

PERANAN BALAI PENGAWAS OBAT DAN MAKANAN SOFIFI DALAM PENEGAKAN HUKUM TERHADAP PEREDARAN KOSMETIK ILEGAL SECARA *ONLINE*

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INTISARI

Penelitian ini bertujuan untuk mengetahui dan menganalisis problematika yang dihadapi oleh BPOM Sofifi dalam penegakan hukum terhadap peredaran kosmetik ilegal secara *online*, khususnya ditinjau dari faktor substansi, struktural, dan budaya hukum. Penelitian ini juga dilakukan untuk mengetahui dan mengkaji kebijakan penegakan hukum yang dilakukan oleh BPOM Sofifi terhadap peredaran kosmetik ilegal secara *online* di masa mendatang.

Metode yang digunakan dalam penelitian ini adalah metode penelitian normatif-empiris. Sumber data utama penelitian ini menggunakan data primer berupa hasil wawancara dengan para narasumber dan responden serta dilengkapi dengan data sekunder berupa data kepustakaan dan data terkait pengawasan peredaran kosmetik ilegal di wilayah kerja BPOM Sofifi. Hasil penelitian dianalisis secara kualitatif dan disajikan dengan metode deskriptif analitis dan deskriptif preskriptif, serta ditarik kesimpulan secara deduktif.

Berdasarkan hasil penelitian dan pembahasan dapat ditarik dua kesimpulan. Pertama, problematika yang dihadapi BPOM Sofifi dari substansi hukum, yakni urgensi pengesahan UU Pengawasan Obat dan Makanan ataupun pembentukan aturan turunan UU Kesehatan Nomor 17 Tahun 2023 terkait pengawasan obat dan makanan. Problematika struktur hukum yakni BPOM Sofifi kekurangan SDM baik dari kuantitas maupun kualitas di bidang digital forensik, minimnya sarana prasarana penunjang, serta anggaran yang terbatas. Problematika budaya hukum yakni kurangnya kesadaran masyarakat dan tidak meratanya pengetahuan masyarakat terhadap penggunaan kosmetik yang aman. Kedua, kebijakan di masa mendatang dari substansi hukum berupa penyusunan kebijakan teknis terkait kewenangan PPNS BPOM dalam menjalankan tugasnya, khususnya dalam penanganan perkara kosmetik ilegal secara *online*. Kebijakan struktur hukum, BPOM Sofifi harus membuat kebijakan terkait pemerataan jumlah dan kompetensi SDM di bidang penegakan hukum, terutama kompetensi dalam digital forensik, serta penyediaan sarana prasarana dan anggaran yang sesuai dengan perkembangan teknologi. Kebijakan budaya hukum kedepan tak boleh luput dari mendorong peran aktif masyarakat dengan membangun kesadaran masyarakat dan pemerataan pengetahuan masyarakat terhadap produk kosmetik yang aman, melalui KIE (Komunikasi, Informasi, dan Edukasi) kepada seluruh masyarakat.

Kata Kunci: Penegakan Hukum Kosmetik Ilegal Secara *Online*, Penegakan Hukum Obat dan Makanan, BPOM Sofifi

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THE ROLE OF THE SOFIFI FOOD AND DRUG SUPERVISORY CENTER IN LAW ENFORCEMENT AGAINST THE CIRCULATION OF ILLEGAL COSMETICS ONLINE

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ABSTRACT

This study aims to find out and analyze the problems faced by BPOM Sofifi in law enforcement against the circulation of illegal cosmetics online, especially from the perspective of substance, structural, and legal culture factors. This research was also conducted to find out and review the law enforcement policies carried out by BPOM Sofifi against the circulation of illegal cosmetics online in the future.

The method used in this study is a normative-empirical research method. The main source of data for this study uses primary data in the form of interviews with sources and respondents and is complemented by secondary data in the form of literature data and data related to the supervision of the circulation of illegal cosmetics in the BPOM Sofifi work area. The results of the study were analyzed qualitatively and presented by analytical descriptive and prescriptive descriptive methods, and deductive conclusions were drawn.

Based on the results of the research and discussion, two conclusions can be drawn. First, the problems faced by BPOM Sofifi from the legal substance, namely the urgency of the ratification of the Drug and Food Control Law or the formation of derivative rules of the Health Law Number 17 of 2023 related to drug and food control. The problem of the legal structure is that BPOM Sofifi lacks human resources both in terms of quantity and quality in the field of digital forensics, lack of supporting infrastructure, and limited budget. The problem of legal culture is the lack of public awareness and uneven public knowledge about the safe use of cosmetics. Second, future policies from the legal substance in the form of the preparation of technical policies related to the authority of PPNS BPOM in carrying out its duties, especially in handling illegal cosmetics cases online. In the legal structure policy, BPOM Sofifi must make policies related to the equal distribution of the number and competence of human resources in the field of law enforcement, especially competence in digital forensics, as well as the provision of infrastructure and budgets in accordance with technological developments. Legal culture policies in the future must not be spared from encouraging the active role of the community by building public awareness and equitable distribution of public knowledge about safe cosmetic products, through KIE (Communication, Information, and Education) to the entire community.

Keywords: Online Enforcement of Illegal Cosmetics Law, Drug and Food Law Enforcement, BPOM Sofifi

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