
CONSUMER PROTECTION AGAINST SKINCARE TRADE NOT YET LICENSED BY BPOM THROUGH E-COMMERCE

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Abstract :

The development of e-commerce as a trading medium has give convenience for consumer For to obtain various products, including skincare. However, it appeared challenge significant in the form of the rise illegal skincare products that are not own permission distribution from BPOM, which has the potential endanger health consumers and create gap law in protection Consumers. Research This aiming For analyze framework law protection consumers in Indonesia towards skincare trade without permission distribution through e-commerce, identifying not quite enough answer perpetrator e-commerce businesses and platforms, as well give recommendation policy For strengthen protection consumers.

Research methods used is approach legal normative, with focus on analysis regulation law positive in effect, study literature, as well as evaluation cases violation protection consumers. Research results show that even though Law No. 8 of 1999 concerning Protection Consumer has give runway law, implementation regulation Still need strengthening, especially in aspect pre-market and post-market supervision by BPOM. E-commerce platforms also have not quite enough answer big For ensure that products sold has fulfil standard security and licensing.

Implications study This emphasize importance synergy between government, e-commerce platforms, and society For create ecosystem more trade safe and ethical. Research This also provides recommendation policy For strengthen supervision law as well as increase awareness consumer in choose guaranteed product quality and safety. With Thus, it is expected protection consumer can improved in a way significant in the digital era.

Keywords : BPOM; Skincare; E-Commerce

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INTRODUCTION

In the digital era that continues developing , trade electronics (e-commerce) has become one of the main pillars global economy. E-commerce provides convenience for consumer For get various type product without geographical boundaries, including product maintenance skin (Indrajit, 2022). However, on the other hand, there appears global challenges related the rise product maintenance skin illegal which is not registered or Not yet get license from institution supervisor such as the Food and Drug Monitoring Agency (BPOM) in Indonesia (BPOM, 2023). Products This No only cause risk health but also creates challenge significant law in protect consumers.

The problem security product maintenance skin is global issues that include various countries. Organization World Health Organization (WHO) has emit warning related danger use product cosmetics false or without license that can cause damage skin until disease chronic others. In some developed countries, regulations strict enforced For ensure security consumers. However, in developing countries like Indonesia, still Lots gap that allows product illegal the circulating wide through e-commerce platforms (Prasetyo, 2021).

In Indonesia, the rapid development of e-commerce has become track main distribution product cosmetics. Unfortunately, this platform often exploited by the perpetrator effort that does not responsible answer For sell product maintenance unpeeled skin licensed by BPOM (Kuncoro, 2023). Based on report BPOM (2023), there is improvement amount complaint consumer related product maintenance skin false or No registered. Products This usually for sale with price more cheap For interesting consumers, even though risk his health is very high.

The Ministry of Trade and the Ministry of Industry of the Republic of Indonesia have also identify that product cosmetics illegal, including maintenance skin, contributing to increased case violation consumers in the e-commerce (Kementerian Perdagangan Republik Indonesia, 2023) This case highlight weakness supervision to online trading, although There is regulations that govern not quite enough e-commerce platform answers.

Study This become important Because height risks faced consumer consequence the rise product maintenance unpeeled skin registered with BPOM. In the context law protection consumers, there are need urge For strengthen regulation and supervision towards e-commerce platforms (Shidarta, 2023). In addition, research this is also relevant For fill in gap between existing regulations and implementation protection effective consumer.

According to (Fauzela, 2023), policy laws in Indonesia related protection consumer Still face challenge big in handle trading product cosmetics illegal. This is show the need approach holistic involving cooperation between government, e-commerce platforms, and society For create ecosystem more trade safe.

Although has There is a number of research that discusses protection consumer in online trading, mostly study the only focus on aspects law in a way general without touch product specific maintenance unpeeled skin licensed by BPOM (Fauzela, 2023; Nurdianti, 2024). In addition, research previous tend not enough discuss the role of e-commerce platforms in prevent sale product illegal and responsible answer law they to consumers.

Study This aiming For fill in gap the with focus on analysis not quite enough answer law second split parties, namely perpetrator business that sells product illegal and e-commerce platforms that become intermediary trading (Siahaan, 2020). With Thus, research This expected can give recommendation more policies concrete For protect consumers.

Study This aiming For Analyze framework law protection consumers in Indonesia related trading product maintenance unpeeled skin licensed by BPOM through e-commerce. Identifying not quite enough answer law from perpetrator businesses and e-commerce platforms in protect consumers. Giving recommendation policies that can applied For strengthen protection consumers in the digital age.

Study This focused on literature study to regulation the laws applicable in Indonesia, including Constitution Protection Consumers and BPOM regulations. Analysis cases violation protection related consumers with product maintenance skin illegal in e-commerce. The role of e-commerce platforms in prevent circulation product illegal and responsible answer they to consumers.

Study This expected can give contribution to strengthening policy protection consumers in Indonesia. In addition, research this can also become reference for government in increase supervision on e-commerce platforms (Miru, 2019). Implications other is give awareness to consumer about importance choose product maintenance skin that has been own license official For protect health they.

With utilize data from various source like books, journals, and official websites, research This expected can give a comprehensive overview about protection consumer in context trading product maintenance skin via e-commerce. References from BPOM, the Ministry of Trade, and the Ministry of Industry also provide strong foundation For understand existing challenges and formulate effective solutions (BPOM, 2023; Ministry of Trade, 2023; Ministry of Industry, 2023).

RESEARCH METHOD

Methodology study This designed with approach law normative which prioritizes analysis descriptive For give comprehensive solution to related issues with not quite enough answer law in case online trading. **Research** This focus on analysis to regulation legislation in Indonesia for identify framework laws that protect consumer from loss consequence practice fraud in e-commerce, especially related product maintenance skin false.

In this process, research focus on study extensive literature with approach regulation law. Data collected through various source material law, including legislation, journal academic, as well as document official related protection Consumers. **Research** This make an effort identify elements the main thing that builds framework law and determine How element the can applied For protect consumers who are harmed.

Study This implemented at the relevant location with focus to applicable law in a way national in Indonesia, with consider related regulations with online transactions and protection Consumers. **Research** time customized with change regulation latest as well as development technology that influences e-commerce transactions. In addition, research This covers a number of aspect the law that covers law protection consumers, e-commerce regulations, and analysis case that shows How second split party can responsible answer in finish case fraudulent misrepresentation consumers.

Population and sample in study This covers regulation applicable law in a way national, as well as a number of case concrete that represents various form online fraud involving product maintenance skin. Through election sample this, it is expected can obtained deep understanding about pattern behavior perpetrators and patterns protection the law applied to consumers.

Instrument study This is document regulation law consisting of from Constitution related protection consumer, guidelines implementation online trading, as well as regulation specifically for e-commerce. In addition, research This also takes advantage of documents regulations that reflect protection consumer in context international as comparison, use ensure that approach the law taken in line with practice best international.

Data collection techniques were carried out with studies library and analysis document law, where every material law reviewed and analyzed in a way comprehensive For identify patterns effective law in finish problem fraud consumers. Every document collected regulations analyzed with approach deductive For ensure that applicable law can implemented with effective in protect rights consumers.

Data analysis techniques involve analysis to regulations and precedents law, where every regulation tested For measure its effectiveness in give protection for Consumers. **Analysis** This use framework think normative For build argument that existing law should give guarantee to consumers who are harmed. This technique also focuses on the aspects of the perpetrator's responsibility and the role of government in implementing fair and equitable protection.

RESULTS AND DISCUSSION

Not enough answer law trading maintenance skin None permission via e-commerce according to law positive Indonesia

Progress technology through transaction electronics, trade now Lots interested by the public. Trading done with progress easy internet technology accessible and without visual barriers. E-commerce itself Actually has become agreement between seller and buyer after agree presentation ads and orders from perpetrator business and consumers through online transactions.

Protection law Alone will shared become a number of parts, namely : in matter contract, evidence electronics and responsibility answer perpetrator business as partner based on analysis conducted by the author.

Protection from Perspective Contractual

In the Regulations President Number 80 of 2017 concerning the Food and Drug Supervisory Agency, Article 3 explains one of the The function of BPOM is Supervision Pre Distribution and Supervision During Distribution, including activity enforcement to violation regulation legislation in the field of Drug and Food Supervision. Pre-Distribution Supervision which is usually called pre-market is supervision against Drugs and Food before distribution done as action prevention For ensure that the drugs and food in circulation fulfil standards and requirements safety, efficacy / benefits, and quality products that have been determined. Related supervision after product distributed or called post-market, is supervision to medicine and food during distribution product For ensure that the Medicines and Foods that have been distributed has fulfil standards and requirements safety, efficacy or benefits, and quality products that have been set as well as enforcement law to violation rule.

Quoted from the BPOM website, the system Drug and Food supervision implemented by BPOM is mechanism procedures and processes that are overall, covering supervision before circulation or called pre-market and during circulation or called post-market. Procedures and mechanisms the explained as following : (E- Portfolio at BPOM, 2023):

- a. Standardization, regulations and policies related to Drug and Food Control.
- b. Evaluation before distribution is called pre-market, an assessment of the product before obtaining distribution numbering permission to produce and distribute to consumers via e-commerce.
- c. Post-circulation supervision that works for product quality control, safety and product development if it has been circulated through sampling of Drug and Food products that have been circulated, as well as control and monitoring of drug and food production and distribution infrastructure, monitoring and supervision of labels/labeling and advertisements Still valid or expired. Post-circulation supervision is carried out nationally and is controlled, consistent, and standard. Supervision is carried out by the Main Office/POM Office in 33 provinces and district/city areas whose operational officers are Drug and Food Supervision Posts (POM Posts).
- d. Laboratory tests. Product sampling is based on the risks that occur in the field, then tested through a laboratory, then it will be known whether the Drugs and Foods to be distributed have met the requirements for safety, efficacy or benefits and quality. The results are used as research data and are used to determine whether the product has been standardized based on the requirements or not, if it does not meet the requirements then it is used as a basis for withdrawing products that are not suitable for distribution.
- e. Law enforcement in the field of Drug and Food supervision. Based on evidence from testing, examination, or initial investigation. Legal procedures up to projusticia will end when administrative sanctions have been issued, for example a ban on product distribution, withdrawal from circulation, revocation of distribution permits, and confiscation for destruction. If the violation falls into the criminal realm, then Drug and Food violations can be processed under criminal law.

The description above explain that BPOM is on duty supervise circulation medicine and cosmetics start from supervision before circulating after That do evaluation based on explanation said. BPOM is tasked with supervise circulation medicine and cosmetics For evaluate security product before get number on permit distribution For Then can through production and distribution to consumers, then There is supervision after circulation For do control and supervision after product marketed and useful For observe consistency quality products, security and information product with do monitoring taking sample medicines and products food that has been circulating in society. Like as it is trading skincare cream illegal activities that occurred in Tya in East Kalimantan and caused consumer experience skin damage her face and become burning, steps law following taken :

Actors and consumers do transaction sell buy through an e-commerce platform using the internet, so make contract. Agreement electronic This is documents that can used as one of the proof electronic For prevent use the party that does not related in form e-commerce crime. This is Why protection law important For protect perpetrator business that has permission. Tya's case is one of example BPOM's role in surveillance pre- market. Considering the amount skincare products that are not licensed and circulating for free. Tya becomes tempted and do transaction purchasing skincare through e-commerce. After Tya went viral, the related do steps handling, for example BPOM carries out monitoring and control before circulating product and after circulating products and results :

Explain that product it is not licensed After get consequence damage skin face. According to Philipus M. Hadjon, there are two types protection law, namely protection conflict and anti- legal protection :

- a. Legal protection is a guarantee provided by business actors by stating information about the content and composition of their products and brands and selling skin care products and BPOM rights;
- b. Legal protection is protection against sanctions that can be obtained for unlawful acts. Sanctions that can be obtained can be in the form of fines, restitution, imprisonment and other restrictions. Legal relations are based on Article 1320 (Civil Code), concerning the requirements for the validity of an agreement, namely all parties agree and complete the agreement professionally. According to Article 1338 (Civil Code), business actors have received promises written in advertisements, letters or brochures that are distributed, so that the promise binds those who make it. Business actors and consumers related to the description above will be connected by a legal relationship when business actors provide guarantees and explanations regarding their services or products.
- c. Can be sued if the business actor who trades skin care products but violates the law so that it causes skin damage and endangers health in accordance with the consumer protection system regulated in article 1365 of the Civil Code which states that: "every act that violates the law and harms others. The person who causes the loss must be "namely able to replace the loss" in article 1371 of the Civil Code it is explained: "If a person's injury or disability is caused by negligence, then the person who is harmed or the person as a result can be called a customer can request compensation for the loss of medicine.

Protection law For contract electronics

Protection law in contract electronic arrange perpetrator business For write document containing terms and conditions that must be met complied with by consumers. Terms and conditions this also works as protection law for second split party with explanation among others:

- 1) Product exchange if the goods received are not the same as those ordered;
- 2) The Privacy Act must protect the personal data of electronic media users. The transfer of information must be accompanied by the consent of the owner of the personal data. This is a form of legal protection for business actors who conduct electronic commerce, In Article 25 of Law No. 11 of 2008 concerning ITE "Electronic information and/or electronic documents collected in intellectual works, internet sites, and intellectual works available therein are protected as intellectual property rights under the provisions of the law;
- 3) Legal protection for consumers of skin care cream products containing mercury. Buyers are lured by advertisements presented through product websites with various packaging and quality promised in the advertisements. In the era of globalization, skincare has become a primary need in everyday life, so that they ignore the quality and content of chemicals mixed in skincare. What is desired is clean, radiant and shiny facial skin. They forget that instant care certainly risks containing hazardous chemicals, namely mercury. The absence of a distribution permit for skincare means that the quality, safety and effects that appear are not detected.

People only think about cheap skincare that reacts quickly in a few weeks without thinking long will cause irritation, inflammation and burning facial skin. In the case of Tya in East Kalimantan, the negative impacts that arise if fake skincare that is not licensed has been explained.

Protection law outside contract electronics

Protection law for perpetrator business also applies for Property Rights Intellectual and responsible the answer as set up in Article 23 of Law no. 11 of 2008 concerning ITE. Collected electronic data as riches intellectual in form various product must protected by law riches intellectual. Information electronic Of course own mark commercial for creator or the developer. Therefore that, the IPR law will protect rights them. Through Constitution Number 8 of 1999 concerning Protection Consumers on April 20 , 1999, case trading electronic give chance strong negotiation for consumer For can claim his rights. but also create equality for second split parties. In the interpretation of UUPK, it is seen that instrument law protection consumer No with remove perpetrator economy, but with protection consumer will capable push condition good business and study about difficulties faced by companies. compete with provide products and/ or quality service.

Position consumer must get protection law, because in essence one of them and the purpose from law is For protect community. Protection law for public must realized through agreement the law which is right consumers. According to writer, when do e-commerce trade , as consumers must also be careful and pay attention contribution of the actors business. Often perpetrator business make offer product the fiction offered with price cheap For interesting buyers. As consumers, need confirmed before order a product that perpetrator business give WhatsApp number for communication and address traded products.

If you are interested with the products offered, especially formerly communicate with perpetrator business via WhatsApp for ensure that product the truly available, then consumer ask for details of the product to be purchased ordered. If the agreement achieved, consumers quick pay amount order products and send product. Active customer service with always communicate or ask to perpetrator business about the product you want purchased so that will reduce number loss for Consumers. The Law of Evidence in Indonesia is based on the procedure in Civil Code. Decided that proof can used and accepted before tried in court civil in amount limited. In Article 1866 of the Civil Code, it is defined that proof in case civil consists of from : evidence written, witnesses, thoughts, confessions, and suspicions.

Electronic evidence

Signature electronic is problem special for e-commerce. In principle, the sign hand electronic associated with guarantee of " integrity " information " which guarantees that sender message is a person who has rights and responsibilities answer on matter that. The difference with sign hand normal is its function only For accept and acknowledge Contents messages / documents. Because e-commerce is easy downloaded by unauthorized parties authorized, security in trading electronic need protection through data integrity. Therefore that, is needed systems and mechanisms security level tall For guard system his communication in network open, for example use of the Internet, so that public own trust to system existing communication.

In Indonesia, online e-commerce trading includes in category action real including action law. In law cyber, no appropriate Again For arrange something only with use size and space scope For act as something in practice, because If somebody use method this, they will experience difficulties and escape from law. Online e-commerce trading has consequence real although the proof nature electronics, so that subject the maker must can fulfil condition For do practice good law. According to writer, something that must be be noticed is security. There are three mechanism For guard security in cyberspace begins from : 1) technical ; 2) social and ethical ; and 3) legal. For overcome threat

security, mechanism technical is very important, considering without mechanism technical, network will easy downloaded in a way illegal. Therefore that, system legal, social, cultural and ethical The same importance with system others. Legislation especially in form access good law give impact sure guarantee and become base for implementation law that violates.

Obligation somebody For finish what has been done. In terms of law , this refers to obligations the law that arises from various field law, including law civil and criminal . Article 1365 of the Civil Code explain that every an act that violates law and harms other people, then the person who does it action the must bear losses incurred. Career in the field law own meaning important Because covers various aspect law in life social. In the context of society, relationships between individual set and determined through code ethics that must be complied with. In a non- crime context, accountability own measure measuring existence obligation somebody For responsible answer on action criminal. On the contrary, obedience to obligation law is mandatory for maintaining security and order and a sense of justice in life nation so it is very possible injured party will get change make a loss on losses suffered consequence act crimes committed by other people. In addition, accountability also becomes tool important For support compliance law and reduce possibility violation. Therefore that, understanding best about role law is importance in guard harmony and justice in society.

Responsibilities of Business Actors

In concept law accountability product, existence principle not quite enough answer absolute explain that perpetrator business obliged responsible answer on loss consumers caused by the product from sales that are not in accordance with step next, no need show existence error on the part of perpetrator business (Matheus, 2024). Principle accountability strict No depend on error current or intention For cause losses that are basically related with action oppose law, but based on violation obligation absolute For make something safe contained in every agreement or contract between perpetrator business and consumers. Because it is based on an agreement or contract, responsibility answer perpetrator business in accountability product No need proof fault (Freedman, W, 1984).

- 1) Law no. 8 of 1999 concerning Protection Consumers in Article 8 regulate prohibition for perpetrator business that does crime with make products and sell products that are not in accordance with standard in Constitution (Lastini, 2016)
- 2) Likewise in Article 9 of Law no. 8 of 1999 concerning Protection Consumers, for perpetrator usiness there is prohibition production Where perpetrator business do offers, promotions items that are not standard and do lie public to public.
- 3) Article 10 of the Protection Law Consumer arrange that perpetrator business that offers goods And/ or services intended For trading forbidden offer, promote, advertise or make a false statement or misleading.
- 4) Article 15 of the Protection Law Consumer mention that perpetrator business in offer goods and/ or service forbidden do it with method coercion or another way that can be cause loss physique or psychological for consumers.
- 5) Article 17 of the Protection Law Consumer arrange prohibition advertisement.

Regulation law about circulation cosmetics containing mercury in a way clear poured out in Constitution Number 8 of 1999 concerning Protection Consumers, who regulate existence warning that perpetrator business forbidden do activity his efforts, including circulation goods, especially in study this , the item in question is Cosmetics Contain Mercury, obviously violate the rules that are set in UUPK.

Effectiveness implementation in arrange protection consumer For purchase maintenance skin without permission

Activity marketing maintenance skin that is not licensed or false moment This violate law. The role of government required For inspect whether Constitution the has applied with Good or not yet. In implementing Constitution said, the party authorized must be careful with Keep going monitor sale product maintenance skin illegal at the moment This currently popular through e-commerce. According to Soerjono Soekanto (Soekanto, 1989). There are some aspects that can influence enforcement law, namely implementation law by law enforcers law yourself and society consider enforcement law as type, and if We observe problems that occur moment this, many case perpetrator business that trades product false in a way Keep going continuously, because this law Not yet effective Because the amount workers who suffer Because treasure object or treasure the thing is lost (SHAIIN, 2022). Weakening factors condition and position consumers, which may due to low knowledge law and awareness will rights and obligations, then the Protection Law Related consumers with trading free compared to straight with the era of globalization so that easy done transaction No healthy which has an impact on harming the Health Protection Act Consumer Because emergence competition between perpetrator impactful business negative on consumers.

Protection of victims in case purchase maintenance skin without permission

In terms of this, principle Law no. 8 of 1999 concerning Protection Consumers, Article 8 of the UUPK which has explained previously state that perpetrator business No may buy and sell service or products that are not fulfil condition law. Example case On July 16, 2023, through electronic media, a woman named Tya who lives in East Kalimantan went viral and suffered disease Because color skin her burnt face Because stop use product cream maintenance skin fake containing mercury . Tya's viral case got response from Neny Triastuti, lecturer Faculty Faculty of Medicine (FK) Muhammadiyah University of Surabaya who is a Beauty Doctor. Neny explain that substance the most famous mercury contain product bleach Because capable press melanin formation, its effects is skin become more bright and shining a moment. Next, the case similar related circulation of skincare in August 2019, confiscation of 148 types and 8,431 boxes of fake skincare by BPOM representatives for the Riau Islands (Kepri) region.

In terms of this, the perpetrator trading cream maintenance skin fake containing substance dangerous mercury cheat consumer For believe that the cream they sell make skin bright and radiant in time short, doctor to argue that precedent worst that is detrimental trading via e-commerce via product fake, that skin Can become white. Initially, the doctor say he only will to prescribe drugs that can reduce risk. The above statement clear show that product maintenance skin has Lots circulating in the market so that doctor understand consequence from product false they (Ni Kadek Diah Sri Pratiwi, 2019).

Consumer Foundation (YLKI) has learn Lots cream maintenance skin that is not licensed or fake containing Lots material chemistry dangerous, namely mercury. Victims of fake skincare sales, YLKI said that consumers who apply complaint not enough more than 5-10 people per year. Reported data No in accordance with reality on the ground. We see Still lack of awareness society, as well as Tya's case from East Kalimantan, the victim's skin her face burnt Because using fake skincare. If the case like This left alone Keep going continue, many consumers who will disadvantaged Because Legal skincare sales are affected and difficult For get permission, and control of the skincare market becomes not quite enough answer taker policies in government and society. All party play a role important in protect rights consumer (Milala, 2022).

The role of YLKI in product cosmetics bleach face false is :

- a. share information to raise awareness of the rights and responsibilities and policies of buyers and their parties regarding goods and/or services;
- b. partner with related companies in an effort to achieve consumer protection;
- c. provide assistance to consumers to obtain, namely:

Accept duality Community as Consumers . Based on the Consumer Protection Act Consumers, YLKI will can increase roles and duties through protection consumers and not as defender perpetrator business. YLKI can give information to public about rights they related product virgin face false through e-commerce. Socialization carried out by YLKI for know (Agung Nugroho, 2014): 1) socialization via electronic media explains the access to information that can be provide sufficient data to consumers and determine the right choice in accordance with desired desires and needs consumers. There are none information received cause buyer experience difficulty in use product cosmetics bleach the face that ultimately result in disappointment or death for those used ; and 2) socialization conventional explain Work same as YLKI government as maker mutually supportive policies to inform related protection consumer, supervision goods and services sold in the community, counseling For community. Furthermore, the collaboration that has been implemented by YLKI with various institution start from education, Community Empowerment, and Business Actors.

Standardization Quality Product Cosmetics in Indonesia

Implementation of Law in society in accordance custom customs. When analyzed, the position consumer weak. Therefore that, for protect position consumers and ensure that law can established, made regulation about protection consumer. (Tiara Nabila, 2023)Protection Act Consumer arrange perpetrator business in system law, especially about impact security after system formed. Relationship between perpetrator business and consumers in trading through e-commerce (Utama, 2023). After that, for comply Constitution said , the Indonesian regulatory body, BPOM, was formed to carry out its function as first listed in Presidential Decree Law (Keppres) Number 166 of 2001, amendments on Presidential Decree No. 103 of 2001. Presidential Decree updated twice in effort to clarify right BPOM ownership. Basic Law Presidential Decree show delegation authority For manage department general medicine and food to agency specifically outside the Ministry Responsible for President (Prabowo, 2021). Speak about matter said, Presidential Decree Number 80 of 2017 states that BPOM's determination as agency government led by the Head Agency, not Minister (Permatasari, 2023).

Referring to the authority of BPOM in Article 1 of BPOM Law Number 12 of 2018, it is stated that The role of the Technical Implementation Unit (UPT) is implementing technology strategies . In supporting operational or things technical, especially those related to with supervision medicine and food , depending on the matter provision law. In addition, BPOM and its implementation moment This currently operate structure organization compilation standards and regulations about management product center that seeks avoid difference standards in the field anything like style pre-market (Ameliani, 2022)care . Next, handling after BPOM maintains circulation standard quality, safety and information product in a way consistent. Retrieval sample distributed products (Deka, 2017). BPOM's authority is responsible answer For do coordination between other state agencies / institutions with perpetrator business.

Obligation This poured out in Article 19 paragraph (1) UUPK including service to perpetrator effort, if recipient goods experience damage , experience pollution and loss consequence use product or service is giving change loss. In In general, compensation in UUPK uses system payment in accordance loss after get proof purchase and search proof factors that make system trading walk (Djaya, 2020). The existence of laws This charge not quite enough answer to consumer For show that There is error or losses incurred. If error perpetrator business No proven, consumers No will accept change make a loss or change make a loss as listed in Article 19 paragraph (5) UUPK. However, consumers will accept change make a loss from perpetrator business.

In UUPK, the perpetrator business covering public or companies that produce skincare, but also the parties that distribute it or sell product In Article 19 of the UUPK which has been arranged about task perpetrator efforts that must be made executed, namely (Zulham, 2017):

- a. Business actors have an obligation to pay compensation for damage, pollution and/or losses to consumers resulting from the consumption of goods and/or services exchanged free of charge to the public;
- b. Compensation as referred to in paragraph (1) may be in the form of returning goods or services of the same or equivalent type, or providing treatment or compensation in accordance with statutory regulations;
- c. Refunds must be made within seven days from the transaction date;
- d. Even though the debt has been paid off in accordance with paragraphs (1) and (2), this does not prevent the possibility of other claims that require evidence to submit other claims.
- e. The provisions referred to in paragraph (1) and paragraph (2) no longer apply if the business actor can provide evidence to the contrary that the error was caused by consumer error.

UUPK guarantees protection full for consumers, providing a sense of security from product maintenance illegal and not licensed For accept compensation in accordance with law. Perpetrator effort that does not want to replace the goods he sells will subject to Article 1367 of the Civil Code. Article 1367 of the Civil Code explain that agent or the distributor is responsible answer full on traded products or distributed. Cost the including the distributor myself, including products that become not quite enough answer perpetrator business or goods his merchandise. Therefore that, UUPK and KUHPerdata give framework Work about strong law in protect rights consumers and guarantee fully not quite enough answer perpetrator business and sales products, including product maintenance skin (Silalahi, 2024).

Standardization product written in Regulation Presidential Decree No. 102/2000 which states that Standardization is the process of formulating, determining, implementing and improving standards that are carried out in a way orderly / disciplined and work The same with all party related. Covers all related activities with standardization, testing and quality (Permatasari et al, 2024). Regulation standardization international regulated by the recognized ISO:9001 in certification System Quality Management (QMS) (Islami, 2019). Certification This give print blue for perpetrator efforts and principles base management real in the field or activity perpetrator efforts to create satisfaction consistent customers.

Strength The main ISO 9001 is standardization that is in demand by all type perpetrator business. including ISO:9001 targets, namely needs required by the perpetrator business For get maintenance goods and processes quality product with hope get low cost, including source Power human, materials and equipment technology fulfilled in a way systematic and efficient. Other goals is need consumer hope For get trust from ability perpetrator business in ensure desired quality and maintain it in a way consistent too. Guarantee quality product need alignment products, including e-commerce trading of medicines and creams maintenance skin can reduce dispute related quality product export-import. Trade cream maintenance skin through e-commerce provides opportunity for perpetrator business maintenance skin false For trade product maintenance her skin is not yet licensed. Therefore that, it is necessary existence protection consumer For avoid product false without permission distribution from the relevant BPOM traded drugs and food.

CONCLUSION

Skincare trading without permission distribution through e-commerce presenting challenge big in protection consumers in Indonesia. With rapid progress technology, e-commerce platforms have become the main medium for perpetrator business For offer product them, including skincare. However, the rise of product illegal which is not registered with BPOM to increase risk health consumers and need Handling strict law.

Study This confirm importance role government, in particular through BPOM, for monitor pre-market and post- market consistent use ensure safety, efficacy and quality products. In addition, e-

commerce platforms need to increase not quite enough answer they in to uphold regulation with monitor marketed products. Law No. 8 of 1999 concerning Protection Consumer has give runway adequate law, but its implementation Still need strengthening to be effective in protect right consumers.

Standardization international like ISO 9001 also becomes reference important in guard quality product. With existence synergy between government, e-commerce platforms, and consumers, are expected ecosystem more trade safe can realized, at once push awareness consumer For choose products that have been own license official use reduce risk health. Research This give contribution in the form of recommendation policy For strengthen protection consumers in the digital age.

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