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PROBLEMS WITH FREE NUTRITIOUS EATING PROGRAM MENUS WITH NUTRITIONAL STANDARDS IN THE PERSPECTIVE OF LAW NUMBER 17 OF 2023 CONCERNING HEALTH

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Abstract: The Free Nutritious Meal Program (MBG) is a strategic policy of the government in order to improve the quality of human resources and reduce malnutrition and stunting rates, especially among students. However, in its implementation, this program faces various problems, especially related to the fulfillment of nutrition standards and food safety. This study aims to analyze the problems of the Free Nutritious Eating Program menu from the perspective of Law Number 17 of 2023 concerning Health, with a case study of food poisoning that occurred at SMA Negeri 1 Kedungadem, Bojonegoro Regency. This research uses normative-empirical legal methods with legislative, conceptual, and case approaches. Data was obtained through interviews with the Bojonegoro Regency Health Office and the school, the distribution of questionnaires to students, and literature studies on relevant laws and regulations and legal literature. The results of the study show that the implementation of the MBG Program at SMA Negeri 1 Kedungadem has not fully met nutrition and food safety standards as stipulated in Law Number 17 of 2023 concerning Health. Cases of poisoning caused by *Escherichia coli* bacteria indicate weak supervision of the Nutrition Fulfillment Service Unit (SPPG), especially related to Laik Higiene dan Sanitasi certification and the application of the Hazard Analysis and Critical Control Point (HACCP) principle. This study concludes that although local governments have carried out their obligations in medical guidance, supervision, and handling, strengthening regulations and supervision by the National Nutrition Agency is still needed to ensure food safety and quality of the MBG Program in a sustainable manner.

Keywords: Free Nutritious Eating Program; Nutritional Standards; Food Safety; Recommended Dietary Allowance.

1. Introduction

The MBG program, one of the current government programs, is a priority in order to achieve the vision of Golden Indonesia 2045 and the mission to strengthen human resource development.¹ One of the objectives of the MBG Program is to emphasize malnutrition and *stunting rates*, especially in vulnerable age groups by meeting the daily nutritional intake of the community. The burden of malnutrition includes three things,

¹ Badan Gizi Nasional, "Presiden Instruksikan Percepatan Program MBG, Pemerintah Siapkan Perpres Khusus", diakses pada Senin 18 September 2025.

namely malnutrition, overweight, and micronutrient deficiency, while *stunting* is a body growth that is inhibited by the effects of not fulfilling the nutrients needed by the body for a long period of time, which makes their physical growth less when compared to their age which is sometimes followed by cognitive development that is also late.²

Based on the regulation (Presidential Regulation No. 83/2024) concerning the National Nutrition Agency, the government established the BGN as an institution that is directly accountable to the President in carrying out the function of fulfilling national nutrition. This Presidential Regulation mandates BGN to coordinate policies, provide and distribute nutritious food, promote cross-sector cooperation, and supervise and evaluate nutrition programs (Presidential Decree 83/2024). The target of fulfilling nutrition according to Article 5 Paragraph 1 includes students.³

Food service kitchens in the MBG Program are required to use local food ingredients that are guaranteed to be safe, healthy, and meet nutritional standards. The portion of the breakfast menu is 20-25% of the daily Nutritional Adequacy Rate (AKG) and lunch is 30-35% of the daily Nutritional Adequacy Rate (AKG). The MBG program is overseen through the national digital system to ensure transparency and accountability.⁴ The meals are distributed through schools, community centers, and local health facilities. The MBG program targets remote, frontier, and outermost (3T) areas.

On January 6, 2025, the MBG Program officially began. The MBG program recorded significant initial achievements, namely feeding a total of 570,000 students. In just a few months, the number of SPPGs reached 1,295 units spread across 38 provinces. However,

² Muhammad Farhan Saleh dan Rahmi Imanda. (2025). "Public Sentiment Analysis of the Free Meal Program: A Comparison of Naive Bayes and Support Vector Machine Methods on the Twitter (X) Social Media Platform", Journal of Applied Informatics and Computing, vol. 9, no. 1, hal. 131.

³ Pemerintah Republik Indonesia, "Peraturan Presiden Republik Indonesia Nomor 83 Tahun 2024 Tentang Badan Gizi Nasional", diakses pada Senin 18 September 2025.

⁴ Farid Ismullah, "Menko Polkam: Program Makan Bergizi Gratis Terus Diperluas", diakses pada Rabu 20 September 2025.

the national target to reach 82.9 million beneficiaries is still far from being met. Around 30,000 SPPGs are needed for this program to be fully operational nationally, and for this reason, the government estimates that the budget will increase from the initial Rp 50 trillion to Rp 71 trillion.⁵

The central government conducts multi-stakeholder collaboration in accelerating the development and operationalization of SPPG. The implementation of the MBG Program depends on the government's capacity to allocate and manage financial resources effectively. Thus, MBG budget planning must pay attention to local conditions and needs, adjust costs, and support the sustainability of cross-year programs. An important step for the MBG program to run sustainably is to strengthen fiscal capacity, involve local governments, and cooperate with the private sector.⁶

The National Nutrition Agency (BGN) initially revealed that the allocation was Rp 15 thousand for the MBG Program menu per child. Rp 2,000 of the allocation is for business lease. This lease includes building lease, land lease, equipment rental, ompreng rental, and other leases. Meanwhile, Rp 3,000 of the MBG allocation is to pay employees, pay for electricity, pay for internet, pay for gas, pay for fuel, to pay for car rental for transportation and so on. Then, the remaining Rp 10,000 is entirely for raw materials. However, the MBG Program, which is expected to be a flagship program to overcome *stunting*, has its budget dropped to Rp10,000 from the initial Rp15,000 per portion due to the unfavorable state budget conditions. Some nutritionists said that Rp10,000 can be used to buy one serving of food, but when it is aimed at eradicating *stunting*, the nutritional content is lacking. What's more, the fund worth IDR 10,000 has the potential to cut other operational costs which will further make the nutritional value of the food

⁵ Reni Saptati, "MBG Tingkat Target Penerima Jadi 82,9 Juta Orang", diakses pada Rabu 20 September 2025.

⁶ Ikka Febryanti et al. (2025). "Implementasi Kebijakan Makan Bergizi Gratis (MBG) (Studi Kasus Pada SDN 3 Kepanjeng Kabupaten Malang)", Dialogue: Jurnal Ilmu Administrasi Publik, vol. 7, no. 1, hal. 67.

decrease.

The implementation of the MBG Program has drawn criticism because there have been many cases of poisoning in various regions. The National Nutrition Agency (BGN) noted that as of September 22, 2025, there were 4,711 people who were victims of poisoning. This number is spread across seven regions in Indonesia that have been classified by the agency. The poisoning cases include Region I of Sumatra as many as 1,281 people, Region II of Java as many as 2,606 people, and Region III includes Kalimantan, Bali, Sulawesi, East Nusa Tenggara, Maluku, and Papua as many as 824 people. Meanwhile, different data was found by the Indonesian Education Monitoring Network (JPPI). As of September 21, 2025, JPPI recorded that the poisoning of the MBG Program in Indonesia reached 6,452 people.⁷

Several cases of MBG Program poisoning that occurred in various regions have been designated by the government as Extraordinary Events (KLB). The Deputy Head of the National Nutrition Agency (BGN), stated that all victims of poisoning due to the consumption of the MBG Program are the responsibility of the state, including in financing medical handling and treatment. One of the prominent cases occurred at SMA Negeri 1 Kedungadem, Bojonegoro Regency, where a number of students reportedly experienced symptoms of poisoning after consuming food from the MBG program. This incident had caused panic among students and parents, and became a public spotlight because it was contrary to the main goal of the program, which was to provide healthy and safe food for students. Based on the information circulating, the symptoms that appear include nausea, dizziness, and vomiting, which indicate a discrepancy between the food ingredients used and food safety standards and nutritional standards that have been set by the government.

⁷ CNN Indonesia, “JPPI Catat Siswa Keracunan MBG Melonjak, Total Jadi 6. 425 Kasus”, diakses pada Senin 18 September 2025.

Based on the description above, the researcher wrote a thesis proposal with the title Problematics of Free Nutritious Eating Program Menus with Nutritional Standards in the Perspective of Law Number 17 of 2023 concerning Health (Case Study of SMA Negeri 1 Kedungadem Bojonegoro).

2. Research Methods

This research uses a type of normative-empirical legal research, which is a research method that combines the study of written legal norms with empirical studies on their application in practice and social reality in society. This approach aims to examine the compatibility between the applicable legal provisions and their implementation in the field, especially related to the implementation of the Free Nutritious Meal Program (MBG). The location of the research was determined at the Bojonegoro Regency Health Office and SMAN 1 Kedungadem Bojonegoro Regency, which were chosen because of their relevance to the implementation and supervision of the program.

The approach methods used in this study include the statute approach, the conceptual approach, and the case approach. The legislative approach is carried out by examining various regulations related to health and nutrition, including Law Number 17 of 2023 concerning Health, Presidential Regulation Number 83 of 2024 concerning the National Nutrition Agency, and Regulation of the Minister of Health Number 28 of 2019 concerning Recommended Nutritional Adequacy Figures. The conceptual approach is used to examine the doctrine and views of legal experts to build a comprehensive legal argument, while the case approach is carried out by examining cases related to the problems of the MBG Program, including cases of food poisoning that occurred in Bojonegoro Regency and other regions of Indonesia.

The data sources in this study consist of primary, secondary, and tertiary data. Primary data was obtained through interviews with the Bojonegoro Regency Health Office and SMAN 1 Kedungadem, as well as the distribution of questionnaires to SMAN 1 Kedungadem students. Secondary data is obtained from laws and regulations, court decisions, and relevant legal literature, while tertiary data is in the form of journals, scientific articles, and law books sourced from the internet. Data collection was carried out through interviews and literature studies. The data that has been collected is then analyzed qualitatively with a descriptive-analytical approach to understand the relationship between legal norms and empirical reality, and conclusions are drawn deductively from general principles to specific conclusions.

3. Analysis or Discussion

3.1 Problems That Arise Related to the Menu in the MBG Program Related to the Fulfillment of Nutritional Standards for Beneficiaries at SMA Negeri 1 Kedungadem Bojonegoro

a. Implementation of the Free Nutritious Meal Program (MBG) at SMA Negeri 1 Kedungadem Bojonegoro

The implementation of the Free Nutritious Meal Program (MBG) at SMA Negeri 1 Kedungadem Bojonegoro lasted for three consecutive days, from September 29 to October 1, 2025, before finally being temporarily stopped on October 2, 2025 due to a case of poisoning experienced by students after consuming the third day menu. A total of 930 students received the MBG menu provided by SPPG Sidorejo, with a variety of menus in the form of chicken noodles, white rice with egg side dishes and soup, and yellow rice with shredded chicken and tempeh side dishes. This program is only implemented nine months after the MBG was inaugurated nationally on January 6, 2025,

although policy-wise it should be prioritized for areas with low socioeconomic conditions. SMA Negeri 1 Kedungadem has a temporary cooperation with SPPG Sidorejo because SPPG Trumbrasanom is not yet operating, even though the location of SPPG Sidorejo is about 3 km from the school.

Before implementation, the school collects data on students' allergies and food taboos through questionnaires to anticipate health risks, as well as adjust menus for certain students. The distribution of food was carried out during the second break by involving the SPPG team, picket teachers, and students. Student responses to MBG were generally very positive, with 87% stating that they were happy and very happy because they were able to save pocket money and enjoy the menu provided. Despite the poisoning incident, 90% of students still hope that the MBG program can continue. This shows the high enthusiasm and needs of students for the nutrition fulfillment program, as well as emphasizing that the implementation of MBG at SMA Negeri 1 Kedungadem Bojonegoro is in line with the goals of the National Nutrition Agency as stipulated in Presidential Regulation Number 83 of 2024.

b. Problems That Arise Related to the MBG Program Menu at SMA Negeri 1 Kedungadem Bojonegoro

On Wednesday, October 1, 2025, students of SMA Negeri 1 Kedungadem Bojonegoro experienced poisoning after consuming a menu from the Free Nutritious Eating Program (MBG). The number of students who experienced poisoning was reported to be 142 students. In addition to students, there were three teachers who also experienced symptoms of poisoning after tasting the menu from the Free Nutritious Meal Program (MBG) that day. Students of SMA Negeri 1 Kedungadem Bojonegoro began to feel symptoms of poisoning on Wednesday afternoon (27.72%), Wednesday afternoon (5.94%), Wednesday night (11.88%), and Thursday morning (54.46%). Meanwhile,

three teachers of SMA Negeri 1 Kedungadem Bojonegoro began to feel symptoms of poisoning on Wednesday night. Symptoms of poisoning experienced by students of SMA Negeri 1 Kedungadem Bojonegoro include abdominal pain, diarrhea, weakness, dizziness, nausea, and vomiting. Meanwhile, the symptoms of poisoning experienced by three teachers of SMA Negeri 1 Kedungadem Bojonegoro were diarrhea.

The menu of the Free Nutritious Meal Program (MBG) consumed by students of SMA Negeri 1 Kedungadem Bojonegoro on Wednesday, October 1, 2025 is yellow rice, shredded chicken, stir-fried tempeh soy sauce, pickled carrots and cucumbers, and citrus fruits which are all served in a special aluminum ompreng for MBG. The condition of the menu at that time based on the results of the questionnaire reported by the students was undercooked/still raw, the rice had a hard texture, the rice looked juicy, the rice was sticky/slimy, the yellow rice smelled strong, the shredded chicken was almost stale, the taste of shredded chicken was a little strange, the shredded chicken tasted a little wry, the shredded chicken was undercooked, the shredded chicken smelled a little, the soy sauce tempeh tasted strange, Tempeh tastes sour in taste, the texture of tempeh wilts, pickled carrots and cucumbers taste very sour unlike usual pickles, and there are small caterpillars in the fruit.

Poisoning experienced by students of SMA Negeri 1 Kedungadem Bojonegoro is one of the problems that arise from the implementation of the Free Nutritious Meal Program (MBG) as revealed by the Ombudsman of the Republic of Indonesia that there are eight main problems in the implementation of the Free Nutritious Meal Program (MBG). Based on the institution's study, in various regions, cases of mass poisoning are rampant after consuming menus from the Free Nutritious Meal Program (MBG).⁸ This shows the weak supervision of the SPPG in terms of food safety as an effort to prevent food from possible

⁸ Kompas, "Ombudsman Ungkap 8 Masalah Utama Penyelenggaraan MBG, dari Keracunan hingga SPPG", diakses pada Minggu 2 November 2025.



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biological, chemical, and other contaminants that can interfere, harm, and endanger human health.⁹ In addition to being safe to consume, the Free Nutritious Eating Program (MBG) menu is also expected to be suitable for consumption where the food condition must be in a normal state and not damaged, smell bad, dirty or polluted so that it can be accepted by the beneficiaries of the Free Nutritious Eating Program (MBG).

3.2 Legal Provisions Governing Nutrition Standards and Food Safety in the Implementation of the MBG Program based on Law Number 17 of 2023 concerning Health

a. The Government's Obligation to Ensure Food Safety MBG

In order to ensure the food safety of the Free Nutritious Meal Program (MBG), the National Nutrition Agency (BGN) collaborates with the Ministry of Health, BPOM, and local governments through a number of regulations and technical standards. These arrangements include provisions for the location of the Nutrition Fulfillment Service Unit (SPPG) kitchen which must be far from polluting sources, certification obligations in the form of Hygiene and Sanitation Suitability Certificates (SLHS) and Hazard Analysis and Critical Control Points (HACCP), the implementation of hygiene standards for facilities and infrastructure, the preparation of standard operating procedures, and multi-layered field verification by the BGN technical team together with the health office and local government. In addition, BGN also sets technical guidelines as a reference for food safety monitoring in the implementation of MBG.

In the case of poisoning experienced by students of SMA Negeri 1 Kedungadem Bojonegoro, the results of laboratory examinations by the Bojonegoro Health Office showed that the cause of the poisoning was the bacteria *Escherichia coli* (E. coli), which

⁹ Rinitami Njatrijani. (2021). "Pengawasan Keamanan Pangan", Law, Development & Justice Review, vol. 4, no. 1, hal. 13.

is included in the list of agents that cause food poisoning according to the Ministry of Health. The Health Office's surveillance team took food and water samples from schools and Sidorejo SPPG, and the results showed that the water at Sidorejo SPPG was contaminated with E. coli bacteria. This condition has the potential to cause cross-contamination of the equipment and food produced, thus triggering poisoning in students.

Data from the Bojonegoro Health Office shows that the Sidorejo SPPG at the time of the incident did not have a legal business entity status and did not have a Hygiene and Sanitation Suitability Certificate (SLHS). Of the total 86 SPPGs in Bojonegoro Regency, only 22 SPPGs have been recommended for the issuance of SLHS, while the other 64 SPPGs have not met the set requirements. This condition shows that the fulfillment of food safety standards is still weak in most SPPGs that have operated in the MBG Program.

The Bojonegoro Health Office plays an active role in fostering and supervising the food safety of the MBG Program through socialization to all SPPG heads, training for food handlers, and environmental health inspections. Food handler training is a requirement for issuing operational permits, with the provision that at least 50% of food handlers in each SPPG must take part in training. In addition to the initial inspection when applying for a permit, supervision is also carried out periodically every month by the health center as an extension of the Health Office. In medical treatment, students who experience poisoning are treated at the Kedungadem Health Center and the Kesongo Health Center, with a treatment duration of between one to two days according to the condition of each student.

Normatively, the obligations of the local government through the Bojonegoro Health Office have been carried out in accordance with the provisions, especially in terms of coaching, supervision, inspection, and issuance of SLHS for SPPGs that meet the requirements. However, problems arise in the aspect of supervision by BGN as the party

directly responsible for SPPG operations. The report submitted to the Health Office stated that the standards had been met, but the results of the field audit showed a discrepancy with applicable regulations. The fact that many SPPGs have operated without having SLHS, including in Bojonegoro Regency which reached 74.4%, shows that there is a gap in supervision that has the potential to threaten food safety in the implementation of the MBG Program.

c. Legal Provisions Governing Nutrition Standards and Food Safety in the Implementation of the Free Nutritious Meal Program (MBG) Based on Law Number 17 of 2023 concerning Health

Law Number 17 of 2023 concerning Health came into effect on August 8, 2023, which includes comprehensive reforms to the national health system replacing various old laws in the health sector. This law is comprehensive and covers many aspects of health services in Indonesia, including service quality standards and health resource management. Law Number 17 of 2023 concerning Health is related to the Free Nutritious Meal Program (MBG) in terms of public health protection, supervision and service standards, prevention and control of KLB, and government and regional cooperation. In terms of protecting public health,

Law Number 17 of 2023 concerning Health emphasizes that the government is obliged to protect the public from health risks, including food safety and extraordinary events such as mass poisoning that occur in the implementation of the Free Nutritious Meal Program (MBG). This provides a legal basis for health agencies (Ministry of Health, Health Office) to monitor and take action on the poisoning event. Law Number 17 of 2023 concerning Health also includes regulations on health service standards, including nutrition and food safety in health service facilities and the community environment, so that the Free Nutritious Meal Program (MBG) is required to comply with these standards. In terms of prevention and control of KLB, Law Number 17 of 2023

concerning Health is the legal basis for government intervention in KLB poisoning that arises during the implementation of the Free Nutritious Meal Program (MBG).

The implementation of the Free Nutritious Meal Program (MBG) in Bojonegoro Regency is not in accordance with the provisions of Law Number 17 of 2023 concerning Health, especially related to nutrition standards and food safety. One of the audit results of the Financial and Development Supervisory Agency (BPKP) shows that the fulfillment of nutrition, especially for side dishes and vegetables, is still lacking, not meeting nutritional standards. From the menu distributed for three consecutive days, the percentage of AKG fulfillment has not been evenly distributed. In fact, each SPPG must have a nutritionist who determines and ensures that nutritional standards are met on the menu that will be distributed to students.

Based on data from the Investigation Team of the Bojonegoro Regency Health Office consisting of surveillance officers, Environmental Health officers of the Bojonegoro Regency Health Office, officers of the Regional Health Laboratory, and officers of the Kedungadem Health Center, it was shown that a total of 142 children experienced poisoning with the main symptoms of nausea, vomiting, abdominal pain, dizziness, and fever. This shows that food safety has not been fulfilled from the MBG Program. Inspections are carried out on the kitchen layout, equipment used, processes ranging from receiving, storing materials, preparation, supply, sorting, distribution to presentation. It was found that the kitchen layout was still not in accordance with standards. If analyzed with HACCP, layouts that are not in accordance with this standard are included in the first HACCP principle, namely hazard analysis. At this stage is the identification of all potential hazards such as biological hazards (bacterial or virus),

chemical (pesticide residues), cleaning agents, or physical (glass chips, metals) that can occur in food, from raw materials to finished products.¹⁰

The poisoning of the Free Nutritious Meal Program (MBG) menu at SMA Negeri 1 Kedungadem Bojonegoro is the responsibility of the government. The form of responsibility of the local government when poisoning occurs at SMA Negeri 1 Kedungadem Bojonegoro that does not meet nutritional and food safety standards is to handle it according to applicable procedures and carry out preventive measures. The students received treatment in accordance with nutritional standards, treated at the health center until the student's condition improved. As for the handling of SPPG, BGN closed the SPPG for a while. The SPPG can operate again if the conditions for licensing have been met. This shows that local governments have carried out their responsibilities in accordance with Law Number 17 of 2023 article 8 concerning Health which affirms that Health is emphasized that the Central Government and Regional Governments are responsible for organizing KLB or Outbreak vigilance activities, KLB or Outbreak management, and post-KLB or Outbreak prevention.¹¹

The current regulations are still not strong to ensure the quality and food safety of the MBG Program. Regulations from BGN regarding technical instructions for the implementation of the MBG Program still cannot guarantee food safety and it is difficult to monitor the quality and standards of SPPGs that operate. Based on the results of the audit, the current head of SPPG does not understand food safety standards. Moreover, there are no environmental health experts in each SPPG who are tasked with ensuring food safety. Thus, the government's obligation to ensure food safety for MBG

¹⁰ Iso Center Indonesia, *“Prinsip dan Manfaat HACCP dalam Menjamin Keamanan Makanan yang Aman”*, diakses pada Jum’at 24 Oktober 2025.

¹¹ Peraturan BPK, *“Undang-Undang Nomor 17 Tahun 2023 tentang Kesehatan”*, diakses pada Jum’at 24 Oktober 2025.

beneficiaries needs to be strengthened in terms of setting standards, procedures, food safety criteria, coaching, and supervision.¹²

4. Conclusion

1. The government has a constitutional and juridical obligation to ensure food safety in the implementation of the Free Nutritious Meal Program (MBG), which is carried out through coordination between the National Nutrition Agency (BGN) and the Ministry of Health, BPOM, and local governments. These obligations are realized through the establishment of food safety regulations and standards, starting from determining the location of the Nutrition Fulfillment Service Unit (SPPG) kitchen that is free from polluting sources, certification obligations such as Hygiene and Sanitation Suitability Certificates (SLHS) and Hazard Analysis and Critical Control Points (HACCP), to the preparation of operational standards and technical guidelines. In addition, the government is obliged to conduct field verification and layered supervision to ensure that the entire process of processing, storing, and distributing MBG food meets the set hygiene and food safety standards.
2. In practice, local governments, especially the Health Office, play an important role in the implementation of these obligations through coaching, training of food handlers, environmental health inspections, and the issuance of SLHS for SPPGs that meet the requirements. Medical treatment of poisoning incidents is also part of the government's responsibility as a form of public health protection. However, the effectiveness of MBG's food safety assurance is highly dependent on the optimal supervision and control by BGN over SPPG operations. The discovery of SPPGs that operate without certification shows the need to strengthen coordination,

¹² Badan Pangan Nasional, “*Pengawasan Keamanan dan Mutu Pangan Segar*”, diakses pada Sabtu 25 Oktober 2025.



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supervision, and standard enforcement so that the government's obligation to ensure MBG food safety can be carried out optimally and sustainably.

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