

ABSTRACT

Viorien Priscilia Pratama (01051210062)

LEGAL PROTECTION FOR FOOD CONTAINING DANGEROUS SUBSTANCES IN THE FORM OF FORMALIN IN ACCORDANCE WITH APPLICABLE LAWS AND REGULATIONS

(xiii + 113)

The purpose of establishing laws is to achieve public welfare, one of the elements of which is through the fulfillment of basic needs, such as safe and quality food. Although the use of formalin has been prohibited as a food additive, in reality there are still many business actors who use formalin to gain profit and make their food products last longer, as happened in the Cibinong District Court Decision Number: 479 / Pid.Sus / 2021 / PN.Cbi., Boyolali District Court Decision Number: 170 / Pid.Sus / 2020 / PN.Byl., and Cikarang District Court Decision Number: 533 / Pid.Sus / 2023 / PN.Ckr. Therefore, the problems that will be discussed by the researcher are related to the implementation of positive law in providing legal protection for consumers and government efforts in supervising and enforcing the law on the circulation of food needs. The purpose of this study is to find laws on problems in supervision and law enforcement and to solve the problem of the circulation of food that threatens consumer health. By using the normative-empirical research type, the researcher collected data by conducting a literature study and interviewing Fahmi Reza, S.H. as the Head of the Legal Advocacy Team of the BPOM Legal and Organization Bureau. The data were analyzed by the researcher using a systematic legal approach, a legal case approach, and a legal synchronization approach. The results of the study showed that the three court decisions used the Food Law as the legal basis for prosecution and the judge's consideration, which was appropriate. However, when viewed from the UUPK, in fact business actors have the responsibility to provide compensation to consumers who consume food containing formalin and this cannot be realized, because of the difficulty of proving the losses experienced by consumers. The ease of access for food business actors to buy formalin is also a problem. Therefore, it is necessary to review the applicable regulations in providing a deterrent effect on business actors and build cooperation between BPOM officers, the Police, and the Health Service in improving supervision of food circulation and the Minister of Trade who supervises the circulation of formalin, as well as the community actively participating by attending socialization organized by the government regarding food safety and the dangers of using formalin and the community's activeness in filing reports if there is suspicion of business actors suspected of using formalin.

Keywords: Food Safety, Formalin, Consumer Protection

References: 88 (1987-2024)