



LEGAL PROTECTION FOR CONSUMERS AGAINST THE PRESENCE OF HAZARDOUS CHEMICAL SUBSTANCE SODIUM DEHYDROACETATE IN FOOD PRODUCTS

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Abstrak This research aims to examine the legal protection and liability provided to consumers against the presence of hazardous chemical substances in food products. This study employs a normative legal research method with a prescriptive approach to formulate recommendations for addressing the identified legal issues. It utilizes both statutory and conceptual approaches. The research findings indicate that legal protection consists of two types: preventive and repressive. Preventive legal protection is carried out by the National Agency of Drug and Food Control (BPOM) as a government institution responsible for food safety supervision. Meanwhile, repressive legal protection grants consumers the right to file claims when they suffer losses, either through litigation or non-litigation mechanisms.

Keywords: Legal Protection, Consumers, Sodium Dehydroacetate.

INTRODUCTION

Consumers use goods or services available in society, whether for themselves, their families, others, or other living beings, but not for commercial resale. (Wahyu, 2016) Four fundamental principles regarding consumer rights are the right to safety, the right to be informed, the right to choose, and the right to be heard. (Celina, 2017) These principles are intended to benefit consumers, particularly their right to choose from various goods and services available in the market according to their needs. However, numerous potential risks may harm consumers' rights and interests, especially their right to choose appropriate products or services freely. Business actors often neglect

quality standards, fail to provide clear and adequate information, or even engage in fraudulent activities. This is particularly concerning in the food sector, where some business actors sell unfit or hazardous food products that may endanger consumer health and safety, resulting in harm or losses. (Celina, 2017)

Food safety is a crucial aspect to consider when consuming food, as every individual has the right to healthy and safe food. (Chandra, 2023) Before being distributed to the public, food products must comply with quality, appearance, and taste standards as regulated by the government to ensure that products available in the market are in accordance with the law and suitable for consumer consumption. The

circulation of food additives that do not meet regulatory requirements in the market violates consumers' rights as stipulated in Article 4 of Law Number 8 of 1999 concerning Consumer Protection (*Pasal 4 Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen*). This article outlines several consumer rights, including the right to comfort, security, and safety in consuming goods or services and the right to receive correct, transparent, and honest information regarding the condition and guarantees of goods and services. (Ali, 2023)

Acts committed by business actors, whether intentionally or due to negligence, that ignore consumers' comfort, safety, and security can have serious consequences. These actions may harm consumers, such as health problems caused by consuming products unfit for circulation. As the weaker party, consumers generally lack the independent capacity to determine the quality of goods or services. In contrast, business actors have more comprehensive knowledge regarding the condition, composition, and quality of the products they manufacture. This situation arises because consumer needs are virtually unlimited, leading some producers to prioritize marketing strategies over product quality and safety. As a result, consumers bear a greater risk than business actors, as their rights are more vulnerable to being violated. Given this disadvantaged position, consumers must be granted legal protection, as the law is designed to serve and protect the public interest. (Ali, 2023) Legal protection aims to provide safeguards for consumers, manifested in the form of justice and legal certainty. Article 2 of

Law Number 8 of 1999 concerning Consumer Protection (*Pasal 2 Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen*) states that consumer protection is based on the principles of benefit, justice, balance, safety and security, and legal certainty. Legal protection for consumers is essential because consumers possess universal rights and hold specific rights based on particular situations and conditions. The primary objective of consumer protection law is to enhance consumer dignity and awareness. Indirectly, such laws also serve as a driving force for producers to conduct their business activities with full responsibility. (Hulman, 2021) However, despite the existence of laws governing consumer protection, some producers still commit fraudulent practices in the course of their business operations.

The Roti and Chicken Noodle Association of Borneo (*Paguyuban Roti dan Mie Ayam Borneo Parimbo*) conducted a laboratory test on Roti Okko following reports regarding the circulation of bread products that remained fresh for an unusually long time without developing mold. Additionally, small and medium-scale bakery entrepreneurs from Sulawesi, Maluku, and Nusa Tenggara complained to Parimbo about distributing such long-lasting bread in various regions across Eastern Indonesia. As a response, Parimbo conducted laboratory testing on Roti Okko and found that it contained Sodium Dehydroacetate in the form of dehydroacetic acid at a concentration of 345 milligrams per kilogram. (Antara, 2024)

On July 2, 2024, the Indonesian Food and Drug Authority (BPOM)

inspected Roti Okko's production facility and found that the producer had failed to consistently and adequately implement the Good Processed Food Production Practices (CPPOB) as regulated by BPOM Regulation Number 22 of 2021 concerning Procedures for Issuance of Good Processed Food Production Practice Licenses (*Peraturan Badan Pengawas Obat dan Makanan (BPOM) Nomor 22 Tahun 2021 tentang Tata Cara Penerbitan Izin Penerapan Cara Produksi Pangan Olahan yang Baik*). This license is issued to ensure that food safety requirements are met. Following the inspection, BPOM conducted sampling and laboratory testing on the product. The tests revealed the presence of sodium dehydroacetate, a chemical substance not included in the list of permitted food additives according to BPOM Regulation 11 of 2019 on Food Additives (*Peraturan BPOM Nomor 11 Tahun 2019 mengenai Tambahan Pangan*). Moreover, when the product was initially registered with BPOM in October 2023, no sodium dehydroacetate was found in its composition. Therefore, on July 24, 2024, BPOM ordered the withdrawal of the Okko brand bread from the market due to discrepancies between the registered composition and the ingredients found in the distributed product.

Professor Zullies Ikawati, a Professor at the Faculty of Pharmacy, Gadjah Mada University, Yogyakarta, explained that Sodium Dehydroacetate is the sodium salt of dehydroacetic acid, an organic compound used as a preservative in the food and cosmetic industries. Sodium Dehydroacetate functions by

inhibiting the growth of bacteria, fungi, and yeast, thereby extending the shelf life of products. However, Professor Zullies emphasized that this compound is not classified as a permitted preservative in Indonesia, according to BPOM Regulation 11 of 2019 concerning food additives (*Peraturan BPOM Nomor 11 Tahun 2019 mengenai Bahan Tambahan Pangan*). (Benedikta, 2024) Adverse effects of consuming Sodium Dehydroacetate may include allergic reactions, such as skin rashes, itching, and shortness of breath. Furthermore, excessive intake may lead to digestive disorders and may have toxic effects on the liver and kidneys. Such risks undoubtedly pose a serious threat to consumer safety and health. (Christovel, 2024)

Therefore, based on the aforementioned background, the author intends to examine further the legal protection, both preventive and repressive, for consumers against the harmful chemical content of sodium dehydroacetate in food products as regulated in the Consumer Protection Law. This study aims to realize consumer protection to ensure that the public receives safety and health guarantees in food products.

MAIN PROBLEM

Based on this background, the present study aims to examine the issue of legal protection for consumers against the hazardous chemical content of Sodium Dehydroacetate in food products. This research discusses preventive legal protection implemented by the National Agency of Drug and Food Control (BPOM) through pre-market and post-market supervision of food products, as well as repressive legal

protection concerning the legal remedies available to consumers through district courts and the Consumer Dispute Settlement Agency (BPSK).

METHOD OF RESEARCH

This research employs normative legal research. This type of research adopts a prescriptive approach to provide recommendations on addressing specific legal issues. The methodological approach used in this study includes the Statutory Approach and the Conceptual Approach. The primary legal data sources consist of laws and regulations such as the Indonesian Civil Code (*Burgerlijk Wetboek*), Law No. 8 of 1999 on Consumer Protection, Presidential Regulation No. 80 of 2017 on the National Agency of Drug and Food Control (BPOM), Presidential Decree No. 103 of 2001 on the Position, Duties, Functions, Authorities, Organizational Structure, and Working Procedures of Non-Ministerial Government Institutions, Supreme Court Regulation No. 1 of 2006 on Procedures for Filing Objections Against Decisions of the Consumer Dispute Settlement Agency (BPSK), BPOM Regulation No. 11 of 2019 on Food Additives, BPOM Regulation No. 22 of 2021 on Procedures for Issuing Licenses for the Implementation of Good Processed Food Production Methods, and BPOM Regulation No. 23 of 2023 on Processed Food Registration. Secondary legal materials include legal books, legal journals, scholarly writings, and interviews with representatives from the Surabaya Regional Office of the National Agency of Drug and Food Control to

strengthen (BPOM) the findings of this research.

RESEARCH RESULT AND DISCUSSION

1. Preventive Legal Protection Provided to Consumers Against Harmful Chemical Substances in Food Products

According to Shidarta, preventive legal protection refers to protection provided by the government to prevent violations before they occur. This is established within statutory regulations with the intent to prevent potential breaches and to provide guidelines or limitations in the fulfillment of certain obligations. (Chandra, 2023) The government is crucial in providing legal protection, including consumer protection. Article 29 Paragraph 1 of the Consumer Protection Law states (*Pasal 29 Ayat 1 Undang-Undang Perlindungan Konsumen*), "The government is responsible for fostering the implementation of consumer protection to ensure the realization of the rights of consumers and business actors, as well as the fulfillment of their respective obligations." Consumer protection is an obligation that the state must fulfil, as it aims to prevent the public from using products that may pose risks to health, safety, or other factors. Thus, consumers can feel safe when using such products. A product must comply with quality standards, warranties, and labelling claims. (Aries, 2023) In 2001, the government issued Presidential Decree Number 103 2001 concerning the Status, Duties, Functions, Authorities, Organizational Structure, and Work Procedures of Non-Departmental Government Institutions. According to

Article 1, the Food and Drug Supervisory Agency (BPOM) reports directly to the President as a government agency responsible for regulatory oversight. Based on Article 67 of the same regulation, BPOM oversees the safety, quality, and nutritional value of food products distributed in the market per prevailing legal provisions. (Syifa, 2024) BPOM conducts sampling tests on products circulating in the community to ensure consumer protection and uphold consumers' rights to safety, comfort, and security in consumption. (Tri, 2020) This aligns with Article 2 of Law Number 8 of 1999 concerning Consumer Protection, which emphasizes consumer safety and security as one of the fundamental principles of consumer protection. The supervisory system implemented by BPOM encompasses seven categories: regulation, standardization, registration, inspection, sampling, public warning, and consumer services. (Ferry dan Dyah, 2019) Based on the provisions of Article 4 of Presidential Regulation Number 80 of 2017 concerning the National Agency of Drug and Food Control (BPOM), BPOM holds several key authorities, including:

1. Issuing distribution permits and product certifications that comply with established standards of quality, safety, and efficacy, as well as conducting testing procedures for drugs and food products by applicable regulations;
2. Fulfilling legal obligations by gathering and investigating intelligence information related to the supervision of drugs and food products;

3. Imposing administrative sanctions by the prevailing legal provisions. (Dava, 2024)

A processed food product is generally considered safe if it has obtained a distribution permit certification from the National Agency of Drug and Food Control (BPOM). BPOM is a government-affiliated institution responsible for protecting the public through regulatory oversight. BPOM's regulatory system is implemented by Article 3 point (d) of Presidential Regulation No. 80 of 2017 concerning the National Agency of Drug and Food Control, which stipulates "the implementation of pre-market and post-market supervision." BPOM supervises the distribution of food and drug products, both pre-market and post-market. This oversight aims to reduce the circulation of products that do not comply with applicable licensing standards and to ensure that the quality of distributed processed food products is guaranteed and able to compete fairly in the market. (Desak, 2017)

1.1 Pre-Market Supervision Conducted by the National Agency of Drug and Food Control (BPOM)

Pre-market product supervision refers to the activities carried out by the National Agency of Drug and Food Control (BPOM) before a product is distributed in the market. These activities include fulfilling distribution permit requirements through evaluating supporting data, laboratory testing, and certification of production facilities based on Good Manufacturing Practices (GMP). Testing is

conducted to determine whether a product meets the necessary criteria for approval. A distribution permit number will be issued if the product meets the standards of quality, efficacy, and benefit. (Syifa, 2024) Article 3, point (2) of Presidential Regulation No. 80 of 2017 states (Pasal 3 Peraturan Presiden Nomor 80 Tahun 2017 angka 2) that "Pre-market supervision is carried out as a preventive measure to ensure that the circulated drugs and food products meet established standards and requirements for safety, efficacy or benefits, and product quality before being accepted by consumers." Pre-market supervision includes screening raw materials and product formulas, verifying product permits per applicable regulations, inspecting labelling, and examining production facilities. (Diana, 2025) These procedures ensure that the product complies with quality standards and is safe for public consumption.

1.2 Post-Market Supervision Conducted by the National Agency of Drug and Food Control (BPOM)

Post-market supervision refers to monitoring activities conducted after a product has obtained a registration number or distribution permit issued by BPOM, such as laboratory testing, oversight of promotional and advertising materials, and inspections of production and distribution facilities. (Dava, 2024) Article 3 of Presidential Regulation Number 80 of 2017,

point 3, states, "Post-market supervision is conducted to monitor and ensure the quality and safety of products being traded in the market. In the event of a violation in the circulation process of drugs and food, BPOM may act according to applicable laws and regulations." If violations are discovered during post-market supervision, business operators may face administrative sanctions, including written warnings, product recalls, product destruction, temporary suspension of production, revocation of the Good Processed Food Production Practice (CPPOB) certificate, cancellation or revocation of distribution permits, and criminal penalties. (Herni, 2025)

The Indonesian National Agency of Drug and Food Control (BPOM) found that a bread product produced by Abadi Rasa Food, Roti Okko, contained sodium dehydroacetate. BPOM conducted product sampling and laboratory testing, which revealed the presence of sodium dehydrogenate a chemical compound not listed in the product composition during its registration process. This substance is not included among the permitted food additives under BPOM Regulation 11 of 2019 concerning Food Additives (Peraturan BPOM Nomor 11 Tahun 2019 mengenai Tambahan Pangan.). The discovery originated from public complaints, particularly from the Borneo Bread and Chicken Noodle Association (Parimbo), which conducted laboratory testing on

Roti Okko following reports of the product's unusually long shelf life and absence of mould. Additionally, small- and medium-scale bread producers in Sulawesi, Maluku, and Nusa Tenggara submitted similar complaints to Parimbo regarding the distribution of long-lasting bread products in various regions of Eastern Indonesia. Parimbo's laboratory test confirmed the presence of sodium dehydroacetate in the form of dehydroacetic acid at a concentration of 345 milligrams per kilogram. (Antara, 2024) It is important to note that *Roti Okko* had already obtained a distribution permit, indicating that the hazardous substance was not included in the composition during the product's registration. Therefore, the product was declared safe during BPOM's Pre-Market supervision process.

When *Roti Okko* was distributed to the public, the producer failed to consistently and adequately apply the Good Manufacturing Practices (GMP) as regulated by the Indonesian National Agency of Drug and Food Control (BPOM) in Regulation Number 22 of 2021 concerning the Procedures for Issuing a Good Manufacturing Practices (GMP) Certificate. This negligence is unfortunate as it can cause harm to the public. In this case, the consumer's right to comfort, safety, and security when consuming food products was not fulfilled. Therefore, the applicable regulations must enforce strict and comprehensive supervision, including both Pre-Market and

Post-Market supervision. Furthermore, public involvement is crucial in monitoring the distribution of food products already circulating in Indonesia to prevent further cases of hazardous food that may endanger society as consumers.

This preventive protection reflects the efforts made by government agencies through the National Agency of Drug and Food Control (BPOM), which is responsible for monitoring the circulation of drugs and food. Suppose violations are found in the circulation process of drugs and food by Article 61, Paragraph 2 of BPOM Regulation Number 23 of 2023 regarding Processed Food Registration. In that case, business operators may face administrative sanctions, including the suspension of the registration process, cancellation of the processed food circulation permit, revocation of the circulation permit, and a ban on registration for three (3) years. (Dava, 2024)

The government provides preventive legal protection to prevent violations before they occur. This form of preventive protection is stated in the Consumer Protection Law, which aims to provide justice and legal certainty regarding products and/or services distributed or produced by producers, benefiting consumers. (Ni Kadek, 2020)

1.3 Legal Protection in the Form of Repressive Measures Given to Consumers Against the Harmful Content of Sodium Dehydroacetate in Food Products

Philipus M. Hadjon stated that repressive protection is a form of legal protection to resolve disputes (mitigation). Two institutions have the authority to implement repressive legal protection: the General Court and the Administrative Court. (Dava, 2024) Efforts such as enforcing administrative sanctions, confiscation, and criminal sanctions are means of repressive legal protection. Additionally, repressive legal protection can also take the form of producers' accountability to provide compensation for the losses suffered by consumers. (Saputra, 2023) An example of this is the case involving the producer of Roti Okko, who failed to meet the quality standards for food products in circulation. The producer did not consistently and correctly implement the Good Manufacturing Practices (GMP) as regulated in the Food and Drug Supervisory Agency (BPOM) Regulation No. 22 of 2021 on the Procedures for Issuance of Good Manufacturing Practices Certification (Peraturan Badan Pengawas Obat dan Makanan (BPOM) Nomor 22 Tahun 2021 tentang Tata Cara Penerbitan Izin Penerapan Cara Produksi Pangan Olahan yang Baik.) As a result, an additional chemical substance, sodium dehydroacetate, was found in the product, which did not match the composition registered during the product's registration process. Sodium dehydroacetate is not included in the list of approved food additives as per BPOM Regulation No. 11 of 2019 concerning Food Additives

(Peraturan BPOM Nomor 11 Tahun 2019 mengenai Tambahan Pangan.). (Antara, 2024) Consuming sodium dehydroacetate can cause allergic reactions, including skin rashes, itching, and even shortness of breath. Furthermore, when consumed in high quantities, sodium dehydroacetate can lead to digestive disorders and toxic effects on the liver and kidneys. (Christovel, 2024) These effects certainly pose significant risks to consumer safety and health.

One of the consumer rights violated by the producer in the above case is stated in Article 4 Letter A of the Consumer Protection Law (UUPK), which states: "the right to comfort, safety, and protection while consuming goods and/or services." Regarding the harmful substances found in food products, it is clear that the consumer did not receive these rights. This repressive legal protection provides the right for the consumers of Roti Okko, who have suffered losses, to file a lawsuit through two approaches, litigation and non-litigation, so that their rights as consumers can be fulfilled by Article 45 of Law No. 8 of 1999.

2.1 Legal Efforts in Consumer Dispute Resolution through Court

Dispute resolution through the court system, or litigation, refers to resolving conflicts through formal judicial proceedings. The term "litigation" comes from the English word "legal action" or "court proceedings." The court's role is to examine and decide on a dispute.

Therefore, if a party feels that their rights have been violated and this has resulted in harm, they can file a lawsuit in court to seek a resolution by applicable laws and regulations. (Hulman, 2021)

Consumer dispute resolution through the courts is regulated in Article 48 of Law Number 8 of 1999 (Pasal 48 Undang-Undang Nomor 8 Tahun 1999): "Consumer disputes through the courts are governed by the provisions of the applicable general courts, with due consideration to the provisions in Article 45." Based on this Consumer Protection Law (UUPK), the resolution of disputes through the court follows the general court regulations, so the procedural law used is based on *Herziene Inlands Regeling (HIR)* and *rechtsreglement Buitengewesten (RBg)*. (Aulia, 2021) However, consumer disputes have specificities in the general court resolution process. Specific regulations regarding relative competence differ from and deviate from the general principles outlined in civil procedural law (HIR/RBG). The relative competence in civil procedural law is regulated in Article 118 paragraph (1) of HIR/Article 142 paragraph (1) of RBg, which states that a lawsuit is filed in the District Court within the jurisdiction of the defendant's domicile. Therefore, under this regulation, the District Court, which has jurisdiction to examine and decide a civil dispute, is within the jurisdiction of the defendant's residence. This principle is known as *actor sequitur forum rei*. In contrast, for consumer disputes,

Article 23 of Law Number 8 of 1999 states (Pasal 23 Undang-Undang Nomor 8 Tahun 1999) "Business actors who refuse and/or do not respond and/or fail to provide compensation for consumer claims as referred to in Article 19 paragraph (1), paragraph (2), paragraph (3), and paragraph (4), may be sued through a consumer dispute resolution agency or brought before the judiciary in the consumer's place of domicile."

The consumer submits a lawsuit to the District Court, either orally or in writing, by making an administrative payment. In the lawsuit, the consumer, as the plaintiff, outlines the claims known as *fundamentum petendi*. This consists of two parts: First, the section that explains the events or occurrences. This explanation details the circumstances of the case, providing a factual description of the situation. Second, the section that explains the law. This involves outlining the legal rights or relationships that serve as the juridical basis for the claim. Thus, the consumer, as the plaintiff, must clearly explain the legal relationship between the business actor and the consumer and the events leading to the consumer's loss. Two occurrences can be the basis for a consumer's claim: *wanprestasi* (breach of contract) and *perbuatan melanggar hukum* (illegal act or tort).

After the lawsuit is filed, the next stage involves examining and proof of the legal events that caused the loss. According to Article 1865 of the Civil Code

(KUHPerdata), the party making the accusation must be able to prove the alleged fault. Therefore, the plaintiff bears the responsibility to prove the defendant's fault. However, in Consumer Protection Law, Article 28 of the Consumer Protection Act (UUPK) states that "The burden of proof regarding the presence or absence of fault in a compensation claim, as referred to in Articles 19, 22, and 23, lies with the business actor." This means that the responsibility to prove the fault in consumer-related claims rests with the business entity, not the consumer.

2.2 Out-of-Court Consumer Dispute Resolution Legal Efforts

Out-of-court dispute resolution, also called non-litigation, is a method of resolving disputes outside of the judicial system, prioritizing the reconciliation process. ((Hulman, 2021) Article 47 of the Consumer Protection Law (UUPK) states that: "Consumer dispute resolution outside the court is organized to reach an agreement on the form and amount of compensation and/or specific actions to ensure that the loss suffered by the consumer will not recur or be repeated." This method emphasizes resolving disputes amicably without resorting to formal legal proceedings.

Consumer dispute resolution outside the court can be categorized into two types: dispute resolution through peaceful means conducted by the parties involved or dispute resolution through the Consumer Dispute Settlement Agency (BPSK). Efforts to resolve

consumer disputes outside the court (non-litigation) between consumers and business actors can be carried out at BPSK using mediation, conciliation, and/or arbitration methods. The selection of these three dispute resolution methods is based on the parties' agreement and consent, namely the business actors and consumers. Furthermore, if the parties have chosen out-of-court dispute resolution and fail to reach an agreement, they can submit the dispute to the court for further settlement. (Eli, 2015)

Consumer dispute resolution outside the court can be categorized into two types as follows:

A. Consumer dispute resolution through direct compensation

One of the alternative methods for consumer dispute resolution through non-litigation channels is via negotiations between the business actor and the consumer to reach an agreement. Based on Article 45, paragraph 2 of the Consumer Protection Law (UUPK), which states, "Consumer disputes can be resolved through court or outside of court based on the voluntary choice of the parties in dispute," it is clear that, by this article, a peaceful settlement between the disputing parties is a viable option. Resolving disputes amicably at every stage is always prioritized. The term "amicable settlement" refers to a resolution reached by both parties in the dispute without

going through the court or the Consumer Dispute Settlement Agency (BPSK) and in compliance with the provisions of the law.

The explanation of Article 45, paragraph 2 of the Consumer Protection Law (UUPK) provides an opportunity for consumers to negotiate with business actors directly, allowing ongoing consumer disputes to be resolved peacefully between the parties. Based on this explanation, a consumer can contact the business actor directly to request compensation for any losses incurred from a product, whether goods or services. The compensation could include a refund, product replacement, health care, or compensation for the condition suffered by the consumer. (Aulia, 2021)

B. Consumer Dispute Settlement through BPSK

The government establishes the Consumer Dispute Settlement Agency (BPSK) to handle consumer complaints. By Article 52 of the Consumer Protection Act (UUPK), one of the primary duties of BPSK is to manage and resolve consumer disputes through mediation, arbitration, or conciliation, as outlined below:

Dispute Resolution Through Mediation

The dispute resolution process through mediation is a method of resolving conflicts involving a third party. This

third party, or mediator, functions to offer solutions to both parties involved in the dispute, aiming to help them resolve the consumer-related conflict. The mediator's role is strictly limited to acting as a neutral facilitator, assisting the parties in finding a mutually acceptable dispute resolution. Therefore, the outcome of the mediation depends entirely on the agreement reached by the parties. If the parties fail to resolve through mediation, the dispute may be resolved through another method based on mutual agreement. (Auliah, 2021)

Dispute Resolution Through Arbitration

The arbitration dispute resolution process is an effort to settle disputes based on the parties' agreement, in which the ongoing consumer dispute is resolved with the assistance of a third party selected by the disputing parties. The parties involved agree to abide by and accept the decision made through this process. (Eli, 2025) However, under the Consumer Protection Law (UUPK), if either party objects to the arbitration decision, they may file an objection with the District Court within 14 days. Furthermore, suppose the party remains dissatisfied with the District Court's decision. In that case, they may pursue a legal remedy by filing a cassation appeal with the Supreme Court of the Republic of Indonesia within another 14 days. (Yessy, 2022)

Dispute Resolution Through Conciliation

The conciliation dispute resolution process is an out-of-court settlement involving a third party or individual to assist in resolving the dispute. The third party, known as the conciliator, plays a passive role in the resolution process, meaning that the conciliator does not decide for the parties. Instead, they facilitate and support the disputing parties in reaching a mutual agreement. If the conciliation process results in an agreement between the parties, the agreement is documented in writing and signed jointly by the disputing parties. This written agreement must then be registered with the District Court. The outcome of the conciliation is final and binding on both parties. (Celina, 2017)

Repressive legal protection provides consumers with safeguards in resolving violations that have already occurred. Consumers have two legal avenues to claim their rights: litigation, by filing a lawsuit in the District Court, and non-litigation, by submitting a complaint to the Consumer Dispute Settlement Agency (BPSK) through conciliation, mediation, or arbitration. Consumer dispute resolution through conciliation and mediation involves reaching a mutual agreement documented in a written contract, which is then signed by the parties involved and formalized in a written agreement. This agreement is reinforced in the form of a BPSK decision. Meanwhile, in arbitration, the resolution may result

in a settlement, a dismissal of the claim, or a favourable ruling for the complainant. (Irvan, 2019) The decision of the Consumer Dispute Settlement Agency (BPSK) is final and binding as stipulated in Article 54 paragraph (3) of the Consumer Protection Law (UUPK). However, based on Article 56 paragraph (2) of the UUPK, objections to BPSK's decisions can be submitted to the District Court. Following the issuance of the Supreme Court Regulation of the Republic of Indonesia Number 1 of 2006, Article 2 stipulates that objections may only be filed against BPSK decisions related to arbitration. Therefore, BPSK decisions resulting from arbitration are not considered final and binding. In contrast, decisions made through conciliation and mediation are final and binding, meaning they cannot be contested in the District Court. Regardless of the method mediation, conciliation, or arbitration all BPSK decisions must obtain an execution order from the District Court in the consumer's domicile. (Sri, 2023)

CONCLUSION

legal protection and repressive legal protection. Preventive legal protection is carried out by the National Agency of Drug and Food Control (BPOM) as the governmental body responsible for supervision. BPOM conducts both pre-market and post-market surveillance. Pre-market supervision includes product inspection before circulation, licensing review, label verification, and assessment of production facilities. Meanwhile, post-market supervision is conducted after the Legal protection granted to consumers against hazardous chemical

substances contained in food is categorized into two types: preventive product has obtained a registration number or distribution permit issued by BPOM. This includes laboratory testing, monitoring promotional and advertising activities, and inspecting production and distribution facilities.

Repressive legal protection grants consumers who suffer losses the right to file claims through litigation and non-litigation. Litigation is carried out through the courts responsible for examining and adjudicating disputes. There are two legal grounds on which consumers may base their claims: breach of contract and unlawful acts (tort). On the other hand, non-litigation dispute resolution is conducted outside the court system, prioritizing amicable settlement processes. There are two methods of non-litigation resolution: first, direct compensation settlements through deliberation between the business actor and the consumer to reach a mutual agreement; and dispute resolution through the Consumer Dispute Settlement Agency (BPSK). According to Article 52, paragraph 1, consumer dispute resolution through BPSK is conducted using mediation, conciliation, and arbitration.

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