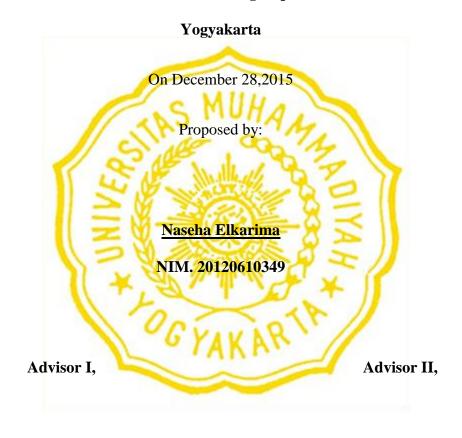
## **APPROVAL PAGE**

This Undergraduate Thesis has been approved by the Advisors

# The Customer Protection Concerning Imported Cosmetic Product in



Mukti Fajar ND, H., Dr., S.H.,M.Hum
NIK. 19680929199407 153 019

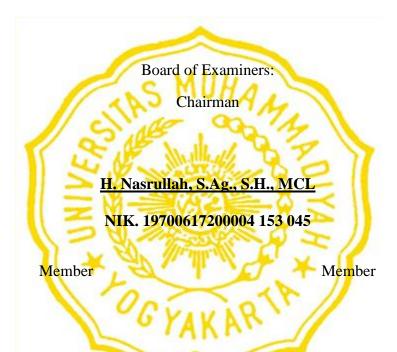
Fadia Fitriyanti, S.H.,M.Hum.,M.Kn
NIK. 19711127199603 153 026

### **VALIDATION PAGE**

### **UNDERGRADUATE THESIS**

It has been defended in front of the board of examiners

# The Customer Protection Concerning Imported Cosmetic Product in Yogyakarta



Mukti Fajar ND, H., Dr., S.H., M.Hum

Fadia Fitriyanti, S.H.,M.Hum.,M.Kn

NIK. 19680929199407 153 019

NIK. 19711127199603 153 026

Validation
Dean of the Faculty of Law
Universitas Muhammadiyah Yogyakarta

<u>Dr. Trisno Raharjo, S.H., M.Hum.</u> NIK. 19710409199702 153.028 DECLARATION OF RESEARCH AUTHENTICITY

بسالله الرحزالجيم

I hereby declare that the thesis under title "THE CONSUMER LEGAL PROTECTION CONCERNING IMPORTED COSMETIC PRODUCT IN YOGYAKARTA", its content is truly my own work and I did not do plagiarism or quotation in ways that are inconsistent with the prevailing ethic in the scientific community. On this statement, I am ready to bear the risk/any sanctions imposed to me in accordance with applicable regulation, if the future found a breach of scientific ethics, I am willing to accept the sanctions.

Written by

Name : Naseha Elkarima

**Student Number** : 20120610349

Faculty : Law

Major : International Program for Law and Sharia

University : Universitas Muhammadiyah Yogyaarta

Yogyakarta, December 28, 2015

(Naseha Elkarima)

## **MOTTO**

مَنْ جَدّ وَ جَدِّ

Whoever sincerely does, will get

Manusia Akan Diberi Nama oleh Prestasi yang Dicapainya -Mukti Fajar Nur Dewata-

## **DEDICATION PAGE**

The Undergraduate Thesis dedicates to: My Lord, Allah SWT

Prophet Muhammad SAW

My parents:

My Father, Pasdin

My Mother, Marpiah

Lecturers:

Bapak Dr. Mukti Fajar ND. S.H., M. Hum

Ibu Fadia Fitriyanti. S.H., M.Hum., M.Kn

Bapak Nasrullah, S.H., S.Ag., MCL

And all Lecturers of Faculty of Law Universitas Muhammadiyah Yogyakarta

All IPOLianS: Especially for batch 2012

### **PREFACE**

Assalamualaikum wr wb...

All praises and gratitude to Allah SWT, for grace, favor, and guidance that has given strength and guidance to the author, that this thesis can be completed. This thesis is made to fulfill one of the requirements to obtain the bachelor degree (S-1) in Law Faculty, Universitas Muhammadiyah Yogyakarta. Under title: 'THE CUSTOMER PROTECTION CONCERNING IMPORTED COSMETIC PRODUCT IN YOGYAKARTA"

Firstly I send my big thanks to my beloved parents Bapak Pasdin and Ibu Marpiah for advises, supports, encouragements and prayers for me to complete this undergraduate thesis, and also to all my Sisters Emmi, Elin and Brother Benni.

A very special thanks I give to Kak Hary Abdul Hakim and Apriana Daru Probowati for supports, motivations, encouragements, and prayers to me to complete this undergraduate thesis. And also KKN 23, Andi Pramawijaya Sar, Wahyu Ridha Rahma Agustina, Reza Giffari, Satria, Mad, Teguh and Fahmi.

The biggest thanks I delivered to my both advisors Dr. Mukti Fajar ND. S.H., M.Hum as the first advisor and Fadia Fitriyanti, S.H., M.Hum., M.Kn. as the second advisor, who have given me guidance, direction, and suggestion with sincerity and patience to accomplish my undergraduate thesis.

May Allah SWT always give the reward for all the assistance that has been provided

to the author during the process of preparing and writing this thesis. The author

realizes this thesis is far from perfection, and it is good to give suggestions and

criticism from readers so the authors expect for the perfection of this thesis. Finally

the author hops this paper can be useful for us.

Wassalamualaikum wr. wb.

Yogyakarta, December 28, 2015

(Naseha Elkarima)

vii

# **CONTENTS**

APPROVAL PAGE	i
VALIDATION PAGE	ii
DECLARATION OF RESEARCH AUTHENTICITY	iii
MOTTO	iv
DEDICATION PAGE	v
PREFACE	vi
Contents	viii
CHAPTER I INTRODUCTION	1
A. Background	1
B. Research Question	4
C. Research Objective	4
D. Advantages	5
CHAPTER II LITERATURE REVIEW	6
A. General Review for Consumer Protection	6
1. Consumers	6
2. Consumer's Protection and Consumer's Law	7
3. Goal of Consumer's Protection	8
4. Rights and Obligations of the Consumers	10
B. General Review of Entrepreneur	11
1. Entrepreneurs	11
2. Rights and Obligations of the Entrepreneurs	12
3. Responsibility of Entrepreneurs	15

C. Overview of Cosmetic Product	18
1. Cosmetic	18
2. The Classification of Cosmetic	19
3. The Cosmetic Ingredient	19
4. The Making of Cosmetic	21
5. The Requirements for Quality, Security, and Benefit Cosmetics	21
D. The Imported Product	22
E. Overview for International Trade	23
International Trade Agreement	23
2. The Principles of International Trade	25
3. The International Trade Mechanism	28
4. The Parties on International Trade	31
5. How to Purchase Delivery of Goods in International	35
CHAPTER III RESEARCH METHODE	40
A. Type of Research	40
B. Research Approach	40
C. Legal Materials	41
1. Primary Legal Materials	41
2. Secondary Legal Materials	42
3. Tertiary Legal Materials	42
D. Technique and Method of Research Data Collection	43
E. Analysis	44
F. Thesis Framework	44

	PTER IV THE ANALYSIS ON LEGAL PROTECTION FOR CONSUMER	
OF IN	MPORTED COSMETIC	46
A.	Legal Protection of Consumers Against Imported Cosmetic Products	46
1	Based on the Law of Consumer Protection	46
2	2. Regulation	48
3	B. Monitoring Mechanism toward BPOM Cosmetic Products	50
4	4. Supervision of BPOM on the Circulation of Imported Cosmetics	52
5	5. Prevention by BPOM on the Circulation of Imported Cosmetics	54
6	6. The Procedure for Prosecution of Violations of Imported Cosmetics	55
7	7. Consumers Protection by Lembaga Swadaya Masyarakat (Non-Government Organisation) <i>Yayasan Lembaga Konsumen Indonesia</i>	56
B.	The Legal Responsibility of the Importer to the Consumers Losses	58
1	. The responsibilities of Importer Company	58
2	2. The Provision of Mechanism of Compensation for Consumers of the Company Importer	59
3	3. The Obligation of Entrepreneur	59
4	4. The Various Consumer Claim to the Importer	60
5	5. Civil and Criminal Sanction for Entrepreneurs	62
6	6. Criminal sanctions in Article 62 point 2	63
CHA	PTER V CLOSING	64
A.	Conclusion	64
B.	Suggestion	65
REFE	ERENCES	66
	Doolea	66

b.	Legislations	. 67
c.	Journals	. 68
d.	Internets	. 68
e.	Other Sources	. 69