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CRIMINAL LIABILITY FOR UNLABELED AND UNREGISTERED BLENDED FERTILIZER DISTRIBUTION UNDER INDONESIAN CONSUMER PROTECTION LAW

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Abstract

Fertilizers are essential agricultural inputs, yet the circulation of unregistered and unlabeled blended fertilizers exposes farmers to uncertain product quality and undermines their right to product information. This study examines the criminal liability of business operators involved in such distribution, focusing on Binjai District Court Decision No. 72/Pid.Sus/2023/PN.Bnj. Using normative legal research with statutory and case approaches, it analyzes Law No. 22 of 2019 on Sustainable Agricultural Cultivation Systems and Law No. 8 of 1999 on Consumer Protection alongside the court's reasoning. The analysis indicates that the defendant was found guilty of intentionally distributing fertilizer without the required registration and labeling. The court imposed four months' imprisonment and a fine of IDR 2,500,000. Although this ruling confirms individual criminal liability, the comparatively limited sentence raises questions about its deterrent effect. Stronger coordination between agricultural regulation and consumer protection, supported by preventive market supervision, is recommended.

Keywords: Agricultural input regulation; Blended fertilizer; Consumer protection; Criminal liability; Product labeling

INTRODUCTION

Indonesia's agricultural sector remains a major source of livelihoods, and access to reliable fertilizers is important for crop production and farming incomes. Fertilizers are used to improve soil nutrient availability and support yields; however, their value depends on appropriate composition, quality, and application (Roidah, 2013). Effective public supervision of fertilizer manufacturing and distribution is therefore necessary. An important regulatory concern arises when business operators circulate blended fertilizers whose composition cannot be verified because the products are neither registered with the competent authorities nor accompanied by informative labels.

The sale of fertilizer without registration or adequate labeling is more than a routine administrative irregularity. Farmers who purchase such products may be unable to assess their ingredients, suitability, or potential effects on agricultural land. Information asymmetry is particularly significant when sellers possess greater knowledge of a product than the farmers who rely on it. Unverified fertilizers may create risks of economic loss, crop damage, or adverse soil conditions, although the existence and extent of such consequences must be established through evidence in each case (Samosir et al., 2022). Criminal law and consumer protection law provide complementary mechanisms for addressing this problem.

Indonesia regulates fertilizer circulation through Law No. 22 of 2019 on Sustainable Agricultural Cultivation Systems. The provisions discussed in this study prohibit the circulation of fertilizers that lack the registration or labeling required by law. The purpose of these requirements is to support product traceability, regulatory oversight, and confidence in agricultural inputs (Republic of Indonesia, 2019). In parallel, Law No. 8 of 1999 on Consumer Protection recognizes consumers' rights to safety and accurate product information and imposes corresponding duties on business operators (Republic of Indonesia, 1999). These legal instruments protect different yet interconnected public interests. Binjai District Court Decision No. 72/Pid.Sus/2023/PN.Bnj provides a concrete setting in which to assess the application of these duties. According to the account examined in this article, the defendant prepared blended fertilizer, placed the product in unmarked sacks, and distributed it without the required registration and

labeling. The lower selling price made the product commercially attractive, but purchasers lacked the information necessary to evaluate its quality. The case presents questions about the proof of intentional conduct, the legal significance of distributing an unregistered product, and the adequacy of criminal sanctions (Binjai District Court, 2023). An important legal issue is whether criminal responsibility may be established through conduct prohibited by a regulatory statute even when a specific instance of physical damage to farmland has not been independently demonstrated. A related question concerns the relationship between formal regulatory offenses and the substantive protection of farmers as consumers. Criminal liability must be grounded in the elements of the relevant offense and the court's assessment of culpability rather than in presumed environmental or financial harm.

The present study accordingly addresses two questions. First, how was the business operator's criminal liability established under Indonesian law in Decision No. 72/Pid.Sus/2023/PN.Bnj? Second, which elements of the offense were considered proven, and what do the court's findings and sentence imply for the protection of farmers? By combining a case-based analysis of criminal responsibility with the information and safety principles of consumer protection, the study seeks to clarify the relationship between sector-specific enforcement and the rights of end users.

LITERATURE REVIEW

Criminal responsibility in Indonesian legal doctrine is commonly analyzed through the principle that punishment requires fault, expressed as the prohibition against imposing criminal punishment without culpability. A distinction must be drawn between the act prohibited by a statute and the mental element attributable to the accused (Hamzah, 2001; Moeljatno, 2008). The relevant inquiry in fertilizer-distribution cases is therefore not limited to whether the product was sold; it also concerns the statutory elements of the offense, the defendant's awareness and conduct, and any grounds that might exclude liability (Ali, 2019; Maramis, 2012).

Consumer protection provides an additional analytical perspective. Accurate labels permit purchasers to identify product characteristics and responsible sellers, while product registration helps create an accountable distribution chain. The duty to provide truthful and clear information is particularly important where a technically specialized input is supplied to buyers who may be unable to independently inspect its composition (Kusumadewi & Sharon, 2022). From this perspective, missing labels impair informed decision-making even before a specific injury has been verified.

Previous studies offer relevant but distinct points of comparison. Puspita (2023) considered ambiguous labels and advertising in general online commerce; Jalil (2021) studied the intentional distribution of fertilizer inconsistent with its label; Ramadona (2024) addressed Indonesian-language labels on imported food and beverages; Sitompul (2023) investigated obstacles to enforcement against unlicensed fertilizers in Kampar; and Tampubolon (2025) examined criminal sanctions for unregistered fertilizer in another district court decision. Their combined findings help identify the need for closer consideration of the intersection between agricultural criminal law, farmers' consumer rights, and judicial sentencing.

Table 1. Comparison of Previous Studies and the Research Gap

Study	Research Focus and Findings	Identified Limitation	Contribution of This Study
Puspita (2023)	Examined consumer rights concerning unclear labels and online advertising under the Consumer Protection Law.	Did not specifically address agricultural-input crimes or the circulation of unregistered fertilizer.	Links the information rights of farmers to criminal responsibility for unlawfully marketed agricultural inputs.
Jalil (2021)	Analyzed intentional distribution of fertilizer whose actual contents differed from the label, including Decision No. 385/Pid.Sus/2017/PN.Sgm.	Focused on inaccurate labeling rather than the complete absence of labeling and registration.	Assesses whether the absence of product identity and registration supports proof of the defendant's intentional conduct.
Ramadona (2024)	Investigated consumer protection relating to imported food and beverages lacking Indonesian-language labeling.	Addressed food products rather than inputs used by farmers in agricultural production.	Applies information-rights analysis to unlabeled blended fertilizer and risks to agricultural productivity.

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Study	Research Focus and Findings	Identified Limitation	Contribution of This Study
Sitompul (2023)	Explored local administrative and enforcement obstacles concerning fertilizers without distribution permits in Kampar.	Did not primarily analyze the judicial reasoning in a criminal verdict.	Examines the court's assessment of fault and the proportionality of the sanction in the Binjai case.
Tampubolon (2025)	Assessed criminal provisions applied to unregistered fertilizer distribution in Decision No. 149/Pid.Sus/2022/PN.Lbp.	Placed less emphasis on consumer protection in the evaluation of sentencing.	Integrates consumer protection principles into the assessment of criminal sanctions and preventive enforcement.

Taken together, the existing literature suggests a gap in decision-focused analysis that explicitly connects fertilizer-registration and labeling offenses to the protective objectives of consumer law. The present study addresses this gap by reviewing the defendant's conduct, the elements of the offense, the reasoning attributed to the trial court, and the implications of the sentence. The analysis does not treat possible soil degradation or crop losses as established facts without corresponding evidence.

METHOD

This study employs normative legal research, which examines the content, interpretation, and application of legal rules. Its primary legal materials consist of Law No. 22 of 2019 on Sustainable Agricultural Cultivation Systems, Law No. 8 of 1999 on Consumer Protection, and Binjai District Court Decision No. 72/Pid.Sus/2023/PN.Bnj. Secondary legal materials comprise doctrinal books, scholarly publications, and previous studies relevant to criminal responsibility, fertilizer circulation, and consumer rights (Fuady, 2018).

Two complementary approaches are used. The statutory approach identifies the prohibitions, obligations, and liabilities established by the governing legislation, while the case approach examines the conduct, evidence, and judicial considerations described in the selected decision. Analysis proceeds qualitatively by relating the legal elements of the offense to the reported case facts and assessing the implications of the ruling for deterrence and consumer protection. No fieldwork, interviews, laboratory tests, or independent assessment of agricultural losses were undertaken.

RESULTS AND DISCUSSION

Criminal Liability for the Distribution of Unregistered and Unlabeled Blended Fertilizers

In Indonesian criminal law, liability ordinarily requires both an act that satisfies the elements of a criminal provision and a basis for attributing fault to the person charged. The principle of culpability distinguishes an unlawful outcome from an offense for which an individual may be punished (Moeljatno, 2008). For business operators, criminal responsibility can arise when commercial activities involve conduct expressly prohibited by a statute. Where blended fertilizer is manufactured or distributed without the legally required registration and labeling, the assessment must identify the prohibited act and determine whether the operator knowingly performed it.

Law No. 22 of 2019 provides the sector-specific framework for this case. Article 122 in conjunction with Article 73 is identified in the source decision analysis as the basis for punishment for the distribution of fertilizer that does not meet the relevant registration or labeling requirements (Republic of Indonesia, 2019). The legal prohibition seeks to maintain traceability and oversight in the agricultural-input market. A claim that a business operator did not understand regulatory requirements does not automatically defeat criminal liability; its relevance depends on the applicable law and on the facts considered by the court (Hamzah, 2001).

Consumer protection rules reinforce the importance of the underlying obligation. Law No. 8 of 1999 protects consumers' interests in safety, informed choice, and truthful product information (Republic of Indonesia, 1999). A farmer purchasing unlabeled fertilizer cannot readily establish the product's composition, origin, or manufacturer from the packaging. Although the absence of a label does not itself prove that a crop failure has occurred, it deprives the purchaser of information needed to evaluate risk and may complicate complaints or claims if a product-related problem later emerges (Kusumadewi & Sharon, 2022).

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The account of Decision No. 72/Pid.Sus/2023/PN.Bnj indicates that the defendant combined chemical materials and subsidized fertilizers, repackaged the resulting blend in plain sacks without identifying information, and supplied the product for sale. The activities reportedly took place in a closed warehouse. The court treated the pattern of production and distribution as relevant to determining whether the statutory act of circulation had occurred (Binjai District Court, 2023). The lack of product identity is particularly important because it limits regulatory traceability through the supply chain.

According to the source manuscript, the defendant explained that the conduct was motivated by orders from farmers and insufficient capital to obtain formal authorization. The court did not accept financial difficulties as a legal justification for circulating products contrary to the governing requirements. This reasoning is consistent with the distinction between the business motivation for an act and the requirements for criminal exculpation. A commercial incentive may explain behavior, but it does not, on its own, extinguish responsibility for proven statutory violations (Zaidan, 2016).

The decision reportedly imposed four months of imprisonment and a fine of IDR 2,500,000. The source manuscript describes the maximum statutory punishment as six years' imprisonment and a fine potentially reaching billions of rupiah; this higher statutory ceiling should be checked against the authoritative text of the relevant provision. The difference raises a legitimate question about deterrence, although the proportionality of punishment cannot be determined solely by comparing the sentence with the statutory ceiling. Such an assessment also requires attention to the proven offense, aggravating and mitigating circumstances, and the court's stated reasons (Sudarto, 2018). Effective enforcement must protect the public while maintaining individualized and legally justified sentencing.

Elements of the Offense and Their Application in Decision No. 72/Pid.Sus/2023/PN.Bnj

An analysis of the offense requires examination of the defendant's conduct, the legal status of the fertilizer, and the mental element specified by the relevant statutory provision. The source account emphasizes that the defendant personally directed the mixing and sale of products lacking the required registration and labeling. Knowledge that the product had not completed the regulatory process, combined with continued commercial circulation, was treated as relevant to intentional conduct (Ali, 2019). An inference of intent, however, must remain grounded in the evidence accepted by the trial court.

Testimony attributed to employees and sales agents indicates that the defendant instructed workers to package the fertilizer in unbranded sacks. Their accounts were presented as supporting evidence of the defendant's control over the operation and the manner of distribution. Packaging without a product name or identifying information also supplied a visible indication of noncompliance. These circumstances helped connect the accused person to the prohibited distribution activity rather than merely to a peripheral employment role (Maramis, 2012).

The absence of labels also has a distinct consumer-protection dimension. A label communicates information about the product and the party responsible for placing it on the market; its omission makes independent assessment of quality and accountability more difficult. In the fertilizer context, the obligation is especially important because the buyer may be unable to determine chemical composition by visual inspection alone. Product identification may additionally facilitate traceability and evidentiary assessment in a subsequent dispute (Arief, 2016).

Legal research on defaults in lending agreements provides a more general illustration of the importance of legal certainty for parties facing unequal access to information (Safitri & Ismail, 2024; Sinaga et al., 2024). Those publications address contractual disputes rather than fertilizer regulation and therefore should not be treated as direct evidence of criminal enforcement in agricultural markets. Their relevance here is confined to the broader concern that rights and legal remedies depend on identifiable obligations and reliable documentation.

The possibility of crop damage, reduced soil fertility, or financial loss demonstrates why preventive regulation of fertilizer products matters. Nevertheless, the present normative analysis does not establish that those consequences occurred in the Binjai case. It instead examines the legal risks created by distributing products without registration and labels and the protective purpose of requiring compliance before commercial circulation. Distinguishing risk from proven damage is essential to an accurate account of the case and to a sound assessment of criminal liability (Rahardjo, 2014).

Preventive oversight remains relevant beyond the outcome of a single prosecution. A criminal judgment may establish liability in an individual case, but it cannot by itself guarantee compliance among manufacturers, intermediaries, and retailers. Market inspections, product registration checks, transparent labeling, and coordination among agricultural and consumer protection authorities may reduce opportunities for repeated violations. Effective regulatory practice should address the individuals who direct or benefit from unlawful distribution, where the

evidence permits, rather than focus exclusively on workers or small-scale vendors (Marpaung, 2005). The Binjai decision illustrates the combined significance of sector-specific criminal prohibitions and consumer information rights. It also highlights a policy question that requires continued scrutiny: whether sentencing and preventive enforcement, taken together, can meaningfully discourage circulation of unregistered fertilizers while safeguarding farmers. The present analysis supports stronger coordination of regulatory supervision and law enforcement, but it cannot measure actual deterrence without additional empirical evidence.

CONCLUSION

The analysis of Binjai District Court Decision No. 72/Pid.Sus/2023/PN.Bnj indicates that criminal responsibility was established for the intentional circulation of blended fertilizer lacking the required registration and labeling. The case illustrates the application of the relevant criminal provisions of Law No. 22 of 2019 and their substantive connection to farmers' rights to safety and accurate product information under Law No. 8 of 1999. The defendant's involvement in preparation, packaging, and distribution was central to the account of the court's assessment of culpability.

The reported sentence of four months' imprisonment and an IDR 2,500,000 fine prompts further consideration of proportionality and deterrence. Because this normative study does not measure subsequent compliance or agricultural losses, it cannot establish that the sanction was ineffective or that particular environmental harm occurred. Stronger coordination between agricultural regulators and consumer protection authorities, systematic market monitoring, and enforcement focused on those responsible for unlawful distribution are recommended to support compliance and the protection of farmers as end users.

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