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Research Article

Concept Of Consumer Protection Regarding The Availability Of Information On Snack Products Children In State Primary Schools

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Abstract

The research focuses on consumer protection related to the availability of product information on children's snacks sold at public elementary schools (Public Elementary School) in Indonesia. Many snacks lack essential details such as nutritional information, waste management education, halal certification, ingredients, and Food and Drug Monitoring Agency license numbers on their packaging, which violates Indonesian regulations. This study aims to explore the concept of consumer protection regarding product information, children's rights to safe goods and services, and the implementation of consumer protection in public elementary schools. Using a qualitative research method with a normative-empirical juridical approach, the study collects primary data through interviews and secondary data from literature, journals, and other related sources. The findings indicate that consumer protection involves safeguarding consumer rights by ensuring adequate product information. Educating children as consumers is crucial for developing awareness of their rights. Public elementary schools play a vital role in ensuring that snacks sold are safe, of good quality, and meet hygiene standards. Schools should implement effective monitoring systems, including regular inspections of snack production and compliance with health standards. Additionally, consumer education at schools should teach children to choose healthy snacks, read food labels, and understand their rights as consumers, fostering informed decision-making and healthier choices.

Introduction

Food is one of the most essential needs for fulfilling human physical requirements. In other words, food is a primary necessity that cannot be separated from the chain of human life. Various types of food are categorized into several terms within society, such as staple foods like rice, corn, and tubers, and light snacks like chips and crackers. Occasionally, staple food ingredients can be processed into snacks, depending on creativity during production.

As a result, many companies in the food industry see a highly promising business opportunity, as the production chain remains continuous. The diverse and easily bored preferences of humans compel food companies to create variations in their products. It is not uncommon for a single product to be developed into multiple variants. These changes range from adding new flavors and types to varying packaging sizes, such as small, medium, and jumbo packs.

Product variations in flavor and type do not merely aim to enhance the aesthetic aspect of the products but also to appeal to consumers' tastes. This trend is particularly noticeable in snack products, especially for children. However, snacks are not only a need for children but have also become part of adult necessities. Snacks are often considered a secondary need that can improve the mood of some people. Although this is a subjective opinion, it is based on the writer's observations in their local environment.

To this day, snacks remain a favorite activity for some people, particularly children, as they are considered mood boosters that bring happiness. Many of us, who have experienced childhood or even now, have felt the joy of having money and spending it on snacks with various flavors and types. Therefore, children's snack products will be the focus of the writer's research.

The variety in shapes and flavors of snacks is greatly enjoyed by children. Sometimes, the delicious taste makes children use snacks as a complement or ingredient in their meals, such as rice, instant noodles, chicken porridge, meatballs, and more. Although snacks are not staple foods, they do not diminish the children's desire to continue buying and consuming them in various forms and flavors according to their preferences.

Through observation, the writer notes that behind the delicious taste of children's snacks, there are aspects that warrant scrutiny. Some children's snack products are indicated to violate the regulations stipulated by positive law in Indonesia. These violations include the lack of complete information on the products marketed around elementary schools. The missing information includes nutritional values, waste management education, halal labels, ingredients, and FDSA (Food and Drug Supervisory Agency) registration numbers. This information is crucial for business actors (producers) to provide in their product marketing.

Nutritional value information, waste management education, halal labels, ingredients, and FDSA registration numbers aim to educate consumers about the products they consume, as stated in Article 1, paragraph 3 of Law Number 8 of 1999 on Consumer Protection: "Consumers have the right to correct, clear, and honest information regarding the condition and guarantee of goods and/or services." Similarly, Article 1, paragraph 6 of the same law states, "Consumers have the right to receive guidance and education."

The importance of including nutritional value information, waste management education, halal labels, ingredients, and FDSA registration numbers on products lies in their ability to inform consumers. For instance, if a consumer has health issues requiring them to avoid certain nutrients, consuming snacks containing those nutrients could harm their health, causing significant losses for the consumer.

The writer's observations of children's snack products reveal various packaging sizes, ranging from small to large. Prices vary depending on the snack type and packaging size, with small packages priced from IDR 500 (five hundred rupiahs) per pack, and medium or large packages priced from IDR 5,000 (five thousand rupiahs) to IDR 10,000 (ten thousand rupiahs) per pack.

Some business actors fail to provide clear information on the marketed products through their packaging design for children's snacks. This indirectly reflects weak supervision of the regulations governing product compliance. Law Number 8 of 1999 on Consumer Protection was established to set standards for the behavior of business actors and consumers in production and consumption. Therefore, when behavior exceeding the regulations is detected, evaluation by authorized institutions becomes necessary.

One such institution is the FDSA, alongside the National Consumer Protection Agency. Ideally, business actors are required to obtain FDSA approval as proof that their products meet FDSA standards before marketing them. Even with FDSA approval, health-related information (nutritional values), waste management education, halal labels, ingredients, and FDSA registration numbers must still be included on product packaging.

The National Consumer Protection Agency has the authority to evaluate business actors who are found not to comply with applicable regulations. The agency, as described in Law Number 8 of 1999 on Consumer Protection, serves as a third party with full authority to protect the rights and obligations of business actors and consumers. Consequently, the right of consumers to access information about nutritional values, ingredients, FDSA registration numbers, and more on children's snack products falls under the agency's purview.

In life, humans cannot be separated from oversight, whether formal or informal, structural or cultural. Causality aptly describes the relationship between two interdependent variables. For example, human activities inevitably link productive and consumptive patterns. Productive activities, such as food production, connect with consumption patterns, where the products are consumed, generating waste in the environment. Therefore, it is unsurprising that waste increases with population growth.

Besides the absence of nutritional value information, ingredients, and FDSA registration numbers on some children's snack packaging, the lack of waste management education messages or logos is also concerning. Article 14 of Law Number 18 of 2008 on Waste Management states, "Every producer must include labels or signs related to waste reduction and handling on their packaging and/or products." This indicates that some children's snack products violate applicable regulations in their distribution.

In conclusion, the above explanation highlights indications of violations in children's snack products according to positive law in Indonesia, specifically Law Number 8 of 1999 on Consumer Protection. Based on this, the writer concludes their research with the title: "The Concept of Consumer Protection Regarding the Availability of Product Information on Children's Snacks at Public Elementary Schools."

Method

This research is a legal study of a juridical-empirical nature. Juridical research focuses on legal norms and principles derived from legislation, court decisions, and the doctrines of legal experts. Empirical research, also known as sociological or field research, examines real-world conditions. Thus, the researcher believes that the juridical-empirical approach can depict the implementation of the law in relation to existing social conditions.

The approach used in this research is the Statute Approach, which involves analyzing all relevant laws and regulations related to the legal case at hand. Following this, the researcher will employ a Case Approach to examine the specific case in relation to the existing legal issues. This will allow the study of the case from the perspective of Consumer Protection Law and related regulations.

The nature of this research is descriptive, aiming to outline the characteristics of the research subject. Descriptive research is designed to accurately depict the traits of individuals, situations, or phenomena and to determine whether there is a relationship between various phenomena in society.

This research will utilize primary, secondary, and tertiary data sources. Primary data refers to information collected directly from the source, while secondary data is obtained from published materials such as books, articles, and academic journals. Tertiary data includes sources that help broaden the understanding of the topic, such as dictionaries, encyclopedias, and news websites.

The primary data for this research will be collected through interviews with several key informants, including school representatives from various public elementary schools, such as Public Elementary School 060808 Medan, Public Elementary School 060824, and Public Elementary School 060825 Medan, as well as officials from the Consumer Protection Unit of the Department of Industry, Trade, Energy, and Mineral Resources of North Sumatra Province.

Secondary data will include legal documents, such as primary legal materials like laws, official records, and judicial decisions. Specifically, primary legal materials will include Law No. 8 of 1999 on Consumer Protection, Law No. 18 of 2008 on Waste Management, Law No. 36 of 2009 on Health, Law No. 18 of 2012 on Food, Law No. 35 of 2014 on Amendments to Law No. 23 of 2002 on Child Protection, and Government Regulation No. 28 of 2004 on Food Safety, Quality, and Nutrition.

Secondary data will also include legal references that are not official documents, such as legal publications, textbooks, e-books, legal journals, and expert commentary on regulations. Tertiary data will consist of

resources like the Indonesian Dictionary (BID), online news websites, encyclopedias, and health-related journals to provide broader insight into the subject matter.

Data collection will involve both field research and library research. Field research will be conducted to obtain primary data by directly interviewing informants, such as representatives from elementary schools and the Consumer Protection Agency in Medan. Library research will involve reviewing various reading materials, including books, articles, the internet, and mass media, related to the issue being studied.

Data analysis will be qualitative, focusing on descriptive data in the form of words or sentences. The analysis will be conducted using deductive reasoning, moving from general principles to specific or individual cases, in order to draw conclusions about the issues under investigation.

Results And Discussion

1. Consumer Protection Concept for Product Information

Legal protection for consumers refers to a legal framework created to safeguard consumers' rights, as outlined in the Consumer Protection Law (UUPK). The law aims to enhance consumer awareness, autonomy, and independence, allowing consumers to protect themselves from the negative consequences of using products. In this research, the focus is on packaged food products, particularly medicinal foods and food packaging. Respondents' views on consumer legal protection for such products were measured based on five indicators: public understanding of the UUPK, knowledge of the consistency of consumer protection law enforcement, and the availability of legal solutions to resolve disputes.

Consumer protection involves ensuring the fulfillment of guarantees regarding the protection provided to consumers, particularly those consuming certain types of food products. The balance between the rights and obligations of both consumers and businesses is crucial for effective protection. Businesses must uphold their responsibilities by producing quality and safe goods, adhering to applicable standards, while consumers should also be aware of their rights. Governments recognize the need for laws and regulations across various sectors to oversee the movement of goods and services. The enactment of the UUPK aims to address concerns about consumer protection that were previously neglected in Indonesia, striving to uplift the dignity of consumers and encourage businesses to operate responsibly.

The provision of product information is one important aspect of consumer protection. By offering information on product uses and ingredients, consumers are better equipped to make informed decisions. For example, food producers must indicate expiration dates on packaging before products are distributed to consumers. The Head of the National Food and Drug Monitoring Agency (FDSA) emphasizes the importance of this practice, which must be followed by businesses before products are marketed to consumers.

Many people mistakenly believe that consumer protection is solely the responsibility of consumer organizations. However, it is the shared responsibility of all stakeholders—governments, businesses, consumer organizations, and consumers themselves. Without the involvement of these four parties, fulfilling consumer welfare becomes a difficult task. The government plays a role in safeguarding the public and guiding businesses to promote the country's industrial and economic progress. Consumer protection is supported by enacting laws and regulations and monitoring their implementation, including setting standards for goods and services.

The UUPK regulates that businesses selling goods that do not meet the standards of weight, quantity, size, or expiration date, or those offering damaged or contaminated products, are subject to legal consequences. These businesses may face criminal penalties, including imprisonment for up to five years or fines of up to IDR 2 billion. The principle of product liability holds producers responsible even in the absence of a contractual relationship, provided that a consumer suffers harm due to consuming a defective food product.

To protect consumers from the negative effects of products such as packaged food with reduced weight, both government agencies and non-governmental organizations must take steps to ensure that consumer protection laws are properly implemented. Supervision is carried out by the government in cooperation with consumer

protection agencies. The UUPK also mandates the government to oversee consumer protection activities, ensuring that businesses comply with standards and foster healthy relationships with consumers.

The Food Law's objectives align with the general purpose of legal protection, including ensuring the availability of safe, nutritious, and quality food, promoting fair and responsible food trade, and ensuring food security at affordable prices for society. Consumer protection efforts are extended to compensate consumers for losses incurred due to the purchase of food products with reduced weight, in accordance with the Consumer Protection Law, which mandates compensation for such losses.

The balance between the rights and obligations of consumers and businesses should be maintained to protect the interests of both parties. Businesses must meet their obligations to provide safe and reliable products, while consumers must be aware of their rights. Effective legal protection involves both preventive and repressive measures. Preventive protection includes product registration before distribution to ensure that dangerous or harmful products are not introduced to the market. Repressive protection involves legal action taken against violators through court proceedings.

To maintain effective consumer protection, public participation is essential. Society must be involved in monitoring the protection provided by businesses, for example, by scrutinizing actions that harm consumers. This active participation helps ensure that consumer rights are upheld and that businesses adhere to their responsibilities.

2. Child Protection Concept for Obtaining Goods and Services

The issue of child protection in terms of access to food and services is crucial, especially in the context of school children who are considered consumers. Their age, being underage, makes them more vulnerable to risks such as food hygiene, health, and safety. While children focus on taste and cost, vendors tend to prioritize selling attractive, affordable food with little concern for safety and hygiene. Food poisoning incidents and the discovery of hazardous ingredients in school snacks have prompted concerns from various parties, including parents, schools, and food sellers, all of whom must take steps to address these issues.

The 1999 Consumer Protection Law (Law No. 8/1999) defines consumer protection as any effort to ensure legal certainty and safeguard consumers' rights. The primary objective is to increase consumer awareness and independence, protect them from negative effects of goods and services, and empower them to exercise their rights. Additionally, the law seeks to improve the quality of goods and services and foster ethical, honest business practices that contribute to consumer safety and satisfaction.

Under this law, consumers are defined as individuals who use goods or services for personal, family, or others' needs, but not for resale. Their rights, as outlined in Article 4 of the law, include the right to safety, the right to choose goods and services, the right to clear and honest information, and the right to compensation when goods or services do not meet agreed standards. These rights highlight the need for a balanced relationship between consumers and businesses, where the latter is obligated to meet specific responsibilities.

The obligations of business actors, as stipulated in Article 7 of the law, include providing accurate information, ensuring product safety, and serving consumers honestly and without discrimination. These obligations are essential for creating an environment where consumers' rights are respected. Business actors must also offer compensation for any losses incurred due to faulty or unsafe products. This mutual relationship between the rights of consumers and the duties of business actors is fundamental to consumer protection.

In addition to the Consumer Protection Law, other regulations also emphasize the importance of food safety and health for school children. For example, Law No. 18/2012 on food underlines the significance of ensuring food safety to protect public health. It also assigns local governments the role of implementing food safety measures. Similarly, Government Regulation No. 28/2004 highlights the importance of food quality, safety, and labeling, while Law No. 36/2009 on health ensures access to nutritious food for the community.

The 2014 amendment to Law No. 23/2002 on Child Protection also stresses the responsibility of parents, the community, and the government to ensure children's well-being, particularly in terms of health. Since children, especially those in schools, often lack the knowledge to recognize safe food, it is essential for various

stakeholders to monitor and ensure the safety of school snacks. The law further reinforces the need for a collaborative approach to protecting children's health, with a focus on safe food consumption.

The National Education System Law No. 22/2003 also includes a focus on promoting the health of students, which is influenced by the food they consume at school. Schools are required to have a healthy canteen that adheres to hygiene standards and offers nutritious food. In line with this, the Ministry of Education's regulation emphasizes the importance of providing assistance for the development of healthy school environments, including proper canteen facilities.

The Food and Drug Authority (FDSA) has also implemented regulations for maintaining safe school canteens, including ensuring the hygiene of food, avoiding harmful food coloring, and checking food labels. Schools are encouraged to provide handwashing facilities to further ensure hygiene. These regulations aim to maintain food safety standards and prevent the sale of contaminated or unhealthy snacks in schools.

Despite these efforts, many of the snacks sold in schools are often homemade or self-processed products sold outside the school grounds, which may not adhere to food safety standards. These snacks could be contaminated with harmful microorganisms or contain dangerous additives. Therefore, it remains essential for the government and other stakeholders to remain vigilant and ensure that the snacks consumed by children meet established health and safety standards.

The government plays a crucial role in balancing the interests of consumers and businesses. It is responsible for regulating and overseeing the protection of consumer rights, ensuring that businesses meet their obligations. According to the Consumer Protection Law, the government is tasked with supervising businesses and guaranteeing that consumers are protected from harmful products. This responsibility is further emphasized in the government regulations on consumer protection, which outline how the government should oversee and guide both consumers and business actors to create a fair and safe marketplace.

In conclusion, the government's role in consumer protection, particularly for children, is integral to ensuring that children receive safe, nutritious food while at school. This involves a concerted effort between various stakeholders, including parents, schools, food vendors, and the government, to create a safe and healthy environment for children. By adhering to the regulations and monitoring their enforcement, the government can help ensure that the food consumed by children is not only safe but also supports their overall health and well-being.

3. Application of the Concept of Consumer Protection in Public Elementary Schools Against Children's Protection from Obtaining Snack Products

This research explores the implementation of legal protection for children as consumers of school snacks in elementary schools. Children are often seen as vulnerable consumers, and businesses may take advantage of their lack of understanding. The study investigates how the legal system, including both positive law and Islamic law, applies protection to children, especially in the context of food products sold at schools. To obtain accurate data, the researcher used interviews and direct observations at several elementary schools in Medan.

In order to understand the legal protection provided to children as consumers of snacks, interviews were conducted with teachers, school committees, and vendors at three elementary schools: Public Elementary School 060808 Medan, Public Elementary School 060824 Medan, and Public Elementary School 060825 Medan. The school staff shared that before vendors could sell food, they were required to obtain permission from the school committee. The committee also played an active role in monitoring the food sold to ensure it met safety standards. For example, teachers were vigilant about the quality of food and would directly intervene if harmful products, like snacks containing illegal substances, were identified.

The teachers and school officials emphasized their commitment to ensuring the safety of the children. For example, at Public Elementary School 060808, teachers like Ibu Irdianita explained that they conducted checks on food vendors and even supervised the types of products being sold, including ensuring that no harmful substances were included in the snacks. Similarly, at Public Elementary School 060824, Bapak Muhammad Yasin highlighted how teachers and the committee worked together to guide the children on choosing safe

snacks. The committee's involvement was crucial, as they acted as the custodians of the children, overseeing the vendors' adherence to school rules.

In addition to the school staff, the study also interviewed several students from these schools to gain insight into their experiences with purchasing snacks. The students shared that they were generally given a small allowance, which they spent on snacks. Some mentioned that they preferred familiar snacks, while others noted the restrictions imposed by teachers on purchasing certain items, such as spicy snacks or non-food items like toys. These insights reveal the level of awareness among students regarding the safety of the food they consumed.

The vendors also played a role in ensuring the safety of the snacks. One vendor, Wiwik, shared that they had been selling snacks at Public Elementary S

chool 060825 for years and always ensured their products were safe and free from harmful substances. However, vendors also expressed concerns about the burdensome regulations on food labeling, which they felt were unnecessary for small-scale sellers. Despite this, they were committed to selling products that they believed were safe for the children.

Through the interviews with school officials, teachers, students, and vendors, it became clear that the schools had implemented a system of supervision to protect students from unsafe food. The school committee ensured that vendors followed the rules, and teachers guided the students in making safe choices. However, some challenges remained, such as the lack of clear labeling and the difficulty of enforcing certain regulations, particularly regarding the safety of food ingredients.

The research further explored the legal framework surrounding consumer protection, specifically the Indonesian Consumer Protection Law (Law No. 8 of 1999) and the Child Protection Law (Law No. 35 of 2014). The Consumer Protection Law provides general guidelines for protecting consumers' rights, while the Child Protection Law emphasizes the need to safeguard children's welfare in all aspects, including as consumers. The harmonization of these two laws is crucial in ensuring that children, as vulnerable consumers, are protected from harm in the marketplace.

One key issue identified in the study was the lack of clear consumer information provided by vendors. Some vendors did not display labels with ingredients or nutritional information, which is a requirement under the Consumer Protection Law. This lack of transparency can leave consumers, particularly children, unaware of potential risks associated with the food they purchase. Although the schools attempted to guide students on making safe choices, the absence of clear labeling remains a significant issue.

Moreover, the research found that while school committees and teachers were actively involved in monitoring vendors and guiding students, the broader issue of consumer education for children remained underdeveloped. Consumer empowerment programs for children are essential to ensure that they are well-informed about their rights and the safety of the products they consume. Currently, such programs are not widespread, and many schools still rely on the vigilance of teachers and committees to protect children from unsafe products.

In conclusion, the study highlighted the importance of legal protection for children as consumers of food at school. While the schools in this study have implemented mechanisms to ensure the safety of the snacks sold to students, challenges remain in enforcing regulations and providing adequate consumer education for children. The collaboration between school committees, teachers, and vendors is essential in ensuring that children's rights are protected, but further efforts are needed to address gaps in legal implementation and consumer education. As children continue to be vulnerable consumers, stronger legal frameworks and proactive consumer protection initiatives are necessary to safeguard their health and well-being.

Conclusion

The concept of consumer protection regarding product information refers to efforts made to protect consumers' rights related to the information provided about a product or service. The main goal of consumer protection regarding product information is to ensure that consumers can make informed and intelligent decisions based on accurate, honest, and transparent information about the products or services they purchase. Proper consumer

education for children is important to help them develop a good understanding of consumer rights, the ability to choose quality products, and an introduction to unethical business practices. This can be done through education in schools, programs organized by the government or non-governmental organizations, and involving parents and guardians in providing accurate understanding of responsible consumption. The application of consumer protection concepts in public elementary schools regarding the protection of children in obtaining snack products involves several steps. First, the school must ensure that the snacks provided to children are safe, of good quality, and meet hygiene standards. The school must have an effective monitoring and supervision system for the snack products sold at the school. This may include regular inspections of snack production places, verifying compliance with hygiene standards, and testing the quality and suitability of the snack products. The school plays a vital role in providing consumer education to children about the importance of choosing healthy and safe snacks. They should be taught to understand food labels, nutrition, and the importance of choosing balanced foods. Consumer education should also include an understanding of consumer rights, including the right to accurate information.

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