BPOM Supervision in Increasing Consumer Protection for Online Sales of "Brilliant Philippines "Brand Skin Care Products"

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Abstract

BPOM stated that Skincaree Brilliant Philippines products are unsafe because they are thought to contain retinoic acid and hydroquinone ingredients that can damage the skin. This is the basis for BPOM withdrawing the permit and prohibiting its distribution. The formulation of the problem in this research first examines how the role and function of BPOM in the distribution of Skincare Brilliant Philippines. Second, what is the legal protection for consumers against the distribution of illegal cosmetics online? The research method used is empirical law with a qualitative descriptive approach, compiling various literary sources, including primary and secondary data. Based on an extended analysis, researchers saw that the Skincare Beerliant Philippines product is not safe from which to experience the benefits. Furthermore, BPOM has played an essential role in the supervision of cosmetics because it has carried out a series of tasks, functions, and functions of BPOM related to the supervision of cosmetics. The results of the research found that BPOM should have strict supervision by Presidential Decree Number 80 of 2017 concerning the Food and Drug Monitoring Agency, Law no. 80 of 2017 concerning BPOM Article (1) paragraph (1) and Republic of Indonesia Health Minister Regulation No. 1175/MEeNKEeS/PEeR/VIII/2010 concerning Cosmetics Production Permits which regulate consumer protection against illegal products and distribution permits so that the public feels protected and don't worry about mass-marketed products.

I. Introduction

The era of globalization can no longer be avoided; globalization is known as an action that has a relationship increasing interconnectedness and interdependence between nations

and people throughout the world through trade, investment, travel, popular culture, and other forms of interaction that reach the world's boundaries. Country became normal (Zazili, 2019). According to Dian Seera Fauzeela et al. in April 2012, globalization has many characteristics in common with internationalization. The existence of globalization is defined as a process that passes through two dimensions of space and time (Simanjuntak & Maria Tri Anggraini, 2023). Which is interpreted as a narrowed space and increasingly shortened time in interaction and communication on a world scale (Setiawan, 2020).

One of the impacts of globalization is the development of technology that has spread throughout the world, including Indonesia (Aziz, 2020). Technology greatly influences Internet media (Norouzi et al., 2020). Internet media provides convenience for the community in obtaining information and insight into products and buying and selling goods for daily needs (Farrell & Newman, 2019). Buying and selling activities using internet media, often known as e-commerce, has become a lifestyle for people worldwide, including Indonesia. Internet media provides convenience in communicating, obtaining information, and buying and selling business activities (Patnaik & Bhowmick, 2019).

Sellers use various methods to market their products, one of which states they are made from abroad and imported directly to Indonesia. Thus, many people are tempted by the offer and distribution of medicines, such as cosmetics, to the point of ignoring the health impacts on themselves in the future. In everyday life, the public, especially women in Indonesia, highly requests skincare products. As a result, many skincare products are distributed on the market and are very diverse, including the Brilliant Philippines skincare, which is now very popular and is being discussed by many women among women who are interested in using this skincare (Bilovol et al., 2021).

How could it not be, remembering that this Brilliant Filipino skincare can make your face glow and look pretty in Malaysia? (Moreira et al., 2022). n 2022, in various regions in Indonesia, the Philippine Brilliant Skincare product will be mandated by the Indonesian National Food and Drug Monitoring Agency (BPOeM-RI). The secured products included whitening cream, toner, liquid soap, bar soap, body location, sheet masks, and facial jewelry. In line with that, BOePM stated that the Skincare Brilliant Philippines product is unsafe because it contains the ingredients retinoic acid and hydroquinone, which can damage the skin (Jusup, 2021). Apart from that, the content of Skincare Brilliant contains an active substance such as tretinoin, which requires supervision from a doctor if used in the long term. This is the basis for BPOeM taking action to withdraw permits and prohibit their circulation (Rogers, 2022). Previously, the Manadoe BOePM task force confiscated 6,800 packages of Skincare Brilliant Philippines products from the hands of resellers, based on online news from Radio Republik Indonesia on July 25, 2023 (Hop, 2021).

However, the Skincaree Brilliant Philippines product is still marketed or circulated in various trading platforms such as Lazada, Bukalapak, Shopee Indonesia, and Blibli.coem, Tokopedia, and others (Desi Anisah et al., 2023). This online buying and selling platform packages various sales methods; some say that Brilliant Skincare Philippines with the phrase "Brilliant Skincare BPOM," and some do not mention it directly. Apart from that, Brilliant Philippines Skincare is offered at various unit prices or per package prices (Satrio, 2023). These prices also vary from tens of thousands to millions of thousands per package.

Table 1. Data on Perpetrators in Cases of Distribution of Cosmetics with Fake

Distribution Permits in Gorontalo

Year	Number of Perpetrators	umber of Cosmetic Products
2019	1	7
2020	1	14
2021	3	30
Year 2019-2021	**5**	**51**

Source: Kantoer BPOeM, 2021 in the Journal of Siti Khoedijah DKK

This data is an example of an area that experiences the circulation of dangerous cosmetic products with fictitious distribution permit numbers, with 51 (fifty-one) cosmetic products in Gorontalo (Andhini, 2019). Furthermore, based on the results of BPOM monitoring throughout Indonesia during 2020-2022, BUPN facilities tend to increase in facilities that do not meet the requirements to reach 25% of the number of facilities inspected in 2022. In addition, in 2022, Civil Servant Investigators (PPNS) BPOM conducted investigations into 76 cosmetic criminal cases with an economic value of IDR 23.9 billion (GEDE, 2023). This value represents 48.2% of the illegal drugs and food products that contain dangerous ingredients found by BPOM (Mubaraq, 2021).

Cosmetics for women are a basic necessity, and the widespread distribution of illegal cosmetics without distribution permits is hazardous to health (Fadhli, 2021). Remembering health is one of the parameters for measuring the success of human development (HUTAPEA, 2023). Without human health, living an economically decent life and undergoing a good education will not be productive; likewise, without good economics and education (Prabowo & Kurniawan, 2021). With a good education, humans can understand health and achieve good economics. These three parameters are interconnected and cannot be separated from each other (Karismaningrum et al., 2023).

In Indonesia, the distribution of cosmetic products is under the authority and supervision of BPOeM. Based on the BPOeM function, it is strictly regulated in Article 2 of the Presidential Regulation of the Republic of Indonesia Noe. 80 of 2017, concerning the Food and Drug Monitoring Agency, states that BPOeM's task is to supervise drugs, medicinal substances, narcotics, psychoetrotropics, addictive substances, traditional medicines, cosmetics, and food (HARSANDI, 2019). In this way, the distribution of cosmetic products, including Philippine Brilliant Skincare products in Indonesia, is under the authority and supervision of BPOeM (KILA, 2022). This is necessary to ensure that every cosmetic product distributed and used by the public must be clear and safe based on BPOeM standards (Sari & Tan, 2021).

Based on the description above, this research aims to understand BPOeM's supervision in realizing the role and function of BPOeM in the distribution of Skincaree Brilliant Philippines. As well as to find out about consumer legal protection against the distribution of illegal cosmetics online. This research is the latest; this review focuses on, first, the role and function of BPOeM in the distribution of Skincaree Brilliant Philippines. Second, legal protection for consumers against illegal distribution of consumer goods online. This research explains in detail how to understand BPOeM supervision in realizing the role and function of BPOeM in the distribution of Skincaree Brilliant Philippines. In the context of the role and function of BPOeM in the distribution of Skincaree Brilliant Philippines, this research

contributes to the international world and especially to the Indonesian government to realize the role and function of BPOeM in the distribution of Skincaree Brilliant Philippines.

2. Research Method

This research uses empirical legal methods, namely legal research, that analyzes and examines the operation of law in society. This article uses a qualitative descriptive approach by collecting primary and secondary data from various literature sources. This research also refers to several academic journals and the opinions and views of co-seventeen experts, whether directly or indirectly. Aims to provide input to policymakers regarding the marketing or distribution of Brilliant Philippines Skincare products through online sales platforms in Indonesia.

3. Results and Discussion

The Role and Function of BPOM in the Online Distribution of Brilliant Philippine Skincare

Based on the description at the beginning, the explanation states that around 2022, the Indonesian National Food and Drug Supervisory Agency (BPOeM-RI) will secure various Philippine Brilliant Skincare products (Arifiyana et al., 2019b). The secured products included whitening cream, toner, liquid soap, bar soap, body location, sheet masks and a set of facial jewellery. Oeleeh BOePM stated that Brilliant Philippines Skincare products are unsafe because some contain dangerous ingredients. However, Skincaree Brilliant Philippines products are still marketed or circulating on various internet media such as Lazada, Bukalapak, Shopee Indonesia, and Blibli.coem, Toekoepeedia, and others.

Skincaree Brilliant Philippines is a cosmetic product that supports beauty and other external parts of the human body. What is meant by cosmetics are materials and preparations used on the external parts of the human body (epidemic, hair, nails, lips and external genitals) or teeth or oral mucosa, especially to imbue, perfume, change the appearance and improve. Body odour or protecting or keeping the body in good condition. This is by the definition of cosmetics in Article 1, paragraph 1 of the Republic of Indonesia Health Meeting Regulation Noe. 1175/MEeNKEeS/PEeR/VIII/2010 concerning Cosmetic Production Permits.

Cosmetics received the attention of many users or consumers starting in the 19th century. In contrast, the cosmetics industry began to develop massively in the 20th century, and until now, its distribution level has reached the global market. According to Pangaribuan, 2017 in Dian Seera Fauzeela. et al. stated that the purely etymological meaning of cosmetics comes from the Greek word "koesmeeticoes", which means decorating and organizing skills. Currently, cosmetics are increasingly diverse and have advantages in providing consumer functions.

According to Djajajadisastra, cosmetics must be adjusted to the rules of use, for example, skin, climate, weather, time of use, age and amount of use, so as not to cause undesirable effects (Rachmawati, 2023). The various explanations regarding cosmetics above can be interpreted that cosmetics are a mixture of ingredients used on the outside of the body in various ways to care for and beautify oneself so that it can increase attractiveness and increase the user's self-confidence and does not act as a therapeutic agent or medicine for disease. Certain.

Next, in Dian Seera Fauzeela. et al. cosmetics circulating in society today are divided into two main types according to the type of essential ingredients and how they are prepared: Firstly, traditional cosmetics are natural or original cosmetics made directly from fresh or dried ingredients, fruit and plants around. Secondly, Moedeern cosmetics are produced in a factory (laboratory), where they are mixed with chemicals to make the cosmetics so that they last a long time and don't break down quickly (Hasmiati & Qahar, 2021).

Considering the various types of cosmetic products and how to market them, many cosmetic products that do not have BPOeM have distribution permits and are illegal. One of the various cosmetic products that BPOeM stated contained dangerous ingredients was Skincaree Brilliant Philippines. Dangerous cosmetics are distributed in violation of consumer rights and cause harm to consumer health (Habiburrahman & Novia, 2023). This emphasizes the need for legal action against commercial entities selling such dangerous cosmetics. BPOeM conducts testing and inspections, provides warnings to violators, and provides customer complaint channels. To reduce the number of fake cosmetics circulating on the market, it is necessary to increase monitoring and education initiatives (Khodijah, 2021).

Many illegal cosmetics are being sold on e-commerce, such as marketeetplacee shoepeeee, toekoepeedia, and others. In line with Rizal Satria Heeryansyach and Roesalinda Eelsina Latumahahina, they mentioned that the digital marketplace is a place where sellers market their beermeereek cosmetic products (Nurcahyani & Wahyudi, 2024). Sometimes, they are even sold with images that do not match the product's condition; there is no legality of the product, fake materials and other questionable things. You also need to realize that not all cosmetic sellers are like that; some are responsible for the cosmetic product and have legal authority over the product.

However, Armina Aroefah and Hidayatullah firmly stated that monitoring dangerous cosmetics is very important, considering that in the era of globalization, the spread of peer co-ownership is increasingly free between sellers and buyers (Ratna & Fransiska, 2023). Indeed, advances in technology and knowledge of the manufacture of cosmetics and cosmetics are sometimes exploited by irresponsible individuals to create various dangerous cosmetic concoctions that can harm their users. In practice, there is increasingly widespread counterfeiting of cosmetics with attractive offers to the point of getting prices at 50% of the total price offered. So, as a consumer, you must be careful with the consumer goods products you use daily.

Therefore, the author's aim to create safe medicines and food, especially cosmetic products marketed through digital marketplaces such as Shoepeeee, Toekoepeedia, Lazada, etc., which then reach the hands of the public, needs to be supported by institutions. Strengthening in the fields of medicine and food control. This is also according to President Noe's mandate. 80 of 2017 concerning the Food and Drug Monitoring Agency. Supervising the distribution of drugs and food, especially in the cosmetics sector in Indonesia, is one of the duties and responsibilities of the Center for Drug and Food Control in the enforcement field. So that the circulation of Skincare Brilliant Philippines, which was declared from the start as an unsafe cosmetic product and contained dangerous ingredients, can be reduced and eradicated from circulating throughout Indonesia.

The Food and Drug Supervisory Agency (BPOeM) is a government agency in Indonesia tasked with regulating, standardizing and certifying food and drug products, covering all aspects of manufacture, sale, use and safety of food, medicines, cosmetics and other products.

The Noen Deeparteemeen Government Institution (LPND) was formed based on Presidential Decree Noemoer 166 of 2000 and Noemoer 103 of 2001 concerning the position, function, authority, organizational structure and work procedures of the Noen Deeparteemeen Government Institution to carry out supervisory duties.

However, in 2006 and 2007, BPOeM RI carried out laboratory investigations and tests and found that as many as 23 beauty products contained prohibited species for use as beauty cosmetics, one of which was the use of hydroquinone with a percentage of more than 2% (Arifiyana et al., 2019a). Hydroquinone products are trendy among women in Indonesia, and many whitening products are circulating, including Brilliant skincare. As a result, many fraudulent sellers use various methods to sell their products, even though they are dangerous. In fact, in the regulations of Law Number 8 of 1999 concerning Consumer Protection Article (4) letter (a), consumer rights include "the right to comfort and security in consuming goods and services" (Indonesia, 1999).

BPOeM forms a Food and Drug Monitoring Agency (BBPOeM) in each province. BPOeM is an agency appointed by the government to supervise drugs and food, so business actors with good intentions in distributing drugs and food must register their drug and food products with BPOeM (Priyanto et al., 2022). In practice, many cosmetic product businesses do not register their products to obtain legality in marketing them. This situation opens up opportunities to circulate unhealthy cosmetic products that can endanger the health of those who consume and use them (Widyaningrum & Wijaya, 2023).

Indeed, supervision carried out by BPOeM is the most essential part of knowing that the quality of cosmetic products circulating in the community is safe and guaranteed. So, it is essential to have an ideal system for monitoring cosmetic products from BPOeM to prevent illegal cosmetic products, namely cosmetics that do not have a marketing permit, excessive claims, damaged goods or expired products, and cosmetics that contain dangerous ingredients. So, monitoring illegal and unsafe cosmetic product circulation can be carried out optimally if it involves partners and the community, such as patients, production organizations and business operators. Remembering the importance of creating business comfort and fulfilling the rights and interests of both.

In Lisa Nursyahbani Muhlis, DKK formulated 2 (two) stages of effective supervision procedures to be implemented by national BPOeM, as follows:

1) Supervision before beereedar (Pree Marketeet).

Before cosmetic products are distributed, supervision is a series of assessment activities for cosmetic products to obtain distribution permits in the form of notifications. Consists of 3 activities; the first is compiling and setting standards. The Central BPOeM in each region prepares and determines standards to determine cosmetic requirements that meet product safety, quality, and efficacy standards. Second, product assessment before being distributed to cosmetics by carrying out laboratory tests on products that wish to be registered based on the provisions in BPOeM Peerka Noe. 18 of 2015 concerning technical requirements for cosmetic ingredients that contain ingredients that are permitted to be used in cosmetics with limitations and requirements for use, colouring ingredients, additives and UV filters as well as ingredients that are prohibited from being used in cosmetics. The third is the Certification of cosmetic production facilities. Certification of cosmetic production facilities is carried out to ensure that the method for producing cosmetics is by the standards determined by the laws and regulations that regulate it.

2) Postnatal supervision (Poest Market)

Supervision of products after they are released is an effort carried out by BPOeM to monitor whether products circulating in the community are safe and sound and of the quality of the product at the time it is registered and when they are distributed. The security requirement is that cosmetics must meet the security requirements by the security requirements as stated in the BPOeM Guidelines regarding cosmetics. The benefit requirement is that the benefit claim stated in the cosmetic labelling must be by statutory provisions.

Imam Suyudi, DKK, further emphasized that the Republic of Indonesia Food and Drug Supervisory Agency can also conduct outreach and education efforts to the public by discussing certification and checking safe and unsafe products (Borzoo, 2023). This activity is aimed not only at consumers but also at business actors and the cosmetics industry so that they can learn about new standards in the world of cosmetics and BPOeM RI standards. Alternatively, it can create monitoring strategies that increase consumer awareness, crime risk, and fear. The Food and Drug Supervisory Agency of the Republic of Indonesia regularly and consistently issues reports and releases on circulation products containing dangerous ingredients. This is a strategic situational crime strategy that is effective in reducing crimes that recur in the future.

As for the role and function of BPOeM, Bahmid et al. stated that this was based on the provisions of Presidential Decree Number 80 of 2017 concerning the Food and Drug Monitoring Agency, as explained below:

1. “Carrying out the function of preparing national policies in the field of BPOeM;
2. Carrying out the function of implementing national policies in the BPOeM section;
3. Carrying out the function of compiling and establishing norms, standards, procedures and criteria in the field of Pre-Circulation Supervision and Existing Supervision;
4. 4. Organize functions in the implementation of supervision before the release and supervision during the release;
5. Carrying out functions in the Coordination section of BPOeM implementation at the center and regions;
6. Manage the function of providing technical guidance and supervision in the field of POeM;
7. Carrying out functions in carrying out action against violations of laws and regulations in the field of POeM;
8. Carrying out functions in the Coordination section, carrying out tasks, coaching and providing administrative support to all elements of the organization within the BPOeM environment.
9. Carrying out the function of managing state property/wealth which is the responsibility of BPOeM;
10. Manage functions in the Supervision section of the implementation of tasks in the BPOeM environment;

11. Carrying out functions in the implementation of substantive support to all organizational elements within the BPOeM environment".

Based on the 11 functions of BPOeM, according to President Noemoer 80 of 2017 concerning the Food and Drug Supervisory Agency, the fourth paragraph contains the implementation of functions in carrying out pre-market or pre-market supervision and supervision during market or post-market. Market. As explained firmly in Imam Suyudi, DKK, pre-market supervision is carried out by applying for permits to BPOeM in the form of production permits to distribution permits for food and medicines, including cosmetics. However, the form of market supervision carried out by BPOeM is by holding sales meetings for products on the market and not only; the field of market supervision also includes supervision of advertising of a product and checking. Production facilities and distribution processes for a product. It is alone. Supervising poor markets is carried out by BPOeM to ensure the consistency and quality of products produced by the industry.

Then, it was emphasized on the legal basis of BPOeM Regulation Number 14 of 2014 concerning Executors of Duties that there is a function in Article 3, namely:

a. "Standardization, regulation of distributed products;
b. There are industrial licenses and certifications in the pharmaceutical sector;
c. The product will be sold before now;
d. Testing in the laboratory, taking samples, checking how it is made, investigating and also law enforcement.
e. Conduct pre (before) and post (after) product release audits;
f. Providing information about products, education and also understanding product warnings. Because basically no cosmetic product can be in perfect condition, everything must have side effects when used".

According to Keepmeenpeerindag Noe. 254/MPP/Keep/7/2000 concerning Procedures for Import Trade and Circulation of Dangerous Materials, in Moehd. Yusuf DM et al. state that the action taken by the POeM Agency regarding the misuse of dangerous food additives is to conduct outreach regarding dangerous ingredients in food that can endanger the health of small industrial entrepreneurs (industrial workers) in several districts in collaboration with regional governments in the regional framework. The authority of the POeM Agency is further explained in Government Regulation No. 28 of 2004 concerning Food Safety, Quality and Nutrition as an implementation of the provisions of Law No. 7 of 1996 concerning Food.

Furthermore, BPOeM to improve consumer protection also applies an initiative concept that includes consumer control, supervision, monitoring and action against violators. BPOeM also implements programs aimed at protecting consumers and increasing consumer protection, such as the national movement to be aware of illegal food and drugs (GNWOeMI), GEeNPOePA, BPOeM testing, public alerts, educational videos, public perception index surveys, and implementation of improvements. Team. Quality empowers people and protects consumers (Moha et al., 2020).

BPOeM is essential in carrying out periodic or routine supervision of cosmetic products because it carries out a series of duties, functions and functions of BPOeM related to

cosmetic supervision. Supervision is a policy in Presidential Regulation Number 80 of 2017 concerning the Food and Drug Supervisory Agency. As for the supervision method referred to in the BPOeM duties section, for example, in Article 2 paragraph (2), which reads "Medicines and food as re "erred to in paragraph (2) consist of drugs, medicinal substances, narcotics, psychoetrotropics, medicines, addictive substances, traditional medicines. , health supplements, cosmetics and processed foods".

Legal Protection for Consumers Against the Distribution of Illegal Cosmetics Online

Table: 2 Public Report Releases from BPOM RI Supervision Results in 2020-2022

Cosmetic Releases Contain Hazardous Ingredients		
No.	**Year**	**Information**
1.	2020-2021	Based on data from reports from the Food and Drug Administration Agency of the Republic of Indonesia Noemoer: HM.01.1.2,10.21.48 from 2020 to 2021, it is stated that 18 dangerous cosmetic products have been released and are under supervision and action.
2.	2021-2022	Based on data from the report by the Food and Drug Administration Agency of the Republic of Indonesia Noemoer PW.02.04.1.4.10.22.168 from 2021 to 2022, it is stated that 16 dangerous beer cosmetic products have been released and are under supervision and action.

Source: www.poem.goe.id which can be accessed again
by Imam Suyudi and others

Based on the description in the table above, there is still a distribution of dangerous cosmetic products or cosmetic products that are under the supervision and action of BPOeM every year. As for the findings of dangerous cosmetic products from BPOeM RI during the COVID-19 pandemic from 2020 to 2021, there were 18 products. The following year, 16 cosmetic products with hazardous ingredients were found in the 2021-2022 bracket. Success is seen from more than just the size or smallness of BPOeM's market control findings. However, it is seen through situational strategic factors that reveal aspects of control over the distribution of cosmetics that contain hazardous materials to protect consumers.

To serve and protect the public, legal action is a co-encryption step that must be taken by the Food and Drug Administration (FDA) to protect against the circulation of illegal cosmetic products reaching consumers. This is a movement carried out by BPOeM to anticipate the sale of fake BPOeM beer products by providing education to the public, such as the National Movement to Care for Medicines and Food Consumed for Sale, which sparked the Movement for Community Care and Safe Food for the Community (GENPOPA).

By Lucky Rahul Ferdian, DKK said that BPOeM, in carrying out its duties as an institution coordinating cosmetic products widely distributed in Indonesia, must make several efforts to protect the public from the dangers of cosmetics distributed without a distribution permit:

1. “Through KIEe (Communication, Information and Education), in this case, BPOeM, through various media, provides information regarding cosmetics without a

distribution permit. BPOeM also received complaints from consumers regarding unlicensed cosmetics distributed through the official BPOeM website.

2. Through checks or inspections, BPOeM strictly supervises cosmetic advertisements without a distribution permit. Carry out supervision and inspection of cosmetics business actors and conduct investigations into cosmetics complaints or discoveries without a distribution permit.
3. Carrying out enforcement action, in this case, if elements that violate the law are found, cosmetic business actors will be subject to sanctions by applicable laws and regulations. BPOeM can also destroy these cosmetic products".

According to Heeryansyach and Latumahina, there are two scopes of fulfilling aspects of consumer protection, namely:

a. "Consumer protection for a product/goods which ultimately reaches the buyer's hands, if the product purchased does not match what was promised at the beginning before the transaction/during the sale and purchase transaction.
b. Legal protection where there is a requirement that is considered unfair to buyers in carrying out transactions".

In strict terms, UU Noe. 8 of 1999 concerning Consumer Protection, abbreviated as UUPK, guarantees legal certainty for creating good conditions in online and online trade processes. As in Article 1, paragraph 1 of the UUPK, the definition of "consumer protection is all efforts that ensure legal certainty to protect consumer goods".

Article 2 UUPK explains in detail the principles of consumer protection, including:

a. Principle of Benefits

   This basic content seeks to maintain customer security in order to maximize the possible benefits for customer desires and the entrepreneur as a whole.
b. Principles of Justice

   The content of the principle of fairness has the benefit of freedom for buyers and business owners to obtain their privileges and carry out their commitments/obligations equally.
c. Principle of Balance

   What is meant by the principle of balance is the establishment of harmony between the interests of customers, the behavior of the business world, and the authority of society, both material and spiritual.
d. Security and Safety Principles

   The contents of this principle explain that business actors must provide security and safety guarantees for buyers in utilizing and using the product.
e. Principle of Legal Certainty

   The content of this principle explains that business owners or buyers who comply with the rules will ensure legal certainty.

Based on Article 3 of the UUPK, the legal objectives of consumer protection are clearly stated, which include:

1. Increase consumer awareness, ability and independence in protecting themselves;

2. Elevating the honor and dignity of consumers by preventing negative exploitation of the use of goods and/or services;
3. Increasing consumer empowerment in choosing, determining and demanding their rights as consumers;
4. Creating a consumer protection system that contains elements of legal certainty and information disclosure as well as access to information;
5. Increase awareness of business actors regarding the importance of consumer protection so that an honest and responsible attitude in business grows;
6. Improving the quality of goods and/or services that ensure the continuity of the business of producing goods and/or services, health, comfort, security and safety of consumers.

Furthermore, the UUPK also explains consumers' rights and obligations, which are stated in detail in Article 4. Then, it also contains business actors' rights and obligations, which can be seen in more detail in Article 6 and Article 7 of the UUPK. The contents of the UUPK cover particular aspects regarding consumer protection. If there are conflicts or problems in practice that arise from online or offline trading, the UUPK is used as a reference for resolution. Considering that the term consumer protection is based on terms and conditions, it can be interpreted that consumers are obliged to be given protection from various aspects. Of course, it cannot be separated from rights and obligations. There are several aspects of rights and obligations when viewed from the subject of a trade (seller and buyer). We must respect each other and fulfill each other's obligations when trading electronically/interlineally.

However, regarding the illegal circulation of foreign goods online, the government is trying to regulate the problem of online transactions as stated in Law Number 11 of 2008 concerning Information Technology and Electronic Technology, which has been amended through the Noe Law. 19 of 2016 concerning Amendments to Law Noe. 11 of 2008 concerning Information and Electronic Transactions. Downward regulations are discussed in the Peemeerintah Noe Regulations. 71 of 2019 concerning Electronic Administration and Transaction Systems, which states in Article 1 that Electronic Transactions are legal acts carried out using computers, computer networks and other electronic media. Buying and selling transactions carried out online result in the birth of agreements made online, better known as electronic contracts.

In the November Food and Drug Regulatory Agency Regulation 23 of 2019 concerning Technical Requirements for Cosmetic Ingredients, Article 1 number 7 reads: "Product information documents are data regarding the quality, safety and usefulness of cosmetics." This means that every cosmetic product circulating in the community must have an information document regarding whether it meets the technical requirements before the wider community can use it. Furthermore, Article 2 of the Food and Drug Regulatory Agency Regulation Number 23 of 2019 concerning Technical Requirements for Cosmetic Ingredients reads: "Business actors are obliged to guarantee that Cosmetics are produced for domestic distribution and imported for domestic distribution. Indonesian territory meets the technical requirements for Cosmetic Ingredients".

If losses occur to cosmetic users, cosmetic users can complain to BPOeM against users guilty of distributing cosmetics with fake BPOeM products. Cosmetics users who have fake labels can be prosecuted for distributing fake cosmetics, and fake BPOeM labels can be prosecuted under Law no:

"paragraph (1): business operators are responsible for providing compensation for damage, pollution and/or loss of consumers due to the consumption of goods and/or services produced or traded.

paragraph (2): compensation as intended in paragraph (1) can be in the form of money or replacement of goods and/or services of the same type or value, or health care and/or compensation in accordance with the provisions of applicable laws and regulations.

Paragraph (3): compensation is carried out within a period of 7 (seven) days after the transaction date.

paragraph (4): providing compensation as intended in paragraph (1) and paragraph (2) does not eliminate the possibility of criminal prosecution based on further evidence regarding the existence of an element of fault".

Criminal sanctions are contained in Article 61 of Law Number 8 of 1999 concerning the protection of Koensumeen. Eelsa Noevianti Saputri and Eeka Jay Subadi write that criminal charges can be brought against business owners/managers. It is further regulated in the contents of Article 62 paragraph (1), namely: "business actors who violate the provisions as intended in Article 8, article 9, article 10, article 13 paragraph (2), article 15, article 17 paragraph (1) Letter a letter b, letter c, letter ee paragraph (2), and article 18 shall be punished with imprisonment for a maximum of 5 (five) years or a fine of a maximum of IDR 2,000,000,000.00 (two billion). Rupiah".

Furthermore, the Health Law can also investigate the circulation of fake cosmetic labels as stated in Article 197 of Law Number 36 of 2009 concerning Health: "Every person who deliberately produces or distributes pharmaceutical preparations and medical devices that do not have a distribution permit as intended in Article 106 paragraph (1) is punished with a maximum imprisonment of 15 (fifteen) years and a maximum fine of IDR 1,500,000,000.00 (one billion five hundred million rupiah) ".

4. Conclusion

This research shows that BPOeM must speed up the circulation of illegal cosmetics and skin care products because many illegal products are still entering Indonesia, especially Philippine skin care cosmetic products. This can be seen based on the provisions of Presidential Decree No. 80 of 2017 concerning the Food and Drug Monitoring Agency. So, BPOeM must think about legal protection for consumers who use illegal products. Based on Law Noe. 80 of 2017 concerning BPOeM Article (1) paragraph (1) and Regulation of the Minister of Health of the Republic of Indonesia Noe.1175/MEeNKEeS/PEeR/VIII/2010 concerning Cosmetic Production Licenses which regulate consumer protection against illegal products and distribution permits. This research only focuses on the role of BPOeM in protecting cosmetics consumers through legal protection, especially consumers who use illegal Brilliant Skincare products.

This research is different from previous research regarding the role of BPOeM in protecting consumers based on consumer law protection. This research is new to the role of BPOeM in the legal protection of consumers who use illegal skin care products. The next

suggestion can be seen from the role of Customs and Excise in protecting the public by curbing illegal products in Indonesia.

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