

**ACT OF THE REPUBLIC OF INDONESIA  
NO. 7 OF 1996  
ON  
FOOD**

**UNOFFICIAL TRANSLATION**

ACT OF THE REPUBLIC OF INDONESIA  
NO 7 OF 1996  
ON  
FOOD  
BY THE GRACE OF GOD ALMIGHTY,  
THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. whereas food constitutes a basic human need, of which the fulfilment is a fundamental right of each Indonesian people, in the realization of quality human resources to carry out the national development;
  - b. whereas sufficient availability of safe, nutritious and quality food is a main pre-requisite, which must be met in the effort to arrange a system that provides protection for the purpose of health and to play a larger role in increasing the prosperity and welfare of the people;
  - c. whereas food as trade commodity requires the support of an honest and responsible food trading system so that food would be available which is within reach of the purchasing power of the community and to participate in the role to increase the national economic growth;
  - d. whereas in connection with the considerations in points a, b and c, and in order to realize an effective regulatory, promotion and supervision system in the field of food, it is necessary to enact the Act on Food;
- In view of : Article 5 paragraph (1), Article 20 paragraph (1), Article 27 paragraph (2) and Article 33 of the 1945 Constitution;

With the approval of  
THE HOUSE OF PEOPLE'S REPRESENTATIVES  
OF THE REPUBLIC OF INDONESIA  
HAS DECIDED :

To stipulate : ACT ON FOOD.

CHAPTER I  
GENERAL PROVISIONS

Article 1

In this Act,

1. Food includes every article originating from biological sources and water, whether processed or not, which is designated as eatables and beverages for human consumption, including food additive material, food raw material and other materials used in the process of preparation, processing and or the making of eatables or beverages;
2. Processed food means eatables or beverages, the result of a process in a certain manner or method, with or without the use of food additives;
3. Food system ~~which means~~ means everything related to the regulation, development and or supervision on food production activities or process and food circulation, until its consumption by human;
4. Food safety includes the condition and pursuits needed to prevent food from possible biological and chemical contamination as well as contamination by other objects which may disturb, harm, and endanger the human health;
5. Food production includes activities or process of producing, preparing, processing, making, preserving, packaging or repackaging and or changing the form of food;

6. Food transportation includes any activity or series of activities to send off food from one place to another by whatever way or means of transportation in respect of the production, circulation and or trade of food;
7. Food circulation includes any activity or series of activities to disseminate food to the community, whether to be traded or not;
8. Food trade includes any activity or series of activities in respect of the sale and or purchase of food, including offer to sell and other undertakings in connection with the disposition of food for any consideration whatsoever;
9. Food sanitation includes undertakings to prevent the possibility for putrifying and pathogenic micro organism to grow and propagate in eatables, beverages, equipment and premises capable of spoiling food and endangering human;
10. Food package includes anything in which or any means by which food is contained and or covered, whether contiguous with the food or not;
11. Food irradiation means any method of radiating for the treatment of food using a radioactive substance as well as accelerators with the purpose to prevent putrefication and decay, and to free food from pathogenic micro organism;
12. Food genetic engineering includes any process involving the transfer of genes of one biological kind to another which is different or similar, to derive a new kind which is able to produce a more superior food product;
13. Food quality means the value determined based on the criteria of food safety, nutrition content and trade standard on foodstuffs, eatables and beverages;
14. Food nutrition includes any substance or compound existed in food, such as carbohydrates, proteins, fats, vitamins and minerals as well as their derivatives which is useful for the growth and health of human;

15. Food label means any information concerning food in a pictorial or written form, a combination of both, or other form accompanying the food, which is included in, attached to or constituting part of the food package;
16. Food advertisement means any information or statement, concerning food in a pictorial or written form, or another form carried out by various methods for the marketing and or the trade of food;
17. Food resilience means the condition in which the fulfilment of food for the households is reflected by the availability of sufficient food in its quantity and quality, which meets the requirements of safety, evenly distributed, and affordable;
18. Any person includes a natural person and or a body corporate or unincorporate.

## Article 2

The food development is carried out for the fulfilment of the basic needs of mankind in which it provides a fair and equal benefit based on self determination and not contradictory to the conviction of the community.

## Article 3

The objectives of the regulation, development and supervision of food are :

- a. the availability of food, which fulfilled the requirements on safety, quality and nutrition contents for the interest of human health;
- b. the construction of honest and responsible food trade; and
- c. the achievement of a food sufficiency condition at reasonable and affordable prices in accordance with the need of the society.

**CHAPTER II**  
**FOOD SAFETY**  
**First Part**  
**Food Sanitation**  
**Article 4**

- (1) The Government shall stipulate sanitation requirements in the food production activities or process, storage, transportation and or circulation.
- (2) The requirements as referred to in paragraph (1) constitute the minimum requirements which must be met and are determined and applied gradually with due observance of the readiness and the needs of the food system.

**Article 5**

- (1) The facilities and or infrastructure which are used directly or indirectly in the food production activities or process, storage, transportation and or circulation must fulfill the sanitation requirements.
- (2) The undertaking of the food production activities or process, storage, transportation and or circulation and the use of the facilities and infrastructures, as referred to in paragraph (1), shall be conducted in accordance with the sanitation requirements.

**Article 6**

Any person responsible in the execution of food production activities or process, storage, transportation and or circulation shall :

- a. fulfil the requirements on sanitation, safety, and or human precaution;
- b. execute a periodic sanitation monitoring program; and
- c. execute the supervision on the fulfilment of the sanitation requirements.

#### Article 7

Individuals who are directly handling and or are directly within the area of food production activities or process, storage, transportation and or circulation must fulfil the sanitation requirements.

#### Article 8

It is prohibited for any person to undertake food production activities or process, storage, transportation, and or circulation in a condition which does not meet the sanitation requirements.

#### Article 9

The provisions as referred to in Article 4, Article 5, Article 6, and Article 7, shall further be regulated with a Government Regulation.

### Second Part Food Additives

#### Article 10

- (1) Any person producing food to be circulated is prohibited from using any material whatsoever as food additives which is declared as prohibited or using such material exceeding the maximum threshold limit as determined.
- (2) The Government shall further determine the materials which are prohibited and or which can be used as food additives in the food production activities or process, as well as the maximum threshold limit as referred to in paragraph (1).

### **Article 11**

Any materials which will be used as food additive but of which the impact on human health is not yet known, must first be examined as to its safety, and the use of such materials in the production or process activities of food to be circulated, may only be carried out after an approval has been obtained from the Government.

### **Article 12**

The provisions as referred to in Article 10 and Article 11, shall be regulated further with a Government Regulation.

### **Third Part**

#### **Genetic Engineering and Food Irradiation**

### **Article 13**

- (1) Any person who produces food or uses foodstuffs, food additives and or other auxiliary material in the production activity or process of food accrued from genetic engineering, for the reason of its safety to human health, must first have the food examined before being circulated.
- (2) The Government shall stipulate the requirements and the principles of research, development and the use of genetic engineering method in the food production activity or process and lays down the requirements for the testing of food accrued from genetic engineering process.

### **Article 14**

- (1) Irradiation in the food production activities and process shall be conducted based on a licence issued by the Government.



- (2) The granting of a licence to execute food production activities or process by using irradiation techniques and or method as referred to in paragraph (1), shall be based on the fulfilment of the requirements on health and waste handling and in overcoming the danger of radioactive material as to ensure the food safety, secure working condition and preservation of the environment.

#### Article 15

The provisions as referred to in Article 13 and Article 14 shall be further determined with a Government Regulation.

#### Fourth Part

#### Food Package

#### Article 16

- (1) Any person producing food to be circulated is prohibited from using any material whatsoever as food package which is declared prohibited and or which may release contaminants harmful or endanger to human health.
- (2) The packaging of circulated food shall be carried out according to a matter of course which can prevent adulteration and or contamination.
- (3) The Government shall determine the materials which are prohibited to be used as food package, and the procedures of packaging of certain food to be traded.

#### Article 17

Any materials which will be used as food package, but of which the impact on human health is not yet known, must first be examined as to its safety, and the use of such materials in the production activities or process of food to be circulated, may only be carried out after an approval has been obtained from the Government.

### Article 18

- (1) It is prohibited for any person to open the final packaging of food to be further repackaged and traded.
- (2) The provision as referred to in paragraph (1) does not apply to food of which the procurement is in large quantities and is customarily repackaged in small quantities to be further traded.

### Article 19

The provisions referred to in Article 16, Article 17, and Article 18 shall be further regulated with a Government Regulation.

### Fifth Part

#### Food Quality Assurance and Laboratory Examination

### Article 20

- (1) Any person who produces food to be traded must implement a quality assurance system, in accordance with the type of food produced.
- (2) With regard to certain food traded, the Government may determine the requirements that said food be laboratory tested before its circulation.
- (3) The laboratory test as referred to in paragraph (2), shall be carried out in a laboratory which is appointed by and or which has obtained an accreditation from the Government.
- (4) The quality assurance system and the laboratory testing requirements as referred to in paragraph (1) and paragraph (2) shall be determined and applied gradually with due observance of the readiness and the needs of the food system.

- (5) The provisions as referred to in paragraph (1), paragraph (2) and paragraph (3) shall be further determined with a Government Regulation.

**Sixth Part**  
**Contaminated Food**  
**Article 21**

Any person is prohibited from circulating :

- a. food containing materials which are toxic, dangerous or which may harm or endanger the health or life of humans;
- b. food containing pollutants exceeding the determined maximum threshold limit;
- c. food containing materials prohibited to be used in the food production activities or process;
- d. food containing materials which are dirty, spoiled, putrid, decomposed or containing infected vegetable or animal material, or originating from a carcass so that the food becomes unfit for human consumption;
- e. expired food.

**Article 22**

To supervise and prevent the contamination of food, the Government :

- a. determines the materials prohibited to be used in the food production activities or process as well as the maximum threshold limit of pollutants allowed;
- b. regulates and or determines the requirements for the use of certain manners, methods and or materials in the food production activities or process, storage, transportation and or circulation which may have a risk harmful and or endangered to human health;
- c. determines the materials prohibited to be used in the production of equipment on food processing, preparation, marketing, and or presentation.

### Article 23

The provisions referred to in Article 21 and Article 22 shall be further regulated with a Government Regulation.

## FOOD QUALITY AND NUTRITION

### FIRST PART

### FOOD QUALITY

### Article 24

- (1) The Government shall determine the standard of food quality.
- (2) With regard to certain food traded, the Government may enforce and obligate the fulfilment of the standard of food quality which is stipulated in accordance with the provision as referred to in paragraph (1).

### Article 25

- (1) The Government shall determine the requirements on quality certification of food traded.
- (2) The requirements on food quality certification as referred to in paragraph (1), shall be applied gradually, based on the types of food, with due observance of the readiness and the needs of the food system.

### Article 26

Any person is prohibited to trade in :

- a. certain food, as referred to in Article 24 paragraph (2), if such food does not meet the standard of quality as determined in accordance with its designation;

- b. food of which the quality is different or not the same as the quality warranted;
- c. food which do not meet the food quality certification requirements as referred to in Article 25.

**Second Part**  
**FOOD NUTRITION**  
**Article 27**

- (1) The Government shall determine and implement a policy in the field of nutrition for the improvement of the nutrition status of the community.
- (2) To increase the nutrition content of certain processed food traded, the Government may determine special requirements concerning the composition of the food.
- (3) In case of shortage and or decrease in the nutrition status of the community, the Government may determine the requirements for the improvement or enrichment of the nutrition content of certain food circulated.
- (4) Any person producing food as referred to in paragraph (2) and (3) must fulfil the requirements on nutrition as determined.

**Article 28**

- (1) Any person producing certain processed food to be traded, must carry out the food processing procedures which could restraint the process of decreasing or losing the nutrition content in the food raw materials used.
- (2) The processed food and the food processing procedure as referred to in paragraph (1) shall be further regulated by the Government.

### Article 29

The provisions as referred to in Article 24, Article 25, Article 26 and Article 27 and article 28 shall be further regulated with a Government Regulation.

## CHAPTER IV

### FOOD LABEL AND ADVERTISEMENT

#### Article 30

- (1) Any person producing or importing into the territory of Indonesia pre-packaged food to be traded is obligated to affix a label on, within and or at the food package.
- (2) The label as referred to in paragraph (1) shall at least contain information concerning :
  - a. the name of the product;
  - b. the ingredient;
  - c. net weight or net contents;
  - d. name and address of the party who produces or imports the food into the territory of Indonesia;
  - e. information on "halal"; and
  - f. the expiry date, month and year.
- (3) In addition to the information as referred to in paragraph (2), the Government may determine other information which must be or is prohibited from being mentioned on food label.

### Article 31

- (1) The information on the label as referred to in Article 30 shall be distinctly and clearly written or printed or shown so that it can easily be understood by the community.
- (2) The information on the label as referred to in paragraph (1) shall be written or printed in the Indonesian language, Arabic numbers and Latin letters.
- (3) The use of foreign terminologies, other than as referred to in paragraph (2), may be undertaken as long as there is no equivalence, or its equivalence cannot be created, or it is used for the purpose of food exportation.

### Article 32

It is prohibited for any person to replace, relable or exchange the expiry date, month and year of circulated food.

### Article 33

- (1) Every label and or advertisement concerning food traded must contain information concerning the food in a truthful and not misleading manner.
- (2) It is prohibited for any person to give information or statement concerning food traded through, in, and or by the use of label or advertisement when the information or statement concerned is untrue and or misleading.
- (3) The Government shall regulate, supervise and take the necessary measures, in order that an advertisement concerning food traded does not contain information which may be misleading.

#### Article 34

- (1) Any person declaring in a label or in an advertisement that the food traded is in accordance with the requirements of a religion or belief, shall be responsible for the correctness of the statement based on said requirements of the religion or belief.
- (2) The label concerning certain processed food traded for babies, children below 5 years, and pregnant women or nursing mothers must contain information concerning its designation, the manner of using or other necessary information regarding the impact of the food on human health.

#### Article 35

The provisions as referred to in Article 30, Article 31, Article 33, and Article 34 shall be further regulated with a Government Regulation.

### CHAPTER V

#### THE IMPORTATION AND EXPORTATION OF FOOD INTO AND FROM THE TERRITORY OF INDONESIA

#### Article 36

- (1) Any food which is imported into the territory of Indonesia to be circulated must fulfill the provisions as referred to in this Act and its implementing regulation.
- (2) It is prohibited for any person to import food into the territory of Indonesia and or to circulate in the territory of Indonesia food which is imported into the territory of Indonesia, if the said food does not fulfil the provisions as referred to in this Act and in its implementing regulations.



### Article 37

In respect of food which is imported into the territory of Indonesia as referred to in Article 36, the Government may require that :

- a. the said food has been tested or examined and is declared to have passed from the point of safety, quality and or nutrition by the authorized agency at the country of origin;
- b. the said food is supported with a document showing the results of the testing and or examination, as referred to in letter a; and or
- c. the said food be tested and or examined in Indonesia from the point of safety, quality and or nutrition, before being circulated.

### Article 38

Any person importing food into the territory of Indonesia to be circulated shall be responsible for the safety, quality and or nutrition of the said food.

### Article 39

The Government may require, that any food which is exported from the territory of Indonesia be tested and or examined before its circulation, from the point of safety, quality, label requirements and or nutrition content.

### Article 40

The provisions referred to in Article 37, Article 38 and Article 39 shall further be regulated with a Government Regulation.

CHAPTER VI  
FOOD INDUSTRY LIABILITY  
Article 41

- (1) A business venture that produces processed food to be circulated and or an individual within the business venture who is given the responsibility for the operation of the said business, shall be responsible for the safety of the food which it produces, for the health of another person who consumes said food.
- (2) Any natural person whose health is harmed or the benefactory of a natural person who deceased, as a direct consequence of consuming processed food circulated, is entitled to file a claim for indemnity against the business venture or the individual within the business venture as referred to in paragraph (1).
- (3) Where it is unrefutable, that the processed food circulated and consumed, contains material which is harmful and or endangering to human health or other materials which are prohibited, the business venture and or individual within the business venture as referred to in paragraph (1) is obligated to indemnify all actual damages occurred.
- (4) Notwithstanding the provisions as referred to in paragraph (3), where a business venture and or an individual within the business venture as such can prove that the said matter is not caused by its/his fault or negligence, the business venture and or individual within the business venture is not obligated to indemnify.
- (5) The amount of indemnity as referred to in paragraph (3), shall be of maximum Rp 500.000.000,00 (five hundred million rupiah) for any person whose health is harmed, or the death caused.

#### Article 42

Where the domicile of the party as referred to in Article 41 paragraph (1) is not known or the party is not domiciled in Indonesia, the provisions of Article 41 paragraph (3) and paragraph (5) shall apply to the person(s) who has/have circulated and or imported the food into the territory of Indonesia.

#### Article 43

- (1) Where the damages caused involves a large material loss and or considerable number of victims, the Government is authorized to file a claim for indemnity as referred to in Article 41 paragraph (2).
- (2) The claim for indemnity as referred to in paragraph (1), shall be undertaken for the interests of the person who has suffered such loss.

#### Article 44

The provisions as referred to in Article 42 and Article 43 shall be further determined with a Government Regulation.

### CHAPTER VII FOOD RESILIENCE

#### Article 45

- (1) The Government and the community shall be responsible for the realization of food resilience.

- (2) In the realization of food resilience as referred to in paragraph (1), the Government shall stipulate regulation and undertake promotion, control and supervision on food availability in a sufficient manner as to its quantity and quality, safety, nutrition content, diversified, equally distributed and within the purchasing power of the community.

#### Article 46

In the implementation of the provisions as referred to in Article 45, the Government will :

- a. carry out, promote and or coordinate all efforts or activities towards the realization of national food reserves;
- b. carry out, regulate and or coordinate all efforts and activities for the supply, procurement, and or distribution of certain food which is basic in nature;
- c. determine and implement the national food quality and diversification policies;
- d. take necessary measures to prevent and or overcome food shortage, state of emergency, and or speculative conducts or manipulation in the procurement and circulation of food.

#### Article 47

- (1) The national food reserves as referred to in Article 46 letter a, shall consist of :
- a. Government food reserve;
  - b. Community food reserve.
- (2) The Government food reserve shall be determined periodically, by taking into account the real level of the community demand for food and the availability of food, and by anticipating the occurrence of food shortage and or state of emergency. .

- (3) In the effort to realize the national food reserves as referred to in paragraph (1), the Government shall :
- a. develop, promote and or assist the implementation of the community and Government food reserves at rural, urban, provincial and national level;
  - b. develop, support and provide the widest possible opportunity for the role of the cooperatives and the private sector in realizing the local and or national food reserves.

#### Article 48

In order to prevent and or overcome upheavals in prices of certain food, which may harm the food resilience, the Government shall take necessary measures to control the said prices.

#### Article 49

- (1) The Government shall carry out promotion covering efforts to :
- a. develop human resources in the field of food through education and training activities, especially of the small scale businesses;
  - b. stimulate and increase community participation in the human resources development activities, in the improvement of the small-scale businesses capability, in the extension activities in the field of food and in the diversification of food;
  - c. stimulate and motivate the participation of professional associations and organizations in the field of food;
  - d. stimulate and support research and or development activities in the field of food technology;
  - e. disseminate knowledge and extensions in the field of food;

- f. promote international cooperations in the field of food in accordance with the national interest;
  - g. stimulate and increase the activities to diversify food consumed by the community, as well as to establish a stable quality of traditional food.
- (2) The provisions as referred to in paragraph (1) shall be further regulated by the Government.

#### Article 50

The provisions as referred to in Articles 45, 46, 47, 48 and 49 shall be further regulated by Government Regulation.

### CHAPTER VIII COMMUNITY PARTICIPATION

#### Article 51

The community has the opportunity to participate, as extensively as possible, in realizing the protection of any natural person consuming food, in accordance with the provisions of this Act and its implementing regulations as well as other regulations in force.

#### Article 52

In the framework of improving and upgrading of the food system, the community may submit problems, inputs and or the solution for matters in the field of food.

CHAPTER IX.  
SUPERVISION  
Article 53

- (1) To supervise the adherence to the provisions of this Act, the Government is authorized to carry out an investigation in case there is a suspicion that an offense in the field of food has taken place.
- (2) In performing the investigation as referred to in paragraph (1), the Government is authorized to :
  - a. enter any premises suspected to be used for the activities or process of production, storage, transportation and trading of food, to examine, investigate and take food samples, and anything suspected to be used in activities of production, storage, transportation and or trading of food;
  - b. stop, investigate and detain any means transportation suspected or reasonably suspected to be used in the transportation of food, as well as to examine food samples;
  - c. open and examine each food package;
  - d. examine any book, document of other records which is suspected to contain information regarding the activities of production, storage, transportation, and or trade of food;
  - e. order that the business license or other similar documents be presented.
- (3) The Investigating Official shall be provided with a warrant to carry out the investigation as referred to in paragraph (2).
- (4) In case, based on the results of the activities as referred to in paragraph (2), it is reasonable to suspect that a criminal act in the field of food has taken place, a criminal investigation by police shall immediately be carried out based on the regulations in force.

- (5) The provisions as referred to in paragraphs (1), (2), and (3) shall be further stipulated by a Government Regulation.

#### Article 54

- (1) In the implementation of the supervisory function as referred to in Article 53, the Government is authorized to take administrative measures against any violations of the provisions of this Act.
- (2) The administrative measures as referred to in paragraph (1), may be in the form of :
- a. a written warning;
  - b. prohibition to circulate temporarily and or to order the withdrawal of the food product from circulation when there is a risk of the food being contaminated or the food is no longer safe for human health;
  - c. destruction of the food if it is proven to be dangerous to human health and life;
  - d. temporary discontinuation of production;
  - e. imposition of a fine of maximum Rp 50.000.000,00 (fifty million rupiah);
  - f. the revocation of the production licence or the business license.
- (3) The provisions as referred to in paragraph (1) and (2) shall be further regulated with a Government Regulation.

### CHAPTER X CRIMINAL PROVISIONS

#### Article 55

Whoever intentionally :

- a. carries out production activities or process, storage, transportation, and or circulation of food in such a condition which does not meet the sanitation requirements, as referred to in Article 8;



- b. uses prohibited materials as food additives or uses food additives in a way exceeding the determined maximum tolerable limit as referred to in Article 10 paragraph (1);
- c. uses materials which are prohibited to be used as food package and or any material capable of releasing a pollutant which is harmful or endangering to the health of humans, as referred to in Article 16 paragraph (1);
- d. circulates food of which the circulation is prohibited, as referred to in Article 21 letters a, b, c, d, or e;
- e. trades in food not fulfilling the quality standard as obligated, as referred to in Article 26 letter a;
- f. trades in food of which the quality is different or not the same as the warranted quality, as referred to in Article 26 letter b;
- g. trades in food which does not fulfil the food quality certification requirements, as referred to in Article 26 letter c;
- h. replace, relabel or exchange the date, month and year of expiry of the food circulated, as referred to in Article 32;

shall be sentenced with imprisonment of maximum 5 (five) years and or a fine of maximum Rp 600.000.000,00 (six hundred million rupiah).

#### Article 56

Whoever because of his/her negligence :

- a. carries out production activities or process, storage, transportation, and or circulation of food in a condition which does not meet the sanitation requirements, as referred to in Article 8;
- b. uses materials prohibited to be used as food additive or uses food additive materials exceeding the determined maximum tolerable limit, as referred to in Article 10 paragraph (1);

- c. uses materials which are prohibited to be used as food package and or any material capable of releasing a pollutant which is harmful or endangering to the health of humans, as referred to in Article 16 paragraph (1);
- d. circulates food of which the circulation is prohibited, as referred to in Article 21 letters a, b, c, d, or e;

shall be sentenced with imprisonment of maximum 1 (one) year and or a fine of maximum Rp 120.000.000,00 (one hundred and twenty million rupiah).

#### Article 57

The imprisonment and or fine as referred to in Article 55 letters a, b, c, and d, and Article 56 shall be increased by one fourth if it has caused harm to the health of humans or increased by one third if it has caused death.

#### Article 58

Whoever :

- a. uses any material as food additive and circulates said food in contradiction to the provisions, as referred to in Article 11;
- b. circulates food which is produced from, or uses foodstuffs, food additives, and or other auxiliary material in the production activities or process of food accrued from a genetic engineering process, without first having the safety of the food examined, as referred to in Article 13 paragraph (1);
- c. uses irradiation in the food production activities or process without license, as referred to in Article 14 paragraph (1);
- d. uses any material as package for food to be circulated in contradiction to the provisions in Article 17;
- e. opens the final packaging of food to be further repackaged and traded, as referred to in Article 18 paragraph (1);

- f. circulates certain food to be traded without first having it laboratory tested, as referred to in Article 20 paragraph (2);
  - g. produces food without fulfilling the requirements on food nutrition, as referred to in Article 27 paragraph (4);
  - h. produces or imports into the territory of Indonesia pre-packaged food to be traded without putting a label, as referred to in Article 30 or Article 31;
  - i. provides untrue and or misleading information or statement concerning the food traded through, in, and or by the use of a label and or advertisement, as referred to in Article 33 paragraph (2);
  - j. provides untrue statement or information in an advertisement or label that the food traded is in accordance with the requirements of a certain religion or belief, as referred to in Article 34 paragraph (1);
  - k. imports food into the territory of Indonesian and or circulates within the territory of Indonesia food which does not meet the provisions of this Act and its implementing regulation, as referred to in Article 36 paragraph (2);
  - l. hampers the process of investigation, as referred to in Article 53;
- shall be sentenced with imprisonment of maximum 3 (three) years and or a fine of maximum Rp 360.000.000,00 (three hundred and sixty million rupiah).

#### Article 59

Whoever :

- a. does not carry out production activities or process, storage, transportation, and or a circulation of food which fulfil the requirements of sanitation, safety and or human precaution or does not carry out a periodic sanitation monitoring program or does not carry out supervision on the fulfilment of the sanitation requirements, as referred to in Article 6;
- b. does not fulfil the sanitation requirements, as referred to in Article 7;

- c. does not carry out the food packaging procedure as determined, as referred to in Article 16 paragraph (3);
- d. does not implement the quality assurance system as determined in the production activities or process of food to be traded, as referred to in Article 20 paragraph (1);
- e. does not provide the information which must be mentioned on the label, as referred to in Article 34 paragraph (2);

although already warned in writing by the Government, shall be sentenced with imprisonment for a maximum of 4 (four) years and or a fine of maximum Rp 480.000.000,00 (four hundred and eighty million rupiah).

## CHAPTER XI

### ASSIGNMENT OF AFFAIRS AND TASK OF ASSISTANCE

#### Article 60

- (1) The Government may assign part of the affairs in the field of food to the Local Government, in accordance with the regulations in force.
- (2) The Government may assign the Local Government to carry out the task of assistance in the field of food.
- (3) The provisions as referred to in paragraph (1) shall be further determined by a Government Regulation.

## CHAPTER XII

### OTHER PROVISIONS

#### Article 61

- (1) In the event of a very urgent food shortage condition, the Government may temporarily disregard the provisions of this Act pertaining the food safety requirement, labelling, quality, and or food nutrition requirements.

- (2) The provision as referred to in paragraph (1) shall be carried out by taking into consideration the safety and the safeguarding of the community's health.

#### Article 62

Where considered necessary, the Government may designate an agency to coordinate the implementation of this Act.

#### Article 63

This Act and its implementing regulations shall not apply to food produced and consumed by household.

### CHAPTER XIII TRANSITIONAL PROVISION

#### Article 64

At the date of entry into force of this Act, all regulations on food which are already in existence are declared to remain in force so far as they are not in contradiction with this Act.

### CHAPTER XIV CONCLUDING PROVISIONS

#### Article 65

This Act shall come into force as of the date of its enactment.

In order that everyone shall take cognizance, it is ordered to promulgate this Act by its placement in the State Gazette of The Republic of Indonesia.

Ratified in Jakarta  
on November 4, 1996  
PRESIDENT OF THE REPUBLIC OF INDONESIA

SOEHARTO

Enacted in Jakarta  
On November 4, 1996  
THE STATE MINISTER STATE SECRETARY OF  
THE REPUBLIC OF INDONESIA

MOERDIONO

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