

The authority of Civil Servant Investigators (PPNS) at the Drug and Food Inspection Center in Ambon in enforcing criminal law in the field of drugs and food

Putra Jaya Hamonangan¹, Juanrico Alfalomona Sumarezs Titahelu², Andress Deny Bakarbesy³

¹ Postgraduate Pattimura University, Ambon, Maluku, Indonesia

² Professor, Department of Criminal Law, Faculty of Law, Pattimura University, Ambon, Maluku, Indonesia

³ Lecturer, Department of Constitutional Law, Faculty of Law, Pattimura University, Ambon, Maluku, Indonesia

Abstract

Law enforcement in the field of drugs and food is an important part of efforts to protect public health. Civil Servant Investigators (PPNS) of the Food and Drug Supervisory Agency have special authority to conduct investigations into criminal acts in the field of food and drugs based on sectoral regulatory provisions. However, in its implementation, these authorities still face various normative and practical obstacles, especially related to coordination with other law enforcement agencies and the limitations of supporting facilities. This research aims to analyze the authority of the Ambon Food and Drug Supervisory Agency's Civil Servant Investigators in law enforcement related to drug and food crimes and to identify the factors hindering the implementation of that authority. The research method used is normative legal research with a statutory approach and a conceptual approach. The research results show that the authority of the Civil Servant Investigators of the Ambon Food and Drug Supervisory Agency has been clearly regulated in the Criminal Procedure Code and sectoral laws, particularly the Health Law and the Food Law. However, its implementation still faces obstacles such as limited human resources, infrastructure, coordination among law enforcement officers, and low public legal awareness. Therefore, it is necessary to strengthen regulations, enhance institutional capacity, and optimize coordination among law enforcement officers to improve the effectiveness of law enforcement in the field of drugs and food.

Keywords: Civil servant investigators, Food and Drug Supervisory Agency, investigative authority, law enforcement, drugs and food

Introduction

Law enforcement in the field of drugs and food is an integral part of the public health protection system that holds a strategic position in realizing the state's goals as mandated in the Preamble of the 1945 Constitution of the Republic of Indonesia, particularly in the effort to protect all Indonesian people and promote the general welfare^[1].

Protection of the public from the circulation of drugs and food that do not meet safety, quality, and benefit standards is the responsibility of the state, carried out through administrative supervision mechanisms and criminal law enforcement^[2].

In the perspective of criminal law, the circulation of illegal drugs and food is a form of crime that has a wide-ranging impact on public health and has the potential to cause significant economic and social losses. Crimes in the field of drugs and food are no longer conventional; they have evolved into organized, systematic crimes that exploit advancements in modern distribution technology. Therefore, its handling requires a law enforcement approach that is specialized, professional, and based on technical expertise.

As part of the criminal justice system in Indonesia, the authority to conduct investigations is not only granted to the Indonesian National Police as the primary investigator but is also given to Civil Servant Investigators (PPNS) in certain agencies that have technical competence in their respective fields. One of the institutions that has investigative authority is the Drug and Food Supervisory Agency (Balai POM), which is tasked with supervising and enforcing the law against criminal acts in the field of drugs and food based on statutory regulations.

The authority of Civil Servant Investigators at the Food and Drug Supervisory Agency is a form of state recognition of

the importance of specialization in the investigation process of certain criminal acts that require technical expertise beyond the general competence of law enforcement officers. In this case, Civil Servant Investigators at the Food and Drug Supervisory Agency play a strategic role in conducting investigations into the illegal circulation of drugs and food, including activities such as inspections, searches, seizures, sampling, and other legal actions in accordance with applicable laws and regulations.

The strengthening of the authority of Civil Servant Investigators within the criminal justice system is further emphasized through the development of national regulations, particularly after the enactment of Law Number 17 of 2023 on Health and Law Number 25 of 2025 on Criminal Procedure. Both regulations position the Civil Servant Investigators (PPNS) as an integral part of the investigation subsystem within the integrated criminal justice system, which demands coordination, synchronization, and harmonization of authority among law enforcement officers^[3].

However, in practice, the implementation of investigative authority by Civil Servant Investigators of the Food and Drug Supervisory Agency still faces various obstacles, both normative and empirical. From a normative aspect, there is still potential disharmony between the provisions in the Criminal Procedure Code and sectoral laws in the fields of health and food, which impacts the implementation of investigative authority. Meanwhile, from an empirical aspect, the implementation of the authority of Civil Servant Investigators at the Food and Drug Supervisory Agency often faces limitations in human resources, supporting facilities and infrastructure, as well as suboptimal coordination among law enforcement officers.

The problem becomes even more complex when linked to the characteristics of the Maluku Province region as an archipelagic area that has its own geographical challenges in the implementation of supervision and law enforcement in the field of drugs and food. The geographical condition consisting of an archipelagic region makes the distribution of drugs and food difficult to control optimally, thereby potentially increasing the circulation of illegal products in the community. In this context, the role of the Civil Servant Investigator at the Food and Drug Supervisory Agency in Ambon becomes very strategic as the frontline in efforts to protect the public from the circulation of drugs and food that do not meet safety standards^[4].

Furthermore, the effectiveness of the implementation of the authority of Civil Servant Investigators at the Food and Drug Supervisory Agency is also greatly influenced by the level of public legal awareness regarding the dangers of using illegal drugs and food. The low level of public legal awareness often becomes a factor affecting the success of law enforcement in the field of drugs and food, as the public still tends to neglect the safety aspects of the products consumed.

Based on the description, it can be understood that the authority of Civil Servant Investigators at the Food and Drug Supervisory Agency holds a very important position in the criminal law enforcement system in the field of drugs and food. However, the implementation of this authority still requires strengthening in terms of regulation, institutional aspects, and coordination among law enforcement officers to function effectively and optimally.

Therefore, research on the authority of Civil Servant Investigators at the Food and Drug Supervisory Agency in Ambon in enforcing criminal law in the field of drugs and food becomes important to conduct as an effort to provide academic contributions in the development of sectoral criminal procedural law and the improvement of the effectiveness of the criminal justice system in Indonesia, particularly in the protection of public health.

Based on the background above, the issue raised in this writing is how the authority of the Civil Servant Investigators (PPNS) of the Food and Drug Supervisory Agency in Ambon in enforcing the law on criminal acts in the field of drugs and food?

Purpose of Writing

To analyze the authority of PPNS Balai POM Ambon in law enforcement of criminal acts in the field of drugs and food.

Research Method

This research is a normative legal study using the statute approach and the conceptual approach^[5].

The legislative approach is carried out by examining legal provisions related to the authority of PPNS, among others: KUHAP, Health Law Food Law, Food and Drug Supervisory Agency in Ambon Regulations other related regulations.

The conceptual approach is used to analyze the concept: investigative authority integrated criminal justice system sectoral criminal law enforcement. The legal materials used consist of: primary legal materials secondary legal materials tertiary legal materials. The analysis technique was conducted qualitatively using a prescriptive-analytical method.

Conceptual Framework

1. The Concept of Authority in Administrative Law and Criminal Law

The concept of authority is a fundamental concept in public law that relates to the legitimacy of state officials' actions in carrying out government functions. From the perspective of administrative law, authority is understood as the formal power granted by legislation to state organs or officials to act in specific areas.

Theoretically, authority can be obtained through three main sources, namely:

- a. Attribution, which is the direct granting of authority by law to a state institution;
- b. Delegation, which is the transfer of authority from a higher organ to a lower organ;
- c. Mandate, which is the transfer of authority from an official to their subordinate without transferring responsibility^[6].

In the context of this research, the authority of the Civil Servant Investigators (PPNS) of the Food and Drug Supervisory Agency is an attribution authority derived from code of criminal procedure health law food law other sectoral regulations. As an attribution authority, this authority has legitimate and binding legal power and provides legitimacy to PPNS to conduct investigations into criminal acts in the field of drugs and food.

2. The Concept of Investigation in Criminal Procedure Law

In the Indonesian criminal procedural law system, investigation is the initial stage of the criminal law enforcement process that plays a strategic role in determining the success of the evidentiary process at the trial stage.^[7] Legally, an investigation is a series of actions taken by investigators in matters and in the manner regulated by law to searching for evidence, collecting evidence, clarifying the crime, finding the suspect^[8].

The main objective of the investigation is to ensure that an incident that occurs is indeed a criminal act and can be legally held accountable to the perpetrator. In the context of criminal offenses in the field of drugs and food, the investigation process has specific characteristics because:

- a. requires laboratory technical expertise.
- b. requires scientific examination of samples.
- c. requires analysis of product safety standards.
- d. involves expert testimony as the main evidence^[9].

Thus, the existence of Civil Servant Investigators becomes important as a sectoral investigator with technical competence in that field.

3. The concept of PPNS as a Specialized Investigator

Civil Servant Investigators is a certain civil servant officer who is granted special authority by law to conduct investigations into specific criminal offenses in accordance with the scope of their agency's duties. The position of Civil Servant Investigators in the Indonesian criminal justice system is part of the investigative subsystem that works coordinatively with the Indonesian National Police as the main investigator^[10].

The authority of PPNS includes:

- a. receiving a report.
- b. conducting an investigation.
- c. conducting a search.
- d. conducting a seizure.

- e. summoning a witness.
- f. summoning a suspect.
- g. presenting an expert.
- h. submitting the case file to the public.
- i. prosecutor thru the police investigator^[11].

In the context of law enforcement in the field of drugs and food, the PPNS of the POM Center possesses technical competencies that are not specifically held by general investigators, making its presence very strategic in uncovering crimes in that field.

Results and Discussion

1. The Authority of Civil Servant Investigators (PPNS) of the Drug and Food Supervisory Agency in Ambon in Law Enforcement of Criminal Offenses in the Field of Drugs and Food

The authority of Civil Servant Investigators (PPNS) of the Food and Drug Supervisory Agency (Balai POM) in enforcing criminal law in the field of drugs and food is an attribution authority granted directly by legislation. That authority has strong legal legitimacy because it is derived from national criminal procedural law and sectoral laws in the fields of health and food^[12].

Normatively, the position of the Civil Servant Investigator's Authority as an investigator is regulated in Indonesian criminal procedural law, which grants certain civil servant officials the authority to conduct investigations into specific criminal offenses within the scope of their duties. In this context, the Civil Servant Investigator's Authority of the Food and Drug Supervisory Agency has the authority to investigate offenses related to the distribution of drugs and food that do not meet safety, quality, and benefit standards.

The authority is further strengthened thru the provisions in Law Number 17 of 2023 on Health, which provides broader space for the government thru technical institutions to supervise the circulation of pharmaceutical preparations and processed food to ensure public health protection. Furthermore, the development of criminal procedural law thru Law Number 25 of 2025 on Criminal Procedure Law emphasizes that PPNS is an integral part of the investigation subsystem within the integrated criminal justice system.

In the implementation of investigative authority, the authority of Civil Servant Investigators of the Food and Drug Supervisory Agency has several forms of operational authority, including:

- a. receiving reports or complaints from the public regarding alleged criminal acts in the field of drugs and food;
- b. conducting examinations of witnesses and suspects;
- c. conducting searches of places suspected to be locations for storing or distributing illegal products;
- d. seizing evidence in the form of drugs and food that do not meet standards;
- e. taking product samples for laboratory examination purposes;
- f. requesting expert testimony in the context of proving a criminal act;
- g. terminating the investigation if insufficient evidence is found.

The main characteristic of criminal investigations in the field of drugs and food lies in the use of a scientific investigation approach, which is based on laboratory examinations and expert testimony. This is different from

conventional criminal investigations that rely more on witness evidence and suspect statements.

In this context, the Authority of Civil Servant Investigators at the Food and Drug Supervisory Agency has a technical competence advantage compared to general investigators because it is supported by testing laboratory facilities and experts in the fields of pharmacy and food safety. This advantage makes the Authority of Civil Servant Investigators an important instrument in uncovering crimes in the field of drugs and food more accurately and objectively.

In addition to the aspect of technical authority, the implementation of investigations by the Civil Servant Investigator Authority of the Food and Drug Supervisory Agency must also be placed within the framework of an integrated criminal justice system. In this system, the investigation process cannot be conducted separately from coordination with other law enforcement agencies, particularly the Police and the Prosecutor's Office^[13].

Coordination with the Police is required in the form of:

- a. supervision of investigations;
- b. security of investigative actions;
- c. support for certain repressive actions.

Meanwhile, coordination with the Prosecutor's Office is necessary in order to:

- a. case file examination;
- b. fulfillment of evidentiary elements;
- c. refinement of the case file before it is submitted to the prosecution stage.

Thus, the effectiveness of the authority of Civil Servant Investigators at the Food and Drug Supervisory Agency in Ambon is not only determined by the strength of the legal basis they possess but is also greatly influenced by the quality of institutional coordination within the integrated criminal justice system.

In the context of the Maluku Province, which has archipelagic geographical characteristics, the implementation of investigative authority by the Civil Servant Investigators of the Food and Drug Supervisory Agency in Ambon has a higher level of complexity compared to mainland areas. The distribution of drugs and food across various islands makes supervision more difficult to carry out optimally. Therefore, the authority of the Civil Servant Investigators of the Food and Drug Supervisory Agency in Ambon plays a strategic role in ensuring that public health protection can continue to be effectively implemented in the island region.

2. Factors Hindering the Implementation of the Authority of PPNS Balai POM Ambon in Law Enforcement of Criminal Offenses in the Field of Drugs and Food

Although normatively the Civil Servant Investigators of the Food and Drug Supervisory Agency center has strong investigative authority, in practice, there are still various factors that hinder the effectiveness of law enforcement. To analyze these hindering factors, the law enforcement effectiveness theory approach proposed by Soerjono Soekanto is used, which states that the effectiveness of law enforcement is influenced by five main factors.

2.1 Legal Substance Factor

The substantive legal factor relates to the quality of legislation that serves as the basis for the implementation of investigative authority by Civil Servant Investigators. In practice, there is still disharmony between general criminal procedural law and sectoral laws that regulate PPNS authority.

That disharmony can cause:

multifaceted authority in investigations, asynchrony in case handling procedures, delays in case transfer processes.

This condition has the potential to hinder the effectiveness of the investigation implementation because law enforcement officers must adjust different procedures at each stage of handling the case.

2.2 Factors of Law Enforcement Officers

The quality and quantity of Civil Servant Investigators human resources greatly determine the success of the investigation implementation. In practice, the number of Civil Servant Investigators of the Food and Drug Supervisory Agency in Ambon Office is still relatively limited compared to the vast surveillance area that needs to be covered.

In addition, another challenge faced is:

the need for continuous improvement of technical competencies, limited field investigation experience, suboptimal coordination among law enforcement agencies.

That condition affects the effectiveness of the investigation tasks, especially in handling cases with a high level of complexity.

2.3 Factors of Facilities and Infrastructure

Facilities and infrastructure are important factors in supporting the implementation of criminal investigations in the field of drugs and food. Investigations in this field require support from adequate laboratory facilities, modern testing equipment, and operational vehicles to cover extensive surveillance areas.

In the context of archipelagic regions such as the Maluku Province, the limited transportation facilities become one of the main obstacles in the implementation of supervision and investigation.

In addition, budget constraints can also affect the intensity of monitoring and enforcement activities against violations in the field of drugs and food.

2.4 Social Factors

The level of legal awareness in society is a crucial factor in the success of law enforcement. In practice, there are still members of the community who do not fully understand the dangers of using illegal drugs and food, so they continue to use products that do not meet safety standards.

The low legal awareness of the community is also evident from:

the lack of community participation in reporting violations, the high demand for illegal products, the lack of concern for product safety aspects.

The condition indirectly affects the effectiveness of the implementation of the authority of the Civil Servant Investigators of the Food and Drug Supervisory Agency in law enforcement.

2.5 Legal Culture Factors

The legal culture of society, which is still permissive toward the use of illegal drugs and food products, is one of the factors hindering law enforcement in this field. Some members of the community still prioritize low prices over the safety aspects of the products used.

A legal culture like this causes law enforcement efforts to be unable to function optimally because there is still social tolerance for the circulation of illegal products in society.

In this context, the improvement of the effectiveness of the Civil Servant Investigators authority Food and Drug Supervisory Agency in Ambon Center not only requires the strengthening of regulations and institutions but also the enhancement of public legal awareness thru continuous educational and preventive approaches.

Conclusion

1. The authority of the Civil Servant Investigators of the Food and Drug Supervisory Agency in Ambon in law enforcement of criminal acts in the field of drugs and food has a strong legal basis in the Criminal Procedure Code (KUHAP) and sectoral laws, and is part of an integrated criminal justice system. However, in its implementation, it still requires strengthening coordination among law enforcement officers to function optimally.
2. The implementation of the authority of the Civil Servant Investigators of the Food and Drug Supervisory Agency in Ambon still faces various obstacles, including legal substance factors, law enforcement officers, facilities and infrastructure, the community, and legal culture.

Recommendation

1. The government needs to harmonize regulations between the Criminal Procedure Code (KUHAP) and sectoral laws to clarify the authority of Civil Servant Investigators in investigating criminal offenses in the field of drugs and food.
2. There is a need to enhance the capacity of Civil Servant Investigators human resources thru continuous technical education and training.
3. There is a need to strengthen coordination between Civil Servant Investigators, the National Police, and the Prosecutor's Office within the framework of an integrated criminal justice system.
4. There is a need to improve the facilities and infrastructure supporting investigations to enhance the effectiveness of law enforcement.

References

1. Saimima JM, Laturette AI, Titahelu JAS, Akyuwen RJ. Layered Hybrid Model in Criminal Resolution : Integrating Epkeret and State Law Under Legal Pluralism in Indonesia. *Al-Risalah Forum Kaji Huk dan Sos Kemasyarakatan*,2026;26(1):1–15.
2. Ardan I, Thalib H, Marsuni L. Efektivitas Penyidikan Terhadap Penjualan Kosmetik Ilegal Di Kota Makassar. *J Lex Gen*,2021;2(3):1410–24.
3. Safitri D, Titahelu JAS, Wadjo HZ. The Role of Civil Servant Investigators in Maluku Province's Law Enforcement of Intellectual Property Rights Violations. *Int J Law*,2026;12(1):428–33.
4. Marpaung L. *Proses Penanganan Perkara Pidana (Penyidikan dan Penyelidikan)*. Jakarta: Sinar Grafika, 2011, 22.

5. Titahelu JAS. Masalah atau Isu Hukum Dalam Penelitian Hukum. In: Jaelani E, editor. *Metode Penelitian Hukum*. Bandung: Widina Bhakti Persada, 2023, 39–55.
6. Bakarbessy AD. Realitas Pelaksanaan Desentralisasi di Indonesia. *Logika*, 9(1):58–63.
7. Titahelu JAS. Upaya Hukum Dalam Penyelesaian Konflik Kejahatan Genosida Antara Warga Dusun Ori dengan Warga Negeri Kariu. *J Pembang Huk Indones*, 2023;5(2):307–24.
8. Titahelu JAS. Pelaksanaan Pembuktian Dalam Tindak Pidana Terorisme. *J Belo*, 2019;4(2):145–57.
9. Saputra FA, Najmi, Zurnetti A. Penegakan Hukum oleh Penyidik Pegawai Negeri Sipil Badan Pengawas Obat dan Makanan terhadap Tindak Pidana Peredaran Makanan Tanpa Izin Edar. *Unes Law Rev*, 2023;5(4):4274–91.
10. Sopacua MG. Criminology Study on the Circulation of the Sopi Traditional Liquor in the Villages of Zeith, Asilulu, and Kaitetu during the Covid-19 Pandemic. *Law Reform*, 2021;17(2):168–82.
11. Sopacua MG, Titahelu JAS. Judicial System Obstacles to Handling Criminal Acts of Corruption in the Procurement of Goods and Services Island-Based. *Int J Law, Policy Soc Rev*, 2025;7(4):108–11.
12. Putra IS. Effectiveness of Law Enforcement Against the Crime of Circulating Drugs That Do Not Have a Marketing Permit. *Ratio Legis J*, 2024;3(1):561–70.
13. RI BP. *Buku Panduan Pendidikan PPNS 2023*. Jakarta: Badan POM RI, 2023, 7–12.