

Overclaim Legal Protection for Consumers Against Overclaiming Skincare Products and Misleading Advertising

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Abstract

This study examines the legal consequences of overclaiming practices in the digital skincare market and the adequacy of consumer protection mechanisms available to consumers who suffer harm from misleading advertising in Indonesia. The rapid expansion of digital marketplace platforms has created structural conditions in which exaggerated and unsubstantiated product claims proliferate unchecked, generating financial, physical, and emotional harm to consumers who rely on advertised information as the basis for their purchasing decisions. Employing a normative legal research method supported by qualitative descriptive analysis, this study systematically examines applicable statutory provisions, principally the Consumer Protection Act No. 8 of 1999 and BPOM Regulation No. 3 of 2022, alongside relevant legal doctrines including product liability and strict liability theory. The findings reveal that overclaiming constitutes a clear violation of multiple consumer protection provisions, yet enforcement remains structurally constrained by seller anonymity, platform intermediary defenses, and inadequate regulatory monitoring capacity in digital environments. The existing dual framework of preventive and repressive legal protection is normatively sound but practically insufficient to address the scale and sophistication of contemporary overclaiming practices. This study concludes that meaningful consumer protection requires systemic regulatory reform extending accountability across the entire digital promotional chain, directly contributing to SDG 3, SDG 12, and SDG 16.

Keywords

Consumer Protection, Overclaiming, Misleading Advertising

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1. INTRODUCTION

The skincare industry in Indonesia has experienced rapid growth, particularly through digital marketplace platforms such as Shopee, Tokopedia, TikTok Shop, and Instagram. This expansion has enabled business actors to reach broader consumer markets with greater ease and speed. However, alongside this growth, a concerning phenomenon has emerged in the form of overclaiming practices, where product benefits are exaggerated far beyond what can be scientifically substantiated. Several well-known skincare brands have been found to promote products with claims that do not correspond to their actual ingredients, misleading consumers who rely on advertised information as the primary



basis for their purchasing decisions. These violations not only involve exaggerated benefit claims but also extend to products circulating without proper distribution permits and containing ingredients that do not match label declarations.

The consequences experienced by consumers as a result of such overclaiming practices are multidimensional. Materially, consumers suffer financial losses from purchasing products that fail to deliver promised results. In terms of health, consumers face risks ranging from skin irritation and peeling to more serious dermatological harm caused by undisclosed or harmful ingredients. Emotionally, consumers experience disappointment and loss of trust, both toward specific brands and toward the digital marketplace ecosystem more broadly. These harms are compounded by the structural vulnerability of consumers in online transactions, where asymmetric information places them at a significant disadvantage relative to business actors. When product identity and seller accountability remain unclear, as is frequently the case on digital platforms, consumers find themselves with limited legal recourse even after suffering demonstrable harm.

Despite existing legal frameworks, enforcement against overclaiming skincare products remains inadequate. The marketplace platforms themselves tend to characterize their role as that of a neutral intermediary, thereby distancing themselves from liability for misleading product claims made by individual sellers. Business actors, meanwhile, continue to exploit regulatory gaps by using influencers and digital content creators as promotional vehicles, actors whose legal accountability within current consumer protection frameworks remains ambiguous. As a result, consumers remain exposed to deceptive advertising practices while the institutions responsible for oversight struggle to monitor the sheer volume and velocity of digital promotional content. This gap between legal prescription and practical enforcement constitutes the operational reality within which this research is situated.

Ideally, the relationship between business actors and consumers should be governed by principles of honesty, transparency, and substantiated information. Consumer protection theory holds that every product claim disseminated to the public must be truthful, verifiable, and proportionate to actual product performance. According to established standards in consumer law, business actors bear an affirmative duty to ensure that advertising content, whether distributed through conventional or digital media, does not mislead, deceive, or create unrealistic expectations among consumers (Alzahrani, 2022). The normative framework further requires that product claims, particularly in the cosmetics and skincare sector, be supported by clinical or laboratory evidence before being communicated to the market (Ferreira et al., 2023). Regulatory bodies across jurisdictions have consistently affirmed that overclaiming constitutes a violation of fair trade principles and an infringement of the consumer's fundamental right to accurate information (Nair & Kumar, 2023). In the digital commerce context, this obligation extends to marketplace operators, who bear a duty of care to prevent their platforms from

becoming vectors for deceptive promotional practices (Li & Zhang, 2024). Taken together, these frameworks suggest that, under ideal conditions, overclaiming practices should not reach consumers at all, let alone result in tangible physical and financial harm, given the layers of regulatory, institutional, and platform-level safeguards that ought to be in place (Rahman et al., 2024).

The gap between the normative ideal and the empirical reality described above is both significant and consequential. Whereas the theoretical and regulatory framework demands that product claims be honest, verifiable, and subject to institutional oversight before reaching consumers, the actual conditions observed in Indonesia's digital skincare market reveal that overclaiming has become a widespread and largely unaddressed practice. Consumers regularly encounter exaggerated product claims on major marketplace platforms, purchasing products on the basis of misleading information and suffering financial, physical, and emotional harm as a direct result. The legal instruments that should prevent such outcomes, including the Consumer Protection Act No. 8 of 1999 and BPOM Regulation No. 3 of 2022, have not been effectively enforced against the specific dynamics of digital commerce, leaving consumers exposed to harms that existing law theoretically prohibits.

This gap gives rise to the central research problem: why, despite a well-developed normative framework for consumer protection, do overclaiming practices in the digital skincare market persist and continue to cause harm to consumers? More specifically, the research asks: (1) What are the legal consequences of overclaiming in skincare products that harm consumers through misleading advertising? and (2) What forms of legal protection are available to consumers who suffer harm as a result of misleading advertising in the digital skincare market?

Prior scholarship addressing consumer protection in the digital marketplace has approached the subject from several intersecting angles. Studies examining e-commerce consumer rights have documented the structural information asymmetry between buyers and sellers on digital platforms and have analyzed how existing legal frameworks respond, or fail to respond, to deceptive commercial practices (Ahmad & Hussain, 2023 ; Patel & Singh, 2023 ; Nguyen et al., 2024 ; Okonkwo & Eze, 2023 ; Tanaka & Yamamoto, 2024). Research focused specifically on cosmetic and skincare product regulation has examined the gap between regulatory standards and market compliance, with particular attention to the role of scientific substantiation in legitimizing product claims (Costa & Almeida, 2023 ; Mbeki & Diallo, 2024 ; Reyes & Castillo, 2023). Scholarship on digital advertising and influencer marketing has explored the accountability deficit that arises when promotional content is disseminated through social media personalities rather than conventional advertising channels, identifying influencer-mediated overclaiming as a particularly difficult enforcement challenge (Hwang & Kim, 2024 ; Ibrahim & Saleh, 2023 ; Mensah & Owusu, 2024). Consumer behavior research has further documented the ways in which misleading claims shape purchasing decisions and produce consumer harm, including financial loss

and health risk (Fernandez & Torres, 2023 ; Bakshi & Mehta, 2024 ; Chukwu & Obi, 2023). Taken together, this body of literature establishes the theoretical and empirical terrain against which the present study positions itself. However, a critical lacuna remains: no study has simultaneously examined the legal consequences of skincare overclaiming *and* the available consumer protection mechanisms within the specific regulatory architecture of Indonesian digital commerce, leaving an identifiable scholarly gap that this research addresses directly.

The novelty of this research lies in its integrated legal analysis of two dimensions that prior studies have addressed only in isolation: the legal consequences of overclaiming as a form of misleading advertising, and the specific forms of consumer protection, both preventive and repressive, available under Indonesian law to consumers who suffer resultant harm. By situating this analysis within the context of digital marketplace commerce and linking it to the regulatory framework governing cosmetic claims, this study produces an original contribution to the understanding of how consumer protection law must evolve to address the specific challenges posed by e-commerce and influencer-driven promotion. This directly supports SDG 12 (Responsible Consumption and Production) and SDG 16 (Peace, Justice and Strong Institutions) by identifying legal reforms needed to ensure that markets operate transparently and that consumers can access justice when their rights are violated.

The urgency of this research is underscored by the accelerating scale of harm being experienced by consumers in Indonesia's digital skincare market, where enforcement mechanisms have consistently failed to keep pace with the speed and sophistication of deceptive promotional practices. Every day that the regulatory gap remains unaddressed, consumers make purchasing decisions on the basis of false claims, exposing themselves to physical risk and financial loss without adequate recourse. The need for a clear, actionable legal analysis of both the consequences of overclaiming and the remedies available to affected consumers is therefore immediate and practically significant. Addressing this gap contributes directly to SDG 3 (Good Health and Well-Being) by protecting consumers from health risks posed by misleading cosmetic claims, and to SDG 10 (Reduced Inequalities) by strengthening the legal position of consumers who are structurally disadvantaged relative to business actors in digital commerce.

This study is anchored by two central research questions. The first concerns the legal consequences generated by overclaiming practices in the skincare product sector, specifically, how misleading advertising causes harm to consumers and what legal responsibility such conduct attracts under the applicable normative framework. The second concerns the legal protection mechanisms available to consumers who have suffered harm as a result of misleading advertising, examining both the preventive instruments designed to forestall such harm and the repressive mechanisms through which consumers may seek redress after harm has occurred. Together, these questions are designed to produce a coherent

and non-overlapping analytical structure that speaks to the full arc of the consumer protection problem: from the genesis of harm to its legal resolution.

2. METHOD

This study employs a normative legal research method, which focuses on examining and analyzing applicable legal rules, principles, and doctrines relevant to consumer protection against overclaiming skincare products and misleading advertising. The normative approach is chosen because the central issues addressed in this research are fundamentally legal in nature, concerning the interpretation and application of statutory provisions, particularly the Consumer Protection Act No. 8 of 1999 and BPOM Regulation No. 3 of 2022, in the context of digital commerce. The primary legal materials used include legislation, regulations, and judicial principles, supplemented by secondary materials drawn from legal literature, academic journals, and prior research relevant to the subject matter.

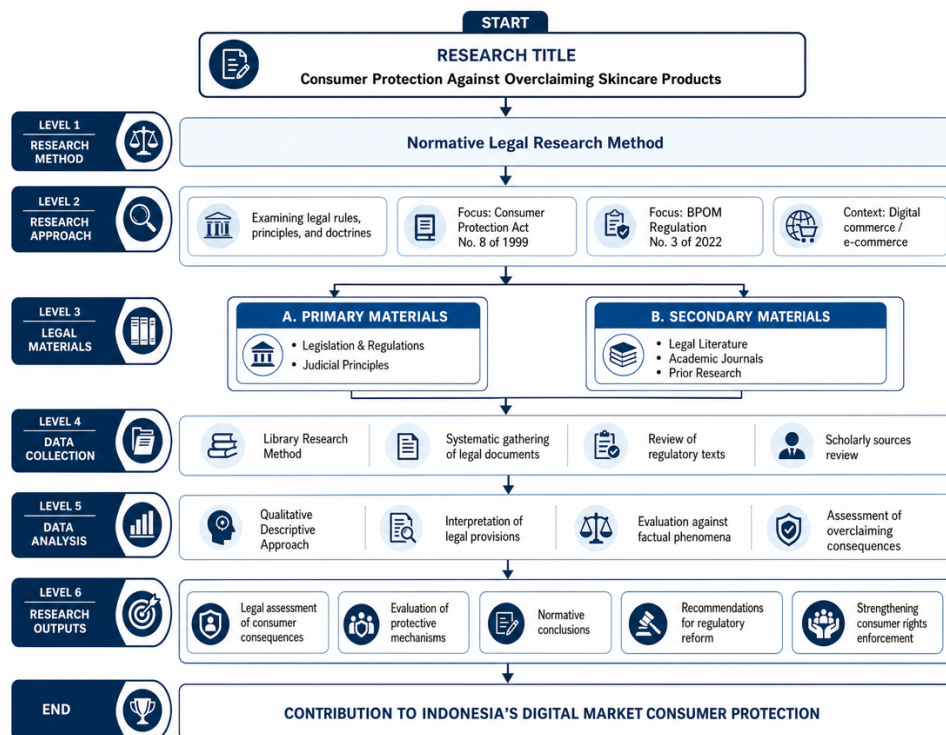


Figure 1. Research Method Framework

Data collection is conducted through library research, systematically gathering and reviewing legal documents, regulatory texts, and scholarly sources related to consumer protection, digital marketplace transactions, and cosmetic product regulation. The collected materials are then analyzed using a qualitative descriptive approach, whereby legal provisions are interpreted and evaluated in relation to the factual phenomena of skincare overclaiming identified in the research context. This analytical process aims to produce a coherent legal assessment of both the consequences of overclaiming for consumers and the adequacy of existing protective mechanisms, ultimately generating normative

conclusions that can inform regulatory reform and strengthen consumer rights enforcement in Indonesia's digital market.

3. FINDINGS AND DISCUSSION

A. Legal Consequences of Overclaiming Skincare Products That Harm Consumers Through Misleading Advertising

The phenomenon of overclaiming in the skincare industry represents a multifaceted legal violation that operates at the intersection of consumer rights, business ethics, and regulatory compliance. At its core, overclaiming constitutes a deliberate misrepresentation of product benefits — a practice wherein business actors communicate claims about their products that exceed what can be scientifically substantiated. In the digital marketplace context, this practice is amplified by the structural characteristics of online commerce, where consumers cannot physically inspect products prior to purchase and must instead rely entirely on the information presented by sellers through product descriptions, promotional content, and advertising materials. This reliance creates a condition of profound informational vulnerability, which unscrupulous business actors exploit through the strategic deployment of exaggerated benefit claims designed to stimulate purchasing decisions.

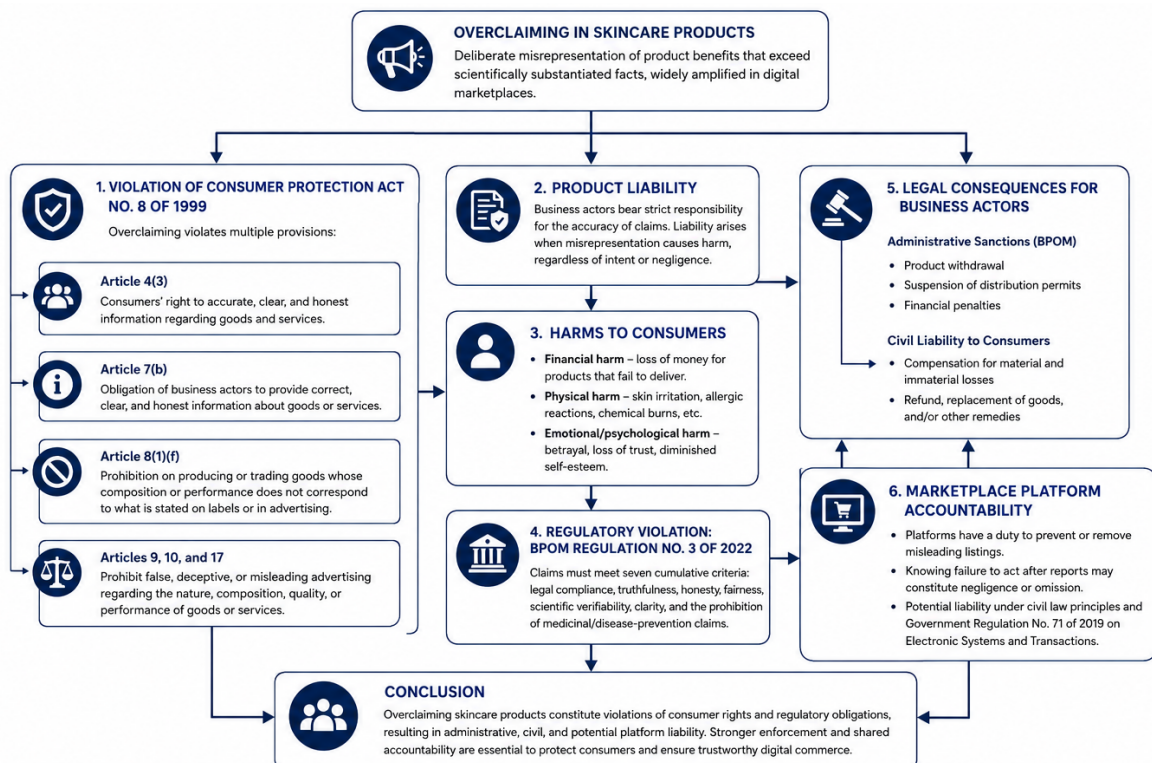


Figure 2. Legal Consequences of Overclaiming Skincare Products That Harm Consumers Through Misleading Advertising

From a legal standpoint, overclaiming practices in the skincare sector constitute a clear violation of

multiple provisions under Indonesian consumer protection law. The Consumer Protection Act No. 8 of 1999 establishes a comprehensive normative framework that governs the relationship between business actors and consumers, anchored in the foundational principle that consumers possess an inviolable right to accurate, clear, and honest information regarding the goods and services they purchase. This right, enshrined in Article 4(3) of the Act, is not merely aspirational, it generates a corresponding and enforceable obligation on the part of business actors to ensure that every representation made about a product, whether through labeling, advertising, or promotional content, faithfully reflects the product's actual composition and performance. When business actors make overclaiming statements, asserting, for instance, that a product can whiten skin within days or eliminate acne overnight without clinical substantiation, they directly violate this provision by substituting false representations for the truthful information to which consumers are legally entitled.

The violation extends further to Article 7(b) of the same Act, which imposes an affirmative duty on business actors to provide information that is correct, clear, and honest regarding the condition and guarantee of goods or services. Overclaiming fails this standard comprehensively. By presenting a distorted image of product capabilities, business actors breach their statutory duty of honesty and undermine the informational foundation upon which consumer choice depends. This breach is compounded by Article 8(1)(f), which expressly prohibits business actors from producing or trading goods whose actual composition or performance does not correspond to what is stated on labels or in advertising. Where a skincare product is promoted as containing active ingredients at concentrations sufficient to produce particular cosmetic results, but laboratory analysis reveals that the actual formulation cannot support such results, the business actor has committed a violation of this provision regardless of whether the misrepresentation was intentional or negligent. The law does not require proof of fraudulent intent, the fact of misrepresentation itself constitutes the violation.

The theory of product liability is instructive in understanding the legal consequences that flow from these violations. Under this doctrine, business actors bear strict responsibility for ensuring that products placed into the market conform to the representations made about them. Where a product causes harm, whether physical, financial, or emotional, as a direct consequence of a misrepresentation, the business actor cannot escape liability by claiming ignorance of the product's actual properties. This principle aligns with the broader consumer protection philosophy that underlies the Act, which proceeds from the recognition that consumers occupy a structurally weaker position than business actors and therefore require legal protection that does not place upon them the burden of proving bad faith. The legal consequence of overclaiming is therefore not contingent on establishing that the business actor intended to deceive, it is sufficient to demonstrate that the claim was made, that it was false, and that the consumer suffered harm as a result.

The harms produced by overclaiming practices are diverse and cumulative. Financial harm arises when consumers expend money on products that fail to deliver promised results, leaving them with no benefit in exchange for their expenditure. This form of harm is particularly acute in the skincare market, where products are frequently purchased at premium prices on the strength of efficacy claims that prove unfounded. Physical harm materializes when consumers use products whose actual formulations — undisclosed or misrepresented, cause skin irritation, allergic reactions, chemical burns, or other dermatological injuries. The severity of this harm is heightened where products contain ingredients that are not declared on labels, as consumers are deprived of the information necessary to assess whether a product is safe for their particular skin type or condition. Emotional and psychological harm, though less tangible, is equally real, consumers who discover that they have been misled experience feelings of betrayal, diminished self-esteem, and a generalized loss of trust in commercial actors that extends beyond the individual transaction.

The regulatory dimension of overclaiming liability further involves BPOM Regulation No. 3 of 2022, which establishes specific technical requirements for cosmetic product claims. This regulation mandates that all claims made in connection with cosmetic products satisfy seven cumulative criteria: legal compliance, truthfulness, honesty, fairness, scientific verifiability, clarity, and the prohibition against representing cosmetic products as having medicinal or disease-prevention properties. Overclaiming violates multiple criteria simultaneously, it fails the standards of truthfulness, honesty, and scientific verifiability at minimum, and where claims venture into quasi-medical territory, it additionally violates the prohibition against medicinal representations. Business actors who operate in violation of this regulation expose themselves to administrative sanctions from BPOM, including product withdrawal, suspension of distribution permits, and financial penalties. However, the effectiveness of these sanctions is undermined by enforcement limitations, including insufficient monitoring capacity relative to the volume of digital promotional content and the ease with which non-compliant sellers can re-enter the marketplace under new identities following enforcement action.

A further dimension of legal consequence concerns the accountability of marketplace platforms themselves. Under the general principles of civil liability and in light of Government Regulation No. 71 of 2019 on Electronic Systems and Transactions, marketplace operators bear a degree of responsibility for the content that circulates on their platforms. While platforms have historically characterized themselves as neutral intermediaries and thereby avoided direct liability for seller misconduct, this characterization is increasingly difficult to sustain in light of the platforms' active role in curating, promoting, and profiting from the commercial activity that takes place on them. Where a platform knowingly permits sellers to maintain product listings containing demonstrably false claims, particularly after such violations have been reported, the platform may be found to have contributed to

the consumer harm that results, exposing it to liability on the basis of negligence or omission. This represents an evolving area of legal responsibility that current enforcement frameworks have not yet fully addressed, but which is essential to closing the accountability gap that currently enables overclaiming to persist at scale.

The misleading advertising dimension of overclaiming is governed additionally by Articles 9, 10, and 17 of the Consumer Protection Act, which collectively prohibit business actors from using advertising that is false, deceptive, or likely to mislead consumers regarding the nature, composition, quality, or performance of goods or services. These provisions apply with equal force to digital advertising content as to conventional media, and their scope encompasses not only direct product descriptions but also testimonials, before-and-after comparisons, and influencer-generated content that makes implicit or explicit claims about product efficacy. The pervasive use of social media influencers to promote skincare products creates a particular enforcement challenge, as the legal responsibility for misleading content disseminated through influencer channels is not clearly allocated by current regulatory instruments. Nevertheless, the substantive prohibition on misleading advertising applies to all parties involved in the creation and dissemination of false product claims, including the business actor who engages the influencer, the influencer who delivers the claim, and, in principle, the platform that hosts and monetizes the content.

B. Legal Protection for Consumers Who Suffer Harm from Misleading Advertising

The legal protection framework available to consumers who suffer harm from misleading advertising in the skincare sector operates along two principal axes: preventive protection, which aims to forestall harm before it occurs, and repressive protection, which provides remedial mechanisms after harm has materialized. This dual architecture reflects the broader philosophy of consumer protection law, which recognizes that the most effective defense of consumer rights combines *ex ante* regulatory safeguards with *ex post* remedial access, ensuring that consumers are protected both by the systemic prevention of harmful practices and by the availability of meaningful redress when those preventive measures fail.

Preventive legal protection is grounded in the regulatory and supervisory functions assigned to government institutions and consumer protection agencies under the Consumer Protection Act. Article 29 of the Act places primary responsibility for the fostering and promotion of consumer protection on the government, which is charged with creating conditions conducive to fair commercial practices, developing institutional mechanisms for consumer protection, and ensuring that business actors comply with their legal obligations. In practical terms, this mandate is operationalized principally through BPOM, which exercises regulatory authority over cosmetic product claims and is empowered

to conduct market surveillance, require pre-market substantiation of claims, and impose administrative sanctions on non-compliant business actors. The preventive framework also extends to the Ministry of Communication and Information Technology, which bears responsibility for monitoring digital content and ensuring that promotional materials disseminated through online platforms comply with applicable legal standards.

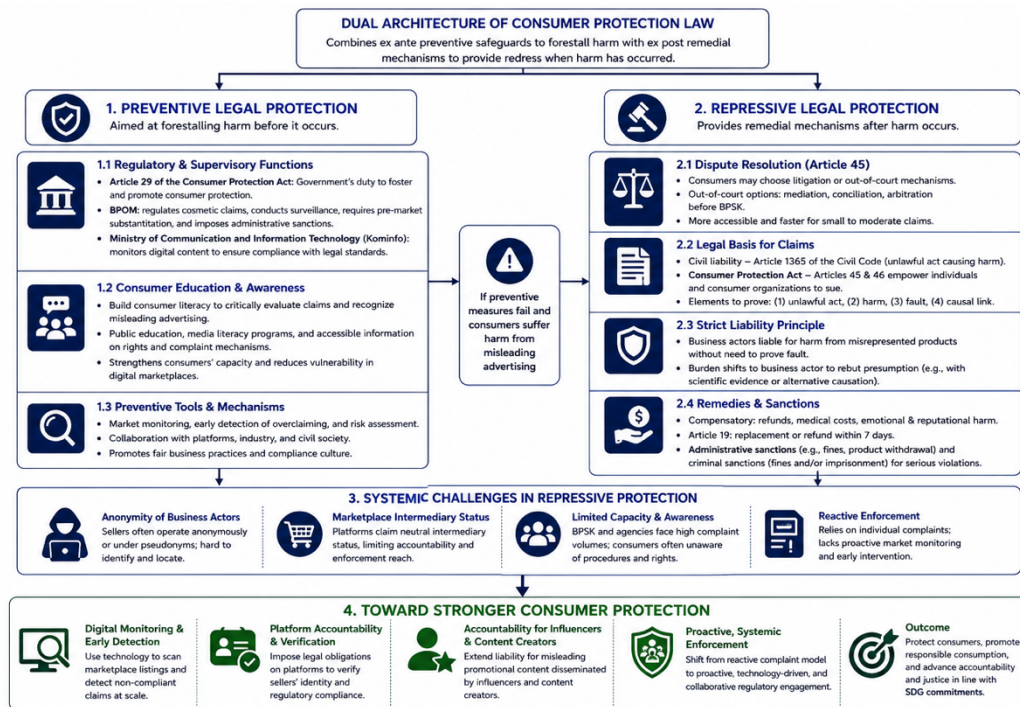


Figure 3. Legal Protection for Consumers Who Suffer Harm from Misleading Advertising

The preventive dimension further encompasses the educational and awareness-raising functions that the law assigns to government and civil society actors. Consumer literacy, meaning the capacity of consumers to critically evaluate product claims, recognize misleading advertising, and assert their legal rights, is a crucial determinant of consumer vulnerability. Where consumers possess adequate knowledge of their rights and the mechanisms available for their enforcement, they are better positioned to resist manipulation by overclaiming business actors and to seek redress when harm occurs. The preventive protection framework therefore includes not only regulatory enforcement but also systematic efforts to build consumer capacity through public education, media literacy programs, and accessible information about consumer rights and complaint mechanisms. This dimension of protection is particularly important in the digital marketplace context, where the speed and scale of promotional content distribution outpace the capacity of regulatory bodies to monitor and respond in real time.

When preventive mechanisms fail and consumers suffer actual harm from misleading advertising, repressive legal protection provides the framework through which they may seek redress. The Consumer Protection Act establishes a comprehensive dispute resolution architecture in Article 45,

which grants consumers the option of pursuing their claims either through the court system or through out-of-court mechanisms, including mediation, conciliation, and arbitration before the Consumer Dispute Resolution Agency (BPSK). This flexibility is significant, as it recognizes that formal litigation, while available and sometimes necessary, may be inaccessible to many consumers due to the costs, time, and procedural complexity involved. The out-of-court pathway offers a more accessible and expeditious alternative, particularly for disputes involving relatively modest financial losses that do not justify the expense of court proceedings.

Where consumers elect to pursue their claims through formal litigation, the legal basis for their action rests on several complementary foundations. Under the law of civil liability, business actors who cause harm through unlawful conduct, including the dissemination of misleading advertising, are subject to claims for damages under Article 1365 of the Civil Code, which establishes the general principle that any unlawful act causing harm to another gives rise to an obligation to compensate the victim. The Consumer Protection Act reinforces this civil liability framework through its provisions on business actor responsibility, particularly Articles 45 and 46, which authorize both individual consumers and consumer organizations to bring legal action against business actors who violate consumer rights. To succeed in such an action, the consumer must establish four elements: that the business actor committed an unlawful act, that the act caused harm to the consumer, that the business actor was at fault, and that there is a causal relationship between the unlawful act and the harm suffered.

The theory of strict liability, as applied in the consumer protection context, is of particular relevance here. Under strict liability principles, a business actor may be held responsible for harm caused by a defective or misrepresented product without the consumer being required to prove that the business actor acted negligently or in bad faith. This allocation of the burden of proof reflects the recognition that consumers typically lack the technical knowledge and investigative resources necessary to establish the internal decision-making processes of business actors, and that placing such a burden on consumers would effectively deny them meaningful access to justice. In the overclaiming context, strict liability principles suggest that once a consumer demonstrates that a product claim was false and that harm resulted from reliance on that claim, the business actor bears the burden of rebutting the presumption of liability, for instance, by demonstrating that the claim was substantiated by competent scientific evidence or that the harm arose from factors unrelated to the product's composition or the business actor's representations.

The remedies available to consumers who successfully establish their claims include both compensatory and punitive dimensions. Compensatory remedies encompass the reimbursement of financial losses incurred through the purchase of non-conforming products, the costs of medical treatment necessitated by product-related physical harm, and, in principle, compensation for emotional

distress and reputational harm where such losses can be adequately substantiated. The Consumer Protection Act further requires, in Article 19, that business actors provide replacement or refund to consumers within seven days of a transaction being found to have caused harm, a provision that establishes a minimum standard of remedial responsiveness that business actors are legally obligated to meet. Beyond compensatory remedies, the Act provides for administrative and criminal sanctions against business actors who commit serious violations of consumer rights, including the imposition of fines and, in egregious cases, criminal imprisonment.

The practical effectiveness of the repressive protection framework is, however, constrained by a number of systemic challenges. Chief among these is the difficulty of identifying and locating business actors in the digital marketplace, many of whom operate anonymously or under pseudonymous accounts that can be abandoned and recreated with minimal friction when regulatory attention is directed toward them. This anonymity problem is particularly acute in the skincare overclaiming context, where sellers on major platforms frequently lack verifiable business identities, physical addresses, or traceable legal registrations. Without a clearly identified defendant, even a consumer with a legally well-founded claim may find it impossible to commence legal proceedings or enforce any judgment obtained. The marketplace platform's assertion of intermediary status compounds this problem by removing a potentially identifiable and legally accountable party from the chain of liability.

A further systemic constraint is the limited capacity of BPSK and other dispute resolution bodies to handle the volume of consumer complaints generated by digital marketplace transactions, and the relative unfamiliarity of many consumers with the procedures and requirements for filing formal complaints. Consumer protection enforcement in Indonesia remains heavily reliant on consumer initiative — complaints must generally be lodged by individual consumers or their representatives, and regulatory action is rarely initiated proactively by enforcement bodies monitoring the market independently. This reactive posture is structurally inadequate in the digital commerce environment, where harmful practices can reach millions of consumers before any individual complaint triggers an enforcement response.

Addressing these structural limitations requires a reconceptualization of consumer protection enforcement that moves beyond the individual complaint model toward systemic, proactive, and technologically sophisticated regulatory engagement. This includes the development of digital monitoring tools capable of scanning marketplace listings for non-compliant product claims at scale, the establishment of clear legal obligations for marketplace platforms to verify the identity and regulatory compliance of sellers operating on their platforms, and the extension of legal accountability for misleading promotional content to influencers and content creators who play a material role in disseminating overclaiming narratives to consumers. Such reforms would transform the current

framework from one that responds to harm after it has occurred into one that actively prevents harm from arising, realizing the full protective potential that the Consumer Protection Act's dual architecture of preventive and repressive mechanisms was designed to deliver, and advancing the goals of responsible consumption, institutional accountability, and equitable access to justice that define the SDG commitments to which Indonesia is bound.

4. CONCLUSIONS

Overclaiming practices in the digital skincare market constitute a serious and multidimensional legal violation under Indonesian consumer protection law, particularly the Consumer Protection Act No. 8 of 1999 and BPOM Regulation No. 3 of 2022. Business actors who disseminate exaggerated or unsubstantiated product claims through digital marketplace platforms directly infringe consumers' fundamental right to accurate and honest information, generating financial, physical, and emotional harm that current enforcement mechanisms have proven insufficient to prevent or adequately remedy. The structural vulnerabilities inherent in digital commerce, including seller anonymity, platform intermediary defenses, and the accountability deficit surrounding influencer-driven promotion, further compound the legal consequences borne by consumers, leaving significant gaps in the protective architecture that existing law theoretically provides. These findings collectively underscore the urgent need for regulatory reform that extends legal accountability to all actors in the digital promotional chain and equips enforcement institutions with the tools necessary to monitor and sanction non-compliant practices at scale.

The legal protection framework available to consumers, encompassing both preventive mechanisms such as regulatory oversight and consumer education, and repressive mechanisms including civil litigation, BPSK dispute resolution, and administrative sanctions, provides a normatively sound but practically constrained response to the harms generated by misleading skincare advertising. Strengthening this framework through proactive digital enforcement, mandatory platform accountability, and expanded consumer literacy initiatives is not merely a legal imperative but a contribution to the realization of the Sustainable Development Goals, particularly SDG 3 (Good Health and Well-Being), SDG 12 (Responsible Consumption and Production), and SDG 16 (Peace, Justice and Strong Institutions). A market environment in which consumers can trust the information presented to them, access meaningful redress when that trust is betrayed, and participate in commerce without fear of exploitation is precisely the kind of just, inclusive, and sustainable economic ecosystem that the SDGs envision, and toward which this research is directed.

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