

The Government's Legal Responsibility in the Free Nutritional Meal Program Poisoning Case in Indonesia

Akbar Sanjaya

Faculty of Law, Universitas Suryakencana, Cianjur, West Java, Indonesia 43216

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ABSTRACT

The Free Nutritional Meal Program is a government policy aimed at improving public health and welfare by addressing the need for nutritious food, especially for school-age children. However, in its implementation, the program still faces various problems, particularly related to cases of food poisoning that cause health harm to the community and raise issues of government legal responsibility. This study aims to analyze the government's legal responsibility for poisoning cases under the Free Nutritional Meal Program in Indonesia, examine the forms of legal protection for victims, and examine government efforts to prevent such cases. This study uses a normative legal research method with a legislative, conceptual, and case approach. The legal sources consist of primary, secondary, and tertiary legal materials, which are analyzed qualitatively and descriptively. The results of the study indicate that the government has administrative, civil, and criminal responsibility for cases of poisoning resulting from negligence in program supervision and implementation. Factors contributing to food poisoning include weak food safety supervision, the use of unsuitable food ingredients, lack of coordination among agencies, and poor-quality food management and distribution. Legal protection for victims includes health services, compensation, access to justice, and law enforcement against responsible parties. This research also demonstrates the need for policy reform by strengthening regulations, enhancing food safety oversight systems, improving the quality of human resources, implementing good governance principles to ensure the safe implementation of the Free Nutritious Meals Program, and focusing on community protection.

Keywords: Legal Responsibility, Government, Food Poisoning, Legal Protection, Free Nutritious Meals.

INTRODUCTION

The Free Nutritious Meal Program is a government social policy aimed at improving the health, nutritional well-being, and quality of human resources of the Indonesian people, particularly school-age children (Raamdhani et al., 2025). This program implements the state's responsibility to ensure public welfare, as mandated by the Preamble to the 1945 Constitution of the Republic of Indonesia and various regulations in the health and food sectors. The program also serves as a strategic tool for the government to reduce stunting, malnutrition, and inequalities in access to nutritious food across various regions.

The implementation of the Free Nutritious Meal Program involves numerous parties, including the central government, local governments, catering service providers, educational institutions, and food safety supervisors. The complexity of the program's implementation presents various challenges, particularly regarding food safety standards, food distribution quality, processing hygiene, and monitoring food consumption (Candra et al., 2025). If supervision is suboptimal, the risk of food poisoning increases, potentially resulting in losses for program beneficiaries.

Cases of food poisoning during food aid programs or mass consumption are not new problems in Indonesia. Several cases have shown that victims have experienced health problems from food unfit for consumption, whether due to bacterial contamination, processing errors, the use of substandard ingredients, or a weak food distribution system. In the context of the Free Nutritious Meal Program, food poisoning not only has health impacts but also raises legal issues regarding the government's responsibility as the implementer of public policy (Purnomo & Pamungkas, 2025).

Legally, the government has an obligation to guarantee the safety, quality, and suitability of food provided to the public. This is in line with the provisions of Law Number 18 of 2012 concerning Food, which stipulates that food intended for public consumption must be safe, high-quality, nutritious, and not conflict with the religion, beliefs, and culture of the community. Furthermore, Law Number 8 of 1999 concerning Consumer Protection also grants the public the right to comfort, security, and safety when consuming goods and/or services (Latemamala & Fachri, 2026). Therefore, if food poisoning occurs during the implementation of the Free Nutritious Meal Program, the government can be held accountable administratively, civilly, and criminally, depending on the nature of the error and the resulting losses.

The government's legal responsibility in the Free Nutritional Meal Program poisoning case is important to examine because it is closely related to the principles of the rule of law and good governance. The government acts not only as a policymaker but also as the party responsible for ensuring that policies are implemented safely and in accordance with legal standards. From the perspective of state administrative law, government negligence in carrying out supervision can be categorized as a form of maladministration that is detrimental to the public (Inriyanto et al., 2025). Meanwhile, from a civil law perspective, victims of poisoning have the right to receive compensation for their losses. In certain circumstances, criminal charges can even be imposed if gross negligence or actions that cause harm to public health are found.

In addition to legal accountability, legal protection for food poisoning victims is also an issue that requires serious attention. Victims have the right to receive health services, recovery, compensation, and access to a fair legal process. However, in practice, protection mechanisms for food poisoning victims often do not function optimally due to weak inter-agency coordination, inadequate oversight, and the absence of an integrated handling mechanism (Wicaksono, 2025). Therefore, strengthened regulations and a more effective oversight system are needed to ensure that the implementation of the Free Nutritious Meal Program truly provides benefits without posing health risks to the public.

Several researchers have previously studied legal responsibility and food safety. Research by Aisyah et al., (2026) emphasized that consumer protection in the food sector must be implemented through strict oversight of food safety standards and clear accountability mechanisms in the event of public harm. Another study by Zahra et al., (2025) explained that the responsibilities of business actors and the government in food distribution must be based on the principle of consumer safety and security as a fundamental human right. Furthermore, research by Susanto & Suyatna (2025) on food safety indicates that weak oversight of food distribution and processing may be a major factor in the emergence of mass food poisoning cases in Indonesia. Meanwhile, research on government responsibility in public services confirms that the government can be legally held accountable for negligence in implementing public programs that harm the public.

While previous studies have addressed consumer protection, food safety, and government responsibility, those specifically examining the government's legal liability for poisoning under the Free Nutritional Meal Program in Indonesia remain very limited. This research is novel because it specifically analyzes the government's legal responsibility in implementing the Free Nutritional Meal Program, from administrative, civil, and criminal perspectives, and examines the forms of legal protection for poisoning victims from a national legal perspective.

Based on this description, this research is crucial for analyzing the government's legal responsibility for cases of poisoning under the Free Nutritional Meal Program in Indonesia, the legal protections provided to victims, and the efforts that can be made to prevent similar cases in the future. Therefore, this research is expected to contribute to the development of legal science, particularly in the fields of state administrative law, consumer protection, and health law. It also serves as an evaluation tool for the government to improve the quality of implementation of the Free Nutritional Meal Program in Indonesia.

RESEARCH METHOD

This research employs a normative legal or juridical-normative research method to examine the norms, principles, and regulations governing the government's legal responsibility in the Free Nutritional Meal Program poisoning cases in Indonesia. This method was chosen because the research focuses on analyzing legal provisions regarding government responsibility, public legal protection, and law enforcement in cases of food

poisoning within government programs. This research examines government responsibility from the perspectives of administrative law, civil law, and criminal law.

The approaches used include a statutory, conceptual, and case approach. The statutory approach involves examining various regulations related to food safety, consumer protection, public health, and government administration. Some of the regulations analyzed include the 1945 Constitution of the Republic of Indonesia, Law Number 18 of 2012 concerning Food, Law Number 8 of 1999 concerning Consumer Protection, Law Number 17 of 2023 concerning Health, and Law Number 30 of 2014 concerning Government Administration.

A conceptual approach was used to examine legal theories and doctrines related to government legal responsibility, legal protection, food safety, and the principles of good governance. This approach involved a review of legal expert opinions and relevant scientific literature to establish a theoretical basis for analyzing government responsibility for food poisoning cases under the Free Nutritional Meal Program. Meanwhile, a case study approach was used to examine food poisoning cases that occurred in Indonesia to understand the forms of legal responsibility and the weaknesses in food safety oversight.

The legal sources in this study included primary, secondary, and tertiary materials. Primary legal materials included laws, regulations, and government policies related to food safety and public services. Secondary legal materials included books, scientific journals, academic articles, and prior research on government legal responsibility and consumer protection. Tertiary legal materials included legal dictionaries, encyclopedias, and other supporting sources.

The legal materials were collected through a literature review of relevant legal literature and documents. Furthermore, the legal materials were analyzed using a qualitative descriptive method, which systematically outlined and interpreted legal norms and theories related to the research object. The analysis was conducted to determine the form of government legal responsibility, legal protection for victims, and efforts to strengthen food safety supervision in the implementation of the Free Nutritious Meal Program in Indonesia.

RESULTS AND DISCUSSION

Implementation of the Free Nutritious Meal Program in Indonesia

The Free Nutritious Meal Program is a strategic policy of the Indonesian government aimed at improving public health, particularly for school-age children, by ensuring adequate nutrition. This program is part of the government's efforts to develop healthy, productive, and high-quality human resources while simultaneously reducing stunting, malnutrition, and inequality in access to nutritious food in various regions. Within the context of national development, the program encompasses not only health dimensions but also education, social welfare, and the protection of children's rights (Aisyah et al., 2026). Therefore, implementing the Free Nutritious Meal Program requires a structured, coordinated management system aligned with the principles of food safety and community protection.

The Free Nutritious Meal Program is implemented through collaboration between the central government, regional governments, educational institutions, food service providers, and food safety regulatory agencies. The central government plays a role in formulating policies, establishing implementation standards, and providing budgetary and regulatory support. Regional governments are responsible for technical implementation on the ground, including overseeing food distribution, coordinating with schools, and controlling the quality of food provided to the community (Zahra et al., 2025). In practice, schools serve as one of the primary food distribution points because the program primarily targets students as its primary beneficiaries.

The program's implementation mechanism generally begins with food needs planning, determining food suppliers, processing food, distributing it, and monitoring food consumption by beneficiaries. Food service providers or caterers involved in the program are expected to meet health and food safety standards in accordance with statutory regulations. The food provided must be nutritionally balanced, hygienic, safe for consumption, and produced through processes that comply with sanitation standards (Susanto & Suyatna, 2025). In its implementation, the government is also expected to conduct regular monitoring of raw materials, production processes, storage, and distribution to prevent food contamination.

The implementation of the Free Nutritious Meal Program is firmly grounded in Indonesian law. The Constitution, through the 1945 Constitution of the Republic of Indonesia, affirms that the state is responsible for the welfare of the people and the fulfillment of the right to health. Furthermore, Law Number 18 of 2012 concerning Food affirms the government's obligation to ensure the availability of safe, nutritious, high-quality, and consumable food. This provision is reinforced by Law Number 17 of 2023 concerning Health, which places public health as a crucial part of the state's responsibility (Poetri & Zakiran, 2026). Therefore, the implementation of the Free Nutritious Meal Program is not only viewed as a social policy but also as a form of the government's constitutional obligation to guarantee the public's right to food and health.

However, the implementation of the Free Nutritious Meal Program in Indonesia continues to face various challenges. One major issue is monitoring the quality and safety of food distributed to the public. In several cases, food has been found not to meet hygiene standards, leading to health problems and even mass poisoning. This situation demonstrates that implementing a large-scale program carries significant risk unless supported by an effective monitoring system and competent human resources (Suprpto et al., 2025). Furthermore, distributing food to various regions, especially remote areas, also presents challenges due to infrastructure conditions, food storage facilities, and limited access to transportation.

Another frequently encountered problem is weak inter-agency coordination in program implementation. Implementing the Free Nutritious Meals Program involves numerous parties and requires clear coordination among the central government, regional governments, educational institutions, health departments, and food regulatory agencies. This lack of synchronization among these parties can lead to inefficient oversight and delays in addressing field issues. Furthermore, the procurement process for food service providers requires transparency and strict oversight to ensure food quality, rather than solely focusing on budget efficiency.

From a state administrative law perspective, implementing the Free Nutritious Meals Program requires adherence to the principles of good governance, including accountability, transparency, effectiveness, and protection of community rights. The government, as the program organizer, is obligated to ensure that every stage of program implementation complies with legal standards and does not cause harm to the community (Lailatul Firdaus & Dwi Astuti, 2026). Therefore, food safety oversight must be a top priority in the program's implementation. Strengthening oversight systems, improving the quality of human resources, establishing food safety certification for food providers, and conducting regular evaluations of program implementation are crucial steps to minimize the risk of food poisoning.

The implementation of the Free Nutritious Meal Program in Indonesia is essentially a public policy initiative with the noble goal of improving public health and well-being. However, the program's success depends heavily on the quality of management, effective oversight, and adherence to food safety standards. If the program is not implemented optimally, a program that should benefit the community can instead create health risks and legal issues that are detrimental to the community as the primary beneficiaries.

Factors Causing Poisoning in the Free Nutritional Meal Program

Food poisoning during the Free Nutritional Meal Program is a serious issue that can hinder the government's goal of improving public health. The program, which is essentially aimed at providing safe and healthy nutrition to the public, particularly school-aged children, can actually have negative impacts if food safety management is not optimally implemented. Food poisoning during the program not only causes health problems for beneficiaries but also raises legal, social, and administrative issues that can undermine public trust in government policies (Fahrian, 2026). Therefore, it is important to understand the various factors that contribute to food poisoning during the Free Nutritional Meal Program so that prevention and monitoring efforts can be implemented more effectively.

One of the main factors causing food poisoning during the Free Nutritional Meal Program is negligence in food processing. Food processing that fails to meet hygiene standards can lead to contamination with bacteria, viruses, and other hazardous substances that pose a health risk. In practice, large-scale food processing often faces various obstacles, including limited sanitation facilities, inadequate cooking utensils, and minimal oversight of the food production process. These conditions can increase the risk of harmful microorganism growth, especially if food

is not cooked or stored according to food safety standards (Setiyo, 2026). Furthermore, a lack of understanding among food handlers of sanitation and food hygiene principles increases the potential for contamination.

Another factor is the use of raw food ingredients that are unfit for consumption or of low quality. In large-scale programs, the need for large quantities of food often leads food providers to prioritize cost efficiency over ingredient quality. As a result, there is a possibility of using food that is no longer fresh, nearing its expiration date, or stored in substandard conditions. The use of food contaminated from the start can be a major cause of food poisoning among program beneficiaries. Furthermore, weak oversight of the food supply chain also allows for the entry of food that does not meet health and safety standards.

Food distribution that fails to meet food safety standards is also a significant factor in foodborne illness in the Free Nutritional Meal Program. Produced food must be distributed in a safe and consumable condition until it reaches the beneficiaries. However, in practice, the distribution process often faces obstacles such as limited transportation infrastructure, long delivery times, and inadequate food storage facilities (Kiftiyah et al., 2025). These conditions can lead to changes in food quality due to unstable temperatures and the growth of harmful bacteria. This risk is even greater when food is distributed to remote areas with inadequate infrastructure. Therefore, food distribution that fails to meet sanitation and safety standards is a major factor in foodborne illness in government programs.

In addition to technical processing and distribution factors, a weak oversight system is also a contributing factor to food poisoning incidents in the Free Nutritious Meal Program. Suboptimal oversight can lead to early detection of food safety violations. In program implementation, oversight should be comprehensive, from raw material selection through production and distribution to beneficiary food consumption (Semartini, 2026). However, in reality, limited human resources, poor coordination among agencies, and weak evaluation mechanisms often hinder effective oversight. This situation results in potential food safety violations that are not promptly addressed, which can lead to food poisoning.

The lack of coordination between the central government, regional governments, food service providers, and food safety regulatory agencies is also a contributing factor to the emergence of food poisoning cases. Implementing the Free Nutritious Meal Program involves multiple parties with varying authorities, requiring a clear, effective coordination system. If coordination is not effective, oversight of program implementation will be suboptimal. For example, inconsistencies in oversight standards across regions or a lack of communication about food distribution conditions can delay the handling of unfit food. Furthermore, poor coordination can also hinder the treatment of victims if food poisoning has already occurred. Human resource factors are also a significant cause of food poisoning in the Free Nutritional Meal Program. Food processors and distribution staff who lack adequate competence or training in food safety are more susceptible to errors in food processing and storage (Martin et al., 2026). A lack of understanding of hygiene standards, storage techniques, and food quality control can lead to food contamination and endanger public health. Therefore, the quality of human resources is a crucial factor to consider in implementing a national-scale food program.

Furthermore, regulatory factors and policy implementation also contribute to food poisoning in the Free Nutritional Meal Program. Although Indonesia has various regulations on food safety and consumer protection, their implementation in practice is often suboptimal. The lack of oversight of food providers' compliance with food safety standards indicates weaknesses in regulatory implementation. Furthermore, the absence of an integrated oversight mechanism involving all relevant parties results in ineffective food quality control. This situation indicates that technical factors do not solely cause food poisoning but are also related to a poorly implemented policy management system (Ludina et al., 2025).

The occurrence of food poisoning in the Free Nutritional Meal Program is influenced by various interrelated factors, including negligence in food processing, the use of unsuitable food ingredients, unhygienic distribution, weak supervision, lack of coordination between agencies, low-quality human resources, and weak implementation of food safety regulations. These factors indicate that implementing large-scale food programs requires a professional management system, strict supervision, and effective coordination to achieve the program's goal of improving public health without posing a risk to beneficiaries.

Government Legal Responsibility in Poisoning Cases

The government's legal responsibility in cases of Free Nutritional Meal Program poisoning stems from its role as the implementer of public policy, which is obligated to ensure public safety and security. In a state governed by the rule of law, all government actions and policies must be implemented in accordance with the principles of legality, accountability, and protection of public rights. The Free Nutritional Meal Program, as a public service, aims not only to meet the community's nutritional needs but also to ensure the food provided is safe and suitable for consumption (Winriadirahman, 2026). Therefore, if poisoning occurs during the program's implementation, the government can be held legally accountable for the losses suffered by the community as beneficiaries.

The government's legal responsibility in cases of poisoning can be viewed from the perspective of state administrative law. In this context, the government has an obligation to supervise, guide, and control all stages of program implementation, from food procurement and processing to distribution and public consumption. This obligation is part of the government's function in providing safe and quality public services. If the government fails to perform its oversight function and causes poisoning, such actions can be categorized as maladministration (Raamdhani et al., 2025). Maladministration occurs when government officials fail to carry out their obligations professionally, fail to comply with established procedures, or commit negligence that results in harm to the public.

In implementing the Free Nutritious Meals Program, the government's administrative responsibilities also include ensuring that food service providers meet food safety standards in accordance with applicable laws. The government should conduct strict selection of food providers, ensure they hold hygiene and sanitation certifications, and regularly evaluate the quality of the food they produce. However, if oversight is suboptimal and the government continues to allow noncompliant parties to participate in the program, the government may be deemed negligent in fulfilling its administrative responsibilities. This administrative responsibility can take the form of imposing sanctions on the organizers, evaluating policies, or even revoking the licenses of food providers found to have violated the law (Latemmamala & Fachri, 2026).

In addition to administrative responsibility, the government can also be held civilly liable for losses suffered by victims of food poisoning. From a civil law perspective, food poisoning suffered by the public due to food provided under the Free Nutritious Meals Program can be categorized as an unlawful act if there is an element of fault, loss, and a causal relationship between the act or omission and the harm suffered by the victim. The government, as the party administering the program, has an obligation to protect the public and ensure their safety. When these obligations are not met and cause harm to health, the victim has the right to claim compensation.

Compensation for poisoning may include medical expenses, health recovery, material losses, and immaterial losses resulting from the victim's suffering. Under certain circumstances, civil liability may also be imposed on third parties, such as catering providers or food distributors involved in the program's implementation. However, the government remains responsible because the program is part of public policy implemented on behalf of the state. Therefore, the government cannot completely absolve itself of responsibility simply by claiming the poisoning was caused by the food provider. Under the principle of public service, the government remains obligated to ensure that third parties collaborating in the program's implementation meet established safety and quality standards.

In addition to administrative and civil liability, cases of poisoning under the Free Nutritional Meal Program may also give rise to criminal liability if negligence or acts endangering public health are found. Under criminal law, a person or party can be held liable if proven negligent and causes injury, illness, or even death to another person. If, during the implementation of the program, it is discovered that there are actions that intentionally ignore food safety standards or use food ingredients that are unfit for consumption, resulting in mass poisoning, the responsible party may be subject to criminal sanctions in accordance with the provisions of laws and regulations (Inriyanto et al., 2025).

Criminal liability can be imposed on food providers, program managers, and other parties found negligent in carrying out their duties and obligations. Under certain circumstances, government officials can also be held

criminally liable if they are found to have known about food safety standard violations but still allowed the program to proceed without adequate oversight. This demonstrates that the government's legal liability is not merely administrative but can also escalate to criminal liability if such negligence has a serious impact on public health.

In the context of legal protection, the government also has a responsibility to provide treatment and recovery for victims of food poisoning. This responsibility includes providing health services, emergency response, investigating the cause of the poisoning, and providing compensation to victims. Furthermore, the government is obliged to evaluate the implementation system of the Free Nutritious Meal Program to prevent similar cases from recurring. These efforts are crucial to protect the community's rights and maintain public trust in government policies in the health and social welfare sectors.

The government's legal liability for food poisoning is closely related to the principles of good governance and human rights. The government, as the state administrator, must ensure that every policy implemented does not pose a threat to public safety. The government's failure to ensure food safety can be seen as a violation of the community's right to health and a decent standard of living (Wicaksono, 2025). Therefore, strengthening the monitoring system, improving food safety standards, and ensuring transparency in the implementation of the Free Nutritional Meal Program are crucial steps to prevent food poisoning and strengthen government accountability.

The government's legal responsibility in cases of Free Nutritional Meal Program food poisoning encompasses interrelated administrative, civil, and criminal liability. The government is not only responsible for formulating policies but also for ensuring that the program's implementation complies with food safety standards and does not harm the public. If food poisoning occurs due to negligence in program supervision and implementation, the government can be held legally accountable as a means of protecting public rights and of implementing the principle of the rule of law, which upholds accountability in the provision of public services.

Legal Protection for Poisoning Victims

Legal protection for victims of food poisoning under the Free Nutritious Meal Program is crucial to ensuring the public's right to health, food safety, and adequate public services. In a state governed by the rule of law, the public, as beneficiaries of government policies, has the right to protection from any action or omission that could harm their health and safety. The Free Nutritious Meal Program, implemented by the government, is fundamentally aimed at improving the nutritional quality and well-being of the public, particularly school-age children (Susanto & Suyatna, 2025). However, if its implementation results in food poisoning, the state is obligated to provide comprehensive legal protection to the victims.

Legal protection for food poisoning victims can be understood as all legal efforts undertaken to ensure the fulfillment of victims' rights, both before and after the poisoning. This protection includes preventive and repressive measures. Preventive measures aim to prevent food poisoning through food safety monitoring, enforcement of health standards, and food quality control during program implementation. Meanwhile, repressive measures are implemented after the poisoning occurs, providing medical treatment, restitution of victims' rights, and legal enforcement against those responsible (Candra et al., 2025). Both forms of protection are part of the government's obligation to ensure public safety for recipients of public services.

From a national legal perspective, protection for victims of poisoning has a strong legal basis. The 1945 Constitution of the Republic of Indonesia affirms that every citizen has the right to health services and a decent standard of living. This right is reinforced by Law Number 17 of 2023 concerning Health, which places public health as a state responsibility. Furthermore, Law Number 8 of 1999 concerning Consumer Protection grants the public the right to security, comfort, and safety when consuming goods and services (Ludina et al., 2025). In the context of the Free Nutritious Meal Program, the public, as beneficiaries, can be positioned as consumers with the right to access safe, edible food.

Poisoning victims under the Free Nutritious Meal Program have the right to receive prompt and adequate health care. The government has a responsibility to ensure that victims receive medical treatment without

discrimination as a manifestation of the state's responsibility for public safety. This medical treatment includes medical examinations, medication, intensive care, if necessary, and post-poisoning recovery. Under certain circumstances, the government is also obligated to provide emergency health facilities and take swift action to prevent the spread of the effects of poisoning to other members of the public. These actions are crucial to legal protection because they directly relate to the rights to life and to public health.

In addition to health services, victims have the right to receive clear information about the cause of the poisoning and the government's response. Transparency of information is part of the principle of accountability in the provision of public services. In practice, the government often faces criticism when it handles poisoning cases behind closed doors or fails to provide clear information to the public. This can lead to public distrust and exacerbate the social impact of poisoning cases (Kiftiyah et al., 2025). Therefore, the government is obliged to disclose the results of investigations, response measures, and recovery efforts openly to ensure the public's right to information is protected.

Legal protection for food poisoning victims also includes the right to compensation or restitution for the losses they have suffered. These losses can include medical expenses, lost income, material losses, or psychological suffering resulting from the victim's health problems. From a civil law perspective, victims have the right to hold accountable the parties causing the food poisoning, including the government and food providers involved in the program's implementation (Lailatul Firdaus & Dwi Astuti, 2026). Compensation serves to restore victims' rights and to establish legal responsibility for losses arising from negligence in program implementation.

In addition, food poisoning victims also have the right to access justice through available legal mechanisms. The government must ensure that victims can file complaints, receive legal assistance, and access fair and transparent dispute resolution processes. In practice, many food poisoning victims experience difficulties in asserting their rights due to limited legal knowledge, limited access to legal aid, and an imbalance in the position between victims and program organizers. Therefore, the state has an obligation to provide accessible complaint and dispute-resolution mechanisms that prioritize public protection.

Legal protection for food poisoning victims is also related to the government's obligation to investigate and enforce the law against responsible parties. An investigation is necessary to determine the cause of the poisoning, the nature of the negligence, and the parties involved in the food safety violation. The results of this investigation form the basis for determining legal liability, whether administrative, civil, or criminal. Strict law enforcement against negligent parties is crucial to provide legal certainty for victims and prevent similar cases from recurring.

In the context of the Free Nutritional Meal Program, legal protection for victims is inseparable from strengthening the food safety oversight system. The government must ensure that every stage of the program's implementation is strictly monitored and complies with applicable health standards. This oversight includes quality control of raw materials, food processing, distribution, and public service. Furthermore, increasing human resource capacity and inter-agency coordination are also crucial factors in strengthening legal protection for the community as program beneficiaries (Fahrian, 2026).

Legal protection for victims of poisoning under the Free Nutritional Meal Program represents the state's responsibility to guarantee the public's right to health and food safety. This protection includes medical treatment, information provision, compensation, access to justice, and legal enforcement against responsible parties. The existence of effective legal protection is very important for providing a sense of security to the community while ensuring that government programs are implemented in accordance with the principles of justice, accountability, and the protection of human rights.

Government Efforts to Prevent Poisoning Cases

Government efforts to prevent food poisoning cases in the Free Nutritious Meal Program are a crucial part of ensuring the success of public health and welfare policies. The program aims to improve the nutritional quality of the community, particularly among school-age children, and therefore, its implementation must be accompanied by adequate food safety assurance. Food poisoning prevention is crucial because food poisoning cases not only impact public health but can also lead to legal and social issues and undermine public trust in the

government (Raamdhani et al., 2025). Therefore, the government has a responsibility to establish an effective prevention system through food safety monitoring, strengthening regulations, improving the quality of human resources, and coordinating with relevant institutions.

One of the primary efforts the government must undertake is to strengthen the food safety monitoring system across all stages of the Free Nutritious Meal Program. This monitoring must be comprehensive, from raw material selection and food processing, storage, and distribution to the food's receipt by the public. The government needs to ensure that all food ingredients used meet health standards and are fit for consumption. Furthermore, food processing must be carried out in accordance with food hygiene and sanitation principles to ensure that the resulting food is safe for consumption and free from contamination by bacteria or other harmful substances (Candra et al., 2025). Effective supervision is a crucial preventative measure to minimize the risk of food poisoning in national-scale programs.

The government also needs to tighten the selection and oversight mechanisms for food service providers involved in the Free Nutritious Meal Program. Food providers must be competent, have adequate facilities, and meet the food safety standards stipulated by laws and regulations. In practice, the government must ensure that caterers and food providers hold hygiene and sanitation certification and implement operational standards aligned with food safety principles. Furthermore, regular evaluations and inspections of food providers must be conducted to ensure that food quality is maintained throughout the program. Weak oversight of food providers can increase the potential for food safety violations that could lead to mass food poisoning.

Preventive measures can also be implemented through strengthening regulations and policies related to food safety. Indonesia already has various regulations governing food safety and consumer protection, such as Law Number 18 of 2012 concerning Food and Law Number 8 of 1999 concerning Consumer Protection. However, these regulations still require further strengthening, particularly in large-scale food programs. The government needs to develop more detailed technical regulations to implement the Free Nutritious Meal Program, including standards for food processing, distribution, supervision, and mechanisms for handling food poisoning incidents (Latemmamala & Fachri, 2026). Clear and firm regulations will provide legal certainty and serve as guidelines for all parties involved in program implementation.

In addition to strengthening regulations, improving the quality of human resources is also a crucial step in preventing food poisoning. Food processors, distribution officers, and field supervisors must have adequate knowledge and skills in food safety and sanitation. The government needs to provide regular training on hygienic food processing techniques, food quality control, safe food storage, and handling large quantities of food. By increasing human resource capacity, the risk of errors in food processing and distribution can be minimized, thereby ensuring food safety.

The government also needs to establish an integrated monitoring and evaluation system to implement the Free Nutritious Meal Program. This monitoring system is necessary to ensure that all stages of program implementation comply with established standards. Supervision is carried out not only administratively but also through direct field inspections of food processing conditions, facility cleanliness, and food distribution quality. Periodic evaluations are also crucial for identifying weaknesses in program implementation and determining necessary corrective measures (Inriyanto et al., 2025). In this context, information technology can be used to strengthen the monitoring system, such as through digital reporting systems and real-time monitoring of food distribution.

Inter-agency coordination is also a crucial factor in preventing food poisoning in the Free Nutritious Meal Program. Program implementation involves various parties, such as relevant ministries, local governments, health agencies, educational institutions, and food regulatory agencies. Therefore, effective coordination is essential for prompt, appropriate monitoring and problem resolution. Lack of coordination often leads to delays in handling cases or weak oversight in the field (Aisyah et al., 2026). With a sound coordination system, each agency can carry out its duties and exercise its authorities to support the program's safety.

Furthermore, public education and the education of program beneficiaries are crucial for preventing food poisoning. The public needs to be educated about the importance of food safety, the signs of unsafe food, and

the steps to take if food poisoning is suspected. This education can increase public participation in monitoring program implementation, allowing potential food poisoning to be detected more quickly (Susanto & Suyatna, 2025). Public involvement is also crucial as a form of social control over the quality of government program implementation.

From a state administrative law perspective, food poisoning prevention efforts are part of the government's responsibility to uphold the principles of good governance and protect the community's rights. The government is not only responsible for formulating policies but also for ensuring they are implemented safely and do not harm the public (Poetri & Zakiran, 2026). Therefore, any negligence in food safety supervision must be immediately evaluated and corrected to ensure the objectives of the Free Nutritional Meal Program can be optimally achieved.

Government efforts to prevent food poisoning cases in the Free Nutritional Meal Program must be comprehensive, through strengthening food safety supervision, improving the quality of human resources, strengthening regulations, establishing an effective monitoring system, inter-agency coordination, and public education. Integrated prevention will minimize the risk of food poisoning while strengthening legal protection for the public as beneficiaries of government programs.

Analysis of Weaknesses in Regulation and Program Implementation

Analyzing weaknesses in the regulations and implementation of the Free Nutritious Meals Program is crucial for understanding the various factors contributing to the ongoing emergence of food safety issues, including food poisoning cases, during the program's implementation. Although the government has various regulations governing food safety, consumer protection, and public services, several weaknesses persist that affect the program's implementation effectiveness. These weaknesses relate not only to the substance of legal norms but also to policy implementation, oversight, inter-agency coordination, and the readiness of human resources and supporting infrastructure (Suprpto et al., 2025). As a result, the program's goal of improving public health and well-being has not been fully realized.

From a regulatory perspective, a major weakness is the lack of specific, comprehensive regulations governing the implementation mechanisms of the Free Nutritious Meals Program. Current regulations are general in nature and scattered across various laws and regulations, such as the Laws on Food, Consumer Protection, Health, and Government Administration. While these regulations provide the legal basis for food safety and government responsibilities, there are no detailed technical regulations governing program implementation standards, oversight mechanisms, food distribution procedures, or emergency response in the event of food poisoning. This situation has led to differences in interpretation and implementation in the field, thereby reducing the effectiveness of program quality control (Lailatul Firdaus & Dwi Astuti, 2026). Regulatory weaknesses are also evident in the suboptimal division of responsibilities among the parties involved in program implementation. The Free Nutritious Meals Program involves the central government, local governments, food service providers, schools, and food regulatory agencies. However, in practice, the boundaries of authority and responsibility of each party are often not clearly and integrally defined. As a result, when cases of food poisoning or food safety violations occur, determining the responsible party is cumbersome and may lead to shifting blame between agencies. This unclear accountability mechanism can hamper the process of handling victims and enforcing the law against negligent parties.

In addition to substantive weaknesses in the regulations, the implementation of the Free Nutritious Meals Program also faces various challenges on the ground. One major issue is weak oversight of food safety. Government oversight is often suboptimal due to limited human resources, a lack of food-testing facilities, and infrequent inspections of food providers. In large-scale programs, oversight should be rigorous, covering procurement of raw materials and food processing, as well as distribution and consumption by beneficiaries (Setiyo, 2026). However, in reality, oversight is largely administrative in nature and does not fully address technical aspects in the field. This situation creates the potential for violations of food safety standards, which could lead to mass poisoning.

Implementation issues are also evident in the lack of preparedness of the supporting infrastructure for program implementation. Large-scale food distribution requires storage, transportation, and processing facilities that meet

sanitation and food safety standards. However, in some areas, particularly remote ones, these facilities are still very limited. Food is often distributed over long periods without adequate storage systems, resulting in deteriorating quality before it reaches beneficiaries. This infrastructure limitation indicates that program implementation is not fully supported by adequate technical readiness to ensure food safety.

Another implementation weakness is the low quality and competence of human resources involved in program implementation. Not all food processors and distribution officers have an adequate understanding of hygiene, sanitation, and food safety standards. The lack of training and supervision of implementing personnel increases the potential for errors in food processing and distribution. Furthermore, in some cases, the focus on budget efficiency often overrides food quality and safety. As a result, there is a tendency to use lower-quality food ingredients or reduce processing standards to reduce production costs.

Lack of inter-agency coordination is also a major weakness in implementing the Free Nutritional Meals Program. This program involves numerous institutions with varying authorities, requiring an effective and integrated coordination system. However, in practice, coordination between the central government, local governments, health agencies, educational institutions, and food regulatory agencies is often suboptimal. Policy asymmetries and weak inter-agency communication lead to ineffective monitoring and problem-solving in the field (Semartini, 2026). In cases of food poisoning, slowed coordination can worsen the victim's condition and hinder emergency response efforts.

Furthermore, the program's internal evaluation and oversight mechanisms also remain flawed. Evaluation of program implementation often focuses more on administrative aspects and distribution outcomes than on food quality and safety. However, the success of the Free Nutritional Meals Program is measured not only by the number of beneficiaries but also by the assurance of the safety and quality of food provided to the community. The lack of a quality-based evaluation system means potential problems in the field go undetected until a food poisoning case occurs.

From a state administrative law perspective, these regulatory and implementation weaknesses demonstrate the suboptimal application of good governance principles in the Free Nutritional Meals Program. The principles of accountability, effectiveness, transparency, and the protection of community rights should serve as the primary foundation for implementing public policy. However, ongoing weaknesses indicate that the program management system is not fully capable of ensuring the community's safety and security as beneficiaries. This situation also demonstrates that government responsibility is not confined to the policy formulation stage; it must be realized through professional implementation and effective oversight.

Weaknesses in the regulation and implementation of the Free Nutritious Meal Program are evident in the absence of comprehensive technical regulations, weak food safety oversight, limited infrastructure, low-quality human resources, lack of inter-agency coordination, and a weak program evaluation system. These weaknesses demonstrate the need to reformulate policies and strengthen the program implementation system to achieve the goal of improving public health and welfare without posing a risk of food poisoning or harm to the community.

Policy Reconstruction and Strengthening Government Responsibility

Policy reconstruction and strengthening government responsibility in the implementation of the Free Nutritious Meal Program are crucial steps to create a safer, more effective program delivery system capable of providing optimal protection to the public. Numerous food poisoning cases during the food program demonstrate that the current policy remains flawed in both its regulation and its implementation. This situation underscores that the government is not only required to provide a nutritional program for the public but also to ensure its implementation in accordance with food safety standards and legal protection principles (Purnomo & Pamungkas, 2025). Therefore, policy reconstruction is needed, with a focus on strengthening oversight, clarifying responsibilities, improving the quality of public services, and protecting the rights of the community as program beneficiaries.

Policy reconstruction needs to begin with strengthening regulations specifically governing the implementation of the Free Nutritious Meal Program. Currently, regulations on food safety and government responsibility are

scattered across various laws and regulations, often resulting in inconsistent implementation. The government needs to establish comprehensive, structured technical regulations for program implementation standards, covering raw material procurement, food processing, distribution, supervision, and handling mechanisms in the event of food poisoning. These regulations must include clear standard operating procedures that provide all parties involved with uniform guidelines for implementing the program. With more specific regulations, legal certainty in program implementation can be strengthened, thereby minimizing the risk of negligence.

Strengthening government accountability must also be realized through the establishment of a more effective and integrated food safety oversight system. The government needs to establish a monitoring mechanism that is not only administrative, but also technical and preventative. Monitoring must be conducted periodically at all stages of program implementation, including inspections of food ingredients, food processing facilities, distribution, and food quality before consumption. In this regard, the government can involve food regulatory agencies, health services, and educational institutions in the integrated monitoring system. Comprehensive monitoring will help detect potential food safety violations early, allowing food poisoning cases to be prevented before they have a wider impact (Inriyanto et al., 2025).

In addition to strengthening oversight, policy reform must also emphasize accountability as a primary foundation for implementing the Free Nutritious Meal Program. Each party involved in program implementation must have clear responsibilities within their respective authorities. The central government is responsible for formulating national policies and program implementation standards, while local governments are responsible for technical implementation and field supervision. Food service providers must also be legally responsible for the quality and safety of the food they produce. A clear division of responsibilities is crucial to prevent overlapping authority and to facilitate law enforcement in the event of violations or foodborne illness.

Policy reform should also strengthen the certification and standardization system for food providers in the Free Nutritious Meal Program. The government must ensure that all food providers have food safety permits and certifications that comply with health standards. Furthermore, the government needs to implement a regular audit and evaluation mechanism for food service providers to ensure compliance with hygiene and sanitation standards (Aisyah et al., 2026). Food providers who fail to meet standards should be subject to strict sanctions, ranging from administrative warnings to revocation of their permits to collaborate with government programs. These steps are crucial for creating a professional food management system that prioritizes public safety.

To strengthen government accountability, improving the quality of human resources is also crucial. Food processors, distribution officers, and program supervisors must receive regular training on food safety, sanitation, and large-scale food handling. The government also needs to increase the supervisory officials' capacity to monitor food quality effectively. With competent human resources, the implementation of the Free Nutritional Meal Program can be more professional, and the risk of errors in food processing and distribution can be reduced.

Strengthening government accountability must also be realized through the provision of more effective legal protection mechanisms for the community as program beneficiaries. The government needs to establish a complaint-handling system that is fast, transparent, and easily accessible to the public for cases of food poisoning or food safety violations. Furthermore, victims of food poisoning must receive guaranteed access to health services, compensation, and legal assistance as part of the state's responsibility to the community. The existence of a clear legal protection mechanism will strengthen the community's position and increase government accountability in the provision of public services.

The use of information technology is also a crucial part of the reconstruction of the Free Nutritional Meal Program policy. The government can develop a digital system to monitor food distribution, ensure food quality, and receive real-time public reports. This system can expedite monitoring and handling if any indications of food safety violations are detected. Furthermore, the use of technology can increase the transparency of program implementation, allowing the public to participate in oversight of government policies.

From a state administrative law perspective, policy reconstruction and strengthening government accountability are implementations of the principles of good governance, which emphasize transparency, accountability,

effectiveness, and protection of public rights. The government, as the state administrator, is not only obligated to formulate policies but also to ensure they are implemented safely and do not harm the public (Zahra et al., 2025). Failure to ensure food safety can be viewed as a form of state negligence in fulfilling the public's right to health and a decent standard of living.

Policy reconstruction and strengthening government accountability in the Free Nutritional Meal Program must be implemented through the establishment of more comprehensive regulations, strengthening the food safety monitoring system, increasing accountability, standardizing food providers, improving the quality of human resources, strengthening legal protection for the public, and utilizing information technology in program oversight. These steps are crucial for creating a safer, more transparent, and more community-oriented Free Nutritional Meal Program implementation system, so that the program's goal of improving public health and welfare can be optimally achieved.

CONCLUSION

The Free Nutritious Meal Program is a government policy aimed at improving public health and welfare by meeting the need for nutritious food, especially for school-age children. However, in its implementation, the program still faces various problems, particularly related to food safety, which could lead to food poisoning. The occurrence of poisoning in the Free Nutritious Meal Program demonstrates that implementing public policy in the food sector requires strict oversight, a professional management system, and effective coordination among the parties involved. Factors contributing to food poisoning include negligence in food processing, the use of unsuitable food ingredients, weak supervision, poor coordination between agencies, limited infrastructure, and low-quality human resources in food management. From a legal perspective, the government has administrative, civil, and criminal responsibility for any poisoning that occurs during the implementation of the program. The government, as the implementer of public policy, is obliged to guarantee the safety, quality, and suitability of food provided to the public. If negligence in the supervision and implementation of the program causes harm to the public, the government may be held legally accountable under applicable statutory provisions. In addition, victims of poisoning also have the right to receive legal protection in the form of health services, compensation, access to justice, and restoration of their rights as citizens. This study shows that weaknesses in regulations and program implementation remain major obstacles to achieving food security in the Free Nutritional Meals Program. Therefore, policy reconstruction is needed through strengthening technical regulations, improving the food safety monitoring system, strengthening inter-agency coordination, improving the quality of human resources, and implementing good governance principles in program implementation. With strengthened government accountability and an effective legal protection system, the Free Nutritional Meals Program is expected to operate safely and transparently, providing optimal benefits to the community without posing health risks or legal liabilities to beneficiaries.

REFERENCES

1. Aisyah, I. N., Dluha, M., & Qorib, F. (2026). RESPONSIBILITY OF THE GOVERNMENT FOR MASS FOOD POISONING CASES IN THE FREE NUTRITIOUS MEAL PROGRAM (MBG) BASED ON LAW NUMBER 17 OF 2023 ON HEALTH. *JURNAL SULOH: Fakultas Hukum Universitas Malikussaleh*, 14(1), 23–46. <https://ojs.unimal.ac.id/suloh>
2. Candra, A. N., Kamila, S. I., Zahra, M., Victoria, A., Alviya, B., Nur, F., & Bintang, C. (2025). Failure of Governance and State Responsibility in the Free Nutritious Meals (FNM) Program. *Journal of Social, Policy, and Development Studies*, 2(2), 27–38. <https://doi.org/10.65229>
3. Fahrian, Z. (2026). LEGAL ANALYSIS OF THE RISKS RESPONSIBILITY OF THE IMPLEMENTATION OF THE FREE NUTRITIONAL MEAL PROGRAM IN THE PARTNERSHIP SCHEME. *JURNAL MEDIA AKADEMIK*, 4(2), 3031–5220. <https://doi.org/10.62281>
4. Inriyanto, I., Hammar, R., Silubun, S., & Kurniawan, R. (2025). LEGAL AND POLICY IMPLICATIONS OF FOOD POISONING CASES IN THE FREE NUTRITIONAL FOOD PROGRAM IN INDONESIA. *Patriot*, 18, 97–105. <https://www.kompas.com/regional/read/2023/07/14/keracunan-siswa-tasik>.

5. Kiftiyah, A., Palestina, F. A., Abshar, F. U., & Rofiah, K. (2025). Program Makan Bergizi Gratis (MBG) dalam Perspektif Keadilan Sosial dan Dinamika Sosial – Politik. *Pancasila: Jurnal Keindonesiaan*, 5(1), 101–112. <https://doi.org/10.52738/pjk.v5i1.726>
6. Lailatul Firdaus, S., & Dwi Astuti, S. (2026). The Paradox of Justice in the Free Nutritious Meal Program. *Mimbar Keadilan*, 19(1), 54–67. <https://doi.org/10.30996/mk.v19i1.132588>
7. Latemmamala, A. F., & Fachri, F. A. (2026). Reconstructing Legal Liability and Division of Authority: Mitigating Mass Poisoning in the Free Nutritious Meal Program. *SIGn Jurnal Hukum*, 7(2), 1275–1292. <https://doi.org/10.37276/sjh.v7i2.637>
8. Martin, W., Cia, B., Hamdani, M., Yunus, M., Putra, A., & History, A. (2026). EVALUATION OF THE FREE NUTRITIONAL MEAL PROGRAM (MBG) POLICY IN INDONESIA BASED ON WILLIAM N. DUNN’S PERSPECTIVE. In *Jurnal Ilmu Sosial* (Vol. 24, Number 1). <http://jurnaldialektika.com/>
9. Nur Wicaksono, E. (n.d.). JURIDICAL ANALYSIS OF THE GOVERNMENT’S NEGLECT OF THE NUTRITIONIST’S ROLE IN THE FREE NUTRITIOUS MEAL PROGRAM.
10. Poetri, F. A., & Zakiran, A. H. (2026). Legal Protection for Consumers of Unfit-for-Consumption Free Nutritional Meal Programs in Cianjur Regency Based on the Consumer Protection Law. *Bandung Conference Series: Law Studies*, 6(1). <https://doi.org/10.29313/bcsls.v6i1.21926>
11. Purnomo, T., & Pamungkas, W. H. (2025). The Controversy of the Free Nutritious Meal (MBG) Program: Food Poisoning Cases and Legal Remedies. *Jurnal Humaniora*, 9(2), 457–464. <https://doi.org/10.30601/humaniora.v%vi%i.7391>
12. Raamdhani, F. A., Cornelis, V. I., Astutik, S., & Handayati, N. (2025). The Legal Impact of the Free Nutritional Food Program Following Mass Poisoning in East Java from a Human Rights Perspective. *Eduvest-Journal of Universal Studies*, 5(12), 10537–10555. <http://eduvest.greenvest.co.id>
13. Semartini, A. (2026). A critical discourse analysis of the toxic free nutritious meal in The Jakarta Post: Teun A. van Dijk’s framework. *Priviet Social Sciences Journal*, 6(2), 413–425. <https://doi.org/10.55942/pssj.v6i2.1513>
14. Setiyo, M. (2026). Indonesian engineers, the free nutritious meal program (MBG) needs you! *Mechanical Engineering for Society and Industry*, 6(1). <https://doi.org/10.31603/mesi.16112>
15. Suprpto, F. A., Praditya, E., Dewi, R. M., & Adiyoso, W. (2025). A Policy Implementation Review of the Free Nutritious Meal (MBG) Program. *The Journal of Indonesia Sustainable Development Planning*, 6(2), 297–312. <https://doi.org/10.46456/jisdep.v6i2.798>
16. Susanto, A., & Suyatna, N. (2025). IMPLICATIONS OF HEALTH LAW ON FOOD POISONING CASES IN THE FREE NUTRITIOUS MEAL PROGRAM IN INDONESIA. *Jurnal Hukum Lex Generalis*, 6(12), 1–14. <https://jhlrg.rewangrencang.com/>
17. Wicaksono, E. N. (2025). STATE ACCOUNTABILITY FOR FOOD POISONING IN THE IMPLEMENTATION OF FREE NUTRITIOUS FOOD PROGRAMS: A LEGAL PERSPECTIVE. *International Proceeding Universitas Tulung Agung*.
18. Zahra, A., Jacob, N. A., Madah, R., Harsya, K., Rositasari, D., Pelupessy, A., Fachrur, M., & Mahka, R. (2025). Comprehensive Study of Mass Poisoning MBG Program (Legal, Health, Human Rights, Social Perspectives). *Jurnal Teknologi Dan Manajemen Industri Terapan (JTMIT)*, 4(3), 2221–2225.