



**Australian Government**  
**Department of Agriculture,  
Water and the Environment**



**AUSTRALIAN  
FOOD &  
GROCERY  
COUNCIL**

# Indonesia

**Regulatory Update - Food & Beverage Products**  
**Digital Brief**  
**July 2022**



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# **Introduction and overview**

# Introduction

- This project forms part of the AFGC suite of activities to develop a food and beverage sector export guide to Indonesia and raise profile of the Australian industry in Indonesia. Initiatives already undertaken include:
  - development of a food and beverage (F&B) export guide (the Guide) (2020)
  - development of a marketing road map to enhance the profile of the Australian food and beverage sector in Indonesia (2021)
  - series of webinars to build people-people connections and share findings of the reports
- The Guide described the regulatory framework and import process requirements for Australian processed food exports
- This Digital Brief is an high level update of key laws and regulations since the Guide was published – 2020 to May 2022
- **It is recommended that this Digital Brief is read in conjunction with the Guide**
- This Digital Brief covers “processed food and non-alcoholic beverage exports”. It excludes alcoholic and grocery (non-food) sector regulations



## Digital Brief objective

The objective of this Digital Brief is to:

- Provide guidance to regulations that have been updated/released since the Guide was produced in 2020
- Assist Australian processed food and beverage exporters improve their understanding of import compliance requirements as they relate to the updated regulations

The outputs of this project include a digital brief and a webinar to support Australian processed food exporters understand Indonesia’s regulatory requirements.

***Note that this is a high level summary of regulations that have been introduced since Jan 2020. It is simply provided to make exporters aware of the regulations and, where appropriate, some of the key changes. It is not intended to provide detailed analysis of the implications of these changes, or compliance activities.***

# Indonesia's regulatory framework

- Driver of growth of Indonesia's F&B market is expansion of modern retail and increasing demand of premium products
- Indonesia's F&B market continues to be driven by trends around health, convenience and modern retail/new product development
- Indonesia's import process includes a variety of pre-market and post-market checks
- It is important that exporters:
  - ✓ Understand general rules and regulations
  - ✓ Ensure compliance with labelling, safety and composition regulations
  - ✓ Ensure appropriate licences, registrations and certifications are in place
  - ✓ Make sure the labels and claims are compliant
  - ✓ Are aware of regulation changes

The key regulatory bodies relevant to processed foods are:



National Agency of Drug and Food Control (BPOM)

The National Agency of Drug and Food Control, also known as BPOM, is responsible for overseeing the registration process of foreign food products and beverages, as well as issuing permits such as entry permit (SKI) and ensuring food safety control.



Ministry of Trade (MOT)

Indonesia's Ministry of Trade ensures import regulations are followed with the responsibility of issuing initial permits such as the import permit (SPI) to importers and distributors looking to bring processed foods to Indonesia.



Directorate General of Customs and Excise, Ministry of Finance (MOF)

The Ministry of Finance, through the Directorate General of Customs and Excise, oversees customs clearance of imported products as well as post-market control of imported goods. The ministry also collects any required import duties and taxes.



Ministry of Agriculture (MOA)

The Indonesian Ministry of Agriculture is also involved in the product registration phase and pre-shipment controls. It has the responsibility to issue a letter of recommendation for specific processed food categories, particularly those that are animal derived.



Indonesian Halal Product Assurance Agency (BPJPH)

The Indonesian Halal Product Assurance Agency is the main organisation responsible for the issuance of Halal Certification for products up for trade in Indonesia, as well as auditing of Halal Assurance Systems.

# Summary of regulation updates – Jan 2020 to June 2022

Name	Type	Impact	Date in force
<b>Government of Indonesia</b>			
GOI Law No. 11/2020 on Job Creation	Law	Various	2/11/2020
Government Regulation No. 5/2021 regarding the Administration of Risk-Based Business Licensing	Regulation	Registration	2/04/2021
Government Regulation No. 29/2021 regarding the Administration of the Trade Sector	Regulation	Various	2/02/2021
Government Regulation No. 39/2021 regarding the Administration of Halal Products Assurance Sector	Regulation	Certification	12/02/2021
<b>BPJPH</b>			
Decree of the Head of BPJPH Number 40 of 2022 concerning the Determination of the Halal Label	Regulation	Labelling	1/3/2022
<b>BPOM</b>			
BPOM Regulation No.1 of 2022 on Processed Food Claims and Advertisements	Regulation	Claims	4/1/2022
BPOM Regulation No. 6 of 2021 Supervision of Processed Food Advertising	Regulation	Claims	23/2/2021
BPOM No. 9 of 2022 on Heavy Metal Contaminants in Processed Food	Regulation	Food safety	22/4/2022
BPOM Regulation No. 13 of 2020 Flavoured Food Additives	Regulation	Food safety	2/7/2020
BPOM Regulation No.20 of 2021 on Processed Food Labels	Regulation	Labelling	2/8/2021
BPOM No. 26 of 2021 Information on Nutritional Values on Processed Food Labels	Regulation	Labelling	2/11/2021
BPOM No. 30 of 2021 on Processed Food Labelling	Regulation	Labelling	31/12/2021
BPOM Decree No. 21/2021 Food Labelling	Decree	Labelling	2/8/2022
<b>Indonesian Ministry of Religious Affairs</b>			
MORA Regulation No. 2 Regarding International Cooperation on Halal Product Assurance	Regulation	Certification	6/1/2022
MORA Decree No.1360 Regarding Materials that are Excluded from Halal Certification Obligation	Decree	Certification	27/11/2021
MORA Decree 748/2021 No. 748 on Product Types that are Mandatory to be Halal Certified	Decree	Certification	1/1/2022
<b>Ministry of Agriculture</b>			
BPOM No 7 of 2021 Processed Food Registration	Regulation	Registration	23/03/2021
Regulation No. 15 of 2021 Import of food products of animal origin	Regulation	Registration	1/4/2021
<b>Standards &amp; Guidelines</b>			
Compulsory Enforcement of Indonesian National Paper and Cardboard Standards for Food Packaging	Standard	Packaging	6/2/2022
Guidelines for Good Processed Food Production Practices for Complementary Foods to Breast Milk	Guideline	Food Safety	14/10/2020
Guidelines for Proper Production Practices for Commercially Sterile Food Sterilized After Packaging	Guideline	Food Safety	28/9/2020

# Useful resources

The following documents can be found on the AFGC [website](#)

## Halal

- GR 39 of 2021 regarding the Administration of Halal Products Assurance Sector
- GR 39 of 2021 USDA English translation
- Decree of the Head of BPJPH Number 40 of 2022 concerning the Determination of the Halal Label
- MORA Regulation No. 2 Regarding International Cooperation on Halal Product Assurance
- MORA Decree No.1360 Regarding Materials that are Excluded from Halal Certification Obligation
- MORA Decree 748/2021 No. 748 on Product Types that are Mandatory to be Halal Certified
- USDA GAIN Report Indonesia Halal Overview 04-04-21
- DAFF MAA 2020-28: Indonesia: Multiple Commodities: Halal Law Update

## Labelling, claims and advertising

- BPOM No. 30 of 2021 on Processed Food Labelling
- BPOM Decree No. 21/2021 Food Labelling
- BPOM No. 26 of 2021 Nutritional Information on Processed Food Labels
- Food Industry Asia (FIA) Brief on BPOM Regulation No. 26 of 2021 Nutrition Information on Processed Food Label
- BPOM Regulation No.1 of 2022 on Processed Food Claims and Advertisements
- BPOM Regulation No. 6 of 2021 Supervision of Processed Food Advertising

## Food safety

- BPOM No. 9 of 2022 on Heavy Metal Contaminants in Processed Food
- BPOM Regulation No. 13 of 2020 Flavoured Food Additives
- Amendment to BPOM No 13 of 2020 Flavoured Food Additives

## Registration

- BPOM Regulation No 7 Amendment to BPOM No 27 of 2017
- BPOM Regulation No 27 of 2017
- MoA Regulation No. 15 of 2021 Import of food products of animal origin
- USDA GAIN report Indonesia Issues New Foreign Dairy Facility Registration Questionnaire\_Jakarta\_Indonesia\_06-12-2021
- DAFF MMA 2022-14: Indonesia: Dairy – Import recommendation

## Packaging

- Compulsory Enforcement of Indonesian National Paper and Cardboard Standards for Food Packaging

## General

- USDA GAIN Report Food and Agricultural Import Regulations and Standards Export Certificate Report\_Jakarta\_Indonesia\_12-31-2021.pdf
- [MICOR](#) - Manual of Importing Country Requirement (Requirements set by Australia's agricultural export trading partners)

# Glossary

BPJPH	Halal Product Assurance Organizing Agency or <i>Badan Penanggulangan Jaminan Produk Halal</i>
BPOM	BPOM: Food and Drug Supervisory Agency or <i>Badan Pengawas Obat dan Makanan</i>
DAFF	Australian Department of Agriculture, Fisheries & Forestry
GOI	Government of Indonesia
JPH	Halal product assurance
LHLNs	Foreign halal certifying bodies
MMA	Market Access Advice
MA	Marketing Authorisation
MoA	Ministry of Agriculture
MORA	Indonesian Ministry of Religious Affairs
MoT	Ministry of Trade
MUI	Majelis Ulama Indonesia
NIB	Business Identification Number
SKI	Import Notification Letter
SPS	Sanitary & phytosanitary



**Omnibus law**

# Omnibus Law (No 11)

## Government of Indonesia Law No. 11/2020 on Job Creation

- Omnibus Law 11 was enacted on **2 November 2020** - commonly known as the "Omnibus Law". The Omnibus Law has amended more than 75 current laws and will require the central government to issue more than 30 government regulations and other implementing regulations
- This omnibus law amends several previous laws including those on fisheries, agriculture, halal certification and the food sector
- The new law aims to simplify investment-related laws to generate a more competitive business climate, attract investment and create new jobs through simplifying the licensing process and harmonising various laws and regulations
- Several implementing regulations for this law have been issued relevant to the processed food sector including:
  - *Government Regulation No. 5/2021 regarding the Administration of Risk-Based Business Licensing* – refer page 10
  - *Government Regulation No. 29/2021 regarding the Administration of the Trade Sector* – refer page 11
  - *Government Regulation No. 39/2021 regarding the Administration of Halal Products Assurance Sector* – refer pages 13-15

# Administration of Risk-Based Business Licensing (GR No. 5/2021)

Background	Key requirements and changes for exporters to note															
<p>Implementing regulation for Omnibus Law'</p> <p>GR 5/2021 has simplified process for a business license based on risk analysis and scale</p> <p>Previously, required to hold a business license, a commercial license, and/or an operational license</p> <p>It also moves from ex-ante licensing (satisfying all requirements in advance) to ex-post licensing (the requirements are checked afterward)</p>	<ul style="list-style-type: none"> <li>• Business licenses issued based on the assessment of 'business risk level'</li> <li>• Does not apply to businesses for which licenses have been approved and in effect prior effective date of GR 5/2021 (unless more favourable to the relevant business actors)</li> <li>• To determine the risk level, the government will conduct a risk analysis comprising of:               <ol style="list-style-type: none"> <li>1. Identifying the relevant business activity</li> <li>2. Assessing the hazard level</li> <li>3. Assessing the potential occurrence of hazards</li> <li>4. Determining the risk level and business scale rating</li> <li>5. Determining the type of business license</li> </ol> </li> <li>• GR5 explicitly determines the risk-level, and therefore further licensing requirements, of each Indonesia Standard Industrial Classification Code (KBLI Code) KBLI activity (Annex I of regulation). Based on the risk analysis, businesses activities classified into one of the following risk-level types:               <ul style="list-style-type: none"> <li>○ Low-risk businesses;</li> <li>○ Medium-low risk businesses;</li> <li>○ Medium-high risk businesses; and</li> <li>○ High-risk businesses.</li> </ul> </li> <li>• Wholesale of food and beverages products is categorised as a low-risk business - only NIB required ( no SKI and MA)</li> </ul> <table border="1" data-bbox="881 1033 1918 1203"> <thead> <tr> <th>No.</th> <th>Low risk business activities</th> <th>Medium-low risk business activities</th> <th>Medium-high risk business activities</th> <th>High risk business activities</th> </tr> </thead> <tbody> <tr> <td>1</td> <td colspan="4">Business Identification Number (Nomor Induk Berusaha – “NIB”)</td> </tr> <tr> <td>2</td> <td></td> <td colspan="2">Certificate of Standards</td> <td>License</td> </tr> </tbody> </table>	No.	Low risk business activities	Medium-low risk business activities	Medium-high risk business activities	High risk business activities	1	Business Identification Number (Nomor Induk Berusaha – “NIB”)				2		Certificate of Standards		License
No.	Low risk business activities	Medium-low risk business activities	Medium-high risk business activities	High risk business activities												
1	Business Identification Number (Nomor Induk Berusaha – “NIB”)															
2		Certificate of Standards		License												

**Key message**  
 ✓ Know the risk rating for your business

# Administration of the Trade Sector (Government Regulation GR No. 29/2021)

Background	Key requirements and changes for exporters to note
<ul style="list-style-type: none"> <li>• GR 29/2021 is an implementing regulation of the Omnibus Law</li> <li>• Outlines a range of new provisions on Indonesia's trade sector</li> <li>• Provisions on the distribution of goods mostly reaffirm previous requirements, and primarily combines the existing provisions</li> <li>• Essentially governs:               <ul style="list-style-type: none"> <li>○ policies and control of export and import activities</li> <li>○ use and completeness of labels with the Indonesian language</li> <li>○ <b>distribution of goods</b></li> <li>○ trade infrastructure</li> <li>○ standardisation</li> <li>○ export development</li> <li>○ legal metrology</li> <li>○ supervision of trade activities and supervision of goods stipulated as being under supervision</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• In force 2<sup>nd</sup> Feb 2021</li> <li>• Indirect distribution – changes to definition, licence requirements (NIB, licence, registered warehouse), documentation</li> <li>• Direct distribution - Ceiling on maximum commission and/or bonus for direct sellers raised</li> <li>• Import - Import restriction for retailers i.e. must purchase imported goods through parties within the chain of distribution e.g. wholesaler, or importer who acts as a distributor; and only by importers with the necessary licenses (NIB plus importer registration and/or import approval - MOT Reg 17/2021)</li> <li>• Mandatory use of labels with the Indonesian language - unchanged except now applicable to the packers of imported goods packed in the Indonesian jurisdiction</li> <li>• Warehouse - minor changes to information records required</li> </ul>

### Key message

- ✓ Minor changes to existing rules
- ✓ Check compliance with distributors



# Halal – certification and labelling

# Halal certification (GR 39/2021) & labelling (BPOM Decree 40/2022)

## Background

- **GR39/2021** is an implementing regulation of the Omnibus Law and Law 33/2014. GR39 replaces *GR 31/2019*. GR39 requires products imported, distributed and sold as Halal in Indonesia to be **Halal certified**. Halal Product Guarantee Agency (BPJPH) is responsible for the issuance of Halal certification and the monitoring and supervision of Halal Product Assurance
- **Decree 40** covers regulation concerning the Halal Label
- **MORA Decree 748** regarding Types of Products Mandatory to be Halal Certified. Although this decree entered into force January 1, 2022, its enforcement will not begin until October 17, 2024. Replaces MORA Decree 464/2020. It provides extensive list of products that are required to obtain halal certification.

Appendix I lists the products which includes F&B products and additives under the following product categories:

Milk and its analogue	Fat, oil, and oil emulsion	Edible ice
Fruits and vegetables by processing and adding food additives	Confectionary/candy and chocolate	Bakery products
Cereals and cereal products	Meat & meat processed products	Fish & fishery products
Processed egg and processed egg products	Sugar & sweeteners, including honey	Ready-to-eat snacks
Ready-to-eat food	Food additives	Other materials group
Salt, spice, sauce, salad, as well as protein products	Beverages with processing	Beverage substances group
Processed food - special nutrition needs		

In addition to requiring most food and beverage products to be certified halal, Decree 748 also stipulates the related services must be certified halal including processing, storage, packing, distribution and sales.

- **MORA Decree 1360** regarding materials that are excluded from Halal Certification Obligation. This decree provides an extensive list of ingredients or materials that are not required to obtain halal certification. This list is also known as the halal positive list and includes (i) ingredients from plants and mining without any cultivation process, (ii) ingredients categorised as without risk of being haram (forbidden or proscribed by Islamic law); and (iii) ingredients that are not categorised as harmful and are not related to any harmful ingredients
- **MORA No 2** concerns International Cooperation for the Guarantee of Halal Products. Through this regulation, MORA determines the types and implementation of international cooperation for halal product guarantees (terms established through bilateral agreements). After an international cooperation on halal product guarantee is up and running, it will be subject to observation, evaluation and periodical reporting by the BPJPH to MORA. It identifies three areas for potential international cooperation on halal product assurance (JPH) including JPH development, conformity assessment, and halal certificate recognition. It describes the requirements for the recognition of foreign halal certifying bodies (LHLNs) which must either be established by the exporting country's government or Islamic religious institutions in that country and be approved by BPJPH.

# Halal certification (GR 39/2021) & labelling (BPOM Decree 40/2022)

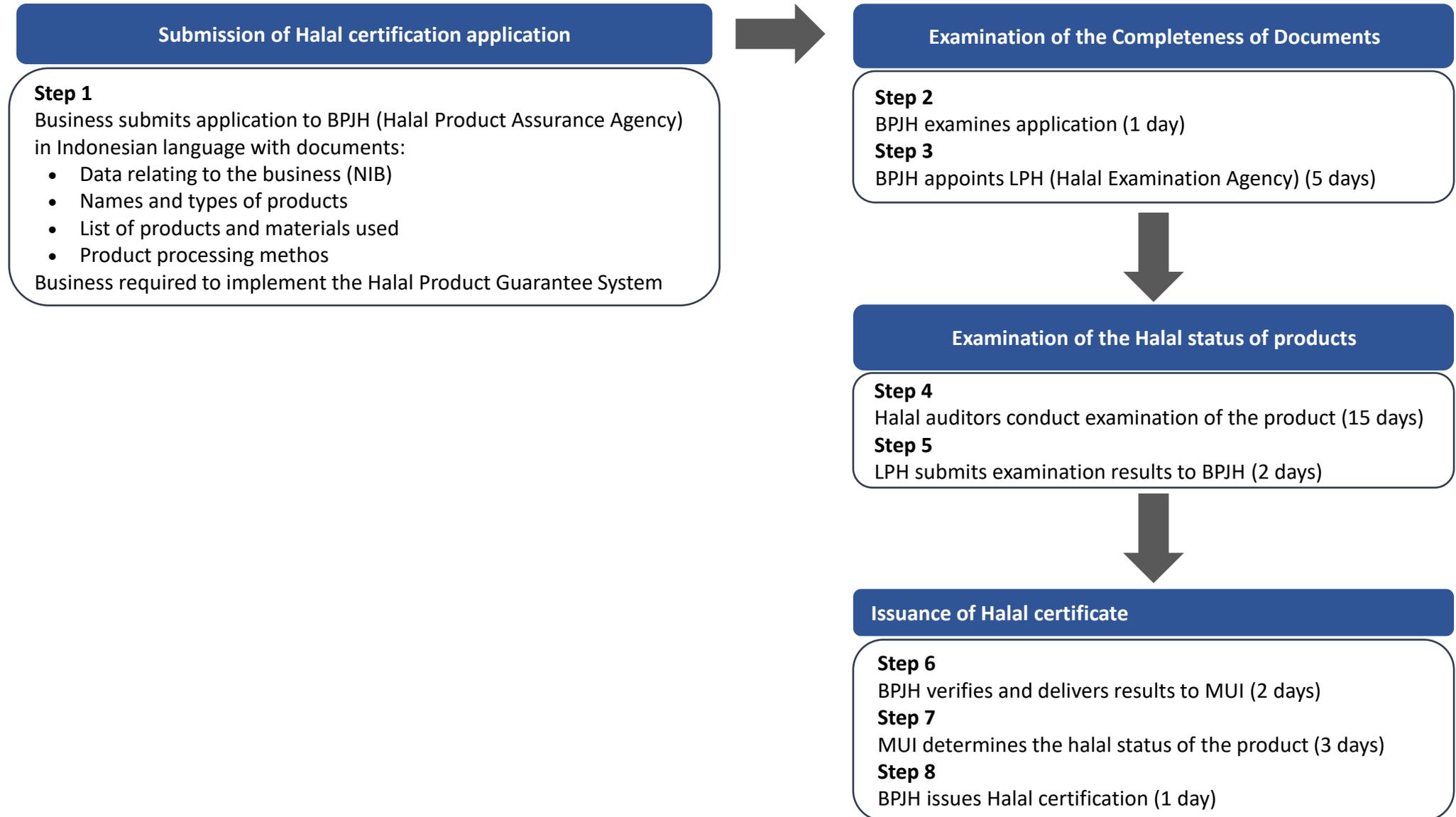
Key requirements and changes for exporters to note		
Certification	Label	Foreign Halal Certification
<ul style="list-style-type: none"> <li>• <b>5 year phase in period</b> for the mandatory certification</li> <li>• All food and beverage products must be in compliance with the new law by <b>October 17, 2024</b></li> <li>• Halal certificates are given to F&amp;B originating from Halal materials and complying with the Halal Production Process (slaughtering, processing, storage, packaging, transport, marketing and presentation)</li> <li>• Requires segregation of halal products from non-halal products during production, processing, storage and transportation</li> <li>• Halal certificates must be registered with BPJPH</li> <li>• Halal certification is valid for 4 years unless an ingredient change</li> </ul>	<ul style="list-style-type: none"> <li>• New halal label (Decree 40) has applied since 1 <b>March 2022</b></li> <li>• The new logo must be visible on product packaging</li> <li>• Products already in stock with the former logo can still be circulated</li> </ul> <div style="text-align: center;">  </div>	<ul style="list-style-type: none"> <li>• Halal products imported with foreign Halal certification must register products with BPJPH before distribution</li> <li>• This only applies if the products were certified by an overseas Halal institution that has a cooperation agreement from BPJPH in place</li> <li>• Australia is amongst the (45) foreign Halal institutions recognised by BPJPH. Refer for <a href="#">Australian approved bodies</a></li> <li>• During the transitional period MUI-approved LHLNs can still provide halal certificates for imported products until BPJPH has approved LHLNs</li> </ul>

# Halal certification (GR 39/2021) & labelling (BPOM Decree 40/2022)

Key requirements and changes for exporters to note	Relevant laws
<p data-bbox="359 268 1192 329"><b>Non halal products</b></p> <ul data-bbox="359 329 1192 714" style="list-style-type: none"> <li>• Products made of non-halal materials or ingredients are exempted</li> <li>• However, must provide non-halal statement on the products</li> <li>• The non - halal label must be marked clearly on the packaging of the product</li> <li>• The non-halal ingredient must be visible and highlighted</li> </ul> <div data-bbox="545 801 749 1001" style="text-align: center;">  </div>	<ul data-bbox="1192 329 2321 928" style="list-style-type: none"> <li>• GR No. 39/2021 regarding the Organisation of Halal Product Assurance</li> <li>• BPJPH Decree 40/2022 provides regulation concerning the Determination of the Halal Label</li> <li>• MORA Regulation No. 2 Regarding International Cooperation on Halal Product Assurance</li> <li>• MORA Decree No.1360 Regarding Materials that are Excluded from Halal Certification Obligation</li> <li>• MORA Decree 748/2021 No. 748 on Product Types that are Mandatory to be Halal Certified</li> <li>• Law No. 11 Year 2020 on Job Creation (“Omnibus Law”) plus implementing regulations</li> <li>• Law No. 33 Year 2014 on Halal Product Assurance (“Halal Law”) plus implementing regulations</li> </ul>

- Key messages**
- ✓ All mandated food & beverage products must comply by 17 Oct 2024
  - ✓ Halal compliance required across supply chain (to sales)
  - ✓ New Halal label in force
  - ✓ Non Halal products must be labelled

# Halal certification process





# Labelling, claims and advertising

# Food Labelling (BPOM No. 30 of 2021 & BPOM Decree No. 21/2021)

Background	Key requirements and changes for exporters to note	
	General	Final Food Products
<p>Replaces BPOM No. 31/2018</p> <p>BPOM Decree No. 21/2021 institutes various additional restrictions and providing additional clarity on food labelling requirements for:</p> <ul style="list-style-type: none"> <li>• final food products</li> <li>• food additives</li> <li>• food products for further processing</li> </ul>	<ul style="list-style-type: none"> <li>• The Amendment requires the relevant percentages of raw material content to be incorporated onto the labelling of all processed foods that contain any of the following i.e. raw materials which:               <ol style="list-style-type: none"> <li>i. provide the identity of processed foods;</li> <li>ii. are emphasised in the labelling of processed foods, either in words or pictures; or</li> <li>iii. are reflected in the names of processed foods</li> </ol> </li> <li>• Additional criteria are opposite and page 19</li> <li>• Addition of specific statements for B2B food which excludes food that becomes ingredients of an end food product. A statement is required in the local language translating as: “not for retail sale”, “not for re-packaging”, “only for hotel purpose”, or “only for catering, restaurant, hotel purpose”, or a similar statement</li> </ul>	<ul style="list-style-type: none"> <li>• <b>In force 13/12/21</b></li> <li>• Halal and non-halal foods - – refer pages 13-15</li> <li>• Ingredient percentages -% of ingredient content must be included in the list of ingredients on a food label</li> <li>• Polyol warning - labels for food products containing polyol must now include a warning about its side effects (if any)</li> <li>• Allergen information – change allows use of term “contains allergens:” followed by the allergen name(s) typed in bold. (Previously mandatory for allergens to be mentioned in bold in ingredient list, with the disclaimer “contains allergens”.)</li> <li>• Comparison claims - labels that use keywords like “special,” “premium,” “gold,” “platinum,” “extra,” “plus (+),” “advanced,” or similar words to compare the quality of nutritional content of one product to another must include an asterisk (*) after the comparison claim where the * must include information on distinguishing features and, when appropriate, comparative food products of the same type, and must be placed on a part of the label that is clearly visible and easy to read</li> </ul>

# Food Labelling (BPOM No. 30 of 2021 & BPOM Decree No. 21/2021)

Key requirements and changes for exporters to note	
For Further Processing	Food Additives
<ul style="list-style-type: none"><li>• <b>Compliance 2/8/22</b></li><li>• Food goods meant for further processing now required to be labelled with disclaimers such as “Not for Retail Sale,” “Not for Repackaging,” “Only for Hotels, Restaurants, and Catering,” etc.</li><li>• However, this is not applicable if the food product is sold directly from the manufacturer to the processors, or if the food product’s distributor is chosen directly by the manufacturer or importer.</li></ul>	<ul style="list-style-type: none"><li>• <b>Compliance 2/8/22</b></li><li>• Food additive labels for retail sales must identify the:<ul style="list-style-type: none"><li>• sentence, "<i>Bahan tambahan pangan</i>" (food additive)</li><li>• name of the relevant food additive category</li><li>• name of the relevant food additive type</li><li>• maximum amounts food additives that are used in processed foods</li><li>• lists of supporting materials contained in food additives (if any)</li></ul></li><li>• If the food additive contains processing aids, they must also be included in the ingredient list</li></ul>

#### Key message

✓ Be aware of label requirements and different requirements for food forms

## Information on Nutritional Values on Processed Food Labels (BPOM Decree No. 26/2021)

Background	Key requirements and changes for exporters to note
<p>Replaces BPOM Decree No. 22 / 2019</p> <p>Revises Regulations for Nutrition Information on Processed Food Label</p> <p>The regulation covers aspects such as:</p> <ul style="list-style-type: none"> <li>• minimum information stated on Nutrition Facts</li> <li>• format of Nutrition Facts based on the product label</li> <li>• the specific format for fortified foods</li> <li>• serving size for each food category (Annex 2)</li> </ul>	<ul style="list-style-type: none"> <li>• In force <b>2 Nov 2021</b> with immediate effect except for grace periods up to 30 months where permits are in place</li> <li>• Some components require compliance from 22 February 2022</li> <li>• Key changes include: <ul style="list-style-type: none"> <li>• Definition of “food” and “everyone” removed</li> <li>• Definition of “nutrients”, “serving size” and “ Nutritional Adequacy Rate (AKG)” has been revised</li> <li>• New definition of “non-nutritional substances”, “2D Barcode” and “food business actors’</li> <li>• Scope of exemptions for nutrition information has been expanded</li> <li>• Compliance and tolerance limit has been revised, and also for claim of “low”, “free”, “less”</li> <li>• Amendments to the voluntary front-of-pack labelling</li> <li>• New article – for any new nutrition information /logos, the relevant labelling can only be used after obtaining written approval from BPOM</li> </ul> </li> <li>• Refer to FIA brief on No 26 in ‘useful resources’ for more detail</li> </ul>

### Key message

- ✓ Be aware of compliance dates – vary by articles and whether distribution permit held or not prior to 2/11/21
- ✓ 2D barcode required (track the originality of the product)

# Processed Food Claims and Advertisements (BPOM No.1 of 2022)

Background	Key requirements and changes for exporters to note
<p>Replaces BPOM Regulation No. 13 of 2016 regarding Supervision of Claims on Processed Food Labels and Advertisements</p> <p>Concerns the use of claims such as nutritional, health, isotonic, vegan, etc. on processed foods labels</p> <p>A claim is any description that states, suggests, or indirectly stipulates certain characteristics of a food product relating to its origin, nutritional value, type, production, processing, composition, or other quality factors</p>	<ul style="list-style-type: none"><li>• In force <b>4 January 2022</b></li><li>• Claims on labels must be limited to nutritive/ non-nutritive substances, type, amount, and function; daily food intake; balanced nutrition; suitability of the food as a carrier of nutritive/ non-nutritive substances</li><li>• Any claim or description on the label must accurately reflect the actual food product</li><li>• Claims in advertisements must be in accordance with the approved label in the product’s marketing authorisation</li><li>• A claim must also be proven with analysis from an accredited or government laboratory</li><li>• Appendix of this Regulation sets out guidelines for the description of claims, e.g. the criteria for adding “without added sugar” or “without added salt”.</li><li>• Appendix X re vegan claim requires DNA analysis to show that processed food with vegan claim does not contain food ingredient from animal and its derivatives but does not provide consideration for unintended traces of animal or animal-derived sources</li><li>• Appendix XIII re procedure for assessment of microorganisms in processed food amends regulations to accept clinical trials carried out in other countries that share similar consumption patterns and other relevant aspects of lifestyle, such as Malaysia, Thailand and Vietnam. Previously, clinical trials were required to be conducted locally.</li></ul>

## Key message

- ✓ Be aware of guidelines relating to specific claims
- ✓ Be aware that Vegan claims require DNA analysis

# Supervision of Processed Food Advertising (BPOM No. 6 of 2021)

Background	Key requirements and changes for exporters to note
<p>Replaces BPOM No. 2 2016 concerning Supervision Technical Guidelines Processed Food Advertising</p> <p>Processed Food Advertisement is any information or statement regarding processed food in the form of images, text, sound, audio-visual, or other forms delivered for marketing and/or trading processed food</p>	<ul style="list-style-type: none"><li>• In force 21 Feb 2023</li><li>• 6 months to comply for advertisements published prior to the in force date</li><li>• Advertisements must contain information that is true, honest, and not misleading</li><li>• Information must comply with Processed Food label information approved at the time of obtaining marketing authorisation or certificate</li><li>• If warnings required obligatory to include information in the form of a warning on the label statement</li></ul>

## Key message

✓ Ensure advertisements are compliant

# Summary of labelling requirements

- Imported food products must be labelled
- The label approved by BPOM during the Market Authorisation application process must be attached on the retail pack in a form that can be easily read and visible by consumers
- The information contained on the label can be in a foreign language provided it includes an Indonesian translation. The use of foreign terms without Indonesian translation is only allowed to the extent that there is no Bahasa Indonesia equivalent.
- Minimum requirements
  1. Product name
  2. List of ingredients
  3. Net weight
  4. Name and address of the manufacturer and importer
  5. Halal statement
  6. Date and code of production
  7. Expiry Date
  8. Marketing Authorization number
  9. Origin of certain food ingredients
- Information on the label must be listed appropriately, clearly, easily read, and proportional to the label surface. Exporters should be aware of format requirements including for warnings on labels
- Warnings, where required, should be clearly visible on the label

- Other Mandatory Content
  1. Nutrition facts: information on the nutrition and/or non nutrition
  2. Health message: product contains salt, sugar and/or fat in an amount that can trigger non-contagious disease
  3. Target consumer: information on the target consumers of the product such as infants, pregnant women, people with certain diseases, breastfeeding mothers, etc
  4. How to serve and serving suggestions: for food that needs certain preparation stages
  5. How to store: for products with a total shelf life that can be affected by how it is stored and must be stored under certain conditions
  6. Allergen Information: for products that contain ingredients that may trigger allergic reactions
  7. Warning: for products that contain pork or swine, or warning for certain liquor and milk products
  8. Organic processed food: for processed foods that contain organic ingredients
  9. 2D Barcode: to track the originality of the products
- Optional Content
  - Sponsorship: intended for sponsor of certain events
  - Safety and quality certification: Indonesian National Standard (SNI) logo, certificate, risk management program, hazard analysis and critical control point, etc.
  - Description, logo, and/or picture related to environmental sustainability
  - Description to distinguish the quality of processed foods: distinction of quality characteristics and/or nutritional content compared to similar food products.
  - Consumer care: phone number, mailing address, email address, name of unit or department.
  - Claim: claims of nutrition, health, etc.

## Halal Label

BPJPH determines the design of Halal label which is nationally applicable.

Halal label must be easy to see and read as well as not be easy to erase, detach, and damage.

Halal label contains at least:

- a. logo (The logo is an image, a writing or a combination from image and writing); and
- b. certificate number or registration number.

Business operators that have obtained Halal Certificate must attach the Halal label on:

- a. product packaging;
- b. specific part of the product; and/or
- c. specific place of the product.

The attachment of Halal label shall be excepted for:

- a. products whose packaging is too small to include all the information;
- b. products that are sold and packaged directly in front of buyers in small quantities;
- c. products that are sold in bulk.



**Food safety**

# Heavy Metal Contaminants in Processed Food (BPOM No. 9 of 2022)

Background	Key requirements and changes for exporters to note
<p>Replaces regulation No 5/2018</p> <p>The amendment covers the maximum limit of 5 heavy metals in 50 food categories</p> <ul style="list-style-type: none"><li>• Arsen (As)</li><li>• Lead (Pb)</li><li>• Cadmium (Cd)</li><li>• Mercury (Hg)</li><li>• Tin (Sn)</li></ul>	<ul style="list-style-type: none"><li>• In force 22 April 2022</li><li>• 12 months to comply for foods with distribution permit prior to this date</li><li>• Exporters must meet the maximum limits (detailed in Appendix to the Regulation)</li><li>• Appendix maximum limit of heavy metal pollution in processed food</li><li>• However, some lack of clarity if the regulation applies to food ingredients that are intended for further use in food processing (maybe challenging when the limit for finished product also applies to raw materials)</li><li>• Also some inconsistencies with other markets, and with other Indonesian requirements e.g. product registration system</li></ul>

## Key message

- ✓ Be aware of compliance dates
- ✓ Note that levels may vary from requirements in other markets

# Flavoured Food Additives (BPOM No. 13 of 2020)

Background	Key requirements and changes for exporters to note
<p>Replaces Food Number 22 of 2016 concerning the use of Flavoured Food Additives</p> <p>This Regulation covers ingredient type, groups and the usage of flavouring additives, including flavouring adjunct</p> <p>Food Additives include ingredients added to food to influence the nature or form of food</p> <p>Flavours are food additives in the form of preparations concentrates, with or without flavouring adjuvants adjunct) which is used to give flavour, with the exception of salty, sweet and sour tastes</p>	<ul style="list-style-type: none"><li>• In force 2 July 2020</li><li>• Exporters have 24 months to comply with these regulations where additives and foods containing additives already have registration</li><li>• The Appendix lists allowed flavoured food additives</li><li>• A key change is the addition of Appendix IV on the positive list for the sources of natural aromatic raw materials and/or sources of flavour preparations, where the positive list states the permitted parts and for certain aromatics, there are limits and specific extraction methods</li></ul>

### Key message

- ✓ Be aware of compliance date



# Registration

# Processed Food Registration (BPOM No. 7/2021)

Background	Key requirements and changes for exporters to note
<p>Amends BPOM No 27/2017</p> <p>Any processed food imported for trading in retail packaging must have a distribution permit; and must meet safety, quality, and nutritional criteria</p> <p>Registration is submitted for each Processed Food, including which differ in terms of:</p> <ol style="list-style-type: none"> <li>type of food</li> <li>type of packaging</li> <li>composition</li> <li>name and/or address of production facilities in the region</li> <li>name and/or address of the original production facility outside state</li> <li>name and/or address of the importer/distributor</li> <li>label design</li> </ol>	<ul style="list-style-type: none"> <li><b>In force 23 Feb 21</b></li> <li>Amends regulation in regard to the circulation time limit (Article 68 (4) replaced with Article 70A Processed Food with old data can still be circulated no later than 12 months from the date of the approval letter for minor and major (registration) variations, except for changes in data of processed food in promotion as long as it does not conflict with the provisions of laws and regulations in the field of processed food (previously 6 months)</li> <li>Amends Article 79 (5) with In the case of processed food which distribution permit has expired and is still in the process of re-registration or has obtained an extension of the distribution permit, processed food can be circulated no later than 12 months after the circulation permit is invalid, as long as it does not conflict with the provisions, laws and regulations in the processed foods. (previously 6 months)</li> </ul>

## Key message

- ✓ Circulation time for products with old data extended

# Import of food products of animal origin (MOA No. 15 of 2021)

Background	Key requirements and changes for exporters to note	
<p>MOA Regulation No 15 includes provisions regarding the import of food products of animal origin</p> <p>The Directorate General of Livestock and Animal Health Services (DGLAHS) subsequently issued a corresponding new questionnaire for foreign dairy establishments seeking approval to export to Indonesia</p> <p>Establishes business activities and products standards for risk-based business licensing administration, including</p> <ul style="list-style-type: none"> <li>• Import Standards of Food Products of Animal Origin</li> <li>• Approval of a foreign establishment by the Minister of Agriculture before it can export to Indonesia for dairy and meat and poultry products</li> </ul>	<p><b>Meat &amp; dairy products</b></p> <ul style="list-style-type: none"> <li>• In force 1 April 2021</li> <li>• Importers of products of animal origin (dairy and meat) requires an import permit from the Ministry of Trade</li> <li>• Import permits require an import recommendation from the MOA</li> <li>• To obtain an import recommendation, the importer must provide a halal certificate to the MOA. The halal certificate must be issued by a halal certifying body recognised by Indonesia. <a href="#">Australian approved bodies</a></li> <li>• Once importers receive the import recommendation, it can be used to apply for an import permit from the MOT. The import recommendation can be used anytime within a six-month period</li> <li>• The import recommendation number must be included in the Health Certificate accompanying the shipment.</li> <li>• An import permit is valid for one fiscal year (MOT Regulation No. 20/2021 regarding Import Policy and Arrangement).</li> </ul>	<p><b>Meat products</b></p> <ul style="list-style-type: none"> <li>• A list of meat products eligible for export to Indonesia is included in the Annex of Regulation No. 15/2021</li> <li>• The importation of meat and meat products samples for exhibition purposes is allowed (up to 200 kilograms).</li> <li>• Importers must indicate the products being imported and their market destination (restaurant, hotel, catering, industry, retail, etc.) in their import recommendation application to the DGLAHS.</li> </ul> <p><b>Dairy products</b></p> <ul style="list-style-type: none"> <li>• Dairy establishments of the country of origin must (a) source raw materials approved by the MOA; (b) implement food safety assurance systems (certified); and (c) be approved by MOA</li> <li>• Halal certified products must not be transported in a same container with the non-halal certified products.</li> <li>• The list of dairy products eligible for export to Indonesia is included in the annex of Regulation 15/2021.</li> <li>• New Directorate General of Livestock and Animal Health Services (DGLAHS) questionnaire for foreign dairy establishments seeking approval to export to Indonesia.</li> <li>• Refer DAFF Micor guidance for Australian companies requiring updated listing – requires an official letter from the Department, accompanied by documentation following: <ul style="list-style-type: none"> <li>• Letter from the Department confirming the change in occupier of the establishment, and that the occupier is currently registered and approved with the Department</li> <li>• Current HACCP or Approved Arrangement certificate</li> <li>• Halal certificate from the Indonesia halal authority or foreign halal authority recognised by the Indonesian halal authority</li> </ul> </li> </ul>

**Key message**

✓ Understand registration requirements



**Standards, guidelines, certification**

# Standards, guidelines and certification

## Changes 2020-June 2022

### 1. Standards introduced

Compulsory Enforcement of Indonesian National Paper and Cardboard Standards for Food Packaging - In force 6 Feb 22

### 2. Guidelines introduced

Guidelines for Good Processed Food Production Practices for Complementary Foods to Breast Milk - In force 14/10/20

Guidelines for Proper Production Practices for Commercially Sterile Food Sterilized After Packaging - In force 28/9/20

### 3. Certification

#### • E-Certificates

The Indonesian Quarantine Agency has developed an Implementing Arrangement for the exchange of electronic certification (e-Cert) with several trading partner countries including Australia, New Zealand, and the Netherlands. During the COVID-19 pandemic, Indonesia received e-Phytosanitary Certificates from all countries that have been validated through this website<sup>17</sup>:

<https://ppkonline.karantina.pertanian.go.id/checkcert/>

#### • Certificates required

Summary of certificates required in Table page 27

Food and Agricultural Import Regulations and Standards Export Certificate Report\_Jakarta\_Indonesia\_12-31-2021.pdf

## Key Export Certificates Required

Processed foods			
Health Certificate	The certificate shall attest that the processed product is fit/safe for human consumption.	Food safety	National Agency of Drug & Food Control (BPOM)
Certificate of Free Sale	The certificate shall attest that the processed product is freely sold in the exporting country.	Food safety	
Halal Certificate	That the halal-required product was produced according to halal standards	To attest to compliance with Islamic religious halal standards (only for halal-required products)	Ministry of Religious Affairs

## Key Export Certificates Required

Certain food products of animal origin: Milk, Eggs, Honey, Gelatin, Collagen, Tallow, Swallow Bird's Nest , Processed products thereof )			
Certificate of Origin	The certificate shall attest that the food product of animal origin originates from the United States.	To attest to compliance with country-of-origin requirements, which is linked to the animal health status of the country of origin	Ministry of Agriculture
Veterinary Certificate	1. Product's compliance with animal and public health requirements and fitness for human consumption 2. Import recommendation number	To attest to compliance with animal and public health requirements and fitness for human consumption	
Certificate of Analysis	Product's laboratory testing results	Attesting the compliance with the quality requirements	
Certificate of Free Sale	That the product is freely sold in the exporting country	Food safety	National Agency for Drug and Food Control (BPOM)
Halal Certificate	That the halal-required product was produced according to halal standards	To attest to compliance with Islamic religious halal standards (only for halal-required products)	Ministry of Religious Affairs and Ministry of Agriculture
Food Additives			
Health Certificate	Fit/safe for human consumption	Food Safety	National Agency of Drug & Food Control (BPOM)
Certificate of Free Sale	The certificate shall attest that the food additive is freely sold in the exporting country.	Food safety	
Certificate of Analysis	Product's laboratory testing results	To attest to compliance with quality requirements	
Halal Certificate	That the halal-required product was produced according to halal standards	To attest to compliance with Islamic religious halal standards	Ministry of Religious Affairs

Source: USDA GAIN Report Food and Agricultural Import Regulations and Standards Export Certificate Report\_Jakarta\_Indonesia\_12-31-2021

# Concluding comments

- The Indonesia market is complex with a highly regulated environment
- The BPOM is the authorised institution that issues import permits for food products and oversees the distribution of food products in Indonesia
- The recent 'Omnibus Law' (Law No. 11 of 2020) regarding Job Creation has established a number of new processes reflected in implementing regulations
- Imported food must satisfy food classification characteristics, have the required licenses, comply with labelling and composition requirements, and have the required certifications
- It is important that exporters:
  - ✓ Understand general rules and regulations
  - ✓ Ensure compliance with labelling, safety and composition regulations
  - ✓ Ensure appropriate licences, registrations and certifications are in place
  - ✓ Make sure the labels and claims are compliant
  - ✓ Are aware of regulation changes