

Analisis proses penegakan hukum terhadap obat tradisional lokal yang mengandung bahan kimia obat oleh Badan POM, Polri dan Kejaksaan di DKI Jakarta = The analyses of law enforcement process toward local traditional medicines which contains chemical compound by National Agency Food and Drug Control (NAFDC) policemen prosecution in province of DKI Jakarta

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Abstrak

Tesis ini membahas suatu proses penegakan hukum yang dilakukan oleh Badan POM, POLRI dan Kejaksaan terhadap industri yang melakukan pelanggaran memproduksi obat tradisional mengandung bahan kimia obat, di mana banyak ditemukan kendala atau penyimpangan yang terjadi dalam pelaksanaannya. Desain penelitian ini menggunakan metode pendekatan kualitatif dengan teknik mengkombinasi wawancara yang terjadi dalam pelaksanaannya.

Hasil penelitian ini menunjukkan beberapa faktor mcnjacli masalah antara lain landasan hukum perlu adanya peninjauan kembali karena tencanmm sanksi yang ringan, biaya untuk proses hukum masih kurang, sumber daya yang masih kurang, sosialisasi dan bimbingan teknis yang masih kurang terhadap industri-industri kecil di pelosok desa, sanksi yang dibcrikan ringan, proses hukurn yang tidak sesuai dengan tupoksi, putusan pengadilan yang sulit didapatkan, Icetidak konsistenan dalam penanyan barang bulcti dan tersangka.

This thesis discussed law enforcement process which was conducted by departement of NAFDC, POI.RI and Prosecution toward industries which violated by producing traditional medicine which contains chemical compound where there were many problems or irregularities which happenned on its implementation. Design of this study used a qualitative method by techniques of combining betwen depth interview and searching document.

Result of this sutdy indimted many problem factors including basis of law which need to review because listing of low punishment, the cost of law process was still less, lack of human resources, less of socialization ang technical assistance toward small industries at village, low punislunent, the law process at this time was not appopriatewit tupoksi, it difficult to get law court decision, it was still not consistent on handling evidence ang suspect.