

REQUIREMENTS AND PROCEDURES FOR THE REGISTRATION OF ANIMAL FEEDS

(Regulation of the Minister of Agriculture No. 19/Permentan/OT.140/4/2009, April 8, 2009)

WITH THE BLESSING OF THE ONE AND ONLY GOD,
THE MINISTER OF AGRICULTURE,

Considering:

- a. that with the issuance of Decree of the Minister of Agriculture No. 242/Kpts/OT.210/1/2003, the registration and labeling of animal feeds has been stipulated;
- b. that due to organization changes within the Department of Agriculture and with the stipulation of Government Regulation No. 38 Year 2007 concerning Division of Government Affairs between the Government, Provincial Regional Governments, and Regency/City Governments, in its development, Decree of the Minister of Agriculture No. 242/Kpts/OT.210/4/2003 concerning the registration and labeling of animal feeds is not suitable any more;
- c. that based on the considerations referred to in letter a and letter b, it is necessary to regulate requirements and procedure for the registration of animal feeds with a regulation of the Agriculture Minister;

In view of :

1. Law No. 6 Year 1967 concerning Main Provisions of Husbandry and Health of Animals (Statute Book of the Republic of Indonesia Year 1967 No. 10, Supplement to Statute Book of the Republic of Indonesia No. 2824);
2. Law No. 32 Year 2004 (*BN No. 7183 pages 1A-11A and so on*) concerning the Regional Government (Statute Book of the Republic of Indonesia Year 2004 No. 125, Supplement to Statute Book of the Republic of Indonesia No. 4473);
3. Law No. 8 Year 1999 (*BN No. 6321 pages 1A-7A and so on*) concerning Consumer Protection (Statute Book of the Republic of Indonesia Year 1999 No. 42, Supplement to Statute Book of the Republic of Indonesia No. 3821);
4. Government Regulation No. 38 Year 2007 concerning Authority of the Government and of the Provinces as Autonomous Regions (Statute Book of the Republic of Indonesia Year 2007 No. 82, Supplement to Statute Book of the Republic of Indonesia No. 4737);
5. Government Regulation No. 102 Year 2000 (*BN No. 6554 pages 1A-7A and so on*) concerning Indonesia National Standardization (Statute Book of the Republic of Indonesia Year 2000 No. 199, Supplement to Statute Book of the Republic of Indonesia No. 4020);
6. Presidential Decree No. 187/M Year 2004 (*BN No. 7128 pages 30A-31A*) concerning Formation of Indonesia United Cabinet;
7. Presidential Regulation No. 9 Year 2005 (*BN No. 7182 pages 2A-23A*) concerning Organization Units and Work Procedure of State Ministries of the Republic of Indonesia, in conjunction with Presidential Regulation No. 62 Year 2005;
8. Presidential Regulation No. 10 Year 2005 concerning Organization Units and Mission of Echelon - I of State Ministries of the Republic of Indonesia;
9. Decree of the Minister of Agriculture No. 471/Kpts/TN.530/7/2002 concerning Prohibitions on the Use of Meat flour, Bone flour, Blood flour, Meat and Bone flour (TDT) and other substances from Ruminants as animal feeds for Ruminant livestock;

10. Regulation of the Minister of Agriculture No. 299/Kpts/OT.210/7/2005 concerning Organization and Work Procedure of the Department of Agriculture, in conjunction with Agriculture Minister Regulation No. 11/Permentan/OT.140/2/2007 and Agriculture Minister Regulation No. 26/Permentan/OT.140/4/2008;
11. Regulation of the Minister of Agriculture No. 311/Kpts/OT.140/9/2005 concerning Organization Accessories and Work Procedure of the Department of Agriculture, in conjunction with Agriculture Minister Regulation No. 12/Permentan/OT.140/2/ 2007;
12. Agriculture Minister Regulation No. 50/Permentan/OT.140/9/2006 concerning Implementation of Standardization within the Department of Agriculture;
13. Regulation of the Minister of Agriculture No. 65/Permentan/OT.140/9/2007 concerning Guidelines on Food Quality Control.

DECIDES :

To stipulate :

THE REGULATION OF THE MINISTER OF AGRICULTURE
CONCERNING REQUIREMENTS AND PROCEDURES FOR THE
REGISTRATION OF ANIMAL FEEDS.

CHAPTER I

GENERAL PROVISIONS

Article 1

In this regulation what is meant by:

1. Food Registration is an activity to get a Food Registration Number, so that produced foods can be circulated.
2. Food Quality Certificate is a guarantee in writing issued by the Testing Agency on Food Quality or by an accredited laboratory stating that the animal feeds meet the required standard.
3. Food Label is any information on animal feeds in the form of picture, writing, combination of both, or other forms attached to, inserted or constitute a part of animal feed container.
4. Animal feed is a food substance either sole or mixture, either processed or not, given to animals for its live survivability, production, and breeding.
5. Animal feed substances are substances that are products of substances from products of farming, fishery, husbandry or other substances suitable to be used as animal food, either having been processed or not.
6. Concentrate is animal feed rich in protein resources and / or energy resources and may contain animal feed complements and / or animal feed additives.
7. Animal feed complements are substances which by nature are already contained in the animal food, however its amount is necessary to be increased by adding it in the animal food.
8. Animal food additives are animal feed substances not containing nutrients, to be used for certain purposes.
9. Food Quality Testing is an activity and procedure to test animal feed samples to know as of its quality.
10. Food Quality Testing Laboratory is an accredited laboratory to perform testing of animal feed samples in accordance with stipulated requirements.
11. Animal feed production is an activity to mix and process various animal feed substances to become animal food.
12. Animal feed Circulation is an activity for the purpose of circulating animal feed domestically or for export, either for trade purposes or not.
13. Animal feed Sample is a certain amount of animal feed taken from the location of animal feed

producers, distributors, agents, and/or breeders/users for the purpose of quality control of animal feed substance and animal food.

14. Animal feed Formula is a composition of the type and proportion of each animal feed substance used in the production of animal feed by taking into consideration the need on nutrition and content of food substances.
15. Animal feed contaminants are physics, chemical and/or biological substances entering into or arising in animal feed substances and / or animal food, likely to cause a drop of quality and/or disturbing the health of livestock.
16. Animal feed Producers are persons or business entities carrying out business in the field of animal feed production with the purpose to be circulated.
17. Head of the Center is the Head of the Permit and Investment Center.
18. Service is the agency in charge of functions on husbandry and/or animal health in a province and/or regency/ city.

Article 2

This regulation is meant to be used as a legal basis in the performance of registration, testing, and labeling of animal food, with the purpose so that animal foods circulating within the territory of the Republic of Indonesia can be assured as of its safety and can meet the stipulated minimum quality standard or technical requirements of animal food.

Article 3

The scope of this regulation covers requirements for registration, registration procedure, testing costs, nurturing and control, and the imposing of sanctions.

Article 4

Coverage of arrangements in this regulation are: poultry animal food, ruminant animal food, non-ruminant animal food, and various livestock animal food.

Article 5

- (1) Animal feed supply can be made thru domestic production and/or import from overseas.
- (2) Prior to its circulation, the animal feeds referred to in paragraph (1) must possess a Food Registration Number.

Article 6

Any person or business entity carrying out business activities in the production, import, and/or export of animal feeds from the territory of the Republic of Indonesia with the purpose of circulation, must register his/her animal food.

CHAPTER II

REGISTRATION REQUIREMENTS

Article 7

Animal feeds that are produced, imported into, and/or exported from the territory of the Republic of Indonesia must be registered after meeting the minimum quality standard or technical requirements of animal food.

Article 8

- (1) The animal feed registration referred to in Article 7 can be made by any person or business entity by completing the administrative requirements and technical requirements.

(2) Administrative . . .

(2) Administrative requirements referred to in paragraph (1) cover:

- a. Photo copy of Deed of Company Establishment and changes there-to for legal entities;
- b. Photo copy of Import Identification Number / Limited Import Identification Number (for Importers);
- c. Photo copy of Domicile Statement Letter;
- d. Photo copy of Citizen Identification Card;
- e. Photo copy of Trading Business Permit Letter/ Trading Business Registration Proof; and
- f. Photo copy of Taxpayer Basic Number (NPWP);

(3) Technical requirements referred to in paragraph (1) cover:

- a. Trade mark or brand, type and code of animal feeds and its usage; (Form A)
- b. Type of animal feed substances and its percentage in animal feed formula; (Form B)
- c. Composition of animal feed supplements and animal feed additives being used; (Form C)
- d. Material, dimension and volume of container; (Form D)
- e. Statement Letter on animal feed substances used in the compilation of animal feed formula, not contaminated by matters hazardous to the health of human, animal, and the environment;
- f. Enclosing the sample or concept of Food Label; and
- g. Recommendation from the Husbandry Service or Agency in charge of Provincial Husbandry functions.

(4) Besides the technical requirements referred to in paragraph (3), the following requirements must also be met:

- a. For fowl and non-ruminants (pig) animal food, the use of non-protein urea or nitrogen as mixture in the formulation of animal feed is not allowed;

- b. For ruminant livestock animal feed concentrate, the use of animal feed raw substances from ruminant animals such as meat flour and bones (meat bone meal) are not allowed.

CHAPTER III

REGISTRATION PROCEDURE

Part One

Registration Application

Article 9

- (1) In order to get the Food Registration Number meant in Article 5 paragraph (2), producers, importers, or exporters shall submit an application letter to the Minister thru the Head of the Center, attached with the requirements meant in Article 8 paragraph (2), using Model-1 form.
- (2) Within a period of no later than three (3) work days after the completion of checks on the accessories of the administrative requirements meant in Article 8 paragraph (2), Head of the Center shall provide an answer whether to accept, postpone, or reject.

Article 10

- (1) The application meant in Article 9 paragraph (2) shall be accepted if it meets the administrative requirements referred to in Article 8 paragraph (2), and the Head of the Center shall notify it to the applicant in writing using Model-2 form.
- (2) Application shall be postponed as meant in Article 9 paragraph (2) if there are still some shortages of the administrative requirements meant in Article 8 paragraph (2), and the Head of the Center shall notify it to the applicant accompanied with reasons of the postponement in writing, using Model-3 form.

- (3) If within a period of no later than five (5) work days the applicant did not complete the requirements meant in Article 8 paragraph (2), the application will be deemed as being withdrawn.
- (4) The application meant in Article 9 paragraph (2) shall be rejected if the administrative requirements meant in Article 8 paragraph (2) are not correct, and the Head of the Center shall notify it to the applicant accompanied with reasons for the rejection in writing, using Model-4 form.

Article 11

- (1) An application that had been accepted as meant in Article 10 paragraph (1) shall be submitted by the Head of the Center to the Director General of Husbandry for checks on technical requirements as meant in Article 8 paragraph (3) and paragraph (4).
- (2) After receiving the application for the registration referred to in paragraph (1), the Director General of Husbandry shall perform a technical study, and within a period of seven (7) work days at the latest must provide an answer whether it is accepted or rejected.

Article 12

- (1) If the application registration meant in Article 11 paragraph (2) is accepted, the applicant shall be obligated to send a sample of the animal feed to be registered to an accredited Testing Agency.
- (2) If the application meant in Article 11 paragraph (2) is rejected, the Director General of Husbandry shall notify it to the applicant accompanied with reasons for the rejection in writing thru the Head of the Center.

- (3) If within the period meant in Article (11) paragraph (2), the Director General of Husbandry still cannot give an answer in writing on the registration application, then the registration application shall be deemed as accepted and is obligated to send a sample of the animal feeds to be registered to an accredited Testing Agency.
- (4) The sample referred to in paragraph (1) and paragraph (3) shall be taken by the animal feed Quality Controller or a Sample-taking Officer.

Part Two

Testing

Article 13

Food quality testing may be performed by Government or Private Testing Agencies having been accredited with a scope of minimum accreditation for the testing of Proximate, Calcium (Ca), and Phosphorus (P).

Article 14

Application for food quality testing shall be submitted in writing by the applicant to the Testing Agency with copies submitted to the Head of Service.

Article 15

- (1) Within a period of three (3) work days at the latest from receiving a copy of the application for food quality testing as meant in Article 14, the Head of Service should have assigned the animal feed Quality Controller to take a sample of the animal food.
- (2) The animal feed Quality Controller referred to in paragraph (1) within a period of two (2) work days at the

latest from receiving the assignment should have taken the animal feed sample at the place of the applicant in accordance with prevailing provisions.

- (3) The animal feed sample taken by the animal feed Quality Controller referred to in paragraph (2) shall be wrapped and sealed properly, and delivered to the applicant to be sent to the Testing Agency.

Article 16

- (1) In the performance of testing, the Testing Agency referred to in Article 13 shall use the testing method on animal feed quality, set forth in Attachment - 1.
- (2) Valuation on the result of testing shall be based on Food Quality Standard or Minimum Technical Requirements set forth in Attachment - 2
- (3) Food Quality Standard or Minimum Technical Requirements referred to in paragraph (2) may be reviewed and conformed to needs of animal feed industries based on developments of Science and Technology.

Article 17

Animal foods that had met required quality shall be declared as passing the test by the Testing Agency and shall be provided with a Food Quality Certificate as set forth in Attachment - 3 to the applicant with copies to the Director General of Husbandry and Head of Service.

Article 18

- (1) The Testing Agencies referred to in Article 17 have the obligation to keep the confidentiality and shall be responsible on the result of the testing performed.
- (2) Officers handling applications for Food Registration are obligated to keep the confidentiality of animal feed formula.

Part Three

Issuance of Food Registration Number

Article 19

Registration number is issued in the form of a decision of the Agriculture Minister signed by the Director General of Husbandry on behalf of the Minister to be given to the applicant thru the Head of the Center.

Article 20

- (1) The registration number referred to in Article 19 is valid for a term of five (5) years, and extendable once for a term of another five (5) years.
- (2) The extension of the registration number referred to in paragraph (1) shall be made by enclosing the animal feed Quality Certificate.
- (3) After the five (5) years extension expired, the registration number must be renewed.
- (4) The extension and renewal of registration number as referred to in paragraph (2) and paragraph (3) shall be made in accordance with provisions of this regulation.

Article 21

- (1) Holders of registration number shall be responsible on the quality of its products and must insert the registration number on labels at places easily seen and read and not easily erased.
- (2) The label referred to in paragraph (1) shall be written or printed in Indonesian language, Arab numeral, and Latin alphabet, containing at least:

a. Trade

- a. Trade mark or brand;
- b. Name and address of company/producer and/or importer;
- c. Type and code of animal food;
- d. Nutrient content;
- e. animal feed additives being used;
- f. animal feed substances being used;
- g. Date and code of production; and
- h. Number of animal feed Registration;

(3) For ease of identifying the type of animal food, Food Label shall be provided with base colors and code of animal feed set forth in Attachment - 4.

(4) Holders of Food Registration numbers must report of any changes of the registration number holder to the Director General of Husbandry thru the Head of the Center to be recorded in the registration number book, and to make changes on decision for the issuance of registration number.

Article 22

Holders of registration numbers are obligated to submit reports on supply covering production, import, and circulation of animal feeds once in every three (3) months to the Director General of Husbandry thru the Head of the Center, using Model-5 form.

CHAPTER IV

TESTING COSTS

Article 23

(1) Expenses for Food Quality Testing performed by Government Testing Agencies shall be borne on the applicant constituting Non-Tax State Revenue (PNBP that

must be deposited to the State Treasury, the amount and procedure there-of shall be stipulated based on Legislations.

(2) Expenses for Food Quality Testing performed by Private Testing Agencies shall be borne on the applicant, the amount and procedure there-of shall be stipulated by the Testing Agency concerned.

CHAPTER VI

NURTURING AND CONTROL

Article 24

Heads of Service shall perform the nurturing of supply and circulation of animal feeds in their respective areas.

Article 25

(1) Control on the implementation of Food Registration Number is performed by the Controller of animal feed quality.

(2) Execution of control referred to in paragraph (1) shall be exercised in accordance with legislations.

CHAPTER VII

IMPOSING OF SANCTIONS

Article 26

Testing Agencies proved as not responsible on results of tests as meant in Article 18 paragraph (1) shall be given a warning in writing and shall be reported to the official having the authority to be imposed to sanctions in accordance with legislations.

Article 27

Article 27

Officers in charge of handling registration applications proved as not securing the confidentiality of the animal feed formula referred to in Article 18 paragraph (2) shall be imposed to sanctions in accordance with legislations.

Article 28

- (1) Producers and importers proved to be not inserting the registration number on Food Label and not maintaining the quality of products, or not reporting any changes of registration number holders as meant in Article 21 paragraph (1) and paragraph (4) shall be imposed with sanctions in the form of revocation of the registration number by the Director General of Husbandry on behalf of the Minister, and shall be proposed to the official having the authority to revoke its production permit or import permit, and animal foods being in circulation must be withdrawn from circulation.
- (2) Withdrawal of the animal feed in circulation as referred to in paragraph (1) shall be performed by and on the expense of the producer and/or importer.
- (3) If in a period of two (2) years in succession, producers who had received registration numbers did not perform any production and did not submit any report on the supply and circulation of animal food, shall be imposed with sanctions in the form of revocation of the registration number by the Director General of Husbandry on behalf of the Minister.

CHAPTER VIII

OTHER PROVISIONS

Article 29

- (1) Producers are entitled to serve orders on animal feed with special formula in the form of physical animal feed pursuant to those being registered to be used directly by the ordering party.
- (2) Prior to using the special formula animal feed referred to in paragraph (1) by the ordering party, the producer must report to the Director General of Husbandry with copies to the Head of Service for the purpose of receiving nurturing and control.

Article 30

Animal feed with special formula as meant in Article 29 is prohibited to be circulated and used by the public.

CHAPTER IX

TRANSITIONAL PROVISIONS

Article 31

- (1) Food Registration Number of animal feed that had been registered by the time of stipulation of this regulation shall remain effective until the expiry of the term of the Food Registration Number.
- (2) Animal feeds which by the time of stipulation of this regulation are undergoing testing or had been tested, shall continue on with the registration process in accordance with existing provisions.

(3) For animal deed which by the time of stipulation of this regulation are undergoing registration process but not yet tested, provisions of this regulation shall apply.

For public cognizance, this Minister Regulation shall be announced in the State Gazette of the Republic of Indonesia.

CHAPTER X

CLOSING PROVISIONS

Article 32

With the stipulation of this regulation, Agriculture Minister Decision No. 242/Kpts/OT.210/4/2003 concerning Food Registration and Labeling, is revoked and declared as not in effect.

Article 33

This regulation commences to come to effect from the date of stipulation.

Stipulated in Jakarta

on April 8, 2009

THE MINISTER OF AGRICULTURE,

sgd.

ANTON APRIYANTONO

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