

ABSTRAK

Kasus kontaminasi bakteri *bacillus cereus* pada produk pangan impor *latiao* menjadi sorotan publik karena menyebabkan Kejadian Luar Biasa Keracunan Pangan (KLBKP) di berbagai daerah. Berdasarkan hasil uji laboratorium oleh BPOM, *latiao* yang dijual di pasaran tercemar bakteri *bacillus cereus* yang menghasilkan toksin dan memicu beberapa gejala pada korban. Tujuan penelitian ini adalah untuk mengetahui apakah produk impor *latiao* yang terkontaminasi bakteri *bacillus cereus* dapat diklasifikasikan sebagai pelanggaran terhadap UUPK Pasal 7 huruf d dan bagaimana tanggungjawab pelaku usaha pada konsumen akibat mengonsumsi produk impor *latiao* yang terkontaminasi. Metode penelitian ini adalah penelitian hukum normatif dengan menggunakan pendekatan perundang-undangan. Hasil penelitian menunjukkan: Pertama, produk impor *latiao* yang terkontaminasi bakteri *bacillus cereus* dapat diklasifikasikan sebagai pelanggaran Pasal 7 huruf d UUPK. Keberadaan bakteri yang membahayakan kesehatan konsumen menunjukkan kegagalan pada titik kontrol kritis sterilisasi komersial, sehingga produk tidak memenuhi standar mutu dan melanggar Peraturan BPOM No. 27 Tahun 2021 tentang Persyaratan Pangan Olahan Berasam Rendah dalam Kemasan Hermetis. *Latiao* yang tidak memenuhi standar pangan steril komersial wajib didistribusikan melalui rantai dingin dengan batas *bacillus cereus* maksimal 10^3 koloni/gram. Kedua, tanggung jawab pelaku usaha yaitu: tanggung jawab perdata sebagaimana sesuai ketentuan pasal 19 UUPK, dan tanggung jawab pidana sesuai ketentuan pasal 62 UUPK jo. Pasal 140 dan Pasal 146 UU Pangan. Serta tanggung jawab administrasi Pasal 60 ayat (3) UUPK jo. Pasal 94 ayat (2) UU Pangan. Rekomendasi dalam penelitian ini, pemerintah perlu memperkuat pengawasan *pre-market* dan *post-market*.

Kata Kunci: Pangan, Produk Impor, Tanggung Jawab Hukum, Pelaku Usaha

ABSTRACT

The case of bacillus cereus bacterial contamination in imported latiao food products has been in the public spotlight because it has caused Extraordinary Food Poisoning Events (KLBKP) in various regions. Based on the results of laboratory tests by BPOM, latiao sold in the market are contaminated with bacillus cereus bacteria that produce toxins and trigger several symptoms in victims. The purpose of this study is to determine whether imported latiao products contaminated with bacillus cereus bacteria can be classified as a violation of GCPL Article 7 letter d and how the responsibility of business actors to consumers due to consuming contaminated imported latiao products. The method used in this research is normative legal research using a statutory approach. The results of the research show: First, imported latiao products contaminated with bacillus cereus bacteria can be classified as a violation of Article 7 letter d of the GCPL Law. The presence of bacteria that pose a real threat to consumer health indicates a failure at the critical control point (CCP) of sterilization, and automatically the product does not meet quality standards. Latiao that does not meet commercial sterile food standards must be distributed through the cold chain with a maximum bacillus cereus limit of 103 colonies/gram. Second, business actors are civilly, criminally and administratively liable for consumer losses due to consuming imported latiao products contaminated with bacillus cereus bacteria. Civil liability is in accordance with the provisions of Article 19 of the GCPL, and criminal liability is in accordance with the provisions of Article 62 of the GCPL jo. Article 140 and Article 146 of the Food Law. as well as administrative liability under Article 60 paragraph (3) of the GCPL jo. Article 94 paragraph (2) of the Food Law. The recommendation in this study is that the government needs to tighten pre-market and post-market supervision.

Keywords: Food, Imported Products, Legal Responsibility, Business Actors