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Placing Information Labels on Frozen Food Product Packaging: Legal Protection for Consumer Health Rights

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Abstract

In Indonesia, producers of ready-to-cook, processed or frozen food, do not comply with legal provisions, which can lead to health risks. This study aimed to discuss the regulations that protect consumers' health rights when it comes to frozen food products, particularly that do not have information labels on their packaging. The research used normative juridical law methods, where laws and regulations were examined starting from legal principles and their application in society. The study obtained data through primary legal sources such as applicable laws and regulations in Indonesia. A qualitative approach was used to analyze the findings. The study found that the legal protection of consumer health rights was based on principles that provided direction and implementation at the level of practice. These principles included benefits, fairness, balance, consumer security and safety, and legal certainty. The study concludes that legal protection of consumer health rights, including the inclusion of information labels on frozen food product packaging, should be regulated vide applicable laws and regulations in Indonesia. The law enforcement needs to be firm in imposing strict sanctions on producers who do not include information labels on their packaging, to provide legal certainty and ensure consumer safety.

Keywords: frozen food, label information, Health rights, Consumer

1. Introduction

The goods and services industry continuously strive to innovate and customize the goods and services according to the needs and demands of the consumers. One of the positive impacts of this proactive measure is that there is the availability of goods and services at all times. If the quality of goods and services is also good, consumer choices become more diverse and consistent. However, growth and development in the goods and services industry can have both positive and negative impacts (Yusandy, 2018). One of the negative impacts of business competition is the adoption of unethical practices by some business actors to lure consumers. This is especially prevalent in Indonesia where consumer protection laws are weak and producers have stronger

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bargaining power. Therefore, consumer advocacy and protection is always an important issue that needs to be addressed. The development of science and technology has increased the efficiency and productivity of producers, but it has also created the need for stronger consumer protection measures to ensure that business targets are achieved without compromising consumer rights (Yusandy, 2018).

Frozen food is becoming increasingly popular among people in Indonesia when it comes to shopping for daily food needs. Not only are frozen food products widely available in supermarkets and traditional markets, but they are also traded online. The convenience of purchasing frozen food products online has made it accessible to anyone due to technological advancements that streamline the buying and selling process. The existence of frozen food can be both beneficial and detrimental to one's health. While it makes consuming food easier for consumers, it can also pose health risks. Frozen food, also known as ready-to-cook processed food, is a result of food preservation methods that involve lowering the temperature to freezing. The primary objective of this preservation technique is to slow down the spoilage process. According to Article 1, number 19 of Law Number 18 of 2012 concerning Food, processed food refers to food or beverages that have undergone certain methods of processing, with or without the use of additives (Nasution, 2020). The safety of a frozen food product is assessed from the appearance of the packaging which includes the distribution permit and nutritional content labels in the packaging, allergen information, and everything that can provide an overview of the product. Not many manufacturers of frozen food products ignore this, considering that there are still many producers who use incorrect methods in marketing their products, especially frozen food products among the public. In fact, in the community, many frozen food products circulate that do not include information labels on frozen food product packaging. BPOM Bandar Lampung (Sri, 2022) found 45 food items without a distribution permit (TIE), the largest product found without a distribution permit is generally frozen food. In food monitoring activities ahead of Christmas and New Year 2023, it was found that frozen food was not in the Bandar Lampung area, South Lampung and also in other districts. The Indonesian Central Bureau of Statistics also noted that during the pandemic, 64 percent of Indonesians preferred to buy MSME products through e-commerce. The most purchased products online during the pandemic were 55 percent of foods such as frozen food or ready to cook food and 53 percent of drinks (Widyaningrum, 2021).

The circulation of processed frozen food products without labels on the packaging was found in the city of Solo, where 140 packs of frozen food products did not include the packaging labels that could provide the necessary information to the consumers. Anom Yuliansyah, the Head of Pharmacy, Food, Beverage, and Health Supplies DKK Solo, detailed the findings of the joint team in this hearing. On the first visit to the frozen food distributor shop of Jl. Veteran, around intersection four Gemblegan, the joint team found 49 packets of frozen food without labels and 8 packets of frozen food without distribution permits. Meanwhile, at the frozen food distributor store on Jl. Yos Sudarso, the joint team found 140 packets without labels (Suharsih, 2016).

Based on the situation that occurred, there was a debate in the community about how consumers' health rights can be legally protected against the circulation of processed frozen food products that do not include information labels on product packaging.

2. Literature Review

- *Consumer legal protection*

The term 'consumer' comes from *consument / consumert* (Dutch), literally meaning that everyone uses goods (Echols & Sadily, 1986). The English-Indonesian Dictionary finds different dimensions of the word consumer: a consumer is any person who gets a good or service used for a specific purpose; an intermediate consumer, as any person who obtains goods and/services to be used for the purpose of making other goods/services or for trade (commercial purposes); and an end consumer, i.e. any natural person who obtains and uses goods and/or services for the purpose of meeting his personal, family and/or household needs and not for re-trade (non-commercial) (Nasution, 2002).

Consumer protection is actually identical to the protection provided by the law on consumer rights. With the desire to provide protection for the interests of consumers, those interests that are formulated in the form of rights. According to John F. Kennedy, consumers get their rights that can be protected by law, namely the right to safety; the right to choose; the right to informed; and the right to be heard (Sidobalok, 2014). These four fundamental rights are internationally recognized. In its development, the consumer organizations like *The International Organization of Consumer Union* (IOCU) added a few more rights, such as the right to get consumer education, the right to get compensation, and the right to get a good and healthy living environment. (Tri Kristiyanti, 2011). These rights are inherent rights for anyone who is a consumer, as well as a subject of law. Consumers as subjects of law, interests and safety must be protected juridically, but must also be monitored by the government. In this case, producers, dealers and sellers must have a conscience not to harm consumers. This is very important to note, because if consumers are harmed, then producers and coatings and sellers must also be responsible.

According to Hans W. Micklits, a consumer law expert from Germany, there must first be a common perception of consumers who will get protection. Broadly speaking, two types of consumers can be distinguished, namely: the informed consumers and the uninformed consumers. (Tri Kristiyanti, 2011). The characteristics of informed consumers as the first type are: having a certain level of education; having sufficient economic resources, so that they can play a role in the market economy, and having fluent communication. By having potential, this type of consumer is able to be responsible and relatively does not require protection. The characteristics of uninformed consumers as the second type have characteristics, such as lack of education; belonging to the lower middleclass category; and not having smooth communication. This type of consumer needs to be protected and in particular it is the responsibility of the State to provide protection.

In addition to the characteristics of consumers who are not informed due to special matters, such as groups of children, parents and foreigners (who cannot communicate in the local language) can also be included as types of consumers that must be protected by the state. This information should be provided equally to all consumers (non-discriminatory). In trading that relies heavily on information, access to closed information, for example in the practice of insider trading on the stock exchange, is considered a serious form of crime.

- *Labeling Arrangements on Product Packaging in Indonesia*

A label is a part of a product that carries verbal information about the product or its seller (Angipora, 2002). Labels are part of a product that convey information about the product and seller. A regular label is part of the packaging, or it can be an etiquette (identification mark) attached to the product. While Kotler states that a label is a simple display on a product or an intricately designed image that is one unit with the packaging. Labels can only include brand or information (Kotler, 2000). Labels thus have a function to provide true, clear and complete information about the quantity, content, quality and other things needed to trade the goods (Marinus, 2002). With the label, consumers can obtain this true, clear and good information about the quantity, content, quality of goods / services in order make choices before buying or consuming goods and services.

A label can be a simple hanger affixed to a product or an intricately planned image that becomes part of the packaging. Labels can carry a brand name alone, or a large amount of information. Even if the seller chooses a simple label, the law requires more (Kotler, 2008). The legal basis of laws and regulations on food labeling is Food Law No. 7 of 1996 Chapter IV articles 30-35, Government Regulation no. 69 of 1999 concerning Food Labels and Advertisements, Decree of the Head of the POM RI no. HK 00.05.52.43.21 dated December 4, 2003 concerning General Guidelines for Food Product Labeling. In addition, the Consumer Protection Law Chapter III article 4 also states that consumers have the right to true, clear, and honest information about the condition of goods and services. Article 7 also states that the obligations of business actors include providing true, clear and honest information about the condition of goods.

Article 8 states that business actors are prohibited from producing goods that are not in accordance with the promise on the label, or do not include the expiration date, or do not follow the provisions of halal production as in the label, or do not put labels / make explanations of goods containing the name of the goods, net weight, composition, rules of use, date of manufacture, side effects, name and address of the manufacturer. All the obligations of food labeling for food producers have been explained in Government Regulation No. 69 of 1999 Chapter II of the first part of article 2 paragraph 1. The article states that everyone who produces or puts packaged food into the territory of Indonesia for trade must put a label on, inside, and/or on the food packaging.

Labels on food packaging have a function to ensure the health and safety of consumers and create fair food trade (Codex 1985). Food label is information about food in the form of writing, pictures, or a combination of both that are included in food, inserted in, pasted, printed or are part of the packaging (PP Number 69 of 1999 concerning Food Labels and Advertisements). According to Wijaya (1997), labels are writing, tags, images, or other descriptions written, printed, stenciled, engraved, decorated, or imprinted in any way so as to give the impression of being attached to the packaging or container. Food labels are an important part of the food trade. The responsibility regarding food labeling involves several parties, including consumers, producers, and the government as a regulatory body that regulates labeling procedures. According to Blanchfield the majority of consumers do not have special demands on food labels, but consumers expect food labels to provide information that consumers consider in choosing products (Blanchfield, 2000).

3. Methodology

This research used the normative juridical method, which is an approach carried out based on the main legal material, by examining theories, concepts, legal principles and laws and regulations related to this research. Law is laid down as a building system of norms. The norm system in question is about principles, norms, rules of laws and regulations, agreements and doctrines (teachings). This normative research is a study based on legal systematics, namely research whose main purpose was to identify the notions or bases in law (Sunggono, 2016). . This method particularly suited this study as any legal research pursuing normative questions needs a normative framework.

The data was collected from both primary and secondary sources, guided by a broad rubric of normative questions related to frozen food, ethics and health rights. The primary sources comprised the Laws and regulations directly or indirectly related to food and health, while the secondary sources consulted prescriptive texts, books, research studies and legal texts. The data obtained was analyzed through a qualitative analysis approach (Waluyo, 1996). This required observing the data and connecting the data with the provisions and legal principles related to the problem under study with inductive logic, in order to obtain the truth. This is required since normative research is about setting expectations for interaction. It must concentrate on making feasible or desirable ways to behave visible as well as describing causal relations between acts or deeds.

4. Results

- *Legal Protection of Consumer Health Rights*

The right of every individual to live healthily, both physically, mentally, and socially, is a basic principle underlying human rights. Every individual has the right to live a life of good health. Law of the Republic of Indonesia Number 17 of 2023 concerning Health Article 4 paragraph (1) letter (a) states that everyone has the right: to live a healthy life physically, mentally, and socially. Health is an important capital in living a meaningful, productive, and resilient life. Living physically healthy includes adequate access to medical care, disease prevention, and good nutrition. Meanwhile, mental health includes mental and emotional well-being, with the right support when needed. Social health includes positive social interaction, equity, and support from the social environment.

In realizing this right, it is important for communities and governments to work together in creating an environment that supports the holistic health of individuals, so that everyone can pursue their maximum potential in healthy and sustainable living. In an effort to safeguard the well-being of individuals, it is very important to ensure that they get adequate protection from various health risks that may arise. According to Kasidi, a risk is a possibility of events that overlap from what is expected (Kasidi, 2014). National Examination Board in Occupational Safety and Health (NEBOSH) calls risk as the likelihood that a hazard will cause harm in combination with the severity of the injury, damage or loss that may occur. (Hughes & Ferrett, 2016).

Legal protection is to provide protection to the human rights of those harmed by others and such protection is given to society so that they can enjoy all the rights provided by law (Rahardjo, 2014). Legal protection is the protection of dignity, as well

as recognition of human rights possessed by legal subjects based on legal provisions from arbitrariness or as a collection of regulations or rules that will be able to protect one thing from other things (Hadjon, 1987). Protection of the impact of risks that may arise from something that then threatens one's health Regulations have been regulated in Law of the Republic of Indonesia Number 17 of 2023 concerning Health Article 4 paragraph (1) letter (k) states that everyone has the right: to get protection from health risks. Health risks include various health risks that may arise as a result of the consumption of processed products. Processed products can be an important part of the daily diet, but keep in mind that processing certain foods can also carry certain risks, such as the addition of preservatives, salt, sugar, or excessive fat.

In Indonesia, initiatives to protect consumer rights began in the 1970s, most notably with the establishment of the Indonesian Consumers Foundation (YLKI) on May 11, 1973. Initially, YLKI was established with the aim of promoting products made in Indonesia, but over time, the organization's focus expanded towards consumer protection by supervising products on the market, so that the public did not experience losses and product quality could be guaranteed. Article 1 point 1 of Law No. 8 of 1999 explains that Consumer Protection is all efforts that ensure legal certainty to provide protection to consumers. Ahmadi Miru and Sutarman Yodo stated that the formulation of the definition of consumer protection mentioned in Article 1 point 1 of the Law above is quite adequate. The sentence that states "all efforts that ensure legal certainty", is expected as a bulwark to eliminate arbitrary actions that benefit business actors only for the benefit of consumers (Miru & Yodo, 2005)

In general, consumers are protected by Law No. 8 of 1999 concerning Consumer Protection (Law No. 8/1999). According to article 4 of Law No. 8/1999, consumer rights are:

1. The right to comfort, security and safety
2. Right to vote
3. The right to true, clear and truthful information
4. The right to have his complaints and opinions heard
5. The right to appropriate advocacy, protection and dispute resolution
6. The right to consumer coaching and education
7. The right to be treated and served properly, honestly and non-discriminatory
8. Right to indemnification

Legal protection is given to consumers because they have a weak position, so this protection becomes rational. As stated by Sudaryatmo, the importance of legal protection for consumers is due to the weak bargaining position of consumers. Legal protection to consumers requires the preference of weak bargaining position (consumers) (Sudaryatmo, 1999). Meanwhile, Rafael La Porta in the Journal of Financial Economics stated that the form of legal protection provided by a country has 2 (two) characteristics, namely prohibitive and sanction. Hans W. Misklitz as quoted by Mahyudanil and Muaz Zul stated that in consumer protection in general 2 (two) policy models can be taken, namely : complementary policies, that require business actors to provide adequate information to consumers (e.g., right to information); and compensatory policy, which is a policy that contains the protection of consumers' economic interests (e.g., the right to health and security).: (Miru & Yodo, 2005)

Consumer protection efforts in Indonesia are based on principles that are believed to provide direction and implementation at the practical level. Article 2 of the Law stipulates consumer protection based on benefits, fairness, balance, security and safety of consumers as well as legal certainty. The explanation suggests the following principles: (1) The benefit principle, which mandates that all efforts in the implementation of consumer protection must provide the maximum benefit for the interests of consumers and business actors as a whole; (2) The principle of justice which intends that the participation of all people can be realized optimally by providing opportunities for consumers and business actors to obtain their rights and carry out their obligations fairly. (3) The principle of balance, which intends to share the balance of interests of consumers, business actors and the government in a material or practical sense; (4) The principle of security and safety of consumers which requires to provide guarantees for security and safety to consumers in the use, use and utilization of goods and / or services consumed or used; and (5) The principle of legal certainty which requires that both business actors and consumers obey the law and obtain justice in the implementation of consumer protection and the state guarantees legal certainty.

Legal principles have a very important role in determining the content of rules or norms in law, especially in law. Law does not only consist of concrete rules such as rules or norms that are part of every law. On the contrary, legal principles also act as guidelines in formulating concrete legal rules when laws are drafted. The Liang Gie as quoted by Sudikno Mertokusumo suggests that a principle is a general proposition expressed in general terms without suggesting specific methods of its implementation that are applied to a series of actions to be appropriate instructions for the act (Mertokusumo, 2002). Based on Article 2 of the UUPK, Ahmadi Miru and Sutarman Yodo frames three basic principles, namely: (1) The principle of expediency which includes the principle of security and consumer safety; (2) The principle of justice which includes the principle of balance; and (3) The principle of legal certainty (Miru & Yodo, 2005).

- *Inclusion of Label Information on The Packaging of Frozen Food Products*

Article 2 (1) states that every producer who produces processed food domestically for trade in retail packaging must include a label that carries verbal information about the product or its seller (Angipora, 2002). Labels are meant to be a part of the product as it is the tool to convey information about the product, its brand, and the seller. It is often as identification mark attached to the product, which Kotler considers a mandatory display or an intricately designed image on the packaging of a product (Kotler, 2000) Another regulation, Food and Drug Supervisory Agency Number 31 of 2018 concerning Processed Food Labels, Article 46 (1), states that certain processed food labels must include information about the designation that contains information about the target consumers of a product, including infants, pregnant women, nursing mothers, and people with certain diseases. Article 49 (2) relates that if all processed food uses the same production facilities as processed food containing allergens, then the label must mention the information about the content of Allergens. Allergens, as referred to in paragraph (1), may be (a) cereals containing gluten, namely wheat, rye, barley, oats, spelt or hybrid strains; (b) eggs; (c) fish, crustace (shrimp, lobster, crab,

oyster), mollusk (clam, snail, or sea snail); (d) peanuts, soybeans; (e). milk (including lactose); (f) tree nuts including walnuts, almonds, hazelnuts, pecans, Brazil nuts, pistachio nuts, Macadamia nuts or Queensland nuts; cashews; and (g) sulfite with a content of at least 10 mg/kg (ten milligrams per kilogram), which could be counted as SO₂ (sulfur dioxide, sodium bisulfite, sodium metabisulfite, potassium sulfite, calcium bisulfite, and potassium bisulfite) present in ready-to-consume products.

Article 2 of the regulation of the Minister of Health of the Republic of Indonesia Number 30 of 2013 concerning the Inclusion of Information on the Content of Sugar, Salt, and Fat and Health Messages for Processed Food and Ready to Eat Food states the need to reduce the risk of Non-Communicable Disease events, especially hypertension, stroke, diabetes and heart attack through increasing consumer knowledge of the intake of Sugar, Salt, and/or Fat consumption in Processed Food and Ready to Eat Food. Article 3 paragraph (1) also states that everyone who produces Processed Food containing Sugar, Salt, and/or Fat for trade must contain information about the content of Sugar, Salt, and Fat, as well as health messages on the Food Label. Paragraph (2) further adds the obligation to include information on the content of Sugar, Salt, and Fat, as well as health messages on Food Labels as referred to in paragraph (1). These regulations aimed at controlling the sale of Processed Food by considering the risk of Non-Communicable Disease events. The Indonesian government considers that food is a basic need that is very fundamental for humans. Therefore, providing access and fulfillment of food needs is a basic right of every individual, guaranteed by the Constitution of the Republic of Indonesia. The government therefore requires that producers are required to be more practical in meeting these needs so that there are very many innovations in processed food products created to provide these practical effects (Surya Tamanbali & Sutaradjaya, 2013). Lack of awareness, low knowledge of the law, lack of counseling, coaching, and supervision by the government on business actors and lack of knowledge about consumer safety by business actors in selling their products that make business actors only seek profit (Suriati, Darmawan, & Mansur, 2018).

To maintain the safety of frozen food, it is recommended to follow the cooking guidelines indicated on the packaging. The safe thawing process is done by putting frozen food in the refrigerator. When thawing meat in the refrigerator, make sure that liquids that may come out of the meat do not get on other foods. If you want to thaw quickly, place the food in a leak-proof plastic bag and soak it in cold water until it melts, be sure to change the cold water every half hour, and next, cook it as soon as the food is fully thawed. Alternatively, another alternative is to thaw frozen foods in the microwave, and be sure to cook them as soon as the thawing is done (Ellis, 2022).

Any ready-to-process food product or frozen food cannot be traded without complete product information labels on the packaging. The inclusion of labels in and/or on food packaging is written or displayed clearly so that it is easily understood by the public. The label in question is not easily separated from the packaging, does not fade or damage easily, and is located on the food packaging that is easy to see and read (Triasih, Heryanti, & Kridasaksana, 2017). Packaging is a material used to accommodate and / or wrap food, both in direct contact with food and not. The importance of food products given packaging labels in order to fulfill consumer rights, the right to true, clear and honest information about the conditions and guarantees of goods and / or services, contained in article 4 of Law No. 8 of 1999 concerning consumer protection (UUPK) (Last Fitriani & Anggraini, 2017).

5. Discussion

Information labels are very important for consumers to be able to see the content in frozen food products by reading the composition of frozen food product content listed on the information label on the packaging. Labels on *frozen food* products contain important information about ingredients, nutritional value, and instructions for use, to provide protection to consumers who will buy and consume the product. According to Kotler, the function of labels (Kotler, 2008) should be to act as product or brand identification labels, or specify the product class, or describe several things about the product (who made it, where it was made, when it was made, what it contains, how to use it, and how to use it safely); and promote products through attractive images. The essence of fulfilling the health rights of the community (consumers) is carried out based on the principles of non-discriminatory, participatory, and sustainable factors. The right to health is guaranteed by the Indonesian Constitution of 1945 as vested in Article 28 H paragraph (1) that everyone has the right to live a prosperous life physically and mentally, to reside, and to get a good and healthy living environment and the right to health services and the state is obliged to provide them.

The priority in the 2015-2019 National Medium-Term Development Plan (RPJMN) is to improve the quality of life of human resources and the welfare of the people with equitable use, with special emphasis in the health sector. This is reflected in efforts to improve access and quality of health services, especially for mothers, children, adolescents, and the elderly. In addition, efforts to improve quality community nutrition services, increase the effectiveness of disease prevention and control and environmental improvement, as well as the development of health insurance programs. The fulfillment of health rights is also regulated in Law of the Republic of Indonesia Number 17 of 2023 concerning Health Article 4 paragraph (1) letter (a), which states that everyone has the right: to live a healthy life physically, mentally, and socially. The right to health is part of the basic rights of every human being, and is a basic need of every human being that cannot be reduced under any circumstances. Paul Hunt emphasized several important elements of the right to health, namely the right to health gives rise to responsibilities in relation to international assistance and cooperation: States are obliged to take steps, both individually and through international assistance and cooperation, towards the full realization of the right to health. (Hunt, 2003).

Law of the Republic of Indonesia Number 17 of 2023 concerning Health Article 4 paragraph (1) letter (k) states that everyone has the right: to get protection from health risks. Unfortunately, the legal protection provided has not been fully applied in Law of the Republic of Indonesia Number 17 of 2023 concerning Health in the following articles is not clearly and rigidly regulated regarding the scope of the extent to which protection against health risks is intended as a result of what has been done in Law of the Republic of Indonesia Number 17 of 2023 concerning Health, Health Risks underlines the importance of facilities used for children's play and activities must be equipped with protective means aimed at reducing health risks that can harm children. This is a proactive measure to ensure that the environment, playgrounds and other facilities used by children are safe and do not pose a significant health risk. Article 48 paragraph (2) Playgrounds and other necessary facilities as referred to in

paragraph (1) are equipped with means of protection against health risks so as not to endanger children's health. In addition, Article 149 paragraph (4) The production, circulation, and use of tobacco products as referred to in paragraph (3) must meet the standards and / or requirements set by considering the health risk profile. This article confirms that all stages related to tobacco products must comply with established standards and requirements. These standards and requirements should take into account the health risk profile.

Article 90 of the Law of the Republic of Indonesia Number 17 of 2023 concerning Health posits that people with infectious diseases are obliged to prevent the spread of infectious diseases through clean and healthy living behavior, control of health risk factors, and other preventive efforts. It basically confirms the importance of the role of each individual in preventing the spread of infectious diseases. This includes clean and healthy daily behavior, control of risk factors, and participation in greater prevention efforts. By following this obligation, communities can help protect themselves and others from infectious disease transmission and support shared health within the community.

In producing food, therefore, business actors, food producers and manufacturers, have the main obligation to maintain the quality and safety of food products. This obligation is integral in efforts to protect consumers and the public from health hazards that can be caused by food that is not fit for consumption. The obligations of business actors in producing food are regulated in Article 146 paragraph (1) of Law Number 17 of 2023 concerning Health which states that everyone who produces, processes, and distributes food and beverages must meet standards and / or requirements for safety, quality, and nutrition in accordance with the provisions of laws and regulations. Provisions of Article 147 paragraph (1) Every person who produces food and beverages is prohibited from providing false and/or misleading information or statements on product information. (2) Everyone is prohibited from promoting food and beverage products that are not in accordance with product information. (3) Any person who violates the provisions of the prohibition as referred to in paragraph (1) shall be subject to administrative and/or criminal sanctions in accordance with the provisions of laws and regulations.

Article 4 of Law No. 8 of 1999 posits the importance of food products with packaging labels in order to fulfill consumer rights including the right to get true, clear and honest information about the conditions and guarantees of goods and / or services, contained in concerning consumer protection. This is in line with the obligation of a business actor in trading goods and / or services to consumers, as mentioned in Article 7 Letter b of the UUPK which means that the information received or provided must be correct, especially in determining raw materials and additives, then it must be clear not to use misleading sentences to read and must use the Indonesian language. The information provided must also be honest so as not to harm consumers. Consumers are entitled to other rights in accordance with their position as consumers based on applicable laws and regulations. This provision opens up the possibility of developing thoughts about new rights from consumers in the future, in accordance with the times (Endah Kusumaningrum, 2012).

The obligation to provide information labeling in addition to making it easy for consumers to check the content and contents certainly makes it easy for consumers to determine which products are in accordance with their health conditions or with their bodies. Article 4 letter c of the Law relates to Article 7 letter b of the Law regarding the obligation of perpetrators to provide clear, true and honest information. The food product must include information with Indonesian regulated in Article 8 letter j of the Law. If a violation occurs in accordance with the provisions in Article 8 letter j, the business actor may be subject to criminal sanctions in accordance with the provisions in Article 62 of the UUPK, the business actor is sentenced to imprisonment for a maximum of five (5) years or a fine of Rp. 2,000,000,000 (two billion rupiah). However, the fact that exists in the community from the results of observation and law enforcement research on violations committed by producers of processed products through freezing or commonly called frozen food has not been optimal until now there are still many in the circulation of frozen food products that are not in accordance with the provisions of laws and regulations related to the obligation to label product information.

6. Conclusion

Legal protection of consumer health rights to the inclusion of information labels on frozen food product packaging is very important to protect consumers against health risks caused, has been regulated in the applicable laws and regulations in Indonesia, but in practice there are still producers who do not comply with legal provisions as Signs to prevent the occurrence of health risks that can arise after consuming processed frozen food products. The need for firmness in law enforcement to producers for the circulation of frozen food products that ignore their obligations by not including information labels on their packaging by imposing strict sanctions in order to provide legal certainty.

References

- Angipora, M. (2002). *Marketing Basics*. PT. Raja Grafindo Persada.
- Blanchfield. (2000). *Food Labelling*. Woodhead Publishing. <https://www.fao.org/food-labelling/en>
- Echols, J. M., & Sadily, H. (1986). *English-Indonesian dictionary*. Scholastic. <https://www.babla.co.id/bahasa-inggris-bahasa-indonesia/>
- Ellis, E. (2022, October 25). *Frozen Foods: Convenient and Nutritious*. Academy of Nutrition and Dietetics. <https://www.eatright.org/food/planning/smart-shopping/frozen-foods-convenient-and-nutritious>
- Endah Kusumaningrum, A. (2012). Consumer Legal Protection for Goods That Are Not Fit for Distribution. *Law and Community Dynamics*, 9(2), 152-160. <http://jurnal.untagsmg.ac.id/index.php/hdm/article/view/305>
- Hadjon, P. M. (1987). *Legal Protection for the People in Indonesia*. Building Knowledge.
- Hughes, P., & Ferrett, E. (2016). *Introduction to Health and Safety at Work*. Routledge. <https://doi.org/10.4324/9781315857893>
- Hunt, P. (2003). The UN Special Rapporteur on The Right to Health: Key Objectives, Themes, and Intervention. *The President and Fellows of Harvard College Health and Human Rights Journal*, 7(1), 1-27. <https://doi.org/10.2307/4065415>
- Kasidi. (2014). *Risk management*. Ghalia Indonesia.

- Kotler, P. (2000). *Marketing Management (Print II)*. Prenhallindo.
- Kotler, P. (2008). *Marketing Management*. Erlangga. <http://repo.iain-tulungagung.ac.id/11486/2/Bab%20II.pdf>
- Last Fitriani, H., & Anggraini, N. (2017). Misuse of Aqua Brand Rights on Reusable Amdk (Bottled Drinking Water) Packaging by Business Actors Refilling Drinking Water in Handsome District of Pekanbaru City. *Riau. Journal of Science Tower*, 11(76), 89-101. <https://doi.org/10.33559/mi.v11i76.304>
- Marinus, A. (2002). *Marketing Basics*. PT. Raja Grafindo Persada. <https://www.ums.ac.id/mata-kuliah/MNJ3231336>
- Mertokusumo, S. (2002). *Get to Know the Law*. Liberty.
- Miru, A., & Yodo, S. (2005). *Consumer Protection Law (Revised)*. Raja Grafindo Persada.
- Nasution, A. (2002). *Consumer Protection Law An Introduction: Vol. Print II*. Media Edited. <https://simpus.mkri.id/opac/detail-opac?id=10068>
- Nasution, S. H. (2020). Legal Protection for Consumers Regarding Frozen Food Products Without Marketing Permits Sold Online. *Journal of Legal Reasoning*, 3(1), 65-79. <https://doi.org/10.35814/jlr.v3i1.2233>
- Rahardjo, S. (2014). *Legal studies*. Aditya's image.
- Sidobalok, J. (2014). *Consumer Protection Law in Indonesia (Print III)*. Pt. Aditya Bakti's image. <https://inlislite.bengkaliskab.go.id/opac/detail-opac?id=923>
- Sri. (2022, December 29). *BPOM Bandar Lampung found 45 food items without distribution permits in Nataru 2023*. Kupastuntas.co. <https://kupastuntas.co/2022/12/29/bpom-bandar-lampung-temukan-45-item-pangan-tanpa-izin-edar-di-nataru-2023>
- Sudaryatmo. (1999). *Consumer Law and Advocacy*. PT. Aditya Bakti's image.
- Suharsih. (2016, November 24). *SOLO RAZIA: Beware, Hundreds of Packages of Frozen Food Circulating Without Labels*. Solopos Digital Media. <https://soloraya.solopos.com/razia-solo-awas-ratusan-bungkus-makanan-beku-beredar-tanpa-label-771592>
- Sunggono, B. (2016). *Legal Research Methodology*. Raja Grafindo Persada.
- Suriati, E., Darmawan, D., & Mansur, T. M. (2018). Consumer Protection for Dangerous Snacks in the School Environment. *Kanun Jurnal Ilmu Hukum*, 20(3), 495-510. <https://doi.org/10.24815/kanun.v20i3.10970>
- Surya Tamanbali, I. K., & Sutaradjaya, I. W. (2013). Consumer Rights in the Circulation of Food and Beverage Products in the Framework of Consumer Protection. *Kertha Semaya: Journal of Legal Studies*, 1(8), 1-5. <https://ojs.unud.ac.id/index.php/kerthasemaya/article/view/6420>
- Tri Kristiayanti, C. (2011). *Print Consumer Protection Law III*. Graphic Rays.
- Triasih, D., Heryanti, B. R., & Kridasaksana, D. (2017). Study On Legal Protection For Consumers Of Halal Certified Food Products. *Journal Of Socio-Cultural Dynamics*, 18(2), 214-225. <https://doi.org/10.26623/Jdsb.V18i2.571>
- Waluyo, B. (1996). *Legal Research in Practice*. Graphic Rays. <https://simpus.mkri.id/opac/detail-opac?id=6725>
- Widyaningrum, N. (2021, April 20). *Online shopping is mushrooming, don't be easily tempted!* Ulpk.pom. <https://ulpk.pom.go.id/id/NW/20210520101904/0.html>
- Yusandy, T. (2018). Consumer Legal Protection for Food and Drinks that are Not Halal Certified in the City of Banda Aceh. *Porch Academica*, 6(2), 55-66. <https://doi.org/10.32672/jsa.v7i2>