

Consumer Protection in the E-Cigarette Industry: Legal Responsibility of Business Actors for Non-Compliance with Information Labels and Health Warnings

Herry M Polontoh
Universitas Cenderawasih Papua, Indonesia

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Corresponding Author:
Author Name*: Herry M
Polontoh
Email*: 88mherry@gmail.com

Abstrak: *In recent years, the popularity of e-cigarettes has increased rapidly, especially among teenagers and young adults who consider them a safe alternative to tobacco cigarettes. However, these products still contain harmful substances, while many products on the market do not list adequate health warnings. This indicates potential violations of consumer protection and underscores loopholes in legal oversight that allow business actors to ignore these obligations. The lack of clarity of labels and misleading advertisements poses health risks that consumers are not aware of, especially for the younger generation who are vulnerable to these promotions. This study examines the legal responsibility of business actors in fulfilling health labeling obligations in accordance with the Consumer Protection Law and Government Regulations related to addictive substances. With a normative juridical method, this study assesses the regulation of labeling e-cigarette products and the need for stricter policies. The results of the study are expected to provide policy recommendations to improve regulations and increase supervision, so that consumers' rights to health information are fulfilled and the e-cigarette industry is more responsible in prioritizing public health.*

Keywords : *Consumer Protection; Health Warning Labels; Legal Liability*

INTRODUCTION

In recent years, the e-cigarette or vape industry has experienced a significant increase, both in terms of market demand and product development. E-cigarettes are seen as an alternative to quitting traditional tobacco smoking, thus attracting the interest of the public, especially young people. However, even though it is claimed to be safer, e-cigarettes still contain harmful chemicals that can have a bad impact on health¹. The rapid penetration of e-cigarettes among consumers, especially teenagers and young adults, raises concerns regarding the lack of accurate information regarding their health risks. Ironically, most e-cigarette products on the market often do not include clear health warnings, or even completely ignore the standard label information that should be the responsibility of business actors². This phenomenon shows the potential for violations of consumer protection, which is basically the basic right for every individual

¹ Kusumastuti, N. A., & Haeriyah, S. (2021). Penyuluhan kesehatan mengenai bahaya rokok elektrik dengan metode ceramah di Desa Uwung Girang, Kecamatan Cibodas, Tangerang. *SELAPARANG: Jurnal Pengabdian Masyarakat Berkemajuan*, 4(3), 618-623.

² Oktavia, S., Banowati, L., Anindita, M. W., Musa, D. T., & Alamri, A. R. (2023). Motif Penggunaan Rokok Elektrik (vape) Studi Kasus Mahasiswi Antropologi Sosial FISIP UNTAN. *Sosietas: Jurnal Pendidikan Sosiologi*, 13(1), 13-24.



to maintain personal safety from hazardous products. Thus, regulations that regulate health information and warnings on e-cigarette products are an urgent need to protect consumer rights. This is in line with Law Number 8 of 1999 concerning Consumer Protection, which mandates that business actors are obliged to provide true and clear information about the goods or services they offer³.

The issue of non-compliance with health information and warning labels on e-cigarette products further highlights the role of the law in regulating the responsibilities of business actors. Health warning labels are very important because they help consumers understand the risks they may face in using certain products, including e-cigarettes. However, many businesses ignore these provisions and do not provide adequate information regarding the health impacts of their products. This non-compliance indicates a loophole in legal oversight that allows businesses to not take responsibility for consumer safety⁴. In this context, the lack of awareness and clear information regarding the health hazards posed by e-cigarettes means that consumers are unable to make a truly informed decision⁵. For consumer protection, Law No. 36 of 2009 on Health and Government Regulation No. 109 of 2012 on the Safety of Materials Containing Addictive Substances in the Form of Tobacco Products for Health stipulate that products containing addictive substances must be equipped with explicit health warnings⁶. Therefore, the legal responsibility of business actors in providing clear information on e-cigarette product labels must be enforced more seriously. Through strict regulation, it is hoped that consumers can be protected from unexpected risks due to the use of e-cigarettes.

Another phenomenon that accompanies the popularity of e-cigarettes is the increase in health cases associated with their use. Medical research shows that long-term use of e-cigarettes can lead to health problems, such as respiratory diseases and lung complications⁷. Several reported cases, both locally and internationally, show that consumers suffered health problems after using e-cigarette products that did not include adequate risk warnings. This demonstrates the importance of clarity and accuracy of information on product labels so that consumers can understand the dangers associated with using these products. Lack of transparent information leaves consumers vulnerable to health risks of which they are unaware. Thus, non-compliance with health warnings on e-cigarette products is a legal responsibility that must be consistently enforced. Businesses are expected to be more responsible in providing the right information

³ Octavira, N. (2024). Perlindungan Konsumen Dan Penegakan Hukum Terhadap Produk Rokok Elektrik: Implementasi UU. 8 Tahun 1999. *Jurnal Literasi Indonesia*, 1(3), 97-104.

⁴ Delpiero, M., Reynaldi, F. A., Ningdiah, I. U., & Muthmainnah, N. (2021). Analisis yuridis kebijakan privasi dan pertanggungjawaban online marketplace dalam perlindungan data pribadi pengguna pada kasus kebocoran data. *Padjadjaran Law Review*, 9(1).

⁵ Qushoyyi, R. R., Ramdhani, M., & Nayiroh, L. (2023). Efektivitas Komunikasi Visual Gambar Peringatan Pada Kemasan Rokok Terhadap Kesadaran Kesehatan. *Jurnal Ilmiah Wahana Pendidikan*, 9(11), 453-462.

⁶ Ramadhan, M. I. (2022). *Peraturan Pemerintah No. 109 tahun 2012 Tentang Pengamanan Bahan Yang Mengandung Zat Adiktif Berupa Produk Tembakau Bagi Kesehatan Di Kabupaten Cirebon (Studi Kasus Peraturan Bupati No. 55 Tahun 2016)* (Doctoral dissertation, S1 Hukum Tata Negara Islam IAIN SNJ).

⁷ Siagian, H., Imran, L., Nirawaty, N., & Perwitasari, P. (2024). Analisis Perilaku Merokok, Dampak Kesehatan dan Strategi Pengendalian Tembakau. *JURNAL KESEHATAN TERAPAN*, 11(1), 29-40

so that consumers do not suffer health losses that could have been prevented, in accordance with the mandate of Government Regulation No. 109/2012.

The development of the e-cigarette industry in several countries is faced with government regulations that are still inadequate and sometimes unspecific. Existing regulations are often unable to regulate details regarding the standard of information that must be included in the product, especially with regard to health impacts⁸. This condition provides an opportunity for business actors to ignore their responsibility to include adequate health warning labels on e-cigarette products. This situation shows weaknesses in regulations that result in a lack of consumer protection against health hazards that may arise. Weak regulations open a loophole for business actors to avoid the obligation to provide honest information about the dangers of using e-cigarettes. In this case, the role of the government in drafting firmer regulations and regulating the provisions of information labels on e-cigarette products is urgently needed. With clearer and stricter regulations, it is expected that business actors will be more responsible in protecting consumers through informative and transparent labels.

On the other hand, e-cigarette advertisements often do not comply with ethical standards and regulations related to health risk warnings. Many advertisements promote the positive aspects of e-cigarettes, such as practicality, modern lifestyle, or as a tool to help quit smoking, without including clear warnings about the health risks. This situation leads to misperceptions among consumers, especially young people, who are eventually attracted to use the products without considering the long-term risks. Ethical advertising should include clear information about health hazards so that consumers can make informed and responsible decisions. The non-compliance of business actors in conveying health risk warnings in e-cigarette advertisements creates legal responsibilities that must be followed up. This misleading advertising shows that the regulation of e-cigarette advertising needs to be tightened to prevent violations of the legal responsibility of business actors for consumer protection.

Meanwhile, more and more consumers are realizing the health hazards of e-cigarettes and are beginning to demand legal protection from the products they use. Consumers who have experienced health impacts due to the use of e-cigarettes often feel aggrieved and expect to receive adequate compensation or legal protection. This phenomenon indicates greater consumer awareness of their rights to obtain products that are safe and free of health risks. Consumers are increasingly active in advocating for their rights and demanding that businesses take responsibility for inadequate information on e-cigarette products. In this case, strict consumer protection regulations are needed to ensure that businesses provide truly transparent information. With strict law enforcement, consumers will feel safer in using products available in the market.

Increased public awareness of consumer rights is in line with the development of legal instruments that increasingly prioritize consumer protection. Many countries have adopted stricter regulations governing the e-cigarette industry, including the requirement to include health warning labels on products. However,

⁸ HIDAYAT, R. A. R. (2024). Perlindungan Hukum Terhadap Konsumen Pengguna Obat Yang Beredar Luas Di Pasaran. *Kultura: Jurnal Ilmu Hukum, Sosial, Dan Humaniora*, 2(2), 247-274.

these efforts still encounter obstacles in implementation due to business actors who have not fully complied with the rules. Some businesses even find ways to avoid this obligation by displaying minimal or ambiguous information. This condition raises the need for more effective supervision and law enforcement, so that every e-cigarette product in circulation can provide correct and adequate information for consumers. The existence of good regulations that are not optimally implemented will only increase consumer vulnerability to health risks. In the Indonesian context, Law No. 8/1999 and Government Regulation No. 109/2012 are important foundations to ensure that businesses provide transparent information and warnings to consumers.

With the various problems that have been described, this research is important to examine further the legal responsibilities of business actors in providing information labels and health warnings on e-cigarette products. The phenomenon of business actors' non-compliance with health warnings indicates a gap in consumer protection, which requires more attention from the regulatory and law enforcement aspects. This study aims to explore how such legal responsibilities can be enforced to ensure consumers' rights to know the risks they may face. Thus, it is hoped that the results of this study can contribute to the formulation of better policies to regulate the e-cigarette industry. Ultimately, strong consumer protection will create a safer market, where businesses are required to be responsible for providing accurate and transparent information to every consumer who uses their products

METHOD

This research adopts a normative juridical approach that focuses on analyzing the applicable rules of law related to provisions regarding health warning labels on e-cigarette products, as well as their legal implications in the context of consumer protection. This research aims to understand the extent to which existing regulations can protect consumers from potential health risks associated with the use of e-cigarettes. In order to collect data, this research uses primary data consisting of primary legal materials such as laws, government regulations, and other laws and regulations relating to health warnings and consumer protection. In addition, secondary data in the form of books, scientific journals, articles, and other literature that explore the provisions of health risk product labeling as well as case studies from countries that have stricter regulations on vape products will also be used as references.

Data collection will be conducted through a literature study involving a review of relevant primary and secondary legal materials, as well as document analysis of various regulations, including Law No. 8 of 1999 on Consumer Protection, Government Regulation No. 109 of 2012 on the Safety of Materials Containing Addictive Substances, and Law No. 36 of 2009 on Health. The data that has been collected will be analyzed descriptively qualitatively through the stages of regulatory inventory, legal interpretation to identify legal loopholes, analysis of legal alignment with international regulations, and evaluation of regulatory implementation in practice to determine the factors that cause non-compliance of business actors.

The research procedure began with the determination of the research topic, namely the non-compliance of business actors with the provisions of health warning labels on e-cigarettes, followed by data collection and assessment. Furthermore, an in-depth analysis of existing regulations, including comparison with

international provisions, as well as interpretation of applicable legal norms was conducted. This research is expected to provide a clear understanding of the legal weaknesses and gaps in regulations related to health warning labels on e-cigarette products. In addition, it is expected to provide policy recommendations to improve existing regulations in order to increase consumer protection and encourage compliance of business actors in including health warnings on their products. The expected policy implications are tightening regulations, increasing supervision of e-cigarette products, and educating consumers about their rights regarding the health information of the products they consume.

RESULTS AND DISCUSSION

1. Non-Compliance o Business Actors with Health Warning Labels on E-Cigarettes

Non-compliance of business actors with the obligation to include health warning labels on e-cigarette products has become a serious issue in the context of consumer protection. Based on the results of the study, it was found that many e-cigarette products on the market do not include enough information related to potential health hazards⁹. Labels that are supposed to provide information about the health risks of nicotine and other harmful chemicals are often absent or inadequate. This non-compliance shows a gap in the implementation of legal supervision that allows business actors to ignore these obligations. In fact, in Law Number 8 of 1999 concerning Consumer Protection, it is explicitly explained that every product offered to consumers is required to include clear and non-misleading information. Failure to comply with these provisions not only harms consumers, but also potentially creates greater public health problems¹⁰. Therefore, non-compliance with this provision must receive serious attention from law enforcement officials in order to provide maximum protection to consumers.

From a legal perspective, non-compliance with health warning labels on e-cigarette products also reflects the lack of seriousness of business actors in carrying out their social responsibilities¹¹. Article 4 letter (a) of the Consumer Protection Law stipulates that every business actor is obliged to provide true, clear, and truthful information about the goods or services marketed. This act of non-compliance, if not handled properly, will create potential losses for consumers, especially related to their ignorance about the dangers of using e-cigarette products. Therefore, the existence of adequate labels is essential to give consumers the right to clear information, in order to avoid negative impacts on health. Lack of clarity or lack of proper labeling can reduce consumer awareness of the dangers that can be posed by the product, which risks errors in the use of the product. In this case, consumer protection must be a priority, considering the health risks posed by e-cigarette products that are not fully understood by the public.

⁹ Mulyana, K. I., Saptono, H., & Prasetyo, A. B. (2024). TINJAUAN YURIDIS TERHADAP BISNIS CAIRAN ROKOK ELEKTRIK (E-LIQUID) ECERAN DI INDONESIA. *Diponegoro Law Journal*, 13(1).

¹⁰ *Ibid*

¹¹ Ekawati, D., & Dermawan, E. S. (2019). Analisis Implementasi Kebijakan Pencantuman Peringatan Kesehatan dan Peringatan Kesehatan pada Kemasan Rokok. *Jurnal Kebijakan Kesehatan Indonesia: JKKI*, 8(2), 81-94.

In addition, the non-compliance of business actors with health warning labels is also related to weak supervision from the authorities¹². Although there are regulations governing the obligation to include health warning labels, in practice many products do not comply with these provisions without adequate sanctions. This is due to various factors, including limited human resources who oversee the circulation of products, as well as indecisiveness in law enforcement. In this context, stricter supervision and more effective law enforcement mechanisms are needed so that business actors feel bound to comply with existing regulations. Authorities, such as the Food and Drug Supervisory Agency (BPOM) and the Health Office, must be more proactive in ensuring that every e-cigarette product on the market has fulfilled its legal obligation to include appropriate health warning labels. Without effective supervision, the risk of abuse by business actors will be greater, which ultimately harms consumers.

In terms of consumer protection, the non-compliance of business actors with labeling obligations reflects the need to strengthen the legal system that can provide strict sanctions. Law No. 8 of 1999 regulates sanctions that can be imposed on business actors who do not fulfill legal obligations, such as administrative sanctions, fines, and even revocation of business licenses. However, in practice, the implementation of these sanctions is still relatively weak, considering that many business actors do not feel threatened by the existing legal threats. Therefore, it is necessary to review existing regulations, so that law enforcement can run more effectively. Strengthening a clearer and firmer sanctions system is very important to provide a deterrent effect for business actors who still neglect the obligation to label health on their products. Thus, not only business actors must comply with regulations, but also authorities need to ensure that law enforcement runs consistently and fairly.

The importance of regulations regulating health warning labels on e-cigarette products is not only related to legal obligations, but also with the aim of protecting public health in general¹³. E-cigarette products contain nicotine and other chemicals that can have a negative impact on the health of their users, including the potential for nicotine addiction and lung damage. Therefore, health warning labels should be seen as an educational tool for consumers to understand the risks they face when using the product. Non-compliance with these obligations can exacerbate the public health situation, where consumers are not adequately informed about the potential dangers that can arise from the use of e-cigarettes. In an effort to protect public health, it is very important to implement policies that require businesses to include clearer and more detailed warning labels, which can provide consumers with early warning about the adverse effects caused. Stricter regulations and more intensive supervision are expected to create a safer

¹² Haryono, D. B., Heryanti, B. R., & Triasih, D. (2022). Tanggung Jawab Pelaku Usaha Rokok Elektrik Yang Tidak Mencantumkan Label Informasi Dan Peringatan Keselamatan Pada Kemasan. *Semarang Law Review (SLR)*, 2(2), 154-163.

¹³ Randungan, C. L. Perlindungan Hukum Terhadap Konsumen Rokok Elektronik Berdasarkan Peraturan Pemerintah Nomor 109 Tahun 2012. *Jurnal Hukum Prodi Ilmu Hukum Fakultas Hukum Untan (Jurnal Mahasiswa S1 Fakultas Hukum) Universitas Tanjungpura*, 5(2).

environment for consumers, as well as reduce the long-term health risks that can arise from the use of e-cigarette products¹⁴.

2. The Effect of Misleading Advertising on Consumer Perception

Misleading advertisements about e-cigarette products have created a misleading perception among consumers, especially the younger generation, that these products are a safer alternative to conventional cigarettes. The results show that many e-cigarette advertisements describe the product as a healthier option or as a tool to quit smoking, without providing adequate information about the health risks that remain¹⁵. This kind of promotion tends to ignore the obligation to include clear health warnings, which should be governed by applicable legal provisions. The spread of this inaccurate information risks misleading consumers, especially teenagers who are more vulnerable to media influence. In fact, even though e-cigarettes are often seen as an alternative, the consumption of nicotine and other harmful chemicals can still have a bad impact on health. Promotional behavior that does not comply with these regulations has the potential to harm the public, as it can reinforce the wrong perception of e-cigarettes as a safe product. Therefore, it is necessary to review advertising regulations so that advertisements for products with health risks can convey true, clear, and non-misleading information.

The government has issued various regulations to regulate the advertising of products containing addictive substances, including e-cigarettes. Government Regulation No. 109 of 2012 concerning the Safety of Ingredients Containing Addictive Substances expressly mandates that advertisements for products containing nicotine and other harmful substances must include clear information about the health risks caused. However, in practice, many advertisements ignore this obligation by not including sufficient warnings or information about the dangers of using e-cigarettes. This indicates a gap in the implementation of regulations that allows advertisers not to provide transparent information about the negative effects of the product. Non-compliance with these provisions demonstrates the importance of stricter oversight from the authorities to ensure that every advertisement circulating in the community meets the standards of honest and truthful information¹⁶. Without strict law enforcement against these violations, the risk of consumers who are not adequately informed will continue to increase. Therefore, strengthening regulations and supervision of e-cigarette product advertisements is urgently needed so that consumers can make more informational and fact-based decisions.

Misleading e-cigarette advertising also leads to the need for an active role from advertising regulatory agencies and health agencies to mitigate the negative impact of unbalanced promotion. In this context, more intensive supervision of advertisements for products with health risks, especially e-cigarettes, is of great importance. Authorities, such as the Food and Drug Supervisory Agency (BPOM) and the Indonesian Broadcasting Commission (KPI), need to tighten regulations on advertising related to e-

¹⁴ ND, M. F. (2022). Evaluasi Kebijakan Tarif Cukai Rokok Elektrik Guna Mendorong Persaingan Usaha Yang Sehat. *Jurnal Penegakan Hukum Indonesia*, 3(2), 230-249.

¹⁵ Abdullah, D., Amelia, R. A. R., Kertati, I., Nova, R., & Chan, Z. (2024). Penyuluhan Bahaya Rokok Elektrik Pada Remaja: Mengapa Kita Harus Peduli. *Jurnal Pengabdian Kolaborasi dan Inovasi IPTEKS*, 2(5), 1428-1436

¹⁶ Hamid, A. H., & SH, M. (2017). *Hukum Perlindungan Konsumen Indonesia* (Vol. 1). Sah Media.

cigarette products so that all information submitted truly reflects the health risks contained in the products. Supervision of advertising media on various platforms, both online and offline, must be carried out more comprehensively. In this way, efforts to reduce the potential for the spread of misleading information can be more optimal. Without adequate supervision, more and more consumers, especially young ones, will be swayed by deceptive advertisements and believe that the product is safe. Therefore, law enforcement measures against advertisers who do not comply with these regulations need to be a top priority.

The impact of these misleading advertisements not only affects consumer perception, but also risks increasing the prevalence of e-cigarette use among adolescents and young people. The younger generation, who is more vulnerable to the influence of advertising and social media, is often an easy target of these inadequate promotional strategies. Ads that describe e-cigarettes as a healthier option can encourage them to try the product, without being aware of the potential dangers that threaten their health in the future. This leads to an increase in the number of novice smokers switching from conventional cigarettes to e-cigarettes, which ultimately increases nicotine addiction. For this reason, the need for stricter regulations regarding e-cigarette advertising is crucial in order to prevent the younger generation from falling into this bad habit. Governments and related agencies must strive to reduce the influence of advertising that can harm the public, by providing accurate information about the health effects of e-cigarette use. With clear regulations and more effective supervision, it is hoped that misleading advertisements can be minimized.

In addition to stricter supervision, it is also important to increase public awareness of the dangers posed by e-cigarettes through massive education programs. Misleading advertising can be balanced with educational efforts that emphasize health facts about the product. The Ministry of Health, together with other health organizations, needs to take an active role in disseminating information based on scientific evidence, so that the public has a better understanding of the health risks posed by the use of e-cigarettes. This educational program can include information about the nicotine content and other harmful chemicals in e-cigarettes, as well as the long-term impact on the health of users¹⁷. This kind of counseling, which involves various communication media, is expected to offset the influence of irresponsible advertising. In the long term, with a combination of strict supervision and effective education programs, it is hoped that people can make wiser and more conscious decisions about the use of e-cigarette products.

3. Health Impact of E-Cigarette Use on Consumers

The increasing use of e-cigarettes has a significant health impact on consumers, especially related to respiratory disorders and lung diseases. Based on a number of medical studies and case reports, it was found that consumers who consume e-cigarette products, especially those that do not include adequate risk information, experience quite serious health problems. In Indonesia, several cases show that individuals who use e-cigarettes with nicotine or other harmful chemicals suffer from lung damage, and some are even treated intensively¹⁸. This impact does not only occur in Indonesia, but is also recorded in

¹⁷ Maulana, M. A., & Ramlan, R. (2024). Perancangan Kampanye Untuk Meningkatkan Kesadaran Bahaya Rokok Elektrik Pada Perokok Elektrik Wanita. *FAD*, 3(02).

¹⁸ Sriyanto, A., & Pangestu, A. P. (2022). Dampak Konsumsi Rokok Konvensional Dan Rokok Elektrik Terhadap Kesehatan, Penerimaan Negara. *Jurnal Perspektif Bea Dan Cukai*, 6(2), 428-450.

other countries that have similar regulations regarding these products. Although e-cigarettes are often promoted as a safer alternative to conventional cigarettes, the reality is that they still contain addictive substances that pose a health risk. Therefore, the implementation of stricter regulations and the inclusion of clear and transparent health warning labels are urgently needed. Without adequate regulation, consumers cannot fully understand the dangers they face when consuming these products. This emphasizes the importance of stricter supervision of e-cigarette products in the Indonesian market.

Based on Law No. 36 of 2009 concerning Health, as well as Government Regulation No. 109 of 2012 concerning the Safety of Materials Containing Addictive Substances, products containing nicotine and other harmful substances are required to include clear information regarding their health risks. Although this regulation already exists, the reality is that there are still many e-cigarette products on the market that do not include adequate health warning labels. Non-compliance with these provisions can be seen as a form of violation of consumer rights, which should have received accurate and clear information about the potential dangers of the products they consume. Lack of adequate information causes consumers not to be fully aware of the risks they face, which can lead to increased health problems. In this context, the role of the government and regulatory agencies is crucial in ensuring that all products circulating in the market meet the set safety standards. Stricter regulation and more intensive supervision are needed to ensure that e-cigarette products do not harm consumers, especially those who are unaware of the dangers contained in the products¹⁹. Therefore, it is important to enforce these rules more consistently so that there are no legal loopholes that can be exploited by business actors.

The importance of applying health warning labels on e-cigarette products is not only limited to the aspect of consumer protection, but also to the prevention of preventable health impacts. In this case, consumers have the right to be clearly informed about the potential risks posed by the products they consume. An investigation into circulating e-cigarette products shows that many of these products ignore the obligation to provide clear warnings, so consumers are unaware of the health hazards they can cause. This neglect of obligations worsens public health conditions, as consumers who are not adequately informed tend to use risky products more without considering the consequences. Existing regulations must be enforced more strictly to ensure that every product on the market can provide correct and clear information regarding the potential hazards that may arise from its use. In addition, the provision of stricter sanctions against business actors who do not fulfill these obligations will have a deterrent effect, preventing similar violations from occurring in the future. Thus, the implementation of these regulations will help prevent greater health losses for the public, especially those who do not have enough knowledge about the dangers of e-cigarettes.

On the other hand, increased supervision of e-cigarette products and health warning labels will also contribute to increasing public awareness of the dangers contained in these products. Consumers who are more aware of the health risks of e-cigarettes tend to make more informed decisions in choosing the products they consume. Therefore, it is important for the government to step up education and counseling

¹⁹ Nabila, T., & Sakti, M. (2023). Perlindungan Konsumen Atas Iklan Produk Rokok Sebagai Upaya Menurunkan Prevalensi Perokok Anak. *Jurnal Interpretasi Hukum*, 4(2), 367-376

campaigns that emphasize the health risks of e-cigarettes, in order to offset the impact of promotions that often do not include accurate information. The government, through the Ministry of Health and related institutions, needs to carry out more effective programs to provide understanding to the public about the health impacts of the use of e-cigarettes. Through this effort, it is hoped that a more critical society will be created in choosing consumer products, so that the use of e-cigarettes can be reduced and public health can be more protected. Strict supervision and clear sanctions against labeling violations will minimize the potential for greater health losses.

Overall, the health impacts caused by the use of e-cigarettes underscore the urgency of stricter regulation regarding health warning labels. Although e-cigarettes are considered a safer alternative compared to conventional cigarettes, the reality is that these products still contain ingredients that can harm the health of the user. Therefore, stricter regulations are needed in terms of supervision and the application of health warning labels for every e-cigarette product circulating in the market. Strengthening the implementation of regulations and increasing public awareness about the health hazards of e-cigarettes is an important step in protecting consumers. In addition, with strict regulations and intensive supervision, it is hoped that the number of consumers who do not get adequate information about the health risks of this product can be minimized. As a preventive measure, it is necessary to revise or update existing regulations to include more comprehensive regulations on health information on e-cigarettes. Thus, the protection of public health can be maximized, and business actors who do not comply with regulations can be given appropriate sanctions²⁰.

4. Increased Consumer Awareness and Demands for Legal Protection Rights

The results of the study show that consumer awareness of health protection related to e-cigarettes is increasing. Consumers, especially those who have experienced the negative health effects of vaping use, are beginning to realize the importance of information transparency regarding the products they consume. In some cases, they have begun to demand compensation or legal action against business actors who do not provide enough information about health risks. This increased awareness is not only limited to personal consumption, but also leads to the demand for more adequate regulatory improvements to protect them from unwitting dangers. This shows a significant change in the mindset of consumers who are now more critical of e-cigarette products circulating in the market.

Further discussion revealed that this increase in consumer awareness is a positive signal for the protection of consumer rights in the context of health. With the increasing demand for legal protection, there is a stronger push for the government and related agencies to tighten the regulation and supervision of e-cigarette products. The existence of legal instruments such as the Consumer Protection Law and Government Regulation No. 109 of 2012 which regulates tobacco products is expected to be a clear legal basis for consumers to know their rights. Through this regulation, consumers have the right to get transparent information about product content, potential health risks, and safe use.

²⁰ *Ibid*

In addition, this increase in awareness also encourages business actors to be more responsible for the products they offer. Consumers are now demanding that business actors include clearer and more complete labels regarding the health risks associated with the use of e-cigarettes. A decrease in consumer confidence in the vape industry can occur if business actors do not pay attention to these demands. As a result of consumer demands, companies in this industry are starting to strive to be more open and convey more complete information to the public. This will certainly contribute to the creation of a more transparent and safe market for e-cigarette consumers.

Furthermore, this pressure from consumers also raises the need for improved regulations that better protect them. The government needs to pay close attention to consumer demands for stricter and clearer regulations related to vape products. The implementation of stricter rules will provide a sense of security for consumers, as well as increase supervision of the circulation of e-cigarettes that may not meet health standards. In this case, regulations regarding the limits of nicotine and other harmful chemicals in e-cigarette products must be reviewed and tightened so as not to harm public health. Regulatory adjustments that are responsive to the dynamics of the vape market will help create a safer environment for consumers.

Finally, this discussion emphasizes the importance of consistent and effective law enforcement in safeguarding consumer rights. The existence of firm legal guarantees will provide certainty for consumers in demanding their rights in the event of a violation of product information or negative health impacts due to the use of e-cigarettes. With fair and transparent law enforcement, consumers can feel more protected, and the e-cigarette industry will be more motivated to comply with existing regulations. In addition, consistent law enforcement will also create a more responsible business climate, where business actors will pay more attention to the health impact of the products they market. This is expected to lead to the creation of an industry that is more oriented towards consumer safety and health.

5. Policy Implications and Recommendations

The results of the study show that there is an urgent need to improve policies related to e-cigarette labeling, especially in the aspects of regulation and supervision. This is due to the current regulatory uncertainty regarding health risk information that must be included in e-cigarette products. Consumers often do not get enough information about the potential health hazards of the products they consume, which can expose them to unwitting health risks. Therefore, it is important for governments to establish clear and binding labeling standards, including the obligation to list health warnings based on the latest scientific evidence. In addition, policies that support stricter supervision also need to be introduced to ensure that business actors do not neglect this obligation. Effective supervision will create a safer environment for consumers and support the creation of a responsible industry. The government also needs to pay attention to the importance of continuous education about the risks of e-cigarettes, especially for young people who are more vulnerable to the effects of this product.

Further discussion shows that better and stricter regulations can provide maximum protection for consumers. Through clear rules regarding product labeling, consumers can easily understand the risks associated with using e-cigarettes. In addition, strict regulations can encourage business actors to be more

transparent in conveying accurate information about their products. The government needs to establish strict sanctions for business actors who violate this provision, as an effort to create a deterrent effect. With clear sanctions, it is hoped that business actors will be more compliant with regulations and maintain the quality of the products they market. The effectiveness of this policy also depends on consistency in law enforcement carried out by the government. Therefore, closer cooperation between government agencies and the community is needed to ensure that this policy is implemented properly.

Strict sanctions will have a positive impact on encouraging business actors to comply with the regulations that have been set. Business actors who have been ignoring their obligations in providing accurate information will be encouraged to pay more attention to the quality and transparency of their products. With the implementation of adequate sanctions, the e-cigarette industry will become more responsible in terms of providing information to consumers. In addition, consistent law enforcement will provide certainty for consumers regarding their rights to obtain correct and clear information. The government, in this case, has an important role to play in ensuring that any violation of the regulation can be subject to sanctions in accordance with the provisions of the applicable law. It is also important to create a sense of justice for consumers who feel aggrieved by the inaccuracy of information on e-cigarette products.

Furthermore, the government also needs to encourage business actors to comply with ethical standards in advertising vape products. The use of unethical or misleading advertising can worsen public perception of e-cigarettes and increase the risk of poorly informed use. Therefore, ethical standards in advertising must be an integral part of the policies developed by the government. With regulations that limit the forms of advertising that can be used by e-cigarette manufacturers, it is hoped that it can reduce the potential for negative influences on consumers, especially among teenagers and young people. Advertising that is not in accordance with ethics can cause consumers to be trapped in the wrong perception of e-cigarette products. Therefore, the government needs to implement rules that clearly regulate the limits in advertising e-cigarette products. This will help ensure that the information received by consumers is accurate and not misleading.

Finally, comprehensive policies and strict law enforcement are key to creating a safer and more responsible e-cigarette market. With clear policies and consistently implemented, consumers will feel more protected from the health risks that may arise from the use of e-cigarettes. In addition, the government must ensure that information about e-cigarette products circulating in the market can be accessed easily and transparently by consumers. Strict law enforcement against business actors who violate the rules will strengthen consumer protection and maintain market integrity. The government, together with other relevant parties, must continue to encourage the creation of industries that not only develop economically, but also prioritize public safety and health. This will provide long-term benefits, both for consumers and for the development of a more responsible industry..

CONCLUSIONS

Non-compliance of business actors in including health warning labels on e-cigarette products is a serious problem for consumer protection, because many products on the market do not provide adequate health

risk information. Labels that are supposed to educate about the dangers of nicotine and harmful chemicals are often ignored, pointing to loopholes in legal oversight that allow for this non-compliance. Labeling ambiguity causes consumers to lack understanding of the risks, potentially increasing public health concerns. On the other hand, misleading advertisements that promote e-cigarettes as a safer alternative also exacerbate misperceptions among consumers, especially the younger generation. Stricter supervision efforts and consistent law enforcement are needed so that health information on e-cigarette products is truly conveyed clearly. The government is also expected to develop strict regulations that demand transparency and responsibility of business actors in providing product risk information. This step is important to build a safe market, protect consumers from unconscious health risks, and encourage the industry to be more responsible in prioritizing public health

REFERENCES

- Abdullah, D., Amelia, R. A. R., Kertati, I., Nova, R., & Chan, Z. (2024). Penyuluhan Bahaya Rokok Elektrik Pada Remaja: Mengapa Kita Harus Peduli. *Jurnal Pengabdian Kolaborasi dan Inovasi IPTEKS*, 2(5), 1428-1436
- Delpiero, M., Reynaldi, F. A., Ningdiah, I. U., & Muthmainnah, N. (2021). Analisis yuridis kebijakan privasi dan pertanggungjawaban online marketplace dalam perlindungan data pribadi pengguna pada kasus kebocoran data. *Padjadjaran Law Review*, 9(1).
- Ekawati, D., & Dermawan, E. S. (2019). Analisis Implementasi Kebijakan Pencantuman Peringatan Kesehatan dan Peringatan Kesehatan pada Kemasan Rokok. *Jurnal Kebijakan Kesehatan Indonesia: JKKI*, 8(2), 81-94.
- Hamid, A. H., & SH, M. (2017). *Hukum Perlindungan Konsumen Indonesia* (Vol. 1). Sah Media.
- Haryono, D. B., Heryanti, B. R., & Triasih, D. (2022). Tanggung Jawab Pelaku Usaha Rokok Elektrik Yang Tidak Mencantumkan Label Informasi Dan Peringatan Keselamatan Pada Kemasannya. *Semarang Law Review (SLR)*, 2(2), 154-163.
- HIDAYAT, R. A. R. (2024). Perlindungan Hukum Terhadap Konsumen Pengguna Obat Yang Beredar Luas Di Pasaran. *Kultura: Jurnal Ilmu Hukum, Sosial, Dan Humaniora*, 2(2), 247-274.
- Kusumastuti, N. A., & Haeriyah, S. (2021). Penyuluhan kesehatan mengenai bahaya rokok elektrik dengan metode ceramah di Desa Uwung Girang, Kecamatan Cibodas, Tangerang. *SELAPARANG: Jurnal Pengabdian Masyarakat Berkemajuan*, 4(3), 618-623.
- Maulana, M. A., & Ramlan, R. (2024). Perancangan Kampanye Untuk Meningkatkan Kesadaran Bahaya Rokok Elektrik Pada Perokok Elektrik Wanita. *FAD*, 3(02).
- Mulyana, K. I., Saptono, H., & Prasetyo, A. B. (2024). TINJAUAN YURIDIS TERHADAP BISNIS CAIRAN ROKOK ELEKTRIK (E-LIQUID) ECERAN DI INDONESIA. *Diponegoro Law Journal*, 13(1).
- Nabila, T., & Sakti, M. (2023). Perlindungan Konsumen Atas Iklan Produk Rokok Sebagai Upaya Menurunkan Prevalensi Perokok Anak. *Jurnal Interpretasi Hukum*, 4(2), 367-376
- ND, M. F. (2022). Evaluasi Kebijakan Tarif Cukai Rokok Elektrik Guna Mendorong Persaingan Usaha Yang Sehat. *Jurnal Penegakan Hukum Indonesia*, 3(2), 230-249.
- Octavira, N. (2024). Perlindungan Konsumen Dan Penegakan Hukum Terhadap Produk Rokok Elektrik: Implementasi UU. 8 Tahun 1999. *Jurnal Literasi Indonesia*, 1(3), 97-104.

- Oktavia, S., Banowati, L., Anindita, M. W., Musa, D. T., & Alamri, A. R. (2023). Motif Penggunaan Rokok Elektrik (vape) Studi Kasus Mahasiswi Antropologi Sosial FISIP UNTAN. *Sosietas: Jurnal Pendidikan Sosiologi*, 13(1), 13-24
- Qushoyyi, R. R., Ramdhani, M., & Nayiroh, L. (2023). Efektivitas Komunikasi Visual Gambar Peringatan Pada Kemasan Rokok Terhadap Kesadaran Kesehatan. *Jurnal Ilmiah Wahana Pendidikan*, 9(11), 453-462.
- Ramadhan, M. I. (2022). *Peraturan Pemerintah No. 109 tahun 2012 Tentang Pengamanan Bahan Yang Mengandung Zat Adiktif Berupa Produk Tembakau Bagi Kesehatan Di Kabupaten Cirebon (Studi Kasus Peraturan Bupati No. 55 Tahun 2016)* (Doctoral dissertation, S1 Hukum Tata Negara Islam IAIN SNJ).
- Randungan, C. L. Perlindungan Hukum Terhadap Konsumen Rokok Elektronik Berdasarkan Peraturan Pemerintah Nomor 109 Tahun 2012. *Jurnal Hukum Prodi Ilmu Hukum Fakultas Hukum Untan (Jurnal Mahasiswa S1 Fakultas Hukum) Universitas Tanjungpura*, 5(2).
- Siagian, H., Imran, L., Nirawaty, N., & Perwitasari, P. (2024). Analisis Perilaku Merokok, Dampak Kesehatan dan Strategi Pengendalian Tembakau. *JURNAL KESEHATAN TERAPAN*, 11(1), 29-40
- Sriyanto, A., & Pangestu, A. P. (2022). Dampak Konsumsi Rokok Konvensional Dan Rokok Elektrik Terhadap Kesehatan, Penerimaan Negara. *Jurnal Perspektif Bea Dan Cukai*, 6(2), 428-450.