

Abstract.

The growth of e-commerce has driven an increase in the marketing of homebased food products via Instagram using a pre-order system. On the other hand, there are still food products being sold without a Home-Based Food Production Certificate (SPP-IRT), which could potentially compromise food safety and consumer protection. This study aims to analyze the responsibilities of the Jember Regency Government in overseeing the distribution of unlicensed home-based food products marketed via Instagram. The study employs a normative legal research method using both a statutory and a conceptual approach. The legal materials consist of primary and secondary sources analyzed prescriptively. The results of the study indicate that the local government has a responsibility to provide guidance, education, licensing facilitation, preventive and repressive oversight, and legal protection for consumers. However, the characteristics of pre-order-based digital commerce pose unique challenges, necessitating the strengthening of a digital-based oversight system, inter-agency coordination, and increased legal awareness among business operators so that food safety and legal certainty for the public can be optimally realized.

Keywords. Instagram, PIRT, Local Government, Oversight, Pre-order

Abstrak.

Perkembangan perdagangan digital telah mendorong meningkatnya pemasaran produk pangan industri rumah tangga melalui media sosial Instagram dengan sistem preorder. Di sisi lain, masih ditemukan produk makanan yang diperdagangkan tanpa memiliki Sertifikat Produksi Pangan Industri Rumah Tangga (SPP-IRT), sehingga berpotensi mengurangi jaminan keamanan pangan dan perlindungan konsumen. Penelitian ini bertujuan menganalisis bentuk tanggung jawab Pemerintah Daerah Kabupaten Jember dalam mengawasi peredaran produk makanan industri rumah tangga tanpa izin PIRT yang dipasarkan melalui Instagram. Penelitian menggunakan metode penelitian hukum normatif dengan pendekatan perundang-undangan dan pendekatan konseptual. Bahan hukum terdiri atas bahan hukum primer dan sekunder yang dianalisis secara preskriptif. Hasil penelitian menunjukkan bahwa pemerintah daerah memiliki tanggung jawab melakukan pembinaan, edukasi, fasilitasi perizinan, pengawasan preventif dan represif, serta perlindungan hukum kepada konsumen. Namun, karakteristik perdagangan digital berbasis pre-order menimbulkan tantangan tersendiri sehingga diperlukan penguatan sistem pengawasan berbasis digital, koordinasi antarlembaga, serta peningkatan kesadaran hukum pelaku usaha agar keamanan pangan dan kepastian hukum bagi masyarakat dapat terwujud secara optimal.

Kata kunci. Instagram; PIRT; Pemerintah Daerah; Pengawasan; Pre-order.