

THE IMPORT AND EXPORT OF ANIMAL-BASED FEED INGREDIENTS TO AND FROM THE TERRITORY OF THE REPUBLIC OF INDONESIA

**(Regulation of the Minister of Agriculture of the Republic of
Indonesia Number 23/Permentan/PK.130/4/2015,
dated April 13, 2015)**

BY GRACE OF GOD THE ALMIGHTY
THE MINISTER OF AGRICULTURE OF
THE REPUBLIC OF INDONESIA,

ents to and from the Territory of the Republic of
Indonesia;

In view of:

Considering:

- a. that in order to fulfill the domestic need for feed, ingredients of feed originating from animal are needed;
- b. that having regards to letter a and in order to abide by the provisions of Article 23 Law Number 18 Year 2009 regarding Animal Husbandry and Veterinary as already amended by Law Number 41 Year 2014 on the Amendment to Law Number 18 Year 2009 regarding Animal Husbandry and Veterinary, Article 79 paragraph (7) and Article 80 paragraph (4) of Government Regulation Number 47 Year 2014 on Animal Disease Control and Mitigation as well as Article 7 paragraph (3) Government Regulation Number 82 Year 2000 on Animal Quarantine, it is necessary to stipulate a regulation of the Minister of Agriculture on the Import and Export of Animal-based Feed Ingredi-

1. Law Number 16 Year 1992 on Animal, Fish and Plant Quarantine (Statute Book of the Republic of Indonesia Year 1992 Number 56, Supplement to Statute Book of the Republic of Indonesia Number 3482);
2. Law Number 7 Year 1994 on Ratification of Agreement Establishing the World Trade Organization) (Statute Book of the Republic of Indonesia Year 1994 Number 57, Supplement to Statute Book of the Republic of Indonesia Number 3564);
3. Law Number 18 Year 2009 on Animal Husbandry and Veterinary (Statute Book of the Republic of Indonesia Year 2009 Number 84, Supplement to Statute Book of the Republic of Indonesia Number 5015) as already amended by Law Number 41 Year 2014 regarding the Amendment to Law Number 18 Year 2009 on Animal Husbandry and Veterinary (Statute Book of the Republic of

- Indonesia Year 2014 Number 338, Supplement to Statute Book of the Republic of Indonesia Number 5619);
4. Law Number 23 Year 2014 on Regional Administration (Statute Book of the Republic of Indonesia Year 2014 Number 244, Supplement to Statute Book of the Republic of Indonesia 5587);
 5. Government Regulation Number 78 Year 1992 on Animal Medicine (Statute Book of the Republic of Indonesia Year 1992 Number 129, Supplement to Statute Book of the Republic of Indonesia Number 3509);
 6. Government Regulation Number 82 Year 2000 on Animal Quarantine (Statute Book of the Republic of Indonesia Year 2000 Number 161, Supplement to Statute Book of the Republic of Indonesia Number 4002);
 7. Government Regulation Number 47 Year 2014 on Animal Disease Control and Mitigation (Statute Book of the Republic of Indonesia Year 2014 Number 130, Supplement to Statute Book of the Republic of Indonesia Number 5543);
 8. Presidential Regulation Number 24 Year 2010 on Status, Tasks and Functions of State Ministries as well as First-echelon Organizational Structures, Tasks and Functions of State Ministries;
 9. Presidential Decree Number 121/P Year 2014 on the Establishment of Ministries and the Appointment of Ministers of Working Cabinet 2014-2019;
 10. Presidential Regulation Number 165 Year 2014 on the Arrangement of Tasks and Functions of Working Cabinet (Statute Book of the Republic of Indonesia Year 2014 Number 339);
 11. Presidential Regulation Number 7 Year 2015 on Organization of State Ministries (Statute Book of the Republic of Indonesia Year 2015 Number 8);
 12. Decree of the Minister of Agriculture Number 471/Kpts/ TN.530/ 7/2002 on Prohibition on the Use of Meat Flour, Bone Flour, Blood Flour, Meat and Bone Flour (TDT), and other ruminant-based ingredients as ruminant feed;
 13. Regulation of the Minister of Agriculture Number 65/Permentan/OT.140/9/2007 on Guidance for Supervising the Quality of Feed;
 14. Decree of the Minister of Agriculture Number 3238/Kpts/PD.630/ 9/2009 on Classification of Pests of Quarantine Animal Disease, Categorization and Classifications of Carrier Media (State Gazette Year 2009 Number 307);
 15. Regulation of the Minister of Agriculture Number 61/Permentan/OT.140/10/2010 on Organization and Working Mechanism of the Ministry of Agriculture;
 16. Regulation of the Minister of Agriculture Number 94/Permentan/OT.140/12/2011 on Place of the Import and Export of Carrier Media of Quarantine Media Disease and Organisms Disturbing Quarantine Plants

(State Gazette Year 2011

Number 7) as already amended by Regulation of the Minister of Agriculture Number 44/ Permentan/ OT.140/3/2014 regarding the Amendment to Regulation of the Minister of Agriculture Number 94/Permentan/ OT.140/12/2011 on Place of the Import and Export of Carrier Media of Quarantine Animal Disease and Organism Disturbing Quarantine Plant (State Gazette Year 2014 Number 428);

D E C I D E S :

To stipulate:

THE REGULATION OF THE MINISTER OF AGRICULTURE ON THE IMPORT AND EXPORT OF ANIMAL-BASED FEED INGREDIENTS TO AND FROM THE TERRITORY OF THE REPUBLIC OF INDONESIA

CHAPTER I

GENERAL PROVISION

Article 1

Referred to in this ministerial regulation as:

1. Feed Ingredients shall be materials resulting from agriculture, fishery, animal husbandry or other materials which are fit for the use as feed, whether processed or not yet processed.
2. Animal-based Feed Ingredients shall be materials resulting from ruminants, non-ruminants, fowl and/or fish, whether processed or not yet processed.
3. Feed shall be material of sole or mixed food, processed or not, which is granted to animals for the continuation of their life, reproduction and growth.
4. Import shall be an activity importing animal-based feed ingredients from other countries into the territory of the Republic of Indonesia.
5. Export shall be an activity exporting animal-based feed ingredients from the territory of the Republic of Indonesia to other countries.
6. Country of Origin shall be a country exporting animal-based feed ingredients to a place of import in the territory of the Republic of Indonesia.
7. Business Unit of Country of Origin shall be a business unit (rendering plant) in a country of origin that produces and/or processes animal-based feed ingredients regularly and continually for commercial purpose.
8. Animal Disease shall be medical failure in animal, which is attributable to among others, genetically intact,

degenerative process, metabolism failure, trauma, poisoning, parasite infestation, prion and pathogen micro-organism infection.

9. Contagious Animal Disease shall be disease infected between animals, animal and human, as well as animal and other carrier media of animal disease through direct or indirect contact with mechanic intermediate media, such as water, air, soil, feed, equipment, human or through biological intermediate media, such as virus, bacteria, amoeba or fungi.
10. Strategic Contagious Animal Disease shall be animal disease potential to cause economic loss, social unrest and/or high animal death.
11. Exotic Animal Disease shall be animal disease never existing or already freed in a region or the Republic of Indonesia.
12. Package shall be instrument used to pack or wrap feed ingredients, directly contact or not.
13. Seal shall be an official sign in the form of picture or writing issued by the government of country of origin, which certifies the originality of product.
14. Contamination shall be the entry of or chemical, biological, physical and/or pathogen micro-organism in feed ingredients, potential to affect the health of human, animal and/or environment directly or indirectly.
15. Business Communities shall be business entities in the form of legal entity or not, which operate in the field of animal husbandry and veterinary.
16. Appraisal Team of Country of Origin hereinafter called Team NAUP shall be a team assigned to evaluate country of origin and business unit of country of origin.
17. Plant Variety and Agriculture Licensing Center hereinafter abbreviated to PPVTPP shall be an organization unit in charge of licensing affairs in the Ministry of Agriculture.
18. Provincial Service shall be a working unit of provincial apparatus in charge of animal husbandry and/or veterinary affairs.

Article 2

- (1) The ministerial regulation shall be intended to become legal basis in the import or export of animal-based feed ingredients to and from the territory of the Republic of Indonesia.
- (2) The ministerial regulation shall aim at:
 - a. preventing the entry, dissemination and export of agents of contagious and exotic animal diseases; and
 - b. assuring that animal-based feed ingredients imported or exported from the territory of the Republic of Indonesia match the requirements for the quality and security of feed.

Article 3

The scope of this ministerial regulation shall cover:

- a. requirements for the import;
- b. requirements for the export;
- c. import and export procedures;
- d. quarantine action;
- e. reporting and supervision, and
- f. penal provision.

CHAPTER II

REQUIREMENTS FOR THE IMPORT

Part One

General

Article 4

- (1) Business communities may import animal-based feed ingredients after securing import license from the minister.
- (2) The issuance of the import license as referred to in paragraph (1) by the minister shall be executed by the Director General of Animal Husbandry and Veterinary on behalf of the Minister in the form of a ministerial decree.
- (3) The Director General of Animal and Veterinary in issuing the import license as referred to in paragraph (2) shall observe suggestions and recommendations from national veterinary authorities.

Article 5

- (1) Kinds of animal-based feed ingredients which may be imported shall be contained in Attachment I, which constitutes an integral part of this ministerial regulation.
- (2) The imported animal-based feed ingredients as referred to in paragraph (1) shall be only used for the production of feed.

Article 6

In order to secure the import license as referred to in Article 4 paragraph (1), administrative and technical requirements shall be fulfilled.

Part Two

Administrative Requirements

Article 7

- (1) Business communities planning to import animal-based feed ingredients shall meet the administrative requirements as referred to in Article 6.
- (2) The administrative requirements as referred to in paragraph (1) shall be as follows:
 - a. having Citizenship Identity Card (KTP) or identity of corporate executive;
 - b. having SIUP, APIU/APIT, TDP, and NPWP of company;
 - c. having deed of establishment of company and the amendment;
 - d. securing recommendation from provincial service;
 - e. having the required animal quarantine installation;
 - f. having company profile;
 - g. having veterinarian responsible for veterinary affairs;
 - h. preparing plan for the import and plan for the distribution of animal-based feed ingredients for one year, according to Format-1;
 - i. preparing statement that the business community does not use/distribute ruminant-based feed ingredients for ruminant feed ingredients, according to Format-2;
 - j. preparing statement that the imported feed ingredients are only used for the production of feed, according to Format-3;
 - k. preparing statement that the business community is ready to provide a storage warehouse meeting the quality and security of feed ingredients, according to Format 4; and
 - l. preparing statement that the administrative requirements are true and legitimate.

Part Three

Technical Requirements

Article 8

The technical requirements as referred to in Article 6 shall cover:

- a. technical requirements for veterinary;
- b. requirement for quality and security of feed ingredient; and
- c. requirement for package and carrier.

Paragraph 1**Technical Requirement for Veterinary****Article 9**

The technical requirement for veterinary as referred to in Article 8 letter a shall cover:

- a. requirement for country of origin;
- b. requirement for business unit of country of origin; and
- c. requirement for animal-based feed ingredient.

Article 10

- (1) The requirement for country of origin as referred to in Article 9 letter a shall be free from Foot and Mouth Disease (FMD), Bovine Spongiform Encephalopathy (negligible BSE risk), Scrapie, Chronic Wasting Disease (CWD), Transmissible Mink Encephalopathy (TME), and New Variant Creutzfeld-Jacob Disease (vCJD), in the case of animal-based feed ingredients resulting from ruminants.
- (2) The requirement for country of origin as referred to in Article 9 letter a shall be free from Foot and Mouth Disease (FMD), in the case of animal-based feed ingredients resulting from fowl.

Article 11

The requirement for business unit of country of origin as referred to in Article 9 letter b shall be as follows:

- a. already accredited and registered by the authorized institution in the country of origin and supervised routinely by veterinary authorities of the country of origin;
- b. having production system integrated with slaughtering house (RPH) or using one production line per commodity or plashing process between the processing of ruminant-based feed ingredients and fowl-based feed ingredients;
- c. executing a proper recording system to facilitate traceability;
- d. applying feed quality and security assurance system in accordance with Good Manufacturing Practices (GMP) and Good Handling Practices (GHP);
- e. not processing animal-based feed ingredients resulting from other country; and
- f. not processing animal-based feed ingredients resulting from pork, corpses and wild animals.

Article 12

- (1) The country of origin and business unit of country of origin may be approved by the minister after fulfilling the requirements as referred to in Article 10 and Article 11.
- (2) In order to secure the approval of the country of origin and business unit of country of origin from the minister as referred to in paragraph (1), the country of origin shall submit application in writing to the minister.
- (3) In approving the country of origin and business unit of country of origin as referred to in paragraph (2), the minister shall consider:
 - a. status of contagious animal disease in the country of origin; and
 - b. result of risk analysis of the plan for the import of animal-based feed ingredients.

Article 13

- (1) The risk analysis as referred to in Article 12 paragraph (3) letter b shall be done through phases:
 - a. stipulation of the acceptable level of protection in accordance with kind of disease; and
 - b. desk review and on-site review of veterinary and security assurance management system of animal-based feed ingredients.
- (2) The desk review and on-site review as referred to in paragraph (1) letter b shall cover:
 - a. institutional affairs, authority and structure of veterinary authorities of country of origin;
 - b. surveillance of disease/observation of contagious animal diseases;
 - c. capability of diagnostic laboratory;
 - d. animal disease information system and reporting procedures;
 - e. animal and animal husbandry (farm) identification system;
 - f. status and situation of contagious animal disease and exotic animal disease;
 - g. animal disease controlling and mitigating system;
 - h. animal disease vaccination strategy;
 - i. status of animal disease in area sharing border;
 - j. animal protection and welfare rate;
 - k. physical and non-physical barriers with area sharing border;
 - l. supervision over the traffic of animals/animal products;
 - m. animal product and animal-base feed ingredient security system;
 - n. animal demography and marketing;
 - o. animal slaughtering procedures and process;

- p. application of veterinary, veterinary health and animal welfare system in slaughtering house (RPH) and processing unit of feed ingredients;
 - q. monitoring and surveillance system of contamination in feed ingredients (micro organism, hormon, antibiotic, heavy metal); and
 - r. quarantine system.
- (3) The addition to business unit of country of origin as supplier of animal-based feed ingredients shall be done the phase of risk analysis as referred to in paragraph (1).
- (4) The risk analysis as referred to in paragraph (1) shall be done by Team NAUP with the members consisting of representatives of the Directorate General of Animal Husbandry and Veterinary, Agriculture Quarantine Agency, Veterinarian Commission, Animal Quarantine Specialist Commission and Feed Specialist Commission resulting from the related science background.
- (5) The Team NAUP as referred to in paragraph (4) shall be stipulated by the minister in the form of a decree.

Article 14

- (1) In the case of result of the risk analysis of country of origin as referred to in Article 12 paragraph (3) letter b, being lower or the same as the level of acceptable protection, the minister shall stipulate the country as a country of origin the form of a decree.
- (2) In the case of result of the risk analysis of country of origin as referred to in Article 12 paragraph (3) letter b surpassing the level of acceptable protection, the minister shall reject the stipulation of the country of origin in the form of a letter of rejection.

Article 15

- (1) Result of the risk analysis as referred to in Article 14 shall be submitted to the Director General of Animal Husbandry and Veterinary by Team NAUP as a substance of consideration in stipulating country of origin and business unit of country of origin.
- (2) Team NAUP shall conduct on-site revise to business unit of country of origin already securing approval as supplier of animal-based feed ingredients every 2 (two) years.

Article 16

- (1) The approval of stipulation of country of origin as referred to in Article 12 shall be stipulated by the Minister in the form of a decree.

- (2) In the implementation, the approval of stipulation of business unit of country of origin as referred to in Article 12, shall be stipulated by the Director General of Animal Husbandry and Veterinary on behalf of the Minister in the form of a decree.

Article 17

The requirement for animal-based feed ingredients as referred to in Article 9 letter c, which result from ruminants, shall be as follows:

- a. resulting from healthy ruminant, which is born and breed in the country of origin as well as not given feed containing animal-based feed ingredients throughout its life;
- b. resulting from ruminant already passing ante mortem and post mortem examination;
- c. not resulting from cattle showing BSE phenomenon;
- d. resulting from RPH already accredited and registered by the authorized institution in the country of origin and routinely supervised by veterinary authorities of the country of origin;
- e. traceable from the moment when the animal is still alive until comes into RPH and processing unit of feed ingredients;
- f. not mixed with ingredients resulting from pork and non-domesticated ruminants; and
- g. free from bacteria clostridium sp, salmonella sp, and bacillus antracis.

Article 18

The requirement for animal-based feed ingredients as referred to in Article 9 letter c, which result from fowl, shall be as follows:

- a. healthy, reproduced and breed in the country of origin;
- b. not mixed with ingredients from pork;
- c. resulting from fowl slaughtering house (RPU) already accredited and registered by the authorized institution in the country of origin and supervised routinely by veterinary authorities in the country of origin;
- d. traceable properly as from the moment when the fowl is still alive until comes into RPH and processing unit of feed ingredient; and
- e. free from bacteria clostridium sp and salmonella sp.

Article 19

The technical requirement for veterinary as referred to in Article 9 shall be issued by the Director of

Veterinary in the form of Health Requirement (HR) contained in Attachment II and Attachment III, which constitute an integral part of this ministerial regulation.

Paragraph 2

Requirement for Quality and Security of Feed Ingredients

Article 20

- (1) The requirement for the quality of feed ingredients as referred to in Article 8 letter b shall be based on the main content of nutrition.
- (2) The main content of nutrition as referred to in paragraph (1) shall cover:
 - a. protein;
 - b. mineral (calcium, Phospor);
 - c. fat; and
 - d. raw fiber.
- (3) The main content of nutrition as referred to in paragraph (1) and paragraph (2) shall be contained in Attachment, which constitutes an integral part of this ministerial regulation.

Article 21

- (1) The requirement for security of feed ingredients as referred to in Article 8 letter b shall cover chemical, physical and biological contamination.
- (2) The chemical, physical and biological contamination as referred to in paragraph (1) shall meet the requirement for the maximum limit contained in Attachment V, which constitutes an integral part of this ministerial regulation.

Paragraph 3

Requirement for Package and Carrier

Article 22

- (1) The requirement for package as referred to in Article 8 letter c shall be purely from country of origin, according to the international standard and sealed.
- (2) The package as referred to in paragraph (1) shall be in the form of sack (bulk) and not in the form of direct bulk in container.

- (3) The package as referred to in paragraph (2) shall be sealed by the authorized official in the country of origin, have clear number, remain whole up to the place of import and shall be opened by animal quarantine officer in the place of import.

Article 23

The requirement for carrier as referred to in Article 8 letter c shall be able to protect the quality and security of animal-based feed ingredients.

Article 24

- (1) Besides fulfilling the administrative and technical requirements as referred to in Article 6, the import of animal-based feed shall be accompanied by certificate of animal-based feed ingredients.
- (2) The certificate of animal-based feed ingredients as referred to in paragraph (1) shall consist of at least:
- a. Health Certificate;
 - b. Bill of Lading;
 - c. Certificate of Origin;
 - d. Certificate of Analysis; and
 - e. Invoice.
- (3) The certificate of animal-based feed ingredients as referred to in paragraph (2) shall contain at least the following information:
- a. category of kind of feed;
 - b. corporate registration number (establishment number);
 - c. Number of container;
 - d. country of origin;
 - e. destination country;
 - f. net weight/net content;
 - g. name and address of the party producing feed ingredient in country of origin; and
 - h. name and address of the party importing the feed ingredient into the territory of the Republic of Indonesia.

CHAPTER III
REQUIREMENT FOR THE EXPORT

Article 25

- (1) Business communities may export animal-based feed ingredients after securing export license from the minister.
- (2) The issuance of the export license as referred to in paragraph (1) by the minister shall be executed by the Director General of Animal Husbandry and Veterinary on behalf of the Minister in the form of a ministerial decree.
- (3) The Director General of Animal and Veterinary in issuing the export license as referred to in paragraph (2) shall observe suggestions and recommendations from national veterinary authorities.
- (4) Feed ingredients which may be exported shall be contained in Attachment VI, which constitutes an integral part of this ministerial regulation.

Article 26

The export of animal-based feed ingredients as referred to in Article 25 shall be done in accordance with result of analysis of national need, quantity and kind thereof.

Article 27

The exportable animal-based feed ingredients as referred to in Article 25 shall observe the national need on the basis of the availability of feed ingredients in the country.

Article 28

The export of the animal-based feed ingredients as referred to in Article 25 shall meet administrative and technical requirements.

Article 29

The administrative requirements as referred to in Article 28 shall cover:

- a. having Citizenship Identity Card (KTP) or identity of corporate executive;
- b. having SIUP, APIU/APIIT, TDP, and NPWP of company;
- c. having deed of establishment of company and the amendment;
- d. securing recommendation from provincial service;

- e. having the required animal quarantine installation;
- f. having company profile; and
- g. application for the plan for the export of feed ingredients.

Article 30

The technical requirement as referred to in Article 28 shall cover:

- a. having veterinary certificate issued by national veterinary authorities; and
- b. fulfilling quality standard if it is required by country of destination.

CHAPTER IV

IMPORT AND EXPORT PROCEDURES

Part One

Import Procedure

Article 31

- (1) Business communities executing the import shall be obliged to secure the import license as referred to in Article 4.
- (2) In order to secure the import license as referred to in paragraph (1), business communities shall submit application online online and/or directly to the Director General of Animal Husbandry and Veterinary through the Head of PPVTPP, according to Format-5.
- (3) The application as referred to in paragraph (2) shall be accompanied by the administrative and technical requirements as referred to in Article 6.

Article 32

- (1) The Head of PVTTP, after receiving the application as referred to in Article 31 paragraph (2) shall examine the completeness of administrative requirements and answer to accept or reject in no later than 3 (three) working days.
- (2) The application as referred to in paragraph (1) shall be rejected in the case of the administrative requirements being incomplete and untrue.
- (3) The application as referred to in paragraph (1) shall be approved in the case of the administrative requirements being already fulfilled.

Article 33

- (1) The rejected application as referred to in Article 32 paragraph (2) shall be submitted by the Head of PPVTPP secara online and/or directly to business communities, along with reason for the rejection, according to Format-6.
- (2) The approved application as referred to in Article 32 paragraph (3) shall be submitted by the Head of PPVTPP to the Director General of Animal Husbandry and Veterinary on line and/or directly, according to Format-7.

Article 34

- (1) The Director General of Animal Husbandry and Veterinary after receiving the application as referred to in Article 33 paragraph (2) shall conduct technical review.
- (2) The technical review as referred to in paragraph (1) shall be applied to the fulfillment of the technical requirements as referred to in Article 8.
- (3) The Director General of Animal Husbandry and Veterinary shall answer to approve or reject in no later than 7 (seven) working days.

Article 35

- (1) The application as referred to in Article 34 paragraph (3) shall be rejected in the case of the technical requirements being not fulfilled.
- (2) The rejected application as referred to in paragraph (1) shall be submitted to business communities through the Head of PPVTPP online and/or directly, along with reason for the rejection, according to Format-8.
- (3) The application as referred to in Article 34 paragraph (3) shall be approved in the case of the technical requirements being fulfilled.
- (4) Import license shall be issued to the approved application in the form of ministerial decree signed by the Director General of Animal Husbandry and Veterinary on behalf of the Minister, with a copy made available to the Minister of Agriculture, Head of the Agriculture Quarantine Board, Director General of Customs and Excise, Ministry of Finance, Head of Agriculture Quarantine UPT overseeing the place of import and Head of Provincial Service overseeing the place of import, according to Format-9.
- (5) The decree as referred to in paragraph (4) shall be submitted to business communities through the Head of PVTTPP.

Article 36

- (1) Import license shall be issued for every moment of shipment.
- (2) The stipulation of plan for the import of animal-based feed ingredients for the next year by the Director General of Animal Husbandry and Veterinary shall be based on the calculation of the need for animal-based feed ingredients in the following year.

Article 37

- (1) In the case of country of origin or world veterinary organization declaring the outbreak of animal disease in country of origin, the Minister shall stipulate a decision to close the import of animal-based feed ingredients from the country of origin on the basis of recommendation from official of national veterinary authorities.
- (2) The minister may revoke the decision on the closure of the import of animal-based feed ingredients as referred to in paragraph (1) in the case of:
 - a. the country of origin submitting application for the re-opening of the import of animal-based feed ingredients along with document of animal disease control and eradication issued by veterinary authorities of the country of origin; and
 - b. world veterinary agency declaring that the country of origin has been free from the outbreak of animal disease.
- (3) The revocation of the decision on the closure of the import of animal-based feed ingredients as referred to in paragraph (2) shall be done by the minister on the basis of recommendation from official of national veterinary authorities.
- (4) The recommendation as referred to in paragraph (3) shall be formulated on the basis of result of risk analysis.

Article 38

- (1) In the case of the outbreak of animal disease as referred to in Article 37 paragraph (1), business communities may submit re-application to the Director General of Animal Husbandry and Veterinary to import animal-based feed ingredients from other countries stipulated by the Minister as countries of origin.
- (2) The quantity in the re-application for the import of animal-based feed ingredients as referred to in paragraph (1) shall be the same as the allocation already stipulated, by enclosing the import license already issued.

Part Two
Export Procedure

Article 39

- (1) Business communities executing export shall be obliged to secure the export license as referred to in Article 25.
- (2) In order to secure the export license as referred to in paragraph (1), business communities shall submit application online and/or directly to the Director General of Animal Husbandry and Veterinary through the Head of PVTTP, according to Format-10.
- (3) The application as referred to in paragraph (2) shall be accompanied by the administrative and technical requirements as referred to in Article 28.

Article 40

- (1) The Head of PPVTTP, after receiving the application as referred to in Article 39 paragraph (2), shall examine the administrative requirements and answer to approve or reject in no later than 3 (three) working days.
- (2) The application as referred to in paragraph (1) shall be rejected in the case of the administrative requirements being not complete and true.
- (3) The application as referred to in paragraph (1) shall be approved in the case of the administrative requirements being fulfilled.

Article 41

- (1) The rejected application as referred to in Article 40 paragraph (2) shall be submitted by the Head of PPVTTP online and/or directly to business communities, along with reason for the rejection, according to i Format-11.
- (2) The approved application as referred to in Article 40 paragraph (3) shall be submitted by the Head of PPVTTP to the Director General of Animal Husbandry and Veterinary online and/or directly, according to Format-12.

Article 42

- (1) The Director General of Animal Husbandry and Veterinary shall conduct technical review after receiving the application as referred to in Article 41 paragraph (2).

- (2) The technical review as referred to in paragraph (1) shall be applied to the fulfillment of the technical requirements as referred to in Article 30.
- (3) The Director General of Animal Husbandry and Veterinary shall have answered to approve or reject in no later than 7 (seven) working days.

Article 43

- (1) The application as referred to in Article 42 paragraph (3) shall be rejected in the case of the technical requirements being not fulfilled.
- (2) The rejected application as referred to in paragraph (1) shall be submitted to business communities through the Head of PPVTPP online and/or directly, along with reason for the rejection, according to Format-13.
- (3) The application as referred to in Article 42 paragraph (3) shall be approved in the case of the technical requirements being fulfilled.
- (4) Export license shall be issued to the approved application as referred to in paragraph (3) in the form of a ministerial decree signed by the Director General of Animal Husbandry and Veterinary on behalf of the Minister, with a copy made available to the Minister of Agriculture, Head of the Agriculture Quarantine Board, Director General of Customs and Excise, Ministry of Finance, and the Head of Agriculture Quarantine UPT overseeing the place of import, according to Format-14.
- (5) The ministerial decree as referred to in paragraph (4) shall be submitted to business communities through the Head of PPVTPP.

Article 44

Business communities may submit application for export license anytime.

CHAPTER V

QUARANTINE ACTION

Article 45

- (1) Every plan for the import or export of animal-based feed ingredients shall be reported by their owners or proxies to quarantine officer in the place of import or export already stipulated in the import or export license.
- (2) The import or export report as referred to in paragraph (1) shall be submitted in no later than one working day before carrier arrives in the place of import or export.

- (3) In the case of the reporting, owners or their proxies are unable to complete the import or export license, application for quarantine examination shall be rejected until the owners or proxies complete the license.
- (4) Upon the arrival of carrier in the place of import or export, owners or their proxies shall be obliged to give animal-based feed ingredients along with the required documents to quarantine officer for the need of quarantine action.
- (5) The import document as referred to in paragraph (4) shall be in the form of sanitation certificate.
- (6) The export document as referred to in paragraph (4) shall be in the form of veterinary certificate issued by quarantine officer.

Article 46

- (1) In a bid to prevent the entry of contagious animal disease from outside the territory of the Republic of Indonesia through transit of carrier carrying feed ingredients, it may only be executed in accordance with the provision of quarantine legislation.
- (2) The transit as referred to in paragraph (1) shall meet requirements:
 - a. prohibited from opening package;
 - b. prohibiting from coming out of the quarantine area; and
 - c. completed by certificate of transit from veterinary authorities of the transit country.

Article 47

- (1) The quarantine action as referred to in Article 45 paragraph (4) shall be in the form of examination, treatment, detention, rejection, destruction and/or liberation.
- (2) The treatment as referred to in paragraph (1) shall be executed to liberate quarantine animal disease (HPHK) of Category II.

Article 48

- (1) The examination measure as referred to in Article 47 paragraph (1) shall cover the examination of documents of requirements and medical or sanitation examination by quarantine animal doctor before passing the place of import or export.
- (2) The examined documents of requirements as referred to in paragraph (1) shall be in the form of the completeness, legitimacy of documents and conformance between documents and package, label, quantity and kind.

- (3) The medical or sanitation examination as referred to in paragraph (1) may be in the form of the organoleptic totality examination and/or laboratory examination in accordance with examination technique and method.
- (4) In the case of quarantine officer being not yet able to ascertain the totality and/or detect HPHK and content of microbe danger by the organoleptic totality examination as referred to in paragraph (3), advanced examination shall be executed in quarantine installation already stipulated.

Article 49

- (1) The advanced examination as referred to in Article 48 paragraph (4) shall be in the form of the organoleptic totality examination and/or laboratory examination in accordance with examination technique and method.
- (2) The transport of feed ingredients from the place of import or export to quarantine installation shall be under supervision of quarantine officer.
- (3) Upon arriving at the quarantine installation:
 - a. seal shall be opened;
 - b. totality of package shall be examined;
 - c. conformance of kind and quantity shall be examined;
 - d. random organoleptic examination (random sampling) shall be executed; and
 - e. sample shall be taken for laboratory analysis, if necessary.

Article 50

- (1) The detention measure as referred to in Article 47 paragraph (1) shall be applied in the case of
 - a. feed ingredients resulting from country having import banned;
 - b. the examination finding indication of HPHK of Category I and risk of the infection of HPHK of Category II; and
 - c. owners or proxies assure that they are able to show medical/sanitation certificate in no later than 3 (three) working days and other required documents in no later than 7 (seven) working days.
- (2) The guarantee for the fulfillment of medical/sanitation certificate as referred to in paragraph (1) letter c shall be written down into duty stamped statement.
- (3) After owners or proxies are able to fulfill the completeness of the requirements as referred to in Article 45 paragraph (5) and paragraph (6), advanced examination may be done.

Article 51

- (1) The rejection measure as referred to in Article 47 paragraph (1) shall be applied following:
 - a. the detention up to the period as referred to in Article 50 paragraph (1) letter c, owners or proxies are unable to complete the documents of requirements; or
 - b. the examination of infection of HPHK, resulting from countries having import banned, improper sanitation, change in nature, spoiled, odor, and endangering animal and/human health.
- (2) The rejected feed ingredients as referred to in paragraph (1) shall be taken out of the territory of the Republic of Indonesia in no later than 3 (three) working days, which is written down into account of rejection.
- (3) In the case of owners or proxies being unable to provide carrier in the period as referred to in paragraph (2), the period may be extended to maximally 7 (seven) working days by regarding the risk of the entry and dissemination of HPHK.
- (4) In the case of the rejection measure as referred to in paragraph (1) being applied, owners or proxies shall not have a right to demand compensation as well as shall be obliged to bear the whole cost of the rejection.

Article 52

- (1) The destruction measure as referred to in Article 47 paragraph (1), shall be done if:
 - a. the rejected feed ingredients are not carried to outside the territory of the Republic of Indonesia by their owners or proxies in the period as referred to in Article 51 paragraph (2) and paragraph (3); or
 - b. the feed ingredients, following the unloading from carriers and the treatment as referred to in Article 47 paragraph (1), cannot be sterilized from HPHK of Category II.
- (2) The destruction measure as referred to in paragraph (1) shall be done by:
 - a. presenting witness from related institution in the place of import;
 - b. inviting owners or proxies of owners of the would-be destroyed feed ingredients;
 - c. preparing account of destruction;
 - d. preparing place and equipment of destruction by the stipulated destruction procedure and method;
 - e. the destruction is executed under supervision of animal quarantine doctor and witnessed by owners or their proxies, officer of the Indonesian Police, customs and excise officer, prosecutor and officer of other related institutions; and
 - f. account of destruction consists of triplicate at the maximum, the first sheet to owner, second sheet to official having interest in the destruction and the third to the said animal quarantine doctor.

- (3) In the case of the implementation of the destruction as referred to in paragraph (1), owners or proxies shall not have a right to demand compensation as well as shall be obliged to bear the whole costs of destruction.

Article 53

- (1) The liberation measure as referred to in Article 47 paragraph (1) shall be done if:
- a. following the detention, owners or their proxies are able to complete the require documents; and/or
 - b. the food ingredients is not infected by HPHK, do not come from country having import banned, have good sanitation, complete package, do not change in the nature, are not spoiled, not odor and do not endanger animal and/or human health.
- (2) The liberation measure as referred to in paragraph (1) shall be done after owners or proxies settle the obligation to remit quarantine fee in accordance with the provision of legislation.
- (3) Certificate of liberation shall be issued to the liberation measure as referred to in paragraph (1) for the import of feed ingredients.
- (4) The liberation certificate as referred to in paragraph (3) shall be addressed to the authorized animal quarantine doctor in the destination place.
- (5) Certificate of sanitation shall be issued to the liberation measure as referred to in paragraph (1) for the export of feed ingredients.

Article 54

Animal-based feed ingredients already subject to quarantine measures such as liberation measure shall be coordinated with feed quality supervisor.

CHAPTER VI

REPORTING AND SUPERVISION

Part One

Reporting

Article 55

- (1) Business communities already securing import or export license shall be obliged to realize the import or export of animal-based feed ingredients in no later than 90 (ninety) calendar days as from the issuance of the import or export license.
- (2) The import or export of animal-based feed ingredients as referred to in paragraph (1) shall be realized in accordance with the import or export license.
- (3) Business communities already executing the import or export of animal-based feed ingredients as referred to in paragraph (1), shall be obliged to submit report on the realization of the import or export to the minister through the Director General of Animal Husbandry and Veterinary in writing or on line in no later than 5 (five) working days as from the execution of the quarantine action, according to Format-15 and Format-16.
- (4) Business communities shall report animal-based feed ingredients already subject to liberation measure to the Head of the Argiculture Quarantine

Board, besides report on the realization of the import or export as referred to in paragraph (3).

- (5) Format -1 up to Format -16 shall be contained in Attachment VII, which constitutes a part inseparable from this ministerial regulation.

Part Two

Supervision

Article 56

Supervision shall be executed by:

- a. veterinary authorities of the ministry, province and regency/city by virtue of their authority;
- b. the authorized animal doctor or civil servant investigator (PPNS) of the central, provincial or regency/municipal governments by virtue of their authority; and/or
- c. feed quality and security supervisor in accordance with the provision of legislation.

Article 57

- (1) The supervision as referred to in Article 56 shall be done after the liberation measure as referred to in Article 53 minimally every 6 (six) months or at anytime in the case of the alleged deviation from the fulfillment of technical requirements for veterinary being found.
- (2) The supervision as referred to in paragraph (1) shall be done in:
 - a. feed factory and/or company importing animal-based feed ingredients;
 - b. distributor;

- c. poultry shop; and/or
- d. farm.

Article 58

- (1) The feed quality and security supervisor as referred to in Article 56 letter c shall report result of supervision periodically or at anytime to the Director of Veterinary, Head of Provincial Service and Head of Regency/Municipal Service by virtue of their authority.
- (2) The Director of Veterinary, Head of Provincial or Regency/Municipal Service as referred to in paragraph (1) shall submit report on result of the supervision periodically or at anytime to the Minister through the Director General of Animal Husbandry and Veterinary, Governor or Regent/Mayor by virtue of their authority.

CHAPTER VII

PENAL PROVISION

Article 59

- (1) Business communities violating the provision of Article 55 shall be subject to administrative sanction.
- (2) The administrative sanction as referred to in paragraph (1) shall be in the form of:
 - a. written warning
 - b. not securing the next import or export license; or
 - c. revocation of business license.
- (3) The administrative sanction as referred to in

paragraph (2) letter a and letter b shall be imposed by the Director General of Animal Husbandry and Veterinary.

- (4) The administrative sanction as referred to in paragraph (2) letter c shall be imposed by the issuer of business license on the basis of recommendation from the Director General of Animal Husbandry and Veterinary.

CHAPTER VIII

TRANSITIONAL PROVISION

Article 60

- (1) Countries of origin and business units of countries of origin already supplying animal-based feed ingredients before the enforcement of this ministerial regulation may be stipulated as countries of origin and business units of countries of origin.
- (2) The import or export license already issued before the enforcement of this ministerial regulation shall remain valid until expiring.
- (3) The import or export licence currently in the course of process shall follow the provision in this ministerial regulation.

CHAPTER IX

CONCLUSION

Article 61

Following the enforcement of this ministerial regulation, Regulation of the Minister of Agriculture Number 482/Kpts/PD.620/8/2006 on the Import of Ruminants and Products Thereof from Countries or Zone of Countries Infected by Bovine Spongiform Encephalopathy (BSE) into the territory of the Republic

of Indonesia as long as they rule animal-based feed ingredients shall be revoked and declared null and void.

Article 62

The ministerial regulation shall come into force as from the date of promulgation.

For public cognizance, the ministerial regulation shall be promulgated by placing it in State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

On April 13, 2015

THE MINISTER OF AGRICULTURE OF THE REPUBLIC OF INDONESIA

sgd

AMRAN SULAIMAN

Promulgated in Jakarta

On April 24, 2015

THE MINISTER OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA

sgd.

YASONNA H. LAOLY

STATE GAZETTE OF THE REPUBLIC OF INDONESIA
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Editor's note:

Due to technical reason, the attachments are not published.

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