



Criminal Liability of the Organiser of the Free Nutritious Meals Programme From the Perspective of Criminal Law and Consumer Protection

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Abstract: The Free Nutritious Meals Programme is a high-risk public food service that requires strict safety and supervision standards, thus necessitating the establishment of a coherent criminal accountability framework. This study employs a normative legal method with a statutory, conceptual, and case approach to examine the relationship between the criminal law regime, consumer protection, and food policy in the implementation of the programme. The results show that beneficiaries fall into the category of functional consumers who are entitled to food safety and service quality. Criminal liability cannot be limited to individual perpetrators but must be built through a layered accountability model involving the central government as the standard setter, local governments as operational implementers, and contractors and vendors as food producers and distributors. The risks of poisoning, adulteration, and supervisory failure underscore the relevance of strict product liability for producers and oversight liability for public officials. This study concludes that an integrative model combining criminal law, consumer protection, and due diligence parameters is the most effective framework for ensuring food safety and accountability in the implementation of the Free Nutritious Meals Programme.

Keywords: Accountability of organisers, Consumer protection, Criminal liability, Food safety, Strict liability

1. Introduction

The Free Nutritious Meals Programme, launched as a national priority, reflects a major shift in Indonesia's strategy for improving nutritional fulfilment. Beyond its public health mission, the programme constitutes a large-scale public service involving the daily production and distribution of ready-to-eat meals across socio-economically diverse regions (Harper et al., 2023). As a form of mass food provision, it carries inherent legal risks because food must consistently meet standards of safety, nutrition, sanitation, and governance accountability (Sekartaji et al., 2020). Under Indonesian law, mass food production is categorised as a high-risk activity that requires strict legal safeguards (Colozza et al., 2025). Non-compliance with the Food Law and BPOM regulations may result in serious consequences, including poisoning and fatalities, as seen in food safety incidents across developing countries (Keba et al., 2020; Salamandane et al., 2023). The programme's long supply chain spanning government, vendors, caterers, and schools also creates risks of declining food quality, adulteration, procurement irregularities, and moral hazard (Liguori et al., 2022). Consequently, programme implementation is not purely administrative; criminal liability may arise when negligence or violations harm the public (Effendy et al., 2020).

Normatively, the Programme operationalises the State's positive obligations to fulfil the right to adequate food as an integral component of the right to health. Once the State chooses to deliver food directly at scale, it assumes heightened duties of protection and due diligence to prevent foreseeable harm arising from unsafe, adulterated, or improperly handled meals. In this setting, criminal accountability is not merely punitive; it functions as an enforcement mechanism to secure compliance with non-negotiable safety standards and to prevent accountability gaps across complex chains of delegation. Ac-

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Received: Dec 01, 2025;

Revised: Dec 27, 2025;

Accepted: Jan 09, 2026;

Published: Feb 28, 2026;



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cordingly, the fulfilment of the right to food justifies an expanded criminal accountability regime that can reach not only direct perpetrators, but also organisational and supervisory actors whose omissions or systemic failures create or tolerate preventable risks.

In this non-transactional public feeding setting, Indonesia's legal basis for criminal liability in public food provision is fragmented across general criminal law, consumer protection law, food law, and administrative law (Salamandane et al., 2023). This dispersion often causes ambiguity in determining which actors public officials, vendors, or intermediaries bear responsibility when violations occur (Liguori et al., 2022). Consumer protection law offers a relevant normative framework, but debates persist on whether beneficiaries of public programmes qualify as consumers in a legal sense. This raises questions about the applicability of consumer protection principles within government social services. Modern criminal liability theories further complicate the issue. Strict liability has long been recommended in food safety enforcement to ensure compliance with technical standards (Chun & Kim, 2021). Corporate criminal liability is equally relevant, as many vendors and caterers participating in the programme are legal entities producing and distributing food (Bahalou Horeh et al., 2023; Smith & McElwee, 2021). Vicarious liability also arises when harm results from the negligence or unlawful acts of third parties engaged by organisers. These complexities demonstrate that liability cannot be analysed through a single legal regime; an integrative, multi-sectoral approach is required.

The academic urgency of an integrated analysis lies in the doctrinal discontinuity created by non-transactional food assistance. Because beneficiaries do not pay and no conventional consumer contract exists, accountability cannot be derived automatically from transactional consumer paradigms; yet the Programme still delivers "goods" and "services" with direct health consequences. This produces a regulatory blind spot: food law supplies technical safety standards, consumer protection provides rights-based remedies and strict product liability logic, and criminal law structures culpability and deterrence yet each regime, if applied in isolation, leaves gaps in attribution, evidentiary thresholds, and actor coverage. An integrated framework is therefore necessary to (i) justify beneficiaries' protection as functional consumers, (ii) align preventive food-safety standards with enforceable duties of care, and (iii) construct a layered model of responsibility across the State, local implementers, and corporate vendors.

Despite the growing importance of this issue, academic literature on criminal liability in mass food assistance programmes remains limited. Most Indonesian research on food safety focuses on commercial industries (Barbureau & Bodó, 2023). Studies on public officials tend to analyse abuse of authority rather than negligence in service delivery (Fitria Dewi Navisa, 2025; Hirota, 2025; Miru et al., 2023). Consumer protection studies rarely address non-transactional public services. This creates a significant research gap, as no study has yet integrated criminal law, consumer protection law, and governance of mass food programmes within Indonesia's policy context. Without such integration, enforcement tends to be reactive and actor-specific, while systemic governance failures remain legally under-attributed.

International experience underscores the urgency of developing such a framework. India's Mid-Day Meal Scheme caused mass poisoning in Bihar, killing dozens of students and prompting debates on the liability of teachers, principals, and suppliers (Raveenthiranathan et al., 2024). In Brazil, audits revealed food irregularities and procurement misconduct in the National School Feeding Programme (Rocha et al., 2018). In the United States, recurring foodborne illness risks in school lunch programmes have led to stronger safety protocols and criminal sanctions for severe violations (Daniels et al., 2002). These examples show that government-run feeding programmes are highly vulnerable to safety failures, fraud, and administrative negligence each with significant legal consequences.

Theoretically, examining criminal liability in this programme is crucial for two reasons. First, it concerns how criminal law should respond to risks arising from complex public services involving multiple implementers. Second, it concerns how the law should protect beneficiaries who are passive, vulnerable, and reliant on the state for food safety.

This raises fundamental research questions: (1) How is criminal liability for the programme constructed under Indonesian law? (2) What is the legal status of beneficiaries within consumer protection doctrine? (3) What integrative model of criminal liability is most appropriate for large-scale public food programmes?

2. Materials and Methods

This article applies normative (doctrinal) legal research to examine criminal accountability in Indonesia's Free Nutritious Meals Programme by integrating criminal law, food law, and consumer protection law. In normative legal research, "data" are understood as legal materials analysed through normative argumentation and interpretive reasoning rather than empirical field observation (Taekema, 2018). The overall design follows established doctrinal research practice in law, emphasising rule identification, interpretation, and systematic synthesis (Hutchinson & Duncan, 2012).

2.1 *Legal materials (data) used*

This study uses three types of legal materials. Primary legal materials include Indonesian statutes and regulations governing (i) food safety obligations, (ii) consumer protection, (iii) criminal liability, and (iv) administrative duties: Law No. 18/2012 on Food, Law No. 8/1999 on Consumer Protection, Law No. 30/2014 on Government Administration, relevant provisions of the Indonesian Criminal Code (KUHP), and BPOM regulations/standards on food safety. Where necessary to ground the State's duty to ensure safe food provision as part of rights-based public service obligations, Article 28H of the 1945 Constitution is used as a normative anchor. Primary materials also include relevant court decisions (where accessible and sufficiently reasoned) concerning food safety incidents and liability allocation, supporting the case approach (McConville & Chui, 2024).

Secondary legal materials comprise peer-reviewed journal articles, authoritative books, and recent policy studies (primarily within the last five years) addressing strict liability, corporate criminal liability, vicarious liability, culpa, food safety governance, and beneficiary protection in non-transactional public services (Watkins & Burton, 2026). Tertiary legal materials include legal dictionaries, encyclopaedias, and indexing tools to maintain terminological consistency (McConville & Chui, 2024).

2.2 *Data collection*

Legal materials were collected through documentary (library-based) research. Statutes and regulations were retrieved from official state repositories and consolidated legal databases. Secondary materials were gathered via targeted academic database searches using keywords such as *food safety liability*, *strict liability*, *corporate criminal liability*, *consumer protection*, and *non-transactional public services*. For the case approach, judicial decisions were identified through legal databases and citation tracking to capture judicial reasoning in food safety harm and organisational/supervisory accountability (McConville & Chui, 2024). For the comparative approach, selected foreign materials and FAO/WHO references were collected to support conceptual clarification and to benchmark preventive food safety governance in public feeding settings (FAO, 2003; WHO, 2020).

2.3 *Data processing*

Collected materials were processed through: (i) relevance screening to retain sources directly linked to programme risks and accountability; (ii) classification into analytical clusters (criminal law doctrines; food law/BPOM standards; consumer protection; administrative duties); and (iii) systematisation to map overlaps and potential normative gaps among regimes (Hutchinson & Duncan, 2012; McConville & Chui, 2024).

2.4 Steps of analysis

Analysis proceeded in four steps: (1) norm mapping to connect actors, duties, and liability bases across the three regimes; (2) doctrinal interpretation to clarify duty-holders, beneficiary status, and conditions of criminal responsibility; (3) scenario testing by applying the mapped norms to typical risk pathways in mass meal provision (sanitation failure, spoilage, adulteration, distribution negligence, supervisory failure); and (4) synthesis to formulate an integrative criminal accountability model suitable for multi-actor, non-transactional public feeding programmes (Taekema, 2018; Watkins & Burton, 2026).

3. Results and Discussion

3.1 Analytical Orientation and Roadmap

This section reports the results of the normative analysis and discusses their implications by systematically integrating criminal law, food law, consumer protection law, and administrative law. The analysis employs (i) systematic interpretation to map inter-regime relationships among statutes and implementing regulations; (ii) historical interpretation to situate the evolution of food safety and consumer protection duties; and (iii) teleological interpretation to assess how these norms should operate to protect public safety within a mass, state-run food service.

The discussion proceeds as follows: Section 3.1 constructs the criminal liability architecture applicable to the programme; Section 3.2 analyses the legal status of beneficiaries and the relevance of consumer protection doctrine; Section 3.3 identifies governance-based risk points that generate criminal exposure; and Section 3.4 synthesises the findings into an integrative, layered accountability model suitable for a large-scale, non-transactional public feeding programme.

Main consolidated findings. Based on the systematisation of primary legal materials (Food Law, Consumer Protection Law, Government Administration Law, KUHP, and BPOM standards) and supporting secondary materials, this study establishes three consolidated findings: (1) criminal accountability is primarily constructed through a *lex specialis* food-criminal framework complemented by culpa-based attribution and administrative-duty gateways; (2) programme beneficiaries are best positioned as functional consumers, enabling consumer-level protections despite the absence of payment; and (3) the most workable framework is a layered model allocating responsibility across the State (standard-setting and oversight), local implementers (operational supervision), and vendors (product/service control), thereby preventing accountability gaps in multi-actor feeding chains.

3.2 Criminal Liability in the Implementation of the Free Nutritious Meals Programme

The Free Nutritious Meals Programme constitutes a nationwide public service involving recurring, mass production and distribution of ready-to-eat meals. As a form of mass food provision, it falls within a high-risk category because failures in procurement, preparation, storage, or distribution may foreseeably endanger health and safety (FAO, 2003). This risk profile carries direct consequences for criminal accountability, particularly where food safety breaches produce objectively dangerous conditions or actual harm.

From the perspective of legality, criminal responsibility must be grounded in explicit legal norms. However, the programme is not governed solely by the Criminal Code. It is regulated through a *lex specialis* framework under Law No. 18/2012 on Food and BPOM implementing standards governing hygiene, sanitation, microbiological thresholds, and preventive controls. These technical standards define the content of legal duties in food handling and therefore shape the scope of criminally relevant obligations in ready-to-eat meal provision (Bilska et al., 2016; Roccato et al., 2017). As a result, the legality principle is operationalised through *lex specialis derogat legi generali*, positioning food law and BPOM standards as the primary baseline for assessing criminal exposure in this setting.

Criminal exposure also intersects with administrative duties. Law No. 30/2014 on Government Administration structures duties of care and supervision in public service delivery, including the obligation to prevent foreseeable risks arising from delegated implementation. Administrative breaches may remain administrative in form, but when negligent governance produces endangerment or harm, the same factual matrix may support criminal assessment (GRIGORYAN, 2020; Ridwan, 2021). This creates a multi-regime liability configuration: criminal assessment is informed not only by acts causing harm, but also by legally relevant omissions where duty-holders fail to supervise, inspect, or enforce compliance.

Within this configuration, criminally relevant conduct may be grouped into four clusters. First, food safety offences arise where meals contain hazardous substances or fail to meet safety standards and thereby endanger public health. In mass feeding systems, “endangering health” should be understood through objective endangerment, given the foreseeability and scale of harm (Allahverdiyev & Othman, 2022) (Second, negligence (*culpa*) becomes central, as programme integrity depends on routine inspection, sanitation oversight, and supplier verification; negligence attaches where actors fail to meet legally expected standards of care, especially for vulnerable beneficiaries (Tibola et al., 2018). Third, adulteration-related offences attach where supply-chain actors intentionally or recklessly substitute or compromise ingredients, quality, or safety. Fourth, administrative violations such as procurement irregularities or defective supervision may trigger criminal assessment when they generate foreseeable harm pathways (Arewa et al., 2018).

Because the programme operates through layered state functions and outsourced providers, responsibility should not be confined to individual direct perpetrators. Liability may attach through (i) personal fault liability for officials who breach supervisory duties; (ii) institutional liability where systemic failures (e.g., defective SOPs and compliance architecture) create or tolerate preventable risks (Zhang & Zhu, 2022); and (iii) vicarious liability where subordinate or contractor conduct is attributable within a chain of control. Corporate criminal liability is equally relevant because vendors and caterers exercise direct operational control over production, storage, packaging, and distribution. In food governance, strict liability is frequently used to reinforce compliance with technical standards, making it doctrinally relevant for outsourced, high-volume ready-to-eat provision.

Key finding (3.1). Criminal liability in the programme is best constructed through a *lex specialis* food-law baseline complemented by administrative-duty gateways and plural attribution modes (fault-based, vicarious, and corporate/strict liability), reflecting the programme’s high-risk and multi-actor supply chain.

Comparison with prior research (3.1). While food safety liability scholarship largely concentrates on commercial industries and studies on public officials often focus on abuse of authority, this analysis extends the frame to state-organised mass feeding where supervision, institutional design, and systemic omissions are determinative for criminal accountability.

3.3 Consumer Protection Perspective

Consumer protection doctrine is strategically relevant because the programme supplies goods and services directly consumed by beneficiaries and involves a multi-actor delivery chain in which product/service defects can produce immediate health consequences. Even in non-transactional settings, consumer protection analysis can clarify the legal position of beneficiaries and strengthen enforceable duty standards for organisers and contracted providers.

Beneficiary status (functional consumer doctrine). The Consumer Protection Law defines consumers broadly as users of goods and services for themselves or others. This definition does not inherently require payment or a conventional consumer contract. Consequently, beneficiaries can be classified as functional consumers, meaning that consumer status is grounded in utilisation rather than transaction (Chawla & Kumar,

2022). Under this doctrine, beneficiaries are entitled to consumer-level protection against defective goods and unsafe services even though they do not pay for meals. Comparative experiences in school feeding litigation and policy responses to mass poisoning incidents similarly support the recognition of recipients as protected consumers in practice (Bandoni et al., 2024; Berry et al., 2021).

Obligations of organisers and providers. Organisers' obligations derive from multiple normative layers. Constitutionally, the State bears responsibility for health-related welfare and adequate food provision (Article 28H of the 1945 Constitution). Statutorily, organisers and providers must ensure that food is safe, hygienic, and fit for consumption. The Food Law and BPOM standards supply technical parameters (hygiene, microbiological limits, sanitation controls, and nutrition), while administrative law structures the duty of care and the supervision of delegated implementation (Landauer et al., 2023; Pomeranz et al., 2019). Consumer protection norms strengthen these obligations by framing them as enforceable protections for users, not merely policy goals.

Product liability and service liability. Liability operates along two connected dimensions. Product liability attaches to vendors/manufacturers and supply-chain actors for defective food products. Strict product liability is particularly relevant because it reduces the evidentiary burden for vulnerable beneficiaries and focuses on product defect and harm risk rather than proving negligence (Bahalou Horeh et al., 2023). Service liability concerns public officials and implementing agencies responsible for procurement, storage, distribution, inspection, and supervision; failures in these functions may generate administrative liability and escalate into criminal exposure where the breach produces endangerment or harm (Arewa et al., 2018).

Causation and proof. Causation in mass feeding cannot be treated as a simplistic linear chain, because temperature control, sanitation, handling, and distribution conditions materially affect outcomes. The adequate causation and foreseeability approach supports responsibility attribution where harm is a reasonably foreseeable consequence of the breach (Williams, 1961). Preventive governance logic endorsed by global food safety guidance reinforces that responsibility extends beyond responding to harm and includes preventing foreseeable risk pathways (WHO, 2020).

Key finding (3.2). Beneficiaries are best positioned as functional consumers, enabling consumer protection principles especially strict product liability and service-based duty of care to complement food law standards and strengthen accountability for organisers and vendors in a non-transactional public programme.

Comparison with prior research (3.2). Consumer protection scholarship commonly centres on transactional markets; by extending consumer doctrine to non-transactional public feeding, this study clarifies beneficiary protection and aligns constitutional duties with enforceable liability logic.

3.4 Criminal Risks and Weaknesses in Programme Governance

Given the programme's scale and frequency, governance weaknesses are decisive in creating criminal exposure. The principal risk points arise across planning, procurement, preparation, storage, transport, distribution, and supervision. Identifying these vulnerabilities is necessary to allocate liability across actors and stages and to justify when criminal accountability is appropriate.

Poisoning, spoilage, and sanitation failures. Food poisoning is the most acute risk in mass meal programmes because large-volume cooking and rapid distribution amplify vulnerability to contamination. Unsafe temperatures, cross-contamination, inadequate sanitation, and poor personal hygiene are recurring causal factors in foodborne outbreaks (WHO, 2020). Ready-to-eat foods are highly susceptible to spoilage where cold-chain or time-temperature controls are weak; spoilage reduces nutritional value and increases bacterial risk (Haughey et al., 2021). Preventive standards require hygienic kitchens, trained staff, clean equipment, and controlled sanitation (FAO, 2003). When such foreseeable risks are not managed due to weak oversight or cost pressures, they constitute legally relevant negligence pathways.

Fraud, adulteration, and logistical irregularities. Governance risks also arise from economic and administrative incentives. Fraud may include fictitious procurement, manipulation of ingredient quality, or price inflation. Evidence from school feeding programmes in Brazil highlights procurement misconduct and corruption risks under weak oversight (Rocha et al., 2018). Adulteration includes substitution with cheaper ingredients, unsafe additives, reuse of oil, or expired materials conduct that may constitute endangerment under food law and relevant criminal provisions. Logistical failures (delayed distribution, unhygienic transport, improper storage) further increase contamination and spoilage risks and may therefore become the factual basis for criminal assessment where duties are breached.

Systemic governance failure. Effective governance requires clear SOPs, auditability, continuous monitoring, and routine risk assessment. Weaknesses commonly include absence of SOPs, low compliance capacity, insufficient training, ineffective internal supervision, and limited health inspections (di Martino, 2024). These are not merely operational imperfections; in mass feeding systems they operate as systemic negligence pathways, supporting institutional accountability where organisational design tolerates preventable risks.

Key finding (3.3). The programme's dominant criminal exposure arises not only from isolated misconduct but from governance design failures SOP gaps, weak supervision, and supply-chain vulnerabilities making systemic negligence and institutional accountability central to a workable framework.

Comparison with prior research (3.3). Whereas many studies emphasise either technical hazards (food science) or intentional public-sector wrongdoing (abuse of authority), this analysis foregrounds governance mechanics as legally relevant risk points that operationalise negligence and corporate responsibility in a public feeding context.

3.5 Integrative Model of Criminal Liability

In a nationwide, multi-actor programme, stand-alone reliance on criminal law or consumer protection is insufficient. A coherent accountability architecture must integrate criminal law, consumer protection law, food law, and administrative law to prevent regulatory blind spots and ensure layered responsibility across actors and stages.

Harmonisation across regimes. Criminal law functions as *ultima ratio* for serious harm, but it is constrained by fault requirements and high evidentiary thresholds. Consumer protection provides preventive, rights-based remedies and strict liability logic for defective goods and unsafe services (Wibisana, 2019). Food law and BPOM standards supply *lex specialis* technical obligations, while administrative law structures duties of care and oversight (Pomeranz et al., 2019). Harmonisation is necessary because these regimes diverge in fault thresholds, evidentiary standards, and liability forms; an integrated approach prevents accountability gaps where each regime alone would be incomplete.

Due diligence parameters and enforceable benchmarks. Due diligence operationalises the duty to prevent foreseeable risks and can function as an enforceable benchmark for attributing responsibility. The model specifies four parameters: (1) production due diligence (hygiene, sanitation, raw material quality, processing controls, HACCP alignment); (2) logistical due diligence (temperature control, hygienic transport, timeliness, contamination prevention); (3) oversight due diligence (audits, spot checks, enforcement of SOPs by implementing authorities); and (4) documentation and traceability (records of inputs, processing, distribution, and compliance checks). These parameters align with preventive, risk-based governance used in modern food safety regimes such as the FSMA framework (Shinbaum et al., 2016) and international preventive approaches (FAO, 2003).

Layered accountability allocation. The proposed architecture allocates responsibility across four levels: (1) central government as standard setter and audit-framework designer; (2) local implementing authorities as operational supervisors with potential vicarious exposure for delegated implementation failures; (3) vendors/caterers with direct product liability and corporate criminal exposure for defective meals and systemic

safety breaches; and (4) sub-suppliers/distributors for supply-chain storage and logistics failures. This allocation is consistent with comparative accountability patterns in school meal governance, where responsibility is distributed across risk points rather than concentrated at a single node (DANIELS et al., 2002; Rosário et al., 2023; Sirkka et al., 2022).

Key finding (3.4). The most workable framework is an integrative, layered accountability model that harmonises criminal, consumer, food, and administrative regimes through due diligence parameters and assigns responsibility across policy, operational, product, and supply-chain levels.

Comparison with prior research (3.4). Prior approaches often treat criminal law, food regulation, and consumer protection as stand-alone domains. This study consolidates them into a unified, prevention-oriented accountability architecture designed for non-transactional mass feeding, aligning strict product liability, oversight duties, and *lex specialis* technical standards within one enforceable model.

This study yields three integrated answers. For RQ1, criminal liability in the Free Nutritious Meals Programme is constructed through a *lex specialis* food-criminal baseline (Food Law and BPOM standards) complemented by culpa-based attribution and administrative-duty gateways under government administration norms, reflecting the programme's high-risk, multi-actor structure. For RQ2, beneficiaries are most appropriately positioned as functional consumers, because utilisation of goods/services rather than payment activates consumer-level protections; this enables product and service liability reasoning to operate alongside constitutional and food safety obligations. For RQ3, the most workable framework is an integrative, layered accountability model that harmonises criminal law, consumer protection law, food law, and administrative law through enforceable due diligence parameters, allocating responsibility across policy-level standard setting, operational supervision, and vendor-controlled production and distribution. Collectively, these findings prevent accountability gaps by linking preventive food-safety standards with clear duty-holders and liability pathways in a non-transactional mass feeding programme.

4. Conclusions

This article concludes that criminal accountability in Indonesia's Free Nutritious Meals Programme cannot be coherently assessed within a single legal regime. The programme constitutes a high-risk, non-transactional public food service with a multi-actor supply chain, requiring an integrated framework that aligns criminal law doctrines (fault-based liability, strict liability, corporate and vicarious liability), food-law standards (including BPOM preventive controls), consumer protection principles (including functional consumer protection), and administrative duties of care and supervision. On this basis, the study proposes a layered accountability structure that allocates responsibility according to role and control: the central government as standard setter, local governments as operational supervisors and implementers, and vendors/contractors as producers and distributors. Due diligence parameters function as uniform benchmarks for determining preventability, foreseeability, and the attribution of responsibility across the chain, thereby reducing accountability gaps and strengthening prevention.

Normative implications of establishing the State as standard setter and supervisor. Positioning the State particularly the central government as a standard setter and supervisor produces two principal normative implications for criminal accountability. First, it clarifies that accountability is not confined to downstream actors; it can also attach to upstream governance failures when mandated standards, supervisory architecture, or enforcement design are structurally deficient and foreseeably enable harm. Standard setting is therefore not a merely policy or managerial function, but a norm-generating duty that defines the content of due diligence and determines which omissions become legally blameworthy. Second, the supervisory role operationalises the State's duty of care in delegated public service delivery. Where implementation is outsourced, criminal accountability remains normatively justified when supervisory omissions allow preventable and foreseeable risks to materialise. This approach preserves legality and propor-

tionality by anchoring attribution in defined duties and control-based responsibility, while preventing responsibility from being displaced entirely onto vendors in a public, non-transactional scheme.

Further empirical research agenda. Because this article is normative, further research is necessary to empirically test whether the proposed criminal liability model improves compliance and reduces harm. Four empirical directions are recommended. (1) Compliance–outcome evaluation: test whether adoption of due diligence indicators (hygiene and sanitation compliance, temperature control, documentation, traceability, audit completion) correlates with reduced poisoning/spoilage incidents and fewer safety complaints, using district- or school-level monitoring data. (2) Enforcement pathway mapping: analyse inspection records, administrative sanctions, complaint handling, and prosecution patterns to assess whether the layered model reduces accountability gaps especially whether supervisory and corporate actors are assessed consistently where failures are systemic rather than individual. (3) Institutional capacity and deterrence assessment: examine whether audit frequency, training intensity, procurement transparency, and vendor screening predict compliance and incident reduction, and whether credible sanction risk alters vendor and implementer behaviour. (4) Process tracing of incident cases: conduct structured case studies of food safety incidents to identify failure points (standard setting, procurement, production, distribution, supervision) and to evaluate whether the proposed attribution model would enable earlier intervention and clearer responsibility allocation. These empirical agendas would support calibration of proportionality and operational feasibility, including clearer thresholds for escalating administrative breaches into criminal accountability within mass public feeding systems.

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