



Legal Study in Packaged Food Products Without Raw Material Labels from the Perspective of Consumer Protection (Literature Review)

Resyah Prima Hanjaya ¹, Harmono ²

¹Swadaya Gunung Djati University, Cirebon, Indonesia.
E mail bejahh56@gmail.com

^{2*}Swadaya Gunung Djati University, Cirebon, Indonesia.
E mail harmono@ugj.ac.id

*Corresponding Author harmono@ugj.ac.id

Abstract. Snack foods produced by the lower middle class in our vicinity lack raw material labeling as mandated by BPOM RI. This article's findings seek to analyze unlabeled packaged food goods from the consumer protection standpoint. The literature review methodology employs resources from diverse publications published in various journals and obtained from the internet. The analysis concludes that Basreng Lembayun, Raja Snack glass chips, Chocomary thin Chocolate Matcha, and Fruit Chips lack composition labels, net weight, and expiration dates, infringing on consumer rights. It is essential to enhance the realization of consumer rights to provide security, access to product information, the ability to be heard, and the right to participate in decision-making.

Keywords: food, unlabeled, study, legal, consumer

INTRODUCTION

Rapid economic development pertains to the expansion of manufacturing and commerce sectors. This compels producers to strive to sustain the market or expand their reach. The intensifying competition among producers adversely affects consumers overall.¹

The general people urgently require food, which serves as the principal means of sustenance. According to Law No. 18 of 2012, food is defined as substances derived from biological sources, including agricultural products, plantations, livestock, and aquatic environments, whether processed or unprocessed, intended for human consumption. This

¹ Pratiwi Riantika, 2019, "Journal of Legal Ideas" Vol. 1 No.1, p. 64.

definition encompasses food additives, raw materials, and other components utilized in food or beverages' preparation, processing, funding, or manufacturing.

In the current age of free commerce, numerous producers offer various snacks, encompassing both imported and domestic varieties. The definition of packaged food remains non-standard; Article 1 of Law No. 18 of 2012 delineates that food packaging is used to contain and enclose food, regardless of direct interaction. Consequently, it can be inferred that packaged food refers to food that has been hygienically and neatly packed, accompanied by expiration information for sale and consumption within a specified timeframe. Snacks are a highly favored product among individuals in Indonesia, particularly youngsters. The data indicates that Indonesia's snack production and consumption levels are exceptionally high. In 2021, Indonesia's snack distribution volume was 1,281 million kilograms, reflecting an 8% increase from the 1,183 million kilograms recorded in 2020. In 2021, the typical individual in Indonesia consumed 4.6 kilograms of snacks. This statistic rose by 5% from 2020 when Indonesia's average per capita snack consumption was 4.4 kg annually per person.

In Indonesia, the Food and Drug Supervisory Agency (BPOM) is authorized to oversee the distribution of snack products, as stipulated in Article 1 of Presidential Regulation No. 80 of 2017, which states that "The Drug and Food Supervisory Agency, hereinafter referred to as BPOM, is a non-ministerial government institution responsible for government affairs related to drug and food regulation." The safety of processed food products is affirmed when they possess a distribution permission from BPOM. Nevertheless, BPOM frequently identifies several processed snack food products that fail to uphold standards and quality as stipulated by their distribution permit from BPOM. BPOM is empowered to oversee market products, commencing with the evaluation of product distribution eligibility, assessment of safety, efficacy, and quality of food and drug products, post-approval supervision, enforcement actions, and community engagement initiatives. The drug and food surveillance system implemented by BPOM encompasses thorough pre-market and post-market oversight.

The system consists of:

1. Standardization involves formulating standards, laws, and drug and food oversight policies. It is conducted centrally to prevent discrepancies in standards, as each province establishes its own criteria.
2. Assessment (pre-market assessment) refers to the evaluation of a product before to

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DOI 10.62885/legisci.v2i3.542

acquiring a distribution permit number, which allows for its production and circulation to customers. The evaluation is conducted centrally to ensure that products with distribution permission are nationally valid.

3. Post-market surveillance to assess the consistency of product quality, safety, and information involves sampling circulating drug and food products, inspecting production and distribution facilities, conducting pharmacovigilance monitoring, and overseeing labeling and advertising. Post-market supervision is conducted nationally, in an integrated, consistent, and standardized manner. Post-market supervision is conducted nationally, in an integrated, consistent, and standardized manner. This oversight encompasses the POM Center in 33 provinces and territories that are challenging to access or border areas, executed by the Food and Drug Control Post (Pos) POM).
4. Laboratory analysis. Products selected according to risk are subsequently analyzed in a laboratory to ascertain compliance with safety, effectiveness, and quality standards. The outcomes of these laboratory tests serve as the scientific foundation for identifying goods that must be removed from circulation.
5. Law enforcement in the domain of drug and food regulation. Law enforcement relies on evidence obtained through testing, examination, and preliminary investigations. The law enforcement process leading to projusticia may culminate in the application of administrative consequences, including restriction, revocation of distribution permits, or confiscation and destruction of goods. If the infraction pertains to criminal law, then violations related to drugs and food may be adjudicated under criminal statutes.

BPOM employs a strategy categorized into two types: internal and external strategies. BPOM's external strategy involves enhancing collaborations with many sectors pertinent to drug and food regulation, as well as augmenting training and support via communication, information dissemination, and education for the public and industry stakeholders in the domains of medicines and food. Simultaneously, the international strategy involves fortifying the risk-based regulatory framework for drug and food supervision, enhancing performance management from institutional to individual levels, optimizing budget management for greater efficiency, effectiveness, and accountability to promote institutional and employee performance improvement, augmenting the capacity of supervisory human resources at BPOM at both central and regional levels in Hanjaya

a more equitable and accountable manner, and elevating the quality of essential facilities and infrastructure to support drug and food control operations. In the year 2019, the Food and Drug Control Agency (BPOM) recalled 170,119 food products that did not comply with the standards.² These products were recalled because they did not meet the standards for distribution permits in Indonesia; for example, the damaged packaging did not contain an expiration date, did not have a nutritional assessment, and did not list the composition of the ingredients in the snack. In Article 97 of Law No. 18 of 2012 concerning Food, it is stated that:

1. Everyone who produces food domestically for trade is required to include a label on the food packaging.
2. Every person who imports food for trade is required to include a label on the Food Packaging when entering the territory of the Unitary State of the Republic of Indonesia.
3. The inclusion of labels in and on the Food Packaging, as referred to in paragraphs (1) and (2), is written or printed using Indonesian and contains at least about:
 - a. Product Name
 - b. List of materials used
 - c. Net weight or net fill
 - d. name and address of the party producing or importing
 - e. Halal for those required
 - f. Production date and code
 - g. expiration date, month, and year
 - h. distribution permit number for Processed Food and
 - i. the origin of certain food ingredients.

Product labels are designed to furnish accurate and transparent information to consumers regarding packaged food items prior to purchase or consumption. Consequently, every business entity or producer is required to incorporate product labeling, particularly detailing the raw materials utilized, enabling consumers to ascertain that the food they intend to purchase or consume is safe, hygienic, high-quality, nutritious, and aligns with the religious, belief, and cultural values of the community.

Consumers may access information provided by commercial entities or producers

² Maulana kautsar, " *bpom finds 170,119 products*", (dream.co.id, May 20, 2019).
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DOI 10.62885/legisci.v2i3.542

as stipulated in Article 4 of Law Number 8 of 1999 on Consumer Protection. Nonetheless, the prevailing situation within the community indicates that numerous commercial entities in the packaged food sector fail to adhere to the criteria for delivering comprehensive information on labels, particularly about raw materials, resulting in a sense of disadvantage among many customers. The author continues to encounter numerous packaged items lacking raw material labels on their packaging. The subsequent enumeration comprises meals devoid of raw material labels:

No.	Product Type	Trademark	Descriptions not listed on the packaging label
1	Basreng	Lembayun	- Not listing composition labels
			- No date Expired
			- Doesn't list weight clean
2	Glass Chips	King Snack	- Not listing composition labels
			- No date Expired
			- Doesn't list weight clean
3	Chocomory thin choclote matcha	Chocomory	- Not listing a composition label
4	Fruit crips	Crinchgie	- Not listing composition labels
			- Doesn't list net weight
			- Doesn't list an expiration date

Law No. 18 of 2012 mandates that business entities must put information on the labels of packaged food goods. Many packaged food goods remain in circulation, posing significant risks and jeopardizing consumer safety. The deficiency of information regarding consumer rights is a primary factor contributing to consumer vulnerability, which commercial entities may use to gain unilateral advantages through client ignorance. The Consumer Protection Law No. 8 of 1999 seeks to establish a robust legal framework for consumers, enabling them to enhance their awareness of consumer rights through training and education. Consumer protection promotes consumer awareness and self-defense in purchasing products. Consumers require comprehensive legal protection due to their comparatively inferior position relative to producers.

³. There are 4 (four) basic consumer rights that must be fulfilled, namely: ⁴

1. The right *to safety*. Consumers have the right to get the security of goods and services offered. Products and services should not be harmful if consumed so that consumers are physically and spiritually.
2. The right to be informed: Every product marketed to consumers must be accompanied by correct information. The information provided for the consumer must not paint a misleading picture of the product or goods and services. Information about products and services can be conveyed orally to consumers, through various media advertisements, or listed in product packaging.

3. *The right to be heard*

This right arises because consumers often feel that the information provided by interested parties is not satisfactory enough. Therefore, consumers have the right to submit further requests.

4. The right to choose

Consumers have the right to choose when consuming a product. They should not be pressured by outsiders, which would result in consumers not being accessible to buy a product.

Weak consumers have also been mentioned in UN General Assembly Resolution No.A/RES/39/284 of 1985 on "*Guidelines for Consumer Protection*," stating that⁵:

"Considering the interests and needs of consumers globally, especially in developing nations, acknowledging the economic disparities, educational deficiencies, and unequal bargaining power they encounter, and emphasizing that consumers should have the right to access non-hazardous products, along with the right to advocate for fair, equitable, and sustainable economic and social development."

Consumer protection in Indonesia is governed by Law No. 8 of 1999 on Consumer Protection. Article 1 Paragraph 1 of Law No. 8 of 1999 defines consumer protection as "All efforts that ensure legal certainty to protect consumers." Legal protection for consumers is of paramount importance, both materially and officially. Indonesia has endorsed free trade, which directly affects consumers. Consequently, initiatives to ensure legal protection for consumers

³ Yusuf Sofie, 2007, "*Kapita Selekta Law Protection in Indonesia*", Jakarta: Ghalia Indonesia, p. 17.

⁴ Shidarya, 2000, "Consumer Protection Law", Jakarta: PT Grasindo, pp. 19-27.

⁵ Susanti Adi Nugroho, 2008, "*The Process of Consumer Dispute Resolution Reviewed from the Procedural Law of the Implementation Constraints*", Jakarta: Kencana Prenada Media Group, p. 3.

are both crucial and immediate, particularly in the context of free trade problems related to consumer protection are increasingly complex.

According to Hans W Mckilitz, in consumer protection, in general, it is pursued with 2 (two) policy models, namely:

1. A complementary policy requires business actors to provide adequate information to consumers (the right to information).
2. Compensatory policy, which is a policy that contains the protection of economic interests (the right to health and security).

METHODS

Method of Approach

The author employs a normative legal approach in this analysis. Seojono Soekanto asserts that normative law research is performed by examining literary sources or secondary evidence. The normative legal approach is research that employs document analysis, precisely material sources such as statutes, regulations, judicial rulings, legal theories, and scholarly opinions. The author used a legislative methodology and a case study approach in this research. The legislative approach entails investigating and analyzing a regulation as a law pertinent to the topic. Simultaneously, the case approach involves the analysis of real-world cases that arise in practice. The normative juridical research process analyzes law as a norm, rule, legal principle, legal doctrine, legal theory, and other determinations to address the issues under investigation.

. The usefulness of the normative juridical approach method is:

1. To know what and how the positive law is regarding a particular problem.
2. To prepare legal documents.
3. To conduct research in the field of law.
4. To prepare legislative planning.
5. The principle of prudence mandates that commercial entities exercise caution in selling their products; they cannot be held accountable.

The Contract mandates that corporate entities safeguard consumers. New initiatives may be introduced if a novel relationship between business entities and customers is established; but, subsequently, business entities cannot be held accountable for anything beyond the scope of the agreement. This indicates that customers may only initiate legal action against business entities in cases of default (contractual obligation). This issue involves numerous packaging

products in circulation that fail to comply with existing regulations; for instance, some packaging lacks raw material labels, which disadvantages consumers by depriving them of essential information regarding the products they consume. This results in customers' incapacity to ascertain the raw components of the items they eat, often due to low consumer awareness and the non-disclosure by businesses in promoting their goods. This may adversely affect consumers. The Consumer Protection Law mandates the safeguarding of consumer rights.

The government plays a crucial role in regulating, monitoring, and managing all facets of trade. The administration is anticipated to establish an interconnected structure favorable to realizing a thriving society. Article 1, paragraph 1 of the Consumer Protection Law asserts, "Consumer protection encompasses all endeavors that guarantee legal certainty for the safeguarding of consumers." The government's objective in implementing Law No. A legal issue can be addressed through a normative juridical approach characterized by the following attributes:

1. Focusing on doctrine through analyzing legal principles in laws and regulations or judges' decisions. It can also be said that the focal point is formal law (*law in the book*).
2. Because it is based on formal law, the data source is secondary, consisting of primary and secondary legal materials obtained through literature studies.
3. The normative juridical approach does not require sampling because secondary data has a weight and quality that other data types cannot replace.
4. Using priori studies, deductive syllogism reasoning, and interpretation methods to explain a legal phenomenon.
5. No hypothesis is needed.
6. The normative juridical approach aims to find the truth or conformity of legal rules or actions with legal norms or principles.¹⁷ reviews.

Research Specifications

The data analysis employed is descriptive, delineating the relevant laws and regulations about the legal theories linked with the issue under investigation. Descriptive research is confined to elucidating a problem solely to disclose facts (fact-finding).

The subsequent findings of the issues examined in this document pertain to food products lacking raw material labels, evaluated by the legal stipulations of the Consumer Protection Law Number 8 of 1999. This analysis is conducted through established legal

concepts and theories, including the rule of law, legal certainty, legal objectives, and the notions of rights and obligations from a legal standpoint, presented descriptively and analytically about positive law and associated theories.

Research object

This research focuses on legal issues concerning packaged food products lacking raw material labels, in accordance with the Consumer Protection Law, particularly Article 4, Letter C of Law No. 8 of 1999, which asserts that consumers are entitled to accurate, clear, and truthful information regarding the condition and guarantees of goods and services. This is also pertinent to Article 8, paragraph 1, letter i of Law No. 8 of 1999, which delineates the banned actions for business entities, namely the failure to affix labels or provide descriptions of products that include the product name, dimensions, weight/net, or net content: ingredients, usage guidelines, manufacturing date, and adverse effects. The name and address of the company entity, together with additional information required by regulations, must be established and provided.

Research Instruments

Gulo defines a research instrument as a framework for conducting interviews, observations, or a compilation of questions designed to gather information. The primary instruments of qualitative research are the researchers themselves, who engage in observation, inquiry, listening, solicitation, and data collection. This study employs a questionnaire instrument targeting two groups: consumers of packaged food goods and local government entities, pertinent to the issues under investigation. Research instruments serve multiple purposes in enhancing the research process, including recording information provided by respondents and organizing the interview procedure.

Types and Sources of Legal Materials

In finding the answer to these problems, the data needed in this study is divided into two uses of legal materials, namely:

Primary Legal Materials (*Primary source*)

Primary legal materials are legal materials obtained from primary sources. The primary legal materials of this research are obtained through:

1. Criminal Code
2. Law No. 8 of 1999 concerning Consumer Protection.
3. Law No. 18 of 2012 concerning Food.
4. Government Regulation No. 69 of 1999 concerning Food Labels and Advertisements.

5. Decree of the Head of the Indonesian Food and Drug Administration Agency No. HK.04.1.23.09.11.07609, dated September 5, 2011, concerning the Establishment of the Law Enforcement Implementation Team of the Task Force for the Eradication of Illegal Drugs and Food.
6. Cirebon Regency Regional Regulation Number 2 of 2019 concerning Food Health.

Secondary Legal Materials (*Secondary source*)

Secondary legal materials are resources acquired through the examination of relevant laws and regulations, literature such as books and journals that address consumer legal protection on both national and international levels, and other data sources like articles and newspapers. The author also acquires data from websites with diverse situations pertinent to the research topics.

Data Collection Techniques

The data collection technique is carried out by:

Observation

This data collection method includes the firsthand observation and documentation of each symptom examined in the field. This strategy seeks to acquire extensive data on human behavior in real-world settings to depict social life and its facets thoroughly. This study involves field observations to identify the factors surrounding the circulation of packaged food goods lacking ingredient labels and their legal implications.

Interview

This method employs data gathering techniques conducted through direct, face-to-face interactions and question-and-answer sessions between researchers and relevant stakeholders or informants pertaining to the topic matter. The interviewer perceives the interview as a dialogue with defined objectives conducted between two parties: the interviewer, who poses questions, and the interviewee, who responds. In this data collection method, the researcher initially formulates a question to be posed directly to the informant. This research employs a semi-structured interview format, wherein the interviewee will be solicited for their perspectives and insights. This study involved conducting interviews to investigate issues about:

1. Circulation of packaged food products without raw material labels
2. The juridical consequences of packaged food without raw material labels are related to the legal perspective of consumer protection.

Libraries

This method is used to prove the basic assumptions (hypotheses) of research by collecting secondary data, which is carried out by searching, recording, and studying laws and regulations, books, journals, and related court decisions. According to experts, some steps must be taken in collecting data through literature, namely:

1. Identify the source of legal materials where the legal materials are obtained through the library or directly at the source.
2. Record and cite the legal materials needed for the writing of this research.
3. Analyze the legal materials obtained by the subject matter and research objectives.

In this study, the required literature materials have been classified as documentation in books and journals related to Law No. 8 of 1999 concerning Consumer Protection.

Data Analysis Methods

The employed data analysis method, qualitative descriptive data analysis, systematically and accurately describes and analyzes the field data collected. Sunarto defines qualitative descriptive data analysis as a research method aimed at elucidating and interpreting current situations or relationships, evolving opinions, continuing processes, resultant repercussions, or emerging trends. This study employs a methodology that involves data collection through interviews, observations, and examining official documents, including books, journals, and relevant laws about the research subject. Subsequently, it examines and addresses the issue of legal provisions for packaged food products lacking raw material labels, in accordance with Law No. 8 of 1999 regarding Consumer Protection, and its legal ramifications concerning packaged food products devoid of raw material labels within the framework of consumer legal protection studies. This study analyzed data after collecting data from interviews, observations, and a literature review. Subsequently, the findings from this data analysis will be conveyed through narratives and direct quotations from the interview outcomes. As described above, this study analyzed data after collecting data from interviews, observations, and literature. Later, this data analysis will be presented as narratives and direct quotes from the interview results.

DISCUSSION

Indonesia is a nation governed by law, as articulated in Article 1, paragraph 3 of the 1945 Constitution of the Republic of Indonesia. The concept of the rule of law encompasses multiple interpretations; one definition provided by Simorangkir is, "The State of Law is characterized as a nation that adheres to the principle of legality, whereby all governmental actions must be grounded in legal statutes." A nation that regards the law as the paramount authority or is structured according to its fundamental law or constitution, which holds a position of supremacy, is referred to as a state of law. Indonesia, as a nation governed by law, undoubtedly possesses legal objectives it seeks to attain.

Gustav Radbruch, a philosopher of law and a German bureaucrat and politician associated with Relativism, posits that law, as a cultural concept, cannot be formalized but must aspire to the ideal of fairness. To achieve the ideal of justice, we must consider its utility as the second component of the legal ideal in fulfilling a legal objective; a priority principle is required, which must be executed in the following sequence:

Legal Justice Theory

Justice fundamentally entails restoring order and ensuring that individuals receive their due, grounded in the idea of equality before the law. An increased focus on the notion of justice may entail examining the societal laws, which encompass both unwritten conventions and formal legal regulations. Judges must accommodate all societal regulations for legal grounds and considerations. The theory of legal justice posits that justice constitutes a civilized framework for social existence. Laws are established to ensure that every community and state official takes necessary actions to preserve social cohesion, so facilitating harmonious coexistence and preventing actions that undermine the integrity of justice. Violation of an ordered deed can disrupt social order. Each infraction will incur penalties commensurate with the severity of the infringement. Radburch posits that the law serves as a criterion for assessing the equity and inequity of a legal system in the evolution of justice values. Justice is founded on the concept that the law applies universally, hence the justice pursued by the law is interpreted within the framework of equality. The similarity mentioned here encompasses numerical similarity and proportionate similarity. Numerical equality is founded on the premise of equal treatment for all individuals under the law, whereas proportional equality aims to allocate to each person what they rightfully deserve. Distributive justice is equivalent to

proportional justice, wherein it allocates rights in accordance with the magnitude of the service rendered. In this instance, justice is founded on equality in accordance with proportional distribution. Corrective justice pertains to rectifying an error; for instance, if an individual causes harm to others, that individual is obligated to compensate the aggrieved party to restore their situation resulting from the error committed.

Justice serves as the ethical foundation of the law and concurrently as the standard for an effective legal system. Positive law stems from fairness. In constitutional matters, fairness must be an essential component of legislation. In the absence of justice, a regulation fails to merit the designation of law. In law enforcement, if it prioritizes the value of legal certainty or adheres to its regulations, it consequently diminishes the values of justice and utility. The regulation itself is crucial in ensuring legal certainty, according to its formulation. Similarly, when the value of utility is emphasized, it will alter the significance of legal certainty and justice, as the fundamental aspect of utility is the law's beneficial impact on society. Similarly, when justice is the sole consideration, it will alter the significance of legal certainty and utility. In law enforcement, a balance among these three ideals is essential.

Gustav Radburch explained that law is a value of justice; justice has normative and constitutive properties for the law. It is normative, meaning that it is to justice that positive law originates. It is constitutive because justice must be an absolute element for law; without justice, a rule cannot become a law.⁶

Theory of Legal Utility

Jeremy Bentham initially formulated the notion of utilitarianism. Bentham contends that the most objective criterion is to assess whether a specific policy or action yields relevant benefits or detriments to the individuals concerned. Consequently, the efficacy of the law should be evaluated based on the positive and negative outcomes that arise from its implementation. If the application of the law yields kindness, engenders profound enjoyment, and alleviates suffering, then the law may be deemed virtuous. If the application of the law yields poor results, generates unjust consequences, incurs losses, and exacerbates suffering, it may be considered to a flawed law.

⁶ Bernard L Tanya et al., *Legal Theory: An Orderly Strategy of Human Beings Across Spaces and Generations*", Genta Publishing: Yogyakarta, 2013, p. 117.

John Stuart Mill was the subsequent proponent of Utilitarianism. Consistent with Bentham's philosophy, Mill believed that an activity should strive to maximize happiness. Mill posits that justice arises from the human urge to reject and recompense the harm endured, both by oneself and by those for whom we feel compassion so that the essence of justice includes all the essential moral requirements for the welfare of mankind⁷. Happiness. Further, Mill states that the standard of justice should be based on its utility but that the origin of the consciousness of justice is not found in the utility but in two things, namely, the urge to defend oneself and the feeling of sympathy.

The primary tenet of the theory of legal utility is to support the objective and assessment of law. The law aims to maximize communal welfare, and legal evaluation is conducted based on the outcomes of its application.

Legal Certainty Theory ⁸

Gustav Radbruch posits that the doctrine of legal certainty constitutes a legal objective in the pursuit of justice. The community can assess the impact encountered with legal clarity if they pursue legal action. Legal certainty guarantees that an individual acts in accordance with the relevant legal provisions; conversely, in the absence of legal certainty, an individual lacks guidelines for their conduct. Legal certainty derives from Juridis-Dogmatic principles, rooted in the Positivist school of thought regarding legal progress, which perceives law as autonomous and independent. For proponents of this school, the objective of law is solely to facilitate the implementation of universal law. The fundamental essence of legal principles demonstrates that the law seeks not to achieve justice or value, but just to ensure certainty.

The term "certainty" is intrinsically linked to the principle of truth, which can be rigorously syllogized in a legal and formal context. Positive legal standards serve as major premises, whereas specific events function as minor premises through deductive reasoning. A closed logical system facilitates the immediate derivation of conclusions. The conclusion must be foreseeable, necessitating adherence from all parties involved. This grasp fosters collective orderliness. Legal certainty possesses a normative character, encompassing both its stipulations and the adjudicator's ruling. Legal certainty denotes the

⁷ H.R. Otje Salman, *"Philosophy of Law (Development & Dunamika Problem)"*, Bandung: PT Refirika Aaditma, 2010, p. 44.

⁸ Muhamad Erwin, *"Philosophy of Law"*, Jakarta: Raja Grafindo, 2012, p. 23.

clarity, orderliness, consistency, and consequential nature of its application, impervious to subjective conditions affecting individuals lives⁹. According to Gustav Radburch, there are Four fundamental aspects of legal certainty are as follows: first, the law is positive, indicating that the Spotify law constitutes a legitimate statute; second, the law is grounded in factual circumstances; third, facts must be articulated with clarity to prevent misinterpretation and ambiguity, while also ensuring ease of implementation; fourth, positive law should not be subject to frequent alterations. According to Gustav Radbruch, positive rules governing societal human interests must be adhered to, even if such laws are unjust. Moreover, legal certainty pertains to a certain event, provision, and determination. Lon Fuller stated that eight criteria must be fulfilled for the law to function properly within society:

Prospectivity or the law does not apply retroactively

1. Promulgation or law must be announced
2. Clarity or law must be clear
3. Generality or law is general.

Eight essential considerations must be acknowledged in the legislative process. The inability to achieve one or more of these eight criteria will result in legal ambiguity within society. Legal certainty must encompass numerous meanings, including clarity, avoidance of multiple interpretations, ease of implementation, and the assurance of rights and obligations for every person.¹¹ In the absence of legal certainty, individuals will remain unaware of the requisite actions, unable to discern whether their conduct is permissible or impermissible under the law. Legal certainty can be achieved through the establishment of clear and exemplary legal principles, and their application will likewise be unambiguous. In this era of free trade, it sometimes increases the weakness of consumers in determining product choices, exceptionally packaged food products. Therefore, a law and regulation is made that contains principles or rules that regulate and also contain properties that protect the interests of consumers. According to Indonesia's positive legal norms, the highest juridical basis is contained in Article 27, paragraph (1) of the 1945 Constitution, that all Indonesian citizens have the same position in the law and government and are obliged to

⁹ Nur Agus Susanto, *"The Axiological Dimension of the Decision of the "ST" Case Study of the Review Decision Return Number 97 PK/Pid.Sus/2012"*, Judicial Journal Vol. 7 No. 3 December 2014, p.31.

uphold the law and government without exception. The article provides a constitutional basis for consumer protection in Indonesia, namely, the legal status of all citizens is equal or equal (*equality before the law*). Consumers' legal position is considered not inferior to that of producers. The development of consumer protection in Indonesia has occurred since 1970, and this is marked by the presence of the Indonesian Consumer Institute Foundation (YLKI). YLKI was established when the political conditions in Indonesia were still overshadowed by the campaign to use domestic products. Still, with time, the consumer protection movement in Indonesia was carried out by employing an official legal corridor, namely by assisting the community and consumers. During the BJ Habiebie administration, precisely on April 20, 1999, the Consumer Protection Law Bill was passed as the Consumer Protection Law. The implementation of the Consumer Protection Law in Indonesia aims to ensure the safeguarding of consumer rights. The consumer protection matter is then situated within the framework of a national legal system. Consumers and business entities must possess equitable rights in relation to one another. The role of consumers in legal relationships with business entities is articulated in the principle of *caveat emptor*, which reflects the notion of consumer prudence and suggests a balanced dynamic with business actors, hence negating the necessity for consumer protection. In accordance with the principle of *caveat emptor* in a sales transaction, the consumer has the responsibility to exercise caution; should the consumer purchase and utilize an inappropriate product, the culpability lies with the consumer. This aligns with the due care theory of 1999 pertaining to consumer protection, as referenced in the article.

3 of Law No. 8 of 1999 Consumer Protection aims to:

1. Increase consumer awareness, ability, and independence to protect themselves
2. Elevate the dignity and dignity of consumers by avoiding them from negative excesses in the use of goods and services
3. Increase consumer empowerment in choosing, determining, and demanding their rights as consumers
4. Creating a consumer protection system that contains elements of legal certainty and information disclosure as well as access to information
5. Fostering awareness of business actors about the importance of consumer protection so that an honest and responsible attitude in doing business grows
6. Improving the quality of goods or services that ensure the continuity of the business of producing goods or services, health, comfort, security, and safety of consumers.

Consumer Protection is a component of consumer law encompassing concepts or regulations that safeguard consumer interests. Consumer law encompasses the legal principles and regulations governing the interactions and issues between commercial entities and consumers. In the realm of legal protection, Satjipto Rahardjo posits that it safeguards human rights infringed upon by others, ensuring that the community can fully enjoy the rights conferred by law.¹³ Legal protection for consumers in Indonesia is regulated in Law Number 8 of 1999 concerning Consumer Protection (UUPK). The Consumer Protection Act was passed and promulgated on April 20, 1999. There are eight consumer rights outlined in Article 4 of the UUPK, namely:

1. The right to comfort, security, and safety in consuming goods and/or services
2. The right to choose goods and/or services and obtain those goods and services in accordance with the exchange rate and the conditions and guarantees promised
3. The right to accurate, clear, and truthful information regarding the condition and warranty of goods and services
4. The right to be heard and complaints about the goods and services used
5. The right to advocacy, protection, and efforts for the proper resolution of consumer protection disputes
6. The right to consumer coaching and education
7. The right to be treated or served correctly and honestly and non-discriminatory
8. The right to obtain dispensation, compensation, and reimbursement if the goods or services received are not under the agreement or as they should be.

Article 4 of UUPK letter 4 stipulates that customers are entitled to accurate and precise information regarding a product; every product presented to consumers must be accompanied by correct information. Consumers require information to avoid errors regarding the items and goods purchased from the brand. This information can be communicated through different means, including spoken marketing or printed on product packaging. All product information offered to consumers must be uniform and non-discriminatory. Incorporating raw material labels is essential and a consumer right that must be upheld to prevent potential customer harm.

CONCLUSION

1. Numerous snack products within the community, including Lembayun-based items, Raja Snack glass chips, Chocomary thin Chocolate Matcha, and Fruit Chips, lack essential information labels, such as composition, net weight, and expiration date, thereby infringing

upon consumers' rights.

2. Enhancing the realization of consumer rights is essential to ensuring security, access to product information, the ability to be heard, and the right to participate in decision-making by Government Officials, specifically BPOM and the City/Regency Health Office.

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