

Legal review of the procurement authorisation of the imported fresh food, fruit and vegetables

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Abstract

Fresh food products imported fruits and vegetables in circulation that do not meet the requirements in accordance with statutory regulations can endanger human safety because food security is not guaranteed. The existence of a marketing authorization and supervision of imported fresh fruit and vegetable food products is needed to maintain food security. The research method used is the normative legal research method that is the legal research method of literature with the method used to examine existing library materials related to the object examined by the regulatory approach (statue approach). The results showed that before the imported fresh fruits & vegetables food products were circulated, they had to go through several quarantine measures or inspections. After passing the test, they would get a distribution permit for fresh food products along with the registration number on the imported fruit & vegetable label. If the distribution permit for fresh food products is ignored by business actors, they will be subject to criminal and administrative sanctions. The purpose of supervision is to provide protection to consumers and prevent the circulation of imported fresh fruit and vegetable food products that can endanger consumers' health.

Keywords: *Distribution Permit; Fresh Fruit and Vegetable Products; Consumer Protection*

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1. Introduction

Food is the most basic human need and its fulfillment is part of the basic rights of every Indonesian people. Based on Law No. 18 of 2012 explicitly explains that the implementation of food as a basic human need, aims to provide diverse food and meet the safety, quality and nutritional requirements for public consumption. Fresh food is food that has not been processed, fresh food can be consumed directly or indirectly, which can also be used as raw material for food processing. Fresh food has now become the demands of consumers, therefore aspects of food safety and quality are important aspects of food.

The Government of the Republic of Indonesia in accordance with Law No. 18 About Food is mandated to ensure that the available food must be sufficient, both quantity and quality, safe, diverse, nutritious, equitable, and affordable and does not conflict with the religion, beliefs and culture of the community, to be able to live healthy, active and productive sustainable. This is in accordance with the declaration of the Food and Agriculture Organization (Food and Cultural Organization / FAO) and the World Health Organization (World Health Organization / WHO). (Purwiyatno Hariyadi, Nuri Andarwulan. Journal) The United Nations emphasizes that every individual has the right to adequate and safe nutritional value of food. Once the importance of these safety and quality aspects, the FAO / WHO in 2014, again emphasized that it is the right for every individual to obtain safe, adequate and nutritious food. This is important to disclose so that the government has a better commitment to ensure food security.

Provision of high quality food products that are safe for consumption is the right of consumers who must be fulfilled by the state. Fulfillment of food safety requirements aims to protect consumers from the dangers of poisoning and food origin diseases. Important elements that cause food safety hazards need to be considered by all parties involved in the procurement process to the presentation of food products. Thus, guaranteeing food security is essentially a shared responsibility between food producing countries, governments, and consumers.

The flood of imported fruit in the State of Indonesia (Efnita, 2012) has been going on for a long time since the existence of free trade through the signing of a Framework Agreement on Comprehensive Economic Cooperation between ASEAN Countries and the People's Republic of China (ACFTA) on November 4, 2002 in Cambodia. In Indonesia ACFTA (Asean-China Free Trade Agreement) through Presidential Decree Number 48 of 2004 dated June 15, 2004. That this free trade agreement between ASEAN countries and China came into force on January 1, 2010.

Data from the Central Statistics Agency (BPS, 2019) shows that Indonesia as an ASEAN member country with the largest population and market has close trade relations with China and several other countries such as the United States, Thailand, Australia, Pakistan, Peru, Zealand New, Vietnam, South Africa, Egypt. BPS noted that China still dominates as the largest importer of fruit and vegetable commodities. The contribution of imported fruits from China ranging from apples, grapes, pears, longan garlic, carrots, onions and others, reached 52.3% valued at US \$ 218.02 million from a total import of US \$ 416.97 million. While the contribution of the value of Chinese vegetable imports reached 67.15% with a value of US \$ 271.8 million of the total value of US \$ 404.6 million supplied by various countries.

In 2018, according to the Head of DKI Jakarta Maritime Affairs, Agriculture and Food Security (KPKP), (Auliani, 2015) wax coating is a prohibited substance and is usually found in imported fruits. Case of *Listeria monocytogenes* apples in 2015, in 2018 New South Wales (NSW) Health data, noted three Australians were killed after consuming rock melon (cantaloupe) which was contaminated with *Listeria* bacteria. Related to the finding of *Listeria monocytogenes* bacteria in the United States. The finding is also a momentum to test Apple imports from all countries, because the portion of Apple imports is quite significant. The Directorate General of Disease Control and Environmental Health of the Ministry of Health explained that the *Listeria* bacteria are susceptible to pregnant women can damage the fetus in the womb, children whose immune systems are low, elderly people, people with HIV-AIDS, to cancer patients especially Leukemia patients .

The quality and safety of imported fresh fruits and vegetables is very important, therefore a state obligation to protect consumers from bacteria or substances that are harmful to health, causing various diseases. This is confirmed in Law No. 8 of 1999 concerning Consumer Protection, Republic of Indonesia Government Regulation No.28 of 2014 concerning Food Quality and Nutrition Safety that "the community needs to be protected from food that can harm and / or endanger health".

Food safety is the condition and effort needed to prevent food from possible biological, chemical and other contaminants that can interfere with, harm, and endanger human health. Food safety requirements are standards and other provisions that must be met to prevent food from possible dangers, whether due to biological, chemical contamination and other objects that can disturb, harm and endanger human health.

Food safety standards are mentioned in Article 36 and 37 of the Republic of Indonesia Government Regulation No.28 of 2014 concerning Food Quality and Nutrition Safety, that *any food that is imported into Indonesian territory for distribution must meet the provisions of the legislation in the field of food safety, quality, and nutrition and other applicable laws and regulations. That with regard to fresh food that will be imported into Indonesian territory for distribution, the Ministers responsible for agriculture or fisheries are in accordance with their respective fields of duty and authority*

Based on the description and problems, it needs to be discussed formulated in this article is How to Arrange Imported Fresh Fruit and Vegetable Food Products circulating in Indonesia? How is the supervision and legal protection of consumers from imported fresh fruit and vegetable food products circulating in Indonesia?

2. Method

The research method used is the normative legal research method that is the legal research method of literature with the method used to examine existing library materials related to the object examined by the regulatory approach (statue approach).

3. Results and Discussion

3.1.The Importance of Regulatory Distribution Permits for Fresh Food Products Registration Numbers on Imported Fruit and Vegetable Labels

To protect from food products that endanger health, one of the government's policies is to establish regulations or rules to support food products that meet the safety, quality and nutritional requirements for public consumption. Indonesia already has regulations for food products in general and in particular fresh imported food in various laws and regulations, including the following:

a) Law Number 12 of 2012 concerning Food

Article 37 paragraph (1): *Food Imports that are carried out to meet domestic consumption needs are required to meet security, quality, nutritional requirements, and do not conflict with the religion, beliefs and culture of the people.*

Article 67 paragraph (2): *Food Safety is intended to prevent the possibility of biological, chemical and other contaminants that can interfere with, harm and endanger human health.*

Article 86 paragraph (2): *Every person who manufactures and trades food must meet the Food Safety and Food Quality standards.*

Article 97 paragraph (2): *Every person who imports food for trade must attach a label in and / or on Food Packaging when entering the territory of the Unitary Republic of Indonesia.*

b) Regulation of the Minister of Agriculture Number: 51 / Permentan / Ot.140 / 10/2008 concerning Requirements and Procedure for Registration of Fresh Food of Plant Origin

Article 40 paragraph (1) Fresh food business operators are responsible for guaranteeing the quality and food safety of products and must put the registration number on the label in a place that is easy to see and read and not easily erased. Paragraph (2) The registration number listed as referred to in paragraph (1) applies to the product registered.

- c) Law Number 36 Year 2009 Concerning Health
Article 7: Everyone has the right to obtain information and education about balanced and responsible health.
- d) Government Regulation No. 28/2004 concerning Food Safety, Quality and Nutrition
Article 4 paragraph (1): *ways of cultivation that pay attention to aspects of food security, among others by: Preventing land use where the environment has the potential to threaten food security; Control biological pollution, pests and animal and plant diseases that threaten food security; and Pressing to a minimum, chemical residues contained in food raw materials as a result of the use of fertilizers, pest and disease control drugs, growth promoting agents and inappropriate animal medicines.*
- e) Regulation of the Minister of Agriculture No. 48/2009 concerning Good Agriculture Practices (GAP) of Fresh Fruits and Vegetables
One of the backgrounds of this *Regulation is to demand producing countries to increase the competitiveness of products, including fruits and vegetables, so that the quality, nutritional and food safety requirements can be achieved.*
- f) Regulation of the Minister of Trade of the Republic of Indonesia Number 30 / M-Dag / Per / 5/2017 concerning Provisions on the Import of Horticultural Products
Pasal 1 ayat (8): *Persetujuan Impor adalah persetujuan yang digunakan sebagai izin untuk melakukan Impor Produk Hortikultura.*
Pasal 1 ayat (9): *Label adalah setiap keterangan mengenai Produk Hortikultura yang berbentuk gambar, tulisan, kombinasi keduanya, atau bentuk lain yang memuat informasi tentang produk dan keterangan pelaku usaha serta informasi lainnya sesuai dengan ketentuan peraturan perundang-undangan yang berlaku, yang disertakan produk, dimasukkan ke dalam, ditempelkan pada, atau merupakan bagian kemasan.*
Article 3 paragraph (1): Import of Horticultural Products can only be carried out by: (a) the company which owns the Importer's Identification Number (API); and (b) BUMN that has been assigned and the Minister of BUMN
- g) Regulation of the Minister of Agriculture Number 42 / PERMENTAN / OT.140 / 6/2012 concerning Plant Quarantine Measures for the Entry of Fresh Fruits and Fresh Fruit Vegetables into the Territory of the Republic of Indonesia (State Gazette of the Republic of Indonesia of 2012 Number 631)
- h) Law Number 8 of 199 Concerning Consumer Protection
Article 8 paragraph 1 (a): Business actors are prohibited from producing and / or trading goods and / or services that do not meet or do not meet the required standards and the provisions of the legislation.
- i) Law Number 13 Year 2014 Regarding Halal Product Guarantee
Pasal 38: *Pelaku Usaha yang telah memperoleh Sertifikat Halal wajib mencantumkan Label Halal pada: (1) Kemasan Produk; (2) Bagian Tertentu dari Produk; dan/atau (3) Tempat tertentu dari Produk.*

These legal products as outlined in the sharing of regulations or regulations are used as official instruments to provide safe food security which is the consumer's right that must be fulfilled by business actors and the state is obliged to protect the rights of these consumers.

The procedures for registration of imported fresh food products are monitored by the Ministry of Agriculture.

Registration of Fresh Plant Originated Food Products (PSAT) from Foreign Imports online by the Central Food Safety Component Authority (OKKP-P). (SOP for Fresh Plant Originating Food Services (PSAT) Origin of Imported (Imported) Online)

Terms and Procedure for Registration of Fresh Food Products from PSAT Plants

1) Administrative Requirements:

Must: a. A stamped application letter is addressed to the chairperson of the OKKP-P.p. Head of Plant Variety and Agricultural Licensing Protection, hereinafter referred to as PPVTPP (b). Scan / Photo of the applicant's Identity Card; (c). Scan / Photo of Taxpayer Identification Number / NPWP; (d). Scan / Photo of company establishment deed and its changes; (e). Scan / Photo Certificate of domicile; (f). Scan / Photo of Company Registration Certificate; (g). Scan / Photo of Business Place Permit;

Additional / Not Required: (h). Scan / Photo of Trading Business License / SIUP; (i). Scan / Photograph of Trademark Certificates (mandatory for products that include TM and / ® on the brand in the label); (j). Scan / Photograph of identification documents of registered importers / importers (mandatory for businesses importing products subject to API provisions).

2) Technical Requirements:

Must: (a) Scan / Photo Certificate of composition / content of the product; (b) Photograph of sample packaging; (c). Scan / Photo label or label design; (d) Scan / Photograph of the results of hygiene sanitation assessment of production and distribution facilities from OKKP; (e) Scan / Photograph of Standard Operation Procedure (SOP); (f) Scan / Photograph of supplier / exporter country of origin; (g) Scan / Photo list of distributors; (h) Scan / Photo Certificate of Analysis; (i) Scan / Photo Certificate of Release of PSAT products from Quarantine; (j) Scan / Photo Product test results from laboratories for products that are not regulated in quarantine regulations or provided by regulations

Addition / Non-compulsory (k) Scan / Photograph of quality assurance and food safety certificates for business actors who have (mandatory for actors who put claims on the label) or SNI certificates for products subject to mandatory SNI provisions; (l) Scan / Photograph of a License for a product produced under license; (m) Scan / Photograph of Repackaging Certificate for repackaged products; (n) Scan / Photo of Import Appointment Letter (Import Permit); (o) Scan / photo Import recommendation letters for PSAT subject to import; (p) Scan / Photograph of work agreement / work contract for PSAT products manufactured under a contract (maklon);

3) PSAT Registration Procedure

(a) Request for PSAT registration is submitted to the Chairperson of OKKP-P up to the head of PPVTPP online through the SIMPEL Website of the Ministry of Agriculture by completing the required registration documents; and provide answers to reject or accept applications for registration to the applicant through the specified

application, (c) Applications received are forwarded to the Head of the Food Security Agency as the Chairperson of OKKPP; (d) The Chairperson of OKKPP provides the disposition of PSAT registration; (e) The OKKP-P officer / admin / auditor checks the adequacy of the PSAT registration documents as outlined in the results form of the assessment of the adequacy of the PSAT registration documents; (f) The results of the assessment of the adequacy of documents by the Officer / admin / auditor as referred to in item e are reported to the Head of the Fresh Food Safety Division or the team appointed to review the results of the assessment (Review); (g) The Head of the Fresh Food Safety Division or the appointed team (Reviewer) reviews the results of the PSAT registration document evaluation and then recommends approval or rejection of the issuance of the PSAT registration number as outlined in the minutes of the review approved by the Head of Diversity Center Consumption and Food Safety; (h) Application for registration that has not met the requirements is returned to PPVTPP to be notified to the Applicant; (i) For requests that meet the requirements, the head of the PKKP Center submits a recommendation on the decision to issue the PSAT registration number to the Head of the BKP as the Chairperson of OKKPP; (j) The Head of BKP as the Chairperson of OKKPP gives the decision to issue the PSAT registration number. The Head of BKP as the Chairperson of OKKPP provides a sign of validation against the decision to issue the PSAT registration number; (k) the Admin of OKKPP submits the decision of the Head of BKP as the Chairperson of OKKPP on the issuance of the PSAT registration number forwarded to PPVTPP; l. PPVTPP submits PSAT registration results to the applicant.

Note: (a) The letter of the results of sanitation assessment of production and distribution sanitation can be obtained by the business actor by submitting an inspection request to the Head of BKP as the Chairperson of OKKPP; (b) Business product test results from the laboratory can be obtained by business actors by submitting applications for sampling PSAT products to the Head of BKP as the Chairperson of OKKPP; (c) Sanitation hygiene inspection of production and distribution facilities and sampling of PSAT products can be submitted in 1 (one) application; (d) The result of sanitation hygiene assessment of production and distribution facilities can be used for more than 1 (one) submission of application for PSAT registration as long as it is still valid; (e) Laboratory product test results only apply to products that are registered according to the identity listed on the test results report; (f) Application for sanitation inspection of production and distribution sanitation facilities and sampling of PSAT products are carried out before the PSAT registration process.

While the manual registration of Fresh Foods from Plant Originating from Imports contained in Articles 21 to 39 of the Minister of Agriculture Regulation Number: 51 / Permentan / Ot.140 / 10/2008 concerning Requirements and Procedures for Registration of Fresh Foods from Plants.

Article 21

(1) Fresh food originating from income can be requested for registration number: (2) Application for registration number as referred to in paragraph (1) shall be submitted in writing by fresh food business actors to the Head of Licensing and Investment Center by using form-1 as listed in Attachment I as an inseparable part of this Regulation. (3) The application as referred to in paragraph (2) shall be accompanied by the requirements referred to in Article 5 with sufficient stamp duty. (4) The Head of the Licensing and Investment Center after receiving the application for registration number as referred to in paragraph (2) within a period of no later than 3 (three) working days must

have finished checking the required documents and giving answers to delay, accept or reject.

The Importance of Arranging Permits for the Distribution of Fresh Food Products and Imported Vegetables both to consumers and businesses for food that is imported into the territory of the Republic of Indonesia for distribution. Benefits of marketing authorization for consumers include: (1) consumers in consuming fresh food safe imported fruits and vegetables do not contain toxic substances that can harm or endanger health or life. (2) consumers avoid all forms of loss. Likewise the benefits of a marketing permit for business actors include: (1) the existence of a marketing permit for imported fresh food becomes legal. (2) the emergence of consumer confidence in fresh food sold in the market.

3.2. Consumer Protection in the Distribution of Fresh Food Products Imported Fruits and vegetables

Consumer protection is very important to the circulation of fresh fruit and vegetable food products that are consumed in quantity every day by the community. In fact, it does not only provide protection to consumers but on the contrary can improve the business climate for businesses in the supply of quality fresh fruit and vegetable foods that meet the safety, quality and nutrition requirements for public consumption.

With the enactment of Law Number 12 Year 2012 concerning Food which is the main regulation to provide protection to consumers and producers of healthy, safe and halal food. Then the food law was strengthened by the elaboration of the Act, which was outlined in various forms of Government Regulations (PP) Regarding food quality and nutrition as well as food security.

The main function of law is to protect the interests that exist in society. (Mahendra Abdi, Collection of Legal Theories) Roscoe Pound, in his theory Law as a tool of social engineering "law as a tool of renewal in society / manipulating society". According to Roscoe Pound classifying the interests that must be protected by law, including:

1. Public Interest
 - a) The interests of the State as a Legal Entity
 - b) The interests of the state as guardians of the interests of society
2. Community interests (social interest)
 - a) Prevention of violations of rights
 - b) Social welfare
3. Private interests
 - a) Individual interests
 - b) Family interests
 - c) The interests of property rights

Social Engineering is systematic, starting from the identification of problems to the solution, namely: 1) Identifying the problems faced as well as possible; 2) Understand the basic values that exist in society; 3) Follow the course of applying the law and measure its effects.

Legal fiction is a principle that assumes a person knows the law (*presumptio iures de iure*). True legal fiction becomes a consequence that the government is obliged to convey the existence of certain laws or regulations to the general public and business actors in particular that must be supported by adequate legal socialization. So that consumer rights and consumer interests are integratively and comprehensively protected from business actors who do not carry out their obligations in accordance with applicable laws and regulations.

Basically, consumer protection is part of consumer law that is united and inseparable. The definition of consumer law and consumer protection law (Nasution, 2006) Consumer Protection Law is as a whole the principles and rules governing the relationships and issues of the supply and use of goods and / or services between suppliers and users in social life. Whereas the limitation of consumer protection law as a special part of consumer law is the whole of the principles and rules that govern and protect consumers in the relationships and problems of providing and using them in social life.

3.3. Supervision of the Distribution of Fresh Food Products for Imported Fruits and Vegetables

Handling the entry of imported fruits and vegetables, the government plays a direct role. The role of the government starts from monitoring, checking the health of fruits and vegetables, and issuing certificates of eligibility that the fruits and vegetables are safe for distribution on the market.

According to the Big Indonesian Dictionary the term "supervision" comes from the word 'watch out' meaning to pay close attention, in the sense of looking at things carefully and carefully, there is no more activity except to give a report based on the actual reality of what is being watched. If analyzed further from the term 'supervision' is a plan that has been outlined / planned in advance whether it has been carried out in accordance with the initial plan and whether the objectives have been achieved.

According to Lyndal F. Urwick, supervision is an effort for something to be carried out in accordance with established rules and issued instructions (Nurcahyo, 2018). According to M. Manullang, supervision is a process to determine what work has been done, assess it and correct it if necessary, with the intention that the implementation of the work is in accordance with the original plan. According to Prayudi, (Prayudi, 1981) supervision is a process to determine what work is carried out, performed, carried out with what is desired, planned or noticed. According to Syaiful Anwar (Anwar, 2004) Supervision or control of the actions of the government apparatus is needed so that the implementation of the assigned tasks can achieve the objectives and avoid deviations.

From these definitions, it can be concluded that supervision is a process of ongoing activities carried out to find out what work has been carried out, then conducted an assessment and correct whether the implementation is appropriate or not. Besides Supervision is an assessment which is a process of measurement and comparison of the results of real work that has been achieved with the results that should be achieved.

Supervision in terms of time is divided into two categories (Sudjamto, 1986): a) A priori supervision or preventive supervision, namely supervision carried out by the higher government apparatus of the decisions of the lower apparatus. Supervision is carried out before the issuance of a decision or statute of state administration or other regulations by way of ratification of the said regulation or regulation. If the said regulation or regulation has not yet been ratified, the said regulation or regulation does not yet have legal force; b) A-posteriori supervision or repressive supervision, namely supervision carried out by

the higher government apparatus of the decisions of the lower government apparatus. Supervision is carried out after the issuance of government decisions or decrees or government actions. Actions in repressive supervision can result in repeal if the government decree is contrary to the higher laws and regulations. In an emergency situation action can be taken by deferring the provisions that have been issued before revocation.

Supervision of fresh food safety (Guidelines for Implementing the Supervision of Safety and Quality of Fresh Food in 2017) is an effort made in order to ensure the safety of fresh food that circulates through inspection, sampling, monitoring and testing.

Fresh Food supervision activities start from monitoring to the test results. Based on the conclusion of the definition of supervision, if it is associated with the supervision of imported fresh fruit and vegetable food, supervision must be carried out Preventive and Repressive. Preventive supervision can be carried out by conducting socialization as well as coaching business operators on the importance and mandatory distribution permit for imported fresh food fruits and vegetables. Repressive supervision is carried out by means of regular and ongoing checks on fresh food fruits and vegetables that have been circulating in the market.

Supervision mechanism for the entry of imported fruits and their implementation. Based on Government Regulation No. 14 of 2002 concerning Plant Quarantine that every imported fruit that enters Indonesia will be subject to quarantine (inspection, exile, observation, treatment, detention, rejection, annihilation, and release) before receiving a statement may be circulated or destroyed.

Based on Government Regulation No. 28 of 2004 concerning Food Quality and Nutrition Safety, related to the distribution of authority for supervising food safety especially for fresh food, the Ministry of Agriculture through the Center for Diversity

3.4.Sanctions for Violation of Circulatory Circulation of Imported Fresh Food Products and Vegetables

Permission is one of the most widely used instruments in administrative law. One of the subjects of administrative law is the government, the government uses permits as a legal tool to regulate the import of fresh fruit and vegetable food products so that they can avoid the provisions of deviations from the prevailing laws and regulations.

With the existence of a licensing system, lawmakers can pursue goals, (NM, Spelled, JBJM Ten Derge: 1992, including: 1) the desire to direct or control certain activities, 2) prevent environmental / certain hazards, 3) directives by selecting people and activities carried out.

Article 140 of Law No.18 of 2012 Concerning food: *"Every person who produces and trades food that intentionally does not meet the food safety standards as referred to in article 86 paragraph 2 shall be sentenced to a maximum imprisonment of 2 (two) years or a maximum fine a lot of Rp.4,000,000,000.00 (four billion rupiah) "*.

The provisions of Article 140 of Law No.18 of 2012 concerning food only mention generally about food that does not meet food safety and food quality standards, but basically fresh horticultural products are categorized as fresh food. In particular, fresh imported horticultural products are regulated in article 128 of Act No. 13 of 2010 concerning Horticulture.

Article 122 paragraph (2) of Law No.13 of 2010 concerning Horticulture. *Administrative sanctions in the form of: (a) written warning; (b) administrative fines; (c)*

temporary suspension of activities; (d) product withdrawal from circulation by business actors; (e) revocation of licenses; and / or (f) business closure.

Article 136 of Law No.18 of 2012 concerning Food: "Everyone who carries out Food Production for distribution who deliberately uses: a. Food additives exceed the maximum threshold set; b. material which is prohibited from being used as food additives as referred to in Article 75 paragraph (1) shall be liable to a maximum imprisonment of 5 (five) years or a maximum fine of Rp 10,000,000,000.00 (ten billion rupiah).

By granting a distribution permit for fresh food, the ruler or the government allows business actors to take certain actions, from certain actions an action in the public interest requires special supervision related to the circulation of imported fresh fruit and vegetable food products.

4. Conclusion

Fresh food products of fruits and vegetables are commodities that are consumed daily, therefore the fresh food products before circulating in Indonesia must first obtain a marketing authorization along with the registration number of the fresh food products. The distribution permit along with the registration number of imported fresh fruit and vegetable food products is given after going through a series of processes as regulated in the legislation. If the distribution permit is ignored in the circulation of imported fresh fruit and vegetable food products, the business actor will be subject to criminal and civil sanctions. Supervision of fresh food products is carried out by the Ministry of Agriculture through the Center for Diversification of Consumption and Fresh Food Safety which will be imported into Indonesian territory for later circulation.

Consumer protection is a part of consumer law that cannot be separated because the main function of law is to protect the interests that exist in society. Consumer protection by the state if associated with the Pound theory of "social engineering" that Social Engineering is systematic starts from identifying problems to breaking down the fresh food of imported fruits and vegetables that can endanger health. The precautionary principle can be applied by consumers in a careful and meticulous way in selecting fresh food products circulating in the market by looking at the label or Registration Number on food products. The form of consumer legal protection and supervision of the circulation of imported fresh fruit and vegetable food products that do not have a marketing authorization are legal protection and preventive and repressive supervision.

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