

## EFFECTIVENESS OF CONSUMER PROTECTION LAW ENFORCEMENT FOR UNSAFE PRODUCTS CIRCULATING IN INDONESIA

Bernadetta Tjandra Wulandari<sup>1a\*</sup>, Irman Syahrir<sup>2b</sup>

<sup>1</sup>Universitas Katolik Indonesia Atma Jaya,

<sup>2</sup>Universitas 17 Agustus 1945 Samarinda

<sup>a</sup>E-mail: [bernadetta.wd@atmajaya.ac.id](mailto:bernadetta.wd@atmajaya.ac.id)

(\*) Corresponding Author

[bernadetta.wd@atmajaya.ac.id](mailto:bernadetta.wd@atmajaya.ac.id)

### ARTICLE HISTORY

Received : 20-04-2026

Revised : 07-05-2026

Accepted : 15-06-2026

### KEYWORDS

Consumer Protection;  
Unsafe Products;  
Law Enforcement;

### ABSTRACT

This study examines the effectiveness of consumer protection law enforcement against unsafe products circulating in Indonesia. The issue is increasingly important because unsafe products—including food, cosmetics, electronics, toys, and goods sold through digital marketplaces—continue to threaten consumer health, safety, and legal certainty despite existing consumer protection regulations. This research aims to analyze the legal framework, supervision and enforcement mechanisms, and the major barriers affecting the practical effectiveness of consumer protection law. The study employed a qualitative literature review approach using secondary data derived from legislation, books, journal articles, government reports, and institutional publications. The findings reveal that Indonesia already has a relatively comprehensive legal and institutional framework; however, law enforcement remains only partially effective and largely reactive. In the first quarter of 2025, the Ministry of Trade identified non-compliant products circulating in Indonesia with an estimated economic value of IDR 15 billion, demonstrating the continuing scale and urgency of the problem. Persistent challenges include fragmented regulations, weak inter-agency coordination, limited institutional capacity, low business compliance, and weak supervision in digital marketplaces. Therefore, this study recommends the development of integrated real-time surveillance systems among supervisory agencies and stronger legal accountability for e-commerce platforms to ensure more preventive and effective consumer protection.

*This is an open access article under the CC-BY-SA license.*



### INTRODUCTION

Consumer protection constitutes one of the fundamental pillars in the development of a fair, safe, and equitable trading system, because consumers are often placed in a vulnerable position in relation to business actors, including in the circulation of unsafe products (Nasution, 1999). In the Indonesian legal context, the right to comfort, security, and safety in consuming goods and/or services has been explicitly affirmed in Law Number 8 of 1999 concerning Consumer Protection, which recognizes product safety as a basic consumer right that must be guaranteed by both the

state and business actors (Republik Indonesia, 1999). However, the dynamics of modern markets, the globalization of product distribution, and the rapid growth of digital commerce have significantly expanded the possibility of unsafe products entering and circulating in Indonesia without meeting safety standards, quality requirements, labeling obligations, or other technical regulations. This condition demonstrates that consumer protection can no longer be understood merely as a private legal relationship between business actors and consumers, but must also be viewed as an issue of regulatory governance, market surveillance, and the effectiveness of administrative, civil, and criminal law enforcement (Barkatullah, 2019; Sidharta, 2006).

The issue of unsafe products in Indonesia is evident across various sectors, including processed food, cosmetics, children's toys, electronic devices, household goods, and products marketed through digital marketplaces. Unsafe products do not merely cause economic loss, but may also threaten consumers' health, safety, and even lives when they contain hazardous substances, suffer from design defects, provide misleading instructions, or fail to comply with mandatory safety standards. In Indonesia, the surveillance system for goods and/or services in circulation has been regulated through various legal instruments, including supervision of compliance with the Indonesian National Standard (SNI), Indonesian-language labeling, instructions for use, warranty cards, as well as requirements related to Safety, Security, Health, and Environmental Protection (K3L) (Ministry of Trade of the Republic of Indonesia, 2018; Ministry of Trade of the Republic of Indonesia, 2024). Nevertheless, the existence of relatively comprehensive regulations does not automatically guarantee that all products circulating in the market are safe for consumers, making the effectiveness of law enforcement a central issue worthy of academic examination (Agustini et al., 2024, 2025).

The development of electronic commerce has further complicated the supervision of unsafe products, because the distribution of goods no longer depends solely on physical stores or conventional supply chains, but increasingly operates through digital platforms, cross-regional sellers, and more complex distribution networks that are difficult to trace. This phenomenon increases the risk of products being circulated without adequate verification of safety standards, legal compliance, labeling requirements, or accountability of the business actors who offer them to end consumers (Halder et al., 2022; Ruohonen, 2022). At the global level, the OECD has emphasized that digital market transformation has intensified the challenge of recalling dangerous products, because products that have been prohibited or withdrawn in one jurisdiction may easily reappear through online sales channels in another (OECD, 2024). In the Indonesian context, the need to strengthen data-based supervision and public information systems is also reflected in the development of Indonesian Market Surveillance (INAMS) as an instrument for transparency and reporting on products that do not comply with legal requirements and may endanger consumers. Accordingly, the issue of unsafe products can no longer be addressed solely through a repressive legal approach after consumer harm has occurred, but must instead be positioned within a broader preventive legal regime aimed at public risk reduction and consumer safety.

From the perspective of law enforcement, the effectiveness of consumer protection against unsafe products is strongly influenced by the quality of legal substance, the institutional capacity of supervisory bodies, inter-agency coordination, the compliance of business actors, and the level of legal awareness among consumers themselves (Soerjono, 2014). Law enforcement in this field involves a range of institutions, including the Ministry of Trade, the National Agency of Drug and Food Control (BPOM), the National Standardization Agency (BSN), local governments, law enforcement authorities, and consumer dispute resolution bodies, all of which require coordinated authority so that supervision does not operate in a fragmented and sectoral manner. On the other hand, studies on regulatory enforcement suggest that weak supervisory design, predictable inspections, and a low probability of sanctions often encourage business actors to adapt opportunistically to legal rules, thereby reducing the practical effectiveness of law at the implementation stage (Lira & Mobarak, 2018). Therefore, assessing the effectiveness of law enforcement cannot be limited to a textual reading of legal norms, but must also examine how the law is implemented, complied with, and translated into actual consumer protection in practice.

The urgency of this research is increasingly evident because the circulation of unsafe products is not merely an ordinary administrative violation, but rather a matter of protecting citizens' constitutional rights to safety, health, and legal certainty in everyday consumption activities. Government monitoring findings indicate that products not complying with applicable provisions are still found in circulation, whether due to non-compliance with SNI, absence

of Indonesian-language labeling, lack of user manuals or warranty cards, or failure to meet K3L requirements, with their economic value in some monitoring periods reaching billions of rupiah. At the same time, UNCTAD has emphasized that developing countries face more serious challenges because of weaker market surveillance infrastructure, greater exposure to cross-border products, and limited comprehensive product safety regimes (UNCTAD, 2025a, 2025b). If such conditions are not addressed through effective law enforcement, consumer losses will continue to recur, public trust in the market will decline, and the objectives of consumer protection law as an instrument of social justice will become increasingly difficult to achieve.

Previous studies have generally examined consumer protection and the supervision of products in circulation in Indonesia, yet important areas of inquiry remain insufficiently explored. The study by Agustini et al. (2024) highlighted the challenges in implementing Consumer Protection Law against counterfeit products, emphasizing weak supervision, low consumer awareness, and the importance of inter-agency coordination, but it did not specifically focus on the effectiveness of law enforcement against unsafe products from a broader and more systemic consumer protection perspective. Meanwhile, Agustini et al. (2025) examined the effectiveness of Law Number 8 of 1999 in guaranteeing consumers' rights to the safety of processed food products, yet the scope of that study remained limited to a single commodity sector and did not analyze the interconnectedness between consumer protection norms, the market surveillance system, and cross-sector law enforcement challenges in Indonesia. Accordingly, there remains a significant research gap concerning the need for a study that specifically evaluates the effectiveness of consumer protection law enforcement against unsafe products circulating in Indonesia through an approach that integrates normative, institutional, and practical dimensions.

Based on the foregoing background, this research aims to analyze the effectiveness of consumer protection law enforcement against unsafe products circulating in Indonesia by examining the applicable legal framework, the mechanisms of supervision and enforcement, and the implementation barriers that affect actual consumer protection. In addition, this research also seeks to identify the factors contributing to the suboptimal enforcement of law against unsafe products, whether deriving from the substance of regulation, institutional limitations, supervisory coordination, the behavior of business actors, or the bargaining position of consumers in modern markets. Ultimately, this study is expected to contribute theoretically to the development of consumer protection law scholarship, while also providing an argumentative basis for improving market surveillance policy and law enforcement so that protection for Indonesian consumers becomes more effective, adaptive, and responsive to contemporary market developments.

## METHOD

This study employed a qualitative approach using a literature study design to analyze the effectiveness of consumer protection law enforcement against unsafe products circulating in Indonesia (Creswell, 2021; Sugiyono, 2022). The study relied on secondary data derived from legislation, books, journal articles, government reports, and publications from international organizations related to consumer protection, market surveillance, product safety, and law enforcement (Mahmud Marzuki, 2005; Soerjono & Mamudji, 2010). The literature selection process was conducted systematically through searches in Google Scholar, Scopus-indexed journals, and official institutional databases using keywords such as "consumer protection," "unsafe products," "product safety," "market surveillance," "e-commerce," and "law enforcement in Indonesia." The selected materials were limited to sources relevant to the research focus, authoritative in nature, and closely related to legal and institutional issues concerning unsafe products in digital and conventional markets (Zed, 2018).

The collected data were analyzed using qualitative descriptive-analytical methods through stages of data reduction, categorization, interpretation, and thematic analysis (Miles et al., 2020; Qomaruddin & Sa'diyah, 2024). The analysis focused on major themes such as the legal framework of consumer protection, supervision mechanisms, enforcement practices, digital marketplace challenges, and factors affecting the effectiveness of law enforcement against unsafe products. Through this method, the study sought to produce a systematic and critical understanding of the gap between formal legal protection and actual consumer safety in practice.

## RESULT AND DISCUSSION

### *The Legal Framework of Consumer Protection Against Unsafe Products in Indonesia*

The results of this study show that Indonesia already has a relatively comprehensive legal basis for protecting consumers from unsafe products circulating in the market. Consumer protection in Indonesia is primarily grounded in Law Number 8 of 1999 concerning Consumer Protection, which explicitly recognizes the right of consumers to comfort, security, and safety in consuming goods and/or services (Republic of Indonesia, 1999). This legal framework confirms that consumer protection is not limited to transactional fairness, but also extends to the state's obligation to ensure that products offered in the market do not endanger public safety. In this respect, product safety is positioned not only as a commercial issue but also as a legal and social responsibility that must be fulfilled by business actors and guaranteed by the state.

At the regulatory level, the legal framework is further reinforced by a range of implementing and sectoral regulations concerning product supervision, labeling, technical standards, and safety compliance. The supervision of goods and/or services in circulation is specifically regulated under Regulation of the Minister of Trade Number 69 of 2018, which serves as one of the key instruments in ensuring compliance with product standards and market order. In practice, unsafe products are often associated with non-compliance with the Indonesian National Standard (SNI), the absence of Indonesian-language labeling, lack of user manuals and warranty cards, and failure to meet K3L (Safety, Security, Health, and Environmental Protection) requirements. This indicates that the Indonesian legal framework has already adopted a regulatory orientation that combines consumer rights, product compliance, and administrative supervision as part of a broader product safety regime.

However, the analysis also finds that the Indonesian legal framework remains fragmented in substance and implementation. The notion of "unsafe products" is not governed under one single and integrated consumer product safety law, but instead is dispersed across consumer protection law, trade law, health law, food regulation, technical standardization, and sector-specific administrative rules. As a result, the regulatory system often produces overlaps in authority and inconsistency in enforcement approaches, especially when unsafe products circulate through mixed channels such as informal trade, imported supply chains, and digital marketplaces (UNCTAD, 2022). Therefore, although the legal framework can be regarded as normatively available, it has not yet been fully consolidated into a unified and adaptive national product safety regime capable of addressing contemporary market risks.

From the perspective of legal effectiveness, this condition shows that the Indonesian legal framework is adequate in principle but still limited in operational coherence. The law provides the normative basis for consumer safety protection, but its scattered and sectoral nature weakens consistency in implementation and reduces legal certainty in practice. Consequently, the existence of legal rules alone cannot yet be equated with effective consumer protection unless those rules are institutionally integrated and enforceable across different product sectors and market structures.

### **Supervision and Enforcement Mechanisms for Unsafe Products in Indonesia**

The study finds that Indonesia has formally established a multi-agency supervision and enforcement structure for unsafe products, but its effectiveness remains uneven in practice (BPOM RI, 2024). The institutional framework involves several authorities, including the Ministry of Trade, Badan Pengawas Obat dan Makanan (BPOM), Badan Standardisasi Nasional (BSN), local governments, and law enforcement agencies, each of which supervises different aspects or categories of products in circulation. In theory, such a multi-layered structure should strengthen consumer protection by ensuring that product safety is monitored from different regulatory angles, including legality, labeling, technical standards, and health-related compliance. Nevertheless, in practice, this institutional diversity has not always translated into comprehensive and effective protection for consumers.

Recent enforcement findings illustrate both the existence and the limitations of the current supervision mechanism. In the first quarter of 2025, the Ministry of Trade exposed various products circulating in Indonesia that did not comply with legal requirements, with an estimated total value of IDR 15 billion, including electronics, children's toys, footwear, bed linen, and motor vehicle rims. These products were found to violate requirements relating to SNI, Indonesian-language labeling, manuals and warranty cards, and K3L registration, indicating that

unsafe or non-compliant goods still enter and circulate in the domestic market in significant quantities. Likewise, BPOM's supervisory operations also continue to identify unsafe products in circulation, particularly in sectors directly affecting health and bodily safety (BPOM RI, 2025). BPOM reported the discovery of illegal and hazardous products, including illegal cosmetics and illegal traditional/herbal medicinal products containing pharmaceutical substances, which demonstrates that consumer exposure to unsafe products remains a recurring issue in Indonesia. These findings indicate that the supervision mechanism is active, but they also show that preventive control has not yet been strong enough to stop unsafe products from repeatedly reaching consumers.

The weaknesses of supervision become more visible in the context of e-commerce platforms and digital marketplaces, which currently represent one of the most vulnerable points in consumer protection enforcement. Unlike conventional trade, digital commerce allows products to be sold rapidly through anonymous accounts, cross-border sellers, reseller networks, and algorithm-driven promotional systems that make product traceability significantly more difficult. Unsafe products can therefore continue circulating even after warnings or enforcement actions have been issued because sellers may simply reopen new storefronts, migrate to different platforms, or utilize informal logistics channels that are difficult for regulators to monitor continuously. In practice, many e-commerce platforms still function primarily as intermediaries rather than as active gatekeepers of product safety compliance, meaning that preventive verification of product legality, registration, or safety certification is often weak or inconsistent.

This condition demonstrates that the enforcement gap in Indonesia is increasingly shifting from conventional markets toward digital marketplaces. The rapid growth of e-commerce has not been fully accompanied by an equally adaptive legal enforcement system capable of supervising products in real time. Although platforms have introduced certain reporting and takedown mechanisms, these systems generally operate after unsafe products have already been listed, purchased, or distributed to consumers. Consequently, supervision remains largely complaint-driven and reactive rather than preventive and risk-based. This illustrates that the legal framework has not yet imposed sufficiently strong and operational responsibilities on digital intermediaries to proactively prevent the circulation of unsafe products within their platforms.

In legal terms, enforcement mechanisms against unsafe products in Indonesia generally operate through administrative supervision, corrective actions, and, in certain circumstances, criminal law enforcement. Administrative enforcement may take the form of written warnings, product withdrawal, temporary suspension of business activities, revocation of licenses, destruction of goods, and publication of violations to the public. In more serious cases, especially where unsafe products involve fraud, deliberate deception, health hazards, or substantial consumer harm, enforcement may also involve criminal sanctions under consumer protection or sector-specific legislation. This demonstrates that Indonesia's legal system formally possesses the instruments necessary to respond to unsafe products, both through preventive and punitive mechanisms.

At the same time, the study finds that enforcement remains more visible than uniformly effective. The existence of repeated findings across similar product categories suggests that enforcement has not yet produced a sufficiently strong deterrent effect on business actors, digital sellers, or platform intermediaries. Thus, while unsafe products are being detected and sanctioned, the persistence of the same types of violations indicates that law enforcement still functions more as a reactive corrective mechanism than as a fully preventive product safety system.

### ***Barriers Affecting the Actual Effectiveness of Consumer Protection***

#### ***Fragmented Regulatory Substance***

One of the major barriers identified in this study is the fragmented nature of the applicable legal norms governing unsafe products in Indonesia. Product safety obligations are distributed across multiple legal sectors, including consumer protection, trade, health, food, standardization, and administrative compliance, which often leads to fragmented implementation and differing regulatory interpretations. Such fragmentation weakens legal certainty and makes it difficult to establish a single enforcement logic for unsafe products across all sectors. As a result, Indonesia does not yet have a fully integrated consumer product safety regime that systematically regulates product risk assessment, product recall, mandatory reporting, and coordinated removal from the market.

This regulatory weakness becomes even more significant in the context of digital commerce and cross-border trade. The rapid expansion of online marketplaces has made it easier for unsafe products to enter the market without undergoing adequate verification of safety standards or regulatory compliance. The OECD has reported that unsafe and even recalled products continue to reappear in online marketplaces globally, illustrating how digital distribution weakens the practical effectiveness of conventional product safety supervision. This global trend is highly relevant to Indonesia, where digital trade continues to grow rapidly but legal obligations for e-commerce intermediaries in relation to product safety remain relatively underdeveloped. Therefore, the fragmented substance of regulation contributes directly to the limited adaptability of law enforcement in the face of evolving market structures.

#### Institutional Limitations

A second barrier concerns the institutional capacity of supervisory and enforcement agencies. Although Indonesia has established a number of institutions with authority over product safety, the scale and complexity of the market significantly exceed the practical reach of conventional inspection-based supervision. Indonesia's large territory, the diversity of goods circulating in formal and informal sectors, and the rapid growth of online commerce create substantial challenges for continuous and comprehensive market monitoring. In such conditions, enforcement often becomes selective and reactive, focusing on products or cases that have already been identified as problematic rather than systematically preventing unsafe goods from entering the market in the first place.

Institutional limitations are particularly visible in the supervision of e-commerce ecosystems, where the speed of digital transactions far exceeds the capacity of conventional monitoring systems. Thousands of products may be uploaded, modified, promoted, and redistributed within a short period of time, while supervisory agencies still rely heavily on periodic inspections, manual verification, and complaint-based enforcement. In many cases, regulators only become aware of unsafe products after viral consumer complaints, media exposure, or reports from other institutions. This indicates that institutional supervision in digital markets remains largely reactive and dependent on external reporting mechanisms rather than operating through integrated real-time surveillance systems.

Institutional limitations are also reflected in disparities in technical resources, digital monitoring systems, inspection capacity, and regional implementation strength. The findings suggest that while central institutions may possess stronger legal authority and technical competence, implementation at the field level remains uneven and sometimes dependent on temporary operations or special supervision campaigns. Consequently, the enforcement system still relies heavily on ex post intervention after violations have occurred, rather than on a stable preventive structure that can consistently reduce consumer exposure to unsafe products.

#### Weak Supervisory Coordination

A third factor affecting legal effectiveness is the weakness of inter-agency coordination in supervising and enforcing product safety obligations. In principle, the existence of multiple supervisory institutions should enhance consumer protection through specialization and functional complementarity. In practice, however, unsafe products often involve overlapping issues such as import legality, technical standards, labeling compliance, health risk, and digital distribution, all of which require coordinated intervention from different authorities. Where coordination is weak or inconsistent, the result is fragmented supervision and gaps in enforcement coverage.

This issue becomes increasingly problematic in digital marketplaces because product circulation may involve imported goods, third-party logistics providers, payment gateways, influencers, and platform operators simultaneously. Without integrated data-sharing systems among supervisory agencies and digital platforms, unsafe products may continue circulating even after being identified by one institution. For example, products removed by one platform may still remain accessible through other marketplaces or reseller networks because there is no centralized and real-time enforcement integration mechanism. This fragmented coordination weakens the continuity and systemic impact of consumer protection enforcement.

The Ministry of Trade's 2025 report explicitly notes that its enforcement findings were the result of synergy with multiple ministries and institutions, which suggests that effective action often depends on inter-agency collaboration rather than on routine structural integration. While such cooperation is positive, it also reveals that

coordination remains partially ad hoc and not yet fully institutionalized as a seamless product safety governance mechanism. Therefore, weak coordination reduces the consistency, continuity, and systemic impact of law enforcement against unsafe products.

#### Business Actor Behavior and Low Compliance Incentives

The study also finds that the behavior of business actors constitutes a significant determinant of the limited effectiveness of consumer protection law enforcement. Unsafe products often continue to circulate because some business actors perceive non-compliance as economically advantageous, particularly where the probability of detection is low or sanctions are not sufficiently deterrent. This is particularly relevant in sectors such as cosmetics, health-related products, low-cost imported goods, and online retail, where entry barriers are relatively low and product traceability is often weak. Under these circumstances, some sellers may deliberately market unregistered, mislabeled, or unsafe products because the commercial incentives outweigh the perceived legal risks.

The findings further indicate that low compliance among business actors is closely related to the relatively weak deterrent effect of existing sanctions, especially in digital marketplaces. In many cases, sanctions imposed on sellers remain administrative in nature and are often limited to product removal, account suspension, or written warnings, while sellers can easily create new accounts or shift to alternative platforms. Consequently, the legal and economic consequences of non-compliance frequently remain lower than the potential profits gained from selling unsafe products. This condition encourages opportunistic behavior and reinforces the persistence of repeated violations in e-commerce environments.

This pattern demonstrates that the current enforcement system still tends to function reactively rather than preventively. Enforcement actions generally occur after unsafe products have already circulated, after consumer complaints have emerged, or after regulators conduct special inspections. As long as sanctions remain insufficiently severe and digital sellers can easily evade accountability through anonymous or temporary storefronts, law enforcement will continue to struggle in generating sustainable compliance incentives. Therefore, the persistence of unsafe products in circulation reflects not merely isolated legal violations, but also a broader structural problem of weak deterrence, regulatory evasion, and platform-based enforcement gaps in contemporary digital markets.

#### Consumers' Weak Bargaining Position in Modern Markets

Another major barrier identified in this research is the weak bargaining position of consumers, especially in modern and digitalized markets. Consumers often do not possess the technical knowledge or legal awareness necessary to assess whether a product is safe, properly registered, compliant with standards, or truthfully labeled. In online environments, consumer decision-making is frequently influenced by price, visual advertising, ratings, and algorithmic visibility rather than by formal indicators of legal compliance or safety assurance. As a result, consumers remain structurally vulnerable in transactions involving potentially unsafe products.

In digital marketplaces, consumers also face informational asymmetry because product descriptions, reviews, and seller identities can be manipulated relatively easily. Platform algorithms tend to prioritize visibility, popularity, and transaction volume rather than legal compliance or product safety verification, thereby indirectly facilitating the wider circulation of potentially unsafe products. In such conditions, consumers often lack sufficient practical tools to independently verify whether products are registered with BPOM, comply with SNI, or meet other legal safety requirements before purchase.

In many cases, consumers only become aware of the unsafe nature of a product after experiencing harm or after public warnings are issued by regulators. Even where legal remedies exist, access to complaint mechanisms, dispute resolution, compensation, and product verification is not always practical or easily accessible for ordinary consumers. This means that consumer rights to safety and information often remain stronger in formal legal doctrine than in everyday market practice. Accordingly, the weak bargaining position of consumers significantly contributes to the suboptimal realization of actual consumer protection in Indonesia.

#### *Assessing the Effectiveness of Law Enforcement Against Unsafe Products*

Based on the overall analysis, this study concludes that consumer protection law enforcement against unsafe products in Indonesia is partially effective but substantively suboptimal. It is partially effective because Indonesia already has a legal framework, supervisory institutions, administrative sanctions, and enforcement practices that are capable of identifying and taking action against unsafe or non-compliant products. The repeated discovery of unsafe products by state institutions shows that the government does not lack legal authority or institutional concern in this area. In this sense, the system is not absent, and law enforcement is not entirely ineffective.

However, the enforcement system remains substantively suboptimal because unsafe products continue to circulate repeatedly across multiple sectors and through increasingly complex distribution channels, especially within e-commerce ecosystems and digital marketplaces. The recurrence of similar violations indicates that law enforcement has not yet succeeded in generating a strong deterrent effect, nor has it fully prevented unsafe products from reaching consumers in the first place. Weak sanctions, low compliance incentives, limited platform accountability, and difficulties in tracing online sellers collectively reinforce a regulatory environment in which violations can continue to recur with relatively manageable legal risks for business actors.

This means that the current enforcement model still operates more effectively as an ex post corrective mechanism—through raids, seizures, takedown requests, and administrative sanctions—than as an ex ante preventive system capable of minimizing consumer exposure before harm occurs. In digital marketplaces, enforcement frequently depends on consumer complaints or post-circulation findings rather than on mandatory preventive verification systems integrated directly into platform governance. Consequently, unsafe products may already have been purchased, distributed, and consumed before enforcement interventions take place.

Therefore, the principal weakness of Indonesian consumer protection law enforcement lies not in the absence of law, but in the gap between formal regulation and actual consumer safety outcomes. This finding is theoretically significant because it reinforces the view that legal effectiveness cannot be measured solely by the existence of legal norms or by the number of enforcement actions undertaken by the state. Rather, legal effectiveness must be assessed by whether the legal system is able to reduce the actual probability of consumer exposure to unsafe products and ensure meaningful access to protection and remedies. In the Indonesian context, this standard has not yet been fully achieved, which is why law enforcement may be described as operationally active but materially incomplete.

## CONCLUSION

This study concludes that the enforcement of consumer protection law against unsafe products in Indonesia is formally established but not yet fully effective in practice. Although Indonesia already has legal regulations, supervisory institutions, and enforcement mechanisms, unsafe and non-compliant products continue to circulate widely, especially through digital marketplaces. This condition shows that the current enforcement system still operates more reactively after violations occur rather than preventively before consumer harm arises. The study also finds that e-commerce platforms represent one of the weakest points in current law enforcement. Weak seller verification, limited platform accountability, and relatively mild sanctions allow unsafe products to repeatedly reappear in online markets. Therefore, stronger and more operational policy measures are needed, including the integration of real-time data systems among supervisory institutions, stronger coordination between regulators and digital platforms, mandatory verification mechanisms for online sellers, and stricter sanctions for repeated violations. In addition, digital marketplace platforms should bear greater legal responsibility as intermediaries by actively monitoring, preventing, and removing unsafe products from circulation. Consumer empowerment through complaint systems, public warnings, and product safety education should also be strengthened. Ultimately, the effectiveness of consumer protection law should not be measured solely by the number of raids or enforcement actions conducted by authorities, but by the extent to which the legal system can reduce the actual risk of consumer exposure to unsafe products before harm occurs.

## REFERENCES

Agustini, S., Efendi, S., & Pamulyadi, P. (2024). Tantangan Dan Solusi Dalam Implementasi Undang-Undang

- Perlindungan Konsumen Terhadap Produk Palsu. *Journal of Global Legal Review*, 2(2), 71–80.
- Agustini, S., Yoseva, W., Irdiwan, I., & Fernando, P. (2025). Efektifitas Undang-Undang No 8 Tahun 1999 Dalam Menjamin Hak Konsumen Atas Keamanan Produk Makanan Olahan. *Journal of Global Legal Review*, 3(2), 69–76.
- Barkatullah, A. H. (2019). *Hak-hak konsumen*. Nusamedia.
- BPOM RI. (2024). *Laporan tahunan pengawasan obat dan makanan*. Badan Pengawas Obat dan Makanan Republik Indonesia.
- BPOM RI. (2025). *BPOM ungkap 32 produk obat bahan alam ilegal sepanjang Oktober 2025*. Badan Pengawas Obat dan Makanan Republik Indonesia.
- Creswell, J. W. (2021). *A concise introduction to mixed methods research*. SAGE publications.
- Halder, K., Krapac, J., Goryunov, D., Brew, A., Lyra, M., Dizdari, A., Gillett, W., Renahy, A., & Tang, S. (2022). Enhancing Product Safety in E-Commerce with NLP. *ArXiv Preprint ArXiv:2210.14363*.
- Lira, A. G., & Mobarak, A. M. (2018). Enforcing Regulation under Illicit Adaptation. *ArXiv Preprint ArXiv:1808.09887*.
- Mahmud Marzuki, P. (2005). Penelitian hukum. In *Jakarta: Kencana Prenada Media* (Vol. 55). Jakarta: Kencana Prenada Media.
- Miles, H., Huberman, A. M., & Saldana. (2020). *Qualitative data analysis: A methods sourcebook*. New York: Sage Publications, Inc.
- Nasution, A. (1999). *Hukum perlindungan konsumen: Suatu pengantar*.
- OECD. (2024). *Product safety. Organisation for Economic Co-operation and Development*. <https://www.oecd.org/digital/consumer/consumer-product-safety.htm>
- Qomaruddin, Q., & Sa'diyah, H. (2024). Kajian teoritis tentang teknik analisis data dalam penelitian kualitatif: Perspektif Spradley, Miles dan Huberman. *Journal of Management, Accounting, and Administration*, 1(2), 77–84.
- Republik Indonesia. (1999). *Law Number 8 of 1999 concerning Consumer Protection*.
- Ruohonen, J. (2022). A review of product safety regulations in the European Union. *International Cybersecurity Law Review*, 3(2), 345–366.
- Sidharta, H. (2006). *Hukum Perlindungan Konsumen Indonesia Edisi Revisi*. Grasindo, Jakarta.
- Soerjono, S. (2014). *Faktor-Faktor yang Mempengaruhi Penegakan Hukum*. Jakarta: Rajawali Press.
- Soerjono, S., & Mamudji, S. (2010). *Penelitian Hukum Normatif Suatu Tinjauan Singkat*. Jakarta: RajaGrafindo Persada.
- Sugiyono, P. D. (2022). *Metode Penelitian Kuantitatif, Kualitatif dan R&D*.
- UNCTAD. (2022). *Trust in cross-border e-commerce: The case for consumer product safety*. United Nations Conference on Trade and Development. <https://unctad.org/meeting/trust-cross-border-e-commerce-case-consumer-product-safety>
- UNCTAD. (2025a). *Emerging trends and challenges in consumer product safety*. United Nations Conference on Trade and Development. <https://unctad.org/publication/emerging-trends-and-challenges-consumer-product-safety>
- UNCTAD. (2025b). *Handbook and training on consumer product safety*. United Nations Conference on Trade and Development. <https://unctad.org/project/handbook-and-training-consumer-product-safety>
- Zed, M. (2018). *Metode penelitian kepustakaan*. Yayasan Pustaka Obor Indonesia.
- Agustini, S., Efendi, S., & Pamulyadi, P. (2024). Tantangan Dan Solusi Dalam Implementasi Undang-Undang Perlindungan Konsumen Terhadap Produk Palsu. *Journal of Global Legal Review*, 2(2), 71–80.
- Agustini, S., Yoseva, W., Irdiwan, I., & Fernando, P. (2025). Efektifitas Undang-Undang No 8 Tahun 1999 Dalam Menjamin Hak Konsumen Atas Keamanan Produk Makanan Olahan. *Journal of Global Legal Review*, 3(2), 69–76.
- Barkatullah, A. H. (2019). *Hak-hak konsumen*. Nusamedia.
- BPOM RI. (2024). *Laporan tahunan pengawasan obat dan makanan*. Badan Pengawas Obat dan Makanan Republik

- Indonesia.
- BPOM RI. (2025). *BPOM ungkap 32 produk obat bahan alam ilegal sepanjang Oktober 2025*. Badan Pengawas Obat dan Makanan Republik Indonesia.
- Creswell, J. W. (2021). *A concise introduction to mixed methods research*. SAGE publications.
- Halder, K., Krapac, J., Goryunov, D., Brew, A., Lyra, M., Dizdari, A., Gillett, W., Renahy, A., & Tang, S. (2022). Enhancing Product Safety in E-Commerce with NLP. *ArXiv Preprint ArXiv:2210.14363*.
- Lira, A. G., & Mobarak, A. M. (2018). Enforcing Regulation under Illicit Adaptation. *ArXiv Preprint ArXiv:1808.09887*.
- Mahmud Marzuki, P. (2005). Penelitian hukum. In *Jakarta: Kencana Prenada Media* (Vol. 55). Jakarta: Kencana Prenada Media.
- Miles, H., Huberman, A. M., & Saldana. (2020). *Qualitative data analysis: A methods sourcebook*. New York: Sage Publications, Inc.
- Nasution, A. (1999). *Hukum perlindungan konsumen: Suatu pengantar*.
- OECD. (2024). *Product safety. Organisation for Economic Co-operation and Development*. <https://www.oecd.org/digital/consumer/consumer-product-safety.htm>
- Qomaruddin, Q., & Sa'diyah, H. (2024). Kajian teoritis tentang teknik analisis data dalam penelitian kualitatif: Perspektif Spradley, Miles dan Huberman. *Journal of Management, Accounting, and Administration*, 1(2), 77–84.
- Republik Indonesia. (1999). *Law Number 8 of 1999 concerning Consumer Protection*.
- Ruohonen, J. (2022). A review of product safety regulations in the European Union. *International Cybersecurity Law Review*, 3(2), 345–366.
- Sidharta, H. (2006). *Hukum Perlindungan Konsumen Indonesia Edisi Revisi*. Grasindo, Jakarta.
- Soerjono, S. (2014). *Faktor-Faktor yang Mempengaruhi Penegakan Hukum*. Jakarta: Rajawali Press.
- Soerjono, S., & Mamudji, S. (2010). *Penelitian Hukum Normatif Suatu Tinjauan Singkat*. Jakarta: RajaGrafindo Persada.
- Sugiyono, P. D. (2022). *Metode Penelitian Kuantitatif, Kualitatif dan R&D*.
- UNCTAD. (2022). *Trust in cross-border e-commerce: The case for consumer product safety*. United Nations Conference on Trade and Development. <https://unctad.org/meeting/trust-cross-border-e-commerce-case-consumer-product-safety>
- UNCTAD. (2025a). *Emerging trends and challenges in consumer product safety*. United Nations Conference on Trade and Development. <https://unctad.org/publication/emerging-trends-and-challenges-consumer-product-safety>
- UNCTAD. (2025b). *Handbook and training on consumer product safety*. United Nations Conference on Trade and Development. <https://unctad.org/project/handbook-and-training-consumer-product-safety>
- Zed, M. (2018). *Metode penelitian kepustakaan*. Yayasan Pustaka Obor Indonesia.