



The Implementation of The Indonesia Regulation in Supervising The Indonesia National Standard (SNI) for Baby Cloting on Small and Medium Industries

Ubaidillah Kamal¹; Safira Ardha Nawiswari²

¹Faculty of Law Universitas Negeri Semarang, Indonesia

²Legal Practicion in Tangerang Indonesia

Received April 8 2018, Accepted July 1 2019, Published November 30 2019

DOI 10.15294/jg.v16i1.19695

Abstract

This study aims to determine the factors that causes the spread of baby clothes which are not SNI labelled, in the city of Semarang and to find out the extent of the regulation's implementation. The legal research that the writer use is qualitative research, with the type of juridical empirical research, in this method the primary data was obtained from the Department of Industry and Trade of Central Java Province and the Sekawan Putra Trade Business. Secondary data was obtained from library sources as well as from respondents namely baby clothing sellers and baby clothes consumers. The results of the study (1) internal factors that are not required to apply SNI on the use of baby products of IKM, the number of IKMs that still produce infant clothing that are not SNI labelled yet, the low awareness of consumers that is caused by less intensive socialization from the government, and external factors that come from dependence of business actors with laboratory tests, which makes it difficult for business actors to obtain SNI certificates. (2) No special supervision has been carried out as a follow up to the results of periodic supervision. Conclusions from this study (1) There are still many baby clothes of IKM products that are not SNI labelled yet (2) there is still a mismatch of the Minister of Trade Regulation of the Republic of Indonesia Number 47 / M-DAG / PER / 7/2016 carried out by the Department of Industry and Trade of Central Java Province. Suggestions from this research are for consumers to be more selective in choosing and buying baby clothes, for businesses to comply with SNI regulations for baby clothes, for the government to improve socialization to consumers and fostering business actors and conducting special supervision also increasing the frequency of monitoring.

Keyword: baby clothes; trade business; consumer; supervision; Indonesian National Standard

INTRODUCTION

Indonesia is a country with a very dense population, all influenced by the ever-increasing birth rate. As the birth rate increases, the need for baby clothes also increases. According to a UNICEF report, approximately 90 percent of babies are born in developing countries. Uniquely, Indonesia was ranked fifth as the country that contributes to the birth of babies which coincides with the New Year 2018. Of the 386,000 babies born on this special day, Indonesia globally contributed 13,370 babies. Above Indonesia, there are India which reached 69,070 babies and China with 44,760 babies, in the third and fourth positions are occupied by Nigeria with 20,210 and Pakistan with 14,910. And the fifth rank is occupied by Indonesia.¹

The body condition of babies aged one to three years who are still vulnerable is recognized to be protected from hazardous chemicals, one of which is baby clothes. It has become one of the products that must meet the health, safety and security aspects for its users. In broad terms, products are all goods and services

¹ <https://www.goodnewsfromindonesia.id/>

* E-mail : ubaidillahkamal@mail.unnes.ac.id; safiraardha97@gmail.com
Address : K1 Building, 1st Floor, UNNES, Sekaran, Gunungpati, Semarang
Central Java, Indonesia, 50229

produced by a process so that products are closely related to technology. Products consist of goods and services. On the other side of the advantages of using increasingly good technology, the use of technology enables the production of products that are not in accordance with the requirements of the safety and safety of the user, causing losses to consumers.² This refers to the condition that although basic material garment fabrics are used the same for making clothes, but if it is intended for babies, it must be regulated further in the threshold of substance content, especially because the sewing process is still according to the model made.

According to Kristiyanti, consumers basically need universal legal protection. We can find such protection in the consumer protection law, because of its international nature so that everyone has the same interests. Though babies as consumers should be protected, given the relative weaker position of consumers compared to the position of producers who can be interpreted relatively stronger. Then the discussion of consumers will always be actual and always important to be reviewed.³

Raw materials used by the company are ensured that they meet the requirements and pass the test for the content of hazardous substances. It is hoped that the producers will always use suppliers who have passed the test, even though there is no standardized management system guide in the procurement of raw materials. On this occasion BSN provided input on the importance of implementing a quality management system in the company environment, especially to ensure the consistency of the products produced will always be able to meet the requirements set.

This is partly due to the fact that the test sample taken must have been in the form of a child's clothes that are made according to the current market tastes, while the validity period of the certification is only given for a period of six months from the issuance of the certificate.

Causes of Producers in Semarang have not yet managed their SNI products and among others, the factor is that the producers expect their Registration of Goods (NRB), and the cost of certification and testing, so that the company will not overload it in production costs for consumers, which directly impacts on products becoming less competitive. Because there are still many who decide to spend the old stock or waste goods before the regulation of baby clothes including mandatory Indonesian National Standard (SNI). It is said to be related to safety, security, health and the environment.

Based on data from the Department of Industry and Trade of Central Java Province, even though there are regulations that prohibit it, up to now there are still many baby clothes that does not have SNI standards yet. This can be very worrying, because there are still many baby clothes that contain AZO dyes, formaldehyde levels, and levels of extracted metals in fabrics for baby clothes. In the city of Semarang itself, there are still many domestic products, especially small and medium-sized industrial products (IKM) that do not yet have SNI certificates. The percentage is only about 1% that has SNI.

In addition to focusing on supervising the large number of imported baby clothes that enter Indonesia, based on the above, the Government also needs to supervise domestic baby clothes including one of them on IKM products. The application of SNI to baby clothing is an obligation, both for foreign and domestic clothing, so that the implementation of the absolute SNI obligation to protect babies in Indonesia from the effects that can affect health because clothing is used every day and directly in contact with the baby's body.

The purpose of this paper is as follows: (1) To analyze and explain how baby clothes that are not yet SNI can be circulated in Semarang City; (2) To find out the extent of the implementation of the regulation of the minister of industry of the Republic of Indonesia number 47 / M-IND / PER / 7/2016 on the supervision of the Indonesian national standard (SNI) on baby clothes of small and medium industrial products (IKM) in Semarang City.

METHODS

Research that will be used by researchers using a qualitative approach. A qualitative approach according to Moleong is that this study uses a qualitative research approach, where qualitative research is research that produces analytical procedures or other quantification methods.³ The type of research used is empirical juridical. Empirical juridical or Non-Doctrinal Research, namely research in the form of empirical studies to find theories about the process of occurrence and the process of working the law in society. The last typology of research is often referred to as Socio Legal Research.⁴

2 Janus Sidabalok, 2014. *Hukum Perlindungan Konsumen di Indonesia*. Bandung: Citra Aditya Bakti, hlm 15.

3 Kamal, Ubaidillah. "Konstruksi Perlindungan Konsumen Jasa Pengobatan Alternatif (Studi Kasus di Kota Semarang)". *Journal of Private and Commercial Law vol 1 no 1, 2017, 72*

3 Moleong, 2009, *Metode Penelitian Hukum*, Bandung : PT Remaja Rosdakarya, hlm. 6

4 Bambang Sunggono, 2016, *Metodologi Penelitian Hukum*, Jakarta: Raja Grafindo Persada, hlm. 42

The data sources used are primary data and secondary data. Primary data is research material in the form of empirical facts as behavior and results of human behavior. Both in the form of verbal behavior, real behavior, and behavior that is driven in a variety of behavioral results or notes / records.⁵ Secondary data is legal material in research taken from library studies consisting of primary legal materials, secondary legal materials and non-legal materials.⁶ Secondary data was obtained from documentation studies and literature searches relating to law enforcement and theories that supported it.

Data collection techniques used in writing include arguing that, observation is a complex process, a process that is composed of various processes of observation and memory.⁷ Data collection techniques with observations are used when, research relating to human behavior, work processes, natural phenomena and if the respondents observed are not too large, the interview is a conversation carried out with a specific purpose carried out by two parties, namely the interviewer who asks the question and interviewees who provide answers to these questions.⁸

Documentation, namely The method used to find data on things or variables in the form of notes, transcripts, books, newspapers, magazines, inscriptions, minutes of meetings, briefs, agendas, etc.⁹ The validity of the data used is data triangulation According to Patton, in source triangulation, the authors compare and check the degree of trust in information obtained through different time and tools, in qualitative research that can be achieved by road.¹⁰ Analysis of data used in writing includes data collection, data reduction, data presentation, and conclusion or verification.

RESULT AND DISCUSSION

Factor of Baby Clothing That Have Not SNI Can Be Circulated

Usaha Dagang (UD) is an individual business entity that is still small-scale, so it is included in the small and medium industry (IKM) Based on Article 2 of the Regulation of the Minister of Industry of the Republic of Indonesia Number 64 / M-IND / PER / 7/2016 concerning the Amount of Labor and Investment Value for the Classification of Industrial Business. Industry itself according to Law Number 3 of 2014 concerning Industry is all forms of economic activity that processes raw materials and / or utilizes industrial resources to produce goods that have added value or higher benefits, including industrial services

Baby clothes are clothes that are directly in contact with the skin, made of woven fabrics and knit fabrics of various types of fibers and mixed fibers used for babies aged 36 (thirty six) months. Fabrics for baby clothes are those used for baby clothes that have undergone bleaching, dyeing, printing, and / or finishing, in the form of sheets used as proof of clothing.

In the Semarang City there are a number of baby clothing industries, one of which is UD Sekawan Putra. UD Sekawan Putra is engaged in the field of textiles which manufactures baby clothes which are located on Jalan Udan Riris III No. 25 Tlogosari, Tlogosari Village / District, Semarang

UD Business Activities Sekawan Putra, among others, UD. Sekawan Putra carries out business activities in the form of production and sale of baby clothing such as all types of clothes, pants, and everything that is directly in contact with the baby's body. Meanwhile, to facilitate the production process, UD. Sekawan Putra obtained its raw materials, namely fabrics purchased from producers with quality in accordance with the required production needs, namely SNI, then cooperating with distributors who would submit them to shops in the Java and surrounding areas. The UD Sekawan Putra cooperates directly by the baby clothing sales shop located in Jakarta. Baby clothes shop is a form of business that is engaged in retail, especially in the field of apparel sales, especially in selling baby clothes

The data obtained for the city of Semarang 7 of 11 manufacturers of baby clothes are still not SNI and obtained 4 of 11 manufacturers of baby clothes have SNI, so that from the results that can

5 Peter Mahmud Marzuki, 2014. *Penelitian Hukum*, Jakarta: Kencana Prenada Media Group, hlm. 141.

6 *Ibid*

7 Sugiyono, 2013. *Metode Penelitian Kuantitatif, Kualitatif dan R&D*. Bandung : Alfabeta, hlm. 145.

8 Arikunto Suharsimi, 2002. *Prosedur Penelitian Suatu Pendekatan Praktek*. Jakarta : Rineke Cipta, hlm.135.

9 *Ibid*, hlm 236.

10 Zainuddin Ali, 2014. *Metode Penelitian Hukum*, Jakarta : Sinar Grafika, hlm. 330.

be seen more entrepreneurs who make baby clothes are not SNI than those already SNI. This is one of the causes that still often does not have SNI clothes for babies in Semarang City. The Department of Industry and Trade (Disperindag) of Central Java Province has conducted sampling and found that around 82% have not SNI and 18% have SNI for all those included in mandatory SNI within the scope in Central Java, especially Semarang.

SNI was implemented since the Presidential Decree No. 13 of 1997 which was perfected by Presidential Decree No. 166 of 2000 concerning the position, duties, functions, authorities, organizational structure and work procedures of the last non-departmental government institution stipulated in Presidential Decree. 103 of 2001 regulates the main task of developing and fostering standardization activities in Indonesia replacing the National Standardization Council (DSN) which is guided by Government Regulation No. 102 of 2000 concerning National Standardization.

Evidence that can be owned by a business actor is a product certificate using the SNI mark, hereinafter referred to as SPPT-SNI issued by a product certification body on baby clothes in accordance with SNI, product certification institution, hereinafter abbreviated as LSPro, an institution appointed by the minister to carry out certification activities product user SNI mark for baby clothes.

The application of SNI 7617: 2013 must be excluded for imported baby clothes with the type of product and HS Code as referred to in article 2 paragraph (2) which contains "product certificates using SNI mark azo dye requirements, formaldehyde levels, and extracted metal content on the fabric for baby clothes, hereinafter referred to as SPPT-SNI, are certificates issued by product certification institutions to producers who are able to produce baby clothes according to SNI requirements" if used as an example of testing SPPT-SNI applications.

For consumers who are less aware of the dangers of the chemicals contained in baby clothes that are not yet SNI labelled, their only concern is concerning with the issue of price and not the safety or comfort of babies who use it, hence it is difficult to inform that SNI on baby clothes is important because it concerns the safety of babies in the future.

As for those who believe in quality based on price and brand, even though actual security can be seen from the quality of the fabric used and also the SNI logo found on baby clothes sold, as it is not necessarily the expensive ones that are SNI. It can be distinguished from the color of the fabric that is not striking because the ammonia content in the ink to dye the fabric has been neutralized, resulting in light colors.

Generally consumers who do not know SNI for baby clothes make Brands, neat and attractive packaging as a consideration in buying baby clothes. And many consumers complain of difficulties in finding baby clothes that meet standards, are feasible, and have been tested to be safe for baby use, because the market does not meet the safety criteria, because there are shops or markets that still sell baby clothing products that do not meet standards and are not worth to wear.

The lack of consumer knowledge about SNI for baby clothes also makes it difficult for consumers to choose materials, because usually babies will have an effect like itching if the material used is not good and it is difficult to find products that are already SNI outside a large shopping center or shop, so that it definitely affects the price. Usually those sold in large shopping centers sell branded baby clothes, so that the brand for most parents is used as a reference in buying and gives confidence in the quality of products sold.

Based on the results of the study, it was found that several factors that caused the baby's use of SNI were still circulating in the city of Semarang, the first factor that came from the non-mandatory SNI regulations for baby clothes as run by the Central Java Provincial Office of Industry and Trade. The new government has implemented the regulations as an appeal for ongoing socialization on the road to implementing SNI standardization in Central Java Province due to budget constraints to help IKMs who want to register SNI.

The second factor is, lack of understanding of consumers with the SNI for baby clothing products caused by the incessant socialization of the government to disseminate related SNI for baby clothes on TV, radio, magazines, and other information media which are likely to invite the attention of parents, especially mothers.

The third factor is that there are still many producers selling baby clothes that are not SNI due to concerns about the decrease in the number of buyers because the prices of SNI products are more expensive due to SNI registration costs as well as production costs and the public is not aware, so clothing that is not SNI is still in demand in the market at a low price.

The fourth factor is that it is difficult to get an SNI certificate due to the small costs for laboratory tests. The cause of this difficulty is because to register SNI the requirements are to have complete documents related to companies that want to register like SIUP, TDP, NPWP.

And lab tests that cannot be done, because they really need to make sure the materials used to make baby clothes are harmless and in accordance with the prescribed standards since they are tested in laboratories that

have received direct appointment from the National Accreditation Committee (KAN) this is what makes business people, especially IKMs feel heavy and queuing their turn to get help from the government.

The term Consumer comes from the language conversion from the word consumer (English-American), or consumer / konsument (Dutch). The definition of the consumer or consument depends on the position where it is located. Literally the meaning of the consumer word is (the opposite of the producer) of everyone who uses the item. The purpose of using goods or services will include including which group of consumers the user is. Next also the Indonesian-Indonesian Dictionary gives the meaning of the word consumer as a user or consumer

It is expected that people will more easily understand and understand the importance of the Indonesian National Standard (SNI) on baby clothes and can protect their babies by using baby clothing products that are already Indonesian National Standards (SNI) so that consumers can avoid baby clothes that can harm their babies. Because parents are the only means that can protect babies from things that can endanger baby's safety.

Implementation of Regulation of the Minister of Industry of the Republic of Indonesia number 47 / M-IND / PER / 7/2016 on the supervision of the Indonesian national standard (SNI) in baby clothes for small and medium-sized industrial products (IKM) in Semarang.

Standards actually have become part of our daily lives, although often we do not realize it, without ever thinking about how these standards are created or the benefits that can be obtained. In Indonesian the standard word is basically a document that contains certain requirements which are prepared by consensus by interested parties and approved by an institution that has been jointly recognized.

Standard is a technical specification or something standardized including procedures and methods compiled based on the consensus of all parties concerned by paying attention to the requirements of safety, security, health, environment, development of science and technology, as well as experience, present and future developments. will come to get the true benefits. The Indonesian National Standard (SNI) is a standard set by the National Standardization Agency (BSN) and applies nationally.

Until now, the national industry has been able to produce various types of products in accordance with domestic and foreign needs. National industry together with the government and the community must continue to push themselves to improve the quality of the products produced. The role of quality becomes very important and will be very prominent in the future because the relationship of the Indonesian economy to the global economy will be stronger, which itself is required to follow and comply with international standards and the requirements of each country. It is inevitable that the globalization of trade also has consequences for the entry of foreign products into the country. To prevent the entry of low-quality products, the Indonesian government applies technical regulations by enforcing the application of several compulsory SNIs, as one of the measures to protect consumers and protect domestic industries. (Eddy Herjanto, 2011: 122)

The Indonesian National Standard (SNI) on baby clothing itself is regulated in the Minister of Industry Regulation number 07 / M-IND / PER / 2/2014 concerning mandatory enforcement of National Standards (SNI) for Baby Clothing, Minister of Industry Regulation 97 / M-IND / PER / 11/2015 concerning changes to Regulation of the Minister of Industry number 07 / M-IND / PER / 2/2014. The regulation is the legal basis for the obligation to apply the Indonesian National Standard (SNI) to baby clothes. Where the regulation in it regulates the requirements of the Indonesian National Standard (SNI) which is required to be fulfilled in the fabric for making baby clothes, types of baby clothes that are required to have the Indonesian National Standard (SNI), how to apply for the Indonesian National Standard (SNI), the obligation to implement the Indonesian National Standard (SNI) for baby clothing manufacturers, conduct testing, and violate sanctions.

Baby clothes with postal tariff number / HS code ex. 9619.00 is a product intended for babies up to the age of 36 months. The application of mandatory Indonesian National Standard (SNI) for baby clothes according to Mr. Mukti Sarjono, was carried out because it was feared that babies up to 36 (thirty six) months do not a strong enough endurance and are still very susceptible to diseases especially chemicals that are harmful to baby's skin, even if inhaled can endanger the respiratory organs in infants, this is what is feared will endanger, and bring disease to the baby in the future

The Department of Industry and Trade in carrying out the supervisory function of the Indonesian National Standard (SNI) for baby clothing for Small and Medium Industries (IKM), is carried out through market traders and large and small shops that sell baby clothes. But the target is for producers who make supervision so that it can be effectively carried out before products that have not been circulated widely in the Indonesian

National Standard (SNI) in the market. Concerning the form of consumer protection supervision is concretely carried out jointly by the government, community and LPKSM by conducting research, testing or surveys of goods or services that are allegedly not meeting the elements of security, health, comfort, and safety of consumers and the results are disseminated to the public. (St Nurjannah, 2013: 6).

The large number of baby clothes for Small and Medium Industries (IKM) products that do not yet have the Indonesian National Standard (SNI) certificate, according to Mr. Mukti Sarjono, one of which is caused by the high costs required to register products for the Indonesian National Standard (SNI) certification they produce.

On the other hand, the income generated from sales obtained by baby clothing manufacturers of Small and Medium Industries (IKM) products is also not too large, so that producers with the scale of Small and Medium Industries (IKM) have difficulty paying the certification costs of the Indonesian National Standard (SNI) the big one.

As a follow up to this, the Central Java Provincial Office of Industry and Trade opened the opportunity for producers with a Small and Medium Scale Industry (IKM) to be able to obtain a free Indonesian National Standard (SNI) certificate without a penny to be paid.

However, due to the insufficient amount of the available budget, according to Mr. Mukti Sarjono not all baby clothing products of Small and Medium Industries (IKM) can be facilitated by the Indonesian National Standard (SNI) for free by the Central Java Provincial Office of Industry and Trade.

In one year the Office of Industry and Trade of Central Java Province has a target of 8 business actors to be guided for 3 (three) months to get a certificate of Indonesian National Standard (SNI) which then within one year the company will be evaluated and an extension of three years for review by the Central Java Provincial Office of Industry and Trade the standard conformity to its products is still appropriate or not.

In addition, producers who wish to obtain these facilities must also make an application proposal for the Indonesian National Standard (SNI) which is then sent to the Office of Industry and Trade of Central Java Province.

The Indonesian National Standard (SNI) is the only nationally valid standard in Indonesia, SNI is formulated by a technical committee (formerly called a technical committee) and determined by BSN (National Standardization Body). The tasks and functions of the national standardization body in the field of accreditation are carried out by the National Accreditation Committee (KAN)

The own standard according to article 1 paragraph 3 of Act Number 20 of 2014 concerning Standardization and Conformity Assessment is a technical requirement or something standardized, including procedures and methods compiled based on the consensus of all parties / government / international decisions related to regard to safety requirements, security, health, the environment, the development of science and technology, experience, and the development of the present and future to get great benefits.

Standard implementation is an activity using standards as a reference (technical specifications, rules, guidelines) for an activity or result, which is basically voluntary (voluntary), to ensure the acceptance and utilization of SNI widely, all stakeholders should, among other things, apply the openness norms, transparency, and impartiality.

If a standard related to health, safety, safety, the interests of national economic development and the preservation of environmental functions, the standard can be referred to in a technical regulation which is subsequently mandatory, in this case activities and products that do not meet SNI requirements are prohibited.

Therefore the implementation of SNI that is applied compulsorily needs to be done carefully to avoid a number of impacts as follows: (1) inhibiting healthy competition, (2) inhibiting innovation, (3) inhibiting the development of Small and Medium Enterprises (SMEs). However, the application of compulsory SNI needs to be carried out on products with high risk for the sake of health, safety and public safety.

The application of SNI that is applied compulsorily needs to be supported by market supervision, both pre-market supervision, post-market supervision to supervise or correct products that do not meet SNI. Meanwhile, to maintain SNI conformity, it requires continuous "updating" to attract business actors and interested parties. Therefore, SNI must also be studied, among others :

1. Does SNI provide a significant contribution to business actors in the fields of production, trade and market efficiency;
2. Does SNI contribute to health, safety, security and the environment of the community;
3. Does SNI contribute to aspects of consumer protection,
4. Is SNI still in accordance with the development of science and technology

Regarding SNI that is already irrelevant it is necessary to do corrections, revisions, amendments, or remain unchanged (except the notation of the year of publication). The application of the Indonesian National Standard (SNI) is an exception, where for goods and or services that are included in the list of mandatory Indonesian National Standards (SNI), SNI must be binding which must be met by all relevant parties, namely producers, distributors of goods / services or users other standards because they relate to safety, security, health, and environmental functions, while voluntary SNI is based on the initiative of the organization / personnel themselves, only to build names or images.

Then the goods and or services are required to fulfill the terms and conditions set out in the Indonesian National Standard (SNI). Goods and or services that are included in the list of goods and / or services of the Indonesian National Standard (SNI) are mandatory, but do not apply the Indonesian National Standard (SNI), so this is a violation. Baby clothes are included in one that is required to apply the Indonesian National Standard (SNI).

In carrying out the supervisory duties delegated from the director general, PPSP industrial supervisors supervise the supervised objects including domestic producers, importers, and baby equipment. The scope of supervision of the application of SNI consists of supervision in the production warehouse, supervision outside the production warehouse. The results of the examination and testing of samples are set forth in the minutes of supervision by PPSP and submitted to the director of Industrial Development for evaluation.

Evaluation of the results of supervision from the director of industry coaches was reported to the Director General of Taxes. Then the Central Java Provincial Office of Industry and Trade must refer to these regulations, namely the Minister of Trade Regulation of the Republic of Indonesia Number 47 / M-IND / PER / 7/2016 concerning the assessment of conformity in the implementation and supervision of Indonesian national standards for AZO dyestuffs, formaldehyde levels, and mandatory metal extraction of the cloth for baby clothes. where in this study the objects of supervision are baby clothes for Small and Medium Industries (IKM) products. While the legal basis for the obligation to apply the Indonesian National Standard (SNI) for baby clothes has been arranged in the three rules below :

1. Regulation of the Minister of Industry No. 72 / M-IND / PER / 7/2012 concerning Enforcement of Indonesian National Standards (SNI) requirements for azo dyes, formaldehyde levels, and levels of metal extracted on the fabric for baby clothes.
2. Regulation of the Minister of Industry Number 07 / M-IND / PER / 2/2014, This regulation is a change in Regulation of the Minister of Industry No. 72 / M-IND / PER / 7/2012 regarding mandatory National Standard (SNI) for baby clothes.
3. Director General of Manufacturing Industry Base Regulation Number 07 / BIM / PER / 5/2014

The second incompatibility is the Office of Industry and Trade of Central Java Province as the executing element of government affairs in the field of industry and trade in this research has the duty to ensure and guarantee the implementation of the Indonesian National Standards (SNI) for goods and services produced and traded in Java Province Central including Semarang City. In this study, the Central Java Provincial Office of Industry and Trade is tasked with supervising to ensure that the Indonesian National Standard (SNI) has been applied to baby clothes circulating in Semarang, but supervision has not been maximized so there are still baby clothing manufacturers who sell baby clothes that do not yet have Indonesian National Standard (SNI).

If a fake SNI logo is found on the Department of Industry and Trade, search will be taken after a new action has been taken to evaluate the company concerned. If it has been circulating in the market and does not meet the provisions of the Indonesian National Standard (SNI), it must be withdrawn from circulation by the producer concerned. Baby clothes that have been thrown in the market before the ministerial regulation which regulates Indonesian National Standards (SNI) of baby clothes and do not meet the provisions of the Indonesia National Standard (SNI) must be withdrawn from the circulation no later than 3 (three) months after the enactment of Indonesian National Standard (SNI) regulation of baby clothes.

Guidance and Supervision in the framework of applying SNI for azo dyes requirements, formaldehyde levels, and the level of metal extracted on cloth for baby clothes must be carried out by the Director General of Industrial Development. The Director General of Industrial Development can delegate guidance and supervision to the Director of Industrial Development. Coaching is done to improve the capability of the industry in applying SNI mandatory through the implementation of mandatory SNI and / or changes, verification and evaluation of factors related to the application of SPPT-SNI and / or providing technical and consultation in the application of SNI.

The third non-conformity is the low supervision carried out by the Central Java Provincial Office of Industry and Trade not in accordance with article 13 paragraph (5) of the Minister of Industry Regulation Num-

ber 97 / M-IND / PER / 11/2015 amendments to the Regulation of the Minister of Industry of the Republic of Indonesia Number 07 / M-IND / PER / 2/2014 concerning the application of the Indonesian National Standard (SNI) requirements for azo dyes, formaldehyde levels, extracted metal content on cloth for baby clothes compulsorily in the contents of the position of the Office of Industry and Trade as provincial service coordinate with the Director General of Industrial Development.

Technical guidance is carried out through training in increasing human resources in improving product quality, socializing the implementation and application of compulsory SNI, and technical guidance on product quality. Verification and evaluation of factors related to the application of SNI are carried out through inventory and verification of producer data related to the implementation of monitoring the implementation of SNI, inventory data of conformity assessment institutions and related parties in implementing SNI, impact analysis of mandatory SNI application for domestic producers, and issuance of registration letters (registration) SPPT-SNI as one of the requirements for issuing SPPT-SNI.

The application for the SPPT-SNI registration letter submitted by the business actor is addressed to the Director of Industrial Development using the prescribed form, the letter must be signed by the Director of the company or the director-level official as the person in charge. Domestic producers are required to inform Product Certification Institutions (LSPro) who will carry out certification equipped with a registration application (registration), company data for registration (registration), copy of SPPT-SNI application form that has been filled in by the applicant and legalized by the LSPro concerned, copy of NPWP, copy of industrial business permit (IUI), Industrial Registration Certificate (TDI) or similar license with the scope of the apparel industry, and a list of types of products to be certified.

The Director of Industrial Development can verify the ability and feasibility of the applicant in applying SNI. Based on the results of the research and / or verification of the correctness of the application, the Director of Industrial Development issues a SPPT-SNI registration certificate no later than 5 (five) working days after the application for the SPPT-SNI registration letter is received completely and correctly

In carrying out mandatory supervision of SNI, the Directorate General of Industrial Development assigns PPSP and / or officers from the Industrial Development Directorate to carry out company checks and quotes. The Directorate General of Industrial Development assigns the Product Standard Supervisory Officer (PPSP) based on the Letter of Assignment using a predetermined form to supervise the implementation and mandatory application of SNI at least once a year. The PPSP object consists of domestic producers, importers, and baby clothes. Supervision can be done 3 (three) months after mandatory SNI is applied or after August 17, 2014.

The scope of supervision of the application of SNI consists of supervision in the production warehouse which includes the first, the validity check of licensing documents consisting of inspection of industrial business licensing documents, inspection of SPPT-SNI, and examination of certificates / reports on testing laboratory test results. Second, verification of SNI marking on products and packaging consists of SNI mark, LSPro name, and name / trademark. Third, examination of the results of the quality test of goods in accordance with SNI quality requirements. Fourth, the conformity assessment of product quality according to SNI is carried out through taking sample test, with random sampling method.

In addition to supervision in the production warehouse, supervision is also carried out outside the production warehouse including first, the object of supervision, namely baby clothes found in distributors, traders / stores, and warehouses of importers, importers and shop owners. Second, supervision of importing companies is done by verifying the validity of licensing documents and / or SPPT-SNI. Third, monitoring the conformity of product quality with SNI that is enforced compulsorily is carried out by testing product samples in the test laboratory appointed by the minister. Fourth, the method of sampling outside the production warehouse is done by buying products at the distributor, warehouse importer, randomly store in the market as evidenced by proof of purchase. Fifth, product samples are tested according to SNI in the testing laboratory appointed by the Minister. Sixth, PPSP and / or officers appointed by the Director General of Industrial Builders supervise product quality and marking SNI on products.

In implementing SNI supervision PPSP can have the authority to search the marking process on baby clothes as a whole. PPSP is obliged to prepare a supervisory document consisting of a supervisory task for the implementation of SNI in production warehouses and outside production warehouses, minutes of sampling, sample test labels, monitoring reports on SNI implementation in production warehouses and outside production warehouses. in the production warehouse and outside the production warehouse, attendance list, and cover letter to the test laboratory from the Directorate of Industrial Development.

Supervision of the application of SNI requirements for azo dyes, formaldehyde levels, and levels of ex-

tracted metal on the fabric for mandatory baby clothes. In the production warehouse, the Director of Industrial Development can coordinate with the Head of Office in charge of industry in the Province and District / City, and if outside the production warehouse, by purchasing products from distributors or sellers. The supervision is carried out by PPSP both at the central and regional levels based on the SNI supervision assignment letter from the Director General of Industrial Development.

Supervision of baby clothing is carried out by quality inspection through sampling by PPC in the production warehouse and outside the production warehouse. The results of examination and testing of samples are set forth in the minutes of supervision by PPSP and submitted to the Director of Industrial Development for evaluation. Evaluation of the results of supervision from the Director of Industrial Development is reported to the Director General of Industrial Development.

If the results of supervision by PPSP are not in accordance with SNI requirements, the Director General of Industrial Builders gives written warnings to business actors who commit violations, the warning contains a request to improve product quality in accordance with the provisions of compulsory SNI and product withdrawal requests that are not in accordance with SNI producers of domestic products or importers of imported products. In the event that a violation is carried out by the Conformity Assessment Agency (LPK), the Director General of Industrial Development shall submit a report on the results of supervision and PPSP to the Head of the Climate Policy and Industrial Quality Assessment Section (BPKIMI) to be followed up in accordance with applicable regulations. In fostering the Director General of Industrial Fostering, he can coordinate with the Head of the Climate Policy and Industrial Quality Assessment Agency or with the Industrial Development Advisory Service at the provincial and or regency / city government, LSPT, SPPT-SNI publishers and related institutions.

Publication actions are carried out to provide socialization, information, and understanding of the community on mandatory application of SNI. Publication is carried out on compliance with the application of SNI by producers or other business actors and related parties or violations of the provisions of compulsory SNI implementation by business actors and related parties in order to provide a deterrent and shame effect. Publication can be done through giving awards and / or loading news in print or electronic media.

The action on circulating baby clothes and not fulfilling SNI starts 6 (six) months after the enactment is done or starts on November 17, 2014 after. Supervision and guidance are carried out. Provision of sanctions based on statutory provisions. After special supervision and guidance steps have been taken on the business actor, the business actor in question is still committing a violation, the Director General of Industrial Development coordinates with the Head of the Climate Policy and Industrial Quality Assessment Agency, and the Head of Industrial Development Advisory Service at the provincial and or regency / city government, LSPro publishers SPPT-SNI and local law enforcement officers enforce the law in accordance with Law No. 3 of 2014 concerning industry, Law No. 8 Industry No. 86 / M-IN / PER / 9/2009 or its revision regarding Indonesian National Standards in the industrial sector.

The fourth non-conformity is the obligation to implement the Indonesian National Standard (SNI) for baby clothing manufacturers of Small and Medium Industries (IKM) products, according to Mr. Mukti Sarjono, Head of the Standardization and Consumer Protection Division.) to implement and have the Indonesian National Standard (SNI) on fabrics for baby clothes they produce. The discrepancy applied by the Central Java Provincial Office of Industry and Trade is not in accordance with Article 2 paragraph 1 of the Minister of Industry Regulation Number 07 / M-IND / PER / 02/2014 concerning Amendment to Regulation of the Minister of Industry Number 72 / M-IND / PER / 7 / 2012 which requires all baby clothing manufacturers without exception to fulfill and implement the Indonesian National Standard (SNI). The fulfillment and application must be proven by the ownership of Product Certificates The Use of Indonesian National Standard Signs (SPPT-SNI) on the types of baby clothes they produce and producers are also required to affix the Indonesian National Standard (SNI) to every baby clothing product sold on the market.

In addition, the small number of personnel available to oversee the mandatory Indonesian National Standard (SNI) for goods circulating in Central Java Province and the supervisory authority over the Indonesian National Standard (SNI) is no longer in the hands of regencies / cities, but in provincial hand is also a factor in the lack of supervision carried out by the Department of Industry and Trade of Central Java Province, this resulted in the Office of Industry and Trade of Central Java with a small number of members having to oversee the Indonesian National Standard (SNI) for 109 products required to have the Indonesian National Standard (SNI) spread in 35 cities / districts in the province of Central Java.

CONCLUSION

Legal protection for consumers of baby clothes not included in the Indonesian National Standard (SNI) within Semarang City has not been maximally implemented in law enforcement as evidenced by the circulation of baby clothes that do not meet the required standards determined by the government. Factors for baby clothes that do not yet have National Standards Indonesia (SNI) can be circulated due to internal factors. (1) Not mandatory application of SNI on infant IKM products, (2) the number of IKM products that still produce baby clothes that have not been SNI still circulates in Semarang City, (3) low consumer awareness due to less intense socialization of the government, (4) and external factors that come from the dependence of business actors by testing laboratories, which makes it difficult for business actors to obtain SNI certificates.

Implementation of the Regulation of the Minister of Industry of the Republic of Indonesia Number 47 / M-IND / PER / 7/2016 concerning Conformity Assessment Institutions in the Context of Indonesian National Standard Enforcement and Supervision of Requirements for Azo Dyes, Formaldehyde Levels, and Metal Levels Collected on Fabrics for Baby Clothes Required. With the implementation of supervision in the field is still low. As the Head of the Standardization and Consumer Protection Division said, the low supervision was carried out by the Central Java Provincial Office of Industry and Trade on the implementation of the Indonesian National Standard (SNI) for baby clothing for Small and Medium Industries (IKM), because there was no special supervision as a follow-up results of periodic monitoring, evaluation or follow-up has not been carried out in accordance with Republic of Indonesia Minister of Industry Regulation Number 07 / M-IND / PER / 2/2014 regarding the discovery of violations, lack of human resources to supervise and lack of budget for supervision.

REFERENCES

- Ali, Zainuddin. 2014. *Metode Penelitian Hukum*, Jakarta : Sinar Grafika.
- Herjanto, Eddy, 2011. *Pemberlakuan SNI Secara Wajib Di Sektor Industri : Efektivitas Dan Berbagai Aspek Dalam Penerapannya*, Vol 5, No. 2, 2011, Hal 121-130.
<https://www.goodnewsfromindonesia.id/>
http://bsn.go.id/main/berita/berita_det/7911/Lindungi-Bayi-Dengan-SNI-7617-2013#.XA1O7IszZ0s
- Kamal, Ubaidillah., 2017. *Konstruksi Perlindungan Konsumen Jasa Pengobatan Alternatif (Studi Kasus di Kota Semarang)*. *Journal of Private and Commercial Law*, 1(1).
- Marzuki, Peter Mahmud. 2014. *Penelitian Hukum*. Jakarta: Kencana Prenada Media Group.
- Moleong. 2009. *Metode Penelitian Hukum*. Bandung : PT Remaja Rosdakarya.
- Nurjannah, S. (2013). *Pembinaan dan Pengawasan Pemerintah Terhadap Perlindungan Konsumen*. *Al Daulah: Jurnal Hukum Pidana dan Ketatanegaraan*, 2(1), 1-7.
- Pemberlakuan dan pengawasan Standar Nasional Indonesia (SNI) persyaratan zat warna azo, kadar formaldehida, dan kadar logam terakstrasi pada kain untuk pakaian bayi Anak Secara Wajib.
- Peraturan Direktur Jenderal Basis ndustri Manufaktur Nomor 07/BIM/PER/5/2014.
- Peraturan Menteri Perindustrian Nomor 07/M-IND/PER/2/2014 tentang
- Peraturan Pemerintah Nomor 102 Tahun 2000 tentang Standarisasi Nasional.
- Sidabalok, Janus. 2006. *Hukum Perlindungan Konsumen di Indonesia*. Bandung: Citra Aditya Bakti.
- Sugiyono. 2013. *Metode Penelitian Kuantitatif, Kualitatif dan R&D*. Bandung : Alfabeta.
- Suharsimi, Arikunto. 2002. *Prosedur Penelitian Suatu Pendekatan Praktek*. Jakarta : Rineke Cipta.
- Sunggono, Bambang. 2016. *Metodologi Penelitian Hukum*. Jakarta: Raja Grafindo Persada.