

ABSTRAK

Di dalam Putusan Nomor 57/Pid.Sus/2019/PN Atb, terdawa melakukan tindak pidana pencampuran benih bina dan pemalsuan label pada kantong benih. Perbuatan terdakwa melanggar Pasal 60 ayat (1) huruf c Undang-undang Nomor 12 Tahun 1992 tentang Sistem Budidaya Tanaman. Majelis Hakim dalam pertimbangannya hanya menjelaskan mengenai perbuatan terdakwa yang melakukan pemalsuan label pada kantong benih, sedangkan pada fakta nya terdakwa juga melakukan pencampuran benih padi dari Ciherang dengan benih padi yang kelas nya rendah dan murah.

Pasal 60 ayat (1) huruf c Undang-undang Nomor 12 Tahun 1992 tentang Sistem Budidaya Tanaman sudah menjelaskan bahwa benih bina yang akan diedarkan harus melalui sertifikasi dan memenuhi standar mutu yang sudah ditetapkan oleh Pemerintah, dan jika sudah lulus sertifikasi apabila diedarkan wajib diberi label. Majelis Hakim juga memberikan sanksi pidana kepada terdakwa hanya satu (satu) bulan dengan mempertimbangkan keadaan yang meringankan dan memberatkan pada terdakwa.

Pertimbangan hakim pada Putusan Nomor 57/Pid.Sus/2019/PN Atb, kurang tepat dalam menjelaskan perbuatan tindak pidana yang dilakukan terdakwa. Seharusnya hakim dapat mencantumkan sera lengkap dan jelas mengenai perbuatan terdakwa yang melakukan pencampuran benih padi dari ciherang dengan benih padi yang kelas nya rendah dan murah, serta melakukan pemalsuan label pada kantong benih yang akan diedarkan. Selain itu Majelis Hakim juga seharusnya dapat memberikan sanksi yang sesuai dengan perbuatan terdakwa sebagaimana yang berada pada ketentuan Pasal 60 ayat (1) huruf c Undang-undang Nomor 12 Tahun 1992 tentang Sistem Budidaya Tanaman.

ABSTRACT

In Decision Number 57/Pid.Sus/2019/PN Atb, the defendant committed the crime of mixing seedlings and falsifying labels on seed bags. The defendant's actions violated Article 60 paragraph (1) letter c of Law Number 12 of 1992 concerning Plant Cultivation Systems. Year 1992 concerning Plant Cultivation System. The Panel of Judges in its consideration only explained the actions of the defendant who committed falsifying the labels on the seed bags, while in fact the defendant also the defendant also mixed rice seeds from Ciherang with rice seeds of a lower and cheaper class low grade and cheap rice seeds.

Article 60 paragraph (1) letter c of Law No. 12 of 1992 concerning the Plant Cultivation System has explained that the foster seeds that will be must go through certification and meet the quality standards that have been set by the Government, and if it has passed quality standards set by the Government, and if it has passed certification if it is circulated, it must be labeled. Be labeled. The Panel of Judges also imposed a criminal sanction on the defendant of only one (1) month by considering the mitigating and aggravating circumstances of the defendant.

Aggravating circumstances for the defendant. the judge's consideration in Decision Number 57/Pid.Sus/2019/PN Atb, was less precise in explaining the criminal act committed by the defendant. In explaining the criminal act committed by the defendant. The judge should have been able to include a complete and clear description of the defendant's actions. The defendant who mixed rice seeds from ciherang with rice seeds of a low and cheap class, and low-grade and cheap rice seeds, as well as falsifying the labels on the bags of seeds to be distributed. Seeds to be circulated. In addition, the Panel of Judges should also be able to sanctions in accordance with the actions of the defendant as in the provisions of Article 60 paragraph (1) letter c of Law Number 12 of 1992 concerning Plant Cultivation Systems 1992 concerning the Plant Cultivation System.