensi, Peran Pemerintah, Dan Tantangan Dalam Pengembangan E-Commerce Di Indonesia," *Jurnal Ekonomi & Kebijakan Publik* 11, no. 1 (n.d.): 14.

²⁶ Tony Yuri Rahmanto, "Penegakan Hukum Terhadap Tindak Pidana Penipuan Berbasis Transaksi Elektronik," *Jurnal Penelitian Hukum De Jure* 19, no. 1 (2019): 33.

²⁷ Teguh Tresna Puja Asmara dan Tri Handayani, "Ketidakpastian Hukum Penggunaan Kode Unik Dalam Sistem Pembayaran E-Commerce," *Jurnal Penelitian Hukum De Jure* 19, no. 4 (2019): 512.

²⁸ Klaus G. Grunert, Sophie Hieke, and Josephine Wills, "Sustainability Labels on Food Products: Consumer Motivation, Understanding and Use," *Food Policy* 44 (February 1, 2014): 177–89, doi:10.1016/j.foodpol.2013.12.001.

or importing, halal for those required, production date and code, date, month and year of expiration, number distribution permit for processed food, and the origin of certain food ingredients. Decree of the Food and Drug Supervisory Agency of the Republic of Indonesia No: HK. 00. 05. 5. 1639 concerning Guidelines for Good Food Production Methods for Home Industries (CPPB-IRT) also explains that these household products must include labels, where labels must be clear and informative to make it easier for consumers to choose, store, process and consume food. It is also explained that the label has at least the product's name, list of materials produced, net weight or net content, name and address of the producing party, expiration date, month and year, and Production Certification number (PIRT).

Apart from Article 8 paragraph (1) letter (i) of Law Number 8 of 1999 concerning Consumer Protection, Article 97 of Law Number 18 of 2012 concerning Food and Decree of the Food and Drug Supervisory Agency of the Republic of Indonesia No: HK. 00. 05. 5. 1639 concerning Guidelines for Good Food Production Methods for Home Industries (CPPB-IRT) which explains the labeling of home industrial products, there are also regulations to include labels, namely Government Regulation Number 69 of 1999 concerning Labels and Food Advertisement, which is in paragraph (2), which states that the labeling inside and/or on food packaging is written or printed using Indonesian language and contains at least the information regarding the product name, list of ingredients used, net weight or net contents, name and the address of the party producing or importing, halal for those required, production date and code, expiration date, month and year, distribution permit number for processed food, and the origin of certain food ingredients.

Business actors who violate Article 8 paragraph (1) letter (i) of Law Number 8 of 1999 concerning Consumer Protection regarding product labels, will be subject to administrative sanctions following Article 47 paragraph (2) of Government Regulation Number 28 of 2004 concerning Food Safety, Quality and Nutrition Article explaining that administrative actions are in the form of written warnings, temporary ban on distribution and/or orders to withdraw food products from circulation, destroying food, if proven to endanger human health and life, temporary cessation of production, imposition of a maximum fine of Rp. 50,000,000.00 (fifty million rupiahs), and/or revocation of production permit, business permit, registration approval or home industry food production certificate. In addition, criminal sanctions can also be imposed as stated in Article 62 of Law Number 8 of 1999 concerning Consumer Protection. As for the sanctions from Article 8 paragraph (1) letter (i) of Law Number 8 of 1999 concerning Consumer Protection, it is clear that the punishment is a maximum imprisonment of 5 (five) years or a maximum fine of

Rp. 2,000,000,000.00 (two billion rupiah). However, local governments do not have the authority to impose sanctions or violations as referred to in Article 8 paragraph (1) letter (i) of Law Number 8 of 1999 concerning Consumer Protection to business actors who are proven to have violated the said regulations. Local governments only carry out the function of supervising the circulation of products and providing administrative sanctions in the form of a warning for a statement that business actors will comply with food product safety provisions.²⁹

The application of criminal sanctions as referred to in Article 62 of Law Number 8 of 1999 concerning Consumer Protection is the authority of the police. The police themselves will apply criminal or civil sanctions for violating the article if there is evidence and reports from the public, both from consumers who feel aggrieved and from the results of the investigation by the Food and Drug Inspection Agency BPOM which includes the Industry and Trade Service, Health Service, and the local Police. For instance, the BPOM, the Ministry of Industry, and the Ministry of Trade are all responsible for supervising and monitoring the quality of food products (including food and beverages). Supervision and monitoring are periodically carried out; samples are collected directly from the market or based on public complaints. These samples are tested, and finally, the products sold on the market are inspected.³⁰

The efforts made to implement Article 47 paragraph (2) of Government Regulation Number 28 of 2004 concerning Food Safety, Quality, and Nutrition so that it runs well in the field is to take preventive and curative actions. Preventive actions are carried out to prevent business actors from producing or trading products or services that violate the laws and regulations, in particular Article 8 paragraph (1) letter (i) of Law Number 8 of 1999 concerning Consumer Protection. Preventive actions include conducting socialization of Law Number 8 of 1999 concerning Consumer Protection in training and coaching activities for business actors. Meanwhile, the repressive measures forced to be carried out by the local government were to withdraw the circulation of these problematic products from the market and provide administrative sanctions for the snack food business actors who were proven to have violated them.

One form of preventive effort taken is to guide business actors, especially home industries. As evident from the results of research conducted by the author, several food products have already

²⁹ Handayani, "Ketidakpastian Hukum Penggunaan Kode Unik Dalam Sistem Pembayaran E-Commerce."

³⁰ Siti Rodiah, Elli Ruslina, and Nia Winayanti, "Legal Protection of Indication of the Origin of Traditional Food Products from Small and Medium Micro Enterprises as a Means of Making Local Economy," *IPR-Review* 3, no. 1 (2020).

included labels and are certified.³¹ Through this outreach activity, it is expected to improve the packaging design capabilities of business actors to produce packaging designs that provide added value for the products they pack. Other preventive measures taken are participating in periodic food testing. In this activity, the local government can cooperate with the Health Office. Based on the report on the snack food testing activity, it can be seen that the location of the distribution of household products containing hazardous materials is in elementary schools, food stalls, grocery stores and traditional markets. These harmful household products can threaten children's health in primary schools in the long term. The circulation of these products in food stalls, grocery stores and traditional markets also shows that this dangerous home industry food product can be consumed by the wider community. Especially people who do not know the harmful ingredients in food products that they buy and consume in food stalls, grocery stores and traditional markets. Repressive measures are taken in the form of withdrawal of unlabeled products from circulation in the community as stipulated in Article 8 paragraph (4) of Law Number 8 of 1999 concerning Consumer Protection which states that business actors who commit violations are prohibited from trading in goods and/or services. and must withdraw it from circulation. In this case, the local government can allow business actors to withdraw all of their products that are proven to have violated Article 8 paragraph (1) of Law Number 8 of 1999 concerning Consumer Protection.

Based on the writer's search in the field, the provisions of Article 8 paragraph (1) letter (i) of Law Number 8 of 1999 concerning Consumer Protection do not seem to have been implemented by some business actors.³² From the results of field observations, the authors found several food products without labels or explanations containing the name of the item, size, net or net weight/content, composition, rules for use, date of manufacture, side effects, names and addresses of business actors. The actions of business actors as in this study can be applied to the principles of legal responsibility, in particular, the principle of responsibility based on an element of fault (fault liability or liability based on fault). This principle is generally applicable in administrative, criminal and civil law. This principle is firmly adhered to in the Civil Code, in particular Article

³¹ Karin Schanes, Karin Dobernig, and Burcu Gözet, "Food Waste Matters - a Systematic Review of Household Food Waste Practices and Their Policy Implications," *Journal of Cleaner Production* 182 (May 1, 2018): 978–91, doi:10.1016/j.jclepro.2018.02.030.

³² Fevrie Rizqie Saefudin Junior and Liya Sukma Muliya, "Perlindungan Hukum Terhadap Konsumen Terkait Informasi yang Tidak Sesuai Ditinjau dari Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen," *Bandung Conference Series: Law Studies* 3, no. 1 (January 25, 2023): 1–6, doi:10.29313/bcsls.v3i1.4950.

1365, Article 1366, and Article 1367. This principle states that a person can only be held legally responsible if there is an element of wrongdoing.

Based on the results of research in the field, business actors who do not include labels following Article 8 paragraph (1) letter (i) of Law Number 8 of 1999 concerning Consumer Protection have committed acts against the law. Article 1365 of the Civil Code is commonly referred to as the article on unlawful acts.

Therefore, it can be suspected that business actors still do not implement Law Number 8 of 1999 concerning Consumer Protection regarding violations of Article 8 paragraph (1) letter (i). This condition cannot be allowed to drag on by the parties involved in this matter. Serious efforts are needed from the government through various related agencies in protecting the public as consumers. To fulfill the objective of consumer protection as referred to in Article 3 of Law Number 8 of 1999 concerning Consumer Protection, it is necessary to supervise the implementation of adequate consumer protection. Supervision of consumer protection is primarily aimed at producer-business actors. The problems mostly occur in the realm of implementing regulations because if the regulations are implemented optimally, it will reduce the number of frauds among food producers.

Supervision in the context of consumer protection implies ensuring the implementation of more protection for consumers, through the compliance of producers-business actors to protect consumers in their business activities.³³ With supervision, it is hoped that business actors will participate in creating a healthy business climate. Next is the implementation of good production infrastructure, the creation of a healthy business climate, and the fulfillment of consumer rights. Based on Article 8 paragraph (1) Law Number 8 of 1999 concerning Consumer Protection regulates the prohibition of business actors from not meeting or not meeting the required standards and provisions of laws and regulations.³⁴ Regarding food safety, which can be seen from the food samples tested, it shows that business actors have committed acts against the law. In addition, what needs to be considered is the awareness of the public as consumers regarding the losses due to consuming household industrial food containing hazardous chemicals, this is important because the rights and obligations between business actors and consumers are reciprocally related. Article 19 paragraph 1 of Law Number 8 of 1999 concerning Consumer Protection states that business

³³ Afif Noor et al., "Regulation and Consumer Protection of Fintech in Indonesia: The Case of Islamic Fintech Lending," *Linguistics and Culture Review* 6, no. S3 (December 4, 2021): 49–63, doi:10.21744/lingcure.v6nS3.1938.

³⁴ Lisma Lumentut and Liberthin Palullungan, "Implementation of the Standard Agreement Based on Law Number 8 of 1999 Concerning Consumer Protection," *Russian Law Journal* 11, no. 4 (2023): 139–46.

actors are responsible for compensating for damage, pollution, and or consumer losses due to consuming goods and or services produced or traded. The compensation in question is a refund or replacement of goods and/or services of the same kind and equivalent in value, health care, providing compensation following consumer losses. Supervision of business actors in turn ensures the fulfillment or implementation of the rights and obligations of the parties. Therefore, supervision is an essential element in the implementation of consumer protection.

In this study, business producers must be watched to ensure they follow legislation and meet their commitments. This supervision must remember that everyone has a predisposition to fulfill duties. Opportunities can lead to missed duties. Thus, this supervision reduces the chance of a violation. Preventive supervision increases legal compliance.

The government protects the community and guides corporate actors to boost industry and the economy. Laws, rules, and goods quality standards safeguard consumers. Supervising norms and standards is also crucial. Consumer protection law enforcement requires state tools, notably for home-industry food distribution. According to Article 30 paragraph (1) of Law Number 8 of 1999 on Consumer Protection, the government, community, and non-governmental consumer protection institutions supervise consumer protection and law and regulation enforcement.

4. Conclusion

The existing legal protection for customers against purchasing unlabeled food products has yet to be successful. According to the research findings, there were a substantial number of violations of labeling regulations, as required by the provisions outlined in Article 8 paragraph (1) letter (i) of Law Number 8 of 1999 concerning Consumer Protection. To solve this problem, it is essential to revise and broaden the scope of the regulations that are now in place. In addition, monitoring food goods on the market has yet to be successfully implemented to provide adequate consumer safety. It is not adequate for the government to rely on the assurances of corporate actors that they conform to product safety regulations.

It is possible to provide several tips and suggestions to improve this study. The rules and guidelines already in place ought to be subjected to a thorough analysis and reevaluation so that they can be brought up to date to meet the requirements of modern consumers and the difficulties faced by the food business. These measures include updating the labeling standards, increasing non-compliance penalties, and implementing more stringent monitoring methods. Second, improving the enforcement and oversight of food goods currently on the market is vital. This can

be done by performing regular inspections, enforcing actual fines for infractions, and increasing consumer knowledge about the significance of purchasing clearly labeled products.

It is essential to recognize the limitations of this study, even though it provided some helpful new insights. This research ignored any other potential elements contributing to the issue in favor of concentrating entirely on the legal ramifications of protecting consumers from purchasing labeled food goods. In subsequent research, it may be possible to investigate additional factors, such as customer behavior, the dynamics of the market, and technological improvements, all of which may contribute to improved labeling methods. When these aspects are considered, a more in-depth comprehension of the issue can be attained, leading to more efficient and comprehensive solutions for protecting consumer rights in the food business.

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