

COMPETITION, ANTITRUST, CONSUMER & TRADE

Constitutional Court Makes Colour-and-Symbol Labelling Mandatory for Sugar, Salt, and Fat



Key Takeaways

Colour-and-symbol labelling is no longer only a voluntary scheme for beverages. Businesses with packaged food or beverage products containing sugar, salt, or fat should treat the obligation as established in principle, while the technical requirements remain open.

Approximate reading time: 4 minutes

In our [May 2026 client update](#), we discussed Minister of Health Decree No. HK.01.07/MENKES/301/2026 ("**Decree 301/2026**"), which introduced a nutrition-level labelling system primarily for ready-to-serve processed beverages. At that stage, the system was voluntary.

On 29 September 2026, the Constitutional Court ("**Court**") issued Decision No. 110/PUU-XXIV/2026 ("**Decision**"), which requires business actors to put colour-and-symbol labels on packaged foods and beverages containing sugar, salt, and fat. The Decision applies to packaged foods and beverages generally, and it is binding from the date of pronouncement. The format, thresholds, and timing of implementation have not yet been regulated.

Background

Decree 301/2026 allowed businesses to adopt the Nutri-Level format voluntarily. As we understand it, mandatory application was to follow two years after the government sets maximum sugar, salt, and fat thresholds. As of this update, based on publicly available information, the implementing regulations have not yet been issued.

What the Court Decided

The Court partially granted a petition filed by two individuals challenging provisions of Law No. 8 of 1999 on Consumer Protection and Law No. 17 of 2023 on Health. The petitioners reportedly raised only the sugar content of sweetened products. The Court expanded the obligation to include salt and fat.

The Court gave a conditional interpretation of two provisions:

- Article 7(b) of Law No. 8 of 1999: the business actor's obligation to give correct, clear, honest and adequate information includes colour-and-symbol labels on packaged foods and beverages containing sugar, salt, and fat.
- Article 148 of Law No. 17 of 2023: the Central Government and Regional Governments are responsible for regulating and supervising food and beverage production, processing, and distribution, including requiring business actors to affix these labels.

The Court tied its reasoning to the right to health, reasoning that consumers need information on sugar, salt, and fat to make informed choices and reduce the risk of non-communicable diseases associated with excessive consumption, such as obesity, hypertension, cardiovascular disease, stroke, and type 2 diabetes.

Details Still to Be Determined

The Decision does not appear to set the label format, nutrient thresholds, or a transition period. For business actors, there are several questions that arise:

- Whether the colour-and-symbol system will be the Nutri-Level format as specified under Decree 301/2026 or a new instrument.
- Whether the obligation or requirement applies to products containing any sugar, salt, or fat, or only to those above specified levels. Almost every packaged product contains at least one.
- Whether sanctions are available now, under the Consumer Protection Law, or only once implementing rules exist.
- Whether imported products and small producers are treated differently.

We have not seen official guidance on these points.

What Businesses Should Consider

- Identify which packaged products, on the market and in development, contain sugar, salt, or fat, and group them by category.
- Review existing and planned label designs against the colour-and-symbol requirement. Hold off on redesign until the format is known.
- Monitor implementing rules and guidance from the Ministry of Health, the National Agency of Food and Drug Control (*Badan Pengawas Obat dan Makanan* or BPOM) and other competent authorities.

If you have any queries on the above, please reach out to our team set out on this page.

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