

HUSBANDRY AND ANIMAL HEALTH

(Law Number 18 Year 2009, dated June 4, 2009)

WITH THE BLESSING OF THE ONE AND ONLY GOD
PRESIDENT OF THE REPUBLIC OF INDONESIA,

With the Joint Approval of
THE HOUSE OF THE PEOPLE'S REPRESENTATIVES OF
THE REPUBLIC OF INDONESIA,
and
THE PRESIDENT OF THE REPUBLIC OF INDONESIA

Considering:

- a. that animal as the gift and mandate of the One and Only God has important role in the provision of food originating from animal and other animal products and services for human being which benefits need to be directed for the welfare of the people.;
- b. that to achieve the this purpose it is necessary to maintain animal health in order to protect human health and animal health and its ecosystem as the requirement to accomplish advanced, competitive and continuous husbandry as well as providing safe, healthy, intact, and permitted food so that it is necessary to make efficient use thereof for the prosperity and welfare of the people;
- c. that with the developed situation the claim for regional autonomy and globalization, the statutory regulation in the field of husbandry and animal health prevailing at present is no longer justified as the basis of law in the implementation of husbandry and animal health;
- d. that based on the consideration referred to in letters a, b and c, it is necessary to establish a Law on Husbandry and Animal Health;

D E C I D E S :

To stipulate:

A LAW ON HUSBANDRY AND ANIMAL HEALTH

CHAPTER I

GENERAL PROVISION

Article 1

What is meant in this Law by:

1. Husbandry shall be all matters relating to source of physical power, seeds, seedling and/or germs, food, husbandry tools and machine, livestock cultivation, harvesting, post harvesting, processing, marketing and its exploitation.
2. Animal health shall be all matters relating to animal health care, animal medication, animal health service, control and management of animal disease, disease prevention, medical reproduction, medical conservation, animal medicine and animal health apparatus, and food security.
3. Animal shall be animal or wild animal which the entire or part of its live cycle is on land, water, and/or air, either reared or within its habitat.
4. Reared.....

In view of:

Article 5 paragraph (1), Article 20, and Article 33 of the 1945 Constitution of the Republic of Indonesia 1945
(BN No. 7152 page 14A);

4. Reared animal shall be animal which part or the whole lives thereof depend on human being for particular purpose.
5. Livestock shall be reared animal which product is allocated for food producer, basic material for industry, service, and/or its derivative product that relates to agricultural matters.
6. Wild animal shall be all animals that live on land, water and/or air which are still having wild nature, that are either live freely or reared by human being.
7. Genetic resources shall be plants, animals, or microorganism consisting of units that function as genetic nature carrier, that either has actual or potential value for creating groove, clump or new species.
8. Animal germs hereinafter referred to as germs shall be animal reproduction material that may be in the form of cement, sperm, ova, shooted egg, and embryo.
9. Microorganism shall be microorganism that may be useful for animal food industry and/or veterinary biomedic industry.
10. Animal germs hereinafter referred to as animal has superior nature shall be animal having superior nature, bequeathing and complying with certain requirements for breeding development.
11. Animal cluster hereinafter referred to as animal cluster shall be group of animals from one species that has special phenotype characters and may be bequeathed to its offsprings.
12. Prospective animal hereinafter referred to as non-germ animal that has superior nature to be reared for producing purpose.
13. Animal product shall be all products originating from fresh animal or processed for consumption purpose, for pharmaceutical, agriculture and/or other use to fulfill human need and benefit.
14. Breeder shall be individual Indonesian citizen or corporate operating husbandry business.
15. Husbandry company shall be individual person or corporate, either in the form of legal entity or non-legal entity, duly established and domiciled in the territory of the Unity State of the Republic of Indonesia that *manages husbandry business in certain criteria and scale*.
16. Business in the field of husbandry shall be activities that produce products and service that support business on livestock cultivation.
17. Castration shall be action that prevents the testical to function by eliminating or detaching its function.
18. Artificial insemination shall be the technology for inserting the sperm or cement into healthy female livestock reproduction mechanism in order to germinate the ovum using insemination device with the objective to inseminate the livestock.
19. Livestock improve breeding shall be a series of activities to change the genetic composition on a group of livestock from one cluster or groove in order to accomplish certain objective.
20. Local livestock shall be the product of cross-breeding or overseas introduction that has been cultivated in Indonesia up to the fifth or more generation that has been adapted to the environment and/or local management.
21. Business in the field of animal health shall be activities that produce products and service that support the effort to accomplish animal health.
22. Food shall be single or mixed food material, either processed or not processed, given to the animal to live, produce and multiple breeding.

23. Food material shall be products of agriculture, fishery, husbandry, or other material reasonably used as food, either processed or non-processed.
24. Public breeding zone shall be State-owned zone or zone made available by the Government or zone granted by individual or company allocated for livestock husbandry by small scale community so that the livestock may breed freely.
25. Any person shall be individual person or corporation in the form of legal entity or non-legal entity that operates in the field of husbandry and animal health.
26. Veterinary shall be all matters relating to animal and animal disease..
27. Veterinary medical shall be activities conducted by veterinarian.
28. Veterinarian body shall be Government institution and/ or institution duly established by the Government in making top technical decision concerning animal involving veterinarian professionalism starting from identification of problem, decide policy, coordinate implementation of the policy, up to control the operational technique in the field.
29. Veterinarian shall be a person having professionalism in the field of veterinary, certificate of competency, and veterinarian medical authority in providing animal health service.
30. Authorized veterinarian shall be veterinarian appointed by the Minister, Governor or Regent or Mayor according to their respective authority based on their respective range of duty in providing service in the context of implementing animal health.
31. Reproduction medical shall be application of medical by veterinarian in the implementation of animal health in the field of animal reproduction.
32. Conservation medical shall be application of medical by veterinarian in the implementation of animal health in the field of conservation of wild life..
33. Biomedical shall be medical implementation by veterinarian in the field of pharmaceutical biology, medical scientific development or biological industry for human health and welfare.
34. Animal disease shall be health disturbance to animal which among other things, caused by genetic defect, degenerative process, methabolism disorder, trauma, intoxication, parasite infection, and pathogen microorganism infection such as virus, bacteria, fungus, and rickets.
35. Infectious animal disease that is infected between the animal and animal, animal and human being, and animal and other animal disease carrier agent by direct contact or indirect contact with agent mechanism like water, air, land, food, device, and human being, or with biological agent such as virus, bacteria, amoeba, or fungus.
36. Strategic animal disease shall be animal disease that may inflict economical loss, uproar to the people, and/ or animal death in high rate.
37. Zoonosist shall be disease that may infect from animal to human being or the other way round.
38. Veterinary community health shall be all matters that relate to animal and animal product that either directly or indirectly affects human health.
39. Animal medicine shall be preparation that may be use to cure animal, to set free all symtoms, or modify chemical process in the body covering biologic preparation, pharmaceutical, premix, and natural preparation.
40. Husbandry tools and machines shall be all equipment used relating to husbandry activities and animal health,

either operated by moving motor activator or without motor activator.

41. Animal health instrument and machines shall be veterinarian apparatus prepared and used for animal as aid instrument in the provision of animal health service.
42. Animal welfare shall be all matters relating to animal physical and mental conditions based on the natural behavior of animal that needs to be applied and enforced for animal protection from any unreasonable action of any person against the animal that is beneficial to human being.
43. Animal health agent shall be person that runs activities in the field of animal health based on the veterinarian medical competence and authority which by hierarchy is in accordance with the formal education and/or certified training on animal health.
44. Animal health technology shall be all matters that relate to the development and application of science, technology, engineering, and industry in the field of animal health.
45. Central government shall be President of the Republic of Indonesia that holds power over the Government of the Unitary State of the Republic of Indonesia as referred to in the 1945 Constitution of the State of the Republic of Indonesia.
46. Minister shall be minister whose duty and responsibility are in the field of husbandry and animal health.
47. Regional Government shall be the Governor, Regent/Mayor, and regional apparatus as operating elements of regional administration.
48. Regional Administration shall be implementation of administrative matters by regional government and the house of the people's representatives based on the principles of autonomy and assisting duty with

the principles of extensive autonomy in the system and the principles of the Unitary State of the Republic of Indonesia as intended in the 1945 Constitution of the Unitary State of the Republic of Indonesia.

49. The national animal health system hereinafter referred to as Siskeswanas shall be the system of animal health elements in good order that interrelated so as to establish entirety that prevails nationwide.

CHAPTER II

PRINCIPLES AND OBJECTIVES

Article 2

- (1) Husbandry and animal health shall be conducted in all territories of the Unity State of the Republic of Indonesia separately and/or integratedly with plant food cultivation, hortikulture, plantation, fishery, forestry or other related fields.
- (2) Implementation of husbandry and animal health shall be based on benefit and continuity, security and health, people oriented and just, transparently and integration, independent, partnership, and professional.

Article 3

Implementation of husbandry and animal health shall be governed with the objective to:

- a. manage animal resources with prestige, accountability, and continuously for the maximum welfare of the people;
- b. suffice the need for animal-origin food, goods, and service independently, competitively, and continuously for improvement of the welfare of the breeders and the people toward the nation achievement for food defense;
- c. protect, secure, and/or guarantee the territory of the Unitary State of the Republic of Indonesia from any threat that may perturb the health or live of human being, animal, plants, and the environment;

d. develop

- d. develop animal resources for the welfare of the breeders and the community; and
- e. provide legal security and certainty to enter into business in the field of husbandry and animal health.

CHAPTER III

RESOURCES

Part One

Land

Article 4

To guarantee certainty in the implementation of husbandry and animal health, it is necessary to have available land that complies with the technical requirement for husbandry and animal health.

Article 5

- (1) The provision of land referred to in Article 4 has been included in the space layout of the territory in accordance with the provisions in the statutory regulation.
- (2) In the event of a change made to the territorial space layout that causes a change to the land allocation for husbandry and animal health, the replacement land must be made available first of all in another place that complies with the requirement for husbandry and animal health and agroecosystem.
- (3) Exception shall be made from the provision on the change to the space layout referred to in paragraph (2) for land for husbandry and animal health for education and/or research activities and development.

Article 6

- (1) Existence and benefit of the land that has been decided as public herding zone must be preserved continuously.

- (2) The public herding zone referred to in paragraph (1) shall function as:
 - a. producer of food plants;
 - b. place for natural marriage, selection, castration, and artificial insemination services;
 - c. place for animal health service, and/or
 - d. place or object for research and development of husbandry and animal health technology.
- (3) The regency/municipality regional government wherein its region has available land that can provide and give priority to small scale livestock cultivation shall be obliged to decide a plot of land as public herding zone.
- (4) The regency/municipality regional government shall develop a kind of joint operation between husbandry exploitation and food plants exploitation, horticulture, fishery, plantation, and forestry and others in utilizing the land such zone as the source of cheap food for the livestock.
- (5) Further provision on the provision and management of the public herding zone referred to in paragraph (3) shall be stipulated in regency/municipality regional regulation.

Part Two

Water

Article 7

- (1) The water used for husbandry and animal health purposes must comply with the requirement for water standard quality according to its allocation.
- (2) In the case of available water is limited at certain period and the zone, the animal need for water must be prioritized after the community's need has been complied with,

Part Three
Genetic Resource

Article 8

- (1) Genetic resource shall constitute the Indonesian nation's asset controlled by the State and is utilized for the maximum welfare of the people.
- (2) The control of genetic resource by the State referred to in paragraph (1) shall be taken care of by the Government, regional administration of the province, or regency/municipality regional administration in accordance with the original circular of the genetic resource concerned.
- (3) Genetic resource shall be managed by utilizing it ation and preservation activities.
- (4) The genetic resource referred to in paragraph (3) shall be made by cultivation dan refinery.
- (5) Genetic resource preservation referred to in paragraph (3) shall be made by conservation within and/or outside its habitat and other efforts.
- (6) Management of genetic source of food plants shall comply with the statutory regulation on plants cultivation system.

Article 9

- (1) Any person utilizing genetic resource as referred to in Article 8 paragraph (4) shall be obliged to enter into agreement with the State controlling operator on genetic resource concerned as referred to in Article 8 paragraph (2).
- (2) The agreement referred to in paragraph (1) shall stipulate, among other things, distribution of profit from the result of utilizing the genetic resource and empowerment of the surrounding community in its utilization.

- (3) Utilization of genetic resource originating from wild life shall comply with the statutory regulation on preservation of natural resource and biological matter and its ecosystem.

Article 10

- (1) The cultivation and refining referred to in Article 8 paragraph (4) shall be conducted by the Government, regional government of province, regency/municipality regional government, the community, and/or corporate.
- (2) The Government shall be obliged to protect the cultivation and refining businesses referred to in paragraph (1).
- (3) The cultivation and refining referred to in paragraph (1) must optimize utilization of various biological matters and preservation of genetic resource originating from Indonesia.
- (4) The Government and regional government shall develop and supervise every person conducting the cultivation and refining as referred in paragraph (3).

Article 11

- (1) Every person or national institution importing and/or exporting genetic resource to and from the territory of the Unitary State of the Republic of Indonesia shall be obliged to obtain permit from the Minister in accordance with the provisions in the statutory regulation.
- (2) The provision referred to in paragraph (1) is also valid for international institution importing and/or exporting genetic resource to and from the territory of the Unitary State of the Republic of Indonesia.

- (3) Other than the provision referred to in paragraph (2), any foreign institution wishing to import and export genetic resource, must first have agreement with the Government on transfer of genetic material in accordance with the provisions in the statutory regulation.

Article 12

- (1) Further provision on genetic resource referred to in Article 8 through Article 11 shall be governed by or shall be based on Government Regulation.
- (2) Further provision on utilization and preservation of genetic resource including animal genetic resource and genetic engineering shall be governed by law.

CHAPTER IV

HUSBANDRY

Part One

Germ, Seed, and Ovule

Article 13

- (1) Provision and development of germ, seed, and/or ovule shall be conducted by prioritizing domestic product and and people oriented economic capability.
- (2) The Government shall be obliged to develop seedling business and/or nursery by involving the role and participation of the community in order to guarantee available germs, seeds, and/or ovule.
- (3) If no seedling and/or nursery are developed yet by the community, the Government shall establish seedling and/or nursery units.
- (4) Every germ or seed circulating must bear valid germ or seed certificate stating remarks on the history and characteristics of certain superiority.
- (5) The germ or seed valid certificate referred to in paragraph (4) shall be issued by germ or seed accredited certification institution or as appointed by the Minister.

Article 14.....

(To be continued)

----- (MA) -----

HUSBANDRY AND ANIMAL HEALTH

(Law of RI, Number 18 Year 2009, dated June 4, 2009)

[Continued from Business News No. 7895 pages 18A-24]

Article 14

- (1) The Government shall stipulate policy on national nursery to motivate availability of certified seeds and/or ovule and supervision in its procurement and circulation continuously.
 - (2) The Government shall establish an area for germs / seeds in an area that potentially will produce cluster of livestock with superior quality and various types of products and/or reproduction.
 - (3) The area for seed/ovule referred to in paragraph (2) shall be determined by the Minister by considering the types and clusters of livestock, agroclimate, population density, social economy, culture, and knowledge as well as technology.
 - (4) Further provision on policy for national nursery referred to in paragraph (1) shall be governed in Government Regulation.
- (2) Import of germs or seeds must comply with the requirements for quality and animal health and the statutory regulation on animal quarantine and observe the policy allocation for seeds as referred to in Article 14.
 - (3) Any person importing the germs and/or seeds referred to in paragraph (1) shall be obliged to obtain permit from the Minister that is in charge of trading matters after obtaining recommendation from the Minister.
 - (4) Further provision on the requirements for animal quality health referred to in paragraph (2) shall be governed in Regulation of the Minister.

Article 16

- (1) Export of germs, seeds and/or ovule from the territory of the Unitary State of the Republic of Indonesia to overseas may be made if domestic needs have been fulfilled and and local livestock preservation is secured.
- (2) Any person conducting the activities referred to in paragaraph (1) shall be obliged to obtain permit from the Minister in charge of trading matters after obtaining recommendation from the Minister.

Article 15

- (1) In certain circumstances import of germs and/or seeds from overseas may be made in order to:
 - a. improve quality and genetic variety;
 - b. develop knowledge and technology;
 - c. overcome short germs or seeds domestically; and/or
 - d. cover the requirements of research and development.

Article 17

- (1) Quality improvement of germs and/or seeds shall be made by establishing unpolluted groove and/or establishing new unpolluted furrow by cross-wise and/or apply modern biotechnology.

- (2) The modern biotechnology referred to in paragraph (1) may be made so long that it does not contravene religious norms and no inflicting loss to the variety of human biology, health, environment, and the people; as well as the welfare of the animal.
- (3) Application of modern biotechnology referred to in paragraph (1) conducted specifically to produce genetic-engineered livestock must comply with the provision referred to in paragraph (2) and the statutory regulation on the biological security of genetic-engineered product.

Article 18

- (1) In the context of sufficing availability of seeds, the production female ruminant livestock shall be selected for refinery, while unproductive female ruminant livestock shall be allocated as beef cattle.
- (2) Productive female ruminant livestock shall be prohibited from butchery since this is a well livestock producer, except for research, refining, or control and prevention of animal disease.
- (3) The Government and regency/municipality regional government shall provide fund to trap productive female ruminant livestock exported by the people and accommodate the livestock at the technical operator unit in the area for breeding and to make available ruminant livestock germs in the area concerned.
- (4) Further provision on selection and elimination referred to in paragraph (1) and trapping of productive female ruminant livestock as referred to in paragraph (3) shall be governed in Regulation of the Minister.

Part Two

Food

Article 19

- (1) Any person conducting livestock cultivation shall be obliged to suffice the need for his livestock food and health.
- (2) The Government and regional government shall be manage husbandry business of the breeder to suffice and comply with the need for good food for his livestock.
- (3) To full the good need referred to in paragraph (2), the Government shall manage prioritize domestic industrial development.

Article 20

- (1) Supervision in the procurement and distribution of food material and plants or food plants classified as food material shall be conducted in coordination inter-agency or department.
- (2) The coordination referred to in paragraph (1) shall cover provision of land for the purpose of food plants cultivation, procurement of local food, and import of food from overseas.
- (3) Procurement and/or cultivation of plants shall be conducted by means of monoculture and/or integrated planting system with other types of plants with due consideration of the ecosystem in accordance with the statutory regulation on plants cultivation system.
- (4) In the context of procurement of food and/or food material classified as food material, the Government shall prioritize local base-food.

- (5) Procurement and use of food and/or food material originating from transgenic organism must comply with the requirements on biological security.

Article 21

The Minister shall stipulate the highest limit of content in physical, chemical, and biological material in the food and/or and/or food material.

Article 22

- (1) Any person producing food and/or food material for commercial circulation shall be obliged to obtain business license.
- (2) Any food made for commercial circulation must at least comply with the standard or minimum technical requirement and security of the food and comply with the provision in the method of manufacturing good food as stipulated in Regulation of the Minister.
- (3) The food referred to in paragraph (2) must have label in accordance with the statutory regulation.
- (4) Any person shall be prohibited from:
 - a. circulating food that is good for consumption;
 - b. using and/or circulating ruminant food that contains food material in the form of blood, meat, and/or bones; and/or
 - c. using food that is mixed with certain hormon and/or food antibiotic supplement.
- (5) Further provision referred to in paragraph (4) letter c shall be stipulated in Regulation of the Minister.

Article 23

Any food and/or food material from overseas or

exported from the country must comply with the provision of technical and health requirements and the statutory regulation on quarantine.

Part Three

Instrument and Machinery for Husbandry

Article 24

- (1) The Government shall determine the type and standard of instrument and machinery for husbandry which circulation needs surveillance.
- (2) Instrument and machinery produced and/or imported into the territory of the Unitary State of the Republic of Indonesia must prioritize the safety and security of its user.
- (3) Instrument and machinery for husbandry produced and/or imported to the territory of the Unitary State of the Republic of Indonesia referred to paragraph (2) which circulation needs surveillance must be tested before it circulated.

Article 25

- (1) Any person producing or importing instrument and machinery from oversease for circulation must provide spare parts.
- (2) The Government shall manage and facilitate the growth of local instrument and machinery industry for husbandry.
- (3) The Government shall manage and supervise procurement and circulation of instrument and machinery.

(4) The

(4) The instrument and machinery for husbandry referred to in paragraph (1) shall prioritize containing local spare parts and involve the people in the transfer of technology.

Article 26

Further provision on instrument and machinery referred to in Article 24 and Article 25 shall be governed in Government Regulation.

Part Four

Cultivation

Article 27

- (1) Cultivation is business to rear domestic animal and produce animal product.
- (2) Cultivation may be developed in a cultivation zone based on the provision of space layout as referred to in Article 5.
- (3) Determination of cultivation area referred to in paragraph (2) shall be governed based on Regulation of the Minister as guided by the statutory regulation on space layout.
- (4) Cultivation utilizing wild life shall be implemented in accordance with the statutory regulation on preservation of biological resource and its ecosystem.

Article 28

- (1) The Government shall determine the animal produced by cultivation that utilizes wild life as livestock so long its genetic population is stable and no longer depending on the type of its population in its natural habitat.

(2) Wild life either from natural habitat or resulting from breeding may be utilized in the cultivation to produce domestic animal so long it is in accordance with the provisions in the statutory regulation on preservation of wild life.

(3) The wild life referred to in paragraphs (1) and (2) is excluded from wild life which whole or part of its life span is in water.

Article 29

- (1) Livestock cultivation may be conducted by the breeder, husbandry company and certain party for special interest.
- (2) The breeder cultivating livestock with the type and number below a certain business scale shall be granted husbandry business list by regency/municipality regional government.
- (3) Any husbandry company cultivating livestock with the type and number of livestock above a certain business scale must have business licence for husbandry from regency/municipality regional government.
- (4) The breeder, husbandry business and certain party exploiting livestock with a certain business scale shall be obliged to follow the procedure for good livestock cultivation without interfering public order in accordance with the provision in the guideline stipulated by the Minister.
- (5) The Government shall be obliged to protect local husbandry business from unfair competition among the market players.

Article 30

- (1) Cultivation may be conducted only the Indonesian citizen individual or corporation, either in the form of Indonesian legal entity or non legal entity.
- (2) Indonesian citizen individual or legal entity referred to in paragraph (1) may enter into joint operation with foreign party in accordance with the statutory regulation on capital investment and other relevant statutory regulation.

Article 31

- (1) The breeder may exercise business partner on livestock cultivation based on agreement that mutually need, strengthening, beneficial each other and judiciously.
- (2) The business partnership referred to in paragraph (1) may be entered into:
 - a. between the breeders;
 - b. between the breeder and husbandry business;
 - c. between the breeder and the company in other fields; and
 - d. between husbandry business and the Government or Regional Government.
- (3) The Government and Regional Government shall manage the partnership referred to in paragraph (2) with due observance of the provisions in the statutory regulation on business partnership.

Article 32

- (1) The Government and regional government shall endeavour that as many people as possible conduct livestock cultivation.

- (2) The Government and regional government shall facilitate and manage cultivation development conducted by the breeders and certain party having specific interest.
- (3) The Government and regional government shall manage and provide facilities for the growth and development of cooperatives and business entity in husbandry.

Article 33

Further provision on cultivation referred to in Article 27 up to Article 32 shall be governed in Presidential Regulation.

Part Five

Harvest, Post-Harvest, Marketing and Husbandry Result Process Industry

Article 34

- (1) The breeder and husbandry business shall conduct good harvesting system in order to obtain good production result in high amount and quality.
- (2) Harvesting cultivation result must comply with the requirement for animal health, biological security, and religious norm, ethics and estatics.

Article 35

- (1) The Government and regional government shall facilitate development of small and medium scale post-harvest animal product unit.
- (2) The Government and regional government shall facilitate the development of post-harvest business unit that utilize animal product as food basic material, food, pharmacy, and industry.

Article 36

- (1) The Government shall be obliged to implement and facilitate marketing activities of the animal or animal product domestically and overseas.
- (2) The marketing referred to in paragraph (1) must be given priority to manage improvement of production and consumption of animal protein in the accomplishment of availability of balance nutritious food for the people by keep improving the welfare of the business players on husbandry.
- (3) Overseas export of animal or livestock and animal products referred to in paragraph (1) shall be made if local production and supply suffice the need for the people consumption.
- (4) Import of animal or livestock and animal product from overseas shall be made if domestick animal products and supply or livestock is insufficient to fulfill the need for the people consumption.
- (5) The Government shall be obliged to create health business atmosphere for the animal or livestock and animal product.

Article 37

- (1) The Government shall manage and facilitate the growth of animal product industry by prioritizing the use of local basic material.
- (2) The Government shall manage development of health business partnership between processing industry and the breeders and/or cooperatives that produce animal product used as basic material for industry.

- (3) Further provision referred to in paragraph (1) shall be made in accordance with the statutory regulation on industry, except for matters governed in this Law.

Article 38

Further provision on harverst, post-harvest, marketing and industry for processing husbandry result as referred to in Article 34 up to Article 37, except those governed in the provision in the statutory regulation on industry, shall be governed in Regulation of the Minister.

CHAPTER V

ANIMAL HEALTH

Part One

Control and Prevention of Animal Disease

Article 39

- (1) Control and prevention of animal disease constitute implementation of animal health and environmental health in the form of observance and identification, prevention, safeguarding, eradication and/or medication.
- (2) Animal health matter shall be approached with maintenance, health improvement, (promotion), prevention of disease, cure of disease, and health rehabilitation, and conducted entirely, integrated and continuously.
- (3) In the context of effective control and prevention of animal disease referred to in paragraph (1), various approaches in animal health matter as referred to in paragraph (2), the Government shall develop a policy on animal health nation-wide in order to guarantee integrated and continuous animal health in various ecosystem environments.

Article 40

- (1) Animal disease observance and identification referred to in Article 39 paragraph (1) shall be conducted through surveillance and mapping, investigation and early warning, examination and testing, and reporting.
 - (2) The Minister shall determine the type of animal disease, the map and status of the animal disease and exotic disease that threatens the health of animal, human being, and the environment based on the result of surveillance and identification as referred to in paragraph (1).
 - (3) Surveillance and identification of animal disease shall be conducted by accredited veterinary.
 - (4) In the absence of laboratory referred to in paragraph (3), the Minister shall designate a laboratory for surveillance and identification of animal disease.
 - (5) The Minister shall stipulate a guideline for surveillance and identification of animal disease referred to in paragraph (1).
- d. immunizing the animal;
 - e. supervising animal traffic, animal product, and other animal disease carrier outside the quarantine work area,
 - f. implementation of emergency alert by the veterinarian; and/or
 - g. application of early alertness.
- (2) Further provision on safeguarding of animal disease referred to in paragraph (1) shall be governed in Regulation of the Minister.
 - (3) In the context of safeguarding from animal disease at production animal centers and/or wild life, the Minister shall decide a safeguarding zone free from animal disease.
 - (4) The Government shall develop and manage supervisory system system of veterinary information in the implementation of supervisory and provide available data and information on animal disease.
 - (5) Any person importing and/or exporting animal, animal product, and/or disease carrier media shall be obliged to comply with the technical requirement of animal health.
 - (6) The Minister shall stipulate management of veterinary emergency alert to anticipate event of infectious animal disease particularly exotic disease.

Article 41

Prevention of animal disease referred to in Article 39 shall be conducted based on the provision in the statutory regulation on animal quarantine.

Article 42

- (1) Surveillance of animal disease referred to in Article 39 shall be conducted by:
 - a. strategic determination of infectious animal disease;
 - b. allocating safeguarding zone for animal disease;
 - c. applying biosafety and biosecurity procedures;

Article 43

- (1) The Minister shall determine the type of strategic infectious animal disease in safeguarding the animal disease referred to in Article 42 paragraph (1) letter a.
- (2) The Government and regional government based on their respective authority shall safeguard strategic

infectious animal disease as referred to in paragraph (1).

- (3) The safeguarding of any type of animal disease other than strategic infectious animal disease referred to in paragraph (2) shall be conducted by the community.
- (4) Any person maintaining and/or exploiting animal shall be obliged to safeguard against strategic infectious disease referred to in paragraph (1).

Article 44

- (1) Eradication of animal disease referred to in Article 39 shall cover closure of the area, limiting animal traffic, animal immunization, isolation of sick animal or alleged to be sick animal, eradication of carcasses, eradication of animal disease, and animal de-population.
- (2) The de-population referred to in paragraph (1) shall be conducted with due observance of the status of animal preservation and/or the status of quality of animal genetic.
- (3) No compensation shall be provided by the Government to any person conducting de-population against his animal which positively has been infected with disease as referred to in paragraph (1).
- (4) The Government shall provide compensation to healthy animal based on the guideline that eradication of animal disease epidemic shall be conducted by de-population.
- (5) Further provision on eradication of animal disease as referred to in paragraphs (1) through (4) shall be governed in Regulation of the Minister.

Article 45

- (1) Any person, including livestock, animal owner, and husbandry business making business on husbandry that acknowledges occurrence of infectious animal disease shall be obliged to report such occurrence to the Government, Regional government and/or the local authorized veterinarian.
- (2) The Minister shall determine status of the area as infected area, alleged infected area, and area free from infectious animal disease, as well as a guideline on its eradication.
- (3) The regional government of province shall supervise application of the guideline on eradication of animal disease referred to in paragraph (2).
- (4) Regency/municipality regional government shall stipulate guideline on eradication of animal disease referred to in paragraph (3).

Article 46

- (1) The Minister shall state and announce to public on the occurrence of infectious animal disease in a certain area based on report of the Governor and/or regent/mayor after obtaining investigation result from veterinarian laboratory from veterinary authority in the local region.
- (2) In the event that any area is declared as epidemic area, the regional government of province or regency or municipality government shall be obliged to close the infected area, take all measures of safeguarding, eradication, and allocation of sufficient fund other than the fund provided by the Government.

- (3) In the event that the infectious animal disease referred to in paragraph (1) is exotic infectious animal disease, all actions of eradication must be taken against all animals that have been infected with due observance of the status animal preservation concerned.
- (4) Eradication of rare animal and/or protected animal shall be conducted in accordance with the statutory regulation on preservation of biological natural resource and its ecosystem.
- (5) Every person is prohibited from exporting and/or importing animal, animal product, and/or media that possibly carry other type of disease from infectious area and/or area alleged to been infected to free-disease area.
- (6) The provision on eradication referred to in paragraph (2) and eradication of animal referred to in paragraph (3) is exempted to livestock seeds produced by husbandry business nursery declared free by the veterinary authority.
- (7) Declaration of free infectious disease in husbandry business on nursery by the veterinary authority referred to in paragraph (6) shall be stipulated in Regulation of the Minister.

Article 47

- (1) Animal medication shall be the responsibility of the animal owner, breeder, or husbandry business, either themselves or with the assistance of animal health force.
- (2) The animal medication referred to in paragraph (1) using strong medicine and/or parenteral medicine must be given under the supervision of the veterinarian.

- (3) Animal or group of animal that suffers incurable disease based on veterinarian visum must be given euthanasia and/or eradicated by veterinary force with due observance of the provision on animal welfare.
- (4) Animal or group of animals suffering infectious disease and incurable based on the visum conducted by authorized veterinary and endangering human life and the environment must be eradicated at the request of the animal owner, the Government, and/or regional Government.
- (5) No compensation shall be provided by the Government for such animal based on the guideline on animal suffering disease epidemic that must be eradicated.
- (6) The euthanasia or eradication of animal or group of animals referred to in paragraphs (3) and (4) shall be conducted by the veterinarian and/or animal health force under the supervision of the veterinarian in compliance with the provision on animal welfare.

Article 48

Further provision on observation, safeguarding, eradication of animal disease, medication, and technical requirement of animal health, including provision of compensation as referred to in Articles 39 through 47 shall be governed in Regulation of the Government.

Part Two

Animal Medicine

Article 49

- (1) Based on preparation, animal medicine may be classified in biological preparation, pharmaceutical, premix, and natural medicine.

- (2) Based on the level of danger in its use and consequence, animal medicine referred to in paragraph (1) shall be classified as strong medicine, unlimited free medicine, and free medicine.
- (3) To guarantee availability and continuity of biologic preparation, local isolation of the parent shall be kept in the laboratory and/or research institution and veterinarian development.
- (4) To guarantee availability and continuous premix preparation in small and medium scale husbandry development, the Government shall facilitate distribution of domestic premix preparation.
- (5) Further provision on distribution of premix preparation referred to in paragraph (4) shall be governed in Regulation of the Minister.

Article 50

- (1) Animal medicine made available and prepared for circulation purpose must bear registration number.
- (2) To obtain registration number, every animal medicine must be registered, assessed, tested and provided quality certificate after having passed assessment and testing.
- (3) The manufacturing, preparation, and testing of medical medicine must be conducted under the supervision of veterinary authority.
- (4) The Government and regional government based on their respective authority shall supervise the manufacturing, preparation and circulation of animal medicine.

Article 51

- (1) Strong medicine used to safeguard animal disease and/or medication of sick animal may be obtained only with veterinarian prescription.
- (2) Use of strong medicine must be conducted under the supervision of the veterinarian or animal health force.
- (3) Every person is prohibited from using certain animal medicine on livestock which product is for consumption of human being.
- (4) Further provision on prohibition from using certain animal medicine referred to in paragraph (3) shall be governed in Regulation of the Minister.

Article 52

- (1) Any person attempting business in the manufacturing, preparation, and/or circulation of animal medicine shall be obliged to hold business license in accordance with the provisions in the statutory regulation.
- (2) Every person is prohibited from manufacturing, making available, and/or circulating animal medicine:
 - a. in the form of biologic preparation which disease does not exist in Indonesia;
 - b. which bears no registration number;
 - c. which has no label and mark; and
 - d. which fails to comply with the quality standard.

Article 53

- (1) Manufacturing of biologic preparation which disease does not exist in Indonesia for the purpose of protecting national interest and assist in the control and prevention of animal disease in other other countries must

comply with the requirement on supreme biological security.

- (2) Manufacturing of biological preparation which isolation parent does not exist in Indonesia for the purpose of protecting the nation's interest and assist controlling and preventing animal disease in other countries must comply with the requirement on supreme biological security.
- (3) Further provision on manufacturing biological preparation which disease and/or isolation parent does not exist in Indonesia as referred to in paragraphs (1) and (2) shall be governed in Regulation of the Minister.

Article 54

- (1) Preparation of animal medicine shall prioritize domestic product.
- (2) If the animal medicine referred to in paragraph (1) may not be produced or fails to suffice local needs, its preparation may be fulfilled by overseas product.
- (3) Import of animal medicine for circulation in the territory of the Unitary State of the Republic of Indonesia must comply with the requirements on circulation of animal medicine as referred to in Article 50 paragraph (1) and the statutory regulation on quarantine.
- (4) Export of domestically produced animal medicine to overseas must prioritize the nation's interest.
- (5) Further provision on import and export from and to overseas as referred to in paragraphs (2), (3) and (4) shall be governed in Regulation of the Minister.

Part Three

Device and Machinery for Animal Health

Article 55

- (1) The Government shall determine the type and quality standard of the device and machinery for animal health which procurement and circulation need supervision.
- (2) Device and machinery for animal health manufactured or imported for circulation in the territory of the Unitary State of the Republic of Indonesia must comply with the provisions in the statutory regulation.
- (3) Any person manufacturing, importing and circulating device and machinery for animal health to the territory of the Unitary State of the Republic of Indonesia as referred to in paragraph (2) shall be obliged to provide after sale service and conduct transfer of technology.
- (4) Further provision on device and machinery for animal health referred to in paragraphs (1) through (3) shall be governed in Regulation of the Minister.

CHAPTER VI

HEALTH OF VETERINARIANS AND ANIMAL WELFARE

Part One

Veterinarian Health

Article 56

Health of veterinarians is implementation of animal health in the form of:

- a. control and prevention of zoonosis;
- b. guarantee for security, health, totality, and permitted product of the animal, and

c. guarantee

- c. guarantee for hygiene and sanitation;
- d. development of comparison in doktorship, and
- e. handling of disaster.

Article 57

- (1) The Minister together with the minister in charge of health matter shall determine the type of zoonosis that needs priority in the control and prevention.
- (2) The control and prevention of zoonosis as referred to in paragraph (1) shall be conducted *mutatis mutandis* by complying with the provision in Articles 40 through 47.
- (3) Other than the provision referred to in paragraph (2), the control and prevention of zoonosis referred to in paragraph (1) must be conducted in coordination with the relevant Minister.

Article 58

- (1) In the context of guaranteeing secure, healthy, totally, permitted animal product, the Government and regional government according to their respective authority shall be obliged to supervise, examine, test, standardize, certify and register the animal product.
- (2) The supervision and examination of animal product shall be consecutively conducted at the production spot, at butchering, at ammodating and collection place, when the product is still fresh before it is put into preservation and during circulation after it is preserved.
- (3) Standardization, certification, and registration of animal product must be conducted on animal product which is produced in and/or imported into the Unitary State of the Republic of Indonesia for circulation from the Unitary State of the Republic of Indonesia.

- (4) Animal product produced at and/or imported in the Unitary State of the Republic of Indonesia for circulation must certified by veterinarian and must be certified as permitted for consumption.
- (5) Animal product exported from the Unitary State of the Republic of Indonesia must bear veterinarian certificate and permitted for consumption certificate as required by the importing country.
- (6) Further provision on what referred to in paragraphs (1) through (5) shall be governed in Regulation of the Minister.
- (7) For processed food originating from animal, other than obliged to comply with the provision referred to in paragraph (5) must comply with the provision in the statutory regulation on food.

Article 59

- (1) Any person importing animal product to the territory of the Unitary State of the Republic of Indonesia shall be obliged to obtain license for import from the relevant Minister on trade after obtaining recommendation for:
 - a. fresh animal product from the Minister; or
 - b. processed animal product from management of the agency responsible for supervision of medicine and food from the Minister.
- (2) The fresh animal product imported into the territory of the Unitary State of the Republic of Indonesia referred to paragraph (1) letter a must come from animal product business unit of the country or zone of the country that complies with the requirements and procedure for importing animal product.

- (3) Processed animal product to be imported to the territory of the Unitary State of the Republic of Indonesia referred to in paragraph (1) letter b, that is still having the risk from spread of zoonosis may threaten the health of human being, must obtain recommendation of the Minister prior to license by the management of the agency that is responsible on the supervision of medicine and food.
- (4) The requirement and procedure for importing animal product from overseas to the territory of the Unitary State of the Republic of Indonesia as referred to in paragraphs (2) and (3) shall refer to international provisions or norms based on risk analysis on animal health and veterinarians and prioritize the nation's interest.
- (5) Further provision on requirements and procedure for importing animal product into the territory of the Unitary State of the Republic of Indonesia referred to in paragraphs (1) through (4) shall be governed in Regulation of the Minister.

Article 60

- (1) Any person having business unit for animal product shall be obliged to submit application for veterinarian control number to the regional government of province based on the guideline stipulated by the Minister.
- (2) Regency/municipality regional government shall manage business unit that produces and/or circulates animal product produced by small scale home industry that does not have veterinary control number yet.

Article 61

- (1) Butchery of animal which meat is circulated must:
 - a. be conducted at the butchering house; and
 - b. comply with the method of butchering according to the norms of health practiced by veterinarians and and welfare of the animal.
- (2) In the context of guaranteeing public peace of mind, slaughtering of animal referred to in paragraph (1) letter b must observe religious norm and faith of the people.
- (3) The Minister shall stipulate requirements for slaughtering house and procedure for decent slaughtering of animal.
- (4) The provision on slaughtering referred to in paragraph (1) letter a is exempted for slaughtering in the interest of religious festive days, customary ceremony, and emergency slaughtering.

Article 62

- (1) Regency/municipality government shall be obliged to own slaughtering house that complies with technical requirement.
- (2) The animal slaughtering house referred to in paragraph (1) may be endeavored by every person after having obtained business license from the regent/mayor.
- (3) Animal slaughtering house referred to in paragraph (2) must be conducted under the supervision of authorized veterinarian on supervision.

Article 63.....

(To Be continued)

—==(MA)==—

HUSBANDRY AND ANIMAL HEALTH

(Law of RI, Number 18 Year 2009, dated June 4, 2009)

[Continued from Business News No. 7896 pages 16A-28A]

WITH THE BLESSING OF THE ONE AND ONLY GOD
PRESIDENT OF THE REPUBLIC OF INDONESIA,

against zoonosis, hygienic matter, and environmental sanitation.

Article 63

- (1) The Government and regional government according to their respective authority shall be obliged to provide guarantee on hygiene and sanitation.
- (2) To accomplish hygiene and sanitation referred to in paragraph (1) the following shall be conducted:
 - a. supervision, inspection, and audit of place of production, animal slaughtering house, milking place, storage place, processing place, and selling place and device and machinery for animal product.
 - b. surveillance on animal medicine residue, microba pollution, and/or chemical pollution; and
 - c. management of the person directly involved in such activities.
- (3) The hygiene and sanitation activities referred to in paragraph (1) shall be conducted by the veterinarian authorized for health of the people.
- (4) Further provision on hygiene and sanitation referred to in paragraph (2) shall be governed in Regulation of the Minister.

Article 64

The Government and regional government shall anticipate the threat to public health caused by animal and/or change to the environment as impact of natural disaster that that needs alert and method of control

Article 65

Further provision on supervision, examination, testing, standardization and certification of animal product referred to in Article 58 paragraph (1), procedure for importing process animal product as referred to in Article 59 paragraph (1) letter b, State allocation and/or zone, business unit of animal product, and procedure for importing fresh animal product as referred to in Article 59 paragraph (2), and alertness and prevention of disaster as referred to in Article 64 shall be governed in Regulation of the Government.

Part Two

Animal Welfare

Article 66

- (1) In the interest of animal welfare all measures shall be taken that relate to catching and handling, placement and multiplication, care, transportation, slaughtering dan killing, as well as reasonable treatment and tender care of animal.
- (2) The provision on animal welfare referred to in paragraph (1) shall be implemented with humanity covering that:
 - a. catching and handling of wild life and its habitat must comply with the provisions in the statutory regulation on conservation;

- b. placement and putting into the stable shall be conducted properly so as to allow the animal to express its own natural manner;
 - c. maintenance, safeguarding, care and attention of animal shall be conducted properly so that the animal free from hunger and thirst, pain, torture and misuse, as well as from fear and under pressure;
 - d. animal transportation shall be conducted properly so that the animal feel free from fear and under pressure as well free from torture;
 - e. use and utilization of animal shall be conducted properly so that the animal feel free from torture and misuse;
 - f. slaughtering and killing of animal shall be conducted properly so that the animal feel free from pain, fear and under pressure, torture, and misuse; and
 - g. ill treatment, torturing and misuse of animal must be avoided.
- (3) The provision relating to implementation of the animal welfare shall be conducted for all types of animals that bear backbone and some of the animals that have no backbone that can feel pain.
- (4) Further provision on animal welfare referred to in paragraphs (1), (2), and (3) shall be governed in Regulation of the Minister.

Article 67

The animal welfare referred to in Article 66 paragraphs (1) and (2) shall be implemented by the Government and regional government.

CHAPTER VII

VETERINARY AUTHORITY

Article 68

(1) Implementation of animal health in all territories of the

Unitary State of the Republic of Indonesia shall need veterinary authority.

- (2) In the implementation of veterinary authority referred to in paragraph (1), the Government shall stipulate Siskeswanas.
- (3) In the implementation of Siskeswanas referred to in paragraph (2), the Government and/or regional government according to their respect authority shall decide authorized veterinarian, improve the role and function of animal health implementing institution as well as implement coordination with due observance of the provision of the statutory regulation on regional administration, also take role in the accomplishment of animal health through the Siskeswanas referred to in paragraph (2), the Minister may delegate his authority to the veterinary authority.
- (4) The authorized veterinary together with the professional veterinarian organization shall conduct Siskeswanas by empowering animal health potential force and manage the implementation of the veterinarian practices in all territories of Unitary State of the Republic of Indonesia.
- (5) Other than implementing control and prevention of animal disease, health of the veterinarians, and/or animal welfare, the authorized veterinarian shall also provide animal health service, governing animal health force, conduct reproduction, preservation medically, veterinary forensic, and comparison development of animal by veterinarian.
- (6) Further provision on implementation of animal health referred to in paragraphs (1) through (3) shall be governed in Government Regulation.

Article 69

(1) Animal health service shall cover veterinary laboratory

service, veterinary laboratory for examination and testing services, veterinarian medical health service, and/or provision of services at animal health center or animal health at place.

- (2) Any person making business on animal health service referred to in paragraph (1) shall be obliged to hold business license from the Regent/Mayor

Article 70

- (1) To fulfill the need for animal health, the Government shall govern and make available as well as provide places for animal health in all territories of the Unitary State of the Republic of Indonesia as needed.
- (2) Animal health force referred to in paragraph (1) consists of medical veterinarian and veterinary paramedists.
- (3) The medical veterinarian referred to in paragraph (2) shall cover veterinarian and specialist veterinarian.
- (4) Veterinary paramedists referred to in paragraph (2) must hold animal health diploma and/or animal health vocational certificate.
- (5) Further provision on the criteria of animal health force referred to in paragraph (2) shall be governed in Regulation of the Minister.

Article 71

- (1) Medical veterinary force shall conduct all matters on animal health according to the medical veterinary competence he/she obtains in veterinary education.
- (2) Veterinary paramedists force and animal veterinarian shall conduct all matters on animal health based on their competence and shall conduct this under the supervision of the veterinarian.

- (3) The specialist veterinarian and/or veterinarian that has obtained competence certificate from professional veterinarians organization and/or certificate recognized by the Government may conduct all matters on animal health.
- (4) In conducting all the matters referred to in paragraphs (1) and (2), the animal health force shall be obliged to obey the code of ethic and firmly hold his/her professional oath or pledge.

Article 72

- (1) The animal health conducting animal health service shall be obliged to hold license certificate to run practice on animal health issued by the Regent/Mayor.
- (2) To obtain license certificate to run practice on animal health referred to in paragraph (1), the animal health force concerned must apply for license certificate for practice to the Regent/Mayor supported by certificate of competence from the professional veterinarian organization.
- (3) Foreign animal health force may practice animal health service in the territory of the Unitary State of the Republic of Indonesia based on bilateral agreement or multilateral agreement between the Indonesian Government and foreign institution based on the provisions in the statutory regulation.

Article 73

- (1) The Government shall be obliged to manage and facilitate implementation of reproduction and preservation medically, and veterinary forensic.
- (2) Medical reproduction, preservation and forensic, to the extent they relate to wild life and/or animal that live

in water shall be conducted in coordination in accordance with the provision in the statutory regulation.

Article 74

- (1) In the context of improving the utilization of animal as laboratory animal and model animal for research and/or utilization of animal organ for the welfare of human being medical science of comparison on animal shall be applied.
- (2) Application of medical science of comparison referred to in paragraph (1) must be conducted:
- a. under the supervision of competent veterinarian;
 - b. according to ethic on animal and ethic of veterinarian; and
 - c. with due consideration of the welfare of animal.

Article 75

Further provision on animal health referred to in Articles 70 through 74 shall be governed in Government Regulation.

CHAPTER VIII

ENFORCEMENT OF BREEDERS AND BUSINESS ON HUSBANDRY AND ANIMAL HEALTH

Article 76

- (1) Enforcement of breeders, business on husbandry, and business on animal health shall be conducted by providing facilities for business advancement on husbandry and animal health as well as improvement in competition.
- (2) The facility referred to in paragraph (1) shall cover:
- a. access to the source of breeding, finance, capital, science and technology as well as information;

- b. services on husbandry, animal health, and technical assistance;
- c. avoidance of charges that may cause high economical cost;
- d. management of partnership in improving synergy inter-businesses;
- e. create business favorable atmosphere and/or improve private business;
- f. prioritize utilization of domestic husbandry resource and animal health;
- g. facilitate development of established husbandry business zone;
- h. facilitate promotion and marketing; and/or
- i. protection of price and animal product from overseas.

- (3) The Government and regional government together with the stakeholders on husbandry and animal health shall empower the breeders to improve the welfare of the breeders.
- (4) The Government and regional government shall motivate and facilitate development of animal product stipulated as strategic food material in accomplishing food defense.
- (5) Further provision on the facilities referred to in paragraphs (1) and (2) shall be governed in or based on Government Regulation.

Article 77

- (1) The Government and regional government shall protect the breeders from action that contains exploitation by other party for the purpose of obtaining reasonable income.

- (2) The Government and regional government shall prevent misuse of the policy on capital and/or fiscal for the purpose of empowering the breeders, husbandry business, and animal health business.
- (3) The Government and regional government shall enter into partnership business on husbandry business and animal health that caused exploitation thus inflicting loss to the breeders and the people.

CHAPTER IX

DEVELOPMENT OF HUMAN RESOURCE

Article 78

- (1) Human resource on husbandry and animal health shall cover the Government elements, regional government, business operator, and all parties related to husbandry and animal health.
- (2) Quality of human resource on husbandry and animal health referred to in paragraph (1) needs improvement and development in order to improve the skill, professionalism, independence, dedication and decent manner.
- (3) Quality development of human resource on husbandry and animal health shall be implemented by means of:
- a. education and training;
 - b. information publication; and/or
 - c. other development with due observance of the need for work competence, people culture, and according to the growth of science and technology.
- (4) The Government and regional government through educational institution and business circle shall facilitate and develop education and training as well as provision of information relating to provision of competent human resource on husbandry and animal health.

- (5) The Government and regional government shall provide information on husbandry and animal health as well as motivate the manage husbandry and animal health and develop role of the people to conduct good husbandry and animal health.
- (6) The Government and regional government shall conduct information provision and public education on husbandry and animal health by attempting improvement in nutrition awareness of the people in consuming safe, healthy, solid and permissible animal product.
- (7) The Government shall develop and facilitate various methods of development of human resources on husbandry and animal health referred to in paragraph (3).
- (8) Further provision on means of development of human resource quality referred to in paragraph (3) letter c shall be governed in Regulation of the Minister.

CHAPTER X

RESEARCH AND DEVELOPMENT

Article 79

- (1) The Government and regional government shall be obliged to conduct research and development of husbandry and animal health.
- (2) Research and development of husbandry and animal health may be conducted by the Government, regional government institution, individual, community own initiative institution, or business circle or joint operation.
- (3) The Government and regional government shall manage and develop good joint operation inter-research and development operators on husbandry and animal health, either nationally or internationally.

Article 80

- (1) Foreign citizen individuals and/or foreign legal entity conducting research and development on husbandry and animal health shall first obtain license from the authorized government agency in charge of research and development, and application of science and technology.
- (2) Foreign citizen individual and/or legal entity referred to in paragraph (1) in conducting research must cooperate with the local researcher or research institution.

Article 81

The State shall provide protection to intellectual property rights resulting from application of invention of science and technology on husbandry and animal health.

Article 82

The research and technology relating to genetic engineering on husbandry and animal health may be conducted to the extent they do not contravene religious norms, human health, animal health and growth and environment, welfare of animal, and not inflicting loss to biological variety.

Article 83

Provision on the implementation of research and development as well as application of science and technology on husbandry and animal health shall comply with the provision in the statutory regulation.

CHAPTER XI

INVESTIGATION

Article 84

- (1) Other than the Police Investigating Official of the State

of the Republic of Indonesia, particular Civil Servant Official which scope of duty and responsibility cover husbandry and animal health shall be granted special authority as investigator in accordance with the provisions in the statutory regulation.

- (2) The Civil Servant Official referred to in paragraph (1) is authorized to:
- a. conduct examination on the authenticity of the report or information pertaining to criminal action on husbandry and animal health;
 - b. conduct examination of every person alleged to have committed criminal action on husbandry and animal health;
 - c. ask for information and evidence from any person pertaining to any event of criminal action on husbandry and animal health;
 - d. conduct examination on accounting, record, and other document relating to criminal action on husbandry and animal health;
 - e. conduct examination at certain place alleged to have kept evidence of accounting, record and other document and to confiscate the result of violation that may institute evidence in the case of criminal action on husbandry and animal health; and/or
 - f. ask expert assistance in the implementation of the duty to investigate criminal action on husbandry and animal health.
- (3) The Civil Servant Official referred to in paragraph (1) shall notify when the investigation will be conducted and shall deliver the result of his/her investigation to the public prosecutor in accordance with the Civil Procedural Code.

CHAPTER XII
ADMINISTRATIVE PENALTY

Article 85

- (1) Any person violating the provision referred to in Article 9 paragraph (1), Article 11 paragraph (1), Article 13 paragraph (4), Article 15 paragraph (3), Article 18 paragraph (2), Article 19 paragraph (1), Article 22 paragraph (1) paragraph (2), Article 23, Article 24 paragraph (2), Article 25 paragraph (1), Article 29 paragraph (3), Article 42 paragraph (5), Article 45 paragraph (1), Article 47 paragraph (2) or paragraph (3), Article 50 paragraph (3), Article 51 paragraph (2), Article 52 paragraph (1), Article 54 paragraph (3), Article 58 paragraph (5), Article 59 paragraph (2), Article 61 paragraph (1) or paragraph (2), Article 62 paragraph (2) or paragraph (3), Article 69 paragraph (2), and Article 72 paragraph (1) shall be charged administrative penalty.
- (2) The administrative penalty referred to in paragraph (1) may be in the form of:
- a. written reminder;
 - b. temporarily stop activity, producing, and/or circulating;
 - c. revoking registration number and withdrawing animal medicine, food, device and machinery, or animal product circulation;
 - d. revoking the license; or
 - e. charge penalty.
- (3) Further provision on the procedure for charging administrative penalty referred to in paragraph (2) letters a through d shall be governed in Government Regulation.

- (4) The amount of penalty referred to in letter e shall be charged on any person that:
- a. slaughters ruminated productive small female livestock at least Rp1.000.000,00 (one million Rupiahs) and maximum Rp5.000.000,00 (five million Rupiahs);
 - b. slaughters ruminated productive large female livestock at least Rp5.000.000,00 (five million Rupiahs) and maximum Rp25.000.000,00 (twenty-five million Rupiahs); and
 - c. violates other than those stated in letter a and b at least Rp5.000.000,00 (five million Rupiahs) and maximum Rp500.000.000,00 (five hundred million Rupiahs).
- (5) The amount of penalty referred to in paragraph (4) plus 1/3 (one-third) of the penalty if the violation referred to in paragraph (1) shall be charged by the authorized official or corporate.

CHAPTER XIII
CRIMINAL PROVISION

Article 86

Any person slaughtering:

- a. productive small female ruminated livestock referred to in Article 18 paragraph (2) shall be charged criminal action with criminal imprisonment of at least one (1) month and maximum six (6) months and/or a fine of at least Rp1.000.000,00 (one million Rupiah) and maximum Rp5.000.000,00 (five million Rupiahs); and
- b. productive large female ruminated livestock referred to in Article 18 paragraph (2) shall be criminally imprisoned for at least three (3) months and maximum nine (9) months and/or a fine of at least

Rp5.000.000,00 (five million Rupiahs) and maximum Rp25.000.000,00 (twenty-five million Rupiahs).

Article 87

Any person violating those stated in Article 22 paragraph (4) shall be criminally imprisoned for at least three (3) months and maximum nine (9) months and/or a fine of at least Rp75.000.000,00 (seventy-five million Rupiahs) and maximum Rp750.000.000,00 (seven hundred fifty million Rupiahs).

Article 88

Any person producing and/or circulating any device and machinery without prioritizing the safety and security of the machine to the users referred to in Article 24 paragraph (2) and/or not yet tested in accordance with the provision referred to in Article 24 paragraph (3) shall be criminally imprisoned for at least three (3) months and maximum 11 (eleven) months and a fine of at least Rp50.000.000,00 (fifty million Rupiahs) and maximum Rp500.000.000,00 (five hundred million Rupiahs).

Article 89

(1) Any person violating the provision on exporting and/or importing of animal, animal product, or other animal disease carrier from and to the territory of the Unitary State of the Republic of Indonesia referred to in Article 42 paragraph (5), Article 58 paragraph (5), and Article 59 paragraph (1) shall be criminally imprisoned for at least two (2) year and maximum five (5) year and/or a fine of at least Rp150.000.000,00 (one hundred fifty million Rupiahs) and maximum Rp1.500.000.000,00 (one billion, five hundred thousand Rupiahs).

(2) Any person exporting and/or importing animal, animal product, or other animal disease carrier to the free of infectious area or alleged to be infected as referred to in Article 46 paragraph (5), Article 59 paragraph (3), and Article 60 paragraph (1) shall be criminally imprisoned for at least one (1) year and maximum five (5) years and/or a fine of at least Rp150.000.000,00 (one hundred fifty million Rupiahs) and maximum Rp1.000.000.000,00 (one billion Rupiahs).

(3) If the criminal action referred to in paragraph (1) causes death to any person, the perpetrator shall be criminally imprisoned for at least three (3) years and maximum nine (9) years and/or a fine of at least Rp3.000.000.000,00 (three billion Rupiahs) and maximum Rp9.000.000.000,00 (nine billion Rupiahs).

Article 90

Any person using certain animal medicine on livestock which product is for human consumption as referred to in Article 51 paragraph (3) shall be criminally imprisoned for at least three (3) months and maximum nine (9) months and/or a fine of at least Rp50.000.000,00 (fifty million Rupiahs) and maximum Rp500.000.000,00 (five hundred million Rupiahs).

Article 91

Any person manufacturing, providing, and/or circulating animal medicine referred to in Article 52 paragraph (2) shall be criminally imprisoned for at least three (3) months and maximum nine (9) months and/or a fine of at least Rp600.000.000,00 (six hundred million Rupiahs) and maximum Rp1.800.000.000,00 (one billion eight hundred million Rupiahs).

Article 92

- (1) If the criminal action is committed by a corporate or authorized official, the crime charged shall be criminal fine charged plus 1/3 (one-third) of the criminal fine referred to in Article 86 through Article 91.
- (2) Other than the criminal fine referred to in paragraph (1), the corporate or authorized official may be charged additional crime in the form of revocation of business license, status of legal entity, or status of the civil servant of the authorized official.

Article 93

- (1) The criminal action referred to in Article 86, Article 87, Article 88, Article 90, dan Article 91 shall be criminal violation.
- (2) The criminal action referred to in Article 89 shall be crime.

CHAPTER XIV
TRANSITIONAL PROVISION

Article 94

By the time this Law comes to effect:

- a. the registration number of animal medicine, food, device and machinery for husbandry and animal health, animal origin-food, and slaughtering business shall be declared survives until its validity expires for further justified with the provisions in this Law and its implementation regulation;
- b. application to obtain registration number referred to in letter a submitted and still in process shall be settled in accordance with the provision in the statutory regulation on husbandry and animal health;
- c. business licence for husbandry, business license for animal medicine, business license for animal slaughtering business, license for animal health service, and license for veterinarian practice shall remain valid to the extent that they do not contravene and not revoked by this Law; and/or

- d. application to obtain license referred to in letter c submitted and is still in process shall be settled based on the provisions in Law Number 6 Year 1967 concerning Principal Provisions on Husbandry and Animal Health and its implementing regulation.

CHAPTER XV
CLOSING PROVISION

Article 95

All existing implementing regulations of the statutory regulation on husbandry and animal health to the extent they do not contravene this Law shall survive until new implementing regulationa are stipulated based on this Law.

Article 96

The provision on veterinarian practice and the provision on veterinary not sufficiently governed in this Law shall be governed by law.

Article 97

Implementing regulations of this Law shall be:

- a. Government Regulation and Regulation of the President must have been stipulated within two (2) years effective as of this Law is enacted;
- b. Regulation or Decision of the Minister must have been stipulated within one (1) year as of this Law is enacted; and
- c. Regional Government Regulation must have been stipulated within one (1) year as of the regulations referred to in letters a and b are stipulated.

Article 98.....

(To be continued)

====(MA)=====



GOVERNMENT REGULATIONS

HUSBADRY AND ANIMAL HEALTH

(Law of RI, Number 18 Year 2009, dated June 4, 2009)

[Continued from Business News No. 7898 pages 2A-10A]

WITH THE BLESSING OF THE ONE AND ONLY GOD

PRESIDENT OF THE REPUBLIC OF INDONESIA,

Article 98

By the time this Law comes to force:

1. Law Number 6 Year 1967 concerning Principal Provisions on Husbandry and Animal Health (Statute Book of the State of the Republic of Indonesia Year 1967 Number 7, Supplement to Statute Book of the State of the Republic of Indonesia Number 2824);
2. The provisions that govern animal are as set forth below:
 - a. review of the provision on supervision of veterinarian practice and policy on animal (Herziening van de bepalingen omtrent het Veeartsnijkundige staatstoezicht en de Veeartsnijkundige politie, Staatsblad Year 1912 Number 432);
 - b. decentralization from the central authority in accordance with the provision in Staatsblad Year 1914 Number 486, opens the opportunity for delegation in the implementation to the respective head of region in controlling infectious animal disease on livestock dan building that is becoming a place for rats (Decentralisatie gemeenteraden. Besmettelijke ziekten. Pestgevaarlijke gebouwen. Openstelling van de mogelijkheid om aan de gemednteraden over tedragen de uitvoering van de bij de ordonnantie in Staatsblad Year 1914 Number 486 vastgestelde regelen, Staatsblad Year 1916 Number 656);(check with Engelbrecht);
 - c. amendment and supplement to Staatsblad Year 1912 Number 432 that governs special police of veterinary office (Nadere wijziging en aanvulling van het reglementen op het veeartsnijkundige staatstoezicht en de veeartsnijkundige politie in Nederlandsch-Indie (staatsblad Year 1912 Number 432), Staatsblad Year 1925 Number 163);
 - d. new provision on control and eradication of rabies epidemic (Nieuwe bepalingen ter voorkoming en bestrijding van hondolsheids (rabies) in Nederlandsch Indie (Hondolsheids Ordonnantie 1926), Staatsblad Year 1926 Number 451);
 - e. delegation of part of the central government activities to the province on civil animal service office and special police for animal affaris (Overdracht van een deel der overheidsbemoeyenis met den burgerlijke veeartsnijkundige dienst provincien, Staatsblad Year 1926 Number 569);
 - f. supplement to tambahan atas Statute Book of the Republic of Indonesia Year 1926 Number 452 concerning eradication or elimination of rabies (Veeartsnijkundige. Dienst. Politie. Reglementen, Staatsblad Year 1928 Number 52);
 - g. special

- g. special police for animal, guideline on animal slaughtering, slaughtering of horned-female large animal, as set forth in Government Regulation Year 1936 on horned-female large animal (Wijziging van de bepalingen inzake het slachten op doen slachten van vrouwelijk groothoornvee ("Slacht Ordonantie Vrouwelijke Groothoornvee 1936"), Staatsblad Year 1936 Number 614);
- h. amendment to regulation on the government intervention on animal affair, veterinary police, and decree on rabies (rabies) (Wijziging van het reglement op de veeartsnijkundige overheidsbemoeyenis en de veeartsnijkundige politie en van de hondolshheid ordonnantie, Staatsblad Year 1936 Number 715);
- i. decentralization of veterinary service in other region (Decentralisatie. Veeartsnijkundige dienst. Buitengewesten, Staatsblad Year 1937 Number 512); and
- j. amendment to regulation on the government intervention on animal affair and veterinary police, (Wijziging van het reglement op de veeartsnijkundige overheidsbemoeyenis en de veeartsnijkundige politie, Staatsblad Year 1937 Number 513); is revoked and declared null and void.

Article 99

This Law shall take effect on the date it is enacted.

For public cognizance, enactment of this Law shall be announced by placing it in Statute Book of the Republic of Indonesia.

Ratified in Jakarta

On June 4, 2009

PRESIDENT OF THE REPUBLIC OF INDONESIA,

Sgd.

DR. H. SUSILO BAMBANG YUDHOYONO

Enacted in Jakarta

On June 4, 2009

MINISTER OF LAW AND HUMAN RIGHTS

OF THE REPUBLIC OF INDONESIA,

Sgd.

ANDI MATTALATTA

STATUTE BOOK OF THE STATE OF

THE REPUBLIC OF INDONESIA YEAR 2009 NUMBER 84

ELUCIDATION
OF
LAW OF THE REPUBLIC OF INDONESIA
NUMBER 18 YEAR 2009
CONCERNING
HUSBANDRY AND ANIMAL HEALTH

I. GENERAL

The Republic of Indonesia is a State of islands that has tremendous various biological assets (mega biodiversity) in the form of animal and plants resources as a gift and at the same time mandated by the One and Only God and therefore all these need to be utilized and preserved in accomplishing the welfare of the Indonesian people, as set forth in the Preamble of the 1945 Constitution of the Republic of Indonesia Year 1945.

In the context and utilizing and preserving the biological variety it is necessary to implement separate husbandry and animal health effort or integratedly with agricultural and plantation cultivation, fishery, and forestry, with approach to agrobusiness system, husbandry and animal health system, and application of the principal of continuous, safety and health, people oriented and justice, transparency and integration, independence, partnership, and professionalism.

The foregoing must be implemented synergically in order to protect and improve the quality of animal resource; provide safe, healthy, solid, and permissible food in the improvement of integrity of the people, animal, and environment, provide service and industrial basic material, develop scientific knowledge and technology, improve the State's revenue and exchange, expand business opportunity and job opportunity, and improve the

welfare of the people. To accomplish the objective in the implementation of husbandry, it is necessary to develop new perception and paradigm on husbandry on investment, innovation, and empowerment so as husbandry continue to exist and improve for improvement of the nation competitiveness to be equal with other more developed nations.

To accomplish the objective in the development of animal health it is necessary develop new perception and paradigm on animal health with the purpose of maintaining animal health nationwide, the territory of the must be protected from disease threat and/or disturbance to human health, animal and plants health, and their ecosystem; and guarantee safe, healthy, solid, and permissible food originating from animal.

The governing in the implementation of husbandry and animal health in one law is due to the existence of interrelation and interdependence between the two sectors. Besides the governing by one law shall establish one unit of national legalized system that facilitate the Government and Regional Government and all stakeholders doing business on husbandry and animal health in perceiving and implementing various provisions in this Law. Furthermore, a change is also taking place in the administration based on the Law on Regional Administration that obliges re-structuring all matters in the implementation of husbandry and animal health.

Based on this consideration, the policy on implementation of husbandry shall be emphasized on the economic social aspect, while implementation of husbandry and animal health shall prioritize security aspect from disease threat and effort to avoid risk that perturbs the health of human being, animal, plants

and the environment. With this policy, implementation of husbandry with the approach to agrobusiness system and implementation of animal health shall be conducted based on national animal health system.

The scope of governing the implementation of husbandry shall cover the land or plot of land, water, genetic resource, germ, seed, ovule, food, device and machinery for husbandry, cultivation, harvest and post-harvest, marketing, and process of husbandry product. While the scope governing implementation of animal health shall involve animal disease, animal medicine, device and machinery, health of veterinarian, welfare of the animal, and veterinary authority. With respect to strengthening the function, animal health service, animal health force, medical reproduction, medical preservation, forensic by veterinarian and medical doctor's comparison.

To support success in the implementation of husbandry and animal health, it is also governed empowerment of the breeders, husbandry business and animal health service, development of human resource, research and development, and capital resource.

It is aware that the governing of this Law fails to fully cover animal aspect in the broad sense. The extent of the new governing on cultivated animal, i.e. livestock, pet animal, and laboratory animal. For all this a separate law shall be necessary that comprehensively governs all animal aspects including governing veterinarian practice. Other than this effort, in order to create favorable atmosphere in the implementation of husbandry and animal health, law enforcement on security system shall be developed in the form of imposition of penalty, either administrative

penalty or criminal penalty against any action that may inflict loss to the State or interest of the people at large. Establishment of this Law shall also consider Indonesian commitment to make adjustment and equalization on the statutory regulation with provisions on international convention. For instance, General Agreement on Trade and Tariffs (GATT), specifically on Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) that governs import and export of animal product and protection to living or the health of human being, plant, and environment.

Besides, in compiling this Law it all products of the law that have been enacted are also taken into consideration covering:

1. Law Number 5 Year 1990 concerning Preservation of Biological Natural Resource and its Ecosystem;
2. Law Number 5 Year 1984 concerning Industry;
3. Law Number 16 Year 1992 concerning Quarantine of Animal, Fish, and Plants;
4. Law Number 23 Year 1992 concerning Health;
5. Law Number 5 Year 1994 concerning Ratification of Covention on Biological Diversity (CBD);
6. Law Number 7 Year 1994 concerning Ratification of Agreement Establishing the World Trade Organization (Approval for Establishment of World Trade Organization);
7. Law Number 10 Year 1995 concerning Customs matter;
8. Law Number 7 Year 1996 concerning Food;
9. Law Number 23 Year 1997 concerning Management of Living Environment;
10. Law Number 8 Year 1999 concerning Consumer Protection;

11. Law Number 41 Year 1999 concerning Forestry in conjunction with Law Number 1 Year 2004;
12. Law Number 13 Year 2003 concerning Manpower;
13. Law Number 21 Year 2004 concerning Ratification of Protocol Cartagena;
14. Law Number 7 Year 2004 concerning Water Resource;
15. Law Number 31 Year 2004 concerning Fishery;
16. Law Number 24 Year 2007 concerning Disaster Control;
17. Law Number 16 Year 2006 concerning Provision of Information on Agriculture, Fishery, and Forestry; and
18. Law Number 26 Year 2007 concerning Space Layout in Line with the foregoing matters and to initiate law unification specifically relating to husbandry and animal health and to fulfill the need of and the era of growth, Law Number 6 Year 1967 concerning Principals Provisions on Husbandry and Animal Health and the various *Ordonnantie* from the Dutch Government needs to be replaced by new laws on husbandry and animal health so to provide legal security, justice and spirit serenity to the people in carrying all activities relating to husbandry and animal health.

II. ARTICLE BY ARTICLE

Article 1

Self-explanatory.

Article 2

Paragraph (1)

Self-explanatory.

Paragraph (2)

What is meant by principle of "benefit and continuity" shall be implementation of husbandry and animal health may improve the welfare of the people by endeavoring preservation of the function of living environment and observe the condition of social culture.

What is meant by principle of "safety and health" shall be implementation of husbandry and animal health must guarantee safe and acceptable for consumption and guarantee the people to be at peace.

What is meant by principle of "people-oriented and justice" shall be implementation of husbandry and animal health to give equal opportunity proportionately to all State citizens according to their capability so as to be able improve the welfare of all the people. Accordingly in the grant of license, practice of monopoly, monopsony, oligopoly, and oligopsony must be avoided.

What is meant by principle of "transparency and integration" shall be implementation of husbandry and animal health shall be conducted with due observance of the people aspiration and supported by available information that may be accessed by the people and carried out integratedly from upstream to downstream in the effort to improve efficiency and productivity thereof .

What is meant by principle of "independency" shall be implementation of husbandry and animal health shall be conducted by prioritizing the use of domestic material, other production facilities and in order to accomplish provision of livestock and animal product for the people.

What is meant by principle of "partnership" shall be implementation of husbandry and animal health by approaching business players' strong network and resources that take aspect of equality into consideration in running business proportionately.

What is meant by principle of "professionalism" shall be implementation of husbandry and animal health conducted by approaching scientific and technological competence and norms oriented.

Article 3

Letter a

Self-explanatory.

Letter b

What is meant by "food" shall be consumable animal product, such as egg, meat, milk, honey and its derivatives.

What is meant by "goods" shall be animal product used as basic material for industry, such hide, horn, bone, nail, fur, blood, and livestock dung, or feces and its derivatives.

What is meant by "service" shall be use of livestock power for social, economy, and cultural interest, such as agricultural business activities, tourism, sport, hobby.

What is meant by "towards achievement of the nation food defense" shall be improvement of players commitment on husbandry and animal health intended to accomplish the nation food defense.

Letter c

What is meant by "threat" shall be among other things, animal disease, biological, chemical, physical pollution, or mis-management and misconduct in (mismanagement) and (misconduct) in the implementation of husbandry and animal health.

Letter d

Self-explanatory.

Letter e

Self-explanatory.

Article 4

What is meant by "land that complies with technical requirement" shall be an extent of land that suits the purpose for livestock cultivation, availability of water resource, the topography, agroclimate, and free from pathogenic bacteria that endangers the livestock.

Article 5

Paragraph (1)

Self-explanatory.

Paragraph (2)

Self-explanatory.

Paragraph (3)

What is meant by "educational activities and/or research and development" shall be activities relating to improvement in the development of human resource, knowledge and technology, and innovation on husbandry and animal health.

Article 6

Paragraph (1)

What is meant by "maintain the continuity of the existence and benefit thereof" shall be effort that needs to be taken by the regency/municipality to include herding zone in the regional development program.

Paragraph (2)

Letter a

Self-explanatory.

Letter b

What is meant by "castration" shall be action to prevent function of the testis by eliminating or preventing from functioning.

What is meant by "artificial insemination" shall be the technology to insert the sperm or cement into the reproduction device of healthy female livestock in order to be able to fertilize the egg cell using insemination device so as to cause the livestock pregnant.

Letter c

Self-explanatory.

Letter d

Self-explanatory.

Paragraph (3)

What is meant by "stipulation of land as public herding zone" as an effort to be taken by the regency/ municipality regional government to provide land for public herding place, such as pasturing land, village inventory land.

Paragraph (4)

Self-explanatory.

Paragraph (5)

Self-explanatory.

Article 7

Paragraph (1)

Provisions in the requirements for water quality standard is meant to guarantee the quality, safety of

animal-originated cultivated food and animal health, and to avoid pollution from microorganism and chemical substance in animal product.

Paragraph (2)

Self-explanatory.

Article 8

Paragraph (1)

What is meant by "under State control" shall be the State as public legal entity has the authority to govern utilization and preservation of genetic resource.

Paragraph (2)

Self-explanatory.

Paragraph (3)

Self-explanatory.

Paragraph (4)

Self-explanatory.

Paragraph (5)

What is meant by "conservation in its habitat" (in situ) shall be all activities to maintain animal population in its habitat.

What is meant by "conservation beyond its habitat" (ex situ)

Shall be all activities to maintain animal population in various types, such as live animal, gen, DNA, genom, sperm, egg cell, embryo or network, that may be used to form new genotype.

What is meant by "other effort other than preservation of genetic resource" shall be preservation activities

conducted, through cool preservation (cryo conservation).

Paragraph (6)

Self-explanatory.

Article 9

Paragraph (1)

That is meant by "utilization of genetic resource", namely use of animal genetic material, such as Deoxyribose Nucleic Acid (DNA) and other molecules (but not the animal itself) to produce product that has high economic value (bioprospecting).

Paragraph (2)

What is meant by "utilization of profit and shall be genetic that supports conservation of genetic resource and improvement of the welfare of the people cultivating genetic resource.

Paragraph (3)

Self-explanatory.

Article 10

Paragraph (1)

What is meant by "people" shall be the breeders, group of breeders, or combined group of breeders.

Paragraph (2)

What is meant by "obliged to protect" shall be to guarantee continuous business, particularly small and medium scale business based on local resource.

Paragraph (3)

Self-explanatory.

Paragraph (4)

Self-explanatory.

Article 11

Self-explanatory.

Article 12

Self-explanatory.

Article 13

Paragraph (1)

What is meant by "prioritizing domestic product" shall be effort to utilize Indonesian original genetic resource, for example, fine and cross cluster of livestock, either in the form of composite livestock or hybrid livestock.

What is meant by "prioritizing the people economic capability" shall be effort of nursery, breeding, producing ovule conducted directly and/or indirectly by the people, such as village breeding center.

Paragraph (2)

What is meant by "involving the role of the people" shall be effort to provide business opportunity in the provision of certified germ, seed and/or ovule.

Paragraph (3)

What is meant by "breeding or nursery unit" shall be among other things, Superior Livestock Breeding Public Hall, Artificial Insemination Public Hall, and Livestock Embryo Public Hall.

Paragraph (4)

What is meant by "specific characteristics of superiority" shall be, among other things, having high productive and reproductive capability and can endure disease.

What is meant by "genetic variety" shall be expression on various types of superiority among individual genetic.

Letter b

Self-explanatory.

Paragraph (5)

Self-explanatory.

Letter c

What is meant by "short of germ or ovule shall be unsafe condition of the livestock population, such as if in a few years to ahead it is predicted the the jumber of livestock population decrease, such decrease will surely disturbe availability of domestic germs or ovule.

Article 14

Self-explanatory.

Paragraph (2)

What is meant by "source area of livestock germ" shall be area of sub-district, regency, province or island, depends on the cluster, number and spread of germs and the condition of the area.

Letter d

Self-explanatory.

Paragraph (3)

Self-explanatory.

Paragraph (2)

Self-explanatory.

Paragraph (4)

Self-explanatory.

Paragraph (3)

Self-explanatory.

Article 15

Paragraph (1)

What is meant by "particular condition" shall be urgent situation of the State to take action with priority and limitation.

Paragraph (4)

Self-explanatory.

Article 16

Paragraph (1)

Export of germs and/or ovule from Indonesian territory to overseas shall be made to the extent that this does not disturb the preservation of local livestock which is encountering danger from extinction and is under protection.

Letter a

What is meant by "genetic quality" shall be expression for livestock individual superiority.

Paragraph (2)

Self-explanatory.

Article 17

Paragraph (1)

What is meant by "biotechnologically modern" shall be application of genetic engineering technology which, among other things, covers invitro nukleat acid technology and fusi cell from two types or more organisms outside the tacsonomy close relationship.

Paragraph (2)

Self-explanatory.

Paragraph (3)

Self-explanatory.

Article 18

Paragraph (1)

What is meant by "productive large female ruminant livestock" shall be large ruminant animal, such as cow and buffalo giving birth less than 5 times or of the age below 8 years, small ruminant animal shall be goat and sheep giving birth less than 5 times or of the age below 4 years.

Wether unproductive female livestock is ruminant or not shall be determined by the veterinary force.

Paragraph (2)

This policy is meant to maintain the productive female ruminant livestock population in order to provide sufficient domestic animal protein for consumption.

Paragraph (3)

Self-explanatory.

Paragraph (4)

Self-explanatory.

Article 19

Paragraph (1)

What is meant by "food" shall cover food material, concentrate, food plants, food supplement, extra food, processed food, and other material that may be used as food for livestock.

What is meant by "concentrated food" shall be food rich in protein and/or energy resource and may contain food supplement and/or extra food.

What is meant by "food plants" shall be uncultivated plants (food plants), either processed or not processed that may be made as food, such as grass and legume.

What is meant by "food additive" shall be food basic material not containing nutrient, which is intended for specific purpose, such xantophyl (to manipulate egg yellow colour).

What is meant by "food supplement" shall be nutrient, which by nature contain food but the amount needs to be increased by adding it into the food, such as amino acid, vitamine, etc.

What is meant by "processed food" shall be food that has been processed physically, chemically or biologically either alone or mixed, such as silase and starter food for fowl.

What is meant by "other material" shall be supporting material to process basic material into food, such as binding agent in the manufacturing of pellet.

What is meant by "food material" shall be material produced agriculture, fishery, and husbandry or other material reasonably used as food either processed or unprocessed, such as milling by-product, fish bones, fish flour, unruminant bone flour, and blood flour.

Paragraph (2)

What is meant by "good food" shall be, among other things, covering fibre, carbohydrate, fat, protein, vitamine and mineral either originating from plants, animal, microorganism, and anorganic material in the form of premix.

Paragraph (3)

Premix is food additive or food supplement which provision is mixed into the food or drinking water.

Article 20

Paragraph (1)

This provision is meant that the policy on food availability shall be the joint responsibility of among the agencies for agriculture, industry, trade, customs, medicine and food supervisory and other related agency.

Provision may be covered from domestic production and import from overseas.

Paragraph (2)

Self-explanatory.

Paragraph (3)

Self-explanatory.

Paragraph (4)

Self-explanatory.

Paragraph (5)

Self-explanatory.

Article 21

Self-explanatory.

Article 22.....

(To be continued)

====(MA)=====

HUSBANDRY AND ANIMAL HEALTH

(Law of RI, Number 18 Year 2009, dated June 4, 2009)

[Continued from Business News No. 7899 pages 1A-11A]

Article 22

Paragraph (1)

Self-explanatory.

Paragraph (2)

Good food preparation, for instance, in processing product and preparation of food must guarantee that the food only contains biological, physical, chemical pollution above the permissible maximum threshold, and with due observance of social impact resulting from discharge of basic material and accompanying material used.

Paragraph (3)

Self-explanatory.

Paragraph (4)

Letter a

What is meant by food prohibited from circulation, namely food, which:

1. are without label;
2. are expired;
3. wrapping is damaged, physically damaged, smell bad, change its colour, and/or
4. false, has no registration number, the content is not according to the label, using other brand.

Letter b

This provision is meant to prevent the rise of bovine spongiform encephalopathy disease) or scrapie to sheep/goats.

What is meant by ruminant shall be animals that ruminates or chews its food again that has been chewed previously.

Letter c

What is meant by "particular hormone" shall synthetic hormone.

What is meant by "drug" shall be among other things: chloramphenicol and tetracycline.

Paragraph (5)

Self-explanatory.

Article 23

Self-explanatory.

Article 24

Paragraph (1)

This provision is intended that the device and machinery for husbandry comply with the requirements from the aspects of technicality, production, reproduction, improvement genetic quality, including health of the

veterinarians, permissiveness, and welfare of the animal.

Article 26

Self-explanatory.

Paragraph (2)

Self-explanatory.

Article 27

Paragraph (1)

What is meant by "producing domestic animal" shall be, among other things, to turn wildlife to livestock, service animal, laboratory animal, and pet animal.

Paragraph (3)

The testing requirement of the device and machinery for husbandry prior circulation is to ensure that the device and machinery comply with the technical specification.

What is meant by "service animal" shall be, among other things, pet animal reared to provide service to human being to safeguard the house, to trace criminal action, to help tract accident victim, and as pulling or carrying animal.

Article 25

Paragraph (1)

This provision is meant that the buyer of device and machinery for husbandry is protected from suffering loss due to inavailability of spareparts.

What is meant by "laboratory animal" shall be animal especially reared as animal for experiment, research, trial test, teaching, and producing material for drug or developed into model animal for human disease.

What is meant by "pet animal" shall be animal specially reared as animal for sport, hobby, and beauty.

Paragraph (2)

Self-explanatory.

Paragraph (2)

"Cultivated Husbandry Zone" shall be location for husbandry business in regency/municipality area decided based on agroclimate justification, available facilities and infrastructure, potential area, and potential market .

Paragraph (3)

Self-explanatory.

Paragraph (4)

What is meant by "prioritizing local content and involve the people in the transfer of technology" shall be to improve productivity of local resource and improve capability of local human resource in Indonesia.

Paragraph (3)

Self-explanatory.

Paragraph (4)

Self-explanatory.

Article 28

Self-explanatory.

Article 29

Paragraph (1)

What is meant by "particular party" shall be, among other things, Indonesian National Military, police, customs institution, research institution, and educational institution. What is meant by "special interest" shall be, among other things, horse for cavalry, dogs for tracking animal for criminal perpetrator, rabbit for research.

Paragraph (2)

Self-explanatory.

Paragraph (3)

Husbandry business license for the type and number of livestock starts from certain scale is intended for the management and supervision of husbandry supervision in compliance with the requirements for good and healthy husbandry business and health of the veterinarians.

Paragraph 4)

What is meant by "not interfering public order" shall be activities on livestock cultivation with due observance of the religious norm and/or faith and the system of the value adopted by the local people, such as the obligation to comply with the provisions in the Nuisance Act (Hinder Ordonnantie).

Paragraph (5)

Self-explanatory.

Article 30

Self-explanatory.

Article 31

Paragraph (1)

Such business partnership shall cover, among other things, product sharing, lease, farming contract, plants dyeing contract (sumba), rented field product sharing (marobati), plasma nucleus, or other form according to the local culture, and the local people custom.

Paragraph (2)

Letter a

Self-explanatory.

Letter b

Self-explanatory.

Letter c

What is meant by "business in other field" shall be business that operates in upstream, such as, nursery business, or in downstream, such as processing business of livestock product such as milk industry.

What is meant by "relevant party" shall be all parties outside husbandry and animal health such as plantation, fishery, and forestry.

Letter d

Self-explanatory.

Paragraph (3)

Self-explanatory.

Article 32

Self-explanatory.

Article 33

Self-explanatory.

Article 34

Paragraph (1)

Self-explanatory.

Paragraph (2)

The provision on the requirement for biological security only applies to product resulting from genetic engineering.

What is meant by "norm of ethics" in harvesting cultivated crops shall be awareness in the application of moral principles, such as sorting the the chickens of one day old excluded from the criteria shall also be treated with due observance of the animal welfare.

What is meant by "norm of esthetic" in the harvesting the cultivation product shall be awareness in the application of principles of justification and harmony in the harvesting of cultivation product such as, the media for the milk harvested.

Article 35

Self-explanatory.

Article 36

Paragraph (1)

Self-explanatory.

Paragraph (2)

What is meant by "balanced nutritious food" shall be food condition which composition of protein, fat, carbohydrate, mineral, vitamin, and rough fibre in one unit of consumption justify with the age, type, and the need of the bodily activities.

Paragraph (3)

Self-explanatory.

Paragraph (4)

Self-explanatory.

Paragraph (5)

What is meant by "creating healthy business atmosphere" shall be, among other things, provide information to the market, and conducting survey and study on monopoly of husbandry business both horizontally and vertically that may endanger interest of the nation.

Article 37

Paragraph (1)

What is meant by "animal product processing

industry" shall be handling and processing conducted on husbandry products meant to achieve higher added value, with due observance of the aspects of safe, healthy, solid, and permissible products.

What is meant by "prioritizing domestic basic material" such as milk processing industry must maximize consumption of milk produced from domestic milking cows.

Paragraph (2)

The added value gained from husbandry product processing industry may be enjoyed judiciously by all parties involved in the husbandry business, including husbandry operating in husbandry cultivation through various patterns of partnership in husbandry product processing business, such as partnership in milk processing industry with the milking cow breeder in the form cooperatives and plasma nucleus and partnership with educational institution for the improvement of business and nutrient.

Paragraph (3)

Included in the provision as governed shall be industrial partiality the use of domestic basic material.

Article 38

Self-explanatory.

Article 39

Paragraph (1)

What is meant by "observance and identification of animal disease" shall be actions to monitor existence or

non-existence of animal disease in a certain island or zone for biological security of animal as initial steps in the context of early awareness.

What is meant by "prevention of animal disease" shall be action of quarantine conducted in the context of preventing importing animal disease from overseas into the territory of the State of the Republic of Indonesia or from one area to another area in the country, or exporting from the territory of State of the Republic of Indonesia.

What is meant by "safeguarding from animal disease" shall be an effort to protect the animal and its environment from animal disease.

What is meant by "eradication of animal disease" shall be action to set free a certain area and/or zone under biological safeguarding and/or island from infectious animal disease that covers an effort to close a certain area against export-import and traffic of animal and animal product, handling of infectious animal and animal carcass, and handling of epidemic covering eradication of animal disease and animal depopulation.

What is meant by "cure of animal disease" shall be action to eliminate pain, cause of pain, optimizing the animal's health and endurance through efforts of repair of nutrient, therapeutical action, provision and use of animal drug, provision of facilities and infrastructure, supervision and examination, and monitoring and evaluating post-medication.

Paragraph (2)

Self-explanatory.

Paragraph (3)

What is meant by "national policy on animal health" shall be various decisions of veterinary authority and principles of action based on the various types of animals and environmental ecosystem in the context of implementation of animal health.

Article 40

Paragraph (1)

What is meant by "surveillance actions" shall be data collection of disease based on sampling or specimen in the field in the context of observing spread or expansion and ferocity of the disease. In conducting the surveillance and investigation it is necessary to conduct identification of the animal.

What is meant by "investigation" shall be activity to trace the origin, source, and cause of animal disease relating to relationship between the master and the environment.

Paragraph (2)

The Minister in determining the type, map, and status of the animal disease shall be based on epidemic study and risk analysis conducted by veterinary authority. What is meant by "exotic disease" shall be disease that does not exist in such region or area.

Paragraph (3)

Self-explanatory.

Paragraph (4)

The Minister in determining laboratory shall be based on the criteria below:

- a. existence of competent human resource;
- b. sufficient facilities, infrastructure and laboratory; and
- c. valid methods.

Paragraph (5)

Self-explanatory.

Article 41

What is meant by "animal quarantine" shall be action as effort to prevent import and spread of animal epidemic and disease from overseas and from an area to an area within the territory of export from the territory of State of the Republic of Indonesia.

Article 42

Paragraph (1)

Letter a

Self-explanatory.

Letter b

Self-explanatory.

Letter c

What is meant by "biosafety" shall be effort to protect the personnel or operator within the laboratory and the environment from animal disease by compiling special protocol, using supporting device, and designing supporting facilities.

What is meant by "biosecurity" shall be effort to break the chain from importing master animal disease and/or to protect against the disease agent stored and isolated in the laboratory not contaminate or not to misuse, such as for the purpose of bio-terrorism.

Letter d

What is meant by "animal immunization" shall be vaccination, immunization (giving anti-cerum), improve nutrition and other matters that are able to improve animal immunity.

Letter e

What is meant by "out of the quarantine work area" shall be seaport, river and State borders which are not within the quarantine work areas are potentially constitute places for importing and exporting and traffic for animal and animal product.

Letter f

What is meant by "veterinary emergency alert" shall be action to anticipate in encountering threat from animal exotic infectious disease.

Letter g

What is meant by "early detection" shall be action to disease detection (early detection), report immediately any occurrence of sign of disease (early reporting), respond immediately (early response) including build awareness of the people.

Paragraph (2)

Guideline for safeguarding from animal disease shall cover the entire provision referred to in paragraph (1).

The Minister in governing safeguarding from animal disease shall be obliged to observe the provision that governs animal quarantine.

Paragraph (3)

What is meant by "safeguarded free from animal disease" shall be producing center zone and/or conservation zone free from animal disease as declared by the Minister and needs to be safeguarded and maintained as zone free from animal disease.

In determining safeguarded animal biological zone the nature and pattern of zone management shall also be implemented.

Paragraph (4)

Self-explanatory.

Paragraph (5)

The provision of technical requirement on animal health is meant to be able to trace the safeguarding activities in the context of controlling and preventing animal disease.

Paragraph (6)

Self-explanatory.

Article 43

Paragraph (1)

Self-explanatory.

Paragraph (2)

Self-explanatory.

Paragraph (3)

This provision is intended that the breeder, animal owner, and husbandry business to be aware that the prevention of strategic infectious animal disease shall become the people's responsibility.

Safeguarding the animal against disease other than animal strategic infectious disease shall be conducted by the people for efficiency and effectiveness.

Paragraph (4)

It is reasonable that the breeder, animal owner, or husbandry business are obliged to prevent animal disease since health matter is his responsibility. The Government's duty is to provide assistance and facilities.

Article 44

Paragraph (1)

What is meant by "closing the area" shall be closing the area from epidemic as quarantine zone.

What is meant by "eradication of animal disease" shall be action of eradication of animal disease, like burning, disinfectant spraying, and using other chemical substance to eradicate the source of disease.

What is meant by "animal de-population" shall be action in reducing and/or eliminating the number of animals in the context of control and prevention of animal disease, maintain imbalanced ratio between the male and female animal, and maintain the supporting power of the habitat. De-population shall cover activities on: (a) slaughtering of animal that fails technical selection of the animal health, (b) slaughtering of animal with terms (test and slaughter), (c) elimination of animal population and certain area (stamping-out), (d) eradication of animal that is infected and/or alleged to be infected by animal disease carrier, and (e) conducting animal utanasia that is incurable from disease to minimize from suffering pain.

Paragraph (2)

What is meant by "animal in preservation status" shall be the condition of animal of certain types that are being threatened to vanish as stipulated in statutory regulation on conservation of natural biological resource and its ecosystem as well as Convention in Trade of Wild Fauna and Flora of Endangered Species (CITES).

The action of elimination of rare animal and/or those protected by and infected by exotic infectious disease shall be conducted by the veterinary authority through coordination with the authorized agency on preservation of natural biological resource and its ecosystem. Exemption shall be made to avoid such animal species from vanishing on one side and shall be conducted by guaranteeing that such infectious animal disease shall not spread to other animals and on the other hand.

Paragraph (3)

What is meant by "without compensation" is intended for animal that is infectious exotic disease.

This provision is meant so that the people know that no compensation shall be given for animal de-population since the animal is positively infected by strategic disease considering that the animal will certainly die.

Paragraph (4)

What is meant by "the government will grant compensation to healthy animal" shall adalah mean if the the animal is not infected by exotic disease, such as: in the eradication of brucellosis and anthrax.

Paragraph (5)

Self-explanatory.

Article 45

Paragraph (1)

Infectious animal disease must be reported, such as, anthrax, Septicemia Epizoties (SE), Brucelosis, Avian Influenza (AI), tetelo (New Castle Disease), Hog Cholera, Rabies.

Paragraph (2)

In compiling guideline for eradication of animal infectious disease, the Minister together with the veterinary authority shall observe: (a) the provisions in the World Organization for Animal Health (World Organization For Animal Health); (b) the development of infectious animal

disease occurring outside the territory of the Unitary State of the Republic of Indonesia; and/or with (c) ratio between all measures and harmonization in handling infectious animal disease by other countries.

Paragraph (3)

Self-explanatory.

Paragraph (4)

Self-explanatory.

Article 46

Paragraph (1)

The condition on the region shall cover administrative area (village, sub-district, regency/municipality, province, and the state), island territorial, and zonation of animal population.

Paragraph (2)

What is meant by "condition for closing of an area" shall be closing from animal traffic and animal product that constitute media for animal disease carrier.

Paragraph (3)

Self-explanatory.

Paragraph (4)

Self-explanatory.

Paragraph (5)

Self-explanatory.

Paragraph (6)

Prohibition from importing or exporting animal, animal product and media for other animal disease carrier shall be based on the types of disease and types the infected animal, such as in antrax epidemic area import and export of fauna may be made or the otherwise.

Paragraph (7)

Self-explanatory.

Article 47**Paragraph (1)**

This Article is meant so that the animal owner, breeder, or husbandry business shall be really responsible for sick animal; such as financing the medical expenses of the sick animal.

Paragraph (2)

What is meant by "using strong drug" such as drug included in harzadous drug in List G (Gevaarlijk) and/or strong drug with reminder in List W (Warschuwing).

What is meant by "parenteral medication" shall be provision of drug using, among other things, injection, infuse, sonde (hose inserted into the mouth or nose) and/or trokar (device to make hole in the abdomen).

Paragraph (3)

What is meant by "visum" shall be written remarks stating the condition, diagnosis, and prognosis of animal disease.

Paragraph (4)

Self-explanatory.

Paragraph (5)

Self-explanatory.

Paragraph (6)

Self-explanatory.

Article 48

Self-explanatory.

Article 49**Paragraph (1)**

What is meant by "biologic preparation" shall be animal drug produced through biological process on animal or animal tissue to create immunity, to diagnose any disease or to cure disease by means of imunologik process, such as vaccine, sera (antisera), genetic engineered product, and biological diagnostic material.

What is meant by "pharmaceutial preparation" shall be animal drug produced through non-bilogic process, such as, vitamin, hormon, enzyme, drug antibiotic, and other chemoteraphical treatment, antihistamin, antipiretic, and anesthetic that may be applied based on pharmacological work power.

What is meant by "premix preparation" shall be animal drug made as additive or supplement to animal food which supply is mixed into the animal food or drinking water.

What is meant by "natural medicine preparation" shall be material or natural in the form of materials from plants, animal, mineral, galenic material or mixture of the materials used for animal drug. The group of natural drug covers Indonesian original medicine and original medicine from other countries for animal not containing synthetic chemical substance which has no clinical data yet and not included as narcotics or strong drug and which merit and use are known by empirically.

Paragraph (2)

What is meant by "strong drug" shall be animal drug which if the use thereof is not according to the provision may endanger the animal and/or human being consuming such animal product.

What is meant by "free limited drug" shall be strong drug for animal used as free drug for certain type of animal on the provision that it is prepared in certain amount, dosage prescription, type of preparation and method of use as well as bearing the sign for special use.

What is meant by "free drug" shall be animal drug that may be used freely on animal without veterinarian's prescription.

Paragraph (3)

What is meant by "master isolate (master seed)" shall be pathogen microorganism stored and used as master seed to produce animal biologically prepared drug.

Paragraph (4)

Self-explanatory.

Paragraph (5)

Self-explanatory.

Article 50

Self-explanatory.

Article 51

Paragraph (1)

Self-explanatory.

Paragraph (2)

Self-explanatory.

Paragraph (3)

What is meant by "certain animal drug" shall be animal drug that causes residue on animal product and causes disturbance to human health that consumes such animal product, such as: Chloramphenicol, Dihydro-streptomycin (DHS), and Diethylstilbestrol (DES).

Paragraph (4)

In stipulating Regulation of the Minister on the type of certain animal drug, the manufacturing, preparation, use, circulation, and supervision on animal drug especially classification of strong drug must observe the provision in the statutory regulation on strong drug.

Article 52

Paragraph (1)

Self-explanatory.

Paragraph (2)

Letter a

Self-explanatory.

Letter b

Self-explanatory.

Letter c

Self-explanatory.

Letter d

What is meant by "fails to comply with quality standard" shall be, among other things, expiry and/or damaged or has changed physically, chemically and biologically.

Article 53

Self-explanatory.

Article 54

Paragraph (1)

Self-explanatory.

Paragraph (2)

Self-explanatory.

Paragraph (3)

Self-explanatory.

Paragraph (4)

What is meant by "national interest" shall be sufficient domestic need in the control and prevention of animal disease and animal health service.

Paragraph (5)

Self-explanatory.

Article 55

Paragraph (1)

Supervision on the device and machinery for animal health is meant to guarantee security and quality in the manufacturing, producing, preparation, circulation, and use within the territory of the Unitary State of the Republic of Indonesia.

Paragraph (2)

Self-explanatory.

Paragraph (3)

What is meant by "after sale service", shall be services for repair, provision of spareparts, and/or training.

What is meant by "transfer of technology" shall be transformation process of knowledge and technology from the inventor or producer to the animal health force or consumer.

Paragraph (4)

In stipulating Government Regulation on the type

of certain animal drug, manufacturing, preparation, use, circulation, and supervision of animal drug especially classification of strong drug must observe the provisions in the statutory regulation on strong drug.

Article 56

Letter a

What is meant by "zoonosis", shall be the type thereof, among other things, rabies, antrax, avian influenza, salmonellosis, leptospirosis, and toksoplasmosis.

Letter b

What is meant by "guarantee of security, health, solidity, and permissiveness of animal product" shall be a series of actions and activities to accomplish security, health, solidity, and permissiveness of the animal product.

What is meant by "animal product" shall be among other things, meat, milk, egg, its processed product and other animal product, such as hide, fur, bone, horn, nail, and basic material for animal origin food.

Business News 7900/12-30-2009

What is meant by "guarantee on safeness of animal product" shall be endeavor and conditioning of animal product not containing biological, chemical and physical hazards that may disturb the health of human being, animal, and/or function of the environment.

What is meant by "guarantee on health of animal product" shall be endeavor and conditioning of animal origin food that complies with the requirements on nutrient neede for human health and free from disease.

What is meant by "guarantee on animal product solidity" shall be endeavor and conditioning of animal origin food not mixed with other product of other type.

What is meant by "gurantee on product permissiveness" shall be endeavor and conditioning of animal product obtained according to Islam religious law.

Article 57.....

(To be continued)

====(MA)====

HUSBANDRY AND ANIMAL HEALTH

(Law Number 18 Year 2009, dated June 4, 2009)

[Continued from Business News No. 7900 pages 18A-30A]

Article 56

Letter a

What is meant by "zoonosis", shall be the type thereof, among other things, rabies, antrax, avian influenza, salmonellosis, leptospirosis, and toksoplasmosis.

Letter b

What is meant by "guarantee of security, health, solidity, and permissiveness of animal product" shall be a series of actions and activities to accomplish security, health, solidity, and permissiveness of the animal product.

What is meant by "animal product" shall be among other things, meat, milk, egg, its processed product and other animal product, such as hide, fur, bone, horn, nail, and basic material for animal origin food.

What is meant by "guarantee on safeness of animal product" shall be endeavor and conditioning of animal product not containing biological, chemical and physical hazards that may disturb the health of human being, animal, and/or function of the environment.

What is meant by "guarantee on health of animal product" shall be endeavor and conditioning of animal origin food that complies with the requirements on nutrient needs for human health and free from disease.

What is meant by "guarantee on animal product solidity" shall be endeavor and conditioning of animal origin food not mixed with other product of other type.

What is meant by "guarantee on product permissiveness" shall be endeavor and conditioning of animal product obtained according to Islam religious law.

Letter c

What is meant by "guaranteed hygiene and sanitation" shall endeavor for guaranteed cleanliness and hygienic sanitation to accomplish healthy environment for human being, animal and animal product.

What is meant by "hygiene" shall be cleaning the environment by means of eradicating or preventing pathogen microorganism by means of and reducing other microorganism to maintain human health.

What is meant by "sanitation" shall be action conducted on the environment to support endeavor for the health of human being and animal.

Letter d

What is meant by "comparative by medical doctor" (comparative medicine) shall be medical doctor discipline that compares the sameness and difference in all matters relating to biological, physiological, pathological processes, and development of disease (patogenesis), including all responses by the process affected by the environment, the different types of natural treatment and/or

artificial treatment, that affect the human being and animal.

Letter e

What is meant by "disaster handling" shall be action against occurrence and/or resulting from zoonosis that spread extensively on the people and threatening the welfare of animal.

Article 57

Paragraph (1)

Stipulation based on priority shall, among other things, external infectiousness (level of infectiousness), morbidity (level of pain) and/or morality (level of fatality).

Paragraph (2)

Self-explanatory.

Paragraph (3)

Self-explanatory.

Article 58

Paragraph (1)

Self-explanatory.

Paragraph (2)

Self-explanatory.

Paragraph (3)

Self-explanatory.

Paragraph (4)

What is meant by "veterinary certificate" shall be certificate of statement issued by authorized veterinarian stating that the animal product complies with the requirements on safety, health and solidity.

What is meant by "permissible certificate" shall be certificate of statement issued by the permissible product guaranteeing institution of Unitary State of the Republic of Indonesia.

Paragraph (5)

Self-explanatory.

Paragraph (6)

Self-explanatory.

Paragraph (7)

Self-explanatory.

Article 59

Paragraph (1)

Letter a

What is meant by "fresh animal product" shall be all materials originating from non-processed animal for consumption, pharmaceutical, agricultural needs and/or for other use for fulfillment of the need and benefit of human being, such as meat, egg, milk, and bones.

Letter b

What is meant by "processed animal product" shall

be all processing materials originating from animal for consumption, pharmaceutical, agriculture, and/or other use for fulfillment of the need and benefit of human being, such as bakso, nugget, and canned meat.

Paragraph (2)

What is meant by "zone within the country" shall be part of the country having natural borders, status of animal population health, status epidemiologic of animal infectious disease and effectiveness of controlling power of transparent veterinary authority.

What is meant by "comply with the requirements" shall be, among other things, holding:

1. the result of risk analysis on infectious animal disease, particularly exotic disease in a country or in a certain zone of a country, as guarantee on the safeness of animal product to be exported to the territory of the Unitary State of the Republic of Indonesia. Risk analysis may also apply to animal import plan;
2. registration number registrasi (establishment number) for business unit exporting animal product to the territory of Unitary State of the Republic of Indonesia;
3. recommendation from veterinary authority stating that import of animal product is declared safe for consumption, safe animal resource and environment, and not disturbing the interest of the nation;
4. justification with relevant international provisions, such as from world animal health agency (World Organization for Animal Health, WOAHA) and/or Codex Alimentarius Commission (CAC).

What is meant by "procedure for import of animal product" shall be compliance with the technical provision on animal health and statutory regulation on animal quarantine.

Paragraph (3)

Self-explanatory.

Paragraph (4)

Requirement and procedure for importing animal product from overseas shall be based on the nation interest the risk from probable importing infectious animal disease through animal product with the objective to guarantee that imported animal product shall comply with the criteria of safe, healthy, solid, and permissible, and must also observe international requirements, among other things, World Animal (WOAH) and/or Codex Alimentarius Commission (CAC).

What is meant by "risk analysis" shall be process for technical decision making of animal health based on scientific norm and norm of public transparency through a series of activities, covering, danger identification, risk assessment, risk management and risk communication (orientation).

Paragraph (5)

Self-explanatory.

Article 60

Paragraph (1)

What is meant by "veterinary control number"

(NKV)" shall be registration number of animal product business unit as evidence that hygienic and sanitation requirements have been complied with as the basic feasibility for guarantee of animal product safeness. For animal product business unit circulating animal product in all territory of the Unitary State of the Republic of Indonesia or importing from the territory of the Unitary State of the Republic of Indonesia and/or exporting out of the territory of the Unitary State of the Republic of Indonesia must possess NKV.

Paragraph (2)

Self-explanatory.

Article 61

Paragraph (1)

What is meant by "the meat thereof is circulated" shall be distributing the meat for commercial and non-commercial purposes such as assisting the needy people.

Letter a

What is meant by "slaughtering house" shall be any building or building complex and its furniture and design that comply with requirement as animal slaughtering place, animal slaughtering, such as cow, buffalo, goat, pig, and fauna for consumption of the people.

The obligatory animal slaughtering in slaughtering tempat is meant to prevent zoonosis.

Letter b

Self-explanatory.

Paragraph (2)

What is meant by "guarantee the people's peace in mind" shall be all efforts conditioning in compliance with the requirement on permissible animal for consumption and procedure for slaughtering the animal according to Islamic religious teaching.

Paragraph (3)

Self-explanatory.

Paragraph (4)

In the effort of preventing infectious animal disease and/or zoonosis, handling the product based on hygiene and norm of welfare of the animal, animal slaughtering outside animal slaughtering house in the interest of religious festive day, traditional custom ceremony, and slaughtering due emergency must observe the norms of veterinary health of the veterinarians.

Article 62

Paragraph (1)

Regency/municipality government having the slaughtering house is meant to provide service to the people in the supply of food derived from safe, health, solid and/or permissible animal.

Paragraph (2)

Self-explanatory.

Paragraph (3)

The obligatory animal slaughtering business that

has business license from the regent or mayor may be in the form of own slaughtering house or slaughtering house belonging to other owner.

Paragraph (4)

Self-explanatory.

Article 63

Article 64

Self-explanatory.

Paragraph (1)

Self-explanatory.

Article 65

Self-explanatory.

Paragraph (2)

Letter a

Self-explanatory.

Article 66

Paragraph (1)

Self-explanatory.

Letter b

What is meant by "residue" shall be accumulated drug or chemical substance and/or its metabolism in the animal tissue and organ by intention after use for prevention/medication, as food additive or unintentionally contaminating the mixture.

Paragraph (2)

What is meant by "human being" shall be action that refers to human ethic and human worth, such as refraining from conducting confiscation.

What is meant by "pollution" shall be import or occurrence of chemical hazard and/or microbiology including microba in animal product and animal food either directly or indirectly that may cause animal product animal food to be unintact, causing disturbance to the health of human being, animal, and/or the environment.

Letter a

Self-explanatory.

Letter b

Self-explanatory.

Letter c

Self-explanatory.

Letter c

What is meant by "harassment" shall be action to obtain satisfaction and/or profit from animal by treating the animal beyond the animal biological and physiological condition, subh as classification of cows.

Paragraph (3)

Self-explanatory.

What is meant by "misuse" shall be action to obtain satisfaction and/or profit from animal by utilizing the

animal unreasonably and/or by allocating or misusing the animal, such as pulling out cat's claw.

Letter d

Self-explanatory.

Letter e

Self-explanatory.

Letter f

Self-explanatory.

Letter g

This provision is meant to charge penalty to everybody conducting harassment and misuse of animal.

Paragraph (3)

What is meant by "animal without backbone" that can feel pain, shall be among other things, crab. Basically animal that can feel pain shall be animal that has central nerve system and perifer, namely all animal having backbone. However, the people worldwide that care for animal welfare include the animal without backbone, but can feel pain as animal which welfare needs to be observed.

Paragraph (4)

Included in the provision as governed in Regulation of the Minister shall be among other things, establishment of a Committee for the Nation Animal Welfare to manage a commission for laboratory animal welfare in

various agencies in the context of education, training, research, and development.

Article 67

Animal welfare shall be implemented by the Government and Regional Government together with the people so as to be aware that animal welfare shall is their joint responsibility. Therefore, animal welfare shall be prioritized on improvement of awareness and participation of the people by means of education, training, and information orientation.

In the context of improving the people's participation in implementing animal welfare, the people may establish relevant institution. For example, use of laboratory animal for education, training, research and and development.

Article 68

Paragraph (1)

Self-explanatory.

Paragraph (2)

Stipulation of national animal welfare system is meant to accomplish intact implementation by veterinary authority in all territory of the Unitary State of the Republic of Indonesia in accomplishing State defense.

Intactness characteristic in the implementation of national animal welfare system in veterinary authority, shall be, among other things, prioritize quality, speed, concurrence, constancy, comprehensiveness, safety and interest of the nation.

Approach to achieve veterinary intactness, shall, among other things, cover strengthening: (a) the management; (b) resource, (c) the role and institutional function, (d) information network and communication vertically-horizontally; (e) pattern of hierarchy of order and control-range from the center to the region, (f)

Accountability in making decision; (g) relevancy and program, (h) professionalism and service, and (i) support of the people at large.

Paragraph (3)

What is meant by "improving the role and function of animal health institution" shall be provision of authority in compiling policy and decision making of top technicality on animal health at the Government, Regional Government agencies and/or other relevant agencies.

In determining authorized veterinary, if no veterinarian is available to be determined as authorized veterinarian in the region, the Regional Government may recruit authorized veterinarian from and through coordination with other Regional Government closest to the location.

Paragraph (4)

Grant of authority by the Minister to authorized veterinarian shall be meant to be able to apply top authority in decision making on animal health nationwide and/or internationally.

Paragraph (5)

What is meant by "empowering animal health potential force" shall be, among other things, is meant to

improve capability in the control and prevention of animal disease and zoonosis; disaster handling, examination of animal for religious sacrifice, and the people service.

Paragraph (6)

Self-explanatory.

Paragraph (7)

Self-explanatory.

Article 69

Paragraph (1)

What is meant by "animal health service" namely, a series of actions required to:

- a. conduct prognose and diagnose of disease by means of clinic, pathology, laboratory, and/or epidemiology;
- b. conduct therapeutic action in the form of consultation and/or (prior informed-consent) to the animal owner proceeded by some possible preventive, cooperative, cure, rehabilitation, and promotion by avoiding mulpractice;
- c. conduct examination and testing of safeness, health, intactness, and permissiveness of animal product;
- d. make confirmation to animal health service reference as required;
- e. submit data on disease and service to the authorized veterinarian;
- f. take follow-up action to Government decision and/or Regional Government relating to control and prevention of animal disease and/or health of the veterinarians; and

g. provide education to client and/or education to the people relating to health paradigm and application of the norm of animal welfare.

What is meant by "veterinarian laboratory service" shall be diagnostic and/or research and development services in the context of animal health.

What is meant by "veterinarian laboratory examination and test services" shall be diagnostic service and/or research and development in the context of control and prevention of animal disease or zoonosis, implementation of health to veterinarians and/or test of quality, residue, pollution, food quality, germ/ovule quality, and/or quality of animal product.

What is meant by "veterinary medical service" shall be competent veterinarian service to the people in the context of veterinarian practice, such as veterinary, animal clinic, joint practice clinic, animal reproduction rehabilitation clinic, ambulance, veterinarian practice and veterinarian consultancy practice.

What is meant by "animal health service center" (puskesmas)" shall be veterinary medical service operated by Regional Government. This service may be in the form of reference and/or integrated with veterinary laboratory and/or veterinary examination and testing laboratory.

Paragraph (2)

Grant of business license by the Regent/Mayor,

other than to comply with the terms of legality and standard for minimum service is meant to synergy animal health service in the region with the nation animal health system through management by the authorized veterinarian co-operating with the local professional veterinarians organization.

If the animal health service covers provincial region and/or cross-province, the grant of business license by the Regent/Mayor needs to be confirmed to the authorized veterinarian of the province concerned.

The qualification for grant of the license shall be grant of license for:

- a. Animal Hospital;
- b. Veterinarian Practice; and
- c. Animal Health Laboratory and Veterinarians Health Laboratory implemented privately.

Article 70

Paragraph (1)

What is meant by "comply with the need for animal health force" shall be availability of one unit of veterinary medical force (veterinarian and/or veterinarian specialist) and various levels of competent veterinary paramedical forces needed for each province, regency/municipality, up to sub-district level.

Paragraph (2)

Self-explanatory.

Paragraph (3)

Self-explanatory.

Paragraph (4)

Self-explanatory.

Paragraph (5)

Self-explanatory.

Article 71

Paragraph (1)

What is meant by "veterinary medical competence" shall be the skill to act and capability to make decision on animal health by referring to the latest veterinary scientific development, top interest, client, the people at large, and the environment; and the honest oath or promise and code of ethic of the profession.

Paragraph (2)

What is meant by "under supervision of veterinarian" shall be veterinarian continuous supervision over the performance of the veterinary paramedists and/or veterinarian in implementing all animal health matters based on reference by the authorized veterinarian and/or based on agreement between the two parties with due observance of the limits of capability.

Paragraph (3)

What is meant by "certificate of competence" shall be written information explaining the level of capability to control of animal health veterinary force in the implementation of animal health.

Paragraph (4)

What is meant by "profession code of ethic" shall be principle of professional moral and attitude that is maintained by animal health force at handling the patient, client, among the veterinarians, authorized veterinarian, government and/or its environment.

What is meant by "professional oath or promise" shall be solemn statement by veterinarian before religious leaders, veterinarian professional organization, and other witnesses to strongly hold the principles of morality and attitude of profession during the course of running their profession. The respective level of veterinary force holds the code of professional ethic, while the professional oath or promise prevails only on veterinarian.

Article 72

Paragraph (1)

License for animal health practice issued by the Regent/Mayor shall be in the form of Registration Certificate.

Paragraph (2)

Self-explanatory.

Paragraph (3)

Including the provision on license certificate for animal health practice for foreign veterinary force, shall be, among other things, control over capability to communicate using Indonesian language and the capability to control tropical animal disease.

Article 73

Paragraph (1)

The provision on medical reproduction is meant to accelerate improvement of the animal quality and population through intervention of veterinarian on the reproduction, midwife handling, prevention and control of effectiveness, and governing of development and balance of animal population.

The provision on medical conservation is meant to accelerate improvement of preservation of the types, population and habitat of Indonesian wildlife through intervention of medical veterinarian, mapping the status of medical conservation and epidemiologic wildlife of Indonesia, anticipate emerging new animal disease originating from wildlife of Indonesia, and strengthen management of medical conservation at conservation institutions.

The provision on forensic veterinarian is meant to anticipate handling of crime relating to animal.

Paragraph (2)

Self-explanatory.

Article 74

Paragraph (1)

Self-explanatory.

Paragraph (2)

Letter a

Self-explanatory.

Letter b

What is meant by "animal ethic" as translated from the word bioethic, shall be application of the principles of morality, intellectuality and professionalism in applying good and intact animal ethic, holistically with its environment, as well as some of it, such as cell, or organ.

What is meant by "veterinary ethic" shall be application of the principles of morality, intellectuality, professionalism and medical principle in the application of veterinarian technology.

Letter c

Self-explanatory.

Article 75

Self-explanatory.

Article 76

Self-explanatory.

Article 77

Self-explanatory.

Article 78

Paragraph (1)

What is meant by "apparatus" shall be civil servant either by structure or by function, in the central or region, including information orientation on husbandry and animal health.

Paragraph (2)

Self-explanatory.

Paragraph (3)

Letter a

Self-explanatory.

Letter b

Self-explanatory.

Letter c

What is meant by "other methods of development" shall be, among other things, apprenticeship and field schooling.

Development of human resource on husbandry is meant to, among other things, improve the skill, professionalism, entrepreneurship, cooperation, and dedication.

What is meant by "with due observance of the people's culture" shall be to appreciate traditional wisdom and culture so as to improve local human resource and application of technology so that the development in husbandry business and animal health in a certain region may synergy with the local custom, tradition, custom, religion, and culture so as to be accepted by the people in order to achieve optimum result.

Paragraph (4)

What is meant by "educational institution" shall be, among other things, high educational institution, people self-support institution, and individuals.

Paragraph (5)

What is meant by "information orientation on husbandry and animal health" shall be one of the efforts for empowerment of husbandry with the objective to improve knowledge, skill, and change attitude and behavior adopted such as, through non-formal education.

Paragraph (6)

Self-explanatory.

Paragraph (7)

Self-explanatory.

Paragraph (8)

Self-explanatory.

Article 79

Self-explanatory.

Article 80

Self-explanatory.

Article 81

Self-explanatory.

Article 82

What is meant by "genetic engineering" shall be all efforts to intentionally make changes to the living biological genom by increasing, reducing, and/or changing the original genom composition using deoksiribose nucleat acid techonology (*Deoxyribose Nucleic Acid/DNA*) combination.

Article 83
Self-explanatory.

Article 84
Self-explanatory.

Article 85
Self-explanatory.

Article 86
Self-explanatory.

Article 87
Self-explanatory.

Article 88
Self-explanatory.

Article 89
Self-explanatory.

Article 90
Self-explanatory.

Article 91
Self-explanatory.

Article 92
Self-explanatory.

Article 93
Self-explanatory.

Article 94
Self-explanatory.

Article 95
Self-explanatory.

Article 96
Self-explanatory.

Article 97
Self-explanatory.

Article 98
Self-explanatory.

Article 99
Self-explanatory.

SUPPLEMENT TO STATUTE BOOK OF THE REPUBLIC OF
INDONESIA NUMBER 5015.

====(MA)====