

ABSTRACT

CONSUMER LEGAL PROTECTION FOR CIGARETTE PRODUCTS LABEL

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Development of health as one of our national development efforts are directed towards the attainment of awareness, willingness, and ability to live a healthy life for every individual within the population who are being pampered with consumer products circulating in the market. In order to establish a healthy society, it is important to obtain necessary product-related information which normally can be found on their label. Correct and not misleading information is a consumers' basic need to help them decide whether to perform, delay or cancel a transaction or purchase agreement for their daily life. Various efforts aimed at creating a healthy society were carried out to satisfy all the required information about a consumer products, especially cigarettes. Those include addictive substances safeguard regulated in Government Regulation (PP) No. 109 of 2012 on Health Protection of Materials Containing Addictive Substances in the Forms of Tobacco Products based on Article 113 to 116 and Article 199 of Constitution No. 36 of 2009 on Health, stating that tobacco products are addictive substances.

The problems that were arose in this study are: (a) Content of tobacco product label according to PP No. 109 of 2012 on Health Protection of Materials Containing Addictive Substances in the Forms of Tobacco Products provides legal protection for consumers, (b) Legal action against cigarette business owners or product manufacturers which do not comply with the labeling regulation of tobacco products according to Regulation No. 109 of 2012 on Health Protection of Materials Containing Addictive Substances in the Forms of Tobacco Products. In this paper, we use statue approach that was reviewed based on the laws related to Government Regulation No. 109 of 2012 Health Protection of Materials Containing Addictive Substances in the Forms of Tobacco Products and Constitution No. 8 of 2009 on Consumer Protection. Then we exercise primary and secondary legal materials. The main primary materials are (1) Constitution No. 36 of 2009 on Health, (2) Ministry of Health of the Republic of Indonesia Regulation No. 23 of 2013 on Inclusion of Health-related Warning and Information on Tobacco Product Packaging, (3) Head of Food and Drug Administration of the Republic of Indonesia Regulation No. 41 of 2003 on Monitoring of Circulating Tobacco Products, Inclusion of Health-related Warning on Tobacco Product Packaging and Promotion. While the secondary

materials are the law books, theses, legal briefs, legal opinion, and Internet sites related to the issues discussed in this paper.

The results of this study indicate that the provision of content of tobacco products label according to Government Regulation No. 109 of 2012 on Health Protection of Materials Containing Addictive Substances in the Forms of Tobacco Products does not provide optimal legal protection for consumers.

Keywords: Legal Protection, Consumer, Content of Tobacco Products Label.

