

ABSTRACT

The rapid growth of social media, particularly TikTok, has become a primary medium for marketing cosmetic products. However, product promotions often contain exaggerated claims (overclaim) that may mislead consumers. This research aims to analyze consumer legal protection against the overclaim of 7x Power of Moonlight Body Lotion by Daviena on the TikTok platform, focusing on promotional practices, consumer understanding, and the forms of protection provided. This study employs an empirical juridical method, examining applicable legal provisions and linking them with field findings. Data were collected through interviews with consumers, sellers, and relevant stakeholders, as well as direct observation of the product's promotional content on TikTok. Primary and secondary legal materials, along with empirical data, were analyzed qualitatively to evaluate the consistency between legal norms and actual practices. The findings reveal that most consumers were attracted to purchase Daviena's 7x Power of Moonlight Body Lotion due to exaggerated claims on TikTok, such as promises of instant skin whitening. Such promotional practices violate Article 9 and Article 10 of Law No. 8 of 1999 on Consumer Protection, which prohibits misleading information in advertisements. The available legal protection includes preventive measures through BPOM and Ministry of Trade supervision, as well as repressive measures such as filing complaints with the Consumer Dispute Settlement Agency (BPSK), civil lawsuits, and criminal sanctions against business actors. Nevertheless, the study also found that consumer awareness of their legal rights remains low, resulting in suboptimal implementation of consumer protection. This study concludes that increasing consumer literacy regarding their legal rights, alongside stronger government supervision of cosmetic advertising on social media, is essential to prevent consumer losses caused by overclaim practices.

Keywords: Consumer Protection, Overclaim, Cosmetic Products, TikTok.

ABSTRAK

Perkembangan media sosial, khususnya TikTok, telah menjadi sarana utama pemasaran produk kosmetik. Namun, promosi produk sering kali mengandung klaim berlebihan (overclaim) yang berpotensi menyesatkan konsumen. Penelitian ini bertujuan untuk menganalisis perlindungan hukum terhadap konsumen terkait overclaim produk 7x Power of Moonlight Body Lotion dari Daviena di platform TikTok, dengan fokus pada praktik promosi, pemahaman konsumen, serta bentuk perlindungan yang diberikan. Metode penelitian yang digunakan adalah yuridis empiris, dengan mengkaji ketentuan hukum positif yang berlaku dan menghubungkannya dengan fakta di lapangan. Data diperoleh melalui wawancara dengan konsumen, penjual, dan pihak yang berkompeten, serta observasi langsung terhadap konten promosi produk di TikTok. Bahan hukum primer, sekunder, dan data empiris kemudian dianalisis secara kualitatif untuk menemukan kesesuaian antara norma hukum dan praktik. Hasil penelitian menunjukkan bahwa sebagian besar konsumen tertarik membeli produk Daviena 7x Power of Moonlight Body Lotion karena klaim berlebihan yang ditampilkan di TikTok, seperti janji hasil pemutihan kulit secara cepat. Praktik promosi tersebut bertentangan dengan Pasal 9 dan Pasal 10 Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen yang melarang informasi menyesatkan dalam iklan. Perlindungan hukum yang tersedia meliputi perlindungan preventif melalui pengawasan BPOM dan Kementerian Perdagangan, serta perlindungan represif berupa pengaduan ke BPSK, gugatan perdata, dan sanksi pidana terhadap pelaku usaha. Namun, penelitian juga menemukan bahwa tingkat kesadaran konsumen terhadap hak-haknya masih rendah sehingga perlindungan hukum belum berjalan optimal. Kesimpulan penelitian ini menegaskan pentingnya peningkatan literasi konsumen mengenai hak perlindungan hukum, serta peran aktif pemerintah dalam mengawasi iklan produk kosmetik di media sosial untuk mencegah kerugian konsumen akibat overclaim.

Kata kunci: *Perlindungan Konsumen, Overclaim, Produk Kosmetik, TikTok.*