

Ideal Supervisory Framework for The Disclosure of Health Information on Ready-To-Eat Processed Foods for Consumer Protection: A Comparative Legal Study of Indonesia and Chile

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Abstract. *The high consumption of sugar, salt, and fat (GGL) in Indonesia contributes to the increasing prevalence of non-communicable diseases or degenerative diseases, so that the fulfillment of consumers' rights to clear information as guaranteed by Article 4 letter c of Law No. 8 of 1999 concerning Consumer Protection has become an urgent issue in the context of labeling of processed ready-to-eat foods. This study examines two problems, namely the implementation of supervision of the obligation to include health risk information based on the Decree of the Minister of Health Number HK.01.07/MENKES/301/2026 and the ideal form of implementation of such supervision through a comparison with the Chilean warning label system. The method used is normative juridical with a statutory and comparative legal approach. The results of the study indicate that the implementation of supervision in Indonesia is not optimal because the KMK does not appoint a specific supervisory agency and does not contain strict sanctions for violations of the inclusion of Nutri-Level. Based on a comparison with the Chilean warning label system regulated in Ley No. 20.606, the ideal form of supervision in Indonesia includes several elements, namely clarity of supervisory institutions, specific tiered administrative sanctions, expansion of coverage to all business actors without differentiating business scale, expansion of coverage to all business actors without differentiating business scale, and protection of vulnerable groups through a ban on the sale and promotion of high GGL products in educational environments.*

Keywords: *Consumer Protection; Food Labeling; Health Information Oversight; Nutri-Level; Warning Label.*

1. Introduction

A healthy diet is one of the primary factors in preventing various forms of malnutrition and reducing the risk of degenerative diseases. However, alongside the development of the food industry and the modernization of lifestyles, a shift has occurred in public consumption

patterns. This shift not only reflects changes in consumer preferences but also indicates a structural transformation within the food system that directly affects public health.

This phenomenon has also occurred in Indonesia, where dietary consumption patterns remain dominated by excessive intake of sugar, salt, and fat (SSF), derived from both processed foods and household consumption. Data from the 2018 Basic Health Research Survey (Riskesdas) indicated that 30.4% of the Indonesian population consumed sugar, salt, and fat in amounts exceeding recommended health standards (Kemenkes, 2024). This condition has contributed to the increasing prevalence of non-communicable diseases, including diabetes mellitus, coronary heart disease, stroke, and kidney disorders. The International Diabetes Federation (IDF) reported in 2024 that the number of individuals with diabetes in Indonesia had reached approximately 20.4 million, with a prevalence rate of 11.3%, exceeding the average prevalence in the Southeast Asian region (Fajar, 2025). The increasing consumption of SSF and the associated health risks underscore the importance of fulfilling consumers' right to clear, accurate, and easily understandable food information, particularly through monitoring compliance with nutritional labeling and health message requirements on ready-to-eat processed food products.

Within this context, the availability of information regarding the composition and potential risks of food products constitutes an essential component of consumer protection efforts. This is consistent with the provisions of Law No. 8 of 1999 concerning Consumer Protection (Consumer Protection Law), which, under Article 4(c), grants consumers the right to obtain accurate, clear, and honest information regarding the condition and guarantees of goods and/or services (Pasal 7 Huruf b Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen, 1999). The fulfillment of this right to information is particularly relevant in relation to ready-to-eat processed food products, given that information concerning sugar, salt, and fat content plays a crucial role in shaping consumers' dietary choices. Furthermore, Article 7 of the Consumer Protection Law requires business actors to provide accurate, clear, and honest information regarding the condition of goods, including instructions for use and quality assurance (Pasal 4 Huruf c Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen, 1999). Therefore, food labeling should not be regarded merely as an administrative obligation, but rather as a consumer protection instrument that ensures public access to adequate health information and supports the development of healthier consumption patterns.

As an implementation of consumers' right to information, food labeling serves as an instrument for conveying information regarding the composition and characteristics of products consumed by the public (Ratri & Tri Setyo Wardhani, 2016). In Indonesia, the regulation of processed food labeling is governed by the Food and Drug Supervisory Agency (BPOM) Regulation Number 6 of 2024 concerning Processed Food Labels, which constitutes the second amendment to BPOM Regulation Number 31 of 2018 and mandates the inclusion of nutritional information on processed food products. In line with the development of preventive health policies, the government subsequently strengthened this regulatory

framework through Minister of Health Decree Number HK.01.07/MENKES/301/2026 concerning the Inclusion of Nutrition Labels and Health Messages on Ready-to-Eat Processed Foods, as the implementation of Article 200 of Government Regulation Number 28 of 2024 concerning the Implementation of Law No. 17 of 2023 on Health. The regulation, which came into effect on April 13, 2026, introduced the Nutri-Level system, a labeling system based on categories A to D according to the content of sugar, salt, and fat (SSF), which must be displayed on the front of the packaging of ready-to-eat processed food products by large-scale business operators (KMK, 2026).

Although Minister of Health Decree Number HK.01.07/MENKES/301/2026 regulates the disclosure of sugar, salt, and fat content information, the regulation still possesses several limitations, considering that its scope applies only to large-scale ready-to-eat processed food business operators and does not extend to micro-enterprises or small-scale food businesses, which constitute major sources of food consumption for the public. Furthermore, the legal status of a Ministerial Decree, which is subordinate to Government Regulations and Laws, results in relatively limited binding authority. In addition, supervisory mechanisms and sanctions for violations of labeling obligations have not yet been explicitly regulated. This situation has the potential to create uncertainty in the implementation of regulatory oversight, particularly in enforcing the obligation to display nutrition labels and health messages, which should ensure the fulfillment of consumers' right to accurate, clear, and easily understandable information regarding the health implications of specific processed food products, as stipulated in Article 4(c) of the Consumer Protection Law.

This condition differs from the practice implemented in Chile, which has adopted a warning label system in the form of a black octagonal symbol resembling a STOP sign displayed on the front of food packaging, accompanied by statements such as "alto en calorías" (high in calories) and "alto en sal" (high in salt). This policy is regulated under Law No. 20.606 on the Nutritional Composition of Food and Its Advertising (Ley sobre Composición Nutricional de los Alimentos y su Publicidad), which was subsequently strengthened through amendments introduced by Law No. 21.362, amending various legal provisions to regulate the labeling, advertising, and sale of gluten-free foods, among other matters (Modifica Diversos Cuerpos Legales con el Objeto de Regular el Etiquetado, Publicidad y Venta de Alimentos Libres de Gluten), which came into effect in June 2016 (República de Chile, 2021). Unlike Indonesia, Chile has established clear nutritional thresholds as the basis for the application of warning labels, thereby providing a stronger scientific and legal foundation (Marcelo Campbell, 2022). The implementation of this policy in Chile has proven to be relatively effective. Based on the findings of a study by Lindsey Smith Taillie et al., entitled "An Evaluation of Chile's Law of Food Labeling and Advertising on Sugar-Sweetened Beverage Purchases from 2015 to 2017: A Before-and-After Study," purchases of high-sugar beverages declined by 23.7% following the implementation of the regulation, particularly within the categories of sweetened fruit beverages and sweetened milk beverages (Taillie, L. S., Reyes, M., Colchero, M. A., Popkin, B., & Corvalán, 2020). These findings indicate that the warning label system functions not only as a means of providing information but also as a legal instrument that has been reasonably

successful in changing public consumption behavior regarding foods that pose long-term health risks. This stands in contrast to Indonesia's Nutri-Level system, which remains primarily informational and gradational in nature.

Research conducted by Marcela Reyes et al. demonstrated that the front-of-package warning label system is effective in helping consumers understand the sugar, salt, and fat content of food products through a simple labeling design displayed on the front of packaging, as implemented in Chile (Reyes, M., Garmendia, M. L., Olivares, S., Aqueveque, C., Zacarías, I., & Corvalán, n.d.). Subsequently, a study by Cintia Pereira da Silva et al. found that the policy received positive responses from consumers and contributed to a reduction in the consumption of high-sugar beverages (Da Silva, C. P., Bento, A. C., & Guaraldo, 2021). Meanwhile, I Wayan Yasa et al. emphasized that legal protection concerning food labeling in electronic transactions encompasses both preventive and repressive measures to ensure consumers' right to obtain product information (Yasa, I. W., Andini, P. P., & Pratiwi, 2025). However, these studies primarily focus on the effectiveness of food labeling and consumer protection in general and have not specifically examined the supervision of nutritional labeling implementation in fulfilling consumers' right to clear and comprehensible information.

In contrast to previous studies, this research focuses on the ideal model of supervision over health risk information on ready-to-eat processed foods through a comparative legal study of Indonesia and Chile. The novelty of this research lies in its identification of several regulatory deficiencies within Minister of Health Decree Number HK.01.07/MENKES/301/2026, which does not explicitly designate the authority responsible for supervision, nor does it clearly regulate sanctions for business operators that fail to implement the Nutri-Level system, thereby limiting the deterrent effect necessary to influence business behavior. Furthermore, this study highlights the differences in approach between Indonesia's Nutri-Level system, which is informational and gradational in nature, and Chile's warning label system, which adopts a preventive approach through the direct communication of health warnings. These differences have implications for the fulfillment of consumers' right to clear information, as guaranteed under the Consumer Protection Law.

This gap indicates that the fulfillment of consumers' right to clear and easily understandable information regarding health risks, as guaranteed under the Consumer Protection Law, continues to face challenges in its regulatory framework. In the context of food labeling, the fulfillment of this right depends not only on the existence of regulatory provisions but also on the clarity of supervisory mechanisms governing the implementation of the Nutri-Level system by business operators. Therefore, this study examines the supervision of the implementation of nutritional labeling and health messages on ready-to-eat processed foods under Minister of Health Decree Number HK.01.07/MENKES/301/2026 from a consumer protection perspective through a comparison with Chile's warning label system. This research is expected to contribute to the development of food labeling regulations that provide greater protection of consumers' right to information.

2. Research Methods

This study employs a normative juridical method, which is a legal research approach that examines law as a system of norms, principles, doctrines, theories, and statutory regulations relevant to addressing the legal issues under investigation (Wiwik Sri Widiarty, 2024). This method is based on library research through the examination of literature, regulations, and related legal documents, thereby enabling analysis to be conducted from both conceptual and normative perspectives. This study adopts both a statutory approach and a comparative approach as the foundation of its analysis. The statutory approach is applied by examining written legal regulations relevant to the issues being studied (Johnny Ibrahim, 2005). In addition, the comparative approach is employed by analyzing and comparing the legal system of one country with that of another. This research examines the provisions contained in Minister of Health Decree Number HK.01.07/MENKES/301/2026 concerning the Inclusion of Nutrition Labels and Health Messages on Ready-to-Eat Processed Foods, as well as other regulations related to labeling requirements, including international regulations. The data sources used in this study consist of both primary and secondary legal materials. Primary legal materials comprise binding statutory regulations, including the Consumer Protection Law, BPOM Regulation Number 6 of 2024, Government Regulation Number 28 of 2024, Presidential Regulation Number 80 of 2017, Law No. 20.606, Law No. 21.362, Minister of Health Decree Number HK.01.07/MENKES/301/2026, DFL 725 – Decree 725 – Sanitary Code (Código Sanitario), and Decree No. 13 Amending Supreme Decree No. 977 of 1996 concerning the Food Sanitary Regulation (Reglamento Sanitario de los Alimentos). Secondary legal materials encompass all forms of references that provide interpretation and explanation of primary legal materials. These sources include academic literature such as textbooks, research findings published in scientific journals and scholarly publications, as well as expert opinions in the field of law (Amiruddin & Zainal Asikin, 2004). Data collection in this study was conducted through library research, which relies on the identification, analysis, and comparison of information derived from various sources, including statutory regulations, academic literature, and scholarly journals. Subsequently, the data were analyzed qualitatively based on descriptive data in the form of language, both written and spoken, as well as observable behavior related to the subject matter of the research.

3. Results and Discussion

3.1. Supervision of Business Operators' Obligation to Display Health Information Labels on Ready-to-Eat Processed Foods in the Context of Consumer Protection

The Consumer Protection Law (UUPK), particularly Article 4(c), provides that consumers are entitled to receive information that is “accurate,” “clear,” and “honest.” According to the consumer protection law theory advanced by Ahmadi Miru and Sutarman Yodo, the right to clear information constitutes a legal right inherently attached to consumers as legal subjects. It is not merely a matter of goodwill on the part of business operators but rather a legal obligation whose fulfillment may be demanded (Miru & Yodo, 2025). Nevertheless, the Consumer Protection Law does not specifically define the meaning of the term “clear” as

stipulated in Article 4(c). Therefore, an interpretation based on the broader legal system is required to establish the parameters for its fulfillment in accordance with the objective of the Consumer Protection Law, namely, to protect consumers from harmful trade practices. Based on this normative interpretation, information may be categorized as “clear” when it fulfills four aspects. First, accessibility, whereby information is placed in a location that is easily visible to consumers. Second, readability, meaning that the format and size of the information enable consumers to read it effectively. Third, comprehensibility, whereby the information can be understood without requiring specialized expertise in a particular field. Fourth, explicit risk communication, whereby health risks are conveyed directly and clearly without requiring additional interpretation by consumers. These four aspects serve as the normative benchmarks for assessing the Nutri-Level system as regulated under Minister of Health Decree Number HK.01.07/MENKES/301/2026 concerning the Inclusion of Nutrition Labels and Health Messages on Ready-to-Eat Processed Foods.

The Ministerial Decree still contains normative weaknesses. Although the Annex to the Decree provides illustrative examples of the placement of Nutri-Level labels on retail packaging and various other informational media, these illustrations are not accompanied by provisions that expressly require placement in a specific location, such as an obligation to display the label on the front of the package (front-of-package labeling). The FOURTH Provision (Diktum Keempat) of the Decree merely states that informational media “may take the form of” retail packaging, brochures, banners, leaflets, and other forms of media. The use of the term “may” indicates an optional rather than mandatory requirement (Keputusan Menteri Kesehatan Nomor HK.01.07/MENKES/301/2026, 2026). The absence of a mandatory placement provision grants business operators complete discretion in determining where the Nutri-Level label is displayed, including locations that are least visible to consumers (Aldera, Apriningsih, & Wasir, 2024). This condition is inconsistent with the accessibility parameter, which requires information to be placed in a position that is easily visible to consumers as part of the fulfillment of the right to clear information guaranteed under Article 4(c) of the Consumer Protection Law. This differs from Chile’s warning label system under Law No. 20.606, which explicitly requires warning symbols to be displayed on the front of the package, thereby enabling consumers to immediately observe and understand product-related risks without having to search for the information.

The accessibility deficiency described above cannot be separated from the normative obligations of business operators as stipulated in Article 7(b) of the Consumer Protection Law, which requires business operators to provide accurate, clear, and honest information regarding the condition and guarantees of the goods and/or services being offered. This provision affirms that the fulfillment of consumers’ right to clear information does not merely depend on consumers’ awareness or initiative to seek information. Rather, it constitutes an active obligation of business operators to present such information in a format that is easily accessible and understandable, including through labeling displayed on product packaging (Sweda, I. K. W., Haerani, 2024).

The next stage of analysis focuses on the nature of the obligation to display the Nutri-Level label as regulated under the FIRST Provision (Diktum Kesatu) of the Ministerial Decree. This provision employs the phrase “may be implemented,” indicating that the requirement is optional rather than mandatory. From the perspective of consumer protection law, the use of permissive language in a regulation intended to protect consumer rights raises a significant normative concern. Consumers’ right to clear information, as guaranteed under Article 4(c) of the Consumer Protection Law, is mandatory in nature and therefore cannot be diminished or made contingent upon the discretion of business operators.

Nevertheless, the TENTH Provision (Diktum Kesepuluh) of the Ministerial Decree stipulates that the display of the Nutri-Level label will become mandatory two years after the establishment of the maximum permissible levels of sugar, salt, and fat (SSF), indicating a transitional normative framework from voluntary regulation to mandatory regulation. However, this transitional provision gives rise to its own normative issues. First, the maximum SSF thresholds that serve as the prerequisite for the commencement of the two-year period have not yet been established, resulting in a lack of legal certainty regarding when the obligation will take effect. Second, the Ministerial Decree does not regulate supervisory mechanisms during the transitional period. Consequently, the fulfillment of consumers’ right to clear information has not been afforded adequate normative protection, even before the full obligation becomes enforceable (Naranatha, A. Z., Janisriwati, S., Putri, 2021).

A further weakness of Minister of Health Decree Number HK.01.07/MENKES/301/2026 lies in the limited scope of regulated entities. The SECOND Provision (Diktum Kedua) restricts the obligation to display the Nutri-Level label exclusively to large-scale business operators, thereby excluding small- and medium-sized enterprises that also produce and distribute ready-to-eat processed foods from the scope of the regulation. Such a limitation is inconsistent with Article 4(c) of the Consumer Protection Law, which guarantees consumers’ right to clear information without distinguishing between producers based on the scale of their business operations. The health risks associated with excessive consumption of sugar, salt, and fat do not diminish merely because a product is manufactured by a small- or medium-sized business operator.

The FIFTH Provision (Diktum Kelima) of the Ministerial Decree essentially stipulates that the display of the Nutri-Level label shall be based on the results of testing conducted by government laboratories or other accredited laboratories. However, this provision continues to place business operators in the position of making self-declarations regarding the sugar, salt, and fat (SSF) content of processed food products. This situation raises a normative concern regarding the extent to which the state exercises oversight over the accuracy of information disclosed by business operators, considering that Minister of Health Decree Number HK.01.07/MENKES/301/2026 does not further regulate mechanisms for validation or periodic review of such declarations. From a consumer protection perspective, the clarity of supervisory mechanisms governing food-related information is of critical importance because nutritional information displayed on product labels serves as the basis upon which consumers make informed and safe consumption choices (Purwanta, I. N. G. T. P., Mahendrawati, N. L.

M., & Ujianti, 2021). This condition directly affects two of the previously established parameters of clear information, namely comprehensibility and risk communication. Information regarding SSF content that is based solely on self-declarations without an independent verification mechanism cannot be guaranteed to be accurate. Consequently, consumers cannot place full trust in the information presented on the label, which means that the standards of “clarity” and “honesty,” as guaranteed under Article 4(c) of the Consumer Protection Law, have not been substantively fulfilled.

The most fundamental weakness within the overall structure of Minister of Health Decree Number HK.01.07/MENKES/301/2026 lies in the lack of clarity regarding its supervisory framework. The NINTH Provision (Diktum Kesembilan) merely states that the Central Government and Regional Governments shall conduct guidance and supervision in accordance with their respective duties, functions, and authorities, without specifically designating which institution is responsible as the principal supervisory authority for the implementation of the Nutri-Level system. This lack of clarity becomes even more problematic when considered in relation to the authority of the Food and Drug Supervisory Agency (BPOM). Pursuant to Article 4 of Presidential Regulation Number 80 of 2017, BPOM is authorized to conduct supervision over drugs and food products, including product testing, the issuance of distribution permits, investigations, and the imposition of administrative sanctions. However, Minister of Health Decree Number HK.01.07/MENKES/301/2026 does not explicitly assign supervisory authority over the Nutri-Level system to BPOM, even though such authority should have been clearly affirmed within the regulatory framework of the Decree itself. As a result, a serious form of institutional ambiguity arises. When enforcement mechanisms are inconsistent and supervisory institutions lack a clear division of authority, business operators are less likely to comply with regulatory requirements, and supervision cannot function effectively in protecting consumer rights (Amalia, 2026).

With regard to the legal consequences for non-compliant business operators, no specific provisions are contained within Minister of Health Decree Number HK.01.07/MENKES/301/2026. Instead, such provisions are dispersed across higher-level regulations. Government Regulation Number 28 of 2024 stipulates in Article 196 that violations of regulations concerning sugar, salt, and fat (SSF) content in processed foods may be subject to administrative sanctions. Nevertheless, the existence of sanctions under Government Regulation Number 28 of 2024 does not automatically resolve the institutional deficiencies contained in Minister of Health Decree Number HK.01.07/MENKES/301/2026. This is because Government Regulation Number 28 of 2024 regulates sanctions for violations of the maximum permissible SSF content in general, rather than specifically addressing violations of the obligation to display the Nutri-Level label. Consequently, there is no clear and explicit accountability mechanism applicable when business operators fail to comply with Nutri-Level labeling requirements. Such a condition directly conflicts with the guarantee of consumers’ right to appropriate legal protection as provided under Article 4(e) of the Consumer Protection Law.

Based on a normative assessment of Minister of Health Decree Number HK.01.07/MENKES/301/2026 using the four parameters of clear information derived from Article 4(c) of the Consumer Protection Law, it can be concluded that the supervision of health risk information on ready-to-eat processed foods in Indonesia has not been optimal in fulfilling consumers' right to clear information. These deficiencies are multidimensional in nature. From the perspective of information format, the Nutri-Level system, which adopts an informational and gradational approach, does not satisfy the parameters of comprehensibility and risk communication because consumers are still required to independently interpret the health implications associated with each classification level. From the perspective of regulatory oversight, the Ministerial Decree neither designates a specific supervisory authority nor establishes explicit sanctions for violations involving the failure to display the Nutri-Level label. This condition creates a significant normative gap between the consumer rights guarantees provided under the Consumer Protection Law and the existing regulatory framework.

3.2. The Ideal Form of Supervision over Business Operators' Obligation to Display Health Risk Labels on Ready-to-Eat Processed Foods for Consumer Protection Based on a Comparative Study of Indonesian and Chilean Law

Examining food regulations at the global level provides insight into the extent to which a country is committed to protecting consumers' right to accurate, clear, and honest information. One country that warrants comparison is Chile, which has established a comprehensive legal framework for food regulation encompassing both supervisory mechanisms and the enforcement of sanctions. Therefore, a systematic normative comparison between the legal frameworks of Indonesia and Chile is necessary, based on several supervisory aspects that reflect critical elements in ensuring the fulfillment of consumers' right to information as guaranteed under Article 4(c) of the Consumer Protection Law. These aspects include label format, the nature of business operators' obligations, scope of subjects, supervisory institutions, and sanctions for violations. The comparison is summarized in the following table, accompanied by visual illustrations of warning label placement on food product packaging in Chile as implemented under Law No. 20.606.

Table 1. Comparative Analysis of Supervisory Systems for Business Operators' Obligation to Display Health Risk Labels between Indonesia and Chile

Supervisory Aspect	Indonesia (Ministerial Decree No. HK.01.07/MENKES/301/2026)	Chile (Law 20.606)	Ideal Form of Supervisory Implementation
Label Format	Nutri-Level A–D, informational and gradational	Black octagonal symbol, resembling a "STOP" warning	Direct placement of an explicit warning label on the front of the package that communicates risk clearly without requiring consumer interpretation
Nature of Obligation	"May" / optional, thus not mandatory	Mandatory / imperative for all business operators	Obligation is mandatory and does not depend on the discretion of business operators, consistent with the character of consumers' right to information under Article 4(c) of the Consumer Protection Law

Scope of Business Operators	Large-scale operators only	All business operators	Coverage includes all business operators regardless of scale, since the Consumer Protection Law does not differentiate consumer rights based on producer size
Supervisory Authority	Not specifically designated; only states "according to respective duties and functions"	Ministerio de Salud / Ministry of Health (MINSAL) as the principal authority (Decree 977, Article 4)	Designation of a single, specific supervisory institution with clear division of authority between the Ministry of Health and BPOM
Sanctions for Violations	Not regulated in the Ministerial Decree; only generally addressed in Government Regulation No. 28 of 2024 (not specific to Nutri-Level labeling)	Explicitly regulated in Article 10 of Law 20.606 referring to the Sanitary Code	Measurable, tiered, and specific administrative sanctions for violations of the obligation to display health information labels



Figure 1. Octagonal Warning Label on Food Products in Chile

Source: Taillie, L. S. (2024). *Chile Provides a Convincing Case for Mandatory Warning Labels on Processed Food* (Lindsey Smith Taillie, 2024).

Based on the comparative table and figure above, there are fundamental differences between the supervisory systems governing business operators' obligation to display health risk labels in Indonesia and Chile, which can be analyzed normatively across three main dimensions. The first dimension concerns label format and the nature of the obligation. Indonesia's Nutri-Level system is informational and gradational, with classifications from A to D, requiring consumers to interpret the health risks associated with each level independently. This contrasts with Chile's warning label system, which employs a black octagonal symbol accompanied by explicit warning text that can be immediately understood without additional interpretation. Furthermore, the FIRST Provision of the Ministerial Decree uses the phrase "may be implemented," indicating an optional rather than mandatory requirement. Although the TENTH Provision stipulates that the Nutri-Level display will become mandatory two years after the establishment of maximum sugar, salt, and fat (SSF) thresholds as prescribed in Government Regulation No. 28 of 2024, the Minister of Health regulation that should establish these maximum thresholds has not yet been issued. Consequently, the two-year period for mandatory Nutri-Level labeling has not yet commenced. This contrasts with Chile, which, through Decree No. 13 of 2015, established specific and measurable SSF thresholds from the outset as the basis for the obligation to display warning labels.

The second dimension concerns institutional arrangements. The NINTH Provision of the Ministerial Decree merely states that supervision shall be conducted “in accordance with respective duties and functions,” without specifying a particular institution, thereby creating institutional ambiguity between the Ministry of Health and BPOM as regulated under Presidential Regulation No. 80 of 2017. Normatively, this ambiguity generates a vacuum of authority, potentially resulting in no legally responsible party ensuring business operators’ compliance with the Nutri-Level labeling obligation. This differs from Chile, where Article 4 of Decree 977 explicitly designates the Servicios de Salud under the direction of the Ministerio de Salud / Ministry of Health (MINSAL) as the authority responsible for food sanitation control and ensuring compliance with all food regulatory requirements. Accordingly, Chile’s system exhibits institutional clarity that Indonesia lacks, namely the explicit appointment of an agency fully responsible for supervising compliance with food labeling regulations.

The third dimension concerns sanctions. Normatively, the Ministerial Decree does not contain provisions for sanctions in the event of violations of the Nutri-Level labeling obligation. Although Article 196 of Government Regulation No. 28 of 2024 provides for administrative sanctions, these provisions are general in nature, addressing violations of maximum sugar, salt, and fat (SSF) content, and do not specifically regulate violations of the obligation to display the Nutri-Level label. Consequently, there exists a clear normative gap in law enforcement. This contrasts with Chile, where Article 10 of Law No. 20.606 refers to strict sanctions under the Sanitary Code (Código Sanitario) Articles 155–160, ranging from fines and product seizure to the closure of business establishments. In terms of coverage, the Ministerial Decree applies only to large-scale business operators, whereas Chile’s Law No. 20.606 mandates compliance by all business operators without exception, representing a normative difference that directly impacts the protection gap for consumers of products from small- and medium-sized enterprises, despite the Consumer Protection Law guaranteeing rights to all consumers regardless of producer scale.

Based on the normative comparison of these three dimensions, it becomes evident that the weaknesses of the Indonesian system are not only found in the substantive provisions on labeling but also in the normative model of institutional and legal enforcement. The formulation of an ideal supervisory framework is not based solely on normative comparison with Chile’s system but also grounded in theoretical concepts within consumer protection law. According to Esther Masri et al., supervision is defined as an action aimed at narrowing opportunities for violations of applicable regulations, and further emphasizes that the supervision of consumer protection encompasses activities of monitoring, controlling, evaluating (Esther Masri, Otih Handayani, Rama Dhianty, 2023), and enforcing consumer protection provisions with the objective of ensuring business compliance and safeguarding consumer rights. This definition contains three essential elements: the existence of a clearly designated institution, concrete monitoring mechanisms, and strict enforcement. These three elements are normatively unfulfilled in Ministerial Decree Number HK.01.07/MENKES/301/2026, as previously elaborated.

A systematic law enforcement framework grounded in statutory instruments provides concrete legal certainty as well as effective coercive power for supervisory institutions to ensure business operators' compliance with labeling obligations. This situation contrasts with the framework currently in place in Indonesia. Normatively, supervision of compliance with health information labeling on processed foods has been conducted through two primary mechanisms under the authority of the Food and Drug Supervisory Agency (BPOM), as regulated in Presidential Regulation No. 80 of 2017, namely pre-market and post-market supervision. In the context of fulfilling consumers' right to information as guaranteed under Article 4(c) of the Consumer Protection Law, pre-market supervision should ensure that labels on products prior to circulation contain accurate, clear, and honest information, whereas post-market supervision should ensure that such information remains accurate and accessible throughout the product's availability in the market (Aldera, Apriningsih, & Wasir, 2024). However, a normative review of the implementation of these mechanisms reveals that they have not optimally guaranteed the fulfillment of consumers' right to clear information. To date, no specific regulations exist that establish accountability in the event of negligence in the execution of supervisory functions, a condition that directly affects the assurance of consumers' right to accurate and clear product information.

The normative weaknesses in guaranteeing consumers' right to information are also reflected in the low compliance of business operators with nutritional labeling obligations. Research conducted by Nurhayati, Satibi, and Sumarni indicates that non-compliance with food labeling regulations is primarily due to a lack of knowledge of the regulations, financial constraints, and indifference, suggesting the absence of supervisory mechanisms capable of compelling business operators to fulfill their obligation to provide clear information to consumers (Lyna Nurhayati, Satibi & Sumarni, 2022). This finding is corroborated by a study conducted by Raden Muhammad and Duhita Dhriyah, which examined the implementation of BPOM Regulation Number 26 of 2021 concerning the inclusion of nutritional information on processed food labels in the Home Industry Food Sector (IRTP) in Semarang. The study found that, out of 18 IRTP samples examined, 16 products failed to display nutritional information in accordance with the regulation (Raden Muhammad Mukhlisin, 2025). Normatively, this situation demonstrates that consumers' right to clear information, as guaranteed under Article 4(c) of the Consumer Protection Law, has not been substantively fulfilled, because the existing labeling obligations are not accompanied by supervisory or enforcement mechanisms capable of ensuring business compliance.

In addition to regulating the obligation to display warning labels, Chile has implemented stricter restrictions on the circulation and promotion of high sugar, salt, and fat (SSF) food products. Law No. 20.606, as amended by Law No. 21.362, Article 6, explicitly "prohibits the sale, marketing, promotion, and advertising of the aforementioned products within early childhood, primary, and secondary educational environments, including access areas leading to such institutions" (República de Chile, 2021). In contrast, comparable provisions are not yet found in Indonesian regulations. This difference in approach indicates that Chile's regulatory framework has progressed toward a more preventive consumer protection model, particularly

in limiting exposure to high SSF foods from an early age. Consequently, this comparative approach demonstrates that Chile's framework constitutes a preventive and comprehensive consumer protection model, which can serve as a normative foundation for formulating an ideal regulatory system for supervising health risk information in Indonesia.

Based on the normative comparison between Indonesia's Nutri-Level system and Chile's Warning Label system as described above, an ideal framework for supervising the obligation to display health risk information on ready-to-eat processed foods in Indonesia can be formulated, encompassing four key elements. First, from an institutional perspective, a specific supervisory authority should be designated with a clear division of responsibilities between the Ministry of Health and BPOM to prevent any vacuum of authority, as Chile designates MINSAL as the principal authority under Article 4 of Decree 977. Second, regarding sanctions, supervision should be supported by measurable and tiered administrative sanctions specifically addressing violations of the obligation to display health information labels, similar to Article 10 of Law No. 20.606, which refers to the Sanitary Code, to provide the supervisory institution with concrete enforcement power to ensure business compliance. Third, in terms of the scope of subjects, supervision should cover all business operators regardless of scale, since consumers' right to clear information, as guaranteed under Article 4(c) of the Consumer Protection Law, is not contingent upon the size of the producer. Fourth, concerning the protection of vulnerable groups, supervision should specifically include monitoring the sale and promotion of high sugar, salt, and fat (SSF) products within educational environments and to children under the age of fourteen, as stipulated in Article 6 of Law No. 20.606. All four elements are required simultaneously to ensure that the supervisory framework in Indonesia can guarantee the fulfillment of consumers' right to clear information, as enshrined in Article 4(c) of the Consumer Protection Law, a result that Chile has successfully achieved through Law No. 20.606, which integrates all these elements within a single comprehensive legal instrument.

4. Conclusion

Based on the analysis, two conclusions can be drawn. First, the supervision of the obligation to display health risk information on ready-to-eat processed foods under Ministerial Decree Number HK.01.07/MENKES/301/2026 has not been optimal in fulfilling consumers' right to clear information as guaranteed under Article 4(c) of the Consumer Protection Law. These weaknesses are multilayered, as the informational and gradational Nutri-Level system does not satisfy the parameters of comprehensibility and risk communication. From a supervisory perspective, the Ministerial Decree neither designates a specific supervisory authority nor provides for explicit sanctions for violations of Nutri-Level labeling, resulting in the substantive non-fulfillment of consumers' rights. Second, based on a normative comparison with Chile's warning label system, the ideal supervisory framework in Indonesia should simultaneously incorporate four essential elements: institutional clarity with a clear division of authority between the Ministry of Health and BPOM; measurable and tiered administrative sanctions specifically addressing violations of health information labeling obligations; expansion of

supervisory coverage to all business operators regardless of scale; and the protection of vulnerable groups through prohibitions on the sale and promotion of high sugar, salt, and fat (SSF) products in educational environments. These elements have been successfully integrated into Chile's Law No. 20.606 as a single comprehensive legal instrument.

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