



# THE URGENCY OF PASSING DRUG AND FOOD CONTROL LAW'S DRAFT IN THE LAW ENFORCEMENT OF AN ILLEGAL COSMETICS CIRCULATION

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## Abstract

The National Agency of Drug and Food Control (NADFC) in Indonesia faced various challenges while serving to provide quality assurance and safety-served cosmetics products equipped with clear data before they reach the consumer's hand. For this reason, drug and food supervision requires the specific legal to support NADFC with strong independence and authority to carry out its duties. The purpose of this study is to analyse the supervision and law enforcement process implemented by NADFC against the circulation of illegal cosmetics and analyse the urgency of passing The Drug and Food Control Law's draft as the specific legal to support NADFC's duties. This study used empirical legal research. The primary legal material was obtained through interviews and the secondary legal material was obtained from regulations, law books and law journals. The collected primary legal and secondary legal materials are analyzed qualitatively and presented in a descriptive form. The result showed that the NADFC's supervision of the cosmetics circulation includes the supervision of production process, licensing before distribution and post-market process. Meanwhile, law enforcement is carried out against violations of the law through the investigation process. As the specific legal to support NADFC's duties, the Drug and Food Control Law's draft is needed to be passed immediately to face the existing challenges.

**Keywords:** *Supervision, Law Enforcement, Cosmetics Distribution*

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## 1. Introduction

The challenges for the National Agency of Drug and Food Control (NADFC) are currently increasingly complex because they are faced with a wide scope of work areas and geographical conditions of Indonesia which is an archipelagic country, population growth, globalization and free trade, the development of science and technology, e-commerce, smuggling of illegal products, to the intersection of statutory mandates. The Drug and Food Control Law's draft was included in the discussion of the Prolegnas period of 2020-2024. This legal draft was discussed before in the Prolegnas period of 2014-2019 but it hasn't been completed until today. So far, NADFC carrying out its duties and function in

supervising the circulation of drugs and food without strong legal support. This legal draft is expected to strengthen the NADFC position.

The development of information technology accompanied by the industrial revolution 4.0 and The covid-19 pandemic encourages people to utilize information and communication technology in various aspects of their lives. For example, this advancement is utilized in fulfilling daily needs both medicine and food including cosmetic products. The development of promotion and distribution channels for daily needs products are now not only through physical stores but has penetrated online sales through e-commerce. This condition is an opportunity that is misused by irresponsible people to run for the crime mode of illegal cosmetics circulation through cyberspace.

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Cosmetics are materials used on the outside of the body (ex. epidermis, hair, nails, lips and external genital organs), on the teeth and oral mucosa. Cosmetics are used to cleanse, fragrance, change appearance, improve body odour and protect or maintain the body to remain in the best condition. Cosmetics become an important human need from birth to the moment of leaving the world. This product is used repeatedly throughout the human body as long as they live, that's why it must meet the requirements of safe use (Tranggono & Latifah, 2014).

Before distribution, cosmetic products must have a distribution permit number in the form of a notification issued by NADFC, as stipulated in Article 106 paragraph (1) of Law No. 36 of 2009 concerning Health. Provisions regarding cosmetic notifications are regulated in the Regulation of the Minister of Health of the Republic of Indonesia No. 1176/Menkes/Per/VIII/2010 concerning Cosmetic Notification. The procedure for submitting cosmetic notifications to the Food and Drug Administration is regulated in the Food and Drug Supervisory Agency Regulation No. 12 of 2020 concerning Procedures for Submitting Cosmetic Notifications. Furthermore, the notification number will be given to the notification applicant and was valid for 3 (three) years. The notification number obtained shows that the cosmetics have been registered with the NADFC and are allowed to release to the market.

Illegal cosmetics are cosmetics that do not have a distribution permit or have not been notified and do not meet the provisions of the laws governing the circulation of cosmetics. Illegal cosmetics can be made from expired products that have had their production date replaced, or products repackaged as if they were well-known brands. Illegal cosmetics can also be produced by irresponsible people who add harmful ingredients and are prohibited from use in cosmetics (Rena, 2019).

Electronic commerce (e-commerce) is a form of business using the internet and computers to carry out selling transactions without having to present physical business people. This method makes it easier for consumers to get the products they need without having to leave the house. The presence of e-commerce forms a

new culture in the lives of people around the world, including in Indonesia (Anjani & Santoso, 2018).

Consumers are interested in shopping online through e-commerce because of the availability of a wide variety of goods offered. In addition, the type of goods, the choice of brand, size, colour, and models are almost all available so that consumers can easily search according to their needs. Consumers are greatly helped in meeting their needs during the Covid-19 pandemic where people's movements are restricted to prevent the wider spread of the virus (Juniar & Jusrianti, 2021).

Data from the Ministry of Communication and Information Technology shows a surge in online shopping activities to 400% during the Covid-19 pandemic. Large-scale social restrictions (PSBB) during the Covid-19 pandemic are the main reason for changing people's shopping culture to online shopping. Online shopping is an effort to reduce the risk of spreading the virus when in a crowd (Amelia et al., 2021).

The phenomenon due to the presence of cyberspace when viewed from a legal point of view affects the model of legal regulation in the cyberspace world. Cybercrime is one of the modern crimes committed by criminals using telecommunication devices and information technology using computers and internet access. These criminal acts can cause financial losses and may pose a danger to society or the state (Barkatullah, 2019). During the Covid-19 pandemic, illegal cosmetic crimes on online circulation channels through e-commerce have increased. This is a challenge for surveillance and enforcement by NADFC's investigators.

Cosmetics are essential commodities whose production, distribution and consumption need to be intervened by the state. The circulation of these cosmetic commodities must be accompanied by a comprehensive and integrated supervision system. The increasing challenges of cosmetic supervision today, including the circulation of cosmetics through e-commerce, require a legal support law that can be the basis for the implementation of supervision for community protection and increasing the competitiveness of cosmetic businesses, especially domestic Micro, Small

and Medium Enterprises (MSME) production. NADFC as a supervisory institution, must be able to be independent and move quickly to act as a regulator, supervisor and law enforcement.

The urgency of supervision and law enforcement in the field of medicine and food in Indonesia is required to have a legal basis for NADFC. So that NADFC can protect Indonesian citizens by utilizing technological sophistication with the presence of a legal support law that can provide firm legal certainty.

## 2. Methods

This study used empirical legal research. The author uses the statutory approach to analyse problems normatively while the interdisciplinary approach is used to examine the application of law in society.

The interdisciplinary approach solves problems through analysis from the perspective of various disciplines related to the problem under study. The distribution of cosmetics without a distribution permit through e-commerce has implications for various areas of people's lives. The legal perspective examines the obedience of the community as a business actor in applying Good Cosmetic Production Methods, the economic perspective examines the ease and efficiency of buying and selling through e-commerce, the cultural perspective examines the new cultural changes from traditional shopping through face-to-face selling culture to online shopping by utilizing technological advances, the psychological perspective highlights changes in shopping patterns that are more at home, following trends and advertisements on TV and social media. From the political perspective, with shifts in crime patterns, it is necessary to design regulations that offset crimes that arise as a result of technological advances. The interdisciplinary approach seeks to assure that the understanding of legal policies has been implemented in a comprehensive, targeted, and accurate manner. Thus the application of the law runs fairly and effectively to prevent the occurrence of unwanted risks (Irwansyah & Ahsan Yunus, 2021).

The data sources used are primary legal materials and secondary legal materials. The

primary legal material was obtained through interviews and the secondary legal material was obtained from a literature study of laws and regulations, books and legal journals related to the data studied. The collected primary legal and secondary legal materials are analyzed qualitatively and presented in a descriptive form.

## 3. Results and Discussion

### The Implementation of Supervision and Law Enforcement of Illegal Cosmetics Circulation through e-Commerce

Supervision when viewed from a public administration approach is the application of knowledge and experience gained from the world of business management and other disciplines to improve the efficiency and effectiveness of public services (Handayani & Sakawati, 2021). Supervision of cosmetic products circulating in the community aims to ensure the safety and quality assurance of these products. The cosmetic supervision system aims to prevent the circulation of illegal cosmetic products in the form of cosmetics without a distribution permit, having excessive claims, damaged packaging products, expired products or those containing hazardous ingredients (Muhlis et al., 2021).

Good Cosmetic Production Methods greatly influence the production of cosmetic products that meet the quality standards of safety and expediency of cosmetic products. The government, in this case, NADFC continues to facilitate and assist the cosmetic industry, both MSMEs and large-scale industries, to be able to apply Good Cosmetic Production Methods in the process of making their products. Thorough supervision and monitoring by the quality control team throughout the production process are very important to ensure that the products that reach consumers are safe and useful (Widiarty & Tampubolon, 2020).

NADFC's guidance and supervision of cosmetic circulation are carried out in the implementation of production, import, and licensing activities for distribution and the consumer's use of cosmetics. The provision of guidance aims to provide quality assurance and safety of cosmetic products in circulation, improve the technical ability and application of GMP by entrepreneurs and develop a cosmetics business in Indonesia. The

Distribution License Number in the form of a cosmetic Notification Number, expiration date and batch number are marking requirements that must be included on the primary packaging and secondary packaging of a cosmetic product (Zulfadhli & Muhammad, 2021).

To supervise, NADFC carries out security/prevention activities against the circulation of illegal cosmetics through e-commerce with the aim of (a) Compile studies and analyse trends and predicting the development of crime modes and motives in line with technological advances; (b) As a basis for law enforcement to follow up patterns through intelligence and security operation mechanisms in investigation activities; (c) Securing NADFC vital objects.

One of the functions of law is as a means of social control where this function is to force all citizens to obey the rule of law and the prevailing legal order. To realize and provide public health protection approaches and

strategies are carried out to minimize existing challenges. The form of social control carried out by NADFC is taken through preventive and repressive efforts. In responding to challenges to supervision and law enforcement in the field of drugs and food, the steps taken by NADFC are to carry out preventive efforts through prevention activities. Meanwhile, in repressive efforts through intelligence activities and investigations into criminal acts of illegal cosmetics circulation through e-commerce.

Cyber patrol activities are one of the prevention efforts to prevent and trace illegal cosmetics circulating in online media through website platforms, social media and e-commerce. Cyber patrol activities are carried out by NADFC in Makassar by monitoring accounts that promote and sell cosmetic products online in NADFC in Makassar's work area. The following table is the data from cyber patrols in 2021 – 2022 conducted by NADFC in Makassar:

Table 1. Cyber Patrols data in 2021 – 2022 conducted by NADFC in Makassar

Year	Platform	Summary	Profiling	Takedown
2021	IG	5	-	5
	FB	14	-	14
	Tiktok	1	-	1
2022	IG	35	13	22
	FB	17	8	9
	Tokope dia	139	-	139
	Blibli	2	-	2
	Shopee	1	-	1

Source: NADFC in Makassar, 2022

Table 1 shows the results of cyber patrol activities carried out by NADFC in Makassar's investigators by accessing social media such as Facebook, Instagram, and TikTok. Meanwhile, supervision of e-commerce is carried out by accessing marketplaces such as Tokopedia, Blibli and Shopee. Then a report on the results of cyber patrols is made containing information about the type and name of the platform, account name, URL link, domicile area of the account owner, information on illegal cosmetic products sold, and further recommendations in the form of takedown or profiling. Takedown is carried out on accounts with small sales networks without resellers by applying the Deputy for Enforcement of the NADFC, it will

then be forwarded to the Ministry of Communication and Information for the removal of product advertisements and seller accounts. While profiling is carried out on accounts that have an extensive sales network with many resellers. If sufficient preliminary evidence is found, it will be escalated to a repressive state to crack down on perpetrators of crimes through the law enforcement process until a legally enforceable decision is obtained.

The difficulty encountered in cyber patrols when one account has undergone a takedown, often the same ads will reappear using the new account. That's why continuous supervision is needed to provide optimal protection to the community as consumers. The condition can

be a consideration for the Ministry of Communication and Information to formulate business license registration regulations for accounts that will sell cosmetic products through website platforms, social media and e-commerce. This is expected to facilitate the tracing of illegal cosmetic seller accounts and suppress the emergence of new accounts when old accounts have been taken down.

If preventive measures have been taken but violations of provisions in the form of illegal cosmetic circulation through e-commerce still occur, then NADFC in Makassar's investigator makes repressive efforts in the form of law enforcement following the provisions stipulated in Law No. 36 of 2009 concerning Health. Law enforcement and justice is a series of processes involving various agencies or state officials. In modern state structures, law enforcement tasks are carried out by the executive component and carried out by an executive bureaucracy called the law enforcement bureaucracy. Executive power and its bureaucracy are an integral part of realizing the objectives stated in the regulations governing their respective fields (Hejazziey, 2015). As well as in law enforcement in the field of drugs and food, especially the criminal act of illegal cosmetics circulation through e-commerce involving NADFC's investigator, in this case, is run by NADFC in Makassar's investigator for the working area of South Sulawesi Province.

Law enforcement efforts carried out by NADFC in Makassar's investigator against the circulation of illegal cosmetics through e-commerce are carried out by the provisions stipulated in the Criminal Procedure Law through the stages of an investigation, examination, and completion of case files to the stage of submitting case files to the prosecutor's office in coordination with the South Sulawesi Police Officers. This effort is expected to be able to provide legal certainty by taking firm action against perpetrators by their actions. Thus, they realize that their act of distributing illegal cosmetics through e-commerce is unlawful and harmful to society and can cause harm to the state.

The law enforcement process can be influenced by several factors. As stated by Soerjono Soekanto, the main problems of law

enforcement can be affected by the following factors (Hejazziey, 2015):

### **Legal Factors**

Law enforcement against the criminal act of illegal cosmetics circulation through e-commerce is currently based on Law No. 36 of 2009 concerning Health. Along with technological developments that are in line with globalization and business growth, clear and strong regulations are needed. This law has not regulated the function of authority related to preventing deterrence, intelligence and expanding the authority of NADFC's investigators and investigations. Cybercrime is increasingly massive today, so law enforcement country in Indonesia requires strong and clear legal provisions related to drug and food supervision which includes regulations regarding the supervision of cosmetic circulation. This regulation is expected to be the basis for implementing repressive measures to tackle cybercrime of illegal cosmetics circulation through e-Commerce

### **Law Enforcement Factors**

The main purpose of the law is to create a peaceful and orderly society to create a balance between the implementation of obligations and the fulfilment of the rights of every citizen. This cannot be realized in society if law enforcement does not carry out its role as well as possible as law enforcers. Sociologically, every law enforcer has a position and role. Ideally, investigators as law enforcement officers play a role in supporting the fulfilment of people's human rights and state law. An investigator should be able to maintain public security and order, enforce the law and provide protection, protection and services to the community. The main problem of law enforcement in Indonesia is not in its legal system but lies in the quality of its law enforcement. The issue of law enforcement transparency is closely related to the accountability of the performance of law enforcement agencies.

One of the factors that cause weak law enforcement in Indonesia is the low morality of law enforcement officials (investigators, prosecutors, judiciary, advocates, and prisons) and the fact that judicial corruption is ingrained and difficult to eliminate. Law

enforcement will be effective if law enforcement agencies act professionally, honestly and apply the principles of good governance. For NADFC in Makassar's investigator, the obstacles faced in carrying out their role in the process of legal enforcement of illegal cosmetics circulation through e-commerce originate from oneself due to limited ability to carry out digital forensic activities in tracing criminal acts in the cyber realm. Meanwhile, external factors that influence by the limited authority in the implementation of forced efforts during the investigation process.

### **Facilities and Supporting Facilities Factors**

The availability of supporting facilities in the prevention and eradication of cybercrime is strongly influenced by technological developments. In the process of detecting and tracking criminal cases, the circulation of cosmetics through e-commerce requires appropriate forensic computer equipment facilities in proving crimes in the form of hardware and software. Without actual means and support facilities, investigators have difficulty aligning their proper role in uncovering crimes that occur.

The process of procuring digital intelligence equipment is hampered due to the limited budget to buy expensive software for digital intelligence purposes. Therefore in the investigation process, NADFC in Makassar's investigator will ask for assistance from the Cyber Directorate of the NADFC, or the Regional Police officers of South Sulawesi or through other intelligence networks when they need digital intelligence.

### **Community Factors**

Reviewed from sociology and economics, technology influences communication on buying and selling transactions in the community. If previously the community made direct meetings as a means to share information and buy and sell transactions, with technology the process of exchanging information and buying and selling transactions can be done without having to meet face to face. This change has a huge impact on the community's economy, especially for people who run businesses on small, medium and large scales. Business actors utilize technology in marketing products

through online social media known as social media marketing (Utami et al., 2022).

With this convenience, entrepreneurs can save promotional costs, especially for Micro, Small and Medium Enterprises (MSMEs) with small amounts of capital. They can promote products that can be reached by consumers throughout Indonesia and abroad without having to be limited by space and time. The negative impact faced by the public about this convenience is the possibility of product counterfeiting, fraud, theft in financial transactions, and so on.

Community participation in law enforcement is very important, the community is required to be able to be legally literate. As a consumer, it is important to have legal awareness of what should be done or done or should not be done and respect for the legal rights of others. Equal distribution of knowledge about state regulations to all levels of society is needed. The obstacle of concern is the uneven dissemination of information related to the positive state laws that apply to remote areas as a result of factors that have not optimally reached this location.

NADFC provides the widest possible information through [www.pom.go.id](http://www.pom.go.id) to find as much information as you want to know about cosmetics. In addition, there is also a NADFC MOBILE application that can be installed on mobile phones using the Play Store on Android-based devices and the App Store on Apple-based devices. Through the use of the NADFC MOBILE application, consumers can independently check the legality of cosmetic products to be purchased.

Law enforcement is not only placed under the full responsibility of law enforcers. The public is required to tour and play an active role in preventing violations by equipping themselves with as much information related to cosmetics as possible. In addition to socialization, other means can be accessed by consumers themselves with the help of technological advances. The independence of consumers in seeking information related to cosmetic products they use or will buy is very helpful in preventing illegal cosmetic purchases through e-commerce.

### **Cultural Factors**

The change in people's shopping culture from traditional shopping through direct stores to online shopping affects the law enforcement process of illegal cosmetics circulation through e-commerce. Economically, high market demand will be followed by a large number of goods provided by the market to meet consumer demand. Technological advances make it easier for business actors to create advertisements on social media and electronic media that can affect people's shopping interests (Asirah et al., 2023). The many types of products born in the industrial era 4.0 supported by the era of society 5.0 facilitate people's shopping activities through e-commerce based on digital technology and online transactions (Hendarsyah, 2019). Therefore, business actors are obliged to convey complete, true, clear and honest information. This obligation is a consumer right that must be fulfilled by business actors. Ideally, business actors not only highlight information related to the advantages of the cosmetic products they produce but must also be balanced with the delivery of information that contains the risks of using these products (Safitri, 2021).

Cybercrime in the field of drugs and food will continue to grow following the changing times therefore NADFC requires large resources, a lot of investigation costs, more time and various efforts to investigate, prosecute and punish perpetrators of crimes. Law enforcement must race to keep up with the times to offset the development of criminals in cyberspace.

### **The Urgency of Passing Drug and Food Control Law's Draft in the Law Enforcement of An Illegal Cosmetics Circulation Through e-Commerce**

Health is a human right, that is fully guaranteed by the state and must be realized by the ideals of the Indonesian nation stated in the Preamble of the Indonesian National Constitution in 1945. To improve the degree of public health, the state needs to make various efforts to realize the highest possible public health through the establishment of standards and requirements for drugs and food to be circulated throughout Indonesia. To protect the public from the risks that may be caused by the use of drugs and foods that do not meet the standards and requirements, a

comprehensive and integrated drug and food control system is needed. So far, regulations regarding drug and food supervision, including cosmetic products are still scattered in various laws and regulations because there is no special regulation regarding drug and food supervision.

Technological and economic developments have produced various types of goods and services to meet consumer needs. Transactions and flows of goods and services can cross borders between countries (borderless). Allows consumers to buy products from anywhere, without time limits and regional boundaries. Consumers become easy objects for entrepreneurs to target new product innovations to obtain maximum profits at minimal costs with the help of promotion through electronic media.

Based on Presidential Regulation No. 80 of 2017, the National Agency of Food and Drug Control (NADFC) is a non-departmental government institution that carries out government activities in the field of drug and food supervision. One of NADFC's strategic functions is to protect the public from the risk of unqualified, counterfeit, substandard and illegal drug and food products. NADFC always strives to strengthen the Food and Drug Control System comprehensively and comprehensively. Food and Drug Control activities include various aspects ranging from the process of preparing facilities and product standards, product assessment in the context of registration (product registration), sampling or sampling in the field, an inspection of production and distribution facilities, laboratory testing of samples of products that have been sampled, to the process of investigation and law enforcement against parties who violate the way of production and distribution and circulation of products not following the provisions of the legislation in the field of drugs and food.

NADFC's business processes aim to maintain the safety, quality and usefulness of products circulating in the territory of Indonesia. This includes the circulation of cosmetics, starting from the beginning of registration, and production to become the final product that is ready to be used by consumers. Furthermore, when the product is circulating, as a form of protection for consumers, NADFC carries out

product sampling activities after circulation and then conducts testing to ensure the compliance of business actors in maintaining the quality of the products being circulated. Supervision is a public service function carried out by NADFC to contribute to the process of protection of citizens to achieve the goal, namely a quality, safe and useful final product that is maintained in quality as long as the business actor has a distribution permit number for the cosmetic products he registers.

The challenge for the Food and Drug Administration as the food and drug supervisory authority in Indonesia is currently becoming more complex because they are dealing with technological developments and e-commerce, a wide scope of work areas, geographical conditions consisting of thousands of islands and there are still many remote areas that are still difficult to access so some are still not covered by supervision. Globalization and free trade cause the narrowing of trade boundaries between countries (borderless) so that goods from abroad become easier to enter Indonesian territory. This is an opportunity for illegal products that enter the distribution chain in the territory of Indonesia.

To produce safe, quality and useful products for consumers, supervision of cosmetic products begins from the production process (pre-market supervision) in the form of fulfilling established procedures and requirements. Pre-market supervision before the cosmetics product enters the market includes inspection of the facility of cosmetic production and the issue of the cosmetics production license recommendations (Hartanto & Syafiina, 2021). Fulfilment of the provisions of Good Cosmetic Production Methods provides convenience in accelerating licensing processing. Law No. 36 of 2009 concerning Health, has not regulated comprehensive supervision starting before production, production period to post-production stage. Post-market supervision is carried out through sampling and testing activities of cosmetic products that have obtained distribution permits and have been marketed (Suyudi et al., 2022).

The Urgency of Passing the Drug and Food Control Law's Draft in the cosmetic production process is related to coaching,

providing technical guidance and mentoring for MSMEs to increase competitiveness. Through the assistance of MSMEs in the production process to obtain distribution permits, it is hoped that the quality of cosmetic products produced will be much better so that they can increase income from the MSME sector.

Law enforcement carried out by NADFC's investigators against the circulation of illegal cosmetics through e-commerce is currently based on Article 197 of Law No. 36 of 2009 concerning Health. The results of Ujang Solihin's research show that law enforcement in the implementation of Law No. 36 of 2009 concerning Health has not been effective and inadequate because traders are still found selling illegal cosmetics (Solihin & Fakhriah, 2021).

With the rapid development of technology accompanied by the industrial revolution 4.0 and ease of doing business, NADFC needs clear and strong regulations, both strategic and administrative, as well as technical and tactical operations to deal with crime in the cyber domain. Although the cyber world is virtual, the law is still needed to regulate all citizen activities through the cyber world. The reason is that cyber media users are real humans who need protection. So even though buying and selling transactions carried out occur in cyberspace, the impact is felt by consumers in the real world. That is the importance of regulation by law of all community activities in cyberspace (Dhadha et al., 2021).

The absence of regulations regarding drug and food supervision makes the NADFC as *lex specialis* causing limitations in investigating several cases of illegal drug and cosmetic circulation. One form of strengthening regulations regulated in the Drug and Food Control's Law Draft is the function and authority related to prevention, intelligence and investigation, including the expansion of the authority of NADFC's investigator in the event of forced efforts.

Based on the results of research conducted by Isaeni Ardan, the investigators, especially at NADFC in Makassar, can make forced efforts in the form of searches and seizures but do not have the authority to forcibly make arrests and detentions in cases of illegal cosmetics



circulation. If forcible arrest and detention are required, NADFC in Makassar's investigators will request assistance from police investigators. Although the arrest and detention process was carried out by the police, NADFC in Makassar's investigators carried out the investigation process along with the entire investigation (Ardan et al., 2021). The limited authority in the enforcement process to uncover cases of illegal commercial circulation through e-commerce is one of the factors inhibiting the performance of NADFC's investigators.

The existence of NADFC of Indonesia as stipulated in Presidential Regulation No. 80 of 2017 is considered not strong and comprehensive enough for an institution whose task is to oversee the circulation of drugs and food. Considering the importance of the supervisory duties carried out by NADFC, the Drug and Food Control's Law Draft is expected to soon be passed into the Food and Drug Control Law. NADFC's authority in conducting supervision and enforcement needs to be strengthened, as well as harmonizing various regulations on drug and food supervision both in the real world and in the cyber world. The existence of the Food and Drug Control Law is also expected to support the development and facilities of business actors in the drug and food sector.

#### 4. Conclusion

Supervision of the circulation of cosmetics starting from the stages before production, during production and after production is carried out as a preventive effort to prevent violations of the law of illegal cosmetic circulation through e-commerce. Furthermore, repressive efforts are law enforcement actions against violations of the provisions of Article 197 of Law No. 36 of 2009 concerning Health against the circulation of illegal cosmetics through e-commerce.

Along with the rapid development of technology accompanied by the industrial revolution 4.0 and ease of doing business, the Food and Drug Control's Law Draft is very important to be immediately passed into law as a basis for NADFC's officers to be able to carry out supervisory and law enforcement duties optimally.

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