

TERMS AND PROCEDURE FOR IMPORT AND EXPORT OF SED STOCK, PARENT STOCK AND BUTCHER STOCK

(Regulation of the Minister of Agriculture No.07/Permentan/OT.140/1/2008, dated January 30, 2008)

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

Considering:

- a. that in the context of fulfilling the need for domestic seed stock, parent stock and butcher stock, and in the effort to improve the State foreign exchange income, the need referred to above may be implemented through import and export of the seed stock, parent stock, and/or butcher stock to and from the territory of the Republic of Indonesia;
- b. that to maintain the territory of the Republic of Indonesia with the status free from the major animal infectious disease (PHMU), protection shall be provided to all sources of animal genesis and to the consumer, thereby import and export of seed stock, parent stock, and/or butcher stock to and from the territory of the Republic of Indonesia must comply with the requirements;
- c. that in line with Government Regulation No.38 Year 2007, concerning Distribution of Administration Affairs between the Government, Provincial Regional Administration, and Regency/Urban Regional Administration, import and export of seed stock, parent stock and/or butcher stock shall be under the Government's authority;
- d. that based on the foregoing, it is deemed necessary to stipulate Terms and Procedure for Import and Export of seed stock, parent stock and/or butcher stock to and from the territory of the Republic of Indonesia;

In view of:

1. Law Number 6 Year 1967, concerning Principal Provisions on Husbandry and Animal Health (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.16 Year 1992 (*BN No.5300, pages 17A-19A*), concerning Animal, Fish and Plants Quarantine (Statute Book of the Republic of Indonesia Year 1992 No.56, Supplement to Statute Book of the Republic of Indonesia No.3482);
3. Law No.7 Year 1994, concerning Approval for Establishing World Trade Organization Agreement (Statute Book of the Republic of Indonesia Year 1994 No.57, Supplement to Statute Book of the Republic of Indonesia No.3564);
4. Law No.32 Year 2004 (*BN No.7183, pages 1A-11A and so forth*) concerning Regional Administration (Statute Book of the Republic of Indonesia Year 2004 No.60, Supplement to Statute Book of the Republic of Indonesia No.3839), in conjunction with Law No.8 Year 2005, concerning Stipulation of Government Regulation In Lieu of Law No.3 Year 2005 (*BN No.7218, pages 20A-21A*), concerning Amendment to Law No.23 Year 2004, concerning Regional Administration to become Law (Statute Book of the Republic of Indonesia Year 2005 No.108, Supplement to Statute Book of the Republic of Indonesia No.4548);
5. Government Regulation No.15 Year 1977, concerning Rejection, Prevention, Eradication and Healing Animal Disease (Statute Book of the Republic of Indonesia Year 1977 No.20, Supplement to Statute Book of the Republic of Indonesia No.3101);

6. Government Regulation No.22 Year 1983, concerning Veterinary Community Health (Statute Book of the Republic of Indonesia Year 1983 No.28, Supplement to Statute Book of the Republic of Indonesia No.3253);
7. Government Regulation No.82 Year 2000, concerning Animal Quarantine (Statute Book of the Republic of Indonesia Year 2000 No.161, Supplement to Statute Book of the Republic of Indonesia No.4002);
8. Government Regulation No.21 Year 2005 (***BN No.7259, pages 21A-29A***), concerning Safety of Biological Genesis Engineered Product (Statute Book of the Republic of Indonesia Year 2005 No.44, Supplement to Statute Book of the Republic of Indonesia No.4498);
9. Government Regulation No.38 Year 2007, concerning Distribution of Administration Affairs between the Government, Provincial Regional Administration, and Regency/Urban Administration (Statute Book of the Republic of Indonesia Year 2007 No.82, Supplement to Statute Book of the Republic of Indonesia No.4347);
10. Presidential Decree No.187/M Year 2004 (***BN No.7128, pages 30A-31A***), concerning Establishment of Indonesia Bersatu Cabinet;
11. Presidential Decree No.9 Year 2005 (***BN No.7182, pages 2A-23A***), concerning Capacity, Duty, Function, Organizational Structure, in conjunction with Presidential Regulation No.62 Year 2005);
12. Presidential Regulation No.10 Year 2005, concerning Organizational Unit and Duty of Echelon 1 Officials of the State Ministry of the Republic of Indonesia;
13. Regulation of the Minister of Agriculture No.299/Kpts/OT.140/7/2005, concerning Organization and Work Procedure of the Department of Agriculture, in conjunction with Regulation of the Minister of Agriculture No.11/Permentan/OT.140/2/2007;
14. Regulation of the Minister of Agriculture No.341/Kpts./OT.140/8/2005, concerning Organizational Totality and Work Procedure of the Department of Agriculture, in conjunction with Regulation of the Minister of Agriculture No.12/Permentan/OT.140/2/2007;
15. Regulation of the Minister of Agriculture No.35/Permentan/OT.140/8/2006, concerning Guideline for Preservation and Use of Source of Animal Genesis;
16. Regulation of the Minister of Agriculture No.36/Permentan/OT.140/8/2006, concerning National System of Animal Seedling;

DECIDES:

To stipulate:

THE REGULATION OF THE MINISTER OF AGRICULTURE ON THE TERMS AND PROCEDURE ON IMPORT AND EXPORT OF SEED STOCK, PARENT STOCK AND BUTCHER STOCK.

CHAPTER I

GENERAL PROVISION

Article 1

What is meant in this Regulation by:

1. Import of seed stock, parent stock and/or butcher stock is a series of activities in importing seed stock, parent stock and/or butcher stock from overseas to the territory of the Republic of Indonesia to fulfill the need for domestic seed stock, parent stock and/or butcher stock.
2. Export of seed stock, parent stock and/or butcher stock is a series of activities in exporting seed stock, parent stock and/or butcher stock from the territory of the Republic of Indonesia to overseas.
3. Seed is the result of breeding of stock sperm (cement), cell (oocyt), hatched egg, and embryo.

4. Parent company is the result of all stock breeding that complies with specific requirements for development.
5. Butcher stock is cow, buffalo, goat, sheep, pig, horse, poultry and other stock the objective of which husbandry is to produce meat.
6. Importing country of origin hereinafter referred to as country of origin importing seed stock, parent stock, and/or butcher stock to an importing territory within the Republic of Indonesia.
7. Country of destination is country receiving the seed stock, parent stock and/or butcher stock from the territory of the Republic of Indonesia.
8. Animal Quarantining action hereinafter referred to as Quarantining action is activity to prevent animal disease from entering to, spreading in, and/or going out from the territory of the Republic of Indonesia.
9. Import Approval Letter hereinafter abbreviated as SPP is written statement issued by the Minister or Official he/she appointed, to individual, legal entity or government agency to enable to import seed stock, parent stock, and/or butcher stock from overseas into the territory of the Republic of Indonesia.
10. Export Approval Letter hereinafter abbreviated as SPP is written statement issued by the Minister of the Official he/she appointed, to individual or legal entity or government agency to enable to export seed stock, parent stock, and/or butcher stock from the territory of the Republic of Indonesia.
11. Animal Health Requirements is requirements for animal health stipulated by the country of destination mentioning the status of animal health in the country of origin, the status of animal health husbandry of origin and animal health treatment that shall be complied with by the country of origin.
12. Animal Health Document is statement letter stating compliance with the requirements for animal health as stated in the Animal Health Requirements stipulated in the country of destination by the competent authority in animal health in the country of origin or statement letter from the country of origin issued by the competent veterinarian in the local regency/urban.
13. Animal welfare is all matters relating to animal physical and mental condition based on the range of animal natural type that must be applied and enforced to protect the animal from human or legal entity unreasonable treatment on the animal, including the stock for human needs.
14. Quarantine from Animal Disease hereinafter abbreviated as HPHK is all pests, disease and animal disease having socio economic impact on national and international trading and causing disturbances to the health of the veterinarian society that can be classified based on the rate of its risk.
15. Main Infectious Animal Disease hereinafter referred to as PHMU is diseases that spread very rapidly and having socio economic impact and/or that may cause serious disturbance to the society and constitute serious disease in the international trading of animal and animal product caused by the virus, parasite, bacterium, and prion as referred to in the list of animal infectious disease of the Office International des Epizootics (OIE) or World Organization for Animal Health (WOAH).
16. Exotic Animal Disease is disease that is never occurring or emerging yet in any country or territory either clinically, epidemiologically or laboratory.
17. Service office is regional government agency that handles husbandry function and/or animal health.

Article 2

- (1) This Regulation shall function as:
- a. reference for individual, legal entity or government agency conducting import and/or export of seed stock, parent stock, and/or butcher stock from and into the territory of the Republic of Indonesia;
 - b. guideline for government apparatus in the Central and Regional government responsible in the supervision of import and/or export of seed stock, parent stock and/or butcher stock to and from the territory of the Republic of Indonesia;
- (2) This Regulation is meant to:
- a. maintain preservation of genetic resources and biological safety as well as improve the variety of stock genesis;
 - b. prevent from incoming and spread of HPHK/PHMU and exotic animal disease into the territory of the Republic of Indonesia;
 - c. guarantee continuous availability of seed stock, parent stock and butcher stock;
 - d. protect the consumer from seed stock, parent stock and butcher stock that fail to comply with the stipulated technical requirements;
 - e. improve the State foreign exchange income.

Article 3

The scope of this Regulation covers import and export of seed stock, parent stock and butcher stock, packaging, transportation, supervision and penalty.

CHAPTER II

IMPORT OF SEED STOCK, PARENT STOCK AND BUTCHER STOCK

Part One

General

Article 4

- (1) Seed stock, parent stock and/or butcher stock may be imported by individual, legal entity or government agency.
- (2) The seed stock, parent stock and/or butcher stock referred to in paragraph (1) may be imported for research, husbandry agribusiness development or development of seed stock, parent stock and/or butcher stock.
- (3) The seed stock, parent stock and/or butcher stock referred to in paragraph (2) may be imported after having obtained SPP from the Minister.
- (4) The SPP referred to in paragraph (3) shall be issued by the Director General of Husbandry on behalf of the Minister.

Article 5

Any individual, legal entity or government agency importing seed stock, parent stock and/or butcher stock shall be obliged to prevent from spread of HPHK, PHMU and/or exotic animal disease and shall be responsible for the protection of stock genesis resources, and maintain continuous development of domestic husbandry population.

Part Two
Requirements for Import of Seed Stock
and/or Parent Stock

Article 6

- (1) The individual or legal entity referred to in Article 4 paragraph (1) importing seed stock and/or parent stock shall be obliged to comply with the administrative requirement, technical requirement and health requirement of the animals and shall comply with the provisions in the statutory regulation on animal quarantine.
- (2) The administrative requirement referred to in paragraph (1) shall not apply to government agency importing seed stock and/or parent stock.

Article 7

- (1) The administrative requirement referred to in Article 6 paragraph (1) applicable to individual shall cover:
 - a. Obligatory Taxpayer Registration Number (NPWP);
 - b. Resident Identity Card / Identification of Company Management;
 - c. Technical recommendation from Provincial service office.
- (2) The administrative requirement referred to in Article 6 paragraph (1) shall apply to legal entity shall cover:
 - a. Trading Business License (SIUP);
 - b. Obligatory Taxpayer Registration Number (NPWP);
 - c. Trading Registration Identification (STDP);
 - d. General Import Identification Number (API-U);
 - e. Resident Identification Card/Identification of Company Management; and
 - f. Company Deed of Establishment.

Article 8

- (1) The technical requirement referred to in Article 6 paragraph (1) shall cover certificate of animal health, certificate of pedigree, and certificate of origin.

- (2) Other than the technical requirement referred to in paragraph (1) for the respective seed stock or parent stock to be imported the technical requirement set forth in Attachment I as inseparable part of this Regulation shall also be complied with.

Article 9

- (1) Any country may be determined by the Minister as country of origin of import of seed stock or parent stock after obtaining a team's technical consideration.
- (2) The team referred to in paragraph (1) shall be decided under separate Decision which members shall consist of elements of the Directorate General of Husbandry and Agriculture Quarantine Agency.
- (3) The team referred to in paragraph (2) in the provision of technical consideration referred to in paragraph (1) shall be based on evaluation of the animal health and animal quarantine.
- (4) Decision on the country of origin of import of seed stock or parent stock referred to in paragraph (1) shall be made by the Director General of Husbandry on behalf of the Minister.

Article 10

The evaluation of animal health and animal quarantine referred to in Article 9 paragraph (3) shall be conducted by using the evaluation criteria as follows:

- a. authority, infrastructure and organizational structure of animal health and animal quarantine;
- b. surveillance on any disease, observance of HPHK and/or PHMU;
- c. information system and reporting procedure on animal disease;
- d. husbandry identification system (farm) and animal;
- e. status of quarantined animal disease;

- f. implementation of control and eradication of animal disease;
- g. status of vaccination;
- h. status of HPHK and/or PHMU in border regions;
- i. level of animal protection;
- j. physical and non-physical obstacles in border regions;
- k. supervision in animal traffics;
- l. animal demography and its marketing;
- m. alertness in HPHK and/or PHMU emergency; and
- n. animal quarantine in the country of origin.

Part Three

Requirement for Importing Butcher Stock

Article 11

- (1) Butcher stock may be imported only by legal entity.
- (2) The legal entity referred to in paragraph (1) other than complying with administrative requirement as referred to in Article 7 paragraph (2) shall also comply with the technical requirement covering certificate of animal health, certificate of pedigree and certificate of country of origin.
- (3) Other than the requirement referred to in paragraph (2) imported butcher stock shall comply with the minimum technical requirement as set forth in Attachment I that constitutes inseparable part of this Regulation.

Part Four

Import Procedure

Article 12

- (1) Any individual, legal entity or government agency importing seed stock, parent stock and/or butcher stock shall be obliged to submit written application to the Minister through the Head of Permit and Investment Office with copy to the Director General of Husbandry and Head of Agriculture Quarantine Agency, using Model-1 form as set forth in Attachment III that constitutes inseparable part of this Regulation.

- (2) The application referred to in paragraph (1) shall state:
 - a. company's name;
 - b. company's address;
 - c. country or origin;
 - d. place of destination;
 - e. date of import;
 - f. type, quantity and allocation;
 - g. technical recommendation from Provincial Service Office;
 - h. animal quarantine installation for quarantining action at import seaport/airport/region of destination.
- (3) The Head of Permit and Investment Head Office at receipt of the application referred to in paragraph (1) within a period of three (3) working days shall immediately give a reply of postponement or rejection.

Article 13

- (1) Application referred to in Article 12, paragraph (3) shall be postponed if the administration requirement referred to in Article 7 that needs to be completed as notified to the applicant in writing using Model-2 form as set forth in Attachment that constitutes inseparable part of this Regulation is still not complied with yet.
- (2) The applicant shall within a period of five (5) working days effective as of receipt of the notification referred to in paragraph (1) should have completed the short compliance with the administrative requirement.
- (3) If within the period referred to in paragraph (2) the applicant still fail to comply with the administration requirement, the application shall be deemed withdrawn.

Article 14

- (1) The application referred to in Article 12, paragraph (3) shall be rejected if the administrative requirement referred to in Article 7 is incorrect.

- (2) The rejected application referred to in paragraph (1) shall be notified to the applicant in writing supported by the reason for rejection using Model-3 form as set forth in Attachment III that constitutes Inseparable part of this Regulation.

Article 15

- (1) Application that has complied with the administrative requirement shall be forwarded to the Director General of Husbandry and Head of Agriculture Quarantine Agency by the Head of Permit and Investment Head Office.
- (2) The Director General of Husbandry at receipt of the application referred to in paragraph (1) shall conduct technical analysis on the seed stock, parent stock and/or butcher stock on compliance with the technical requirement and animal health requirement.
- (3) The Head of Agriculture Quarantine Agency shall conduct technical analysis on animal quarantine.
- (4) The result of technical analysis from the Head of Agriculture Quarantine Agency referred to in paragraph (3) shall be submitted to the Head of Permit and Investment Head Office to be forwarded to the Director General of Husbandry for consideration in issuing SPP.

Article 16

- (1) The Head of Permit and Investment Head Office within a period of two (2) working days at the latest after receipt of technical consideration from the Head of Agriculture Quarantine Agency shall submit it to the Director General of Husbandry.
- (2) The Director General of Husbandry based on the technical consideration of the Head of Agriculture Quarantine Agency referred to in paragraph (1) and after conducting technical analysis on the seed stock, parent stock and/or butcher stock referred to in Article 15 paragraph (2) within ten (10) working days at the latest should be responded whether it is rejection or approval.

Article 17

(To be continued)

—==(MA)==—

TERMS AND PROCEDURE FOR IMPORT AND EXPORT OF SED STOCK, PARENT STOCK AND BUTCHER STOCK

(Regulation of the Minister of Agriculture No.07/Permentan/OT.140/1/2008, dated January 30, 2008)

[Continued from Business News No. 7679-7680 pages 2A-8A]

Article 17

The Director General of Husbandry shall reject the application referred to in Article 16, paragraph (2) in writing with the reason and notify the applicant through the Head of Permits and Investment Center using Model-4 form as set forth in Attachment III that constitutes inseparable part of this Regulation.

Article 18

- (1) SPP shall be issued for the approved application referred to in Article 16, paragraph (2) by the Director General of Husbandry on behalf of the Minister using Model-5 form as set forth in Attachment III that constitutes inseparable part of this Regulation.
- (2) The SPP referred to in paragraph (1) shall be submitted to the applicant through the Head of Permits and Investment Center with copy to the Head of Agriculture Quarantine Agency, Head of Provincial Service Officer, and Head of Animal Quarantine Center of the place of Import.

Article 19

- (1) Individual legal entity or government agency that has obtained SPP from the Director General of Husbandry referred to in Article 18, paragraph (1) may import seed stock, parent stock and/or butcher stock.

- (2) The SPP referred to in paragraph (1) shall be valid for 90 (ninety) calendar days effective as of the date of its issued.
- (3) In the event of animal disease epidemic in the country of origin the SPP shall be declared null and void.
- (4) Individual, legal entity, or government agency importing the seed stock, parent stock and/or butcher stock shall be obliged to submit report on import being realized to the Director General of Husbandry with copy to the Head of Agriculture Quarantine Agency, Head of Permits and Investment Center and Head of Provincial Service Office issuing the recommendation within seven (7) calendar days at the latest after import.

CHAPTER III

EXPORT OF SEED STOCK, PARENT STOCK AND BUTCHER STOCK

Part One

General

Article 20

- (1) Export of seed stock and/or parent stock may be conducted by individual, legal entity or government agency.
- (2) The seed stock and/or parent stock referred to in paragraph (1) may be exported for the purpose of research, to give added value for the empowerment of husbandry and improvement of foreign exchange.

- (3) Export of seed stock and/or parent stock referred to in paragraph (2) may be conducted after obtaining SPP-I from the Director General of Husbandry on behalf of the Minister.

Article 21

- (1) The individual, legal entity or government agency exporting seed stock and/or parent stock from the territory of the Republic of Indonesia shall be obliged to *comply with the requirements and procedure stipulated by the Minister.*
- (2) The Minister shall stipulate the type and point of origin of exportable seed stock and/or parent stock.
- (3) The individual, legal entity or government agency exporting the seed stock and/or parent stock shall be obliged to maintain preservation of domestic genesis resources.
- (4) Other than observing the provisions in paragraphs (2) and (3) export of seed stock and/or parent stock may be conducted with due consideration of the stock population for domestic need based on technical study conducted by the *Director General of Husbandry after obtaining suggestion and consideration from the Commission for National Parent Stock and Commission for National Genesis Resources.*

Part Two

Export Requirements for Seed Stock and/or Parent Stock

Article 22

- (1) Export of seed stock and/or parent stock may be conducted by individual, legal company or government agency.

- (2) Export of seed stock and/or parent stock referred to in paragraph (1) may be conducted after obtaining SPP-I from the Director General of Husbandry on behalf of the Minister.

Article 23

Individual, legal entity or government agency exporting seed stock and/or parent stock shall be obliged to prevent from possible spread of HPHK/PHMU and shall be responsible for the protection of stock genesis resources, and maintain continuous development of stock population domestically.

Article 24

- (1) Individual or legal entity referred to in Article 23 exporting seed stock and/or parent stock shall be obliged to *comply with administrative requirement, technical requirement and animal health requirement as well as comply with the provision in the statutory regulation on animal quarantine.*
- (2) Administrative requirement referred to in paragraph (1) shall not apply to government agency exporting seed stock and/or parent stock.

Article 25

- (1) *Administration requirement referred to in Article 24, paragraph (1) applicable on individual shall cover:*
- a. Obligatory Taxpayer Registration Number (NPWP);
 - b. Resident Identity Card/Identification of Company Management;
 - c. Technical recommendation from Provincial Service Office.

(2) Administrative

- (2) Administrative requirement referred to in Article 24 paragraph (1) applicable to legal entity shall cover:
- a. Trading Business License (SIUP);
 - b. *Obligatory Taxpayer Registration Number (NPWP)*;
 - c. Trading Registration Identification (STDP);
 - d. General Export Identification Number (APEU);
 - e. Resident Identity Card/Identification of Company Management;
 - f. Deed of Establishment of Company.

Article 26

- (1) Technical requirement referred to in Article 24 paragraph (1) shall cover certificate of animal health, certification of point of seed stock and/or parent stock origin (pedigree) and certificate of point of origin.
- (2) Other than the technical requirement referred to in paragraph (1) for the respective seed stock and/or parent stock to be exported, the minimum technical requirement set forth in Attachment II that constitutes inseparable part of this Regulation shall also be complied with.

Part Three

Export Requirement for Butcher Stock

Article 27

- (1) Butcher stock may be exported only by legal entity.
- (2) Legal entity referred to in paragraph (1) other than shall be obliged to comply with administrative requirement shall also comply with technical requirement covering certificate of animal health, certificate of point of origin.

Part Four

Export Procedure

Article 28

- (1) Individual, legal entity or government agency exporting seed stock, parent stock and/or butcher stock shall be obliged to submit application in writing to the Minister through the Head of Permits and Investment Center with copy to the Director General of Husbandry and Head of Agriculture Quarantine Agency, using Model 6 form as set forth in Attachment III that constitutes inseparable part of this Regulation.
- (2) The application referred to in paragraph (1) shall state:
 - a. name of the company;
 - b. address of the company;
 - c. point of origin;
 - d. country of destination;
 - e. date of issue;
 - f. type, quantity and allocation;
 - g. technical recommendation from Provincial Service Office;
 - h. animal quarantine installation for quarantine action at the exporting port/airport/point of destination.
- (3) The Head of Permits and Investment of Center after receiving the application referred to in paragraph (1) shall within three (3) working days at the latest, immediately give response either to postpone or reject.

Article 29

- (1) The application referred to in Article 28 paragraph (3) shall be postponed if it still fail to comply with the administration requirement referred to in Article 25 that must be completed and shall be notified to the applicant in writing using Model-7 form as set forth in Attachment III that is inseparable part of this Regulation.
- (2) The applicant within five (5) working days as of receipt of the notification referred to in Article 29 paragraph (1) should have completed the short compliance with the administrative requirement.
- (3) If within the period referred to in paragraph (2) the applicant fails to complete the short administrative requirement, the application shall be deemed withdrawn.

Article 30

- (1) The application referred to in Article 28 paragraph (3) shall be rejected if the administrative requirement referred to in Article 25 is incorrect.
- (2) The Head of Permits and Investment of Center shall make written notification on the rejection to application referred to in paragraph (1) to the applicant with reason for the rejection using Model-8 form as set forth in Attachment III that constitutes inseparable part of this Regulation.

Article 31

- (1) The Head of Permits and Investment Center shall submit the application that has complied with administrative requirement to the Director General of Husbandry and Head of Agriculture Quarantine Center.

- (2) The Director General of Husbandry after receiving the application referred to in paragraph (1) shall conduct technical analysis on the parent stock or butcher stock on compliance with the technical requirement and animal health requirement.
- (3) The Head of Agriculture Quarantine Agency shall conduct technical analysis on animal quarantine.
- (4) The result of technical analysis from the Head of Agriculture Quarantine Agency referred to in paragraph (3) shall be submitted to the Head of Permits and Investment Center to be forwarded further to the Director General of Husbandry for consideration in the issue of SPP-I.

Article 32

- (1) The Head of Permits and Investment Center within a period of two (2) working days after receiving technical consideration from the Head of Agriculture Quarantine Agency referred to paragraph (1) and after conducting technical analysis on the seed stock, parent stock or butcher stock referred to in Article 31 paragraph (2) within ten (10) working days, should have given response either rejection or approval.

Article 33

Rejection to application referred to in Article 32 paragraph (2) by the Director General of Husbandry shall be made in writing with reason submitted to the applicant through the Head of Permits and Investment Center using Model-9 form as set forth in Attachment III that constitutes inseparable part of this Regulation.

Article 34

Article 34

- (1) The Director General of Husbandry on behalf of the Minister shall issue SPP-I for the approved application referred to in Article 32 paragraph (2) in the form of Decision of the Minister using Model-9 form as set forth in Attachment III that constitutes inseparable part of this Regulation.
- (2) The Head of Permits and Investment Center shall submit the SPP-I referred to in paragraph (1) to the applicant with copy to the Head of Agriculture Quarantine Agency, the Directorate General of Customs and Excise of the Department of Finance, Head of Provincial Service Office and Head of Animal Quarantine Center of country of export.

Article 35

- (1) Individual, legal entity or government agency that has obtained SPP-I from the Director General of Husbandry as referred to in Article 34 may issue seed stock, parent stock and/or butcher stock.
- (2) The SPP-I referred to in paragraph (1) shall be valid for at least 90 (ninety) working days as of the date it is issued.
- (3) In the occurrence of animal epidemic in the point of origin, the SPP-I referred to in paragraph (2), shall be declared null and void.
- (4) Individual, legal entity or government agency exporting seed stock, parent stock or butcher stock shall be obliged to provide report on realization of export to the Director General of Husbandry with copy to the

Head of Agriculture Quarantine Agency, Permits and Investment Center and Head of Provincial Service Office issuing the recommendation within seven (7) calendar days after exporting.

CHAPTER IV

PACKAGING AND TRANSPORTATION

Article 36

Individual, legal entity or government agency importing and/or exporting seed stock, parent stock or butcher stock other than obliged to comply with the technical requirement referred to in Article 6 paragraph (1) and Article 24 paragraph (1) shall also comply with the animal welfare in the packaging and transportation.

Article 37

- (1) Other than obliged to comply with the norm for animal welfare the packaging and transportation referred to in Article 36 for import and/or export of seed stock, parent stock shall be packaged in such manner in order to maintain stability in the quality, health and its safety.
- (2) The packaging referred to in paragraph (1) for seed stock and parent stock originating from overseas must be the original from the country of origin, with label and sealed and has complied with the Indonesian National Standard or at least the technical requirement stipulated.

Article 38

- (1) To prevent imported HPHK and/or PHMU from abroad into the territory of the Republic of Indonesia through transit of transportation of seed stock, parent stock and/or butcher stock, approval for transit may be granted only for places that have been decided and recognizing the provision in the statutory regulation on quarantine.
- (2) Transit shipment may be made only with the quarantine area within the specified transit site referred to in paragraph (1).

Article 39

- (1) Transportation media used to transport seed stock, parent stock and/or butcher stock must comply with the required Indonesian National Standard or minimum technical requirement stipulated in separate Regulation.
- (2) If the transportation referred to in paragraph (1) for seed stock, parent stock and/or butcher stock is made in one shipment, this must comply with the requirements below:
 - a. animal health;
 - b. loading of seed stock, parent stock or butcher stock and stock of the same type shall be made separate from each other, provided that the group of seed stock is placed on the upper deck of the transporting ship;
 - c. if during the shipment casualty or disease occurred, then more intensive quarantine over the entire stock transported in one ship shall be conducted at the port of import;

CHAPTER V

SUPERVISION

Article 40

Supervision on import of seed stock, parent stock or butcher stock from overseas that have been released from quarantine action shall be conducted by the functional official or officer appointed by the Head of Provincial Service Office and/or regency/urban according to their authority.

Article 41

Supervision over stock traffic in export of seed stock, parent stock or butcher stock shall be conducted by Provincial Service Office and/or regency/urban, on the compliance with the provision on the type, point of origin, population and preservation of genetic resources as referred to in Article 21.

CHAPTER VI

PENAL PROVISION

Article 42

- (1) Based on the result of supervision conducted by the functional official or officer appointed as referred to in Article 40 it is known that violation takes place on the provisions in this Regulation, the Director General on behalf of the Minister, Governor and Regent/Mayor may take alternative action.
- (2) Alternative action referred to in paragraph (1) may be in the form of:
 - a. written reminder;

b. prohibition.....

- b. prohibition from importing or exporting seed stock, parent stock and butcher stock;
 - c. prohibition from circulation and/or eradication action;
 - d. recommendation for revocation of business license;
 - e. recommendation for revocation of API-U (General Import Identification Number).
- (3) Administrative penalty referred to in paragraph (2) shall be made based on the risk rate resulting from the violation committed.
- (4) The administrative penalty referred to in paragraph (2) letters b, d and e shall be imposed by the Director General of Husbandry on behalf of the Minister.
- (5) The administrative penalty referred to in paragraph (2) letters a and c shall be imposed by the Governor or Regent/Mayor according to their respective authority.

CHAPTER VII

TRANSITIONAL PROVISION

Article 43

By the time this Regulation is enforced:

- a. application for import and export of seed stock, parent stock and/or butcher stock still in process for issue of SPP and/or SPP-I shall comply with the provision prior to this Regulation is enforced;
- b. application of individual, legal entity or government agency that has obtained approval letter for import for export of seed stock, parent stock or butcher stock shall be declared still valid and shall further adjust with this Regulation.

CHAPTER VIII

CLOSING PROVISION

Article 44

With this Regulation coming into force, Decree of the Minister of Agriculture No.750/Kpts/UM/10/1982, concerning Terms for Import of Seed Stock from Overseas, Decision of the Minister of Agriculture No.752/Kpts/UM/10/1982, concerning Technical Terms for Imported Seed Stock from Overseas to the extent it is governed in this Regulation shall be revoked and declared null and void.

Article 45

This Regulation shall come into force as of the date it is stipulated.

Stipulated in Jakarta

On January 30, 2008

THE MINISTER OF AGRICULTURE

Sgd.

ANTON APRIYANTO

====(MA)====