International Journal of Economics, Business and Innovation Research
https://e-journal.citakonsultindo.or.id/index.php/IJEBIR
E-ISSN : 2964-0865
IJEBIR

Implementation Of Law Number 8 Of 1999 Concerning Consumer Protection At The Dhiandra Brownies Msmes In Malang

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Abstract

The development of Micro, Small, and Medium Enterprises (MSMEs) in the food sector plays an important role in the national economy. However, it also faces challenges in ensuring consumer protection, particularly regarding product safety, information transparency, and business actors' responsibilities. This study aims to analyze the implementation of Law Number 8 of 1999 concerning Consumer Protection at Dhiandra Brownies MSME in Malang City and to identify the factors influencing its implementation. This research employed a qualitative method with an empirical juridical approach. Data were collected through a literature review of relevant laws and regulations, books, and scholarly publications, as well as through interviews and observations conducted at Dhiandra Brownies MSME. The data were analyzed descriptively and evaluatively to assess the conformity between legal provisions and business practices. The results indicate that the implementation of Law Number 8 of 1999 at Dhiandra Brownies MSME has been relatively effective. This is reflected in the provision of product information to consumers, efforts to maintain product quality and safety, and the fulfillment of business actors' responsibilities aimed at ensuring customer satisfaction. These practices demonstrate the fulfillment of consumers' rights to information, security, comfort, and safety in consuming food products. Supporting factors include the commitment of business owners, efforts to maintain consumer trust, and the utilization of digital media to

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disseminate product information. Meanwhile, inhibiting factors include limited legal understanding of consumer protection regulations, limited business resources, and the lack of optimal socialization and guidance for MSME actors

Keywords: Consumer Protection, Law Number 8 of 1999, MSMEs

INTRODUCTION

Micro, Small, and Medium Enterprises (MSMEs) are a key pillar of the national economy, contributing significantly to employment and meeting the public's consumption needs. In the food sector, MSMEs play not only an economic role but also a direct role in protecting consumer rights, particularly regarding product safety, clarity of information, and business accountability. According to data from the Ministry of Cooperatives and SMEs, the majority of MSMEs in Indonesia operate in the food and beverage sector, making it a strategic sector, yet at risk if consumer protection principles are not adequately implemented.

The phenomenon of weak consumer protection remains a pressing issue in Indonesia. Increased buying and selling activity, both directly and through digital media, is accompanied by an increased potential for consumer disputes due to the circulation of food products that do not meet regulations. This is reflected in the results of intensified supervision by the Food and Drug Monitoring Agency (BPOM) in the February–March 2025 period, which found 35,534 pieces of processed food that did not meet regulations, including products without distribution permits, expired, and damaged, with a value of more than IDR 500 million. These findings indicate the continued weakness in fulfilling consumers' rights to product safety and information, as well as the suboptimal accountability of business actors in ensuring food quality and safety (BPOM, 2025). Research shows that the position of consumers is still relatively weak compared to business actors, especially in small and medium-scale businesses that do not yet have business governance based on legal compliance.(Patricia & Ariawan, 2024)

Law Number 8 of 1999 concerning Consumer Protection (UUPK) serves as the primary legal instrument guaranteeing consumers' rights to comfort, security, safety, and correct, clear, and honest information. The UUPK also emphasizes the obligation of business actors to act honestly and responsibly in conducting their business activities. However, despite being in effect for more than two decades, the implementation of the UUPK in practice still faces various obstacles. Several studies have revealed a gap

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between the normative provisions of the law and the business practices carried out by business actors.(Pramita, 2023)

Empirical studies show that the suboptimal implementation of UUPK is often caused by low legal understanding of business actors, limited MSME resources, and minimal guidance and supervision from related parties.Kumalasaris (2022)found that in the practice of buying and selling consumer products, consumers are often disadvantaged due to incomplete product information and weak compliance by business actors with safety standards. Similar findings were also expressed byPanggabean & Badriyah, (2023)which states that business actors in general do not fully understand the legal rights and obligations as regulated in the UUPK.

The Dhiandra Brownies MSME in Malang City is a processed food business that produces and markets brownies to local consumers. In its operations, this MSME interacts directly with consumers through direct sales and the use of social media. This situation places the Dhiandra Brownies MSME in a strategic position in implementing consumer protection, while simultaneously making it vulnerable to potential non-compliance with legal provisions. Limited legal understanding, suboptimal inclusion of product information, and the lack of ongoing legal assistance have the potential to impact the level of implementation of the Consumer Protection Law (UUPK) in this MSME.

The urgency of this research is further heightened given that most previous research has focused on consumer protection in digital transactions or large-scale business sectors, and has been dominated by a normative legal approach. Studies specifically using an empirical legal approach to examine the implementation of Law Number 8 of 1999 on food MSMEs are still relatively limited. Yet, the characteristics of food MSMEs differ from those of large businesses, both in terms of business capacity, legal literacy, and patterns of interaction with consumers.

Based on these phenomena, urgency, and empirical findings, this research is crucial to analyze the implementation of Law Number 8 of 1999 concerning Consumer Protection in the Dhiandra Brownies MSME in Malang City. This research is expected to provide an empirical overview of the alignment between legal norms and business practices in the field, as well as serve as a basis for developing applicable and contextual recommendations for strengthening consumer protection in food MSMEs.

RESEARCH METHODS

This study uses a qualitative method with an empirical legal approach to examine the implementation of Law Number 8 of 1999 concerning Consumer Protection in the

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Dhiandra Brownies MSME in Malang City. The empirical legal approach is used to analyze the conformity between applicable legal provisions and consumer protection practices implemented by business actors.

The research data was obtained through a literature review of laws and regulations, books, scientific journals, and other documents related to consumer protection. In addition, primary data was obtained through interviews and observations at the Dhiandra Brownies MSME as the research object. The data sources consisted of primary legal materials in the form of Law Number 8 of 1999 concerning Consumer Protection and related regulations, as well as secondary legal materials in the form of literature and previous research results.

Data collection techniques included document studies, interviews, and observations. The data obtained were then analyzed descriptively and evaluatively by comparing consumer protection legal provisions with practices applied at the Dhiandra Brownies MSME. The results of the analysis were used to identify the level of consumer protection implementation and the factors influencing its implementation.

DISCUSSION

Implementation of Law Number 8 of 1999 concerning Consumer Protection at the Dhiandra Brownies MSME in Malang City

Law Number 8 of 1999 concerning Consumer Protection is the legal basis that regulates the relationship between consumers and business actors in order to create legal certainty, justice, and protection of consumer rights. The implementation of consumer protection in the Dhiandra Brownies MSME is analyzed based on its compliance with consumer rights and business actors' obligations as regulated in the Consumer Protection Law.

a. Implementation of Consumer Rights to Product Information

Article 4 letter c of Law Number 8 of 1999 states that consumers have the right to obtain correct, clear and honest information regarding the condition and guarantee of the goods they consume.

Based on product documentation and information provided through Dhiandra Brownies' marketing channels, consumers receive information about product names, variations, prices, and ordering information. This information helps consumers understand product characteristics before making a purchase.

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The availability of product information demonstrates businesses' efforts to fulfill consumers' right to adequate information. Providing clear information can help consumers make informed purchasing decisions and minimize the possibility of misunderstandings between consumers and businesses.

b. Implementation of Consumer Rights to Product Safety and Security

Article 4 letter a of Law Number 8 of 1999 explains that consumers have the right to obtain comfort, security and safety in consuming goods and/or services.

As a food business, Dhiandra Brownies, a small and medium-sized enterprise, has a responsibility to ensure that the products it markets are safe for consumption. This is reflected in the use of edible raw materials, a production process that prioritizes hygiene, and product packaging that ensures food quality until it reaches consumers.

From the consumer protection aspect, this practice shows that business actors are making efforts to fulfill consumers' rights to product safety and security as mandated by the Consumer Protection Law.

c. Implementation of Business Actors' Obligations to Guarantee Product Quality

Article 7 letter d of Law Number 8 of 1999 requires business actors to guarantee the quality of goods and/or services produced and traded based on applicable standards.

Based on business documents and available information, the Dhiandra Brownies MSME strives to maintain product quality by controlling raw materials, the production process, and product storage before marketing to consumers. These efforts demonstrate the business's awareness of maintaining product quality as a form of responsibility to consumers.

Consistency of product quality is an important indicator in the implementation of consumer protection because it is directly related to consumer satisfaction and trust in the products offered.

d. Implementation of Business Actors' Responsibilities towards Consumers

Article 19 of Law Number 8 of 1999 stipulates that business actors are responsible for providing compensation for losses experienced by consumers due to the use of traded goods and/or services.

At the Dhiandra Brownies MSME, business responsibility is demonstrated through a commitment to maintaining product quality and providing excellent customer service. Although no specific documentation regarding a written customer complaint mechanism

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has been found, efforts to maintain customer satisfaction demonstrate business awareness of the importance of customer responsibility.

Based on this analysis, the implementation of consumer protection at the Dhiandra Brownies MSME has generally reflected several principles contained in Law Number 8 of 1999, especially regarding the right to information, product safety, product quality, and the responsibilities of business actors.

Factors Influencing the Implementation of Consumer Protection in Dhiandra Brownies MSMEs

The implementation of consumer protection at the Dhiandra Brownies MSME is influenced by various factors that can be categorized as supporting factors and inhibiting factors.

a. Supporting Factors
   1. Businesses' commitment to customer satisfaction. Business continuity depends heavily on consumer trust. Therefore, businesses are motivated to maintain product quality and provide excellent customer service.
   2. Characteristics of MSMEs: Their relatively small scale allows them to build closer relationships with consumers, facilitating the delivery of product information and handling of consumer complaints.
   3. Leveraging digital media. The use of social media and digital marketing platforms facilitates the delivery of product information more quickly, transparently, and easily accessible to consumers.

b. Inhibiting Factors
   1. Limited legal understanding. MSMEs generally focus more on production and marketing aspects than on understanding consumer protection regulations. This situation has the potential to result in suboptimal implementation of consumer protection.
   2. Limited business resources. As micro and small businesses, MSMEs face limitations in human resources, time, and funding, which can impact their ability to comprehensively fulfill all aspects of consumer protection.
   3. Lack of guidance and outreach. The implementation of consumer protection is also influenced by the level of guidance and outreach received by business actors regarding consumer rights, business obligations, and applicable regulatory developments.

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Based on the data analysis conducted, it can be concluded that the implementation of consumer protection at the Dhiandra Brownies MSME has shown compliance with several principles stipulated in Law Number 8 of 1999. However, there are still factors that need to be strengthened, especially related to increasing legal understanding and strengthening the capacity of business actors so that consumer protection can be implemented more optimally.

DISCUSSION

Implementation of Law Number 8 of 1999 concerning Consumer Protection at the Dhiandra Brownies MSME in Malang City

Consumer protection is a legal instrument aimed at creating a balanced relationship between consumers and businesses. Law Number 8 of 1999 concerning Consumer Protection (UUPK) guarantees consumer rights and regulates the obligations that businesses must fulfill. According to Sinaga and Sulisrudatin (2015), consumer protection is not only oriented towards resolving disputes after a loss occurs, but also encompasses preventive measures through the fulfillment of basic consumer rights before a transaction takes place. Four basic consumer rights that must be protected include the right to security, the right to information, the right to choose, and the right to be heard.

In the context of the Dhiandra Brownies MSME, the implementation of consumer protection can be analyzed through the fulfillment of consumer rights as stipulated in Article 4 of the Consumer Protection Law and the obligations of business actors as stipulated in Article 7 of the Consumer Protection Law. Based on the results of the analysis of business documents, product information has been conveyed to consumers through the packaging and promotional media used. This information includes the product name, product variations, price, and ordering mechanism. The provision of this information demonstrates an effort to fulfill consumers' rights to obtain correct, clear, and honest information regarding the condition of the goods offered.

The right to information is one of the most crucial elements of consumer protection. Amiruddin (2022) explains that the right to obtain accurate, clear, and honest information is a fundamental consumer right that serves to reduce the information gap between businesses and consumers. Consumers who obtain complete information are better able to make rational purchasing decisions and avoid potential losses due to misleading information.

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This opinion is supported by Widiarty, Suwarno, Harjono, and Susanto (2024), who stated that a business actor's level of understanding of consumer protection law influences the quality of information provided to consumers. The better a business actor's legal understanding, the higher the level of transparency of information provided in trading activities.

In the food sector, the provision of product information is also closely related to labeling requirements. Lubis and Ramadani (2024) explain that the use of labels containing easily understandable information for consumers is part of legal protection aimed at guaranteeing consumers' right to know the characteristics of the products they consume. Similar findings were expressed by Tria Adhelia and Lubis (2025), who emphasized that information regarding product composition, producer identity, expiration date, and other information constitutes a form of consumer protection that food businesses must fulfill.

In addition to fulfilling the right to information, the implementation of consumer protection at the Dhiandra Brownies MSME is also reflected in efforts to maintain product safety and quality. As a business operating in the food sector, product safety is a crucial aspect because it directly relates to public health. Article 4(a) of the Consumer Protection Law affirms that consumers have the right to comfort, safety, and security when consuming goods and/or services.

The right to product safety is the most fundamental form of protection because it concerns consumer health and safety. Chasanah and Buana (2024) explain that consumer protection in the food sector is realized through product quality monitoring, food safety standards, and quality control carried out by businesses and the government.

Amalia et al. (2026) added that food safety is an integral part of consumer protection because every marketed product must meet established safety standards to avoid health risks to the public. If a marketed product causes harm, the business actor can be held accountable through civil, administrative, and criminal law.

Kumalasari et al. (2022) also stated that the implementation of the Consumer Protection Law (UUPK) is not only related to consumer economic protection but also to protecting consumer safety and health from risks posed by traded products. Therefore, Dhiandra Brownies' efforts to maintain the quality of raw materials, the cleanliness of the production process, and product safety can be seen as an implementation of the consumer protection principles mandated by the UUPK.

The implementation of consumer protection can also be seen from the perspective of business actors' responsibilities. Article 19 of the Consumer Protection Law stipulates

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that business actors are responsible for providing compensation for losses suffered by consumers due to the use of traded goods and/or services. This provision demonstrates that consumer protection does not stop at the transaction stage but also encompasses recovery mechanisms in the event of losses.

According to Said and Rahmah (2022), consistently implementing business responsibilities is an effective way to minimize consumer disputes. Businesses with good intentions tend to resolve consumer issues through deliberation before they escalate into more complex legal disputes.

This view aligns with research by Bintang, Hsb, and Bintang (2025), which explains that effective consumer protection requires a commitment from business actors to transparent, honest, and responsible business practices. Without this commitment, consumer protection regulations will not be able to provide optimal protection to the public.

From all these aspects, it can be understood that the implementation of the Consumer Protection Law (UUPK) at the Dhiandra Brownies MSME has demonstrated efforts to fulfill consumer rights through the provision of product information, maintenance of product quality and safety, and enforcement of business actor responsibility. However, this implementation can still be improved by refining the consumer protection documentation system, customer complaint mechanisms, and enhancing business actors' legal understanding of the substance of the UUPK.

Factors Influencing the Implementation of Consumer Protection at Dhiandra Brownies MSME in Malang City

The implementation of consumer protection is not only influenced by the existence of regulations, but also by various factors that determine their effectiveness. These factors can originate from within the business (internal) or from the external environment that influences business activities.

The first factor supporting the implementation of consumer protection is the commitment of business actors. In micro and small businesses, business owners play a central role in determining the business policies implemented. Awareness of maintaining product quality and maintaining customer trust are key factors driving the implementation of consumer protection principles.

According to Widiarty et al. (2024), a good understanding of the law will encourage business actors to conduct their business activities more ethically, transparently, and

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responsibly. Business actors who understand the legal consequences of every business action tend to be more careful in fulfilling consumer rights.

Bintang et al. (2025) also explained that the successful implementation of consumer protection is greatly influenced by business actors' awareness of prioritizing consumer interests as part of their business sustainability strategy. Another supporting factor is the development of information technology and digital media. The use of digital media allows businesses to convey product information to consumers more quickly and transparently. Furthermore, consumers can provide direct feedback on the products they receive.

Kadir et al. (2025) stated that developments in information technology can strengthen the implementation of consumer protection by increasing information transparency and facilitating communication between consumers and businesses. A similar opinion was expressed in research on technological developments and consumer protection in the MSME sector, which showed that information technology contributes to increasing business accountability to consumers.

Despite the existence of supporting factors, the implementation of consumer protection also faces various obstacles. The first obstacle is limited legal understanding of the substance of the Consumer Protection Law. Many MSMEs have implemented consumer protection in practice, but they don't yet understand that such action is a legal obligation stipulated in legislation.

Rosida and Sulistyowati (2021) found that the low level of understanding of business actors and consumers regarding their respective rights and obligations is one of the main factors hindering the implementation of consumer protection.

These findings are reinforced by Gijoh (2025), who stated that legal awareness among business actors remains moderate, resulting in suboptimal implementation of consumer protection. A lack of legal training and education is a key contributing factor to this situation.

Another obstacle is the limited resources available to MSMEs. As small-scale businesses, MSMEs often face limitations in capital, human resources, and administrative capabilities. This situation results in several aspects of consumer protection not being implemented optimally. Abdullah, Dungga, and Kamba (2024) explain that weak legal awareness, limited oversight, and a lack of institutional support are factors that often hinder the effectiveness of consumer protection.

Furthermore, Hasyim et al. (2025) found that weak coordination between supervisory institutions, low legal literacy, and minimal oversight mechanisms are factors

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contributing to the suboptimal implementation of consumer protection. Ridha et al. (2025) also emphasized that limited resources within consumer protection institutions, suboptimal coordination, and the need to adapt to technological developments are key challenges to achieving effective consumer protection in Indonesia.

Thus, the implementation of consumer protection in the Dhiandra Brownies MSME is influenced by a combination of internal and external factors. Supporting factors include business actor commitment, a focus on customer satisfaction, and the use of information technology. Meanwhile, inhibiting factors include limited legal understanding, limited business resources, low legal literacy, and suboptimal guidance and supervision from relevant parties. Therefore, improving legal literacy and strengthening the capacity of MSMEs are strategic steps to strengthen the implementation of consumer protection as mandated by Law Number 8 of 1999.

CONCLUSION

The research results show that the implementation of Law Number 8 of 1999 concerning Consumer Protection at the Dhiandra Brownies MSME in Malang City has been quite successful. This is demonstrated through the provision of product information to consumers, efforts to maintain product quality and safety, and the implementation of business responsibilities oriented towards consumer satisfaction. These practices reflect the fulfillment of consumers' rights to information, security, comfort, and safety in consuming products.

The implementation of consumer protection is influenced by several factors. Supporting factors include business actors' commitment to maintaining consumer trust and the use of digital media as a means of conveying product information. Meanwhile, inhibiting factors include limited legal understanding of consumer protection, limited business resources, and suboptimal outreach and guidance to MSMEs.

MSMEs need to improve their understanding of the rights and obligations stipulated in Law Number 8 of 1999 concerning Consumer Protection, as well as strengthen information transparency and consumer complaint handling mechanisms. Furthermore, the government and relevant agencies need to improve outreach, education, and mentoring programs for MSMEs to ensure optimal implementation of consumer protection. Further research is recommended to examine the implementation of consumer protection across various MSME sectors with a broader scope to obtain a more comprehensive picture of the effectiveness of the Consumer Protection Law in Indonesia

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