

Legal Sanctions Against Companies That Breach The Provisions of Circulation License (Case Study of Decision Number 728 / Pid.Sus / 2018 / PN.Sby)

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ABSTRACT

Through the decision of the Surabaya District Court Number 728 / Pid.Sus / 2018 / PN.Sb PT. ASAHAN FOOD does not need to stay in prison for 6 (six) months, provided that within the next 1 (one) year the owner of PT. ASAHAN FOOD is of good character. In the case of endangering the public with the decision mentioned above, the verdict in the case of the Surabaya district court has anomalies and has a vague meaning to law no.18 of 2012 concerning food article 91 and article 142 considering that there are still legal loopholes as a criminal act in the case of PT. Asahan Food for deliberately taking steps to ignore it for quite a long time (4 years) since the issuance of the new regulation to administer the permit from BPOM as the agency that has control over the safety of food products. so that this can cause loss and cause of death for the wider community.

Keywords: Law, Food Crimes, and Community Losses.

1. Introduction

Indonesia is a large and densely populated country with a scale of more than 260 million people and with the influence of the globalization era, Indonesia has very diverse food needs. To safeguard the country's sovereignty, Indonesia also needs to pay attention to domestic food security. National development must be considered and monitored as best as possible. National development is a reflection of all the people to always improve their prosperity and welfare in a just and equitable manner in all aspects of life in order to create a just and prosperous society, both material and spiritual based on Pancasila, contained in the fifth principle and the Constitution of the Republic of Indonesia 1945 (Hufbauer, 1998).

Food availability efforts based on the optimal use of local resources are carried out by means of food diversity and prioritizing domestic food production. This is realized through the management of supply and price stabilization of staple food, management of staple food reserves, and distribution of staple foods. Utilization of food or consumption of food and nutrition will be one of the factors determining the success of development. This is done by fulfilling diverse food intake, nutritionally balanced, and meeting the requirements for food safety, food quality and food nutrition (Bulkeley & Kern, 2006).



Food safety administration for food production activities or processes for consumption must be carried out through food sanitation, regulation of food additives, regulation of genetically engineered food products and food irradiation, stipulation of food packaging standards, providing food safety and quality assurance as well as guaranteeing halal products for which is required. Food Business Actors are responsible for food distributed, especially if the food produced causes loss, both to health problems and to death of the person consuming the food (Maduka & Okafor, 2014).

To realize general welfare, food sovereignty, food self-sufficiency and food security, the public can participate through the implementation of production, distribution, trade, food consumption, implementation of community food reserves, prevention and overcoming of food and nutrition hazards, delivery of information and knowledge on food and nutrition. , supervision of the smooth implementation of food availability, food affordability, food diversification, food security and / or improvement of household food self-sufficiency. The community can also convey food problems to the government and local governments (Rose-Ackerman, 2002).

The efforts of BPOM and MUI in maintaining food quality and quality are not alone because the roles of the two institutions are assisted by the Halal Product Guarantee Agency (BPJPH) which is supervised by the Ministry of Religion (Mranani & Lastianti, 2019). The role of BPJPH is in charge of accepting registration and issuing halal certificates to find out whether processed food is appropriate or not to be labeled by BPOM so that it does not have an impact on health causing poisoning or impacting death from processed food that is ready to eat that has been widely circulated in consumers. consumers must be vigilant and careful with packaged food that will be purchased and consumed.

Today the circulation of processed food products is widely circulated in the market, even through online social media, including using Facebook, Instagram, Twitter and others. In this case, well-known artists or social media activists who have many followers or followers can be used as a tool to promote these processed food products, as commonly referred to as advertising or endorsement media. because it attracts consumer interest this triggers the artist's followers to buy the product that their idol is advertising. but the artist does not use it directly only to promote it so do not think about the impact of what they have been promoting, it could be that it has an impact on human health. As public figures, they must also participate and be responsible in providing good product information to the public with what they have promoted so that they do not participate in promoting ready-to-eat food that does not or does not have food permit distribution provisions (Indriani, n.d.).

In consumer protection, there are several principles, namely the principle of benefit, the purpose of the principle of benefit is that efforts to implement consumer protection can provide

maximum benefits for the benefit of consumers in this case for consumers and producers (Putra, 2020). In essence, both must be mutually beneficial but still within the corridor of regulated laws. In addition, there is the principle of justice, which is meant for the organizer of consumer protection to realize the implementation of their rights and obligations in a fair manner. On the other hand, there is a principle of balance which aims to provide a balance between the interests of consumers and business actors and the government. In addition, there are safety and security principles for consumers to provide security and safety guarantees for consumers in consuming the selected food. The last principle in consumer protection, namely the principle of legal certainty, is intended so that consumers and business actors obey the laws regulated in order to obtain justice in the implementation of consumer protection guaranteed by the state (Tănăsescu, 2020). This last principle is the main problem in the problem of the relationship between producers as business actors who produce processed food to the public as consumers. so that they get legal protection and companies that obey the rules that have been adjusted by the Indonesian state get criminal sanctions.

Recently in Indonesia there has been a spread of a virus which is very worrying and deadly for the community. This also occurs in parts of the world, in the international world this virus is known as the corona virus disease or better known as the corona virus or covid-19. This virus spreads very quickly to fellow humans, the way of transmission is through fluids that come out of a human body that has been exposed to the corona virus previously through the media of goods or objects that are often touched by humans. Therefore, the authors also pay attention to the cleanliness of goods, namely in terms of sterilization of processed food products so that all communities are more sustainable (Sisman et al., n.d.).

The existence of law enforcers, especially judges, to make a decision ideally should contain an idea des recht which includes three elements, namely justice (Gerechtigheid), legal certainty (Rechtszekerheid), and benefit (Zwechtmassigheid). Sanctions are generally a means of coercing a person to obey the prevailing norms. Sanctions contain the essence of a criminal threat (strafbedreiging) and have a duty to comply with the established norms (Carter, 1987).

Seeing the various problems that exist, this will have a deeper discussion related to health, food, food hygiene, food entrepreneurs and licensing of ready-to-eat distributed food. Any person engaged in one or more food agribusiness subsystems, namely providers of production inputs, production processes, processing, marketing, trade and food support as supporting rights and obligations that can be held accountable for the business that they manage. PT. Asahan Food, which produces and trades pia bali print cakes and male Balinese pia cut cakes, which do not have a food distribution permit, do not have a food production and home industry certificate issued by the regent / mayor of Surabaya (Yustianti & Roesli, 2018).

Food business actors who deliberately do not have a distribution permit for any processed food made domestically or imported for trading in retail packaging as referred to in Article 142 in conjunction with Article 91 paragraph (1) of Law No. 18 of 2012 concerning Food. PT. Asahan Food, in this case, produces a Balinese cake that only uses a distribution permit from the health office extension letter No. DEPKES RI.SP No. 244/13 / .01 / 92 and the health office extension letter No. DEPKES RI.SP No.1056 / 13.01 / 96 which is printed on the cardboard pia bali cake. In this case the verdict of the Surabaya District Court case still has a vague meaning considering that there are still legal loopholes as a crime in the PT. Asahan Food because it deliberately took a long time to ignore the permit from BPOM as the agency that has control over the safety of food products so that it can cause loss and cause of death for the wider community which can be a legal issue in the subject of this research.

2. RESEARCH METHODS

This type of research is juridical normative which is sourced from statutory regulations, the Surabaya District Court Decision, and other legal documents. Legal Research or what is often said to be normative juridical research aims to find coherent truth, namely are there legal rules that are in accordance with legal norms, then what are the norms in the form of orders and prohibitions that have been made in accordance with legal principles and one's actions are in accordance with legal norms in other words not only according to existing rules or legal principles.

3. RESULTS AND DISCUSSION

Judge Position

The *decidendi ratio* in the judge's decision becomes an interpretation in a legal proposition. Interpretation according to KBBI (Big Indonesian Dictionary) is giving impressions, opinions, or theoretical views on something; interpretation. The proposition in this context is the premise, the premise according to the KBBI (Big Indonesian Dictionary) is First; What is considered true as the basis for later conclusions and rationale, Second; reason and Third; assumptions, sentences or propositions that are used as the basis for drawing conclusions in logic in this case is the judge's deliberation process. This proposition can be realized explicitly or implicitly.

The existence of a legal proposition that decides a case is seen from the point of view or context of material facts as a legal proposition which is the result of the rational judgment of the judge. Another definition of legal adage is "*judex set lex laguens*" (the judge is the speaking law). This is the existence of law enforcement and express or implied rules that are applied by judges as a process of reaching conclusions. In the perspective of the common law system, the previous judge's decision is the main source of law which is absolutely necessary to observe when facing a

similar case. The material facts, which are used by the judge when he builds considerations towards the conclusion that becomes a verdict.

The rule of jurisdiction in essence it is the rule of legal discovery. It is not appropriate for a decision to be called jurisprudence if there is no trace of legal discovery, either providing a new interpretation (through interpretation outside the grammatical interpretation) or establishing a new norm (through construction), which differs from the provisions of various legal sources that have been in effect at the time. this.

Judge policies are referred to as guidelines in deciding a case in court or the main pillar and last place for justice seekers in the judicial process. Judges are officials who carry out the duties of judicial power as located in article 11 paragraph (1) of law number 5 of 1986, namely judicial officials who are authorized by the law to judge contained in article 1 paragraph (8) of Law number 8 years 1981 concerning Criminal Procedure Law (KUHAP), To uphold law and justice. So from that it is burdened on the power of judges as a consequence of the rule of law, how the explanation of the 1945 Constitution states that the Republic of Indonesia is a state of law and the consequences are determined by judicial power, considering the position of the judiciary even Article 25 of the 1945 Constitution states that the conditions for becoming and dismissed as judges are established by law.

The judge's decision determines a sentence and its fairness in a dispute or violation of the law. Thus the task of judges in law enforcement is repressive, meaning that it determines law and justice after concrete cases have occurred, which in turn creates a source of law. Every law is static and not dynamic, so it cannot keep up with social developments. This creates an empty space in the legal provisions that apply in society and for that it needs to be filled in. The task of filling the empty space is borne by the judges by making legal discoveries through the method of interpretation or legal construction, on the condition that in carrying out their duties with the spirit of law or not being arbitrary.

Article 10 paragraph (1) of law number 48 of 2009 concerning Justice, namely

1. To ensure legal certainty that every case submitted to court will be decided.
2. To encourage judges to make legal discoveries.
3. As a symbol of the freedom of judges in deciding cases.
4. As a symbol, the judge does not always have to be literally bound by the existing laws and regulations. Judges can use various methods to achieve a true and fair trial.

Judge Function

The implementation of the principle *ius curia novit* for a judge in handling a case in the judicial system in Indonesia who tries not to apply the *unus iudex* principle, but adopts a flexible panel system (vide Article 11 paragraph (1) of Law Number 48 2009), unless the law stipulates

otherwise. Having a minimum of 3 (three) judges in one panel is intended to complement and complement one another. Even the law itself states that for the sake of examination of cases in court proceedings, all courts are obliged to provide mutual assistance requested (vide Article 15 of Law Number 48 of 2009), and judges are obliged to explore, follow and understand the values, law and a sense of justice that lives in the community, so that it will greatly assist the judge in resolving every case that is being examined or tried by the panel of judges concerned.

In Article 19 of Law 48 of 2009 concerning Judicial Powers it reads:

"Judges and constitutional judges are state officials who exercise judicial powers as regulated in law"

Judge's verdict

An executable judge's decision which contains ethos (integrity), pathos (first and foremost juridical considerations), philosophical (based on a sense of justice and truth), and sociological (in accordance with the cultural values prevailing in society), and logos (accepted by reason, healthy), for the sake of creating the independence of the administrators of the judicial power.

In this case the author analyzes the subject matter of the study, namely the decision of PT. ASAHAN FOOD with Number 728 / PID.SUS /2018 / PN.SBY as material for analysis of the results of the verdict above, there are irregularities or legal loopholes where the judge's interpretation is not directly proportional to the decision of the judge who tried PT. ASAHAN FOOD. In the verdict, the judge interpreted the actions of PT. ASAHAN FOOD which does not have a food distribution permit is a common violation not a crime that incriminates the owner of PT. ASAHAN FOOD. Even though the judge's verdict was real and convinced that the defendant's actions could endanger the community as burdensome matters.

However, in the verdict on the trial, the judge only sentenced the Defendant to imprisonment for 6 (six) months and then the judge's verdict also stipulated that the sentence did not have to be served unless a judge decided otherwise because the convict had committed an act. punishment before the probation period for 1 (one) year ends. In terms of endangering the public with a criminal verdict that is only imprisoned for 6 (six) months, it is a very light matter, especially since there is an additional verdict that is not burdensome, namely probation for 1 (one) year which means the defendant. In short, probationary punishment (voorwaardelijke) means the defendant owns PT. ASAHAN FOOD does not need to stay in prison for 6 (six) months, provided that within the next 1 (one) year the owner of PT. ASAHAN FOOD is of good character.

The owner of PT. ASAHAN FOOD was given a harsher sentence by the panel of judges. Considering that there is an element of crime in it, namely deliberately neglecting for a period of approximately 4 (four) years not to take care of food distribution permits and other certifications determined by the competent government agencies, in this case the BPOM and MUI. This has

become a legal loophole where there are no clear rules regarding the time frame of a necessity in the provisions for managing a food distribution permit as can be seen in Law No.18 of 2012 concerning food Article 91 paragraph (1) In terms of safety, quality control. , and Nutrition, every Processed Food made domestically or imported to be traded in retail packaging, Food Business Actors are required to have a distribution permit.

The importance of public safety as consumers is not taken into account by judges and tends to be ignored. Judges should prioritize interests and provide protection to the wider community as consumers who have inherent human rights and are protected by the Constitution of the Republic of Indonesia in Article 28A concerning Human Rights, where everyone has the right to live and has the right to defend his life and life. and Article 28D paragraph (1) where everyone has the right to just recognition, guarantee, protection and legal certainty as well as equal treatment before the law.

Judges as the vanguard in maintaining justice, should give accurate and fair decisions. The judge can also use his power to impose sentences beyond what is charged by the public prosecutor (JPU), this is called the ultra petita principle. The principle of ultra petita is that a judge renders a decision on a case that is not prosecuted / petitioned for or passes more than what was requested. I.P.M. Ranuhandoko defines ultra petita as exceeding what is requested, so that the meaning of ultra petita is to impose a decision by a judge on a case that is not prosecuted or decide beyond what is requested.

One example of ultra petita occurred in the Ahok case, the panel of judges at the North Jakarta Court sentenced the Governor of DKI Jakarta to 2 (two) years in prison, Basuki Tjahaja Purnama (Ahok) for the alleged case of blasphemy. The verdict hearing took place at the Auditorium of the Ministry of Agriculture, South Jakarta. "Sentenced to 2 (two) years imprisonment" said Chairman of the Panel of Judges Dwiwarso Budi Santiarito in the trial, Tuesday (9/5/2017). The panel of judges found Ahok guilty. Although in the previous trial the public prosecutor (JPU) demanded a sentence of 1 year in prison with a probation period of 2 (two) years against Basuki Tjahaja Purnama alias Ahok. The governor of DKI Jakarta was deemed to have violated Article 156 of the Criminal Code, which means that in short, probation (voorwaardelijke) means that the defendant Ahok does not need to stay in prison for 1 year, provided that in the next 2 (two) years Ahok is of good character.

Although in this case ultra petita is the pros and cons, ultra petita is still needed and needed to uphold the justice that lies on the shoulders of a judge. In the history of justice in Indonesia, there are several decisions of the Supreme Court of the Republic of Indonesia that dare to open the frame of the ultra petita prohibition, namely as follows:

1. Supreme Court Decision No. 140K / Sip / 1971, which is basically regulated in the provisions of the judge making a verdict that is ultra petita on the condition that "it must still be in a framework that is in line with the core of the lawsuit".
2. Decision of Supreme Court RI No. 556K / Sip / 1971, which basically stated that the judge may decide to grant a lawsuit that exceeds the request on the condition that "it must still be in accordance with the material incident".
3. Decision of Supreme Court RI No.1097K / Pdt / 2009, which in essence states that permitting ultra petita decisions is not clearly stated in the petitem in the a quo case but in the lawsuit contains a subsidiary petitem and is necessary for the effectiveness of the decision.
4. Supreme Court Decision No. 425K / Sip / 1975, which in essence an order of the judge may carry out ultra petita in determining how appropriate the amount of compensation should be, even though the plaintiff has the right to demand a certain amount of compensation;

The attitude of the Supreme Court above is evidence that the judiciary has carried out its main activity, namely providing and administering substantial justice for the justice-seeking community, and does not want to make law as a technology without a conscience, but as a moral one. Thus from the description above it can be understood that a judge in examining and deciding a case must have the courage to leave the frame of a legal principle or rule that cannot bring justice or justice to the justice-seeking community, because the judge's duty is to realize and uphold justice, not only limited to what is in the laws and regulations.

Considering that statutory regulations are not purely a legal product, statutory regulations still have political interests in them because there is an element of negotiation of attraction in making or creating these laws and regulations. So that for the sake of justice, the judge becomes an important figure who is expected to create justice in an effort to find law, so ultra petita can be an option to uphold real justice for the community.

Legal Sanctions Against Companies That Breach Uncertificated Food Laws Legal Sanctions On The Company

Food that is safe, high quality and nutritious is very important for the role of growth, maintenance and improvement of health status and increasing public intelligence. Therefore, the community needs to be protected from food that can harm and / or endanger health. Through the Food and Drug Supervisory Agency (BPOM) and the Indonesian Ulema Council (MUI) which have an important role in maintaining the quality and quality of a processed food product through tests and leading to certification of a food processed product so that it has a food distribution permit and is ready for distribution. to the wider community as consumers.

Certification is proof that a business actor has carried out a feasibility test at BPOM and MUI which have certification of safety, quality, food nutrition and halal assurance. Thus the wider

community as consumers is guaranteed the safety and sustainability of their lives. The government, through state institutions, seeks to ensure food safety that is circulating in the wider community. Through the Government Regulation of the Republic of Indonesia Number 28 of 2004 also provides rules related to Food Safety, Quality and Nutrition.

There is a relationship between the Company as a business actor that produces processed food and the community as consumers. According to the Law of the Republic of Indonesia Number 8 of 1999 concerning Consumer Protection, what is meant by business actors is every individual or business entity, whether in the form of a legal entity or non-legal entity which is established and domiciled or carries out activities within the jurisdiction of the Republic of Indonesia, either independently, as well as jointly through agreements to carry out business activities in various economic fields.

Apart from being the government's responsibility, security for food quality and nutrition assurance is also the responsibility of business actors. The existence of sanctions is closely related to the form of supervision and law enforcement by law enforcers and by the community. Legal sanctions for companies that violate food distribution permits are the result of law enforcement, while law enforcement occurs due to violations and the occurrence of violations can be overcome through supervision. The form of supervision and law enforcement can be objective, honest, integral and dynamic.

Based on Presidential Regulation Number 80 of 2017 concerning the Food and Drug Supervisory Agency, the Food and Drug Supervisory Agency is a non-ministerial government agency that carries out government affairs in the field of Drug and Food control. BPOM is under and responsible to the President through the minister who holds government affairs in the health sector. The BPOM has the task of carrying out government duties in the field of Food and Drug Control in accordance with the provisions of laws and regulations. Drugs and Food consist of drugs, medicinal ingredients, narcotics, psychotropic substances, precursors, addictive substances, traditional medicines, health supplements, cosmetics, and processed food.

In carrying out the task of Drug and Food Control, BPOM carries out functions:

1. To formulate a national policy in the field of drug and food control;
2. Implementing national policies in the field of Medicine and Food;
3. To formulate and stipulate norms, standards, procedures and criteria in the field of Pre-Circulation Control and During Circulation Control;
4. Implementation of Supervision Before Circulation and Supervision During Circulation;
5. To coordinate the implementation of drug and food control with central and regional government agencies;
6. Providing technical guidance and supervision in the field of drug and food control;

7. To take action against violations of the provisions of laws and regulations in the field of drug and food control;
8. Coordinating the implementation of tasks, guidance, and providing administrative support to all organizational elements within the BPOM;
9. To manage state property / assets which are the responsibility of BPOM;
10. Supervision of the implementation of tasks within the BPOM;
11. Implementation of substantive support to all organizational elements within the BPOM.

In carrying out the task of Drug and Food Control, BPOM has the authority to:

1. Issuing product distribution permits and certificates in accordance with the standards and requirements of safety, efficacy / benefits and quality, as well as drug and food testing in accordance with statutory provisions;
2. Conduct intelligence and investigation in the field of drug and food control in accordance with the provisions of laws and regulations; and
3. Imposing administrative sanctions in accordance with statutory provisions.

The Role of BPOM Against Companies Violating Food Distribution Permit Rules

BPOM as the food and drug control agency certainly has the authority to supervise the circulation of food in society. Business actors producing or importing food packaged into Indonesian territory for trading are required to include a label on, inside and / or packaged food and the label contains at least information regarding: (a) name of product, (b) list of ingredients used , (c) net weight or net content, (d) name and address of the party producing or importing food into the territory of Indonesia and (e) information about halal and the date, month and year of expiration.

In article 142 of Law Number 18 Year 2012 concerning Food, it is stated:

Food entrepreneurs deliberately not having a distribution permit for any processed food made domestically or imported for trading in retail packaging as referred to in Article 91 paragraph (1) shall be punished with imprisonment of 2 (two) years or a maximum fine. a lot of Rp. 4,000,000,000.00 (four billion rupiah).

Sanctions for Dangerous Food Sellers

Anyone who violates the provisions regarding compliance with food quality standards as well as contaminated food as mentioned above, will be subject to administrative sanctions.

The administrative sanctions are in the form of:

- a. fine;
- b. temporary suspension from activities, production and / or distribution;
- c. withdrawal of Food from circulation by producers;
- d. compensation; and / or

e. revocation of license.

In addition, it can also be criminalized. In Law Number 8 of 1999 concerning Consumer Protection (“Consumer Protection Law”) it is stipulated that business actors are prohibited from producing and / or trading goods and / or services that do not meet or do not comply with the required standards and the provisions of laws and regulations. For food and beverages, there are food safety and quality standards established by the Government. So, if the seller sells food that does not meet food safety and food quality standards, then he also violates the provisions of the Consumer Protection Law.

Business actors who violate the provisions of the Consumer Protection Law, will be punished with imprisonment of up to 5 (five) years or a maximum fine of Rp. 2 (two) billion. The chairman of the Indonesian Consumers Foundation (YLKI) North Sumatra, Abubakar Siddik, also said in the YLKI article: Snacks Containing Hazardous Preservatives Can be Punished, that food sellers who use hazardous substances can be charged under Article 62 of the Consumer Protection Law and face a maximum penalty of 5 years in prison and a fine of Rp. 2 billion.

4. CONCLUSION

Efforts by the Government of the State of Indonesia in upholding justice through judges' considerations in deciding a case are contained in Law No. 48 of 2009 concerning judicial power. This provides an illustration related to the ratio analysis of the Surabaya District Court in deciding the case of PT. ASAHAN FOOD NO.728 / PID.SUS / 2018 / PN.SBY. Judges as the vanguard in maintaining justice, should give accurate and fair decisions. Judges should prioritize interests and provide protection to the wider community as consumers who have inherent human rights and are protected by the Constitution of the Republic of Indonesia. The duty of a judge is to realize and uphold justice, not just what is in the laws and regulations. Considering that statutory regulations are not purely a legal product, statutory regulations still have political interest in them because there is an element of negotiation of attraction in making or creating these laws and regulations. So that for the sake of justice, the judge becomes an important figure who is expected to create justice in legal discovery efforts, then *ultra petita* can be an option to uphold real justice for the community.

The Food and Drug Supervisory Agency (BPOM) and the Indonesian Ulema Council (MUI) have an important role in maintaining the quality and quality of a processed food product through tests and leading to certification of a processed food product so that it has a food distribution permit and is ready for distribution. to the wider community as consumers. Certification is proof that a business actor has carried out a due diligence at BPOM and MUI that

have Halal certification. Thus the wider community as consumers are guaranteed safety and survival. The government, through state institutions, seeks to ensure food safety that is circulating in the wider community. However, in its development there are still business actors who are naughty and have evil intentions that are oriented solely to material gain. The regulations that apply to food distribution permits can be easily circumvented by cooperating with law enforcement officials. The community should also be introspective to protect themselves and their families, the community must know the importance of BPOM and MUI certification. The government through state institutions must also play an active role in socializing and enforcing the law, so that people as consumers do not become victims again.

Suggestion

The government should conduct a review related to the limits on the requirement for a food distribution permit so that it does not become a legal loophole for business actors who cheat, namely the laws and regulations governing food, especially in Article 142 of the Republic of Indonesia Law Number 18 of 2012 concerning Food. The government must also be more serious in enforcing the law on the Circulation of Food Permits and the hope is that the government will immediately make new regulations, especially on criminal sanctions against companies that commit criminal acts and acts against the law related to food circulation.

The efforts of BPOM and MUI to maintain quality assurance and clarity of a product through certification are good, but there are still obstacles in the field related to cooperation between business actors and law enforcement officers (certification officers) who deviate from the soup rules that apply in BPOM and MUI which aim to simplify the certification process so that the community becomes victims. It is hoped that the government will carry out double supervision independently and in an impartial manner during the certification assistance period with the aim of the process not being made an arena for personal gain by individuals who have interests above the interests of the wider community as consumers.

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