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# A Legal Analysis of Consumer Protection Against the Risks Posed by the Online Distribution of Illegal Tabita Cosmetic Products

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*Original Article*

## Abstract

Advances in technology have accelerated the growth of the cosmetics industry; however, these developments are often exploited by businesses to distribute illegal products that fail to meet regulatory and safety standards. This study examines consumer protection mechanisms and the role of the Indonesian Food and Drug Monitoring Agency (BPOM) in responding to the circulation of illegal Tabita-brand cosmetics across digital media platforms. Using normative legal research with statutory and conceptual approaches, this study analyzes both primary and secondary legal materials. The findings indicate that consumer protection efforts are grounded in the Consumer Protection Law (UUPK), the Electronic Information and Transactions Law (UU ITE), BPOM regulations on cosmetics, and relevant e-commerce provisions. Preventive protection is carried out through the provision of accurate product information, while repressive protection consists of administrative, civil, and criminal sanctions. Nevertheless, law enforcement remains hindered by the anonymity of business actors in the digital environment. Although BPOM conducts both pre-market and post-market supervision, the ease of digital distribution continues to facilitate the circulation of illegal products, underscoring the urgent need to strengthen regulations and enhance cross-agency coordination.

**Keywords:** *Consumer Protection, Illegal Cosmetics, Tabita, Digital Media.*

## Abstrak

Kemajuan teknologi mendorong pertumbuhan industri kosmetik, tetapi perkembangan ini kerap dimanfaatkan pelaku usaha untuk mengedarkan produk ilegal yang tidak memenuhi standar keamanan. Penelitian ini mengkaji perlindungan konsumen dan peran BPOM dalam menangani peredaran kosmetik ilegal merek Tabita di media digital. Melalui penelitian hukum normatif dengan pendekatan perundang-undangan dan konseptual, analisis dilakukan terhadap bahan hukum primer dan sekunder. Hasil penelitian menunjukkan bahwa perlindungan konsumen didasarkan pada UUPK, UU ITE, regulasi BPOM tentang kosmetik, serta ketentuan perdagangan elektronik. Perlindungan preventif diberikan melalui informasi produk yang akurat, sementara perlindungan represif meliputi sanksi administratif, perdata, dan pidana. Namun, penegakan hukum masih terkendala anonimitas pelaku usaha di ranah digital. Meskipun BPOM melakukan pengawasan pra-pasar dan pasca-pasar, distribusi digital yang mudah tetap memungkinkan beredarnya produk ilegal, sehingga penguatan regulasi dan koordinasi lintas lembaga menjadi kebutuhan mendesak.

**Kata Kunci:** *Perlindungan Konsumen, Kosmetik Ilegal, Tabita, Media Digital*

## 1. INTRODUCTION

Technological advancement, as a hallmark of modern development, has accelerated the expansion of the cosmetics industry. Cosmetics have become embedded in consumers' daily routines, largely motivated by the pursuit of beauty and physical perfection. Data from Kompas.co.id show that FMCG product sales totaled Rp 5.35 trillion between March 12 and April 9, 2024, with personal care and beauty products accounting for Rp 2.9 trillion, or 45.7%.<sup>1</sup> These figures reflect the substantial consumer demand for beauty items, including cosmetics and personal care products, as indicated by the strong performance of various brands and product types. This upward trend is further reinforced by the growing use of digital media, which now serves as a primary channel for consumers to access cosmetic products, effectively removing spatial and temporal barriers in commercial transactions.

However, the expansion of the cosmetics industry has also been exploited by business actors who disregard the principle of good faith, particularly by distributing cosmetic products illegally that fail to meet the regulatory standards for safety and quality. In practice, consumers as buyers rely solely on information presented through advertisements and promotional content across digital media, which often feature low prices and instant-result claims. Consequently, many consumers are easily persuaded and purchase these products to enhance their appearance without paying attention to the product's legitimacy or clarity. The absence of transparent and reliable product information requires consumers to verify its accuracy in order to prevent potential harm that may result from using such products.

Free trade has further enabled the movement of various goods and services across borders, including illegal cosmetic products. One case that has drawn public attention is the online circulation of illegal Tabita brand cosmetics. These products are categorized as illegal because they do not possess a BPOM distribution permit. In addition, Tabita cosmetics fail to meet established safety, efficacy, and quality standards. BPOM testing indicates that these products contain mercury and hydroquinone. Mercury is a dangerous chemical that can lead to kidney damage, while hydroquinone in cosmetic products poses risks such as hyperpigmentation and discoloration of the nails and corneas.

The circulation of illegal Tabita brand cosmetic products reflects a clear gap between the regulatory framework and actual practices in society. In principle, consumer rights in Indonesia are protected under Law Number 8 of 1999 concerning Consumer Protection (UUPK). Article 4 of the UUPK affirms that consumers are entitled to comfort, security, safety, and accurate and truthful information regarding the goods and services they use. The law also sets out prohibitions for business actors,

<sup>1</sup> CNBC Indonesia, "Belanja Kecantikan Warga RI Hampir Rp 3 T, Lebih Besar dari Makanan," [cnbcindonesia.com](https://www.cnbcindonesia.com/research/20240427110427-128-533935/belanja-kecantikan-warga-ri-hampir-rp-3-t-lebih-besar-dari-makanan), 2024, <https://www.cnbcindonesia.com/research/20240427110427-128-533935/belanja-kecantikan-warga-ri-hampir-rp-3-t-lebih-besar-dari-makanan>.

including a ban on producing or distributing goods and services that fail to meet established standards or violate statutory requirements, as stipulated in Article 8 of the UUPK.

The problems in this case become more complex when buying and selling activities take place through digital media. The use of digital platforms to distribute illegal Tabita brand cosmetic products also requires careful attention to regulatory implementation and enforcement, as outlined in the Law on Electronic Information and Transactions (UU ITE) and the Minister of Trade Regulation governing electronic commerce. Although a series of regulations addressing electronic transactions has been enacted, in practice, many business actors continue to distribute products illegally by using pseudonyms and altering the identities of the goods being sold to create a different impression, even though the products are in fact the same goods or services. This situation complicates investigation, tracing, and law enforcement efforts, creating distinct challenges for authorities in addressing the distribution of illegal Tabita cosmetics. As a result, the consumer protection guarantees provided under the UUPK have not been fully or effectively enforced.

In principle, regulations are already in place to address the issues raised in this case. However, the circulation of illegal Tabita brand cosmetic products in digital media continues to persist. This situation highlights weaknesses in oversight, monitoring, and law enforcement systems, particularly within the increasingly complex digital landscape. Consumers face heightened risks posed by business actors, leaving their rights especially vulnerable to infringement. This vulnerability stems from consumers' weaker bargaining position compared to that of business actors. Their legal status requires protection, as one of the core functions and aims of law is to safeguard the public.<sup>2</sup> Legal protection constitutes a fundamental element of a state governed by the rule of law, as the establishment of such a state necessarily entails the creation of laws regulating the conduct of its citizens.<sup>3</sup> Consequently, a thorough analysis is required concerning the implementation of regulatory provisions on consumer legal protection, as well as the role and authority of the Food and Drug Monitoring Agency (BPOM) in addressing the circulation of illegal Tabita cosmetic products in digital media.

This study is motivated by the continued circulation of illegal Tabita brand cosmetic products across various digital platforms, despite the existence of a comprehensive regulatory framework on consumer protection. This circumstance underscores the need for an inquiry into how legal provisions on consumer protection are implemented in responding to the risks posed by the digital distribution of illegal products. At the same time, efforts to curb the circulation of illegal cosmetics are inseparable from the role and authority of the Food and Drug Monitoring Agency

<sup>2</sup> Hulman Panjaitan, *Hukum Perlindungan Konsumen* (Jakarta: Jala Permata Aksara, 2021), hal. 4.

<sup>3</sup> Dzaky Luqyana, "Perlindungan Hukum bagi Konsumen Produk Kosmetik Ilegal," *Konstitusi Jurnal Hukum, Administrasi Publik, dan Ilmu Komunikasi* 2, no. 3 (2025): 243–50, <https://doi.org/10.62383/konstitusi.v2i3.875>.

(BPOM), which is mandated to conduct pre-market and post-market supervision of drugs and food, including cosmetics. Accordingly, this research centers on two interrelated issues. The first concerns the extent to which the applicable legal regulations can provide adequate protection for consumers against the risks associated with the circulation of illegal Tabita brand cosmetics in digital media. The second examines how BPOM performs its supervisory and enforcement functions in addressing the distribution of these products. By analyzing both aspects concurrently, this study aims to identify gaps between legal norms and actual practices and to evaluate the effectiveness of consumer protection mechanisms within the supervisory challenges presented by the digital era.

## **2. RESEARCH METHODOLOGY**

The method employed in this study is normative legal research. This approach concentrates on the norms, rules, and legal principles contained within the relevant statutory and regulatory frameworks. The research adopts an analytical–descriptive specification to present a systematic, factual, and comprehensive overview of the issues examined. Its purpose is to outline the applicable rules and regulations governing consumer protection against illegal cosmetic products. The study links these regulatory limitations with pertinent legal theories and the broader concept of legal protection. It also evaluates the application of positive law to determine how the law is intended to operate (*das sollen*) in comparison with its implementation in practice (*das sein*). This methodology was selected to provide a thorough understanding of how the legal framework responds to the circulation of illegal cosmetics in digital media.

The research utilizes both legislative and conceptual approaches. The legislative approach entails an in-depth examination of relevant statutes and regulations, including the Consumer Protection Law (UUPK), the Electronic Information and Transactions Law (UU ITE), and various BPOM Regulations. The conceptual approach is applied to assess the meaning, principles, and legal doctrines associated with consumer protection and governmental regulatory oversight. Data were collected through a literature review, drawing on pertinent primary, secondary, and tertiary legal sources. All collected data were analyzed qualitatively through systematic interpretation and the integration of diverse legal materials to address the research questions established for this study.

## **3. RESULT AND DISCUSSION**

### **3.1. Implementation of Legal Provisions on Consumer Protection in Response to the Risks Posed by the Circulation of Illegal Tabita Brand Cosmetic Products in Digital Media**

The globalization era has driven technological advancements that have produced significant transformations across all areas of life. These developments have stimulated the expansion of trade and economic activity through rapidly growing business initiatives within society. This growth is further reinforced by the increasing use of digital media, an internet-based platform utilized for various purposes, including commercial activities. Today, digital media offers numerous advantages and creates greater convenience for the public. However, it is also frequently exploited by businesses to engage in unfair competition.

The rise of unfair business practices in digital media indicates that meaningful barriers to the distribution of goods and services have largely disappeared, enabling products—including illegal ones—to circulate easily in the marketplace. One such illegal product that has raised consumer concern is the online circulation of Tabita brand cosmetics. These illegal cosmetics fail to meet legal standards because they lack required distribution permits and contain hazardous substances such as mercury and hydroquinone. In this context, it is essential to examine how legal provisions on consumer protection are applied in addressing the risks posed by the illegal distribution of Tabita brand cosmetic products in digital media, as well as the mitigation measures undertaken by institutions authorized to oversee products circulating in Indonesia, in order to ensure legal certainty for consumers engaging in transactions.

To maintain and uphold a fair balance between consumers and business actors within commercial activities, regulatory measures are necessary to provide legal guarantees for consumers. The need for consumer protection stems from the fact that consumers typically occupy a weaker position than business actors (producers), whether in terms of economic standing, educational level, skills, competitiveness, or bargaining power.<sup>4</sup> Consumer protection is established under the Consumer Protection Law, and Article 1(1) of this law defines consumer protection as all efforts undertaken to ensure legal certainty in safeguarding consumers.

Legal protection for consumers can generally be divided into two forms: preventive and repressive. Preventive protection is intended to avert potential problems or disputes, whereas repressive protection is directed toward resolving issues or conflicts that have already arisen.<sup>5</sup> In the context of the circulation of illegal Tabita brand cosmetic products, the implementation of consumer protection becomes crucial because the harms associated with these products extend beyond material losses to include physical harm that poses risks to consumers' health and safety. In this regard, Indonesia, as a state governed by the rule of law, must be capable of enforcing consumer

<sup>4</sup> Yanci Libria Fista, Aris Machmud, dan Suartini, "Perlindungan Hukum Konsumen Dalam Transaksi E-commerce Ditinjau dari Perspektif Undang-Undang Perlindungan Konsumen," *Binamulia Hukum* 12, no. 1 (2023): 177–89, <https://doi.org/10.37893/jbh.v12i1.599>.

<sup>5</sup> Zennia Almaida dan Mochammad Najib Imanullah, "Perlindungan Hukum Preventif dan Represif Bagi Pengguna Uang Elektronik Dalam Melakukan Transaksi Tol Non Tunai," *Jurnal Privat Law* 9, no. 1 (2021): 218–26, <https://doi.org/10.20961/privat.v9i1.28858>.

protection in a firm and effective manner, particularly within the digital sphere, in accordance with the Consumer Protection Law (UUPK) and the Electronic Information and Transactions Law (ITE Law).

Preventive protection, which is intended to avert potential disputes, can be realized by safeguarding consumer rights, including the right to comfort, security, and safety when using goods and services, as provided in Article 4(a) of the Consumer Protection Law. In addition, preventive protection may also be applied to deter the circulation of illegal Tabita brand cosmetic products in digital media by ensuring that accurate, clear, and truthful information is provided regarding the condition and guarantees of goods and services, as mandated in Article 4(c) of the Consumer Protection Law. In the context of cosmetic distribution, business actors should disclose complete information about the ingredients contained in the products offered, the distribution permit number, and the product's expiration date. The absence of clear information on products circulating in the market constitutes a violation of essential consumer rights.

Within the digital environment, preventive protection is specifically regulated under Law Number 1 of 2024, which amends Law Number 11 of 2008 on Electronic Information and Transactions. Article 17(2) of this law stipulates that parties engaging in electronic transactions are required to act in good faith when interacting and exchanging electronic information and documents during the course of a transaction. The circulation of illegal Tabita brand cosmetic products through digital media directly contravenes this provision and no longer reflects the principle of good faith. Preventive protection in this context has also been reinforced by BPOM, which requires cosmetic notification prior to distribution in Indonesia. This requirement is set forth in Article 1(2) of BPOM Regulation Number 21 of 2022 on Procedures for Submitting Cosmetic Notifications, which defines a cosmetic notification as the approval granted by the Head of the Agency based on a business actor's submission to distribute cosmetics within Indonesia after fulfilling the necessary conditions for obtaining a cosmetic distribution permit. Tabita cosmetic products that do not possess a distribution permit number are therefore classified as illegal products and are prohibited from being circulated in the community.

Another preventive measure that can be applied to curb the circulation of illegal Tabita brand cosmetic products in digital media is the monitoring of cosmetic advertisements and promotional activities. The promotion of products through digital media is regulated by the Minister of Trade, particularly in provisions governing trade conducted through electronic systems. These regulations require that any business actor who creates and disseminates electronic advertisements must ensure that the advertisement content does not contravene applicable statutory provisions. Nevertheless, despite the existence of regulations governing electronic media

promotions, advertisements for Tabita cosmetic products continue to appear and cannot be entirely eliminated.

Based on the foregoing explanation, preventive protection—understood as an effort to avert consumer losses before a dispute emerges—may be implemented through at least three policy mechanisms.<sup>6</sup> First, the establishment of product quality standards. The government is responsible for setting safety and quality benchmarks that producers must follow, ensuring that every product circulating in the market is safe and capable of meeting consumer needs. In the case of illegal Tabita brand cosmetics distributed through digital media, these standards are enforced through safety assessments of product ingredients, including laboratory testing for hazardous substances such as mercury and hydroquinone.

Second, governmental supervision and control. All business activities carried out by economic actors must fall under the oversight of authorized regulatory institutions to ensure that fraudulent conduct and misleading information can be identified and halted. In the Tabita case, such supervision encompasses monitoring distribution channels across digital platforms, including the advertising and promotional strategies used to market these products to consumers.

Third, the obligation to provide accurate and complete product labeling. Business actors are required to disclose sufficient information regarding the products they offer, including ingredient composition, directions for use, expiration dates, and potential risks associated with product application. The absence of clear and comprehensive information on products circulating in the marketplace constitutes a violation of essential consumer rights.

In addition to preventive measures, legal protection is also afforded through repressive mechanisms once harm has occurred.<sup>7</sup> In addition to preventive measures, legal protection is also afforded through repressive mechanisms once harm has occurred. First, consumers who suffer losses have the right to seek compensation when the goods or services received fail to conform to the agreement or exhibit product defects. In the context of the distribution of illegal Tabita cosmetics, the harm incurred by consumers extends beyond financial loss to include potential threats to their health. Accordingly, the right to compensation—whether in the form of a refund or product replacement—as guaranteed under Article 4(h) of the Consumer Protection Law (UUPK), becomes a crucial instrument for restoring consumers' legal position.

Second, when disputes arise between consumers and business actors, various resolution mechanisms are available through both non-litigation avenues and the judicial process. Consumers may submit complaints to the Consumer Dispute Resolution Agency (BPSK) or pursue claims through the general court system. In cases

<sup>6</sup> Mohd. Yusuf Daeng, Siti Yulia Makkinnawa, dan M. Fadly Daeng Yusuf, *Hukum Perlindungan Konsumen*, ed. oleh Syamsul Witra (Pekanbaru: Taman Karya, 2024), hal. 36.

<sup>7</sup> Daeng, Makkinnawa, dan Yusuf, hal. 37.

involving Tabita cosmetics distributed via digital platforms, these mechanisms enable consumers to obtain appropriate advocacy and a proportionate remedy for the violations they have suffered.

Third, business actors found to have caused harm to consumers may be subjected to administrative, civil, or criminal sanctions, depending on the gravity of the violation and its consequences. In the Tabita case, business operators who persist in distributing unlicensed products containing hazardous substances must be sanctioned in accordance with statutory provisions. Such sanctions function not only as a punitive response but also as a deterrent aimed at ensuring adherence to consumer protection norms.

The implementation of legal regulations on consumer protection in response to the circulation of illegal Tabita brand cosmetic products in digital media is reflected in the various forms of legal safeguards designed to ensure safe and equitable conditions for consumers in commercial transactions. These measures also serve as a reminder to business actors to conduct their activities in good faith and with full accountability. Through the availability of such legal protections, consumers are provided with a firm basis to assert their rights should they suffer losses in the future.

### **3.2. The Role and Authority of BPOM in Implementing Measures to Address the Circulation of Illegal Tabita Brand Cosmetic Products in Digital Media**

The widespread circulation of illegal cosmetic products, particularly through digital media, has generated significant public concern. This situation necessitates the provision of legal protection for consumers exposed to such products, with the aim of safeguarding their rights and ensuring that goods and services distributed by business actors comply with established quality and safety standards in accordance with applicable regulations. All goods and services distributed within Indonesia require oversight by the appropriate regulatory authority, and cosmetic products are no exception. The institution authorized to supervise drugs and food is the Food and Drug Monitoring Agency (BPOM), a non-ministerial government body responsible for regulating a broad range of products, including pharmaceuticals, traditional medicines, health supplements, cosmetics, medical materials, narcotics, psychotropic substances, precursors, addictive substances, and processed foods.<sup>8</sup>

In principle, cosmetic products circulating in the market must comply with Good Cosmetic Manufacturing Practices (CPKB). CPKB encompasses all aspects of cosmetic production designed to ensure that the final product consistently meets the quality standards required for its intended use.<sup>9</sup> Additionally, cosmetic products must obtain a

<sup>8</sup> Bahmid, Junindra Martua, dan Arbiah, "Peranan Badan Pengawas Obat Dan Makanan Dalam Memberikan Perlindungan Studi Di Kantor Cabang Badan Pengawas Obat Dan Makanan Badan Pengawas Obat Makanan (BPOM) Tanjungbalai," *De Lega Jurnal Ilmu* 5, no. 2 (2020): 1–10, <https://doi.org/10.30596/dll.v5i2.3577>.

<sup>9</sup> Nofrianti, Silsila Asri, dan Gusnayetti, "Implementasi Kebijakan Badan Pengawas Obat dan Makanan Terhadap Perlindungan Konsumen dari Peredaran Kosmetik Ilegal di Kota Padang," *JAPAn: Jurnal Administrasi dan Pemerintahan* 2, no. 1 (2024): 85–94, <https://doi.org/10.55850/japan.v2i1.128>.



cosmetic notification, which constitutes the approval issued by the head of BPOM upon receiving notification from the manufacturer, authorizing the distribution of the product in Indonesia once the necessary requirements for obtaining a distribution permit have been fulfilled. In the case of illegal Tabita brand cosmetic products circulating through digital media, it is evident that these products lack a distribution permit, contain hazardous substances such as mercury and hydroquinone, and fail to meet CPKB manufacturing standards.<sup>10</sup> These facts demonstrate deficiencies in BPOM's supervision and monitoring of illegal cosmetic products bearing the Tabita brand, underscoring the critical importance of BPOM's role and authority in implementing measures to address their circulation in digital media.

The scope of BPOM's countermeasures in addressing the circulation of illegal Tabita brand cosmetic products in digital media encompasses several key actions. BPOM conducts both pre-market and post-market product monitoring. This oversight serves as an initial effort to protect consumers harmed by the circulation of illegal Tabita cosmetics on digital platforms. Pre-market monitoring involves examining drug and food products before they enter the market through certification and registration procedures, as well as inspections of production and distribution facilities.<sup>11</sup> Post-market monitoring, by contrast, focuses on ensuring the continued consistency of product quality, safety, and labeling by conducting product sampling, inspecting production and distribution sites, monitoring pharmacovigilance data, and reviewing labels, markings, and advertisements.<sup>12</sup> Such monitoring activities are expected to be carried out nationally, in an integrated manner, and in accordance with established standards.

BPOM employs digital surveillance through social media platforms to track the distribution of illegal Tabita cosmetics. This process utilizes online technologies—including computers and other electronic devices—to monitor how these products circulate in the market. BPOM routinely conducts such monitoring through cyber patrols or through a specialized team working in collaboration with the Ministry of Communication and Information Technology (Kominfo).<sup>13</sup> The objective is to identify illegal or counterfeit cosmetic products lacking BPOM distribution permits that are sold freely on e-commerce platforms. BPOM also uses barcode-scanning applications and related technologies to verify whether a cosmetic product is genuine or counterfeit by

<sup>10</sup> Hartanto dan Cut Wilda Meutia Syafina, "Efektivitas Perlindungan Konsumen Terhadap Produk Kosmetik yang Tidak Memiliki Izin Edar Balai Besar Pengawas Obat dan Makanan DIY (Dalam Perspektif Hukum Pidana)," *Jurnal Meta-Yuridis* 4, no. 1 (2021): 54–72, <https://doi.org/10.26877/m-y.v4i1.6765>.

<sup>11</sup> Mustika Eka Kusuma Wardhani dan Eny Sulistyowati, "Tanggung Jawab Pelaku Usaha Kosmetik Terkait Produk Skincare Kemasan Share In Jar," *Novum: Jurnal Hukum Membudayakan Literasi Hukum* 10, no. 4 (2023): 144–66, <https://doi.org/10.2674/novum.v0i0.58381>.

<sup>12</sup> Reza Pramasta Gegana, Aminah, dan Budi Ispriyoso, "Peran Badan Pengawasan Obat dan Makanan Terhadap Pelaku Usaha di Yogyakarta," *Notarius* 14, no. 2 (2021): 692–709, <https://doi.org/10.14710/nts.v14i2.43797>.

<sup>13</sup> Shania Marchella et al., "Aspek Legalitas Dan Viralitas Dalam Peredaran Kosmetik Tanpa Izin BPOM di Indonesia," *Jurmie: Jurnal Riset Multidisiplin Edukasi* 2, no. 4 (2025): 186–97, <https://doi.org/10.71282/jurmie.v2i4.248>.

checking the product name, dosage form, registrant identity, and registration number.<sup>14</sup> In relation to Tabita cosmetics, BPOM has coordinated with Kominfo to remove online links offering these products across various digital marketplaces.

BPOM cooperates with PERKOSMI in efforts to curb the circulation of illegal cosmetics. This collaboration includes the formation of a special task force on counterfeit products, conducting surveys on issues related to counterfeit goods, providing education to association members, and cooperating with regulators and other stakeholders, such as the Directorate General of Customs and Excise and the Indonesian Anti-Counterfeiting Society (MIAP).<sup>15</sup> Sanctions are imposed on business actors who manufacture or distribute cosmetics that fail to meet safety, efficacy, and quality requirements. In relation to the circulation of illegal Tabita cosmetics on digital media, businesses may be subjected to administrative and criminal penalties. Violators are liable under Article 435 in conjunction with Article 138(2) of Law Number 17 of 2023 on Health, which prescribes a maximum imprisonment of 12 years or a fine of up to 5 billion rupiah. BPOM has requested the Indonesian E-Commerce Association (idEA) to cease promotional advertising for Tabita and Tabita GLOW cosmetic products and to block these brands from further promotional visibility on digital platforms. BPOM has issued a public warning regarding the prohibition of illegal Tabita brand cosmetics circulating in digital media, providing consumers with essential information and guidance in relation to these products.

To address the circulation of illegal Tabita brand cosmetic products on digital media, consumer education becomes essential alongside BPOM's supervisory and monitoring functions. It is increasingly important for consumers to be aware of the need to examine products carefully, particularly when purchasing through digital platforms. Consequently, one of BPOM's ongoing countermeasures involves public education and outreach efforts aimed at encouraging consumers to be more discerning and not easily persuaded by inaccurate or irresponsible promotional claims. BPOM also reinforces this initiative through the Cek KLIK campaign—an acronym for Check Packaging, Label, Distribution Permit, and Expiration—which seeks to heighten consumer awareness and promote caution, accuracy, and vigilance when purchasing cosmetic products.<sup>16</sup>

Despite these efforts, BPOM continues to encounter significant challenges that are difficult to fully mitigate. The convenience of digital media as a distribution channel

<sup>14</sup> I Dewa Bintang Pramesthi Swari, I Made Dedy Priyanto, dan Ni Putu Purwanti, "Perlindungan Konsumen Terhadap Maraknya Peredaran Kosmetik Tanpa Izin BPOM dalam Praktik Jual Beli E-Commerce," *Jurnal Kertha Semaya* 12, no. 3 (2023): 312–21, <https://doi.org/10.24843/KS.2024.v12.i06.p04>.

<sup>15</sup> Aprilia Vitaloka Buloto, Fenti U. Puluhulawa, dan Avelia Rahmah Y. Mantali, "Penguatan Regulasi dan Penegakan Hukum Terhadap Peredaran Kosmetik Ilegal di Indonesia dan Singapura," *Sinergi: Jurnal Riset Ilmiah* 2, no. 2 (2025): 691–703, <https://doi.org/10.62335/sinergi.v2i2.889>.

<sup>16</sup> Mariana Fitriana et al., "Pengaruh Sosialisasi Cek KLIK BPOM terhadap Tingkat Pengetahuan Pemilihan Kosmetik pada Siswa MTs Al-Hanniyah NW Praya," *Jurnal Trilogi Ilmu Teknologi, Kesehatan, dan Humaniora* 5, no. 2 (2024): 242–49, <https://doi.org/10.33650/trilogi.v5i2.8380>.

facilitates the rapid and widespread entry of illegal products into the market. Moreover, numerous business actors, driven by various illicit motives, persist in distributing illegal cosmetic products in an effort to evade regulatory oversight. The realization and enforcement of consumer protection laws must therefore be accompanied by an increase in public awareness and understanding of digital media as a marketplace. When consumers recognize the importance of consumer protection, they are better equipped to impose appropriate limitations on their own purchasing behavior in digital environments, thereby reducing their vulnerability to potential harm.

#### 4. CONCLUSION

From a legal standpoint, the implementation of consumer protection regulations against the risks arising from the circulation of illegal Tabita brand cosmetic products in digital media is governed by several statutory and regulatory instruments, including the Consumer Protection Law (UUPK), the Electronic Information and Transactions Law (UU ITE), BPOM regulations on cosmetic safety, and the Minister of Trade Regulation on e-commerce. Consumer protection is categorized into two forms: preventive protection, which aims to avert potential harm, and repressive protection, which is directed toward resolving issues that have already materialized. Preventive measures include the provision of clear and accurate information about products offered for sale. Repressive protection, by contrast, may involve compensation for consumers harmed by illegal Tabita cosmetics, as well as the imposition of sanctions—administrative, criminal, or civil—on business actors who violate consumer rights.

As the regulatory authority responsible for overseeing product circulation, BPOM has implemented various mitigation measures, including pre-market and post-market supervision and monitoring through cyber patrol activities. Despite the existence of strict regulatory provisions governing consumer protection in digital media, violations continue to occur in practice, thereby requiring collaboration with other institutions that exercise authority in the digital sector. Normatively, BPOM possesses a sufficient legal basis to undertake these mitigation efforts; however, their effectiveness remains constrained by the scope of authority defined under the relevant laws and regulations.

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