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Legal Protection for Consumers Against Food Label Manipulation in Digital Commerce

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Original Article

Abstract

The rapid growth of digital commerce in processed food products has increased the risk of relabeling and repackaging practices involving misleading information, including health-related claims such as gluten-free, dairy-free, plant-based, and allergy-friendly. Such practices may mislead consumers and pose risks to consumer health and safety. This study aims to analyze the legal framework governing relabeling and repackaging practices in Indonesia and to examine the forms of legal liability imposed on business actors for consumer losses resulting from misleading food information. The research employs a normative legal method using statutory, conceptual, and case-based approaches. The analysis is based on the Consumer Protection Law, the Food Law, and relevant regulations concerning food labeling and safety. The findings indicate that relabeling and repackaging activities are legally permissible only when they comply with applicable requirements related to food safety, labeling accuracy, and consumer protection. Business actors who provide misleading or inaccurate information may be subject to administrative, civil, and criminal liability under the principle of product liability. The study concludes that stronger regulatory oversight and more effective law enforcement are essential to ensuring food safety, promoting transparency in product information, and safeguarding consumer rights in the era of digital commerce.

Keywords: *Relabeling; Repackaging, Consumer Protection, Food Safety, Product Liability.*

Abstrak

Perkembangan perdagangan pangan olahan berbasis digital telah meningkatkan risiko praktik re-labeling dan pengemasan ulang (repacking) yang disertai informasi menyesatkan, termasuk klaim kesehatan seperti gluten free, dairy free, plant-based, dan allergy friendly, yang berpotensi merugikan konsumen. Penelitian ini bertujuan menganalisis pengaturan hukum mengenai praktik re-labeling dan repacking pangan olahan dalam sistem hukum Indonesia serta mengkaji bentuk pertanggungjawaban hukum pelaku usaha terhadap kerugian konsumen. Penelitian menggunakan metode hukum normatif dengan pendekatan perundang-undangan, konseptual, dan kasus melalui analisis terhadap UUPK, UU Pangan, serta regulasi pelabelan dan keamanan pangan. Hasil penelitian menunjukkan bahwa praktik re-labeling dan repacking hanya diperbolehkan sepanjang memenuhi ketentuan keamanan pangan, pelabelan, dan perlindungan konsumen. Pelaku usaha yang mencantumkan informasi menyesatkan dapat dimintai pertanggungjawaban administratif, perdata, dan pidana berdasarkan prinsip product liability. Penelitian menyimpulkan bahwa penguatan pengawasan dan penegakan hukum diperlukan untuk menjamin keamanan pangan, transparansi informasi, dan perlindungan hak-hak konsumen di era perdagangan digital.

Kata kunci: *Re-Labeling, Repacking, Perlindungan Konsumen, Keamanan Pangan, Product Liability*

1. INTRODUCTION

Advances in information technology and the digital economy have significantly transformed patterns of food commerce. Social media platforms and online marketplaces have become the primary channels for marketing a wide range of processed food products, including those bearing health-related claims such as gluten-free, dairy-free, plant-based, and allergy-friendly.¹ In this environment, product labels and promotional information play a critical role in influencing consumer purchasing decisions. However, the increasing accessibility of digital information has also generated legal concerns regarding the accuracy, transparency, and reliability of information provided by business actors.

The relationship between business actors and consumers is inherently characterized by information asymmetry, whereby consumers largely depend on information presented through product labels, packaging, and digital advertisements.² Consequently, honesty and transparency constitute fundamental principles of consumer protection. Legal issues arise when processed food products are subjected to relabeling and repackaging practices. Although such practices are not inherently prohibited, they may constitute legal violations when they alter, omit, or add information that is inconsistent with the actual characteristics of the product, thereby misleading consumers.³

This issue is illustrated by the Bake n Grind case, which attracted significant public attention following allegations that products marketed as gluten-free were inconsistent with laboratory test results.⁴ The case demonstrates that food labeling extends beyond administrative compliance and directly implicates consumer health, safety, and welfare. Such practices may violate the provisions of Law No. 8 of 1999 on Consumer Protection and Law No. 18 of 2012 on Food, giving rise to administrative, civil, and criminal liability for business actors, particularly within the rapidly expanding digital marketplace.

Scholarly discussions on consumer protection in relation to food labeling, relabeling, and repackaging practices have continued to develop alongside the growing complexity of modern food commerce. Existing studies have examined various

¹ Vikram Sehajpal et al., "Emergence of Social Media as an Innovation Driver in Business Organisations: An Exploratory Study," *International Journal of Management Studies* 5, no. 4 (2018): 76, [https://doi.org/10.18843/ijms/v5i4\(4\)/10](https://doi.org/10.18843/ijms/v5i4(4)/10).

² Dacinia Crina Petrescu et al., "Consumer Understanding of Food Quality, Healthiness, and Environmental Impact: A Cross-National Perspective," *International Journal of Environmental Research and Public Health* 17, no. 1 (2019): 169, <https://doi.org/10.3390/ijerph17010169>.

³ Karlo Jurica et al., "Unauthorized Food Manipulation as a Criminal Offense: Food Authenticity, Legal Frameworks, Analytical Tools and Cases," *Foods* 10, no. 11 (2021): 2570, <https://doi.org/10.3390/foods10112570>.

⁴ Bryan John Junior, "Toko Roti Bake n Grind Diduga Memalsukan Label 'Gluten-Free' — Mengapa Ini Berbahaya & Apa Yang Harus Kamu Lakukan," Medizen Clinic, 2025, <https://medizen.co.id/toko-roti-bake-n-grind-diduga-memalsukan-label-gluten-free/>.

dimensions of consumer protection, food safety, and business actors' legal responsibilities concerning product information. Nevertheless, much of the literature addresses these issues in isolation and has not adequately considered the implications of digital marketing practices, particularly the use of health-related claims in the promotion of processed food products.

Research conducted by Steven Andrianto analyzed unauthorized relabeling practices as a form of unlawful conduct from the perspectives of civil law and consumer protection. The study concluded that relabeling that alters information concerning product price or quality may constitute an unlawful act and violate consumer protection regulations. However, the research focused on relabeling practices in general and did not specifically examine processed food products marketed through digital platforms using health-related claims.⁵

Similarly, Novena Caecilia et al. investigated the practice of repackaging and relabeling expired food products. Their findings demonstrated that such practices violate food safety principles and have the potential to mislead consumers. However, the study was limited to expired food products and did not address the legal implications of health claims that are inconsistent with the actual condition or composition of food products.⁶

The issue of transparency in food labeling was examined by Muhammad et al., who emphasized the importance of providing accurate allergen information to protect consumers' right to information. Although the findings are particularly relevant for individuals with food allergies, the study did not explore the legal liability of business actors when misleading labeling practices result in adverse health consequences.⁷

Furthermore, Debora Debora and Martono Anggusti examined producer liability arising from inaccuracies in nutritional information displayed on processed food products. Their study found that business actors are obligated to provide compensation when consumers suffer losses resulting from inaccurate or misleading product information. While this research contributes to the understanding of business actors' liability mechanisms, it does not address the interaction between such liability and contemporary digital marketing practices or product relabeling and repackaging activities.⁸

⁵ Steven Andrianto, "Tanggung Jawab Hukum Atas Relabeling Produk Tanpa Izin Ditinjau Dari Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen" (Universitas Pelita Harapan, 2024), <http://repository.uph.edu/id/eprint/67743>.

⁶ Novena Caecilia et al., "Perlindungan Hukum Terhadap Konsumen Produk Pangan Daluwarsa Yang Merupakan Hasil Pengemasan Ulang (Repackaging) Dan Pelabelan Ulang (Relabelling)," *Integrative Perspectives of Social and Science Journal* 3, no. 4 (2026): 1833–37.

⁷ Danang Wahyu Muhammad et al., "Pencantuman Label Alergen Dalam Pelabelan Produk Pangan Sebagai Bentuk Perlindungan Konsumen," *Jurnal Hukum Ius Quia Iustum* 30, no. 2 (2023): 420–41, <https://doi.org/10.20885/iustum.vol30.iss2.art9>.

⁸ Debora Debora and Martono Anggusti, "Perlindungan Hukum Bagi Konsumen Terhadap Pemberian Label Gizi Yang Tidak Sesuai Dengan Mutu Pada Produk Pangan Olahan," *Jurnal Hukum Patik* 7, no. 3 (2018): 164–77.

Research conducted by Reniko Danuaji further underscores the importance of labeling accuracy, concluding that misleading product labels may expose business actors to both administrative and criminal sanctions.⁹ Similarly, Jose A.M. Ontoraël highlights the critical role of food safety regulations in safeguarding public health through the effective supervision of food production and distribution processes. While both studies contribute significantly to the consumer protection literature, neither specifically examines the intersection between misleading labeling practices and digital promotional activities.¹⁰

More recent scholarship is reflected in the work of Ibnu Asy Syifa Anroneka and Rahel Octora, which analyzes the labeling and promotion of food products marketed online by Home Food Industries (Industri Rumah Tangga Pangan—IRTP). The study demonstrates that business actors may incur civil, administrative, and criminal liability for violations related to product labeling and promotional activities.¹¹ Likewise, Dita Nur Haerunisa and Ruli Purwanto emphasize the importance of regulatory oversight by the Indonesian Food and Drug Authority (BPOM) in monitoring repackaged food products to ensure compliance with food safety standards. Nevertheless, neither study specifically addresses the legal implications arising from the use of claims such as gluten-free, dairy-free, plant-based, or allergy-friendly when such claims do not accurately reflect the actual characteristics of the product.¹²

Based on the foregoing review, it can be observed that existing studies generally examine relabeling, repackaging, food safety, and consumer protection as separate issues. To date, no study has comprehensively analyzed the legal liability of business actors arising from the relabeling and repackaging of processed food products accompanied by false health claims, misleading labeling practices, and digital promotional activities targeting consumers with specific dietary requirements. This study seeks to address this gap by adopting an integrative analytical approach that combines consumer protection law, food law, product liability theory, and the evolving dynamics of digital marketing within a single conceptual framework.

This study pursues two primary objectives. First, it analyzes the legal framework governing the relabeling and repackaging of processed food products under Indonesia's Consumer Protection Law, Food Law, and relevant food labeling and safety regulations.

⁹ Reniko Danuaji, "Analisis Yuridis Perlindungan Hukum Terhadap Konsumen Akibat Pelabelan Menyesatkan Dalam Industri Pangan Olahan Di Indonesia," *Jurnal Respublica* 24, no. 2 (2025): 1–11, <https://doi.org/10.31849/ffcdgs50>.

¹⁰ Jose A.M. Ontoraël, "Tinjauan Yuridis Tentang Produksi Makanan Yang Sudah Kadaluarsa Berdasarkan Pasal 90 Ayat 2 Undang-Undang Nomor 18 Tahun 2012," *Lex Crimen* 12, no. 4 (2024): 1–13.

¹¹ Ibnu Asy Syifa Anroneka and Rahel Octora, "Pertanggungjawaban Hukum Pelaku Usaha Industri Rumah Tangga Pangan Dan Mekanisme Pengawasan Pemerintah Terhadap Pelabelan Dan Promosi Produk Pangan Secara Daring," *Tema Hukum Perdata Dan Kenotariatan* 7, no. 4 (2026): 1–28, <https://doi.org/10.56370/jhlg.v7i4.2971>.

¹² Dita Nur Haerunisa and Ruli Purwanto, "Perlindungan Konsumen Terhadap Produk Makanan Repacking Menurut Hukum Keamanan Pangan Dan Obat," *Pemuliaan Keadilan* 2, no. 3 (2025): 58–68, <https://doi.org/10.62383/pk.v2i3.1004>.

Second, it examines the forms of civil, administrative, and criminal liability that may be imposed on business actors for disseminating false health claims and misleading labeling information that result in consumer harm.

2. RESEARCH METHODOLOGY

This study employs a normative legal research method (doctrinal legal research), which conceptualizes law as a system of norms analyzed through legislation, legal principles, doctrines, and relevant legal theories.¹³ This method was selected because the study focuses on examining the legal framework governing the relabeling and repackaging of processed food products, as well as the legal liability of business actors who engage in such practices by disseminating false health claims and misleading labeling information. The analysis is conducted within the framework of consumer protection law and food law.

The research adopts three complementary approaches: the statutory approach, the conceptual approach, and the case approach. The statutory approach involves the examination of relevant legal instruments, including the 1945 Constitution of the Republic of Indonesia, Law No. 8 of 1999 on Consumer Protection, Law No. 18 of 2012 on Food, and regulations issued by the Indonesian Food and Drug Authority (BPOM) concerning food labeling and safety. The conceptual approach is utilized to analyze the theoretical foundations of consumer protection, product liability, food safety, transparency of information, and digital marketing. In addition, the case approach is applied through an examination of the Bake n Grind case, which serves as an illustrative example of alleged misleading labeling and promotional practices involving processed food products.

The study relies exclusively on secondary data obtained through an extensive literature review. The data consist of primary, secondary, and tertiary legal materials, including legislation, judicial decisions, scholarly publications, and other relevant legal sources.¹⁴ These materials are analyzed qualitatively through legal inventory, legal synchronization, statutory interpretation, and legal construction. The analysis aims to formulate an appropriate framework of legal liability for business actors and to identify an effective model of consumer protection in the context of the rapidly expanding digital food marketplace.

3. RESEARCH RESULT AND DISCUSSION

3.1. Legal Regulation of Relabeling and Repackaging Practices in Indonesia's Processed Food Sector

¹³ Muhaimin, *Metode Penelitian Hukum* (Mataram: Mataram University Press, 2020).

¹⁴ Juan Matheus, "E-Arbitration: Digitization Of Business Dispute Resolution Pada Sektor E-Commerce Dalam Menyongsong Era Industri 4.0 Di Tengah Pandemi Covid-19," *Lex Renaissance* 6, no. 4 (2021): 692–704.

The Indonesian legal system does not, in principle, prohibit the relabeling or repackaging of processed food products. These practices are permissible provided that they comply with applicable food safety standards, labeling requirements, distribution permit regulations, and consumer protection principles that emphasize transparency and accuracy of information. Nevertheless, such activities are subject to strict legal limitations. Any modification of food packaging or labeling must preserve the integrity of product information and must not mislead consumers. Accordingly, Indonesian law is not directed toward restricting legitimate business activities but rather toward mitigating the risks associated with alterations to product information that may adversely affect consumers.

Within the framework of consumer protection, product information constitutes a fundamental element of legal protection. Article 4(c) of Law No. 8 of 1999 on Consumer Protection grants consumers the right to obtain accurate, clear, and honest information regarding the goods and services they consume. This right is reinforced by Article 7(b), which imposes an obligation on business actors to provide truthful and transparent information concerning the products they market. From this perspective, any relabeling or repackaging practice that results in the omission of essential information or the inclusion of information that is inconsistent with the actual characteristics of the product may constitute a violation of consumer rights. The protective framework established under the Consumer Protection Law extends beyond economic interests and encompasses the protection of consumer health and safety as fundamental legal interests.

The prohibition of practices that may mislead consumers is expressly reflected in Article 8(1)(a) and Article 8(1)(f) of the Consumer Protection Law. These provisions prohibit business actors from trading goods that fail to comply with applicable standards or that do not conform to the information stated on labels, packaging, advertisements, or promotional materials. In the context of relabeling practices, these provisions are particularly significant because modifications to product labels may involve alterations to product identity, origin, quality, composition, or expiration dates with the objective of enhancing commercial value. Such conduct constitutes not only an administrative violation but also a deceptive business practice that is incompatible with the principles of fairness and good faith in commercial transactions.

Steven Andrianto (2024) concluded that unauthorized relabeling practices may be classified as unlawful acts because they cause harm to consumers and violate consumer protection regulations. However, the present study argues that relabeling should not be viewed solely as a matter of civil liability between business actors and consumers. Rather, it should also be understood as part of a broader food safety regulatory framework that involves multiple public law mechanisms. In this respect, the study expands the analytical scope beyond the conventional focus on civil liability.

More specific provisions concerning labeling obligations and food safety are contained in Law No. 18 of 2012 on Food. Articles 67 and 97 require all processed food products distributed in the market to bear labels containing mandatory information, including the product name, ingredients, producer identity, distribution permit number, production code, and expiration date. These provisions demonstrate that food labels serve not merely as marketing instruments but also as legal mechanisms designed to guarantee consumers' rights to information and product safety. Consequently, any unauthorized modification of such information has the potential to undermine the protective function of food labeling.

The preventive orientation of food regulation is further reflected in Article 99 of the Food Law, which explicitly prohibits the removal, replacement, relabeling, or alteration of expiration date information on food products that have already been distributed. This provision indicates that the legislature regards relabeling as a high-risk activity capable of jeopardizing consumer safety when conducted in violation of legal requirements. The Food Law therefore adopts a preventive regulatory approach aimed at preventing information manipulation before consumer harm occurs. This approach differs from that of the Consumer Protection Law, which primarily focuses on the protection of consumer rights and the imposition of legal sanctions after a violation has taken place.

Technical regulations issued by the Indonesian Food and Drug Authority (BPOM) further reinforce restrictions on the repackaging of processed food products that have already been placed in retail packaging. Under BPOM Regulation No. 31 of 2018 on Processed Food Labeling, retail packaging is defined as the final packaging intended for direct distribution and consumption and, as a general rule, may not be opened and repackaged into smaller units. This regulatory framework reflects the principle of packaging integrity, whereby all information displayed on the original packaging must remain intact until the product reaches the final consumer. From a consumer protection perspective, the loss or alteration of information resulting from repackaging practices is regarded as a potential threat to consumers' right to receive accurate, complete, and reliable product information.

This finding is consistent with the study conducted by Dita Nur Haerunisa and Ruli Purwanto, which emphasizes the importance of BPOM oversight of repackaged food products.¹⁵ However, the present study argues that restrictions on repackaging serve not merely to ensure administrative compliance with labeling requirements but also function as a preventive legal mechanism designed to minimize the risks of contamination, deterioration of product quality, and loss of product traceability.

¹⁵ Dita Nur Haerunisa and Ruli Purwanto, "Perlindungan Konsumen Terhadap Produk Makanan Repacking Menurut Hukum Keamanan Pangan Dan Obat."

Consequently, the regulatory function of food labeling must be understood within the broader objective of protecting public health and consumer welfare.

The legal regulation of relabeling and repackaging practices in Indonesia is founded upon three interrelated principles: food safety, the right to information, and the principle of good faith.¹⁶ Together, these principles form the normative basis of the consumer protection framework. Food safety cannot be effectively guaranteed without accurate and transparent information, while the provision of accurate information depends upon the good-faith conduct of business actors. Accordingly, a violation of any one of these principles ultimately undermines the integrity of the consumer protection system as a whole.

The rapid expansion of digital commerce has further increased the complexity of monitoring relabeling and repackaging practices. A growing number of food products marketed through social media platforms and online marketplaces are repackaged into customized sizes without providing complete information regarding product origin, composition, distribution permit numbers, or expiration dates.¹⁷ This situation creates new forms of consumer vulnerability, as consumers often lack the means to verify the authenticity, legality, and safety of the products offered for sale. As a result, the principal challenge confronting the current regulatory framework lies not in the absence of legal norms but in the effective enforcement and supervision of existing regulations within the digital marketplace.

The legal framework governing the relabeling and repackaging of processed food products in Indonesia is relatively comprehensive, encompassing the Consumer Protection Law, the Food Law, and various technical regulations issued by BPOM. Nevertheless, the effectiveness of consumer protection depends substantially on the level of compliance among business actors, the effectiveness of regulatory oversight, and the capacity of state institutions to adapt enforcement mechanisms to the evolving dynamics of digital commerce. Relabeling and repackaging practices may be legally justified only when they are carried out transparently, do not alter material product information, comply with food safety requirements, and preserve consumers' right to receive accurate, clear, and honest information. Conversely, any manipulation of information through alterations to labels or packaging that misleads consumers should be regarded as a violation of both consumer protection and food safety principles and may give rise to administrative, civil, and criminal liability for business actors.

¹⁶ Mochamad Chotib et al., "Implementation Government Regulations Number 31 of 2019 Accelerates Halal Product of Indonesian Excelled on the World Stage," *International Journal of Multidisciplinary Research and Analysis* 5, no. 11 (2022): 3139–49, <https://doi.org/10.47191/ijmra/v5-i11-22>; Inge Dwisvimiari et al., "Kesadaran Hukum Konsumen Atas Pembelian Produk Impor Kemasan Yang Tidak Mencantumkan Label Bahasa Indonesia," *Journal of Contemporary Law Studies* 2, no. 1 (2024): 1–18, <https://doi.org/10.47134/lawstudies.v2i1.2126>.

¹⁷ Anjar Ruspita Sari et al., "The Effect of Housewives' Food Safety Awareness on Processed Frozen Food Buying Interest during Covid19 Pandemic in D.I. Yogyakarta Region," paper presented at 2nd International Conference on Smart and Innovative Agriculture (ICoSIA 2021), 2022, <https://doi.org/10.2991/absr.k.220305.062>.

3.2. Legal Liability of Business Actors for Consumer Losses Arising from Misleading Relabeling and Repackaging Practices of Processed Food Products

The relabeling and repackaging of processed food products accompanied by misleading information constitute more than mere administrative violations within commercial activities; they represent legal violations that directly affect consumers' rights to safety, security, and accurate information regarding the products they consume. In the contemporary food market, labels no longer serve solely as instruments of product identification but have evolved into legal mechanisms that shape consumer trust in product safety, quality, and regulatory compliance. Consequently, when business actors provide information that does not accurately reflect the actual characteristics of a product—including health-related claims that cannot be substantiated scientifically or factually—their conduct may result in economic loss, adverse health consequences, and, in certain circumstances, risks to consumers' lives and well-being.

Misleading relabeling and repackaging practices satisfy the elements of an unlawful act (*onrechtmatige daad*) as provided under Article 1365 of the Indonesian Civil Code. Such conduct may be considered unlawful because it violates statutory provisions, infringes upon consumers' subjective rights, breaches the legal obligations imposed upon business actors, and contravenes the principles of reasonableness and due care that should govern commercial activities. Consumers who purchase products marketed as gluten-free, dairy-free, or allergy-friendly reasonably rely on these representations when making consumption decisions based on their health conditions. Where a product is subsequently found to contain ingredients that are inconsistent with the claims presented on its label, a direct causal relationship may be established between the misleading conduct of the business actor and the losses suffered by consumers.

The liability framework established under the Consumer Protection Law reflects a tendency toward the application of the strict liability principle, particularly in relation to products that may pose risks to consumer health and safety. Within this framework, business actors cannot easily avoid responsibility by claiming a lack of knowledge regarding discrepancies between the information provided and the actual characteristics of the product. As long as it can be demonstrated that the product originated from the business actor concerned and contained misleading information, liability may arise regardless of intent or negligence. Such liability may include product replacement, refunds, reimbursement of medical expenses, compensation for economic losses, and damages for both material and non-material harm suffered by consumers.

These findings are consistent with the study conducted by Debora Debora and Martono Anggusti, which concluded that business actors are obligated to provide compensation when nutritional information displayed on product labels does not

accurately reflect the actual condition of the product.¹⁸ However, the present study extends this analysis beyond inaccuracies in nutritional information to encompass misleading health-related claims that directly influence the purchasing decisions of vulnerable consumer groups, including individuals with food allergies, gluten intolerance, or specific dietary requirements. In this context, the risks associated with misleading food labels are substantially greater because inaccurate health claims may expose consumers to serious health consequences rather than merely causing informational or economic harm.

In addition to civil liability, misleading relabeling and repackaging practices may also give rise to administrative liability. The Food Law authorizes governmental authorities and regulatory agencies to impose administrative sanctions on business actors who violate food labeling requirements. Pursuant to Article 102 of the Food Law, such sanctions may include administrative fines, temporary suspension of production or distribution activities, mandatory product recalls, compensation orders, and, in severe cases, the revocation of business licenses. The findings of this study indicate that administrative sanctions perform an essential preventive function by enabling regulatory authorities to intervene promptly without awaiting the completion of criminal proceedings, which are often lengthy and resource-intensive.

Administrative enforcement mechanisms play a particularly strategic role in preventing the widespread dissemination of unsafe or misleading food products. For example, the immediate withdrawal of improperly labeled products from the market may prevent additional consumers from suffering harm caused by inaccurate or deceptive labeling practices.¹⁹ Accordingly, the administrative liability regime established under Indonesian food law is not solely punitive in nature but is primarily designed to provide rapid and effective protection of public health and consumer interests.

Misleading relabeling and repackaging practices involving processed food products may give rise to criminal liability under both the Food Law and the Consumer Protection Law. The Food Law expressly prohibits the removal, replacement, relabeling, or alteration of expiration-date information on food products, as stipulated in Article 99. Violations of this provision are subject to criminal sanctions under Article 143 of the Food Law, which provides for a maximum term of imprisonment of two years or a maximum fine of IDR 4 billion. Furthermore, where repackaging activities involve opening final retail packaging and such conduct creates a risk to human health, Article 139(1) of the Food Law imposes more severe penalties, including a maximum term of imprisonment of four years or a maximum fine of IDR 10 billion.

¹⁸ Debora Debora and Martono Anggusti, "Perlindungan Hukum Bagi Konsumen Terhadap Pemberian Label Gizi Yang Tidak Sesuai Dengan Mutu Pada Produk Pangan Olahan."

¹⁹ Diana Ximena Correa Lizarazo et al., "Manual of Good Practices for Food or Feed Recalls," *Journal of Regulatory Science* 2, no. 1 (2014): 28–35, <https://doi.org/10.21423/JRS.REGSCI.2114>; Louise Manning and Aleksandra Kowalska, "Considering Fraud Vulnerability Associated with Credence-Based Products Such as Organic Food," *Foods* 10, no. 8 (2021): 1879, <https://doi.org/10.3390/foods10081879>.

These provisions reflect the legislature's recognition that violations affecting the integrity of food labels pose a significant threat to the public. Food labels serve not only as sources of commercial information but also as essential instruments for safeguarding public health and consumer safety. Consequently, the manipulation of food-label information is treated as conduct that may endanger the public interest and therefore warrants criminal sanctions.

In addition to the Food Law, the Consumer Protection Law provides an independent basis for criminal liability. Article 62(1) imposes criminal sanctions on business actors who violate Article 8 of the Consumer Protection Law. Business actors who market products that do not conform to the information displayed on labels or who fail to provide mandatory product information may be subject to a maximum term of imprisonment of five years or a maximum fine of IDR 2 billion. In this regard, the Consumer Protection Law functions as a complementary legal instrument to the Food Law, focusing more broadly on the protection of consumer rights. The relationship between the two statutes reflects the application of the principle of *lex specialis derogat legi generali*, whereby the Food Law serves as the specialized regulatory framework governing food safety and food information, while the Consumer Protection Law provides more comprehensive protection for consumer interests across various sectors.

The findings of this study support the argument advanced by Reniko Danuaji that misleading labeling practices may result in both administrative and criminal liability for business actors.²⁰ However, the present study further demonstrates that the rapid expansion of digital marketing and the increasing use of specialized health-related claims have substantially increased the complexity of potential legal violations. Misleading information is no longer confined to physical product packaging but is increasingly disseminated through social media platforms, online marketplaces, and other forms of digital advertising capable of reaching consumers on a large scale. As a consequence, the resulting harm is no longer limited to individual consumers but may evolve into widespread public-health risks affecting larger segments of society.

The relabeling and repackaging of processed food products accompanied by misleading health-related claims constitute a multidimensional legal violation that may simultaneously trigger administrative, civil, and criminal liability. Such liability arises not only from breaches of statutory provisions governing food labeling but also from the broader principles of product liability, consumer protection, food safety, and the obligation of business actors to act in good faith in the conduct of commercial activities. The greater the potential health risks associated with misleading information, the stronger the legal justification for imposing liability on the responsible business actors. Accordingly, in the context of food products marketed with claims such as gluten-free,

²⁰ Reniko Danuaji, "Analisis Yuridis Perlindungan Hukum Terhadap Konsumen Akibat Pelabelan Menyesatkan Dalam Industri Pangan Olahan Di Indonesia."

dairy-free, plant-based, allergy-friendly, and other health-related representations, the accuracy of product information should be regarded not merely as an administrative requirement but as a legal obligation that is fundamental to the protection of consumers' rights to health, safety, and, ultimately, life itself.

4. CONCLUSION

This study analyzed the legal framework governing the relabeling and repackaging of processed food products within the Indonesian legal system and examined the legal liability of business actors for consumer losses arising from misleading information, particularly unsubstantiated health-related claims. The findings indicate that relabeling and repackaging practices are not inherently prohibited under Indonesian law. However, their implementation must comply with the provisions of the Consumer Protection Law, the Food Law, and regulations issued by the Indonesian Food and Drug Authority (BPOM) concerning food safety, labeling requirements, and distribution permits. Any alteration, removal, or addition of information that is inconsistent with the actual characteristics of a product—including unsupported claims such as gluten-free, dairy-free, plant-based, and allergy-friendly—constitutes a violation of consumers' rights to accurate information and food safety.

The study further demonstrates that business actors may incur administrative, civil, and criminal liability for engaging in misleading relabeling and repackaging practices. Such liability is grounded in the principles of product liability, consumer protection, food safety, and the obligation of business actors to act in good faith. These findings reaffirm that food labeling serves not merely as a marketing instrument but as a critical legal mechanism for safeguarding consumer health, safety, and access to accurate information.

The study provides both academic and policy-oriented insights for strengthening regulatory oversight of processed food products in the digital marketplace. Nevertheless, the study is limited by its normative legal approach and does not examine the empirical implementation of relevant regulations in practice. Accordingly, future policy efforts should focus on enhancing digital monitoring mechanisms and strengthening the verification of health-related claims used in online food marketing. Further research is recommended to investigate the effectiveness of law enforcement and BPOM supervisory mechanisms in addressing relabeling and repackaging practices across e-commerce platforms and other forms of digital commerce.

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