

LEGAL ANALYSIS OF PROTECTION FOR CONSUMERS WHO SUFFERED LOSSES DUE TO THE USE OF SKINCARE PRODUCTS (Based on Law Number 8 of 1999 Concerning Consumer Protection)

ANALISIS YURIDIS PERLINDUNGAN KONSUMEN YANG MENGALAMI KERUGIAN AKIBAT PEMAKAIAN PRODUK SKINCARE (Berdasarkan Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen)

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ABSTRACT

This study discusses legal protection for consumers who suffer losses due to the use of illegal cosmetics. The focus of the study is directed at the effectiveness of the implementation of Law Number 8 of 1999 concerning Consumer Protection, as well as other regulations related to the supervision of the distribution of cosmetics by the Food and Drug Supervisory Agency (BPOM). The main issues raised are the continued rampant circulation of illegal cosmetics that endanger consumer health, weak supervision, and a lack of public legal awareness. This study uses a normative juridical method with a legislative approach and literature study. The data used comes from primary legal materials in the form of laws and implementing regulations, as well as secondary legal materials such as literature, journals, and previous research results. Data analysis was conducted qualitatively to understand the extent to which consumer protection regulations have provided legal certainty for victims of illegal cosmetics. The results of the study indicate that legal protection for consumers is comprehensively regulated in the Consumer Protection Law and sectoral regulations such as Government Regulation No. 31 of 2019 and BPOM Regulations regarding cosmetic supervision. However, its implementation still faces obstacles such as limited supervision, low law enforcement, and a lack of public awareness to report. Therefore, synergy is needed between the government, BPOM, business actors, and consumers to strengthen legal protection, including providing compensation or redress for losses experienced by consumers.

Keywords: Law, Cosmetics, Losses, Legal Protection, Consumers

ABSTRAK

Penelitian ini membahas tentang perlindungan hukum bagi konsumen yang mengalami kerugian akibat penggunaan kosmetik ilegal. Fokus penelitian diarahkan pada efektivitas penerapan Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen, serta regulasi lain yang berkaitan dengan pengawasan peredaran kosmetik oleh Badan Pengawas Obat dan Makanan (BPOM). Permasalahan utama yang diangkat adalah masih maraknya peredaran kosmetik ilegal yang membahayakan kesehatan konsumen, lemahnya pengawasan, dan kurangnya kesadaran hukum masyarakat. Penelitian ini menggunakan metode yuridis normatif dengan pendekatan perundang-undangan dan studi kepustakaan. Data yang digunakan berasal dari bahan hukum primer berupa undang-undang dan peraturan pelaksana, serta bahan hukum sekunder seperti literatur, jurnal, dan hasil penelitian terdahulu. Analisis data dilakukan secara kualitatif untuk memahami sejauh mana regulasi perlindungan konsumen telah memberikan jaminan kepastian hukum terhadap korban kosmetik ilegal. Hasil penelitian menunjukkan bahwa perlindungan hukum bagi konsumen sudah diatur secara komprehensif dalam UUPK dan peraturan sektoral seperti PP No. 31 Tahun 2019 serta Peraturan BPOM terkait pengawasan kosmetik. Namun, penerapannya masih menghadapi hambatan berupa keterbatasan pengawasan, rendahnya penegakan hukum, serta kurangnya kesadaran masyarakat untuk melapor. Oleh karena itu, diperlukan sinergi antara pemerintah, BPOM, pelaku usaha, dan konsumen untuk memperkuat perlindungan hukum, termasuk pemberian kompensasi atau ganti rugi atas kerugian yang dialami konsumen.

Kata Kunci : Hukum, Kosmetik, Kerugian, Perlindungan Hukum, Konsumen

1. INTRODUCTION

The skincare industry in Indonesia has shown significant growth in recent years. This growth is driven by increasing public awareness of the importance of skincare and the powerful influence of social media in promoting various beauty products. However, this progress has been accompanied by an increase in the circulation of skincare products without distribution permits and containing hazardous ingredients, potentially harming consumers.

Based on a report from the Food and Drug Monitoring Agency (BPOM) at the end of 2024, 235 illegal cosmetic products containing hazardous substances with an economic value of more than IDR 8.91 billion were found in four main regions of Indonesia. Most of these products were marketed online through e-commerce platforms and were found to contain hazardous substances such as mercury and rhodamine B, which have been banned in cosmetic formulations and are indicative of illegal cosmetics. In addition to prohibited ingredients, the absence of a BPOM distribution permit, packaging that does not comply with standards, unusual effects (effects are visible 1-3 days after use), selling prices that are not in line with market prices, and not being listed on the manufacturer's website or social media are also indications of illegal skincare products.

Misleading promotional practices or overclaims are also a serious problem. Many skincare products promise instant results without sufficient scientific evidence. The lack of oversight of social media advertising allows businesses to disseminate inaccurate information to consumers without clear controls or accountability. Consumer protection in Indonesia is actually guaranteed in Law Number 8 of 1999 concerning Consumer Protection. This law regulates the consumer's right to obtain correct, clear, and honest information about the products they use. Law No. 8 of 2009 concerning Health, Government Regulation No. 72 of 1998 concerning the Security of Pharmaceutical Preparations and Medical Devices, Government Regulation No. 31 of 2019 concerning Drug and Food Supervision, BPOM Regulation No. 12 of 2023 concerning Procedures for Supervision of the Manufacturing and Distribution of Cosmetics also regulates the distribution of illegal skincare.

Based on data reported by katadata.co.id, between February 19-23, 2024, the Indonesian Food and Drug Authority (BPOM) discovered 50,000 illegal cosmetic products suspected of containing hazardous materials, expired products, and lacking distribution permits during spot checks at 731 beauty clinics across Indonesia. Based on this data, it can be concluded that the implementation of this regulation still faces challenges, particularly in terms of oversight and law enforcement against businesses that violate the provisions, as well as in the still-limited consumer awareness.

The loss experienced by consumers due to the use of illegal skincare products is an indicator of the importance of evaluating the effectiveness of existing legal protection. Therefore, a more in-depth analysis is needed regarding the extent of producer responsibility and the role of the government in ensuring the safety of skincare products on the market. The Food and Drug Monitoring Agency (BPOM) found illegal skincare products that could cause side effects to their users in February 2025 with the category of expired goods 2.6%, without a distribution permit 79.9%, injectable cosmetics 0.1% and containing hazardous ingredients 17.4% such as mercury, composition of ingredients exceeding safe limits, the use of ingredients prohibited for the skin. The rampant circulation of illegal skincare that is currently happening is an urgent problem for young people and adults who often use skincare because it can affect skin and body health, making it a fairly urgent problem to be discussed and addressed.

The previous research was written by Syifa Nurul, F. (2022) "Illegal Cosmetics in the Context of Criminal Law and Consumer Protection in Indonesia: Case Study of Decision No. 203/Pid.Sus/2019/PN.Mjk". Discussing violations of Article 8 (UUPK) and Article 197 of the Health Law regarding illegal cosmetics and the judge's considerations in providing consumer

protection. This research can provide new contributions by examining the effectiveness of the implementation of Law Number 8 of 1999 concerning Consumer Protection. It is hoped that the research results can provide more comprehensive insights and solutions for the government to reduce the number of victims from the use of illegal skincare products that are not registered with the Food and Drug Supervisory Agency (BPOM).

2. LITERATURE REVIEW

2.1. Consumer Protection Theory

Consumer protection is a systematic effort undertaken by the state to guarantee consumers' basic rights to security, comfort, and safety when using goods and/or services. This protection arises from the unequal position between businesses and consumers. Consumers tend to be in a vulnerable position due to limited information, access, and legal capacity, necessitating state intervention in the form of regulation. The state exists to balance the relationship between producers and consumers to ensure fairness in trade transactions.

According to Ridwan Khairandy, consumer protection law is based on the principles of fairness and business responsibility. In the legal relationship between businesses and consumers, businesses are obligated to provide accurate, clear, and honest information about the products they offer, including side effects and risks of use. If a business is negligent or even intentionally sells illegal or dangerous products, such as skincare without a distribution permit, they can be held legally responsible, either through civil, administrative, or criminal proceedings.

Consumer protection is not only repressive (taking action when violations occur), but also preventive. Preventive efforts are realized through the obligation of business actors to display labels that meet standards, fulfill distribution permits from authorities (BPOM), and undergo product safety tests. The government also plays a role in educating the public to be more critical of the products they purchase. Through a strong consumer protection system, it is hoped that the public can avoid losses due to products that are not fit for distribution.

2.2. Theory of Legal Effectiveness

Conceptually, the essence and meaning of law lies in the activity of harmonizing the relationship between values that are outlined in solid and embodied rules and attitudes as a series of final stage value explanations, to create, maintain and defend peaceful social interactions.

In describing the effectiveness of law, one of the functions of law, both as a rule and as a regular attitude and action, is to guide human behavior. The problem of law enforcement is not only limited to the emergence of obedience or compliance with the law, but also includes the overall impact of the law on attitudes and behavior, both positive and negative. The concept of criminal acts in the Criminal Code (KUHP) is known as *strafbaarfeit*, and in criminal law literature is often referred to as *delik*. Lawmakers formulate a law using the terms criminal event or criminal act.

Talking about Lawrence M. Friedman's factors, one of the concepts of legal system theory, which explains how law works in society and the factors that influence its effectiveness. According to Friedman, law is not simply a collection of written rules, but rather a social system influenced by various factors, including a country's social, cultural, and political structure. This theory assumes that law cannot stand alone but must be viewed within a broader social context.

2.3. Legal Barriers Theory

In the practical implementation of Law Number 8 of 1999 concerning Consumer Protection (UUPK), there are still many formal legal obstacles that weaken the effectiveness of law enforcement in Indonesia. One of the main obstacles is the inconsistency or conflict

between regulations that make it difficult for consumers and non-governmental organizations to assert their rights to obtain protection. For example, the provisions of Article 46 paragraph (2) of the UUPK permit lawsuits by consumer groups or non-governmental organizations only through general courts, in contrast to individual consumers who can take the BPSK route, this creates unequal rights before the law.

In addition to legal obstacles, there are technical constraints in implementing consumer protection, particularly at the implementation level by the Consumer Protection and Assurance Agency (BPSK). For example, in Surakarta and Tangerang, operational funds were minimal, infrastructure limited, and expert staff were limited. These conditions make BPSK services less than optimal, resulting in ineffective dispute resolution procedures and burdening consumers seeking to assert their rights.

Law enforcement in Indonesia often encounters obstacles stemming from limited manpower and inadequate supporting facilities. According to Yusuf Daeng and his colleagues, the inadequate number of law enforcement officers, coupled with suboptimal work facilities, negatively impacts the quality of legal proceedings and creates a gap between expected regulations and the reality on the ground. Obstacles also arise from institutional aspects, particularly in terms of coordination between law enforcement agencies. Prof. Jimly Asshiddiqie revealed that disharmony in the implementation of duties and procedures between institutions such as the police, the prosecutor's office, and others, results in a disjointed and fragmented law enforcement process, ultimately reducing effectiveness and creating uncertainty in law enforcement.

3. METHODS

This research uses a normative juridical research method. The normative legal research method, also known as the normative juridical research method, is an approach that examines applicable legal regulations, societal phenomena, legal doctrine, and court decisions. This method involves examining real-world conditions in society to uncover facts that will be used as research data. This research also uses the triangulation method, which utilizes data analysis from more than one approach to ensure the validity and reliability of the research results. The data obtained is then analyzed to identify problems, ultimately leading to solutions.

The normative legal approach emphasizes studies aimed at obtaining a historical legal approach by directly examining the object, namely knowing the effectiveness of legal protection for consumers according to Law Number 8 of 1999 concerning Consumer Protection. This research also uses a statutory approach and case studies (case analysis) found in several regions in Indonesia. This is done by reviewing all regulations or legal provisions relevant to the legal problem being studied, namely by examining the factors that influence Law No. 8 of 1999 concerning Consumer Protection.

The type of research in this study is library legal research, namely a type of historical legal research that studies applicable legal provisions and actual social phenomena based on cases that occurred and court decisions without the need to collect existing data in the field and focuses on how the law should be applied (*das sollen*). Once the necessary data is collected, it will lead to problem identification and ultimately to problem solving.

4. RESULTS AND DISCUSSIONS

4.1. Regulation of Losses Experienced by Consumers

The regulation of losses in consumer protection in Indonesia has a primary legal basis in Law Number 8 of 1999 concerning Consumer Protection (UUPK). This law emphasizes that consumers have the right to obtain comfort, security, and safety in consuming goods and services, and are entitled to compensation if they suffer losses. Article 19 of the UUPK explicitly states that business actors are obliged to provide compensation in the form of refunds, replacement of goods, and/or provision of certain services due to damage or loss experienced

by consumers. This provision serves as the general basis for consumer protection in various sectors, including health, pharmaceuticals, cosmetics, and food.

For the healthcare and pharmaceutical sectors, Government Regulation Number 72 of 1998 concerning the Protection of Pharmaceutical Preparations and Medical Devices strengthens consumer protection by regulating the obligations of producers, importers, and distributors to ensure the quality, safety, and efficacy of pharmaceutical products and medical devices. If harm occurs to patients or consumers due to the use of products that do not meet standards, the relevant parties can be held legally accountable. Furthermore, Government Regulation Number 31 of 2019 concerning Drug and Food Supervision affirms the authority of the Food and Drug Monitoring Agency (BPOM) to conduct pre- and post-distribution supervision of drugs and food. This provision also provides a legal basis for recalling, prohibiting, and even imposing sanctions on businesses that distribute dangerous products that have the potential to harm consumers.

More specifically regarding regulations in the cosmetics sector, BPOM Regulation No. 12 of 2020 concerning Procedures for Supervision of Cosmetics regulates the oversight mechanism for cosmetic products circulating in the community. This regulation aims to prevent the circulation of illegal cosmetics or cosmetics containing hazardous substances that can cause harm to consumers. If proven to cause harm, business actors are required to withdraw the product from circulation and provide compensation according to the level of consumer loss. With this combination of regulations, the regulation of losses in consumer protection in the pharmaceutical, food, and cosmetics sectors in Indonesia is more comprehensive, not only guaranteeing product safety, but also ensuring clear accountability if consumers experience harm.

Table 1.
Law Number 8 of 1999 concerning Consumer Protection

No	Chapter	Article Explanation
1	Article 19 paragraph (1) - (5)	Business actors are required to provide compensation to consumers for damage, pollution, and/or loss resulting from the consumption of goods/services; compensation can be in the form of money, similar goods/services, health care, or compensation; must be provided within 7 days of the transaction; does not eliminate the possibility of criminal prosecution; does not apply if the loss is solely due to the consumer's fault.
2	Article 23	If the business actor refuses or does not fulfill the compensation, the consumer can file a lawsuit with the Consumer Dispute Resolution Agency (BPSK) or with the court at the consumer's place of residence.
3	Article 27 paragraph (1) letter e	Business actors are released from liability for compensation if consumers file a lawsuit after 4 years have passed since the purchase or the agreed period.
4	Article 28	Proving the element of fault in a claim for compensation is the responsibility of the business actor.
5	Article 60	BPSK (Consumer Dispute Resolution Agency) can impose administrative sanctions in the form of fines on business actors who violate Article 19 paragraph (2) and (3), Articles 20, 25, and 26. The maximum fine is IDR 200 million.
6		(1) Business actors who violate articles such as Article 8,

	Article 62 paragraph (1)-(2)	9, 10, 13 paragraph (2), 15, 17 paragraph (1) letters a, b, c, e, and paragraph (2), and Article 18 shall be punished with a maximum of 5 years imprisonment or a maximum fine of IDR 2 billion. (2) Violators of Article 11, 12, 13 paragraph (1), 14, 16, and 17 paragraph (1) letters d, f shall be subject to a maximum of 2 years imprisonment or a fine of IDR 500 million.
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Table 2.
Government Regulation Number 72 of 1998 concerning the Security of
Pharmaceutical Preparations and Medical Devices

No	Chapter	Article Explanation
1	Article 2 paragraph (1)	Emphasizes that the production and distribution of pharmaceutical preparations and medical devices must meet quality, safety and efficacy requirements so that the public is protected from the dangers of products that do not meet standards.
2	Article 9 paragraph (1)	Stating that pharmaceutical preparations and medical devices may only be distributed after obtaining a distribution permit, as an effort to prevent consumer losses due to illegal products.
3	Article 27	Regulates that business actors who distribute pharmaceutical preparations and medical devices are required to include complete and non-misleading labeling and information, to avoid consumers being harmed due to a lack of information.
4	Article 28 paragraph (1)-(2)	Outlining the mandatory information criteria on products, such as trademark, manufacturer's name, composition, usage instructions, side effects, and expiration date, manufacturers who fail to comply with these provisions have the potential to cause harm to consumers.
5	Article 72	The Minister may take administrative action against health facilities and personnel who violate the security of pharmaceutical preparations and medical devices.
6	Article 75	Anyone who intentionally produces and/or distributes medical devices that do not meet the requirements (quality, safety, efficacy) or without a distribution permit can be subject to criminal sanctions of up to 7 years in prison and/or a maximum fine of IDR 140 million.
7	Article 76	Establishing criminal sanctions of up to 5 years in prison and/or a maximum fine of IDR 100 million for business actors who intentionally produce or distribute traditional medicines or cosmetics that do not meet quality, safety, or efficacy standards—protecting consumers from the risk of dangerous products.
8	Article 77	Establishing similar sanctions for those who distribute pharmaceutical preparations and medical devices without including labeling and information in accordance with the

No	Chapter	Article Explanation
		provisions is a way to protect consumers from misleading product information.

Table 3.
Government Regulation Number 31 of 2019 concerning Drug and Food Supervision

No	Chapter	Article Explanation
1	Article 48 paragraph (1)	Any business actor who violates the provisions regarding the safety, efficacy/benefits, and quality of drugs and food may be subject to administrative sanctions.
2	Article 48 paragraph (2)	Administrative sanctions can be imposed separately or simultaneously depending on the level of violation and the impact on consumers.
3	Article 49	In the case of violations that cause serious harm to public health or death, administrative sanctions can be followed up with criminal proceedings in accordance with statutory regulations.
4	Article 50	Business actors who do not comply with administrative sanctions may be subject to additional sanctions in the form of revocation of distribution permits or business permits.

Table 4.
BPOM Regulation No. 12 of 2023 concerning Supervision of the Manufacture and Distribution of Cosmetics.

No	Chapter	Article Explanation
1	Article 20	Manufacturers, importers, distributors and refill facility owners are responsible for the cosmetics they manufacture/distribute.
2	Article 25	Violations committed by producers, importers, distributors and owners of refill facilities can be subject to administrative sanctions: distribution bans, withdrawals, destruction, cessation of production, and revocation of notifications.

It can be concluded that the results of the analysis on the regulation of losses experienced by consumers due to the use of products show that the consumer protection system in Indonesia has been regulated comprehensively, but the regulations in each law need to be harmonized so as not to cause confusion or ambiguous intent of the law, for example, Article 27 paragraph 1 letter e of Law Number 8 of 1999 concerning Consumer Protection states that within a period of more than 4 years or the agreed time, consumers file a lawsuit, then the business actor is released from the obligation to compensate so that consumer rights are not fulfilled in legal protection and compensation for losses experienced.

Based on the case that the researcher read, a woman from Banyuwangi named Khusnul experienced losses in the form of health problems due to the use of illegal skincare since 2009 and was only revealed to members of the House of Representatives of the Republic of Indonesia (DPR RI) in Jakarta on March 12, 2025. The victim experienced health problems in the form of endometriosis which resulted in the victim being unable to get pregnant in 2019, after which the victim was diagnosed by a doctor that the victim had a kidney infection due to the use of fake handbody with high doses.

The second case of loss due to the use of illegal skincare that researchers read was experienced by Nur Tya, a woman from Samarinda who became a victim of illegal skincare in 2013. Starting from using a whitening cream sold in a traditional market with the frills of being able to brighten the skin quickly (over claim) to cause the appearance of spots, black spots on the skin and facial skin that became burnt several years after using the product. The victim admitted that the handling carried out by the BPOM was slow, even though the BPOM had conducted a survey.

In relation to this case, producers or distributors of illegal skincare can be subject to Article 19 of Law Number 8 of 1999 concerning Consumer Protection and Articles 48 and 49 of Government Regulation Number 31 of 2019 concerning Drug and Food Supervision because they have caused quite serious losses to consumers. Focusing back to Article 27 paragraph 1 letter (e) of Law Number 8 of 1999 concerning Consumer Protection, if consumers file a lawsuit now, the producer is not obliged to provide compensation to the victim because it has passed the 4-year period after purchase which results in the non-fulfillment of the right as a recipient of compensation/restitution.

4.2. Implementation of Applicable Consumer Protection Laws

Based on the table above, legal implementation is the main topic of discussion in this study. First, the author wants to discuss the cases experienced by Nur Tya and Khusnul, both of whom were victims of the circulation of illegal skincare products in Indonesia. The chronology of both is almost similar, starting from purchasing products at traditional markets whose origins and whether they are registered with the BPOM or not are unknown. Then the victims used the products and began to experience side effects after several years of use, starting from blemishes, black spots, acne, and a face that became burnt due to the content of mercury, rhodamine B and ingredients prohibited in the manufacture of other cosmetics.

Both of them have not received compensation/restitution for the losses experienced due to the use of illegal cosmetic products, in Article 19 paragraph (1) of Law Number 8 of 1999 concerning Consumer Protection, it is stated that producers/business actors are responsible for providing compensation/restitution to consumers if the marketed product causes losses and is strengthened by Article 4 letters (a) and (h) of Law Number 8 of 1999 concerning Consumer Protection which states that consumers have the right to receive comfort, security and safety in consuming traded products and have the right to receive compensation if the goods received do not match what is in the agreement.

Philipus M. Hadjon's statement reads that legal protection is a protection for the dignity of legal subjects from arbitrariness that occurs, if it is associated with consumers then legal protection means everything that aims to protect consumer rights from various actions that can result in violations of the rights owned by consumers. In relation to what was experienced by Nur Tya and Khusnul, the legal protection referred to in Philipus M. Hadjon's statement has not been achieved because the right to receive compensation as a victim in the case has not been fulfilled.

The business actor in the Nur Tya case has received a sentence in the form of imprisonment for 6 months and a minimum fine which is considered too light compared to the threats contained in the law, in Article 62 paragraph (1) of Law Number 8 of 1999 concerning Consumer Protection which states that business actors who violate the provisions as referred

to in Article 8, Article 9, Article 10, Article 13 paragraph (2), Article 15, Article 17 paragraph (1) letter a, letter b, letter c, letter e, paragraph (2), and Article 18 shall be punished with imprisonment for a maximum of 5 (five) years or a maximum fine of IDR 2,000,000,000.00 (two billion rupiah).

Until now, business actors have not provided compensation/reimbursement to victims, this could happen because it is hampered by Article 27 paragraph 1 letter (e) of Law Number 8 of 1999 concerning Consumer Protection which explains that if consumers file a claim for compensation now, the producer is not obliged to provide compensation to the victim because it has passed the 4-year period after purchase which results in the non-fulfillment of the right as a recipient of compensation/reimbursement. This article provides legal leeway for business actors not to provide compensation to victims if the side effects experienced by consumers exceed 4 years after purchasing the product.

Lawrence M. Friedman stated that a legal regulation can be said to be effective if the law is obeyed by the majority of the community or legal entities, however, based on the results of the analysis of regulations regarding consumer protection related to the cases experienced by the victims of illegal skincare above, it can be concluded that the regulation is not yet effective in regulating compensation or redress for losses experienced by victims and the sanctions received by the perpetrators seem minimal and do not correspond to the losses caused.

5. CONCLUSION

Based on an analysis of the provisions of laws and regulations and real cases experienced by victims of illegal skincare such as Nur Tya and Khusnul, several important points can be drawn as follows:

1. The consumer protection system in Indonesia is normatively comprehensive, both through Law Number 8 of 1999 concerning Consumer Protection, Government Regulation Number 31 of 2019, and BPOM technical regulations. However, harmonization between regulations is still needed to avoid confusion, such as Article 27 paragraph (1) letter e of Law Number 8 of 1999 concerning Consumer Protection which limits consumers' rights to claim compensation to only four years.
2. The cases of Khusnul and Nur Tya demonstrate the gap between legal norms and implementation. Both experienced serious health losses due to the use of illegal skincare products, but to date, they have not received compensation as stipulated in Article 19 of Law Number 8 of 1999 concerning Consumer Protection. This demonstrates that legal protection of consumer rights is ineffective.
3. The sanctions imposed on business actors are disproportionate to the victims' losses. In Nur Tya's case, the perpetrator was only sentenced to six months in prison and a minimal fine, even though the law provides for a much harsher penalty of up to five years in prison and a fine of Rp 2 billion (Article 62 of the Consumer Protection Law).
4. Consumers' rights to compensation/redress have not been met. The main obstacle lies in Article 27 paragraph (1) letter (e) of Law Number 8 of 1999 concerning Consumer Protection, which limits the time for filing a lawsuit to only four years from the date of the transaction, while most side effects from illegal skincare appear after long-term use. This creates a legal loophole that is detrimental to consumers while also providing leeway for business actors.
5. Based on Philipus M. Hadjon's theory of legal protection, consumers' rights as legal subjects should be guaranteed against arbitrary action. However, in practice, consumers' right to compensation is not fulfilled. In line with Lawrence M. Friedman's theory, legal effectiveness has not been achieved because regulations do not provide concrete protection for victims of illegal skincare products.

Thus, it can be concluded that legal protection for consumers of illegal skincare products in Indonesia remains ineffective, particularly in terms of compensation for losses and proportional sanctions against business actors. This highlights the need for legal policy reform, both through revisions to the Consumer Protection Law and stricter law enforcement, to ensure consumer rights are truly protected.

Based on the conclusions that the researcher outlined, the researcher suggests several things that need to be considered:

1. Strict sanctions are needed for business actors who produce and distribute illegal skincare to create a deterrent effect, because the production and distribution of illegal skincare is still rampant in Indonesia.
2. Business actors are expected not to exaggerate the benefits of products (overclaim) in order to gain profits, they should provide information in accordance with what has been tested.
3. The public/consumers need to be more careful in choosing products by paying attention to product information, composition, whether it has a BPOM number or not by checking the packaging to reduce the risk of loss.
4. The government is expected to evaluate/update consumer protection laws and add guarantees of compensation/redress provided by business actors for victims/consumers who suffer losses due to their products.
5. Relevant agencies need to increase supervision of products circulating in the market, both online and offline, to minimize the distribution of illegal products that can harm consumers.

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