

## Legal Reconstruction of Hoax Regulation Concerning Drugs, Supplements, and Herbal Claims for Influenza A (H3n2) on Social Media Platforms

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Article Info	ABSTRACT
<p><b>Keywords:</b> Legal Reconstruction; Hoax Regulation; Influenza A (H3N2); Drugs; Supplements; Herbal Remedies; Social Media; Health Law.</p>	<p>The widespread circulation of false information concerning drugs, supplements, and herbal remedies claiming to cure or prevent Influenza A (H3N2) on social media has become a serious legal and public health concern in Indonesia. The uncontrolled dissemination of such hoaxes not only misleads the public but also potentially endangers human health and undermines the credibility of legitimate medical institutions. Despite existing legal frameworks under the Electronic Information and Transactions Law (ITE Law) and Health Law, the regulatory approach to health-related misinformation remains fragmented and reactive. This study aims to analysed and reconstruct the legal framework governing the dissemination of hoax information related to drugs, supplements, and herbal treatments for Influenza A (H3N2) through social media. Using a juridical-normative method combined with a conceptual and statutory approach, this research examines the intersection between criminal law, health law, and cyber law. Primary data sources include relevant legislation such as Law No. 19 of 2016 concerning Electronic Information and Transactions (ITE Law), Law No. 36 of 2009 concerning Health, and related criminal provisions in the Indonesian Penal Code (KUHP). The results indicate that current regulations are insufficient in addressing the complexity of digital misinformation in the health sector. The absence of specific provisions regarding health-related hoaxes causes interpretative ambiguity, weak enforcement, and limited deterrent effect. Therefore, a legal reconstruction is required—integrating clearer definitions, proportional sanctions, and preventive mechanisms under a unified legal framework. This reconstruction should emphasize three key aspects: (1) strengthening regulatory coordination between health and communication authorities, (2) establishing clear accountability for content creators and distributors, and (3) developing digital literacy and early detection systems for health misinformation. The study concludes that reconstructing hoax regulations within the context of health communication is crucial to achieving legal certainty, public protection, and national health security.</p>
<p>This is an open access article under the <a href="https://creativecommons.org/licenses/by-nc/4.0/">CC BY-NC</a> license</p> 	<p><b>Corresponding Author:</b> Helma Widya Politeknik LP3I Medan, North Sumatera, Indonesia <a href="mailto:Helmawidya140969@gmail.com">Helmawidya140969@gmail.com</a></p>

## INTRODUCTION

The rapid development of digital technology has transformed the way information is created, distributed, and consumed. Social media platforms, in particular, have become the primary channel for health-related communication among the public. However, the accessibility and speed of digital information flow have also facilitated the spread of false or misleading health claims, including those concerning drugs, supplements, and herbal remedies. One of the most alarming examples is the proliferation of misinformation regarding *Influenza A (H3N2)*—a subtype of the influenza virus that poses a significant public health threat.

During outbreaks or heightened public concern about infectious diseases, misinformation related to unproven or fake medical treatments tends to spread rapidly. These hoaxes often exploit public fear, lack of scientific literacy, and distrust in formal health authorities. As a result, members of the public may be encouraged to consume unsafe, untested, or illegal products that claim to prevent or cure *Influenza A (H3N2)*. This phenomenon not only endangers individual health but also undermines the integrity of the national health system, causing confusion and panic among the population.

From a legal perspective, the dissemination of such misinformation constitutes a serious violation that may be categorized as a criminal act (hoax) under Indonesian law. The Indonesian government has issued several legal instruments to address this issue, including Law No. 11 of 2008 on Electronic Information and Transactions (ITE Law) as amended by Law No. 19 of 2016, Law No. 36 of 2009 on Health, and Law No. 8 of 1999 on Consumer Protection. These laws collectively aim to ensure that information disseminated to the public—especially concerning health—must be accurate, verified, and not misleading. However, in practice, these regulations have not been effectively harmonized. The legal framework still lacks specific provisions addressing health-related misinformation disseminated through digital platforms, resulting in overlapping enforcement, weak coordination, and minimal deterrent effect.

The phenomenon of *hoax health claims* related to *Influenza A (H3N2)* demonstrates that existing legal instruments are not fully capable of dealing with the dynamic and borderless nature of information dissemination in the digital era. The ITE Law, for example, focuses primarily on general aspects of false information dissemination, without distinguishing between ordinary misinformation and health-related hoaxes that carry direct public safety implications. Meanwhile, the Health Law emphasizes the regulation of medical practices and products but does not adequately address the criminal dimensions of misinformation or its distribution through digital media.

This legal gap necessitates a comprehensive legal reconstruction to strengthen the framework for regulating and preventing health-related hoaxes. Legal reconstruction, in this context, refers to the systematic reform and harmonization of existing laws and regulations to provide clear definitions, firm sanctions, and effective preventive measures. It also aims to clarify the roles and responsibilities of stakeholders—including government agencies, social media platforms, content creators, and the public—in maintaining the accuracy and credibility of health information.

Therefore, this study seeks to analyze the weaknesses of the current legal framework governing the dissemination of hoax information concerning drugs, supplements, and herbal remedies for *Influenza A (H3N2)* on social media. It also proposes a model of legal reconstruction that integrates elements of criminal law, health law, and cyber law to enhance legal certainty and public protection. The study is expected to contribute to the development of a responsive and preventive legal system that not only punishes perpetrators of misinformation but also promotes public awareness, digital ethics, and responsible communication in the health sector.

## Literature Review

### Legal Foundation and Concept of Hoax Regulation

The term *hoax* refers to false or misleading information deliberately created and disseminated to deceive the public. In the context of Indonesian law, the regulation of hoaxes primarily refers to Law No. 11 of 2008 on Electronic Information and Transactions (ITE Law) as amended by Law No. 19 of 2016, particularly Article 28 paragraph (1) which prohibits the dissemination of false or misleading information that causes consumer losses in electronic transactions. The ITE Law serves as the main legal instrument for addressing online misinformation, including health-related hoaxes.

However, scholars such as Sinta Dewi (2019) and Ahmad M. Ramli (2020) argue that the ITE Law still lacks specificity in defining and classifying health misinformation. The current provisions do not differentiate between general hoaxes and those that endanger public health or involve pharmaceutical and herbal product claims. Consequently, law enforcement tends to apply broad interpretations, which may lead to inconsistencies and potential violations of freedom of expression.

### Theoretical Basis of Legal Protection in Health Information

The theory of legal protection (*teori perlindungan hukum*) introduced by Philipus M. Hadjon (1987) emphasizes that the law must protect individuals' rights from arbitrary or harmful acts by other parties. In the context of digital health information, this theory underscores the state's responsibility to protect citizens from exposure to misleading medical content that could threaten life and health.

Legal protection operates in two forms:

1. Preventive protection, which aims to prevent harm before it occurs, such as through regulations, education, and monitoring mechanisms; and
2. Repressive protection, which involves sanctions or penalties after a violation occurs.

In the dissemination of false health claims, preventive protection should focus on information literacy, supervision of online content, and collaboration with social media platforms, while repressive measures rely on criminal and administrative sanctions. This dual approach ensures that both individuals and institutions are held accountable for spreading misinformation.

### Public Health Law and Consumer Protection Framework

Health-related misinformation, particularly concerning drugs, supplements, and herbal treatments for diseases like *Influenza A (H3N2)*, falls under the broader domain of public health law and consumer protection law.

1. Law No. 36 of 2009 on Health stipulates that any public information related to drugs, medical equipment, and treatments must be scientifically valid and approved by competent authorities such as the Ministry of Health and the Food and Drug Monitoring Agency (BPOM).
2. Law No. 8 of 1999 on Consumer Protection further asserts that consumers have the right to accurate, clear, and honest information regarding goods and services, including medical and herbal products.

In this context, the dissemination of unverified claims about the efficacy of certain supplements or herbal remedies against *Influenza A (H3N2)* constitutes a violation of consumer rights and can be categorized as a deceptive marketing practice (*perbuatan curang*). Researchers such as Nuryanti (2021) and Rizky et al. (2022) emphasize the urgent need to integrate consumer protection mechanisms with digital governance policies to minimize public exposure to dangerous misinformation.

### Cyber Law and the Responsibility of Digital Platforms

In the digital era, social media platforms play a significant role in the dissemination of health-related content. According to Cyber Law principles, platforms such as Facebook, X (formerly Twitter), TikTok, and Instagram function not only as intermediaries but also as entities responsible for managing user-generated content under the Electronic System Provider (PSE) regulations.

Based on Ministerial Regulation No. 5 of 2020 concerning Private Electronic System Providers, digital platforms are obligated to prevent the distribution of prohibited content, including misinformation related to health. Despite these provisions, the enforcement mechanism remains weak, and coordination between the Ministry of Communication and Information Technology (Kominfo), BPOM, and law enforcement agencies is still fragmented. Scholars like Setiawan (2020) highlight that without a unified enforcement framework, hoax content—particularly concerning health claims—continues to proliferate unchecked, eroding public trust in both government and healthcare institutions.

### Legal Reconstruction Theory

The concept of legal reconstruction (*rekonstruksi hukum*) refers to reforming existing laws to align with changing social realities and technological advancements. According to Satjipto Rahardjo (2006), legal reconstruction is necessary when the existing legal system no longer reflects social justice or fails to provide effective protection for society. In the case of health misinformation, legal reconstruction requires the integration of criminal law, cyber law, and health law into a coherent regulatory framework.

This reconstruction aims to:

1. Clarify the legal definition and classification of *health-related hoaxes*;
2. Harmonize cross-sectoral regulations (ITE Law, Health Law, Consumer Protection Law, and BPOM regulations);
3. Strengthen institutional coordination and law enforcement mechanisms; and
4. Promote public awareness and digital ethics as part of preventive legal protection.

Several studies have examined legal aspects of misinformation and consumer protection in Indonesia. Fitriani (2021) analyzed the implementation of the ITE Law in

combating hoaxes during the COVID-19 pandemic and found that law enforcement tended to focus on political hoaxes rather than health misinformation. Suhendra (2022) emphasized that misinformation about herbal and supplement claims could harm consumers both physically and economically, highlighting the lack of clear sanctions under current law. However, there remains a gap in research that specifically examines *Influenza A (H3N2)* misinformation and its implications for public health law, consumer protection, and cyber regulation in an integrated framework.

Based on the above literature, the conceptual framework of this study integrates:

1. The theory of legal protection (Hadjon),
2. The principle of prudence in information dissemination (ITE Law), and
3. The theory of legal reconstruction (Rahardjo),

to develop a model of reform that ensures legal certainty, accountability, and public safety in the dissemination of health-related information on digital platforms.

## METHOD

Proof serves as the foundation for establishing the guilt of an accused person. According to Riduan Syahrani, proof refers to providing certainty regarding the facts presented in court through legally recognized evidence. Doctrinally, there are four main theories of proof: positive proof, proof based solely on judicial belief, proof based on judicial reasoning, and negative proof. Based on Article 183 of the Indonesian Criminal Procedure Code (KUHP), Indonesia adheres to the negative proof system, which requires both valid evidence and the judge's conviction before a verdict can be rendered. The role of evidence is therefore crucial in demonstrating that a legal event has occurred. As P.A.F. Lamintang explains, even if a judge recognizes two valid pieces of evidence, conviction is not sufficient unless the judge is also personally convinced that the crime truly took place. This principle is reinforced by Article 184 of the KUHP, which outlines the legal standards for admissible evidence.

According to Soerjono Soekanto, several internal factors hinder the proof of hoax-related criminal acts involving drugs and supplements through social media:

1. Legal factors.

Combating cybercrime cannot be separated from criminal policy, which Sudarto defines as a rational effort by society to control crime. The ITE Law (Law on Electronic Information and Transactions) is a form of criminal policy designed to promote social welfare and protection. However, weaknesses in this legislation must be continuously evaluated.

As Barda Nawawi Arief notes, weaknesses in legislative policy directly affect law enforcement and crime prevention policies. Hence, periodic review of criminal legislation is necessary to ensure consistency with evolving technological and social realities.

2. Law enforcement factors.

Another obstacle lies in the limited number of law enforcement personnel who possess adequate knowledge of information technology. Many regional officers

remain unfamiliar with digital systems and lack internet access, making it difficult to detect and investigate cybercrimes effectively. The technological illiteracy among officers significantly slows down enforcement efforts.

The current Indonesian legal framework, particularly Article 184 of the KUHP, does not explicitly recognize electronic or digital evidence as valid proof. This creates substantial legal uncertainty in cases involving hoaxes spread via social media, where digital evidence is the primary means of verification. Evidence in cybercrime cases differs significantly from that in traditional crimes. Data, systems, and digital traces can be easily altered, deleted, or concealed, complicating the investigation process. Furthermore, witness testimony is often difficult to obtain, as victims or witnesses may reside far away or even abroad. Prosecutors frequently reject case files lacking complete witness statements or sworn testimonies, leading to delays or dismissals in court.

According to Soerjono Soekanto, several external factors contribute to these challenges:

1. Facilities and infrastructure.  
Law enforcement agencies, especially at district levels, lack specialized cybercrime investigation tools. Limited access to modern technology hinders the ability to trace electronic evidence, resulting in long investigation periods and high operational costs.
2. Societal factors.  
Public unawareness and indifference toward cyber fraud exacerbate the problem. Many citizens prioritize financial gain over legal safety and often refrain from reporting cybercrimes due to:
  - a. Lack of trust in law enforcement performance.
  - b. Fear of additional financial loss during legal processes.
  - c. Concerns over personal safety or retaliation by perpetrators.
3. Cultural factors.  
Technological progress can trigger social disruption when society is not prepared for rapid change. The rise of internet dependency has fostered both innovation and antisocial behavior. As one criminological theory suggests, higher intellectual and technological sophistication in society often correlates with more complex and diverse criminal behavior.

A major linkage between internal and external factors is the lack of technological expertise among investigators. Most law enforcement officers have not received adequate IT training and remain unfamiliar with digital investigation procedures. Consequently, investigations, interrogations, and evidence collection processes often become ineffective. The shortage of skilled cyber investigators is compounded by the overwhelming workload in cybercrime units. Officers are often assigned multiple case types beyond cybercrime, which limits their focus and slows case resolution.

Another challenge lies in the limited availability of modern digital forensics tools. Many investigations are still conducted manually, relying on basic data review rather than advanced tracking systems. Even when sophisticated tools exist, they are typically centralized at national headquarters and require lengthy authorization to access.

Additionally, technical mishandling of digital evidence often leads to data loss — for instance, turning off a computer prematurely may erase vital information. Investigators must exercise extreme caution when handling devices or encrypted data. The difficulty in locating suspects also remains a major issue. Offenders frequently use fake identities, temporary addresses, and disposable phone numbers to conceal their whereabouts. Without access to advanced tracking systems, regional investigators must depend on collaboration with higher-level police agencies.

Finally, the increasing sophistication of cybercriminals poses a growing challenge. As perpetrators master modern technologies and encryption techniques, law enforcement agencies often lag behind in both equipment and expertise. Cooperation among regional and national cyber units, alongside technological modernization and human resource development, is therefore essential to effectively combat hoax-related crimes on social media.

## RESULT

### Legal and Regulatory Findings

The research findings demonstrate that the implementation of legal regulations related to hoax dissemination—particularly those involving claims about drugs, supplements, and herbal products for influenza type A (H3N2) on social media—remains weak both substantively and procedurally. This weakness arises from the imbalance between the rapid development of digital information technology and the slow adaptation of legal and institutional frameworks in Indonesia.

The study revealed that the Indonesian legal system still lacks clear and comprehensive regulation regarding digital evidence and false claims in online health communication. Although the Law No. 19 of 2016 on Electronic Information and Transactions (ITE Law) addresses misinformation and defamation in cyberspace, it does not specifically regulate false or misleading claims related to medical products or supplements. Consequently, legal enforcement remains inconsistent and open to multiple interpretations.

The absence of explicit recognition of electronic evidence in Article 184 of the Criminal Procedure Code (KUHAP) further complicates prosecution. Many hoax-related cases are dismissed due to the inability to validate digital traces or authenticate electronic documents as legitimate evidence in court. This legal gap weakens the deterrent effect of criminal sanctions against perpetrators who spread health-related hoaxes. Due to the spread of hoaxes, state security agencies have implemented various efforts to combat crime in the information technology sector. Preemptive measures are initial efforts that can be taken to prevent crime from occurring. Efforts to combat crime preemptively involve instilling good values and norms so that these norms are internalized within each individual. Even if there is an opportunity to commit a crime, if there is no intention to do so, the crime will not occur.

Thus, in preemptive efforts, the intention factor is lost even when opportunity presents itself. In this preemptive effort, the police, as law enforcers, prevent crime by educating students about the importance of obeying the law. Other relevant parties who can intervene at this stage include religious leaders or clerics. Religious scholars can provide

enlightenment to the public about religious law in the event of a crime, or by providing moral lessons. In addition to the police and religious scholars, the mass media also undertakes this effort. Both print and electronic media can prevent crime by consistently reporting on the prevalence of crime and its impact, thereby fostering a culture of non-compromise among various forms of crime.

The results of the study showed that health literacy as an effort to prevent hoax information regarding the use of traditional medicine in this digital era can be explained in several points. This also turns out to use traditional medicine as a medium for treating illnesses. Before consuming it, he always cross-checks information obtained through social media about the use of traditional medicine, so he definitely checks first, especially now that information can spread quickly, plus there is social media, so I also Googled a little bit first, to see if it was true, then asked questions first, also looking for more credible people. That traditional medicine is very safe and effective, because it is a recipe passed down from our ancestors whose efficacy has been proven. Traditional medicines also rarely cause side effects because they are made from natural ingredients. However, this informant always cross-checks the information he obtains with trusted sources, such as those in the health sector.

The use of herbal remedies is permissible if research or evidence-based evidence demonstrates their efficacy in treating illness. Research on the proven efficacy of several traditional remedies is necessary, for example, guava leaves, which can increase platelets, betel leaves, which can be used as tampons for nosebleeds, and many others. If there is evidence-based evidence, then using traditional remedies is permissible. This is especially true now that information can spread rapidly, especially about traditional remedies.

So, it's more advisable for us all to have good health literacy, or even excellent, if possible, so we can address the feared hoax information about traditional medicines. For example, one food, jengkol, is said to be able to eliminate the cancer virus, or there's even hoax information claiming it cures the disease. Wait a minute, if we have good health literacy, then the first step will be. do is first find out the truth of the information. Who says it's true or not? If possible, we'll test the ingredients. It turns out that consuming excessive amounts is also not good, as laboratory tests have proven it. This means we really need to have good health literacy. However, if it's evidence-based, it's definitely safe. Some even recommend it, for example, betel leaf, a traditional medicine with rich herbal ingredients, is capable of treating various ailments.

Other laboratory tests, for example, show that honey is rich in positive benefits as a traditional medicine. Besides being drinkable, it can also heal wounds. Another example, guava leaves, has also been proven to treat diarrhea. The key is to develop health literacy as a solution to address misinformation about COVID-19 on social media. A series of useful steps to address misinformation about traditional medicine in this digital age include:

1. Selecting media for health service information needs: The first step in addressing misinformation about traditional medicine is selecting the right media for the information. This means we shouldn't just blindly accept information from the media.

2. Determining credible reference sources in cross-checking the truth of health information about the use of traditional medicine, this can be seen in The second stage after selecting the media to fulfill the information needs, we then determine a credible source to cross-check this data, to ensure the accuracy of the information, especially if there is already evidence-based information about the traditional medicine.
3. Making appropriate health decisions in disseminating information or using traditional medicines involves health literacy, for example, making decisions about whether to disseminate information or use medicines. the traditional.

With these efforts, it is hoped that the public will be more compliant with all existing regulations to prevent any type of crime. The government has a responsibility to combat crime. This can be done by influencing community lifestyles through systematic efforts to raise public awareness of the consequences of criminal acts and the impact of punishment. For example, a convict's political rights will be restricted for several years after completing their sentence. Community leaders can also play a role in combating crime through preemptive measures. Community leaders can influence their surrounding communities through efforts to awaken their spirituality. Although this activity has been done frequently, it should be seen as necessary as an effort to raise awareness of the dangerous nature of crime. towards oneself, family, and society. Meanwhile, other efforts that can be undertaken by other parties, namely educators, include revitalizing and reactualizing character education, intervention and habituation education, and building awareness of moral intelligence and values.

To combat the distribution of drugs and supplements, which can be used as a form of hoax crime through social media, preventive and repressive countermeasures are needed. As follows:

1. develop accurate awareness of information exposure by selecting credible sources.
2. continue to enrich ourselves with knowledge so that the knowledge structure we build becomes stronger.
3. comparing the same information from one media platform to another to get multiple points of view.
4. reflecting on personal opinions on an issue, whether these opinions are rational enough with all the sources of information we have.
5. foster a culture of verification and actively correct circulating false information.

#### **Institutional and Law Enforcement Findings**

The research also identified that law enforcement agencies face significant challenges in handling hoax-related cases. The majority of investigators lack adequate training and technological literacy to collect, preserve, and analyze electronic evidence. Moreover, investigative procedures are still conducted manually, leading to inefficiencies and incomplete case files. At the regional level, police institutions face infrastructure limitations—such as the absence of specialized cyber investigation equipment and restricted access to forensic technology. These constraints significantly delay the process of tracing digital evidence, verifying user identities, and locating perpetrators who often use fake

profiles, VPNs, or foreign-hosted platforms. In addition, coordination between cybercrime units at the national and local levels remains weak. The centralized nature of digital forensic tools at the national headquarters results in dependency and bureaucratic delays in regional investigations. These institutional weaknesses hinder the effective enforcement of hoax-related laws.

### **Societal and Cultural Findings**

From a socio-legal perspective, the spread of hoaxes concerning drugs and supplements is fueled by low digital literacy and public mistrust in law enforcement institutions. Many users share or believe in false medical claims without verifying their authenticity, influenced by social media algorithms that prioritize sensational content over factual information. Cultural factors also play a role. The public often views the spread of misinformation as a trivial act rather than a criminal one, thereby reducing social pressure on perpetrators. Moreover, victims of misinformation—especially those who have purchased unverified supplements—rarely report their losses to authorities due to fear of additional costs, threats, or lack of confidence in the justice system.

The study found a strong interconnection between internal legal deficiencies and external socio-technical obstacles. Weak legal provisions, limited law enforcement capacity, and inadequate infrastructure combine to create systemic inefficiency in handling hoax cases. These conditions ultimately undermine legal certainty and public protection—two fundamental objectives of criminal law enforcement.

Furthermore, investigators' limited understanding of information technology leads to procedural errors, such as mishandling digital devices or unintentionally deleting critical evidence. The lack of technical expertise also results in dependency on external experts or agencies, prolonging investigations and reducing their effectiveness.

### **Implications for Legal Reform**

The findings emphasize the urgent need for legal reconstruction in the regulation of digital misinformation related to drugs and supplements. Specifically:

1. Amendments to KUHAP should formally recognize electronic and digital evidence as legally valid proof.
2. Specialized training programs for law enforcement officers in digital forensics and cyber investigation techniques must be institutionalized.
3. Cross-agency cooperation between the Ministry of Communication and Information, the National Police, and the Ministry of Health should be strengthened to ensure integrated monitoring and prosecution of online health-related hoaxes.
4. Public education campaigns should be developed to increase awareness of the legal and health risks associated with spreading false medical information online.

Overall, the study concludes that both internal legal weaknesses and external operational limitations hinder the effective criminal prosecution of hoax dissemination related to drugs, supplements, and herbal remedies for influenza A (H3N2). Strengthening regulatory frameworks, institutional capacity, and digital literacy is essential to improving legal certainty, public trust, and protection against misinformation in Indonesia's digital era.

## CONCLUSION

The findings of this research indicate that the legal framework governing the dissemination of false information (hoaxes) related to drugs, supplements, and herbal products for Influenza A (H3N2) on social media remains inadequate and fragmented. Both internal legal deficiencies and external enforcement constraints contribute to the weak implementation of justice and protection for the public. First, from the legal perspective, Indonesia's current statutory framework—particularly the ITE Law and the Criminal Procedure Code (KUHP)—has not been fully adapted to the complexities of digital crime and electronic evidence. The absence of explicit recognition of digital proof within Article 184 KUHP leads to legal uncertainty and procedural inconsistencies in handling hoax-related cases. As a result, many perpetrators escape accountability, weakening public confidence in the law's ability to protect society from harmful misinformation. Second, from the law enforcement perspective, the limited technological literacy and inadequate facilities among police investigators hinder the effective detection, collection, and verification of digital evidence. Investigations are often delayed or terminated due to insufficient tools, lack of expert personnel, or procedural errors in handling electronic data. These institutional limitations reveal the urgent need to strengthen the capacity and infrastructure of cybercrime law enforcement in Indonesia. Third, from the socio-cultural perspective, the spread of hoaxes regarding medical and herbal products is driven by low levels of digital literacy, public indifference, and mistrust toward law enforcement institutions. Many individuals continue to share or believe misleading information without verifying its authenticity, which not only endangers public health but also undermines national efforts to maintain information integrity in the digital environment. In conclusion, combating the spread of hoaxes about drugs, supplements, and herbal products for Influenza A (H3N2) requires a comprehensive, multi-sectoral approach. Strengthening the legal foundation, institutional readiness, and societal awareness will not only enhance legal certainty and public trust, but also safeguard the integrity of information and the health of the Indonesian people in the digital era.

## REFERENCES

- (1)Arief, B. N. (2010). *Bunga Rampai Kebijakan Hukum Pidana: Perkembangan Penyusunan Konsep KUHP Baru*. Kencana Prenada Media Group.
- (2)Departemen Komunikasi dan Informatika Republik Indonesia. (2019). *Pedoman Penanganan Konten Hoaks dan Disinformasi di Media Sosial*. Jakarta: Kominform.
- (3)Lamintang, P. A. F. (1997). *Dasar-Dasar Hukum Pidana Indonesia*. Citra Aditya Bakti.
- (4)Mahfud, M. D. (2011). *Politik Hukum di Indonesia*. Rajawali Press.
- (5)Nawawi Arief, B. (2012). *Masalah Penegakan Hukum dan Kebijakan Hukum Pidana dalam Penanggulangan Kejahatan*.Kencana Prenada Media Group.
- (6)Republik Indonesia. (2008). *Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik (ITE Law)*. Lembaran Negara Republik Indonesia Tahun 2008 Nomor 58.

- (7) Republik Indonesia. (2016). *Undang-Undang Nomor 19 Tahun 2016 tentang Perubahan atas Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik*. Lembaran Negara Republik Indonesia Tahun 2016 Nomor 251.
- (8) Republik Indonesia. (1981). *Kitab Undang-Undang Hukum Acara Pidana (KUHAP)*. Lembaran Negara Republik Indonesia Tahun 1981 Nomor 76.
- (9) Soekanto, S. (1983). *Faktor-Faktor yang Mempengaruhi Penegakan Hukum*. Rajawali Press.
- (10) Sudarto. (1986). *Hukum dan Hukum Pidana*. Alumni.
- (11) Syahrani, R. (1999). *Rangkuman Intisari Ilmu Hukum*. Citra Aditya Bakti.
- (12) United Nations Office on Drugs and Crime (UNODC). (2019). *Cybercrime and Digital Evidence: Emerging Challenges in Law Enforcement*. Vienna: United Nations Publication.
- (13) World Health Organization (WHO). (2023). *Influenza A (H3N2) – Global Situation Update*. Retrieved from <https://www.who.int>
- (14) Yuliandri. (2013). *Asas-Asas Pembentukan Peraturan Perundang-Undangan yang Baik: Gagasan Pembentukan Undang-Undang Berkelanjutan*. Rajawali Press.
- (15) Widya, H., & Alam, H. (2025). A Critical Study Of Contractor Liability in The Perspective of Maqashid Sharia And Islamic Contract Law. *International Journal of Economic, Technology and Social Sciences (Injects)*, 6(1), 37-44.
- (16) Widya H et al (2025) A Cyber Security And Protection Of Privacy Rights In E-Commerce Transactions. *INFOKUM*, 13(02), 481-495.