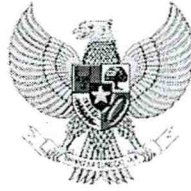

AUTHORIZED TRANSLATION



**MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA
REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA**

NUMBER: 24 / M-DAG / PER / 9 / 2011

REGARDING

PROVISIONS ON IMPORT AND EXPORT OF ANIMALS AND ANIMALS' PRODUCTS

BY THE GRACE OF THE GOD ALMIGHTY

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

Considering :

- a. that animals and animals' products are basic and strategic commodities as food ingredients and industrial raw materials;
- b. that in the context of fulfilling the need of food ingredients originating from animals and animals' products to support the achievement of food security and food self-sufficiency, as well as to perform further the provisions of Article 15 section (3), Article 16 section (2), and Article 59 section (1) of Law Number 18 of 2009 regarding Animal Husbandry and Animal Health, it needs to regulate the import and export of animals and animals' products
- c. that based on such considerations as referred to in letter a and letter b, it needs to stipulate a Trade Minister's Regulation;

In view of :

- 1. *Bedrifsreglementerings Ordonnantie 1934 (Staatsblad of 1938 number 86)* as amended and added;
- 2. Law Number 3 of 1982 regarding company registration



- obligation (State Gazette of the Republic of Indonesia of 1982 Number 7, Supplement to State Gazette of the Republic of Indonesia number 3214);
3. Law Number 16 of 1992 regarding Quarantine of Animals, Fish and Plants (State Gazette of the Republic of Indonesia of 1992 Number 56, Supplement to State Gazette of the Republic of Indonesia Number 3482);
 4. Law Number 7 of 1994 regarding the Legalization to the Agreement on Establishing the World Trade Organization (State Gazette of the Republic of Indonesia of 1994 Number 57, Supplement to State Gazette of the Republic of Indonesia Number 3564);
 5. Law Number 10 of 1995 regarding Customs (State Gazette of the Republic of Indonesia of 1995 Number 75, Supplement to State Gazette of the Republic of Indonesia Number 3612) as amended by Law Number 17 of 2006 (State Gazette of the Republic of Indonesia of 2006 Number 93, Supplement to State Gazette of the Republic of Indonesia Number 4661);
 6. Law Number 7 of 1996 regarding Food (State Gazette of the Republic of Indonesia of 1996 Number 99, Supplement to State Gazette of the Republic of Indonesia Number 3656);
 7. Law Number 5 of 1999 regarding Prohibition to Monopolistic Practice and Unfair Business Competition (State Gazette of the Republic of Indonesia of 1999 Number 33, Supplement to State Gazette of the Republic of Indonesia Number 3806);
 8. Law Number 8 of 1999 regarding Consumers' Protection (State Gazette of the Republic of Indonesia of 1999 Number 42, Supplement to State Gazette of the Republic of Indonesia Number 3821);
 9. Law Number 39 of 2008 regarding State Ministry (State



Gazette of the Republic of Indonesia of 2008 Number 166, Supplement to State Gazette of the Republic of Indonesia Number 4916);

10. Law Number 18 of 2009 regarding Animal Husbandry and Animal Health (State Gazette of the Republic of Indonesia of 2009 Number 28, Supplement to State Gazette of the Republic of Indonesia Number 5015);
11. Governmental Regulation Number 22 of 1983 regarding Veterinary People's Health (State Gazette of the Republic of Indonesia of 1983 Number 28, Supplement to State Gazette of the Republic of Indonesia Number 3253);
12. Governmental Regulation Number 82 of 2000 regarding Animals Quarantine (State Gazette of the Republic of Indonesia of 2000 Number 161, Supplement to State Gazette of the Republic of Indonesia Number 4002);
13. Governmental Regulation Number 68 of 2002 regarding Food Security (State Gazette of the Republic of Indonesia of 2002 Number 142, Supplement to State Gazette of the Republic of Indonesia Number 4254);
14. Governmental regulation number 28 of 2004 regarding food safety, quality and nutrition (state gazette of the republic of Indonesia of 2004 number 107, supplement to the state gazette of the republic of Indonesia number 4424)
15. Governmental Regulation Number 21 of 2005 regarding Bio-Safety of Genetic Engineering Products (State Gazette of the Republic of Indonesia of 2005 Number 44, Supplement to State Gazette of the Republic of Indonesia Number 4498);
16. Governmental Regulation Number 38 of 2007 regarding the Division of Governmental Affairs Between The Government, Regional Government of Province And Regional Government of Regency/Municipality (State



Gazette of the Republic of Indonesia of 2007 Number 82,
Supplement to State Gazette of the Republic of Indonesia
Number 4737);

17. Presidential Decree Number 280 of 1967 regarding the Confirmation on Duties and Responsibilities of Trade Minister In Foreign Trade Sector;
18. Presidential Decree Number 84/P of 2009 regarding the Formation of United Indonesia Cabinet II;
19. Presidential Regulation Number 47 of 2009 regarding the Formation and Organization of State Ministry;
20. Presidential Regulation Number 24 of 2010 regarding the Position, Duties, and Functions of State Ministry as well as the Composition of Organization, Duties and Functions of Echelon I of State Ministry;
21. The Minister of Industry and Trade's Decree Number 558/MPP/Kep/12/1998 regarding General Provisions In Export Field as amended several times lastly by the Trade Minister's Regulation Number 01/M-DAG/PER/1/2007;
22. The Trade Minister's Regulation Number 45/M-DAG/PER/9/2009 regarding Importer's Identity Number (API) as amended several times, lastly by the Trade Minister's Regulation Number 20/M-DAG/PER/7/2011;
23. The Trade Minister's Regulation Number 54/M-DAG/PER/9/2009 regarding General Provisions In Import Field;
24. The Trade Minister's Regulation Number 31/M-Dag/Per/7/2010 regarding the Organization and Working Procedure of Trade Ministry

HAS DECIDED:

To stipulate : THE TRADE MINISTER'S REGULATION REGARDING PROVISIONS ON IMPORT AND EXPORT OF ANIMALS AND ANIMALS' PRODUCTS



CHAPTER I

GENERAL PROVISIONS

Article 1

In this Ministerial regulation what's meant by:

1. Animals are fauna whose entire or part of life-cycle is located on land, water, and/or air, either those under nursery or those living in their habitat.
2. Animal seed which hereinafter shall be referred to as seed is animals having excellent characters and inherit as well as meeting certain requirements to be bred.
3. Animal germ which hereinafter shall be referred to as germ is animals' reproductive materials that might take the form of semen, sperm, oval, germinated egg and embryo.
4. Animal going which hereinafter shall be referred to as going is animal non-seed having excellent characters to be raised for production purpose.
5. Animal products is all materials originating from animals which are still fresh and/or have been processed for the purpose of consumption, pharmaceutical, agriculture, and/or other uses for the fulfillment of human need and wellness.
6. Zoonosis is any diseases that can spread from animals to human or vise versa.
7. Import is the activity of importing goods to the customs area.
8. Export is the activity of releasing goods from the customs area.
9. Registered Importer of Animals and Animals' Products, which hereinafter shall be referred to as IT-Animal and Animal's Products, is a company engaged in the importation of animals and/or Animals' Products for business activity purpose by trading or handing them over to other parties.



10. Coordinating Meeting is an inter-instance meeting which is held by the coordinating ministry of Economic Sector.
11. Import Approval is importing license for Animals and/or Animals' Products.
12. Export Approval is exporting license for Animals and/or Animals' Products.
13. Recommendation is a certificate issued by the authorized officer of related technical instance/unit and constitutes a requirement for the issuance of import approval and export approval.
14. Minister is the minister who administers governmental affairs in trade sector.
15. Director General is the Director General of Foreign Trade, the Ministry of Trade.

Article 2

- (1) Seed, Germ and/or Going in this Ministerial Regulation are grouped into Animal category.
- (2) Animals and Animals' Products are those the import of which is regulated as set forth in Appendix I and Appendix II which constitute an inseparable part of this Ministerial Regulation.
- (3) Animals and Animals' Products are those the export of which is regulated as set forth in Appendix III which constitutes an inseparable part of this Ministerial Regulation.

Article 3

- (1) Animal Importing as referred to in Article 2 paragraph (2) can be implemented to:
 - a. improve the genetic quality and diversity;
 - b. develop sciences and technology;
 - c. address the shortage of domestic seed, germ and/or going/cattle; and/or



- d. fulfill the need of research and development.
- (2) Animal's Products Importing as referred to in Article 2 paragraph (2) can only be implemented when the domestic products and supply of Animals' Products are not sufficient to fulfill the demand of people's consumption at affordable price.
- (3) Animal Exporting as referred to in article 2 paragraph (3) can only be implemented when the domestic need of Seed, Germ and/or Going has been fulfilled and the sustainability of local animals is secured.
- (4) National allocation for fresh Animals and Animals' Products that are importable as set forth in appendix II to this Ministerial Regulation is stipulated for each year based on the results of Coordinating Meeting at Ministerial level by considering the production and demand of domestic consumption.
- (5) The import allocation of fresh Animals and Animals' Products as set forth in appendix II to this Ministerial Regulation for each IT-Animal and Animal Product shall be stipulated for each semester based on the results of Coordinating Meeting at Echelon I level by taking into account the national allocation as referred to in paragraph (4).
- (6) The stipulation of Animals and Animals' Products import allocation as referred to in paragraph (5) is based on following the considerations :
 - a. The capacity of temporary animals quarantine installation
 - b. Maximum Loading capacity; and
 - c. Past performance value.



CHAPTER II

IMPORT OF ANIMALS AND ANIMALS' PRODUCTS

Article 4

- (1) The Import of Animals and/or Animals' Products as set forth in Appendix II to this Ministerial Regulation can only be implemented by a company that has received a stipulation as IT-Animal and Animal's Products.
- (2) To obtain such stipulation as IT-Animal and Animal's Products as referred to in paragraph (1), the company shall have to submit an application to the Minister in this matter the Director General, by enclosing:
 - a. Copy of trade business license (SIUP) or business license in animal husbandry and animal health
 - b. Copy of company registration number (TDP)
 - c. Copy of tax payer number (NPWP)
 - d. Copy of importer identity number (API); and
 - e. Proof of ownership on the nursery installation and proof of ownership on animal butchery or a working contract with animal butchery which has met the standard under the provisions of statutory regulation, for going; or
 - f. Proof of ownership on cold storage and proof of ownership on refrigerated transportation facility, for animals' products
- (3) The director general on behalf of the Minister shall issue the stipulation as IT-Animal and Animal's Products at the latest 5 (five) business days upon the completion of field verification by the Team to confirm the correctness of such documents as referred to in section (2).
- (4) Such verification as referred to in section (3) shall be conducted at the longest 3 (three) business days since the application is received completely.



- (5) The team as referred to in section (3) shall consist of those officers appointed by the Director General.
- (6) In case the results of such verification as referred to in section (3) it is found an incorrect data, the Director General shall refuse to issue the stipulation as IT-Animal and Animal's Products.
- (7) Such stipulation as IT-Animal and Animal's Products as referred to in paragraph (1) shall be valid for 2 (two) years effective from the issuance date and extendable.

Article 5

- (1) IT-animal and animal's products as well as the company going to implement an import of animals and/or animals' products shall have to obtain an import approval from the Minister.
- (2) The Minister to delegate the authority to issue such import approval as referred to in section (1) to the director general for and on behalf of the Minister
- (3) To obtain such Import Approval as referred to in paragraph (1), an IT-Animal and Animal's Products or company shall have to submit a written application to the Minister in this matter Director General by enclosing:
 - a. Copy of the Stipulation as IT-Animal and Animal's Products for Animals and/or Animals' Products as set forth in Appendix II to this Ministerial Regulation.
 - b. Import plan within a period of 6 (six) months for Animals and/or Animals' Products as set forth in Appendix II to this Ministerial Regulation; and
 - c. Recommendation from the Minister of Agriculture or the officer appointed by the Minister of Agriculture, for importation of fresh Animals and/or Animals' Products; or
 - d. Recommendation from the head of Drugs and Food



Supervisory Body or the Officer (s) appointed by the Head of Drugs and Food Supervisory Body for importation of processed Animals' Products and recommendation from the Minister of Agriculture or the officer appointed by the Minister of Agriculture, for importation of processed animals' products which are still risky of zoonosis spread.

- (4) The Director General on behalf of the Minister shall issue an import Approval for Animals and Animals' Products at the latest 5 (five) business days effective since the application is received completely and correctly.
- (5) Such Import Approval as referred to in paragraph (4) shall be delivered to the IT-Animal and Animals' Products or company and its cc shall be forwarded to the recommendation issuing instances.
- (6) Such Import Approval as referred to in paragraph (4) shall be passed online to the portal Indonesian National Single Window (INSW).
- (7) In the event of Animals and/or Animals' Products importation is through a port not connected yet to the Indonesian National Single Window (INSW), a cc of the Import Approval shall be submitted manually to the related instance.

Article 6

- (1) The Issuance of Import Approval for Animals' Products as set forth in Appendix II to this Ministerial Regulation shall be made 2 (two) times in 1 (one) year:
 - a. The first semester period which is valid from 1 January to 30 June; and
 - b. The second semester period which is valid from 1 July to 31 December
- (2) The application for import approval for such first semester period as referred to in paragraph (1) item a shall be



submitted at the latest on 1 November of the previous year.

- (3) The application for import approval for such second semester period as referred to in paragraph (1) item b shall be submitted at the latest on 1 May of the current year.

Article 7

Import of carcass, giblets, and or its processed products which are included in Animals' Products set forth in Appendix I and Appendix II to this Ministerial Regulation is only for the usage and distribution purpose of imported commodities for industry, hotels, restaurants, catering, and/or other special purposes.

Article 8

- (1) Such Import Approval as referred to in Article 5 paragraph (4) constitutes the basic for the issuance of Certificate of Health in the country of origin of those Animals and/or Animals' Products to be imported.
- (2) The Import Approval number shall be included in such Certificate of Health as referred to in paragraph (1).

Article 9

- (1) Upon the implementation of Animals and/or Animals' Products importation shall be made the inspection on the Certificate of Health by the agriculture quarantine agency, the Ministry of Agriculture.
- (2) Such inspection as referred to in paragraph (1) shall be made to check the conformity between the Certificate of Health and Import Approval which covers among others the quantity and types/description on goods, business unit, country of origin, loading port, and Import Approval number.
- (3) The results of such inspection as referred to in paragraph (1) shall be forwarded by the Agriculture Quarantine



Agency, the Ministry of Agriculture to the Director General through <http://inatrade.kemendag.go.id>.

Article 10

In case in the country of origin of an Animals and/or Animals' Products importation occurred an epidemic of contagious animals' disease and has been stipulated in the form of the Minister of Agriculture's Decree, then any issued Import Approvals shall be revoked by the Director General on behalf of the Minister.

CHAPTER III

EXPORT OF ANIMALS AND ANIMALS' PRODUCTS

Article 11

- (1) the Export of Animals and/or Animals' Products as referred to in Article 2 paragraph (3) can only be conducted by a company that has received an Export Approval from the Minister.
- (2) The Minister to delegate the authority to issue such Export Approval as referred to in paragraph (1) to the Director General for and on behalf of the Minister.
- (3) To obtain such Export Approval as referred to in paragraph (1), a company shall have to submit a written application to the Minister in this matter Director General by enclosing:
 - a. Copy of Trade Business License (SIUP) or Business License in animal husbandry and animal health
 - b. Copy of Company Registration Number (TDP);
 - c. Copy of Tax Payer Number (NPWP); and
 - d. Recommendation from the Minister of Agriculture or the officer appointed by the Minister of Agriculture.
- (4) The Director General shall issue an Export Approval at the latest 5 (five) business days effective since the application is received completely and correctly.



- (5) In case such written application as referred to in paragraph (3) is not complete and correct yet, the Director General shall deliver the notice of application refusal at the latest 5 (five) business days since the application is received.
- (6) Such Export Approval as referred to in Paragraph (4) shall be delivered to the relevant company and its cc shall be forwarded to the recommendation issuing instances.
- (7) Such Export Approval as referred to in paragraph (4) shall be passed online to the portal Indonesian National Single Window (INSW).
- (8) In the event of such Animals and/or Animals' Products export as referred to in paragraph (1) is through a port not connected yet to the Indonesian National Single Window (INSW), a cc of the Export Approval shall be submitted manually to the related instance.

CHAPTER IV

THE REPORTING ON THE IMPLEMENTATION OF ANIMALS AND ANIMALS' PRODUCTS IMPORT AND EXPORT

Article 12

- (1) An IT-Animal and Animal's Products or company that has received an Import Approval and a company that has received an Export Approval is obliged:
 - a. to submit a written report on the implementation of Animals and/or Animals' Products import, or the implementation of Animals export through <http://inatrade.kemendag.go.id> in the form of report as set forth in Appendix IV which is an inseparable part of this Ministerial Regulation; and
 - b. to enclose a copy of Import or Export Realization Control Card that has been initiated and stamped by the officer of Customs Office.
- (2) Such report as referred to in paragraph (1) letter a shall be



submitted each month at the latest on the 15th of the next month to the director general with a cc to:

- a. the Head of Drugs and Food Supervisory Body; and
- b. Director General of Animal Husbandry and Animal Health, The Ministry of Agriculture

CHAPTER V SANCTIONS

Article 13

IT-Animal and Animal's Products, Import Approval, or Export Approval shall be revoked if the company:

- a. failed to perform its obligation to submit such report as referred to in Article 12 for 3 (three) times
- b. proved as changing the information contained in the documents of IT-Animal and Animal's Products, Import Approval, or Export Approval ; and/or
- c. stated guilty based on a court's decision that has a permanent legal force on a criminal act associated with the abuse of IT-Animal and Animal's Products, Import Approval, or Export Approval.

Article 14

The revocation of an IT-Animal and Animal's Products, Import Approval, or Export Approval which is imposed upon a company shall be stipulated by the Director General for and on behalf of the Minister.

Article 15

- (1) An importer or exporter implementing the importation or export of Animals and/or Animals' Products which does not comply with the provisions in this Minister Regulation shall be imposed a sanction according to the provisions of statutory regulation in customs, animal husbandry and animal health sectors, as well as animal quarantine.
- (2) Animals and/or Animals' Products imported:



- a. The quantity, species, business unit, and/or the country of origin of which do not conform with the Import Approval; and/or
 - b. Do not comply with the provisions of this Ministerial Regulation, must be re-exported.
- (3) Any costs on the implementation of such re-export as referred to in paragraph (2) shall be borne by the importer

CHAPTER VI

MISCELLANEOUS

Article 16

- (1) Upon an importation of Animals and/or Animals' Products for:
- a. gifts / grants delivery for religious purpose of public, charity, social, or for the purpose of natural disaster handling;
 - b. personal belongings of passengers, transportation crew, and delivery goods up to the limit of customs value and/or a certain quantity according to the provisions of statutory regulation in customs sector;
 - c. goods belonging to foreign country representatives along with their officials assigned in Indonesia based on reciprocal principle;
 - d. goods for the interest of international agencies along with their officials assigned in Indonesia;
 - e. goods for science research and development purpose;
 - f. sample goods not for trade,
- must obtain an Import Approval by only enclosing such recommendations as referred to in Article 5 paragraph (3) item c or item d.
- (2) Upon the importation of Animals and/or Animals' Products for goods already exported and then re-imported, it must



obtain an Import Approval by enclosing the Goods Export Notification that has been legalized by the officer / official of Customs office and without having to enclose such documents as referred to in Article 5 paragraph (3).

- (3) Upon an export of Animals and/or Animals' Products for:
- gifts/grants delivery for religious purpose of public, charity, social, or for the purpose of natural disaster handling;
 - personal belongings of passengers, transportation crew, and delivery goods up to the limit of customs value and/or a certain quantity according to the provisions of statutory regulation in customs sector;
 - goods belonging to foreign country representatives along with their officials assigned in Indonesia based on reciprocal principle;
 - goods for the interest of international agencies along with their officials assigned in Indonesia;
 - Goods for science research and development purpose; and/or
 - Sample goods not for trade,

Must obtain an export approval by only enclosing such recommendations as referred to in Article 11 paragraph (3) item d.

- (4) Upon such importation of Animals and/or Animals' Products as referred to in paragraph (1) and paragraph (2) shall be exempted from such provisions of stipulation as IT-Animal and Animal's Products as referred to in Article 4 paragraph (1).
- (5) Upon an importation of Animals and/or Animals' Products for border-crossers, up to the limit of customs value and/or a certain quantity according to the bilateral agreement on border-crossing trade, shall be exempted from the obligations of IT-Animal and Animal's Products as well as



Import Approval.

- (6) Upon an export of Animals and/or Animals' Products for border-crossers, up to the limit of customs value and/or a certain quantity according to the bilateral agreement on border-crossing trade, shall be exempted from Export Approval.

Article 17

Each implementation of import or export of Animals and/or Animals' Products shall remain comply with the provisions of statutory regulation in food, animal husbandry and animal health, animal quarantine, and/or customs sectors.

Article 18

Minister may appoint an integrated team consisting of representatives of the related instances to perform the evaluation and supervision on the implementation of Animals and/or Animals' Products import and export.

Article 19

Technical instructions on the implementation of this Ministerial Regulation shall be stipulated by the Director General.

CHAPTER VII

TRANSITITONAL PROVISIONS

Article 20

When this Ministerial Regulation commences to be in effect, any Letter of Import Approval (SPP) already issued under the Minister of Agriculture's Regulation Number 20/Permentan/OT.140/4/2009 regarding the Importation and Supervision on the Distribution of Carcass, Meat, and/or Giblets From Overseas and the Minister of Agriculture's Regulation Number 07/Permentan/OT.140/1/2008 regarding the Conditions and Procedure of Importation and Export of Seed, Germ of Livestock, and Cattle are Declared as Remain valid until 31 December 2011.



CHAPTER VIII

CLOSING PROVISIONS

Article 21

In addition to the provisions of article 3 section (4), article 3 section (5), and article 4 that commence to be in effect on the stipulation date, other provisions in this ministerial regulation shall commence in effect on 1 October 2011.

In order to let everyone be aware of, instructing the enactment of this ministerial regulation by posting it the State Gazette of the republic of Indonesia.

Stipulated in Jakarta

On : September 7, 2011

THE TRADE MINISTER OF THE REPUBLIC OF INDONESIA

signed

MARI ELKA PANGESTU

Copy according to original

Secretariat General

the Ministry of Trade

Head of Legal Bureau,

signed

LASMININGSIH

Translated from Indonesian Language
Jakarta, November 7, 2011
Authorized and Sworn Translator,

FIKRI SAID OBED

