



## LEGAL PROTECTION FOR CONSUMERS AGAINST DIGITAL BLACK CAMPAIGN PRACTICES IN THE SKINCARE INDUSTRY IN INDONESIA

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ARTICLE INFO	ABSTRACT
<p><b>Keywords:</b> Legal Protection; Black Campaign; Consumer Law; Digital Marketing; Law Enforcement.</p>	<p>Black campaign practices in Indonesia's skincare industry pose a serious threat to consumers, especially in today's digital landscape where information spreads rapidly through social media, influencers, and anonymous accounts. These practices often involve false claims about product safety or effectiveness, manipulated reviews, and paid endorsements disguised as genuine testimonials. The impact includes misinformation, economic losses, and potential health risks. Indonesia has a relatively comprehensive legal framework, including the Consumer Protection Law (Law Number 8 of 1999), the ITE Law, the Anti-Monopoly Law, and BPOM Regulation Number 18 of 2024. However, overlapping institutional authority, difficulties in proving digital violations, and low consumer legal awareness hinder effective enforcement. Current efforts, such as BPOM's revocation of distribution permits and consumer education by BPKN and YLKI, are positive but inadequate in addressing the complexity of black campaigns. This research uses a normative-juridical approach to analyze the legal framework, identify regulatory and enforcement gaps, and propose strategic measures. These include strengthening regulations, establishing an integrated complaint mechanism, enhancing digital forensic capabilities, and improving consumer literacy. The findings highlight the need for a comprehensive normative and conceptual strategy supported by regulations, oversight bodies, and digital awareness to create a fair and transparent skincare market in Indonesia.</p>

### A. INTRODUCTION

In the fast-paced digital and social media era, marketing strategies are not always executed in a healthy and ethical manner. Increasingly fierce business competition has pushed some businesses to take shortcuts by tarnishing their

competitors' reputations through black campaigns.<sup>1</sup> This term refers to a planned effort to spread negative or misleading information about a particular product or brand in order to influence public perception and erode consumer trust.<sup>2</sup> While previously synonymous with politics, the term black campaign has now spread to the business sector, including the rapidly growing skincare industry in Indonesia.<sup>3</sup>

The skincare industry is one sector highly vulnerable to this phenomenon. The product's characteristics, which directly relate to skin aesthetics and health, make it easily influenced by public opinion, whether through positive reviews or negative narratives. Amidst the high public interest in skincare products, trust is a key factor in determining purchasing decisions.<sup>4</sup> When this trust is shaken by a black campaign, the impact can be far-reaching, not only for businesses but also for consumers who are targeted by misleading information.<sup>5</sup>

One case that emerged in Indonesia involved accusations against a skincare brand, White Inc., for allegedly conducting a smear campaign against its competitors. The issue even included elements of discrimination and racism in its promotional content, sparking widespread debate on social media.<sup>6</sup>

This phenomenon demonstrates that the digital space has become a new arena for unfair competition, where consumers are easily influenced by the flow of information without adequate ability to assess its validity. The problems that arise cannot be underestimated. Many consumers fall victim to false information

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<sup>1</sup> Nasution, Ali Imran, Davilla Prawidya Azaria, Tiara Alfarissa, Fikri Rafi Musyaffa Abidin, and Muhammad Fauzan. "Peningkatan peran Bawaslu Republik Indonesia dalam mengawasi kampanye hitam di media sosial pada pemilu serentak 2024." *Jurnal Civic Hukum* 8, no. 2 (2023):185. See too, Winata, Elisa, Kayla Puti, and Hilda Pramesti. "Kegiatan Black Campaign di Platform Tiktok Jelang Pemilihan Umum 2024 di Indonesia." *Multilingual: Journal of Universal Studies* 4, no. 2 (2024): 49. See too, Thanzani, Andrian, Aulia Dean Puspita Sari, Linda Tri Yulia, and Sulton Fikri. "Black Campaign Melalui Media Elektronik Dari Perspektif Hukum Pemilu." *Journal Evidence of Law* 1, no. 3 (2022): 45

<sup>2</sup> Fahris, R. Ilham Ramizan, Felix Madison, Andiko Damar Putra, Bimo Birra, and Aelwen Ababil. "Pengaruh Tiktok Ads dan Black Campaign Terhadap Perilaku Pembelian Konsumen di Kota Batam." *Jurnal Sistem Informasi (Jusin)* 6, no. 1 (2025): 74.

<sup>3</sup> Azizah, Ulvia Nur. "Apa Itu Black Campaign Marketing? Ini Pengertian, Dampak-Cara Mengatasinya," *detikJateng*, July, 18 2025. Retrieved in September 26, 2025 from <https://www.detik.com/jateng/bisnis/d-8017171/apa-itu-black-campaign-marketing-ini-pengertian-dampak-cara-mengatasinya> See too, KlikLegal.com, "Black Campaign Skincare? Waspada dan Laporkan!" *KlikLegal.com* 26 Mei 2023. Retrieved in September 26, 2025 from <https://kliklegal.com/black-campaign-skincare-waspada-dan-laporkan>

<sup>4</sup> Senalasari, Widi, Rendi Nabin Maulidani, Lina Setiawati, and Moh Farid Najib. "From reviews to purchase intention: The interplay of customer review, influencer review, and trust in Indonesian skincare products." *Journal of Marketing Innovation (JMI)* 5, no. 1 (2025): 77

<sup>5</sup> Khoerunnisa, Ikmila, Halimah Zahrah, and Novi Ramadani. "Analisis Strategi Pemasaran Negatif Terhadap Kepercayaan Konsumen pada Perusahaan Skincare: Studi Kasus SS Skin." *PENG: Jurnal Ekonomi dan Manajemen* 2, no. 4 (2025): 4508.

<sup>6</sup> Handayani, Nisa. "Viral di TikTok! Brand Skincare White Inc Diduga Black Campaign, Influencer dan Dosen Skincare Ini Angkat Bicara," *Hops.id*, July 19, 2025. Retrieved in September 26, 2025 from <https://www.hops.id/unik/29415569211/viral-di-tiktok-brand-skincare-white-inc-diduga-black-campaign-influencer-dan-dosen-skincare-ini-angkat-bicara>

spread widely through anonymous accounts or irresponsible influencers. For example, a scientifically unsubstantiated claim that "product X causes skin cancer" can create excessive fear, leading consumers to stop using a product that is actually safe and switch to another that is less suitable or safe. As a result, consumers experience economic losses and even health risks from trying new products without proper medical advice.

Furthermore, consumers often struggle to distinguish between honest reviews and negative campaigns hidden behind marketing strategies.<sup>7</sup> Social media algorithms that prioritize sensational content actually exacerbate the situation<sup>8</sup>, as negative information tends to go viral more quickly than clarification or accurate data.<sup>9</sup> Furthermore, oversight of digital advertising and influencer content remains weak.<sup>10</sup> Many endorsements are paid but lack transparency, pretending to be the user's personal experience.<sup>11</sup> This creates an imbalance between consumers' right to accurate information and often manipulative promotional practices.<sup>12</sup>

From a legal perspective, the phenomenon of black campaigns presents a serious challenge to consumer protection. Law Number 8 of 1999 on Consumer Protection (*Undang-Undang Perlindungan Konsumen/UUPK*) does not expressly acknowledge the term "black campaign", making it difficult to determine the category of violation. Does it include misleading advertising, defamation, or unfair business competition? This issue is further complicated by overlapping regulations: UUPK regulates misleading advertising in Articles 10 and 12; the Electronic Information and Transactions Law (*Undang-undang Informasi dan Transaksi Elektronik/ITE*) regulates defamation in Article 27 paragraph (3); Law Number 5 of 1999 governs matters related to unfair business competition; and Food and Drug Monitoring Agency (*Badan Pengawas Obat dan Makanan/BPOM*) has the authority to supervise cosmetic products. As a result, uncertainty often

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<sup>7</sup> Costa Filho, Murilo, Diego Nogueira Rafael, Lucia Salmonson Guimaraes Barros, and Eduardo Mesquita. "Mind the fake reviews! Protecting consumers from deception through persuasion knowledge acquisition." *Journal of Business Research* 156 (2023): 113538.

<sup>8</sup> Metzler, Hannah, and David Garcia. "Social drivers and algorithmic mechanisms on digital media." *Perspectives on Psychological Science* 19, no. 5 (2024): 736.

<sup>9</sup> Schöne, Jonas P., David Garcia, Brian Parkinson, and Amit Goldenberg. "Negative expressions are shared more on Twitter for public figures than for ordinary users." *PNAS nexus* 2, no. 7 (2023): 2.

<sup>10</sup> Antoniou, Alexandros. "Advertising regulation and transparency in influencers' endorsements on social media." *Communications Law-Journal of Computer, Media and Telecommunications Law* 26, no. 4 (2021): 205.

<sup>11</sup> Lee, Susanna S., Benjamin T. Vollmer, Cen April Yue, and Benjamin K. Johnson. "Impartial endorsements: Influencer and celebrity declarations of non-sponsorship and honesty." *Computers in Human Behavior* 122 (2021): 106858.

<sup>12</sup> Lim, Weng Marc, Reeti Agarwal, Anubhav Mishra, and Ankit Mehrotra. "The rise of fake reviews: Toward a marketing-oriented framework for understanding fake reviews." *Australasian Marketing Journal* 33, no. 2 (2025): 193.

occurs in law enforcement because many institutions have overlapping authorities.

On the other hand, proving black campaign activities is also not easy. Perpetrators often use fake accounts or overseas servers, making their identities difficult to trace. Meanwhile, digital evidence such as social media posts must be verified through forensic procedures to be valid in court. Furthermore, consumer legal awareness in Indonesia remains low. Many black campaign victims do not report cases because they are unaware of their rights or feel there is no effective redress mechanism.

As an initial effort to strengthen consumer protection, in 2025, BPOM has annulled the distribution permits of 14 cosmetic products that were found to use misleading promotional practices.<sup>13</sup> Furthermore, BPOM Regulation Number 18 of 2024 also tightens the use of testimonials from influencers and medical personnel to prevent misleading the public.<sup>14</sup>

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<sup>13</sup> Badan Pengawas Obat dan Makanan. "BPOM Cabut Izin Edar 14 Kosmetik dengan Promosi Melanggar Norma Kesusilaan," *Biro Kerja Sama dan Hubungan Masyarakat*. August 12, 2025. Retrieved in September 27, 2025 from <https://www.pom.go.id/siaran-pers/siaran-pers-tentang-bpom-cabut-izin-edar-14-kosmetik-dengan-promosi-melanggar-norma-kesusilaan-2>. See too, Antara News. "Indonesia bans 14 cosmetics over indecent, misleading claims." *Antara News*. Retrieved in September 27, 2025 from <https://en.antaranews.com/news/372877/indonesia-bans-14-cosmetics-over-indecent-misleading-claims>. See too, Wirasaputra, Muhammad Nafis. "Promosi Menyesatkan, BPOM Tarik Izin Edar 14 Kosmetik," *Tempo.co*. August 13, 2025. Retrieved in September 27, 2025 from <https://www.tempo.co/ekonomi/promosi-menyesatkan-bpom-tarik-izin-edar-14-kosmetik-2058532>

<sup>14</sup> Tim detikHealth. "Iklan Kosmetik Tak Boleh Menyesatkan, BPOM RI Akan Tegur Keras Jika Melanggar" *detikHealth*. September 6, 2025. Retrieved in September 28, 2025 from <https://health.detik.com/berita-detikhealth/d-7783295/iklan-kosmetik-tak-boleh-menyesatkan-bpom-ri-akan-tegur-keras-jika-melanggar>. See too, CIRS. "Full enforcement of Indonesia's new rules on cosmetic labeling and advertising." *CIRS Group*. September 5, 2025 Retrieved in September 28, 2025 from <https://www.cirs-group.com/en/cosmetics/indonesia-new-requirements-on-cosmetic-labeling-promotion-and-advertising-now-in-effect-full-enforcement-begins-november-2025>. See too, Badan Pengawas Obat dan Makanan. "BPOM Tegaskan Aturan Penandaan, Promosi, dan Iklan Kosmetik Wajib Dilaksanakan Pelaku Usaha." *Biro Kerja Sama dan Hubungan Masyarakat*, February, 17 2025. Retrieved in September 28, 2025 from <https://www.pom.go.id/siaran-pers/bpom-tegaskan-aturan-penandaan-promosi-dan-iklan-kosmetik-wajib-dilaksanakan-pelaku-usaha>. See too, Warokka, Stephen Igor. "Navigating BPOM registration: A guide to cosmetics." *SSEK.com*. April 11, 2025. Retrieved in September 28, 2025 from <https://www.ssek.com/blog/navigating-bpom-registration-a-guide-to-cosmetics-distribution-permits-in-indonesia/?lang=id>. See too, Loasana, Nina A. "Indonesian drug regulator cracks down on illegal skincare production." *ANN Asia News Network*. October 16, 2024. Retrieved in September 28, 2025 from <https://asianews.network/indonesian-drug-regulator-cracks-down-on-illegal-prescription-skincare-products>. See too, Baskoro, Aryo and Maureen Linus "BPOM Regulation 18/2024: New Requirements for Cosmetic Labeling, Promotion, and Advertising." *Arma Law*. December 15, 2024. Retrieved in September 28, 2025 from <https://www.arma-law.com/news-event/newsflash/new-requirements-for-cosmetic-labeling-promotion-and-advertising-bpom-18-2024>.

However, regulatory action alone is not enough to address the massive and digital nature of black campaigns.<sup>15</sup>

Against this backdrop, this paper examines how legal protection for consumers can be effectively implemented amidst the black campaign phenomenon in the skincare industry, and the extent to which existing regulations are able to protect consumer rights from the negative impacts of misleading information. The research questions are as follows:

1. What forms and methods of black campaigns in the skincare sector harm consumers in Indonesia?
2. How does Indonesian legal regulation protect consumers from black campaigns in the skincare sector?
3. What law enforcement efforts and mechanisms can be implemented to strengthen consumer protection against black campaign practices in the digital age?

Based on the formulation of the problem, this research intends to normatively and conceptually examine how black campaign practices are carried out within the skincare sector, examine the effectiveness of Indonesia's consumer protection regulatory framework in dealing with this phenomenon, and formulate strategic efforts to strengthen legal protection and consumer awareness to avoid the negative impacts of misleading campaigns in the digital space.

## B. RESEARCH METHODS

This research uses a normative-juridical approach to analyze legal protection for consumers affected by black campaigns in the skincare sector. This approach was chosen because the research centers on examining statutory rules, foundational legal doctrines, and the mechanisms used to enforce the law applicable in Indonesia. A normative-juridical analysis allows researchers to obtain a more comprehensive insight into the legal foundations and the breadth of regulatory provisions, and gaps between legal theory and practice.

The data used consists of secondary data obtained through library research and legal documentation. Data sources include laws related to consumer protection, the ITE Law, the Business Competition Law, BPOM regulations, court decisions, scientific journals, and reports from consumer watchdog agencies such as the National Agency of Drug and Food Control (*Badan Perlindungan Konsumen Nasional/BPKN*) and the Indonesian Consumer Protection Foundation (*Yayasan Lembaga Konsumen Indonesia/YLKI*).

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<sup>15</sup> Mikhdar, Nabila Syifa, Rika Ratna Permata, and Sudaryat Sudaryat. "Pelindungan Hukum Dan Implikasi Black Campaign Merek Skincare Terhadap Pemegang Hak Atas Merek." *Jurnal USM Law Review* 7, no. 2 (2024): 866.

Data analysis was conducted qualitatively, using content analysis and statute analysis techniques. This approach allows researchers to identify the forms of black campaigns, understand the relevant legal framework, and evaluate the effectiveness of law enforcement mechanisms. The study's findings are anticipated to offer normative and conceptual suggestions regarding strengthening safeguarding consumers within the context of the digital age, particularly regarding the negative impacts of misleading campaigns in the skincare industry.

## C. DISCUSSION

### 1. Forms and Modes of Black Campaigns in the Skincare Sector that Harm Consumers

Black campaign practices are increasingly prevalent across various industries, particularly in the digital era, which allows information to spread rapidly. This practice is closely linked to marketing in today's digital world. Black campaign practices are showing increasing intensity because negative information can spread quickly through social media, community forums, and influencer channels. Common methods include misleading claims about the safety or effectiveness of competing products, for example, spreading information that "product X contains dangerous mercury" or "product Y causes skin cancer." These claims not only instill consumer fear but also influence purchasing decisions and encourage switching to other brands that may not be safer.<sup>16</sup>

From a theoretical perspective, this phenomenon can be analyzed through misinformation theory, where viral content by influencers triggers misperceptions and detrimental consumption behavior. Research shows that misinformation, both directly and indirectly, can erode consumer trust in brands and disrupt purchasing decisions.<sup>17</sup> Influencers who over-endorse these claims can amplify this effect, as consumers assess product credibility based on the influencer's perceived authenticity.<sup>18</sup>

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<sup>16</sup> Mulcahy, Rory, Renee Barnes, Retha de Villiers Scheepers, Samantha Kay, and Eleanor List. "Going viral: Sharing of misinformation by social media influencers." *Australasian Marketing Journal* 33, no. 3 (2025): 300. See too, Cheah, Chee Wei, Kian Yeik Koay, and Weng Marc Lim. "Social media influencer over-endorsement: Implications from a moderated-mediation analysis." *Journal of Retailing and Consumer Services* 79 (2024): 103831.

<sup>17</sup> Di Domenico, Giandomenico, and Yu Ding. "Between brand attacks and broader narratives: How direct and indirect misinformation erode consumer trust." *Current Opinion in Psychology* 54 (2023): 101716. See too, Esteban-Bravo, Mercedes, and Jose M. Vidal-Sanz. "Predicting the virality of fake news at the early stage of dissemination." *Expert Systems with Applications* 248 (2024): 123390. See too, Della Lena, Sebastiano. "The spread of misinformation in networks with individual and social learning." *European Economic Review* 168 (2024): 104804.

<sup>18</sup> Cheah, Chee Wei, Kian Yeik Koay, and Weng Marc Lim. "Social media influencer over-endorsement: Implications from a moderated-mediation analysis." *Journal of Retailing and Consumer Services* 79 (2024): 103831. See too, Kumar, Sushant, Shalini Talwar, Satish Krishnan, Puneet Kaur, and Amandeep Dhir. "Purchasing natural personal care products in the era of fake

Legal aspects are also relevant, as black campaign practices may be classified as a type of deceptive advertising that infringes upon consumers' entitlement to truthful and accurate information. The Consumer Protection Act (Law Number 8 of 1999) alongside ITE Law serve as the legal foundation for combating the spread of false claims, but implementation remains limited due to anonymous accounts or overseas servers.<sup>19</sup> Regulations regarding the responsibilities of influencers and businesses are crucial to upholding consumer justice, including compensation mechanisms and administrative or criminal sanctions for perpetrators.<sup>20</sup>

Furthermore, the spread of misinformation also has social and ethical implications, distorting public perception of brands and the skincare industry. Therefore, legal protection must be combined with consumer education and active digital oversight to minimize material and non-material risks.<sup>21</sup> Black campaign practices are not simply a marketing issue but require a comprehensive legal approach to safeguard consumer rights and market integrity.

In recent years, the practice of smear campaigns in the Indonesian skincare industry has become increasingly prevalent, particularly in the digital era, which allows for the rapid and widespread dissemination of information. The most common method is the dissemination of negative claims without scientific basis regarding the safety or effectiveness of competing products through social media, community forums, and influencer channels. False information such as "Product X contains dangerous mercury" or "Product Y causes skin cancer" frequently appears on various digital platforms, inciting consumer fear and prompting them to switch to other brands that may not be safer.<sup>22</sup> This

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news? The moderation effect of brand trust." *Journal of Retailing and Consumer Services* 63 (2021): 102668.

<sup>19</sup> Walter, Nadine, Ulrich Föhl, Frauke Sander, and Angelique Nies. "Act as you preach! Authentic brand purpose versus "woke washing's" impact on brand credibility: The moderating role of cause involvement and consumer skepticism." *Journal of Business Research* 184 (2024): 114868. See too, Yannopoulou, Natalia, Koblarp Chandrasapth, Xuemei Bian, Boyi Jin, Suraksha Gupta, and Martin J. Liu. "How disinformation affects sales: examining the advertising campaign of a socially responsible brand." *Journal of Business Research* 182 (2024): 114789.

<sup>20</sup> Vasist, Pramukh Nanjundaswamy, and Satish Krishnan. "Country branding in post-truth Era: A configurational narrative." *Journal of Destination Marketing & Management* 32 (2024): 100854. See too, Ladwig, Gritt, Julia A. Tanck, Hannah L. Quittkat, and Silja Vocks. "Risks and benefits of social media trends: The influence of "fitspiration", "body positivity", and text-based "body neutrality" on body dissatisfaction and affect in women with and without eating disorders." *Body image* 50 (2024): 101749. See too, Mulcahy, Rory, Renee Barnes, Retha de Villiers Scheepers, Samantha Kay, and Eleanor List. "Going viral: Sharing of misinformation by social media influencers." *Australasian Marketing Journal* 33, no. 3 (2025): 300.

<sup>21</sup> Foster Bhusari, Bobbie, Krishnan Vasudevan, and Sohana Nasrin. "Hacking Culture Not Code: How American Racism Fuels Russia's Century-Long Memetic Disinformation Campaign." *Journal of Communication Inquiry* 46, no. 4 (2022): 345. See too, Riedl, Martin J., Josephine Lukito, and Samuel C. Woolley. "Political influencers on social media: An introduction." *Social Media + Society* 9, no. 2 (2023): 6.

<sup>22</sup> Pakpahan, Elvira Fitriyani, Roy Saputra Manalu, Kerisna Sukma Adji Sembiring, Rona Indara, and M. S. Alfarisi. "Legal protection for consumers (A juridical analysis of cosmetic products

phenomenon poses a double risk to consumers: in addition to confusion in choosing safe products, they also potentially suffer economic and health losses.

A real-life case in Indonesia involved the brand White Inc., which was accused of conducting a smear campaign against a competitor, including allegations of discrimination. This sparked intense public debate on social media and further complicated consumer perceptions of the skincare industry.<sup>23</sup> In this context, consumers are the ones most impacted by smear campaigns, as they must respond to a flood of negative information that is often unverifiable. Data from BPKN and YLKI shows that the majority of consumer complaints related to cosmetics and skincare relate to misleading advertising, false claims, or non-transparent endorsements.<sup>24</sup> This demonstrates that the impact of black campaigns on consumers is multifaceted, encompassing psychological, social, and economic aspects.

In addition to the spread of false information, other black campaign methods include the use of anonymous accounts and social media bots to amplify negative narratives. Digital platform algorithms tend to spread sensational content faster than official clarifications, allowing negative claims to go viral before the facts can be confirmed.<sup>25</sup> For example, in the case of White Inc., a black campaign against a competitor thrived through anonymous comments and repeated posts on skincare community forums, making it difficult for consumers to assess the authenticity of the information. This phenomenon illustrates how digital manipulation can accelerate the effects of negative reputations, even on products that are safe and have undergone safety tests.

Paid influencer endorsements to damage a competitor's reputation are also a significant issue in black campaigns. Consumers struggle to distinguish genuine reviews from structured campaigns because this marketing strategy exploits the public's trust in popular figures.<sup>26</sup> This practice not only influences

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without halal label)." *Priviet Social Sciences Journal* 3, no. 6 (2023): 2. See too, Sitorus, Cintya Theresia AM. "Legal Protection of Consumers Who Experience Skin Damage Due to the Use of Illegal Skin Whitening Products Based on Law No. 8 of 1999 concerning Consumer Protection." *De Lega Lata: Jurnal Ilmu Hukum* 9, no. 1 (2024): 99.

<sup>23</sup> Handayani, Nisa. "Viral di TikTok! Brand Skincare White Inc Diduga Black Campaign, Influencer dan Dosen Skincare Ini Angkat Bicara," *Hops.id*, July 19, 2025. Retrieved in September 26, 2025 from <https://www.hops.id/unik/29415569211/viral-di-tiktok-brand-skincare-white-inc-diduga-black-campaign-influencer-dan-dosen-skincare-ini-angkat-bicara>

<sup>24</sup> Sitorus, Cintya Theresia AM. "Legal Protection of Consumers Who Experience Skin Damage Due to the Use of Illegal Skin Whitening Products Based on Law No. 8 of 1999 concerning Consumer Protection." *De Lega Lata: Jurnal Ilmu Hukum* 9, no. 1 (2024): 99. See too, Pakpahan, Elvira Fitriyani, Roy Saputra Manalu, Kerisna Sukma Adji Sembiring, Rona Indara, and M. S. Alfarisi. "Legal protection for consumers (A juridical analysis of cosmetic products without halal label)." *Priviet Social Sciences Journal* 3, no. 6 (2023): 2.

<sup>25</sup> Afriza, Dana. "Beauty Standard for New Normal: What Indonesian Beauty Advertising Tell Us?." In *Conference Series*, vol. 3, no. 1, no. 1 (2020): 183.

<sup>26</sup> Damanik, Elfina Okto Posmaida, Mahaitin H Sinaga, Jusra Tampubolon, and Hengki Mangiring Parulian Simarmata. "Controversy as Marketing Strategy: Indonesian Celebrities Promoting

consumer perceptions of a particular product but also shapes broader market opinion, risking market share loss and a reputation that is difficult to repair. Furthermore, this practice highlights the role of consumer psychology and social influence in disseminating information, which is often exploited by those seeking to undermine competitors unethically.<sup>27</sup>

The black campaign phenomenon is not limited to the dissemination of negative claims but also involves specific communication strategies and narratives designed to trigger emotional responses. For example, information emphasizing potential health hazards or ethnic discrimination associated with a product is often disseminated to induce consumer reactions without verification.<sup>28</sup> This strategy demonstrates that black campaigns are not simply business competition but also practices that exploit public psychology and digital viral mechanisms to achieve specific goals.

The impact of black campaigns on consumers is direct and systematic. Consumers exposed to false information often experience confusion and difficulty in making purchasing decisions. This can result in economic losses, as consumers may stop using safe products and switch to alternatives with unproven quality. Furthermore, potential health risks arise when consumers choose untested products as a result of misleading negative information. Previous studies have emphasized that the effects of black campaigns on the Indonesian skincare industry are multidimensional, influencing risk perception, brand trust, and consumption patterns.<sup>29</sup>

Furthermore, literature shows that the black campaign phenomenon is becoming increasingly complex with the development of digital platforms and social media. Information can spread through viral mechanisms, anonymous

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Skincare through Public Image Polarization." *Manajemen: Jurnal Ekonomi* 7 (1). Universitas Simalungun. (2025): 277. See too, Tektona, Rahmadi Indra, Ayu Citra Santyaningtyas, and Emi Zulaikha. "Legal Review of Dangerous Skincare Users in the Perspective of Islamic Law and Consumer Protection Law." *Krtha Bhayangkara* 17, no. 1 (2023): 73.

<sup>27</sup> Afriza, Dana. "Beauty Standard for New Normal: What Indonesian Beauty Advertising Tell Us?." In *Conference Series*, vol. 3, no. 1, no. 1 (2020): 183. See too, Damanik, Elfina Okto Posmaida, Mahaitin H Sinaga, Jusra Tampubolon, and Hengki Mangiring Parulian Simarmata. "Controversy as Marketing Strategy: Indonesian Celebrities Promoting Skincare through Public Image Polarization." *Manajemen: Jurnal Ekonomi* 7 (1). Universitas Simalungun (2025): 277.

<sup>28</sup> Handayani, Nisa. "Viral di TikTok! Brand Skincare White Inc Diduga Black Campaign, Influencer dan Dosen Skincare Ini Angkat Bicara," *Hops.id*, July 19, 2025. Retrieved in September 26, 2025 from <https://www.hops.id/unik/29415569211/viral-di-tiktok-brand-skincare-white-inc-diduga-black-campaign-influencer-dan-dosen-skincare-ini-angkat-bicara>

<sup>29</sup> Pakpahan, Elvira Fitriyani, Roy Saputra Manalu, Kerisna Sukma Adji Sembiring, Rona Indara, and M. S. Alfarisi. "Legal protection for consumers (A juridical analysis of cosmetic products without halal label)." *Priviet Social Sciences Journal* 3, no. 6 (2023): 2. See too, Sitorus, Cintya Theresia AM. "Legal Protection of Consumers Who Experience Skin Damage Due to the Use of Illegal Skin Whitening Products Based on Law No. 8 of 1999 concerning Consumer Protection." *De Lega Lata: Jurnal Ilmu Hukum* 9, no. 1 (2024): 99.

comments, paid reviews, and bots, all of which amplify negative narratives.<sup>30</sup> Case studies in Indonesia indicate that consumer perceptions of skincare products are influenced not only by scientific evidence but also by popular opinion spread through digital media.<sup>31</sup> Therefore, black campaigns are a key factor changing consumer behavior and competitive dynamics in the skincare industry.

Overall, this phenomenon confirms that black campaigns are not simply ordinary business competition, but rather practices that can directly and systematically harm consumers. Black campaign practices in the Indonesian skincare industry reflect a combination of aggressive marketing strategies, digital manipulation, and a perceived information gap among consumers. The most prominent methods, including the spread of negative claims without scientific basis, the use of anonymous accounts or influencers, and the viralization of digital content, have become part of the complex business competitive landscape and have a direct impact on consumers. The case of White Inc. and consumer complaints regarding false claims, non-transparent endorsements, and misleading digital content confirm that black campaigns in the skincare industry are not a sporadic phenomenon, but a systematic practice that has a wide impact and poses real risks to consumers.<sup>32</sup>

## **2. Positive Legal Regulations on Consumer Protection against Black Campaigns**

The phenomenon of black campaigns in Indonesia, which typically involve the dissemination of false, negative information about a product or brand, has become a serious issue in the business world and consumer protection. This practice not only damages the reputation of businesses but also poses risks to consumers who may be influenced by misleading information. Indonesia has a

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<sup>30</sup>Afriza, Dana. "Beauty Standard for New Normal: What Indonesian Beauty Advertising Tell Us?." In *Conference Series*, vol. 3, no. 1 (2020): 183. See too, Damanik, Elfina Okto Posmaida, Mahaitin H Sinaga, Jusra Tampubolon, and Hengki Mangiring Parulian Simarmata. 2025. "Controversy as Marketing Strategy: Indonesian Celebrities Promoting Skincare through Public Image Polarization." *Manajemen: Jurnal Ekonomi* 7 (1). Universitas Simalungun: 275.

<sup>31</sup> Tektona, Rahmadi Indra, Ayu Citra Santyaningtyas, and Emi Zulaikha. "Legal Review of Dangerous Skincare Users in the Perspective of Islamic Law and Consumer Protection Law." *Krtha Bhayangkara* 17, no. 1 (2023): 73.

<sup>32</sup> Handayani, Nisa. "Viral di TikTok! Brand Skincare White Inc Diduga Black Campaign, Influencer dan Dosen Skincare Ini Angkat Bicara," *Hops.id*, July 19, 2025. Retrieved in September 26, 2025 from <https://www.hops.id/unik/29415569211/viral-di-tiktok-brand-skincare-white-inc-diduga-black-campaign-influencer-dan-dosen-skincare-ini-angkat-bicara>. See too, Pakpahan, Elvira Fitriyani, Roy Saputra Manalu, Kerisna Sukma Adji Sembiring, Rona Indara, and M. S. Alfarisi. "Legal protection for consumers (A juridical analysis of cosmetic products without halal label)." *Priviet Social Sciences Journal* 3, no. 6 (2023): 2. See too, Sitorus, Cintya Theresia AM. "Legal Protection of Consumers Who Experience Skin Damage Due to the Use of Illegal Skin Whitening Products Based on Law No. 8 of 1999 concerning Consumer Protection." *De Lega Lata: Jurnal Ilmu Hukum* 9, no. 1 (2024): 99.

fairly comprehensive regulatory framework to address this issue, although its implementation still faces various practical challenges. Law Number 8 of 1999 on Consumer Protection (UUPK) functions as the main legal basis for safeguarding consumers from harmful business practices, including black campaigns. Article 4 of the UUPK explicitly affirms consumers' right to receive accurate, clear, and non-misleading information regarding the condition, quality, and guarantees of goods or services. False or misleading information spread to harm competitors clearly violates this right.

Articles 10 and 12 of Law Number 8 of 1999 concerning Consumer Protection (UUPK) expressly prohibit practices that mislead consumers. Article 10 states: "Business actors are not allowed to carry out marketing activities for goods or services that misinform or deceive consumers." Meanwhile, Article 12 states: "Business actors are forbidden from producing or disseminating advertisements that have the potential to mislead consumers" In the context of a black campaign, the dissemination of false negative information about a particular product, service, or brand by competitors or other parties falls under the category of misleading advertising. This practice not only harms consumers who are the targets of the false information, but also harms the business actors who are the targets of the campaign. Thus, a black campaign can be examined as a direct violation of the regulations contained in Articles 10 and 12 of the Consumer Protection Act, while also giving rise to potential legal sanctions for those who spread false claims.

In the digital era, black campaigns are often conducted through social media and various online platforms. Law Number 11 of 2008 on ITE Law serves as the legal basis for prosecuting the spread of false negative information online. Article 27 paragraph (3) of the ITE Law states: "No individual is permitted to deliberately and without authorization distribute electronic information or electronic documents that contain offensive or defamatory material." Although this article does not specifically mention black campaigns, the practice of spreading false negative claims that mislead consumers or harm others can be considered a violation of this provision. Digital media allows to enable the fast and extensive spread of information, so the effects of black campaigns can be far greater than conventional methods. Enforcement of Article 27 paragraph (3) provides a legal basis for protecting the reputations of individuals, groups, and businesses from the practice of spreading harmful false information online.

However, the implementation of this article faces various challenges, particularly regarding evidence and jurisdiction, given that much content is distributed through anonymous accounts or servers located overseas. Cases of illegal online cosmetics distribution demonstrate a similar phenomenon, where perpetrators often exploit loopholes in digital law to avoid responsibility. Research

by Salsabila and Kansil<sup>33</sup> shows that e-commerce businesses frequently market dermatological products without BPOM approval, exploiting fragmented regulations that make them difficult to enforce effectively. This aligns with the findings of Juanda et al.<sup>34</sup> and Wiyardhani et al.<sup>35</sup>, who emphasized that despite the existence of a legal framework, limited digital oversight and poor coordination between institutions have led to the persistence of practices detrimental to consumers. In the context of influencer marketing, Vioni and Wahyuni<sup>36</sup> emphasized that the spread of misleading claims on social media can lead to legal liability, even though influencers are not always considered direct business actors. A more adaptive legal approach to the digital realm and consumer education are important strategies for strengthening protection.

Law Number 5 of 1999 on the Prohibition of Monopolistic Practices and Unfair Business Competition seeks to foster fair business competition and prevent both monopolistic conduct and unfair competitive behavior. Article 20 of this law expressly prohibits business actors from forming agreements with competitors that may hinder other business actors from participating in the same line of business, whether for domestic or international markets. In the context of a black campaign, the dissemination of false negative information by competitors to harm their reputations can be categorized as an unfair business competition practice prohibited by this law.

In the cosmetics industry, black campaigns often involve the dissemination of false negative claims regarding a product's effects, safety, or quality. BPOM Regulation Number 18 of 2024 governs the labeling, promotion, and marketing of cosmetic products, including a prohibition on the dissemination of misleading claims regarding cosmetic products. Article 20 of this BPOM Regulation emphasizes that cosmetic business actors are required to adhere to the requirement of providing information that is objective, comprehensive, and not misleading. The dissemination of false negative claims by competitors or other parties regarding cosmetic products can be categorized as a violation of this regulation.

Although Indonesia has a legal framework in place to address black campaign practices, its implementation faces various challenges. Overlapping authority between institutions is a significant issue, as various institutions have

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<sup>33</sup> Salsabila, Ardhelia Putri, and Christine ST Kansil. "The Responsibility of Business Actors in the Distribution of Blue-Labeled Skincare Products Through E-Commerce Based on Law Number 8 of 1999." *Jurnal Ius Constituendum* 10, no. 2 (2025): 242.

<sup>34</sup> Juanda, Juanda, and Dhian Tyas Untari. "Legal protection for consumers against illegal cosmetic products." *International journal of health sciences* 6, no. S4 (2022): 4344.

<sup>35</sup> Wiyardhani, Laras, Akbar Wibriansyah, and Yuyut Payuti. "Legal protection for consumers against hazardous skincare products." *Research Horizon* 5, no. 3 (2025): 839.

<sup>36</sup> Vioni, Eliska, and Ridha Wahyuni. "Protection of Consumers Using Beauty Products Promoted by Marketing Influencers: A Comparative Study of the United States–Indonesia." *Krtha Bhayangkara* 19, no. 1 (2025): 86.

authority to handle black campaign cases, such as the Commission for Competition (*Komisi Pengawas Persaingan Usaha*/KPPU) for unfair business competition, the Finance and Development Supervisory Agency (*Badan Koordinasi Penanaman Modal*/BPKM) for consumer protection, and the Ministry of Communication and Digital Affairs (*Kementerian Komunikasi dan Digital*/Kemkomdigi) for electronic information. This situation can lead to confusion in case handling.

Furthermore, digital evidence presents a challenge because much content is distributed through anonymous accounts or overseas servers, making it difficult to verify claims and the identity of perpetrators. Lack of consumer legal awareness also weakens the effectiveness of protection, as many consumers are unaware of their rights and the procedures for reporting harmful black campaign practices.

Various previous studies have discussed the challenges of consumer protection against black campaign practices and the spread of risky products through digital media. Wiyardhani, Wibriansyah, and Payuti<sup>37</sup> emphasized that although Indonesia's regulatory framework, which includes the Consumer Protection Law, is normatively adequate, its implementation remains hampered by low public awareness, limited digital oversight, and fragmented inter-agency coordination. This aligns with the findings of Alimah, Mulyani, and Alfiani<sup>38</sup>, which show that the distribution of unlawful and hazardous cosmetic products remains rampant due to suboptimal oversight and low business compliance with BPOM permits.

Beyond regulatory aspects, a study by Juanda and Untari<sup>39</sup> highlighted that consumer protection needs to be carried out in a coordinated and unified way by the government, society, and individuals, particularly in controlling the circulation of dangerous cosmetics. Research by Andira and Muhammad<sup>40</sup> broadens this perspective by consumer protection systems in Indonesia, Malaysia<sup>41</sup>, and the Philippines, emphasizing the importance of integrating

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<sup>37</sup> Wiyardhani, Laras, Akbar Wibriansyah, and Yuyut Payuti. "Legal protection for consumers against hazardous skincare products." *Research Horizon* 5, no. 3 (2025): 839.

<sup>38</sup> Alimah, Nur, Asti Sri Mulyani, and Temmy Fitriah Alfiani. "Legal Protection of Consumers against the Circulation of Illegal and Dangerous Cosmetics That Harm Consumers in Indonesia." *Trunojoyo Law Review* 5, no. 2 (2023): 86.

<sup>39</sup> Juanda, Juanda, and Dhian Tyas Untari. "Legal protection for consumers against illegal cosmetic products." *International journal of health sciences* 6, no. S4 (2022): 4344.

<sup>40</sup> Andira, Ayu, and Danang Wahyu Muhammad. "Consumer Protection Against Distribution of Dangerous Cosmetics Sold Online in Indonesia, Malaysia and the Philippines." *Pena Justisia: Media Komunikasi dan Kajian Hukum* 23, no. 3 (2024): 2452.

<sup>41</sup> Jafar, Noor Hanan Mohd, and Zainuddin Ibrahim. "The hidden message of unethical advertising: A comprehensive framework from Malaysian television commercials." *Search Journal of Media and Communication Research*, 16 (3), (2024): 15

ASEAN<sup>42</sup> regional guidelines and enforcing uniform oversight standards for online trade.

The phenomenon of overclaiming and excessive promotion is also a serious concern. Hasibuan and Tarigan<sup>43</sup>, Ngabito<sup>44</sup>, and Puspitasari et al.<sup>45</sup> show that overclaiming practices cause material and non-material losses for consumers, thus demanding legal accountability from producers, business actors, and influencers. Vioni and Wahyuni<sup>46</sup> add that the position of influencers in Indonesia has not been specifically regulated, so responsibility remains with business actors, unlike the United States model regulated by the FTC. Furthermore, Salsabila and Kansil<sup>47</sup> revealed that the circulation of illegal skincare products through e-commerce shows legal loopholes that allow business actors to avoid accountability. Research by Pua and Chew<sup>48</sup> emphasizes that black-hearted seller practices, such as product counterfeiting and the spread of misleading information, require a comprehensive prevention strategy, including surveillance technology, consumer education, and stricter law enforcement.

### **3. Law Enforcement Efforts and Mechanisms to Strengthen Consumer Protection in the Digital Era**

Law enforcement efforts against black campaign practices in Indonesia have evolved with the increasing use of online channels, such as social networking sites and digital marketplace platforms. Black campaigns that spread false, negative information about products or brands not only harm consumers but can also damage the reputation of businesses. Various institutions play a

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<sup>42</sup> Supardi, Reisha Rizkia Sabil, and Sylvana Murni Deborah Hutabarat. "Comparative Legal Analysis of Indonesian and South Korean Consumer Protection in Cosmetic Safety Regulations." *Rechtsidee* 13, no. 1 (2025): 5.

<sup>43</sup> Hasibuan, Siti Erika Jumintan, and Tetty Marlina Tarigan. "Consumer Protection Against Overclaims of SS Skin Skincare Product Composition, Ibnu Taimiyah's Perspective." *Legal Brief* 14, no. 2 (2025): 148.

<sup>44</sup> Ngabito, Rafyanka Ivana Putri. "Analisis Pertanggungjawaban Hukum Terhadap Pengedaran Produk Skincare yang Terbukti Overclaim." *Law, Development and Justice Review* 7, no. 3 (2025): 284.

<sup>45</sup> Puspitasari, Hijriyah, Adrian Adrian, Aprilia Mulia Pasha, Beactris Aprilia Sariwating, Muh Rayyan, and Adela Elsyaqinah Ihsan. "Tanggung Jawab Marketplace Terhadap Penipuan Produk Skincare Overclaim: Analisis Hukum Dan Implementasi." *Jurnal Legislatif* (2025): 144.

<sup>46</sup> Vioni, Eliska, and Ridha Wahyuni. "Protection of Consumers Using Beauty Products Promoted by Marketing Influencers: A Comparative Study of the United States–Indonesia." *Krtha Bhayangkara* 19, no. 1 (2025): 86.

<sup>47</sup> Salsabila, Ardhelia Putri, and Christine ST Kansil. "The Responsibility of Business Actors in the Distribution of Blue-Labeled Skincare Products Through E-Commerce Based on Law Number 8 of 1999." *Jurnal Ius Constituendum* 10, no. 2 (2025): 242.

<sup>48</sup> Pua, Sin Yi, and Boon Cheong Chew. "Black-hearted Sellers in the Skincare Industry: Their Activities and Prevention Strategies." *Journal of Technology Management and Business* 10, no. 1 (2023): 13.

strategic role in strengthening consumer protection through regulation, administrative oversight, and public education.<sup>49</sup>

The BPOM has been prominent in cracking down on misleading promotions in the cosmetics sector, including revoking distribution permits, investigating claims, and imposing administrative sanctions. Throughout 2025, BPOM revoked the distribution permits of 14 cosmetic products due to misleading claims regarding product efficacy, safety, and quality.<sup>50</sup> Research emphasizes the importance of integrated digital oversight and inter-agency coordination, as well as strategies such as issuing warnings, business development, and product recalls to protect consumers.<sup>51</sup>

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<sup>49</sup> Wiyardhani, Laras, Akbar Wibriansyah, and Yuyut Payuti. "Legal protection for consumers against hazardous skincare products." *Research Horizon* 5, no. 3 (2025): 839. See too, Alimah, Nur, Asti Sri Mulyani, and Temmy Fitriah Alfiani. "Legal Protection of Consumers against the Circulation of Illegal and Dangerous Cosmetics That Harm Consumers in Indonesia." *Trunojoyo Law Review* 5, no. 2 (2023): 86.

<sup>50</sup> Badan Pengawas Obat dan Makanan. "BPOM Cabut Izin Edar 14 Kosmetik dengan Promosi Melanggar Norma Kesusilaan," *Biro Kerja Sama dan Hubungan Masyarakat*. August 12, 2025. Retrieved in September 27, 2025 from <https://www.pom.go.id/siaran-pers/siaran-pers-tentang-bpom-cabut-izin-edar-14-kosmetik-dengan-promosi-melanggar-norma-kesusilaan-2>. See too, Antara News. "Indonesia bans 14 cosmetics over indecent, misleading claims." *Antara News*. Retrieved in September 27, 2025 from <https://en.antaranews.com/news/372877/indonesia-bans-14-cosmetics-over-indecent-misleading-claims>. See too, Wirasaputra, Muhammad Nafis. "Promosi Menyesatkan, BPOM Tarik Izin Edar 14 Kosmetik," *Tempo.co*. August 13, 2025. Retrieved in September 27, 2025 from <https://www.tempo.co/ekonomi/promosi-menyesatkan-bpom-tarik-izin-edar-14-kosmetik-2058532>. See too, Tim detikHealth. "Iklan Kosmetik Tak Boleh Menyesatkan, BPOM RI Akan Tegur Keras Jika Melanggar" *detikHealth*. September 6, 2025. Retrieved in September 28, 2025 from <https://health.detik.com/berita-detikhealth/d-7783295/iklan-kosmetik-tak-boleh-menyesatkan-bpom-ri-akan-tegur-keras-jika-melanggar>. See too, CIRS. "Full enforcement of Indonesia's new rules on cosmetic labeling and advertising." *CIRS Group*. September 5, 2025 Retrieved in September 28, 2025 from <https://www.cirs-group.com/en/cosmetics/indonesia-new-requirements-on-cosmetic-labeling-promotion-and-advertising-now-in-effect-full-enforcement-begins-november-2025>. See too, Badan Pengawas Obat dan Makanan. "BPOM Tegaskan Aturan Penandaan, Promosi, dan Iklan Kosmetik Wajib Dilaksanakan Pelaku Usaha." *Biro Kerja Sama dan Hubungan Masyarakat*, February, 17 2025. Retrieved in September 28, 2025 from <https://www.pom.go.id/siaran-pers/bpom-tegaskan-aturan-penandaan-promosi-dan-iklan-kosmetik-wajib-dilaksanakan-pelaku-usaha>. See too, Warokka, Stephen Igor. "Navigating BPOM registration: A guide to cosmetics." *SSEK.com*. April 11, 2025. Retrieved in September 28, 2025 from <https://www.ssek.com/blog/navigating-bpom-registration-a-guide-to-cosmetics-distribution-permits-in-indonesia/?lang=id>. See too, Loasana, Nina A. "Indonesian drug regulator cracks down on illegal skincare production." *ANN Asia News Network*. October 16, 2024. Retrieved in September 28, 2025 from <https://asianews.network/indonesian-drug-regulator-cracks-down-on-illegal-prescription-skincare-products>. See too, Baskoro, Aryo and Maureen Linus "BPOM Regulation 18/2024: New Requirements for Cosmetic Labeling, Promotion, and Advertising." *Arma Law*. December 15, 2024. Retrieved in September 28, 2025 from <https://www.arma-law.com/news-event/newsflash/new-requirements-for-cosmetic-labeling-promotion-and-advertising-bpom-18-2024>

<sup>51</sup> Wiyardhani, Laras, Akbar Wibriansyah, and Yuyut Payuti. "Legal protection for consumers against hazardous skincare products." *Research Horizon* 5, no. 3 (2025): 839. See too, Alimah, Nur, Asti Sri Mulyani, and Temmy Fitriah Alfiani. "Legal Protection of Consumers against the Circulation of Illegal and Dangerous Cosmetics That Harm Consumers in Indonesia." *Trunojoyo Law Review* 5, no. 2 (2023): 86. See too, Ngabito, Rafyanka Ivana Putri. "Analisis

Furthermore, the BPKN and the YLKI play a role in educating and handling public complaints, increasing consumer literacy regarding their rights under Law Number 8 of 1999, how to recognize misleading advertisements, and digital information verification techniques. With good literacy, consumers can prevent losses and support preventive and reactive law enforcement.<sup>52</sup>

Legal enforcement against black campaigns faces significant obstacles, particularly regarding digital evidence. Many cases involve anonymous accounts, overseas servers, or content deletion before law enforcement can prosecute the perpetrators, making identification and the collection of valid evidence difficult in court.<sup>53</sup> Therefore, digital forensics technology is crucial. These techniques include metadata collection, IP address tracking, digital footprint analysis, and standardized storage of electronic evidence to ensure its admissibility as legal evidence.<sup>54</sup> Digital forensics bridges the gap between strict regulations and cyberbullying practices, ensuring effective legal proceedings.

In addition to legal and technological aspects, consumer literacy is also an integral part of protection. Consumers who understand the law and possess digital skills are more likely to recognize misleading claims, assess the validity of influencer testimonials, and cross-check information from trusted sources.<sup>55</sup> This aligns with Article 4 of the Consumer Protection Law, which guarantees consumers' right to receive accurate and clear information. Consumer literacy not only reduces the risk of loss but also fosters a critical and proactive public in supporting law enforcement.

The integration of strict regulations, complaint mechanisms, education, and digital technology creates a holistic approach. The BPOM can take direct action against perpetrators of misleading promotions, while the BPKN and the

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Pertanggungjawaban Hukum Terhadap Pengedaran Produk Skincare yang Terbukti Overclaim." *Law, Development and Justice Review* 7, no. 3 (2025): 284. See too, Kuncoro, Adinda Ayu Puspita, and M. Syamsudin. "Perlindungan Konsumen terhadap Overclaim Produk Skincare." In *Prosiding Seminar Hukum Aktual Fakultas Hukum Universitas Islam Indonesia*, pp. 73. 2024.

<sup>52</sup> Alimah, Nur, Asti Sri Mulyani, and Temmy Fitriah Alfiani. "Legal Protection of Consumers against the Circulation of Illegal and Dangerous Cosmetics That Harm Consumers in Indonesia." *Trunojoyo Law Review* 5, no. 2 (2023): 86. See too, Wiyardhani, Laras, Akbar Wibriansyah, and Yuyut Payuti. "Legal protection for consumers against hazardous skincare products." *Research Horizon* 5, no. 3 (2025): 839.

<sup>53</sup> Vioni, Eliska, and Ridha Wahyuni. "Protection of Consumers Using Beauty Products Promoted by Marketing Influencers: A Comparative Study of the United States–Indonesia." *Krtha Bhayangkara* 19, no. 1 (2025): 86.

<sup>54</sup> Salsabila, Ardhelia Putri, and Christine ST Kansil. "The Responsibility of Business Actors in the Distribution of Blue-Labeled Skincare Products Through E-Commerce Based on Law Number 8 of 1999." *Jurnal Ius Constituendum* 10, no. 2 (2025): 242.

<sup>55</sup> Ngabito, Rafyanka Ivana Putri. "Analisis Pertanggungjawaban Hukum Terhadap Pengedaran Produk Skincare yang Terbukti Overclaim." *Law, Development and Justice Review* 7, no. 3 (2025): 284. See too, Hasibuan, Siti Erika Jumintan, and Tetty Marlina Tarigan. "Consumer Protection Against Overclaims of SS Skin Skincare Product Composition, Ibnu Taimiyah's Perspective." *Legal Brief* 14, no. 2 (2025): 148.

YLKI play a role in education and social oversight. Forensic technology enables the collection of electronic evidence, even when perpetrators are difficult to identify.<sup>56</sup>

Furthermore, law enforcement efforts against black campaigns must adapt to the characteristics of different industries. For example, in the cosmetics industry, misleading claims can directly impact consumer health, making BPOM regulation highly strategic.<sup>57</sup> In other sectors, such as technology, food, or financial services, a different approach may be required, including inter-agency collaboration for cross-sectoral oversight.<sup>58</sup> This suggests that law enforcement strategies must be flexible, adaptive to the industry context, and able to respond to the rapidly changing dynamics of digital media.

Collaboration between government agencies, industry associations, and civil society plays a crucial role in strengthening consumer protection. Public education, awareness campaigns, and digital literacy training can improve consumers' ability to recognize black campaigns, while regulatory agencies can focus on legal action against business actors.<sup>59</sup> This collaboration helps create a stronger consumer protection ecosystem, mitigates the negative impact of black campaigns, and increases public trust in the digital marketplace.

Overall, the BPOM's experience in revoking the distribution permits of cosmetic products for misleading promotions in 2025 emphasizes the importance of administrative regulations as a preventive and repressive measure.<sup>60</sup> Meanwhile, the educational role of BPKN and YLKI, as well as the application of

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<sup>56</sup> Wiyardhani, Laras, Akbar Wibriansyah, and Yuyut Payuti. "Legal protection for consumers against hazardous skincare products." *Research Horizon* 5, no. 3 (2025): 839. See too, Salsabila, Ardhelia Putri, and Christine ST Kansil. "The Responsibility of Business Actors in the Distribution of Blue-Labeled Skincare Products Through E-Commerce Based on Law Number 8 of 1999." *Jurnal Ius Constituendum* 10, no. 2 (2025): 242.

<sup>57</sup> Soraya, Annisa Dinda, and Henny Marlyna. "Counterfeit Cosmetic Cases in Indonesia: Why Not Trademark Infringements?." In *Challenges of Law and Governance in Indonesia in the Disruptive Era I*, pp. 93. Nova Science Publisher Inc., 2021. See too, Sakti, Muthia, and Dinda Dinanti. "Consumer Protection of Unauthorized Cosmetic Distribution in Indonesia's E-Commerce." *Jurnal Hukum Novelty* 11, no. 1 (2020): 31.

<sup>58</sup> Andira, Ayu, and Danang Wahyu Muhammad. "Consumer Protection Against Distribution of Dangerous Cosmetics Sold Online in Indonesia, Malaysia and the Philippines." *Pena Justisia: Media Komunikasi dan Kajian Hukum* 23, no. 3 (2024): 2452. See too, Juanda, Juanda, and Dhian Tyas Untari. "Legal protection for consumers against illegal cosmetic products." *International journal of health sciences* 6, no. S4 (2022): 4344.

<sup>59</sup> Pua, Sin Yi, and Boon Cheong Chew. "Black-hearted Sellers in the Skincare Industry: Their Activities and Prevention Strategies." *Journal of Technology Management and Business* 10, no. 1 (2023): 13. See too, Oktovi, Rama, and Syafruddin Syam. "Consumer Protection Against the Free Circulation of Blue Label Skincare in the Marketplace: A Sadd Adz-Dzari'ah Perspective." *Journal Analytica Islamica* 14, no. 2 (2025): 926.

<sup>60</sup> Wiyardhani, Laras, Akbar Wibriansyah, and Yuyut Payuti. "Legal protection for consumers against hazardous skincare products." *Research Horizon* 5, no. 3 (2025): 839. See too, Alimah, Nur, Asti Sri Mulyani, and Temmy Fitriah Alfiani. "Legal Protection of Consumers against the Circulation of Illegal and Dangerous Cosmetics That Harm Consumers in Indonesia." *Trunojoyo Law Review* 5, no. 2 (2023): 86.

digital forensics, complement the law enforcement system, ensuring consumers are protected from false information and the spread of negative claims. Therefore, consumer protection in the digital era demands an integrated approach that combines law, education, and technology to address the increasingly complex and dynamic challenges of black campaigns.<sup>61</sup>

From the context of legal protection, there are five main efforts to address black campaign practices in Indonesia. First, administrative enforcement by government agencies is the main foundation in protecting consumers from black campaign practices, particularly in the cosmetics sector. The BPOM has the authority to prosecute violations through revoking distribution permits, recalling products, and monitoring promotional claims. These measures are taken to stop the circulation of illegal or misleading products and ensure that claims made to the public can be scientifically verified.<sup>62</sup> The BPOM and Indonesian Medical Honorary Council for Ethics (*Majelis Kehormatan Etik Kedokteran/MKEK*) regulations emphasize that professional influencers, including doctors, who engage in excessive or misleading promotions are subject to administrative sanctions.<sup>63</sup>

Second, criminal and civil law enforcement complements administrative mechanisms. Criminal and civil sanctions are applied to manufacturers, distributors, and influencers found to have overclaimed or spread misleading information that harms consumers. The Consumer Protection Law, the ITE Law, and the Health Law provide the primary basis for legal accountability, including the obligation to compensate or criminal sanctions.<sup>64</sup>

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<sup>61</sup> Ngabito, Rafyanka Ivana Putri. "Analisis Pertanggungjawaban Hukum Terhadap Pengedaran Produk Skincare yang Terbukti Overclaim." *Law, Development and Justice Review* 7, no. 3 (2025): 284. See too, Salsabila, Ardhelia Putri, and Christine ST Kansil. "The Responsibility Of Business Actors in the Distribution of Blue-Labeled Skincare Products Through E-Commerce Based on Law Number 8 of 1999." *Jurnal Ius Constituendum* 10, no. 2 (2025): 242. See too, Vioni, Eliska, and Ridha Wahyuni. "Protection of Consumers Using Beauty Products Promoted by Marketing Influencers: A Comparative Study of the United States–Indonesia." *Krtha Bhayangkara* 19, no. 1 (2025): 86.

<sup>62</sup> Alimah, Nur, Asti Sri Mulyani, and Temmy Fitriah Alfiani. "Legal Protection of Consumers against the Circulation of Illegal and Dangerous Cosmetics That Harm Consumers in Indonesia." *Trunojoyo Law Review* 5, no. 2 (2023): 86. See too, Wiyardhani, Laras, Akbar Wibriansyah, and Yuyut Payuti. "Legal protection for consumers against hazardous skincare products." *Research Horizon* 5, no. 3 (2025): 839.

<sup>63</sup> Amandha, Rendytha Khansa, and Heru Sugiyono. "The responsibilities of influencer doctors promoting skincare products on social media." *Jurnal Daulat Hukum* 7, no. 2 (2024): 119. See too, Hasibuan, Siti Erika Jumintan, and Tetty Marlina Tarigan. "Consumer Protection Against Overclaims of SS Skin Skincare Product Composition, Ibnu Taimiyah's Perspective." *Legal Brief* 14, no. 2 (2025): 148.

<sup>64</sup> Ngabito, Rafyanka Ivana Putri. "Analisis Pertanggungjawaban Hukum Terhadap Pengedaran Produk Skincare yang Terbukti Overclaim." *Law, Development and Justice Review* 7, no. 3 (2025): 284. See too, Vioni, Eliska, and Ridha Wahyuni. "Protection of Consumers Using Beauty Products Promoted by Marketing Influencers: A Comparative Study of the United States–Indonesia." *Krtha Bhayangkara* 19, no. 1 (2025): 86. See too, Soraya, Annisa Dinda, and Henny Marlyna. "Counterfeit Cosmetic Cases in Indonesia: Why Not Trademark Infringements?."

Third, regulations and business obligations emphasize that every party in the distribution and promotion chain must meet legal standards. Manufacturers are required to ensure cosmetics have permits and clear information, while influencers and marketplaces are responsible for product verification and distribution oversight.<sup>65</sup>

Fourth, preventive and educational approaches are important strategies to minimize risks before losses occur. Consumer education and business development raise public awareness of illegal products and misleading claims, while marketplace strategies, supply chain practices, and Islamic approaches such as Sadd Adz-Dzari'ah support the prevention of harmful practices.<sup>66</sup>

Fifth, regulatory harmonization and integration strengthen consumer protection. The unification of local and regional regulations and the integration of the Consumer Law, the Health Law, and the ITE Law are crucial for addressing legal fragmentation in the e-commerce era.<sup>67</sup>

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In *Challenges of Law and Governance in Indonesia in the Disruptive Era I*, pp. 93. Nova Science Publisher Inc., 2021.

<sup>65</sup> Sakti, Muthia, and Dinda Dinanti. "Consumer Protection of Unauthorized Cosmetic Distribution in Indonesia's E-Commerce." *Jurnal Hukum Novelty* 11, no. 1 (2020): 31. See too, Amandha, Rendytha Khansa, and Heru Sugiyono. "The responsibilities of influencer doctors promoting skincare products on social media." *Jurnal Daulat Hukum* 7, no. 2 (2024): 119. See too, Vioni, Eliska, and Ridha Wahyuni. "Protection of Consumers Using Beauty Products Promoted by Marketing Influencers: A Comparative Study of the United States–Indonesia." *Krtha Bhayangkara* 19, no. 1 (2025): 86. See too, Puspitasari, Hijriyah, Adrian Adrian, Aprilia Mulia Pasha, Beactris Aprilia Sariwating, Muh Rayyan, and Adela Elsyaqinah Ihsan. "Tanggung Jawab Marketplace Terhadap Penipuan Produk Skincare Overclaim: Analisis Hukum Dan Implementasi." *Jurnal Legislatif* (2025): 144. See too, Salsabila, Ardhelia Putri, and Christine ST Kansil. "The Responsibility of Business Actors in the Distribution of Blue-Labeled Skincare Products Through E-Commerce Based on Law Number 8 of 1999." *Jurnal Ius Constituendum* 10, no. 2 (2025): 242.

<sup>66</sup> Wiyardhani, Laras, Akbar Wibriansyah, and Yuyut Payuti. "Legal protection for consumers against hazardous skincare products." *Research Horizon* 5, no. 3 (2025): 839. See too, Alimah, Nur, Asti Sri Mulyani, and Temmy Fitriah Alfiani. "Legal Protection of Consumers against the Circulation of Illegal and Dangerous Cosmetics That Harm Consumers in Indonesia." *Trunojoyo Law Review* 5, no. 2 (2023): 86. See too, Pua, Sin Yi, and Boon Cheong Chew. "Black-hearted Sellers in the Skincare Industry: Their Activities and Prevention Strategies." *Journal of Technology Management and Business* 10, no. 1 (2023): 13. See too, Oktovi, Rama, and Syafruddin Syam. "Consumer Protection Against the Free Circulation of Blue Label Skincare in the Marketplace: A Sadd Adz-Dzari'ah Perspective." *Journal Analytica Islamica* 14, no. 2 (2025): 926.

<sup>67</sup> Andira, Ayu, and Danang Wahyu Muhammad. "Consumer Protection Against Distribution of Dangerous Cosmetics Sold Online in Indonesia, Malaysia and the Philippines." *Pena Justisia: Media Komunikasi dan Kajian Hukum* 23, no. 3 (2024): 2452. See too, Ngabito, Rafyanka Ivana Putri. "Analisis Pertanggungjawaban Hukum Terhadap Pengedaran Produk Skincare yang Terbukti Overclaim." *Law, Development and Justice Review* 7, no. 3 (2025): 284. See too, Salsabila, Ardhelia Putri, and Christine ST Kansil. "The Responsibility of Business Actors in the Distribution of Blue-Labeled Skincare Products Through E-Commerce Based on Law Number 8 of 1999." *Jurnal Ius Constituendum* 10, no. 2 (2025): 242. See too, Hasibuan, Siti Erika Jumintan, and Tetty Marlina Tarigan. "Consumer Protection Against Overclaims of SS Skin Skincare Product Composition, Ibnu Taimiyah's Perspective." *Legal Brief* 14, no. 2 (2025): 148.

Overall, the combination of administrative enforcement, criminal and civil law, business regulations, preventive approaches, and regulatory harmonization forms a comprehensive consumer protection system in Indonesia. In this context, the success of law enforcement mechanisms is measured not only by the number of sanctions imposed, but also by increasing consumer awareness, the ability to verify information, and the creation of more responsible business practices. The synergy between strict regulations, consumer education, and digital forensic technology is a key strategy to create a healthy, safe, and fair digital market for all parties involved.<sup>68</sup>

#### **D. CONCLUSION**

Black campaign practices in the Indonesian skincare industry pose a real threat to consumers, especially in the digital age, where information spreads rapidly through social media, influencers, and anonymous accounts. Common black campaign methods include the spread of false claims about product safety or effectiveness, manipulated reviews, and paid endorsements presented as genuine testimonials. The impacts include information confusion, economic losses, and health risks for consumers.

Legally, Indonesia has a relatively comprehensive consumer protection framework, including Law Number 8 of 1999 on Consumer Protection, the ITE Law, Law Number 5 of 1999 on the Prohibition of Unfair Business Competition, and BPOM Regulation Number 18 of 2024. These regulations allow for enforcement against misleading advertising, defamation, and unfair competition practices. However, overlapping authority between institutions, challenges in digital evidence, and a lack of consumer legal awareness are significant obstacles to implementation.

Enforcement efforts, such as the revocation of distribution permits for problematic products by BPOM and consumer education by BPKN/YLKI, represent a positive initial step, but are insufficient to address the complexity of black campaigns. This research emphasizes the need for synergy between strict regulations, integrated complaint mechanisms, digital forensic technology, and consumer literacy programs. Preventive and educational strategies, legal

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<sup>68</sup> Hasibuan, Siti Erika Jumintan, and Tetty Marlina Tarigan. "Consumer Protection Against Overclaims of SS Skin Skincare Product Composition, Ibnu Taimiyah's Perspective." *Legal Brief* 14, no. 2 (2025): 148. See too, Puspitasari, Hijriyah, Adrian Adrian, Aprilia Mulia Pasha, Beatrix Aprilia Sariwating, Muh Rayyan, and Adela Elsyaqinah Ihsan. "Tanggung Jawab Marketplace Terhadap Penipuan Produk Skincare Overclaim: Analisis Hukum Dan Implementasi." *Jurnal Legislatif* (2025): 144. See too, Sakti, Muthia, and Dinda Dinanti. "Consumer Protection of Unauthorized Cosmetic Distribution in Indonesia's E-Commerce." *Jurnal Hukum Novelty* 11, no. 1 (2020): 31.

responsibility for business actors, and regulatory harmonization are essential foundations for creating an effective consumer protection system.

Therefore, strengthening legal protection and consumer literacy is key to preventing the public from falling victim to negative campaign practices. A comprehensive normative and conceptual strategy is needed to counter black campaigns in the skincare industry, while also emphasizing the role of regulations, supervisory institutions, and digital awareness in creating a fair, transparent, and safe market environment for consumers.

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