

The Government Responsibility in Providing Legal Protection to The Public against The Distribution of Unhealthy Food

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Abstract

Ultra-processed food products, also known as UPF, have become a daily staple in Indonesians. UPF contains high levels of sugar, salt, and fat, which can lead to obesity and diabetes in those of productive age. Food safety regulations lack an effective regulatory system to curb the high consumption of UPF. Specifically, Minister of Health Regulation No. 63 of 2015 regulates the Use of Sugar, Salt, and Fat. However, its implementation has been hampered by industry resistance, which considers this policy to be a hindrance to business growth. This research, using a juridical-normative approach, examines various relevant laws and regulations, such as the Consumer Protection Law, the Food Law, and their derivative regulations. This research uses a juridical-normative approach by examining various related laws and regulations, such as the Consumer Protection Law, the Food Law, and their derivative regulations. The type of research used is descriptive-analytical, which is aiming to describe systematically and factually the effectiveness of regulations and the factors that influence the success of their implementation. This research uses secondary data. Secondary data consists of the results of literature studies, legal documents, and reports from related institutions, such as WHO and Indonesian Food and Drug Authority. This combination of data sources provides a strong foundation for conducting a comprehensive analysis of the problem being studied. Food safety is an essential requirement for all Indonesians to consume. The government have a crucial role in maintaining the diversity of culinary culture while still prioritizing balanced nutritional standards to ensure the health and safety of food products consumed by the public. Various government interventions to reduce the consumption of unhealthy foods include the need for regulations governing UPF, fast food excise, restrictions on UPF advertising, and the need for supervision and guidance for school vendors regarding food and beverages sold to schoolchildren. Existing regulations, such as the Food Law and the Minister of Health Regulation, are not yet fully adequate in protecting consumers from the dangers of excessive consumption of products containing sugar, salt, and fat. The government plays a crucial role in ensuring that producers comply with the obligation to include nutritional information and health messages on food products.

Keywords : Food Regulation, Safety Food

INTRODUCTION

The 66th National Nutrition Day in 2026 is an important momentum to strengthen the nutritional development of the Indonesian society. This year's National Nutrition Day carries

the theme "Optimal Nutrition Towards a Golden Indonesia 2045" which emphasizes the importance of building a healthy, quality, and competitive generation from an early age as the main foundation towards a golden Indonesia.¹

Today's nutritional challenges are no longer limited to malnutrition, but also include overnutrition and the increase in non-communicable diseases that are closely related to changes in community eating habit. One of the issues that needs attention is the high consumption of Ultra-Processed Foods (UPF). Research in 2020 showed that 45% of the total calorie intake of Indonesian people comes from UPF consumption with a higher trend in children and adolescents (Diba, 2025). The high consumption of UPF not only impacts on health, but also increases the burden on the environment.

The results of research from 52 studies also show that UPF consumption impacts on the energy use in the food system, greenhouse gas emissions, biodiversity loss, and environmental damage such as land degradation and water pollution. If not controlled, high UPF consumption can hinder efforts to create healthy, productive and competitive human resources which are the main foundation for forming the golden generation of 2045.²

A UNICEF report states that Indonesia officially ranks first in the world in the consumption of ultra-processed foods (UPF) in the age group 0 to 5 years. It is recorded that 38 percent of the total daily calories of toddlers in Indonesia come from UPF. This figure dominates the energy intake which should come from whole foods.³ This finding was revealed in a strategic discussion between the Indonesian Academy of Sciences and the EAT Foundation and WHO Indonesia in April 2026. Under the title Eat Real Food and Minimally Processed Diets, the international forum highlighted the child nutrition crisis caused by the onslaught of artificial products. At the forum, Wageningen University researcher Neha Khandpur thoroughly dissected children's eating habit in 16 countries. The results put Indonesia in the

¹ Mengendalikan Konsumsi Ultra-Processed Foods (UPF) sebagai Bagian dari Sustainable Healthy Diets Menuju Generasi Emas 2045, Konten Edukasi , 27 Januari 2026, 11.31, <https://pkgm.fkkmk.ugm.ac.id/2026/01/27/mengendalikan-konsumsi-ultra-processed-foods-upf-sebagai-bagian-dari-sustainable-healthy-diets-menuju-generasi-emas-2045/>

² Ibid.

³ Afrian Rahmanta, UNICEF: Anak Indonesia Konsumsi UPF tertinggi di dunia, April 27, 2026, <https://www.ruang.id/unicef-anak-indonesia-konsumsi-upf-tertinggi-di-dunia/>

worst position. The grip of UPF products affects all age groups, from babies who are new to solid foods to teenagers.

Families in Indonesia today have changed their eating consumption patterns. Ultra-processed products such as sausages, breakfast cereals, bread, chips, and even soft drinks have become a new form of eating pattern that has become a trend among Indonesian families. The addition of excessive sugar, salt, trans fats, food coloring agents, artificial flavors, and chemical emulsifiers can trigger obesity, micronutrient deficiencies, metabolic disorders and the threat of non-communicable diseases at an early age.⁴

The state has an obligation to provide safe and healthy food products, and of course this is the right of its citizens. Article 25 of the Universal Declaration of Human Rights (1948) states that everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food. The Rome Declaration on World Food Security (1996) states that everyone has the right to have adequate physical and economic access to sufficient, safe and nutritious food according to their needs and preferences to lead an active and healthy life. Indonesia is ranked 63rd in the Economist Intelligence Unit (EIU) Global Food Security Index, indicating challenges in optimizing food security systems, especially in equitable distribution across the archipelago.

Article 68 of the Food Law states that the central and regional governments are responsible for ensuring the implementation of food security throughout the food chain in an integrated manner. Implementation of food safety is carried out through supervision of food sanitation, regulation of food additives, supervision of genetically engineered products, and providing guarantees of food safety and quality. It is also explained in Government Regulation No. 86 of 2019 concerning Food Safety that food is anything that comes from biological sources, whether processed or unprocessed, which is intended as food or drink for human consumption. Food safety is necessary to prevent biological, chemical and other contamination that can harm human health, so that the food consumed remains safe and in accordance with the religious values, beliefs and culture of the community. The implementation of food safety aims to provide protection to the public in consuming food that is safe for health and safety of life. To ensure the availability of safe food, supervision must be applied throughout the food chain, from production, harvesting, processing, storage, distribution, to consumption.

Food safety regulations have been established, but Indonesia does not yet have an effective regulatory system to suppress the high consumption of UPF. The government has issued Minister of Health Regulation No. 63 of 2015 concerning the Use of Sugar, Salt, and Fat in Food Products, which regulates the maximum intake of sugar (50 grams per day), salt (2 grams per day), and fat (67 grams per day). However, this regulation is more focused on large industries and has not been fully implemented on a wider scale.

The sugar content in packaged beverages has been regulated by the Indonesian Food and Drug Authority through Regulation No. 26 of 2021. However, the trend of consuming sweetened drinks such as boba, coffee with milk, and ready-to-drink tea continues to increase. Minister of Health Regulation No. 30 of 2013 actually requires fast food producers with more than 250 outlets to include information on sugar, salt, and fat content as well as health messages, but its implementation has been hampered by resistance from the industry, which considers this policy to hinder business growth.

The government has guaranteed protection for consumers as stated in the Consumer Protection Law No. 8 of 1999. Consumer Protection relates to consumers, business actors, the government, the Non-Governmental Consumer Protection Institution, the Consumer Dispute Resolution Agency and the National Consumer Protection Agency. In its implementation, the government makes policies or regulations as the person responsible for organizing and supervising consumer protection according to its sector, however, sometimes when an incident occurs and the rights are restored to business actors, it turns out that there is no positive response. Business actors sometimes do not understand their rights and obligations as business actors and on the other hand, business actors take advantage of the weaknesses of consumers and only focus on short-term profits.⁵ However, significant efforts are still needed to address the consumption and circulation of UPF, which is feared to cause a disease burden in the future.

METHOD

This research uses a juridical-normative approach by examining various related laws and regulations, such as the Consumer Protection Law, the Food Law, and their derivative regulations. The type of research used is descriptive-analytical, which is aiming to describe

⁵ Megawati Simanjuntak, Pengarusutamaan Perlindungan Konsumen Indonesia : Tantangan dan Implikasi, <https://doi.org/10.29244/agro-maritim.0301.155-161>

systematically and factually the effectiveness of regulations and the factors that influence the success of their implementation. This research uses secondary data. Secondary data consists of the results of literature studies, legal documents, and reports from related institutions, such as WHO and Indonesian Food and Drug Authority. This combination of data sources provides a strong foundation for conducting a comprehensive analysis of the problem being studied.

RESULTS AND DISCUSSION

Food safety is carried out to keep food safe, hygienic, of good quality and does not conflict with the religion, beliefs and culture of the community. Food safety is also intended to prevent biological and chemical contamination that can harm human health.⁶

Food safety is an important requirement that must be attached to food that is to be consumed by all Indonesian society. Quality and safe food can be produced from household kitchens or from the food industry. Therefore, the food industry is one of the determining factors in the circulation of food that meets the quality and safety standards set by the government.

Food safety is not only a global issue but also an individual concern. Ensuring food safety is the fundamental of consumer right. Food is one of the most important and essential basic needs in human life. Even though food is attractive, delicious, and highly nutritious, if it is not safe to consume, it has practically no value at all.

Food safety has always been a primary consideration in trade, both national and international trade. Worldwide awareness regarding food safety is increasing. Food plays an increasingly important and vital role in the world trade. In this module, we will discuss various regulations covering aspects of food safety, analysis of food safety hazards and various opportunities to reduce them.

According to WHO, food safety is a guarantee that food or food raw materials will not have a negative impact on health or harm consumers if processed and/or consumed according to their intended use. The definition of food safety is stated in Government Regulation No. 86 of 2019 concerning Food Safety.

Food safety is the condition and efforts required to prevent food from possible biological, chemical and other contamination that can disrupt, harm and endanger human health and does not conflict with religion, beliefs and culture of the community so that it is safe for consumption. From the definition above, it is clear that food safety is something that must be pursued as much as possible to create conditions or guarantees of safety for food consumed. Food is said to be safe if it meets food safety standards, thereby preventing the food from the possibility of pathogenic microbes growing and multiplying in food, equipment and buildings that can endanger health.

Based on Government Regulation No. 86 of 2019, Food Safety is implemented through Food Sanitation, regulation of Food Additives, Regulation of Genetically Engineered Food Products, Regulation of Food Irradiation, Determination of Food Packaging Standards, Provision of Food Safety and Food Quality Guarantees and guarantees of required halal products.

In accordance with Government Regulation No. 86 of 2019 concerning Food Safety, it is stated that everyone who produces and trades food is required to meet food safety and food quality standards. Every product distributed in the territory of the Republic of Indonesia, whether produced domestically or imported, must have a food safety guarantee certificate according to the type of food and/or scale of business. Food safety and quality assurance certificates are written recognition of the implementation of a food safety and quality assurance system as a fulfilment of food safety standards. Based on the type, food is divided into 2 forms, namely fresh food and processed food. Fresh food is food that has not undergone processing that can be consumed directly and/or that can be used as raw material for food processing. Including food that has gone through the process of washing, peeling, drying, grinding, cutting, salting, freezing, mixing, waxing and/or blanching and without the addition of food additives.

Processed food is food or drink that is processed in a certain way or method with or without additional ingredients. Included in the processed food category are ready-to-eat foods and processed foods from the household industry. All processed foods produced domestically or imported for sale in retail packaging must be registered and have a distribution permit for distribution in Indonesia.

Food Safety and Food Quality assurance certificates are carried out through certification by the minister who carries out government affairs in the field of agriculture, the minister who carries out affairs in the field of maritime affairs and fisheries, the minister who

carries out government affairs in the field of health and the minister who carries out affairs in the field of industry, the head of the agency, or the regent/mayor or can be carried out by a certification body accredited by the government.

Food safety has always been a primary consideration in trade, both national and international trade. Worldwide awareness regarding food safety is increasing. Food plays an increasingly important and vital role in world trade.

The responsibilities and rights of each party acting as a pillar of food security development, namely the government, food business actors, and consumers, are also stipulated in this Regulation. What constitutes safe, high-quality, and nutritious food? The following description explains several aspects of Government Regulation Number 28 of 2004 concerning Food Safety, Quality, and Nutrition. 5 Keys to Food Safety: Clean (wash your hands before preparing food), separate raw and cooked food (prevent cross-contamination), cook thoroughly (cook until well done), store food at a safe temperature (avoid the danger zone), and finally use safe water and raw materials.⁷

The efforts to ensure that food products are safe for consumption are carried out in the form of monitoring how food products are stored in food distribution facilities, including provisions on food labels and monitoring the expiration date of food products. The results of the monitoring found that many food products, especially those found in traditional markets, still do not have labels that meet the requirements, do not have expiration date markings and do not have distribution permits. Based on the results of the monitoring, officers issued an appeal for food sellers and distribution facilities to comply with provisions regarding food storage standards, food labels, food supplier assessments and the importance of including expiration date markings that can guarantee food quality safety.

One of the efforts that is considered strategic to prevent food poisoning is to increase the active role of food business/industry actors in implementing RBFI (Risk Based Food Inspection) internally. Based on the Memorandum of Understanding (MoU) between the Head of the Indonesian Food and Drug Authority.

Develop a Risk Management Program (RMP) to be implemented by food businesses/industry actors. The Food Safety Risk Management Program is a written program

⁷ <https://www.pom.go.id/new/view/more/berita/15571/5-Kunci-Keamanan-Pangan-untuk-Hidup-Sehat-ala-BPOM.html>

designed by the government to ensure compliance with food safety, quality and nutrition requirements as well as compliance with applicable laws and regulations.

The objectives of developing RMP for the food industry include:

1. Stimulate the participation of food business/industry actors in providing food safety guarantees for their products to the public through self-regulatory control.
2. Industry can be more interactive using the RMP system without having to wait for face-to-face meetings with officers to handle compliance issues with applicable regulations and provisions.
3. Decision making related to food safety issues is better because it is based on scientific risk management.

In addition to self-control implemented by each food business actor, food trade requires external control by the community, observers and especially the government. For processed food, the established system is premarket evaluation of food before it is circulated and post market control of food in circulation.

This multi-layered monitoring system not only acts as a filter against the circulation of food products that do not meet the requirements but also serves as a forum for socialization and guidance for food business actors regarding food safety, quality and nutrition. Some countries may only implement post-market control accompanied by law enforcement. This method will work well if all components in the food monitoring system have been realized and are running smoothly. These include the availability of competent personnel, adequate equipment, and good networks.

Most food business actors in Indonesia are small industries and home industries with minimal knowledge of food technology and safety as well as limited facilities and infrastructure. So, a multi-layered system is implemented in Indonesia, namely assessment before circulation food and supervision during circulation food.

Processed food that has passed the assessment stage and will be distributed at retail will receive a registration approval letter. The assessment relates to safety, quality, nutrition and labelling requirements. The registration approval letter issued will contain the registration number which must be affixed to the food label in question. This number is the identity of the food product in question. With this number, the origin of the product can be traced. The agency responsible for drug and food supervision carries out the task of assessing the food in question.

For food products produced by household industries, the certificate issued is called a production certificate, which is issued by the local Regent/Mayor.

Healthy, nutritious, hygienic food that meets balanced nutritional standards is an ideal parameter that must be maintained by business actors, the government and consumers. Indonesia, with its diverse cultures and ethnicities, has a diverse menu of archipelago dishes that add color and uniqueness to regional products and also become an attraction for tourist destinations.

The government has an important role in maintaining the diversity of culinary culture while still prioritizing balanced nutritional quality standards to maintain the health and safety of food products consumed by the society. However, the impact of open information does not deny the onslaught of foreign culture in the culinary field which is accepted and becomes a trend among children and the younger generation. Excessive calorie intake in the form of flour, sugar, salt and fat causes health problems in the younger generation. Fast food menus in the form of burgers, pizza, coke and various contemporary drinks that are high in sugar have caused an increase in foodborne diseases among young people and have spread to vulnerable ages, namely the elderly.

Referring to the Minister of Health Regulation No. 30 of 2013 concerning the Inclusion of Information on Sugar, Salt and Fat Content as well as Health Messages in Processed Foods and Ready-to-Eat Foods. The recommended SUGAR consumption per person per day is 10% of total energy (200 kcal) or the equivalent of 4 tablespoons of sugar per person per day (50 grams per person per day). The recommended consumption of SALT is 2000 mg sodium or the equivalent of 1 teaspoon (tsp) of salt/person/day (5 grams/person/day). The recommended FAT consumption per person per day is 20-25% of total energy (702 kcal) or the equivalent of 5 tablespoons of fat per person per day (67 grams per person per day).

The British journal The Lancet, stated that one in five deaths worldwide is due to poor eating habits. Excessive consumption of sugar, salt and trans fats causes the death of one in five people.⁸ The United Nations (UN) estimates that about one billion people worldwide are undernourished, while nearly two billion are “overnourished.”

⁸Andrew Jacobs, “Poor diets heavy in salt and sugar kill one in five people, global study finds”, diakses melalui <https://nationalpost.com/health/poor-diets-heavy-in-salt-and-sugar-kill-one-in-five-people-global-study-finds>, pada 04 April 2019

The Lancet also wrote that of the 195 countries surveyed, it was found that people consumed too much of the wrong food and consumed small amounts of healthy food. The Lancet journal also wrote that the food we eat every day is the biggest killer compared to cigarettes.

Regarding unhealthy foods that contain high levels of sugar, salt and fat, the government must provide healthy foods that meet the criteria for sugar, salt and fat that meet nutritional adequacy requirements. In this case, it is an alternative product for consumers. So, it is hoped that producers who have been producing unhealthy products will change along with changes in people's behavioral patterns.

Various government interventions to reduce consumption of unhealthy foods include:

1. There needs to be regulations governing UPF.

In Indonesia, there are no regulations specifically governing Ultra Processed Food (UPF). Currently, the regulations regarding UPF are contained in Government Regulation No. 28 of 2024 concerning Health, which gives the government the responsibility to develop a strategy to limit the consumption of sugar, salt, and fat, which are the main components of UPF.

More detailed guidelines are contained in Minister of Health Regulation No. 30 of 2013, which regulates the obligation to include information on sugar, salt, and fat content, as well as health messages, on processed and ready-to-eat food products. In the Minister of Health Regulation, the safe daily consumption limit for sugar is set at a maximum of 50 grams (4 tablespoons), for salt a maximum of 5 grams and for fat a maximum of 67 grams or 5 tablespoons of oil. However, there is something that needs to be underlined, that one package of ready-to-eat product contains 2 or 3 servings, so 1 package should be consumed in 2 or 3 doses. This is what consumers are not aware of. For example, a 68 gram package of corn chips states that the serving size is 20 grams, so a 68 gram package should be consumed within 3 days, but Indonesians do not yet understand this, so the large package is consumed in one serving by one person.

This habit, if done over a certain period of time, will cause serious health problems such as hypertension, diabetes, high cholesterol which can result in heart disease. Therefore, it is necessary for the government to establish regulations that require producers to make single-serving packaging. This is considering that Indonesian society still has minimal literacy regarding food safety.

2. Excise on ready-to-eat food

The government plans to impose excise taxes on ready-to-eat foods, which generally contain high amounts of sugar, salt and fat. This policy was implemented as an effort to control the consumption of foods that are considered to have negative impacts on health, such as obesity and heart disease.

This discourse is contained in Article 194 of Law 28/2024, which states that in order to control the consumption of sugar, salt, and fat, the central government determines the maximum limits for sugar, salt, and fat content in processed foods, including ready-to-eat processed foods.

In practice, this excise tax will make the price of ready-to-eat food in the market more expensive, so it is hoped that it will reduce demand and reduce consumption of products that are considered unhealthy. For consumers, the implementation of excise tax can lead to an increase in the price of ready-to-eat food, which is expected to reduce purchasing power and consumption of these products.

For the industry, this excise tax could result in a decrease in demand, requiring the industry to adjust its business strategy, for example by offering healthier food options or reducing the sugar and fat content in its products.

Many other countries have already implemented excise policies on ready-to-eat foods and sweet drinks. England, for example, applies a Sugar Tax to fizzy drinks that contain high amounts of sugar. Meanwhile, Mexico: Implemented excise taxes on high-calorie snacks to reduce the high obesity rate in the country.

The implementation of excise taxes in various countries has provided quite effective results in reducing the consumption of unhealthy foods and increasing public awareness of better eating patterns.⁹

However, Finance Minister Purbaya Yudhi Sadewa postponed the implementation of excise tax on packaged sweetened beverages until 2026. The government argued that economic conditions were “not yet strong enough” and was waiting for economic growth to reach 6 percent as a prerequisite for implementing the policy. However, according to CISDI (Center

⁹ Fitriya, Cukai Makanan Siap Saji: Pengertian, Peraturan, dan Dampaknya
<https://klikpajak.id/blog/cukai-makanan-siap-saji/>,

for Indonesia's Strategic Development Initiatives), the government's concerns regarding the negative impact of packaged sweetened beverages excise on the economy are considered unfounded. A 2014 CISDI study showed that Indonesia could potentially save Rp 24.9 trillion in type 2 diabetes treatment costs and Rp 15.7 trillion in lost economic productivity by imposing an excise tax on sugary drinks.¹⁰

3. UPF Advertising Restrictions

UPF consumption in children shows worrying symptoms. Children do not yet have adequate consideration when choosing food intake. Therefore, it is necessary to limit or even ban UPF advertising on children's programs, especially those involving the use of cartoon characters in product promotions.

When advertisements are exposed repeatedly, children can internalize the message and make it part of their eating experience. In the long term, these risks associating unhealthy foods with comfort and happiness, which can trigger emotional eating and increase the potential for eating disorders and the risk of non-communicable diseases.

Therefore, it is important to involve various stakeholders, including parents, educators, industry players, and policy makers in building a healthy eating environment. Media literacy education for children is also an important step to equip them to be more critical of advertising messages. Strict regulations on food marketing aimed at children, such as banning UPF advertising during children's broadcast hours, limiting the use of cartoon characters, and providing clear and easy-to-understand nutritional labeling, are important strategies to reduce the negative impact of UPF advertising on children's health in the long term.¹¹

4. There is a need for supervision and guidance for traders at schools regarding food and drinks sold to school children.

School children's snacks often escape the attention of parents and schools. School children do not yet have the ability to choose products that are safe for their health. The

¹⁰ Ori Sanri Sidabutar, Cukai MBKD Kembali Ditunda, CISDI: Indonesia Berpotensi Rugi Rp 40,6 Triliun Akibat Diabetes, <https://cisdi.org/siaran-pers/cukai-mbdk-kembali-ditunda>

¹¹ *Pengaruh Paparan Iklan Ultra-Processed Food terhadap Preferensi dan Perilaku Makan Anak Usia Sekolah: Kajian Literatur Sistematis*, https://www.researchgate.net/publication/394894308_Pengaruh_Paparan_Iklan_Ultra-Processed_Food_terhadap_Preferensi_dan_Perilaku_Makan_Anak_Usia_Sekolah_Kajian_Literatur_Sistematis

considerations when choosing food for children prioritize good taste and low price. In an effort to address this problem, National Agency of Drug and Food Control Bandung as a UPT in West Java implemented the National Priority Program for School Children's Snacks in 2025. The program includes education, supervision, school mentoring, and community empowerment to ensure that school snack environments are safer, of higher quality, and more nutritious.

The National Priority Program for School Children's Snacks will run throughout 2025. At the beginning of the program, cross-sector advocacy was carried out to unite commitments between National Agency of Drug and Food Control, local governments and schools, followed by food safety socialization. At the same time, technical guidance was also provided for school food security cadres. This training strengthens the role of schools as drivers and internal supervisors in the implementation of food safety practices. Indonesian Food and Drug Authority Bandung acts as a coordinator, provider of educational materials, sampling implementer, and facilitator of monitoring and reporting through the SIAP SAPA application. The hope is that all school residents will become more aware of the importance of food safety and become accustomed to consuming safe and healthy food from an early age-as an investment in building a healthier, smarter, and more qualified generation.¹²

CLOSING

Conclusion

Existing regulations, such as the Food Law and the Minister of Health Regulation, are not yet fully adequate in protecting consumers from the dangers of excessive consumption of products containing sugar, salt, and fat. Although there are guidelines that regulate limits on sugar, salt and fat intake, monitoring and enforcement of violations is often weak. This leads to uncertainty in consumer protection and high potential health risks. Revision and strengthening of regulations is needed to more effectively address this issue.

The government has an important role in ensuring that producers comply with the obligation to include nutritional information and health messages on food products. However, this responsibility has not been fully fulfilled due to shortcomings in supervision and law enforcement. The government needs to strengthen oversight and sanction mechanisms to

improve industry compliance and protect consumers from inaccurate or misleading product information.

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