

SECURITY, QUALITY AND NUTRITION OF FOOD
(Government Regulation No. 28/2004 dated October 5, 2004)

BY GRACE OF GOD THE ALMIGHTY,

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering:

- a. that safe, good-quality and nutrient food plays a very important role in the growth, care and enhancement of public health as well as intelligence;
- b. that the public needs to be protected from food potential to affect and/or endanger the health;
- c. that based on the above mentioned matters and in order to implement the provisions in Law No. 7/1996 on food, it is deemed necessary to stipulate a government regulation on security, quality and nutrition of food;

In view of:

1. Article 5 paragraph (2) of the Constitution of 1945 as already amended by the Fourth Amendment to the Constitution of 1945 (BN No. 7152 pages 14A - 23A);
2. Law No. 6/1967 on animal husbandry and veterinary basic-principles (Statute Book of 1976 No. 10, Supplement to Statute Book No. 3102);
3. Law No. 4/1984 on contagious disease epidemic (Statute Book of 1984 No. 20, Supplement to Statute Book No. 3273);
4. Law No. 5/1984 on industry (Statute Book of 1984 No. 22, Supplement to Statute Book No. 3274);
5. Law No. 9/1985 on fishery (Statute Book of 1985 No. 46, Supplement to Statute Book No. 3299);
6. Law No. 12/1999 (BN No. 5627 pages 1A - 4A and so on) on crop cultivation system (Statute Book of 1992 No. 46, Supplement to Statute Book No. 3478);
7. Law No. 16/1992 (BN No. 530 pages 17A - 19A) on fish, animal and plant quarantine (Statute Book of 1992 No. 56, Supplement to Statute Book No. 3482);
8. Law No. 23/1992 (BN No. 5320 page 16A and so on) on health (Statute Book of 1992 No. 100, Supplement to Statute Book No. 3495);
9. Law No. 7/1994 on ratification of the agreement establishing the World Trade Organization (Statute Book of 1994 No. 57, Supplement to Statute Book No. 3495);
10. Law No. 10/1995 (BN No. 5812 pages 19A - 20A and so on) on customs affairs (Statute Book of 1995 No. 75, Supplement to Statute Book No. 3612);
11. Law No. 7/1996 on food (Statute Book of 1996 No. 99, Supplement to Statute Book No. 3656);
12. Law No. 12/1997 on nuclear energy (Statute Book of 1997 No. 23, Supplement to Statute Book No. 3676);
13. Law No. 8/1999 on consumer protection (BN No. 6321 pages 1A - 7A and so on) (Statute Book of 1999 No. 42, Supplement to Statute Book No. 3821);
14. Law No. 22/1999 (BN No. 6361 pages 1A - 5A and so on) on regional administration (Statute Book of 1999 No. 42, Supplement to Statute Book No. 3821);
15. Government Regulation No. 22/1983 on veterinary health (Statute Book of 1983 No. 28, Supplement to Statute Book No. 3253);
16. Government Regulation No. 17/1986 (BN No. 4343 pages 1A - 2A and so on) on the authority to regulate, foster and develop industry (Statute Book of 1986 No. 23, Supplement to Statute Book No. 3330);
17. Government Regulation No. 69/1999 (BN No. 6370 pages 14A - 15A and so on) on food label and advertisement (Statute Book of 1999 No. 131, Supplement to Statute Book No. 3867);
18. Government Regulation No. 25/2000 (BN No. 6471 pages 19A - 20A and so on) on the authority of the government and the authority of provinces as autonomous regions (Statute Book of 2000 No. 54, Supplement to Statute Book No. 3952);
19. Government Regulation No. 102/2000 (BN No. 6554 pages 1A - A and so on) on Indonesian National Standardization (Statute Book of 1999 No. 199, Supplement to Statute Book No. 4020);

DECIDES:

To stipulate :

THE GOVERNMENT REGULATION ON SECURITY, QUALITY AND NUTRITION OF FOOD

CHAPTER I
GENERAL PROVISION

Article 1

Referred to in this regulation as:

1. Food shall be everything originating in biological resources and water whether processed or not, designed as food or beverage for human consumption, including food additive, food raw material and other materials used in the preparation, processing and/or production of food or beverage.
2. Fresh food shall be food not yet processed, which can be consumed directly and/or can become raw materials of food processing.
3. Food shall be food or beverage resulting from a process by certain means or methods with or without additives.
4. Certain Processed Food shall be processed food for consumption of certain groups in a bid to maintenance and enhance the quality of health of the said groups.
5. Food System shall be everything related to regulation, fostering and/or supervision over activities or processes of food production and distribution until the food is ready for consuming by human.
6. Fast Food shall be food and/or beverage already processed and ready for presenting directly in business places or outside business place on the basis of order.
7. Security of Food shall be a condition and effort needed for preventing food from the possible biological, chemical contaminants and other materials potential to harm, affect and endanger human health.
8. Requirements for Security of Food shall be standards and other provisions, which must be fulfilled to prevent food from possible danger because of biological, chemical contaminants and other materials potential to harm, affect and endanger human health.
9. Food Sanitization shall be efforts to prevent decaying and patogen micro-organisms from growing and re-producing in food, beverage, equipment and building, which can affect the food and endanger human.
10. Sanitary Requirements shall be sanitary and medical requirements, which must be fulfilled as an effort to kill or prevent micro organism from living and reduce other micro organism so that the produced and consumed food does not endanger human health and live.
11. Food Production shall be an activity or process producing, preparing, processing, preserving, packing, re-packing and/or changing the shape of food.
12. Food Distribution shall be every activity or a series of activities in the framework of the distribution of food to the public for trading or not.
13. Food Trade shall be every activity or a series of activities in the framework of the selling and/or buying of food, including bids for selling food and other activities related to the handover of food by means of earning compensation.
14. Food Storage shall be a process, method and/or activity to store food in both production and distribution facilities.
15. Food Transport shall be every activity or a series of activities in the framework of transferring food from a place to another place by whatever transport mean or facility in the framework of the production distribution and/or trade of food.
16. Food Home Industry shall be a food company having business place in domicile with manual and semi-automatic food processing equipment.
17. Food Additive shall be a material supplemented to food for influencing the characteristic or shape of the food.
18. Genetically Engineered Food Products shall be food produced or using raw materials, food additives and/or other materials resulting from a genetically engineering process.
19. Food Irradiation shall be a food radiation method by using radioactive or accelerator to prevent food from decaying and damaging as well as free food from patogen micro-organism.

20. Food Package shall be a material used for accommodating and/or wrapping food whether or not contact directly to the food.

21. Food Quality shall be a value stipulated on the basis of criteria for security of food, nutrition content and trading standards of foodstuff, food and beverage.

22. Standards shall be standardized technical specifications or requirements, including procedures and methods formulated on the basis of consensus of all parties concerned by observing requirements for safety, security, health, environment, scientific and technological developments as well as current and future development experience to obtain the maximal benefit.

23. Food Nutrition shall be a substance or compound contained in food, which consists of carbohydrate, protein, fat, vitamin and mineral as well as their derivatives beneficial to the growth and health of human.

24. Food Quality Certification shall be a series of activities of the issuance of certificate to food already fulfilling the stipulated requirements.

25. Food Quality Certificate shall be a written guarantee issued by accredited certification institutions/laboratories, which certifies that the food has met certain requirements in the quality standards of the said food.

26. Everybody shall be individual or business entity, in the form of statutory body or not.

27. Agency shall be the agency in charge of food and drug supervision.

CHAPTER II SECURITY OF FOOD

Part One Sanitation

Article 2

(1) Everybody in responsible in the execution of activities in the food chains, covering the processes of production, storage, transport and distribution of food shall meet sanitary requirements in accordance with the provisions of the legislation in force.

(2) The minister in charge of health affairs shall further stipulate sanitary requirements as meant in paragraph (1), covering among others:

- a. facilities and/or infrastructures;

- b. implementation of activities; and
- c. individual.

Article 3

The fulfillment of the sanitary requirements in all activities of food chains shall be realized by means of applying guidelines on proper methods, covering:

- a. Proper Method of Cultivation;
- b. Proper Method of Fresh-Food Production;
- c. Proper Method of Processed-Food Production;
- d. Proper Method of Food Distribution;
- e. Proper Method of Food Retail; and
- f. Proper Method of Fast Food Production.

Article 4

(1) Guidelines on the Proper Cultivation Method as meant in Article 3 letter a shall be a cultivation method paying attention to food security aspects by means of, among others:

- a. preventing the use of land plot wherein the environment has potential to threaten the security of food;
- b. controlling biological contaminants, pest and animal disease and plants threatening the security of food; and
- c. minimizing chemical residues contained in foodstuff as a result of the use of fertilizer, pesticides and disease, growth enhancing materials and inappropriate animal medicines.

(2) Ministers in charge of agricultural, fishery or forestry affairs shall stipulate the guidelines on the proper cultivation method as meant in paragraph (1) in accordance with their respective tasks and scopes of authority.

Article 5

(1) Guidelines on the Proper Fresh-Food Production Method as meant in Article 3 letter b shall be a handling method observing food security aspects by means of, among others:

- a. preventing fresh food from getting contaminated by biological, chemical contaminants and other materials harming, affecting and endangering the health from air, land, water, feed, fertilizer, pesticides, animal medicines or other materials used in the production of the fresh food; or
- b. controlling the health of animals and plants thus not threatening security of food or not influencing fresh food negatively.

- (2) Ministers in charge of agricultural, fishery or forestry affairs shall stipulate the guidelines on the proper fresh-food production method as meant in paragraph (1) in accordance with their respective tasks and scopes of authority.

Article 6

- (1) Guidelines on the Proper Processed-Food Production Method as meant in Article 3 letter c shall be a production method paying attention to food security aspects by means of, among others:
- a. preventing the processed food from getting contaminated by biological, chemical contaminants and other materials potential to harm, affect and endanger the health;
 - b. killing or preventing patogen micro organism from living as well as reducing the quantity of other micro organisms; and
 - c. controlling the processes, among others, selection of raw materials, the use of food additives, processing, packaging, storage or transport.

- (2) Ministers in charge of agricultural, fishery or forestry affairs shall stipulate the guidelines on the proper processed-food production method as meant in paragraph (1) in accordance with their respective tasks and scopes of authority.

Article 7

- (1) Guidelines on the Proper Food Distribution Method as meant in Article 3 letter d shall be a distribution method paying attention to food security aspects by means of, among others:
- a. adopting a food loading and unloading method not damaging the food;
 - b. controlling food environmental, distributing and storing conditions especially for those related to temperature, humidity and air temperature; and
 - c. controlling the recording system ensuring the distributed food to be traced back.

- (2) Ministers in charge of agricultural, fishery or forestry affairs shall stipulate the guidelines on the proper food distribution method as meant in paragraph (1) in accordance with their respective tasks and scopes of authority.

Article 8

- (1) Guidelines on the Proper Food Retail Method as meant

in Article 3 letter e shall be a retail method paying attention to food security aspects by means of, among others:

- a. regulating the way of placement of food in outlet or storage shelf thus not causing cross-contamination;
- b. regulating the rotation of food stocks in accordance with the expiration period; and
- c. controlling the environmental conditions of food storage, especially for those related to temperature, humidity.

- (2) Ministers in charge of agricultural, fishery or forestry affairs shall stipulate the guidelines on the proper food retail method as meant in paragraph (1) in accordance with their respective tasks and scopes of authority.

Article 9

- (1) Guidelines on the Proper Fast-Food Production Method as meant in Article 3 letter f shall be a production method paying attention to food security aspects by means of, among others:
- a. preventing the fast food from getting contaminated by biological, chemical contaminants and other materials potential to harm, affect and endanger the health;
 - b. killing or preventing patogen micro organism from living as well as reducing the quantity of other micro organisms; and
 - c. controlling the processes, among others, selection of raw materials, the use of food additives, processing, packaging, storage or transport.

- (2) Ministers in charge of agricultural, fishery or forestry affairs shall stipulate the guidelines on the proper fast-food production method as meant in paragraph (1) in accordance with their respective tasks and scopes of authority.

Article 10

Ministers in charge of agricultural, fishery, forestry, industry, health affairs or the Head of the Agency in accordance with their respective tasks and scope of authority can stipulate the guidelines on the proper methods as mentioned in Article 3 to be applied compulsorily.

Part Two Food Additive

Article 11

- (1) Everybody producing food for the purpose of distribution shall be prohibited from using whatever material as food additive declared forbidden.
- (2) The Head of the Agency shall stipulate the forbidden material as meant in paragraph (1).

Article 12

- (1) Everybody producing food by using food additive for the purpose of distribution shall use the permitted food additives.
- (2) The Head of the Agency shall stipulate names and categories of the permitted food additives, goals of the use and maximal limit of their contents by kinds of the food as meant in paragraph (1).

Article 13

- (1) Materials to be used as food additives but having impact on human health not yet ascertained shall have their security examined first and can be used in production activities or processes of food for the purpose of distribution after securing approval from the Head of the Agency.
- (2) The Head of the Agency shall stipulate requirements and procedures for obtaining the approval as meant in paragraph (1).

Part Three

Genetically Engineered Food Product

Article 14

- (1) Everybody producing food or using raw materials, food additives and/or other auxiliary materials in the production activities or processes of food resulting from genetic engineering shall examine first security of the food before the distribution.
- (2) The examination of security of the genetically engineered food as meant in paragraph (1) shall include:
 - a. genetic information, among others, general description of genetically engineered food products and description of parent as well as the use of them as food;
 - b. description of donor organism;
 - c. description of genetic modification; and
 - d. food security information, among others, substantial conformance, change in nutrition value, allergy and toxicity.

- (3) A commission for security of genetically engineered food products shall examine security of the genetically engineered food products as meant in paragraph (1).

- (4) The commission for security of genetically engineered food products shall stipulate requirements and procedures for examination of security of the genetically engineered food products as meant in paragraph (3).

- (5) The Head of the Agency shall stipulate raw materials, food additives and/or other auxiliary materials resulting from genetic engineering, which are declared safe as food by observing recommendation from the commission for security of genetically engineered food products.

Part Four

Food Irradiation

Article 15

- (1) Irradiation facilities used in production activities or processes of food for the purpose of distribution shall secure license to use nuclear energy and be registered to the head of the agency in charge of nuclear energy supervisory affairs.
- (2) Every kind of food produced by using irradiation technique and/or method for the purpose of irradiation shall meet the requirements on irradiated food stipulated by the Head of the Agency.

Part Five

Food Package

Article 16

- (1) Everybody producing food for the purpose of distribution shall be prohibited from using whatever material declared forbidden and/or potential to release contamination affecting or endangering human health as package of food.
- (2) The Head of the Agency shall stipulate the forbidden materials as meant in paragraph (1).

Article 17

- (1) Everybody producing food for the purpose of distribution shall use the permitted package materials.
- (2) The Head of the Agency shall stipulate the permitted materials as meant in paragraph (1).

Article 18

- (1) Materials other than those mentioned in Article 16 paragraph (2) and Article 17 paragraph (2) only can be used as food package materials after their security is examined and secures approval from the Head of the Agency.
- (2) The Head of the Agency shall stipulate requirements and procedures for securing the approval as meant in paragraph (1).

Article 19

- (1) Everybody producing food the purpose of distribution shall pack food properly to avoid food from contamination.
- (2) The Head of the Agency shall stipulate the proper packaging method as meant in paragraph (1).

Article 20

- (1) Everybody shall be prohibited from opening the final package of food for re-packing and trading.
- (2) The provision as meant in paragraph (1) shall not apply to food procured in a large quantity and commonly re-packed in a small quantity for trading further.
- (3) Everybody re-packing the food as meant in paragraph (1) shall pack food properly to avoid food from contamination.

Part Six

Food Quality Guarantee and Laboratory Analysis

Article 21

- (1) Everybody producing food for trading shall be responsible for applying a quality guarantee system in accordance with kinds of the produced food.
- (2) Ministers in charge of agricultural, fishery, forestry, industry, health affairs or the Head of the Agency in accordance with their respective tasks and scope of authority shall be authorized to require the application of other standards and requirements related to the quality guarantee system as meant in paragraph (1).
- (3) The other standards or requirements as meant in paragraph (1) can be stipulated in phases by observing the readiness and need of the food system.

- (4) In stipulating the other standards and requirements as meant in paragraph (3), Ministers in charge of agricultural, fishery, forestry, industry, health affairs or the Head of the Agency shall pay attention to WTO TBT/SPS agreements or agreements already ratified by the government.

Article 22

- (1) Ministers in charge of agricultural, fishery, forestry, industry, health affairs or the Head of the Agency in accordance with their respective tasks and scope of authority shall be authorized to stipulate kinds of fresh food, which must be analyzed laboratorily before the distribution.
- (2) The Head of the Agency shall stipulate kinds of processed food, which must be analyzed laboratorily before the distribution.
- (3) The laboratory analysis as meant in paragraph (2) shall be done in government laboratories or other laboratories already accredited by the National Accreditation Committee or other accreditation institutions already recognized by the National Accreditation Committee.
- (4) The laboratory requirements as meant in paragraphs (1) and (2) shall be stipulated and applied in phases by observing the readiness and need of the food system.

Part Seven

Contaminated Food

Article 23

Everybody shall be prohibited from distributing:

- a. food containing poisonous, dangerous materials and potential to harm or endanger human health or live;
- b. food containing contaminant exceeding the stipulated tolerable limit;
- c. food containing materials, which may not be used in production activities or processes of food;
- d. food containing dirty, decaying, odor, analyzed materials or materials containing unhealthy vegetables or animals or originating from dead animals thus making the food unfit for human consumption; or
- e. expired food.

Article 24

- (1) Ministers in charge of agricultural, fishery affairs or the Head of the Agency shall:

- a. stipulate materials banned from getting used in production activities or processes of food;
- b. stipulate the tolerable limit of contaminants;
- c. regulate and/or stipulate requirements for using ways, methods and/or certain materials in the production, processing, storage, transport and/or distribution of food potential to have harmful risk and/or endanger human health;
- d. stipulate materials banned from getting used in the production, processing equipment, preparation, marketing and/or presenting of foods.

(2) In the case of fresh food, the Minister in charge of agricultural or fishery affairs shall stipulate the provision as meant in paragraph (1).

(3) In the case of processed food, the Head of the Agency shall stipulate the provision as meant in paragraph (1).

Article 25

- (1) Everybody ascertaining someone having poisoned because of contaminated food shall report the case to the nearest medical service unit.
- (2) The medical service unit as meant in paragraph (1) shall promptly take action of aid against the victim.
- (3) If according to the medical service unit as meant in paragraph (2), there is an indication of Extraordinary Condition (KLB) of food toxicity, the medical service unit shall promptly take samples of food allegedly causing the toxicity and give report to regental/municipal service in charge of health affairs and the Agency.
- (4) Based on result of the report as meant in paragraph (3), the Agency shall examine/investigate and apply laboratory test to the samples of food for determining the cause of food toxicity.
- (5) The regental/municipal service in charge of health affairs receiving the report as meant in paragraph (3) shall study the report and stipulate the food toxicity case as KLB of food toxicity.
- (6) The regental/municipal service as meant in paragraph (5) shall examine and overcome KLB of food toxicity as well as report it to the provincial service in charge of health affairs.

Article 26

- (1) If KLB of food toxicity occurs in inter-regental/municipal territory or there is request from regental/municipal governments, the provincial government shall examine and overcome the said KLB.
- (2) If KLB of food toxicity occurs in inter-provincial territory or there is request from provincial governments, the central government shall examine and overcome the said KLB.

Article 27

If results of investigation show that KLB is allegedly arising from crime, civil servant investigators and/or other investigators shall promptly investigate on the basis of the legislation in force.

Article 28

- (1) The Minister in charge of health affairs shall stipulate further provisions on the provision of aid for victims, the taking of specimen samples and test specimens as well as the reporting of KLB of food toxicity.
- (2) The Head of the Agency shall stipulate procedures for taking samples of food, laboratory analysis and reporting of toxicity causes.

CHAPTER III

FOOD QUALITY AND NUTRITION

Part One

Food Quality

Article 29

The Head of the agency in charge of national standardization shall stipulate the quality of food stipulated as the Indonesian National Standard in accordance with the legislation in force.

Article 30

- (1) The Indonesian National Standard as meant in Article 29 can be enforced compulsorily by observing public safety, security, health or environmental conservation and/or economic considerations must meet certain quality standards.
- (2) Ministers in charge of agricultural, fishery, industry, health affairs or the Head of the Agency in accordance with their respective tasks and scope of authority shall enforce compulsorily the Indonesian National Standards as meant in paragraph (1) in coordination with the Head of the agency in charge of national standardization affairs.

- (3) Matters related to the application and evaluation of conformance to the compulsorily enforced National Indonesian Standards as meant in paragraph (2) shall be executed in accordance with the provisions of the law in force.
- (4) Everybody producing or distributing food of the kinds as meant in paragraph (1) shall meet the Indonesian National Standards in accordance with the legislation in force.

Article 31

Ministers in charge of agricultural, fishery, forestry affairs or the Head of the Agency in accordance with their respective tasks and scope of authority can stipulate provisions on food quality outside the Indonesian National Standards as meant in Article 29 for food having high risk of security.

Part Two Food Quality Certification

Article 32

- (1) Certification and labeling certifying the conformance of food to the Indonesian National Standards as meant in Article 29 shall be done in accordance with the provisions of the law in force.
- (2) Ministers in charge of agricultural, fishery, affairs or the Head of the Agency in accordance with their respective tasks and scope of authority shall stipulate requirements and procedures for certification of the quality of food having high risk of security as meant in Article 31.
- (3) The certification as meant in paragraph (1) of the compulsorily enforced Indonesian National Standards or requirements for the quality provisions as meant in Article 31 shall constitute part of supervision over food before the distribution.

Part Three Food Nutrition

Article 33

- (1) The Minister in charge of Health Affairs shall stipulate standards of public nutrition status and monitor and evaluate the status of public nutrition.
- (2) Ministers in charge of agricultural, fishery, industry, health affairs or the Head of the Agency in accordance

with their respective tasks and scope of authority shall take measures to ensure the sufficiency of nutrition, protect the public from malnutrition and foster the public in a bid to enhance the nutrition status.

- (3) Ministers in charge of agricultural, fishery, industry, health affairs or the Head of the Agency in accordance with their respective tasks and scope of authority in cooperation with provincial governments, regental/municipal governments and the public shall take efforts to overcome disturbance of public nutrition not suitable to the standards of public nutrition status as meant in paragraph (1).

Article 34

The Minister in charge of health affairs shall stipulate food sufficiency rate evaluated periodically.

Article 35

- (1) In the case of public malnutrition and/or decrease in public nutrition status occurring, efforts to improve nutrition shall be taken through enrichment and/or fortification of nutrition of certain distributed food.
- (2) The Minister in charge of health affairs shall stipulate kinds and quantity of nutrient substances to be supplemented as well as kinds of food whose nutrition value can be enhanced through enrichment and/or fortification.
- (3) The Minister in charge of industrial affairs shall stipulate the kinds of food, which must be enriched and/or fortified as meant in paragraph (2) and procedures for enrichment and/or fortification of nutrition of the certain food as meant in paragraph (1).
- (4) Everybody producing food, which must be enriched and/or fortified for the purpose of distribution shall meet the provisions and procedures for enrichment and/or fortification of nutrition as meant in paragraph (3).
- (5) The food as meant in paragraph (4) shall secure letter of approval of registration from the Head of the Agency.

CHAPTER IV IMPORT AND EXPORT OF FOOD INTO AND FROM THE INDONESIAN TERRITORY

Part One

Import of Food Into the Indonesian Territory

Article 36

Every kind of food imported into the Indonesian Territory for the purpose of distribution shall meet the provisions of laws in force on security, quality and nutrition of food and provisions of other legislation in force.

Article 37

(1) In the case of fresh food being imported into the Indonesian territory for the purpose of distribution, ministers in charge of agricultural or fishery affairs in accordance with their respective tasks and scopes of authority can stipulate requirements that:

- a. the security, quality and/or nutrition of the food have been analyzed, examined and/or declared successful by authorities in countries of origin;
- b. the food has met the provisions as meant in Article 21;
- c. the food is accompanied by documents of results of the analysis and/or examination as meant in letter a; and
- d. the security, quality and/or nutrition of the food are analyzed and/or examined first in Indonesia before the distribution.

(2) In the case of processed food being imported into the Indonesian territory for the purpose of distribution, the Head of the Agency can stipulate requirements that:

- a. the security, quality and/or nutrition of the food have been analyzed, examined and/or declared successful by authorities in countries of origin;
- b. the food has met the provisions as meant in Article 21;
- c. the food is accompanied by documents of results of the analysis and/or examination as meant in letter a; and
- d. the security, quality and/or nutrition of the food are analyzed and/or examined first in Indonesia before the distribution.

(3) In stipulating the requirements as meant in paragraphs (1) and (2), the Ministers or Head of the Agency shall pay attention to WTO TBT/SPS agreements or other agreements already ratified by the government.

Article 38

(1) In the case of food imported into the Indonesian Territory being subjected to the prior analysis and/or examination as meant in Article 37 paragraph (1) let-

ter a, the food only can be released from customs area after securing approval of the import of food issued by ministers in charge of agricultural or fishery affairs in accordance with their respective tasks and scopes of authority.

(2) In the case of food imported into the Indonesian Territory being subjected to the prior analysis and/or examination as meant in Article 37 paragraph (1) letter b, the food only can be released from customs area after securing approval of the import of food issued by the Head of the Agency.

Article 39

Everybody importing food into the Indonesian territory for the purpose of distribution shall be responsible for security, quality and nutrition of food.

Article 40

Ministers in charge of agricultural, fishery, trade affairs or the Head of the Agency in accordance with their respective tasks and scopes of authority shall stipulate further provisions on the import of food into the Indonesian territory for the purpose of distribution.

Part Two

Export of Food from the Indonesian Territory

Article 41

(1) Every kind of food exported from the Indonesian territory shall meet the food security requirements.

(2) Ministers in charge of agricultural, fishery affairs or the Head of the Agency in accordance with their respective tasks and scopes of authority can stipulate requirements so that the security, quality and/or nutrition of the food exported from the Indonesian territory for the purpose of distribution must be analyzed and/or examined first.

(3) Everybody exporting food from the Indonesian territory shall be responsible for security, quality and nutrition of food.

(4) Ministers in charge of agricultural, fishery, trade affairs or the Head of the Agency shall coordinate the head of the agency in charge of national standardization affairs accordance with their respective tasks and scopes of authority to take efforts to obtain mutual recognition in the evaluation of conformance in fulfilling the requirements of destination countries.

CHAPTER V
SUPERVISION AND FOSTERING

Part One
Supervision

Article 42

- (1) In the framework of supervision over security, quality and nutrition of food, every kind of processed food produced in the country or imported into the Indonesian territory for trading in retail package shall secure letter of approval of registration before the distribution.
- (2) The Head of the Agency shall stipulate the processed food required for securing the letter of approval of registration as meant in paragraph (1).
- (3) The Head of the Agency shall issue the letter of approval of registration as meant in paragraph (1) on the basis of results of evaluation of security, quality and nutrition of food.
- (4) The Head of the Agency shall evaluate the security, quality and nutrition of food as meant in paragraph (3) in accordance with criteria and procedures.
- (5) The Head of the Agency shall stipulate the criteria and procedures as meant in paragraph (1) by referring to the requirements for security, quality and nutrition of food.
- (6) The Head of the Agency shall stipulate requirements and procedures for securing the letter of approval of registration as meant in paragraph (1).

Article 43

- (1) Processed food produced by home industry shall be excepted from the provision as meant in Article 42 paragraph (1).
- (2) The processed food as meant in paragraph (1) shall have certificate of home industry food production.
- (3) Regents/mayors shall issue the certificate of home industry food production as meant in paragraph (2).
- (4) The Head of the Agency shall stipulate guidelines on the issuance of the certificate of the home industry food production as meant in paragraph (1), covering, among others:
 - a. kinds of food;

- b. procedures for evaluation;
- c. procedures for issuing food production certificate.

Article 44

The processed food exempted from the obligation to have the registration approval as meant in Article 42 or the home industry food production as meant in Article 43 shall be the processed food:

- a. having a storage period of less than 7 (seven) days at the room temperature; and/or
- b. imported into the Indonesian territory in a small quantity for the purpose of:
 1. application for approval of registration;
 2. research; or
 3. direct-consumption.

Article 46

- (1) The Agency shall be authorized to supervise security, quality and nutrition of the distributed food.
- (2) In executing the supervisory function as meant in paragraph (1), the Agency shall be authorized to:
 - a. take samples of the distributed food; and/or
 - b. analyze samples of the food as meant in paragraph (2) point a.
- (3) Results of the analysis as meant in paragraph (2) point b:
 - a. in the case of fresh food, shall be conveyed to and followed up by the institutions in charge of agricultural, fishery or forestry affairs in accordance with their respective tasks and scopes of authority;
 - b. in the case of processed food, shall be conveyed to and followed up by the institutions in charge of fishery, industrial affairs or the Agency in accordance with their respective tasks and scopes of authority;
 - c. in the case of certain processed food, shall be followed up by the agency;
 - d. in the case of processed food resulting from food home industry and fast food, shall be conveyed to and followed up by regental/municipal governments.

Article 47

- (1) In the case of violation being found on the basis of the results of the analysis as meant in Article 45 paragraph (3) and/or results of the examination as meant in Article 46, governors, regents/mayor or the Head of

the Agency shall be authorized to take administrative actions.

- (2) The administrative actions as meant in paragraph (1) shall include:
- a. written warning;
 - b. prohibition on distribution for a specified period and/or order to take off food;
 - c. destruction of food, if the food is proven dangerous to human health and live;
 - d. suspension of production;
 - e. imposition of a fine of Rp 50,000,000.00 (fifty million rupiahs) at the maximum; and/or
 - f. revocation of production license, business license, registration approval and certificate of home industry food production.
- (3) The imposition of the administrative actions as meant in paragraph (2) shall realized on the basis of risks arising from the committed violation.
- (4) Officials issuing the said production license, business license, registration approval and certificate of home industry food production shall take the administration actions in accordance with their respective tasks and scopes of authority.

Article 48

- (1) The withdrawal and/or destruction of food as meant in Article 47 shall be executed by everybody producing or importing the food into the Indonesian territory and in accordance with guidelines on the withdrawal and destruction of food.
- (2) Every party involved in the distribution of food shall help implement the withdrawal and/or destruction of the food as meant in paragraph (1).
- (3) In the case of fresh food, the withdrawal and/or destruction of the food as meant in paragraph (1) shall be done on the basis of order of governors, regents/mayors in accordance with their respective tasks and scopes of authority.
- (4) In the case of processed food, the withdrawal and/or destruction of the food as meant in paragraph (1) shall be done on the basis of order of the Head of the Agency.

- (5) The Head of the Agency shall stipulate the guidelines on the withdrawal and/or destruction of the food as meant in paragraph (1).

Article 49

If indication of crime is found on the basis of results of the examination as meant in Article 46, investigators shall promptly investigate on the basis of the legislation in force.

Article 50

The Agency can announce publicly results of analysis and/or examination of food products through mass media.

Part Two Fostering Article 51

- (1) Ministers in charge of agricultural, fishery or forestry affairs in accordance with their respective tasks and scopes of authority shall foster fresh-food producers.
- (2) Ministers in charge of industrial, agricultural and fishery affairs in accordance with their respective tasks and scopes of authority shall foster processed-food producers.
- (3) The Head of the Agency shall foster certain processed-food.
- (4) Regents/mayors shall foster fast-food producers and food home industries.
- (5) The Head of the Agency shall foster regional governments and public in the food supervision field.

CHAPTER VI PUBLIC PARTICIPATION

Article 52

- (1) In the framework of improving and enhancing security, quality and nutrition of food, the public can convey problems, inputs and/or solutions to food affairs.
- (2) The problems, inputs and/or solutions as meant in paragraph (1) can be conveyed directly or indirectly to ministers in charge of agricultural, fishery, health, industrial affairs, the Head of the Agency, governors or regents/mayors in accordance with their respective tasks and scope of authority.

(3) Procedures for conveying the problems, inputs and/or solutions as meant in paragraph (1) shall be in accordance with the provisions of the legislation in force.

CHAPTER VII
TRANSITIONAL PROVISION
Article 53

With the enforcement of this government regulation, all provisions on security, quality and nutrition of food regulated by legislation subordinate to law shall remain effective as long as they do not contravene the provisions in this government regulation.

CHAPTER VIII
CONCLUSION
Article 54

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

For public cognizance, the government regulation shall be promulgated by placing it in Statute Book of the Republic of Indonesia.

Stipulated in Jakarta
On October 5, 2004

THE PRESIDENT OF THE REPUBLIC OF INDONESIA
Sgd
MEGAWATI SOEKARNOPUTRI

Promulgated in Jakarta
On October 5, 2004
THE STATE SECRETARY OF
THE REPUBLIC OF INDONESIA
Sgd
BAMBANG KESOWO

STATUTE BOOK OF
THE REPUBLIC OF INDONESIA YEAR 2004 NO. 107

**ELUCIDATION
ON
GOVERNMENT REGULATION NO. 28/2004
CONCERNING
SECURITY, QUALITY AND NUTRITION OF FOOD**

GENERAL

Food constitutes the very principal need of human because it influences their existence and life endurance qualitatively and quantitatively. Given the importance, food basically constitutes a basic human neces-

sity fully becoming human right of every Indonesian people.

The sufficient supply of secure, good-quality and nutrient food constitutes the main pre-requisite, which must be fulfilled in a bid to realize moral and honorable human-being as well as good-quality human resources.

Human resources constitute the most important element cum the main objective of national development because good-quality human resources constitute a decisive factor of the success of the development, which in due time can enhance the public welfare and living standard as well as can reduce or alleviate poverty. The quality of human resources is heavily dependent on, among others, the quality of food that they consume so that all resources and efforts need to be mobilized optimally so that the secure, good quality and nutrient food is available adequately as well as affordable to the purchasing power of communities.

In a bid to the adequate supply of secure food, efforts to realize a food system, which can provide protection for people consuming the food need to be taken so that the distributed and/or traded food is not harmful as well as safe for human health and life. In other word, the food must meet the requirements for security of food.

The advancement of science and technology in the food sector as well as the increasingly advanced and opened domestic- and international-trade will bring about impact on the increasingly various kinds of food distributed in the society, which is produced in the country and comes from the import.

Food consumed by the people basically passes a chain ring of processes covering production, storage, transport, distribution until reaching the hand of consumers.

In a bid to ensure all of the chain rings to meet the requirements for security, quality and nutrition of food, it is necessary to realize an effective regulation, fostering and supervision system in the security, quality and nutrition of food in the form of a government regulation on security, quality and nutrition of food, which constitutes technical directive for Law No. 7/1996 on food.

ARTICLE BY ARTICLE

**Article 1
Point 1**

The definition of food includes gum or the like but excludes cosmetics, tobacco, processed tobacco products or materials designed as medicines.

The other materials mean materials used in the preparation, processing and/or production of food or beverage outside food additives and food auxiliary materials. Examples of the other materials are catalyst materials, such as digestion enzyme.

The raw materials mean basic materials used for producing food. The raw materials can be in the form of fresh food or semi-finished processed-food.

Point 2

The definition of fresh food in this provision covers food, which can be consumed directly by human without processing, such as fruits and part of vegetables, which can become raw materials of food processing such as soybean, corn, meat, fish, milk, egg etc.

Point 3

The definition of processed food in this provision covers both processed food ready for direct consumption and processed food, which must be cooked first, subsequently used as raw materials of food, such as tapioca, wheat flour and soybean protein isolate.

Point 4

The definition of certain processed food is processed food for consumption of certain groups, such as formula milk for baby, food designated to pregnant and feeding mothers, special food for sufferers of certain diseases, other similar food having considerable influence on the growth of quality of human health.

Point 5

Sufficiently clear

Point 6

The business place as meant in this provision covers catering service, hotel, restaurant, food stall, cafeteria, sidewalk and mobile food retailers.

Point 7 up to point 12

Sufficiently clear

Point 13

The bid for becoming food means activity commonly executed before the purchase and/or sale of food takes place, such as gratis distribution of samples of food products in the framework of promotion.

Point 14 up to point 16

Sufficiently clear

Point 17

Food additives are not usually consumed as food and do not constitute food ingredient, have or have no nutrition value intentionally supplemented to food for technological purpose in the production, processing, preparation, treatment, packing, packaging, storage and/or transport of food or result in or are expected to result

in a component or influence characteristic of the food directly or indirectly. Food additives exclude contaminants or materials supplemented to food for maintaining or enhancing the nutrition value. For example, Vitamin C is considered as food additive if the supplementation does not aim at improving the nutrition value but serves as antioxidant, such as maintaining the red color in cornet. The food additives include dying agent, preserving substance, sweetener, flavor, anti-solid, whitener and blender.

Point 18

Sufficiently clear

Point 19

The applied iodizing radiation can come from radioactive that can slow down the time of budding in potato, discourage the decaying in frog leg, frozen shrimp, prevent damage of other food, such as spice and cereals.

Points 20 and 21

Sufficiently clear

Point 22

The technical specifications or requirements as meant in this provision cover, among others, the shape, color or food composition formulated on the basis of certain criteria in accordance with scientific and technological developments as well as other related aspects. The quality standard of food in this provision covers both processed food and unprocessed food. In a broader definition, the standard in force for food covers various requirements for security, nutrition and quality of food and other requirements in the framework of creating the fair trade of food, such as requirements for label and advertisement. The standards are not contravening one each other or independent but constitute an integrated unit totally, with the elaboration further regulated by the government.

Points 23 and 24

Sufficiently clear

Point 25

The food quality certificate can be in the form of health and analysis certificate.

The analysis certificate is issued by accredited laboratories, while the health certificate is issued by authorized institution. Other quality certificate can be issued by authorized institutions or accredited certification institutions.

Points 26 and 27

Sufficiently clear

ARTICLE 2 (TO BE CONTINUED)

—==(R)==—

SECURITY, QUALITY AND NUTRITION OF FOOD
 (Government Regulation No. 28/2004 dated October 5, 2004)
 [Continued from Business News No. 7206 pages 17A - 29A]

Article 2

Paragraph (1)

In this provision, everybody in responsible means everybody undertaking, interesting or obtaining benefit from activities or processes of production, storage, transport and/or distribution of food, such as producers, storage place service providers, carriers and/or distributors of food, belonging to the relevant or renting necessary facilities and infrastructures.

In this provision, the distribution of food covers, among others, food presenting.

Paragraph (2)

The facilities and/or infrastructures include design and construction of building, layout, equipment and installation, waste disposal facilities and other facilities directly or indirectly used in activities or processes of production, storage, transport and/or distribution of food.

Article 3

Sufficiently clear

Article 4

Paragraph (1)

Sufficiently clear

Paragraph (2)

The guidelines on proper cultivation method as meant in this provision cover guidelines on cultivation method of food crop, animal husbandry and fish.

Article 5

Paragraph (1)

Sufficiently clear

Paragraph (2)

The guidelines on proper fresh-food production method cover guidelines on proper production method of fresh food resulting from agricultural products, animal husbandry and fishery business.

Article 6

Paragraph (1)

Sufficiently clear

Paragraph (2)

Stipulation of guidelines on the proper production method of processed food by minister in charge of industrial or fishery affairs is adjusted to their respective tasks as meant in Government Regulation No. 17/1986 on the authority to regulate, foster and develop industries.

Paragraph (3)

Certain processed food constitutes processed food for consumption of certain groups, such as formula milk for baby, food designated to pregnant and feeding mothers, special food for sufferers of certain diseases, other similar food having considerable influence on the growth of quality of human health. Given that consumers of the certain processed food cover groups of high risk communities as well as in observance of the objective of the use of the food, a more specified certain handling-method needs to be applied in the production of the said food.

Article 7 up to article 9

Sufficiently clear

Article 10

Guidelines on the proper method applied to business communities aim at ensuring them to continue observing security of food in executing their activities. The proper method guidelines are applied voluntarily but they can be stipulated obligatory if an activity is deemed critical.

The activity deemed critical is an activity in the food chain needing extra careful handling thus being impossible to execute properly if it is only given up voluntarily to the executor of the said activity. For example, guidelines on the proper fresh milk handling method can be stipulated compulsorily because of the high risk of biological contamination so as to need extra careful handling.

Article 11

The public needs to be protected from food using or containing materials stipulated forbidden as food additives. The materials can endanger human health and life.

Article 12

Since food using or containing food additives not suitable to the provision has negative influence on human

health, the use of food additives in activities or processes of food production is regulated strictly in the framework of realizing security of food so that the people are avoided from consuming food potential to harm, affect and endanger human health and life.

Articles 13 and 14
Sufficiently clear

Article 15
Paragraph (1)

Irradiation methods and techniques in activities or processes of food production are increasingly advanced and broader, particularly in the preservation of food. The application of the techniques or methods already reaching the commercial level must remain safe for the people. In relation thereto, in a bid to the techniques or methods from being used uncontrollably, the application needs to be regulated and supervised tightly. In a bid to prevent the activity from causing risks potential to affect human health and safety, it is necessary to stipulate requirements, which must be fulfilled by irradiation service providing facilities.

Paragraph (2)

The provisions on irradiated food includes kind of the permitted commodities and dosage, general requirements related to radiation sources, absorption dosage, irradiator facilities and supervision over irradiation, irradiated food hygiene, requirements for technology and re-irradiation.

Article 16 up to article 18
Sufficiently clear

Article 19
Paragraph (1)

Packaging constitutes a part of the proper food production method. The packaging of food must be done properly so that the packed food is uneasy to damage and/or contaminate as well as decrease in the quality.

Paragraph (2)

The proper food packaging procedure is mainly designated to certain food having certain characteristics so as to need special treatment during the packaging, i.e highly fat food or high temperature food cannot be packed by plastic potential to release carcinogenic monomer into the food.

Article 20
Paragraph (1)

The provision is stipulated with a view of preventing food products from getting contaminated by materials potential to affect or endanger human health.

The final package of food means the final package of food products commonly applied in the final stage of processes or activities of production of food ready for trade for human consumption.

Paragraph (2)

Food procured in the large quantity commonly not packed finally is food having a large-size package for trading (retailing) further in a smaller package, such as rice, wheat flour and sugar.

The common is adjusted to the custom in force for the said food commodity or local community habit.

Paragraph (3)
Sufficiently clear

Article 21
Paragraph (1)

The quality guarantee system constitutes a preventive measure that needs to be observed and/or implemented in the framework of producing food safe for human health and quality food, which is commonly applied as from the beginning of food production activity until the food is ready for trading and constitutes a quality supervision and controlling system always developing to adjust to scientific and technological developments.

The quality guarantee system is executed by applying, among others, proper cultivation method, proper fresh-food production method, proper processed-food production method, proper food distribution method, proper food retail method or proper fast-food production method.

Paragraph (2) up to paragraph (4)
Sufficiently clear

Article 22
Paragraphs (1) and (2)
Sufficiently clear

Paragraph (3)

In the case of imported products, recognition of laboratories of exporting countries is based on bilateral or multilateral mutually-recognizing agreements.

Paragraph (4)

The requirements for laboratory analysis are stipulated by government institutions in accordance with their respective tasks and scopes of authority as well as executed in phases by considering kinds of the produced food as well as technical specifications and/or required parameters.

Article 23

Letter a

Poisonous materials or materials endangering human health and life include metal, metalloid, other poisonous chemical substances, dangerous micro organism, micotoxin, pesticide residue, animal hormones and medicines surpassing the stipulated maximal limit.

Letter b

Sufficiently clear

Letter c

The forbidden materials include borax, formalin, Rhoda mine B or yellow methanil.

Letter d

Sufficiently clear

Letter e

The expired food means food surpassing the deadline of a period when the quality of food is guaranteed as long as the storage follows manual provided by producer of the said food.

Article 24

Paragraph (1)

Letter a

Sufficiently clear

Letter b

The provisions on the tolerable limit of contaminants include:

- 1) requirements for the maximum limit of biological contaminants;
- 2) requirements for the maximum limit of chemical contaminants;
- 3) requirements for the maximum limit of other materials, which can undermine, affect or endanger human life.

Letters c and d

Sufficiently clear

Paragraphs (2) and (3)

Sufficiently clear

Article 25

Paragraph (1)

The medical service unit includes public health

center, polyclinic, state-/private-owned hospital in the provincial or regental/municipal level.

Paragraph (2)

Sufficiently clear

Paragraph (3)

KLB of food toxicity is an event wherein two persons or more suffer from disease with the same or nearly same phenomenon after consuming food and based on epidemiological analysis, the food is proven as a source of contagion.

Article 26

Paragraph (1)

Sufficiently clear

Paragraph (2)

The central government as meant in this provision is the ministry in charge of health affairs and/or agency.

Article 27 up to article 29

Sufficiently clear

Article 30

The Indonesian National Standards can be applied compulsorily to part or all of technical specifications and/or parameters in the Indonesian National Standards.

The institutions authorized to enforce the Indonesian National Standards compulsorily are as follows:

- a. the Minister in charge of agricultural affairs, in the case of fresh food resulting from agricultural products;
- b. the Minister in charge of fishery affairs, in the case of fresh food resulting from fishery business;
- c. the Minister in charge of industrial, agricultural or fishery affairs in accordance with the provision in force, in the case of processed food;
- d. the Head of the Agency, in the case of food additives and certain kinds of processed food.

Articles 31 and 32

Sufficiently clear

Article 33

Paragraph (1)

The standard of nutrition status deals with two aspects. The first is the standard of individual nutrition status classified by malnutrition. The classification is based on results of physical examination and measurement

(anthropometrical and medic-clinical) as well as biochemical analysis of body liquid, such as blood and urine (biochemical). The classification can be stipulated qualitatively, namely over nutrition, malnutrition and poor nutrition.

The second is the standard of public nutrition status meaning prevalence or percentage of community groups by malnutrition.

Paragraph (2)

The malnutrition is medical disorder attributable to the shortage and/or imbalance of nutrient substances need-ed for the growth, intelligence and activity/productivity.

Paragraph (3)

Sufficiently clear

Article 34

The periodical change is done on the basis of result of survey on public nutrition status. The nutrition sufficiency rate is the daily average adequacy of nutrient substance of all people by groups of age, sex, body size, and body activity to achieve the optimal health degree.

Article 35

Paragraph (1)

The enrichment of food nutrition is the supplementation of less nutrient substance naturally or lost nutrient substances because of processing and/or storage.

Fortification of nutrient substances is the addition of essential nutrient substance to certain food previously not containing the said nutrient substances.

The enrichment and/or fortification as meant in this provision constitute a national program in the framework of preventing malnutrition, maintaining and improving the public nutrition status.

Paragraph (2)

Sufficiently clear

Paragraph (3)

The procedure for enrichment is technique of supplementation of certain nutrient substance to the produced food with a view of enhancing the content of nutrient substance in the said food.

The procedure for fortification is a technique of supplementation of certain nutrient substances to food pre-

viously not containing the nutrient substance with a view of adding kinds of nutrient substances of the food, i.e. the addition of iodium to salt.

Paragraphs (4) and (5)

Sufficiently clear

Article 36

In this provision, the food imported into the Indonesian territory includes food donation.

The other legislation in force is, among others, labeling, customs and fish, animal and plant quarantine laws.

Article 37 up to article 39

Sufficiently clear

Article 40

Further regulations to be regulated are, among others, requirements for necessary documents and/or certificates, results of laboratory analysis, stipulation of deadline of expiration period and approval of the import of goods.

Article 41

Paragraph (1)

The provision constitutes the minimal requirement, which must be fulfilled. In addition to the requirements, food to be exported from the Indonesian territory must meet the requirements in force in destination countries.

Paragraph (2) up to paragraph (4)

Sufficiently clear

Article 42

Paragraph (1)

The processed food as meant in this provision also includes certain processed food, food additives, genetically engineered food products or irradiated food.

Processed food imported into the Indonesian territory as donation must meet the provision as meant in this article.

The retail package means the final food package, which may not be opened for re-packing into smaller packages for trading.

Paragraph (2)

Sufficiently clear

Paragraph (3)

The issued letter of approval of registration contains registration number. The registration number must be mentioned in label of the said food and the labeling must be in accordance with the provisions in force on food label and advertisement.

Paragraph (4) up to paragraph (6)

Sufficiently clear

Article 43

Paragraph (1)

Sufficiently clear

Paragraph (2)

The enforcement of the obligation of home industry to have production certificate is done in phases due to the limited facility and knowledge about security, quality and nutrition of food owned by home industry operators. The phasing provides opportunity for the home industry to enhance their capability in producing food fulfilled the requirements for security, quality and nutrition.

Paragraph (3)

The production certificate is issued to processed food produced by home industry already fulfilling the requirements in accordance with the provisions in force.

The issuance of the production certificate to food home industry by regents/mayors are based on the fulfillment of requirements for proper production method of home industry, covering, among others, sanitary requirements, the use of food additives and label.

The proper production method of home industry is stipulated by the Head of the Agency.

Paragraph (4)

Letter a

Sufficiently clear

Letter b

In the small quantity as meant in this provision is the measurement of sufficient quantity only needed for related need.

Article 45

Paragraph (1)

In this provision, the allegation can be in the form of results of examination on the basis of public report or results of inquiry into toxicity cases.

Paragraph (2) up to paragraph (6)

Sufficiently clear

Article 47

Sufficiently clear

Article 48

Paragraph (1) up to paragraph (4)

Sufficiently clear

Paragraph (5)

The guidelines on withdrawal and destruction as meant in this provision include method of withdrawal, period of withdrawal and destruction method.

Article 49

Sufficiently clear

Article 50

In the framework of avoiding the public from suffering failure arising from consumption of food products potential to endanger and/or affect the health, results of examination of the food products need to be ascertained by the public.

Article 51

Paragraph (1) up to paragraph (3)

Sufficiently clear

Paragraph (4)

The fostering efforts as meant in this paragraph are executed through various approaches in the framework of enhancing capability of fast food producers and home industry.

Paragraph (5)

The fostering applied to activities of regional government institutions is, among others, training of field inspectors, provision of guidelines related to food and drug supervision in regions.

Article 52 up to article 54

Sufficiently clear

SUPPLEMENT TO STATUTE BOOK OF
THE REPUBLIC OF INDONESIA NO. 4424

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