

APPLICATION OF CRIMINAL SANCTIONS IN LAW NUMBER 41 OF 2014 CONCERNING ANIMAL HUSBANDRY AND HEALTH (STUDY AT THE DELI SERDANG REGENCY AGRICULTURE OFFICE)

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ABSTRACT

This research aims to analyze the application of criminal sanctions in Law Number 41 of 2014, which plays a crucial role in supporting national food security in the livestock and animal health sector. This law stipulates strict criminal sanctions for violations such as animal abuse, the slaughter of productive felons, and the distribution of illegal animal products. However, its implementation in Deli Serdang Regency still faces obstacles, such as weak law enforcement, limited resources, and low public awareness. Based on these issues, the research questions are formulated as follows: First, are the criminal sanctions stipulated in Law Number 41 of 2014 effective in preventing violations in the animal health sector? Second, how are the criminal sanctions in Law Number 41 of 2014 concerning Livestock and Animal Health applied to violations in the livestock sector? And Third, what are the obstacles faced in the implementation of criminal sanctions in Law Number 41 of 2014, both in terms of law enforcement and socio-economic aspects of society? The method used in this study is empirical juridical with observation data collection, interviews and document studies, while data analysis uses descriptive analysis. This study found that although normatively Law No. 41/2014 regulates strict criminal sanctions (for example, Articles 86 and 87), its effectiveness in preventing violations in the field of animal health is not optimal. The application of criminal sanctions for violations in the livestock sector (for example, cultivation without a permit, use of non-standard feed, illegal slaughter) is also not consistent, often hampered by the complexity of technical and scientific evidence, as well as the tendency for case resolution to end in coaching or administrative sanctions. The main obstacles faced include the difficulty of proving technical criminal elements, limited human resource capacity (HR) of law enforcement officers in understanding aspects of livestock and animal health, lack of coordination between institutions, and limited facilities and infrastructure (for example, testing laboratories). From a socio-economic perspective, obstacles arise from low legal understanding and awareness among livestock businesses, particularly small-scale ones, as well as economic pressures that encourage them to ignore standards for the sake of profit.

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INTRODUCTIONS

The police as law enforcement officers must also enforce the law as strictly as possible to protect and the implementation of criminal sanctions is increasingly relevant considering the high potential of the livestock sector in the region. Deli Serdang Regency is known as one of the centers of livestock agribusiness in North Sumatra, with a livestock area of thousands of hectares and a significant population of cattle, chickens, and pigs. However, livestock activities here are often carried out in residential areas, which violate the provisions of business licenses and animal health standards as stipulated in Law Number 41 of 2014. (Khalida et al., 2025)

Case studies show that the Deli Serdang Regency Agriculture Office often faces violations such as operating chicken farms without environmental permits and quarantine, which risks leading to pollution and the spread of disease. The local government has carried out supervision through Regional Regulations (Perda) related to public order and public peace, but the enforcement of criminal sanctions is still minimal. For example, in the case of violations of livestock business licenses, administrative sanctions such as reprimands or revocation of permits are more often applied than criminal, even though Law No. 41 of 2014 clearly threatens criminal penalties for intentional violations. This is due to the limited coordination between the Agriculture Office, the police, and the prosecutor's office, as well as the lack of comprehensive case reporting data. As a result, repeated violations occur, disrupting animal welfare and local food security. (Utama et al., 2024)

Then since the promulgation of Law Number 41 of 2014 concerning Animal Husbandry and Health which aims to realize sovereignty, independence and food security. Law Number 41 of 2014 concerning Livestock and Animal Health is expected to develop well in Indonesia, and be able to meet national food needs in a safe and quality manner, and ensure that livestock activities must consider environmental sustainability aspects. (Nurwanti et al., 2024)

Although an adequate legal framework is available, the implementation of criminal sanctions in Law No. 41/2014 on the ground has often not shown optimal effectiveness. Various media reports and reports still indicate the rampant cases of violations, such as the circulation of slaughter of meat, illegal slaughter of animals, or the import of animal products without clear permits, which shows that the existing criminal sanctions have not fully provided an adequate deterrent effect. This phenomenon raises fundamental questions as to why violations continue to occur and whether law enforcement has been running in accordance with the purpose for which the Law was established. (Suja & Sadnyini, 2023)

However, in practice, these farmers still do not understand livestock and animal health, in Deli Serdang Regency there is data on farmers in terms of dignified and sustainable management of animal resources.

Development in the Livestock sector is a conscious effort to make changes for the better in order to improve the quality of the environment and is implemented through the Livestock Agribusiness approach. The declining quality of the environment and changes in the environmental ecosystem are caused by the increasing diversity in the implementation of agricultural development policies, industry and other business actors. Changes in the quality of the environment due to the use of an ecosystem can certainly threaten the lives of humans and other creatures for survival, both in the economic and social and cultural sectors if not managed properly. The phenomenon of rampant animal trade and traffic of business actors greatly affects animal health where animal health is a matter related to the protection of animal resources, public health, and the environment as well as ensuring the safety of animal feed. (Seregi & Siwi, 2025)

Law Number 41 of 2014 concerning Animal Husbandry and Health explains that the state is responsible for protecting the entire Indonesian nation through the implementation of livestock and animal health by securing and guaranteeing the use and preservation of animals to realize sovereignty, independence, and food security in order to

create the welfare and prosperity of all Indonesian people also aims to strengthen the legal framework that regulates livestock and animal health in Indonesia, with a focus on animal welfare, animal product safety, and public health protection, in accordance with the mandate of the 1945 Constitution of the Republic of Indonesia. (Gusfira & Irawan, 2023)

The implementation of the livestock policy is one of the drivers of the business aspect in Indonesia, where animals are also very beneficial to plants (the manure is used as fertilizer). Cattle are livestock animals that have quite high economic potential, both as seed livestock and as animal products that can be taken from meat, milk, and others. (Sendi & Idham, 2023)

Law Number 41 of 2014 concerning Livestock and Animal Health, aims to regulate the procedures for the implementation of livestock and animal health to support the sustainable development of the livestock sector. This law contains criminal provisions, such as the prohibition of the slaughter of small ruminant livestock, productive females, to protect livestock populations and maintain food security. However, the application of criminal sanctions is often controversial, which places criminal law as a last resort after administrative sanctions and civil sanctions mechanisms are ineffective. (Verlina & Kornelis, 2023)

Thus, this background shows the urgency of the implementation of criminal sanctions under Law Number 41 of 2014 concerning Animal Husbandry and Health, especially in the context of a study at the Deli Serdang Regency Agriculture Office. Without effective enforcement, the livestock sector is at risk of degradation, which ultimately impacts community welfare and regional economic stability.

The purpose of this study is to: "Application of Criminal Sanctions of Law Number 41 of 2014 concerning Animal Husbandry and Health (Study at the Deli Serdang Regency Agriculture Office)". In order to comprehensively understand the phenomenon of the application of criminal sanctions in the field of animal husbandry and animal health while filling the existing research gaps, this study focuses on the effectiveness and implementation of criminal provisions in Law Number 41 of 2014. This research is directed to examine the extent to which the criminal sanctions regulated in the law are able to function as a prevention instrument against various forms of violations in the field of animal health. In addition, this study also examines how the application of criminal sanctions in law enforcement practices in the livestock sector, especially in handling violations that occur in the field. Not only that, this study also highlights the various obstacles faced in the implementation of criminal sanctions, both from the aspect of law enforcement and from the socio-economic conditions of the people involved in livestock activities. (Fahmiron & Wansri, 2024)

In line with the focus of this problem, the main purpose of this study is to examine and analyze the effectiveness of criminal sanctions regulated in Law Number 41 of 2014 in preventing violations in the field of animal health. This study also aims to analyze in depth the application of criminal sanctions in the law to various violations that occur in the livestock sector. In addition, this research is directed to identify and analyze various obstacles that arise in the implementation of criminal sanctions, both related to law enforcement mechanisms and social and economic factors of the community that affect the effectiveness of the implementation of these criminal provisions. (Pakaja et al., 2024)

The benefits of this research are expected to make a significant contribution, both theoretically and practically. Theoretically, this research is expected to be able to enrich the scientific treasures in the field of law, especially criminal law and sectoral administrative law related to livestock and animal health. This research makes a conceptual contribution in understanding the effectiveness of criminal sanctions as an instrument for controlling and preventing violations in the livestock sector. Based on the focus of the study raised in the thesis entitled "The Application of Criminal Sanctions of Law Number 41 of 2014 concerning Animal Husbandry and Health (Study at the Deli Serdang Regency Agriculture Office)", the results of this study are expected to be an academic reference for further research

and strengthen the theoretical foundation in the development of criminal law policies in the field of livestock and animal health

METHOD

The location of the research was determined in Deli Serdang Regency with a focus on case studies at the Deli Serdang Regency Agriculture Office and the Slaughterhouse (RPH) of Purwodadi Village, Sunggal District. The determination of this location is based on its direct relationship with the practice of supervision and enforcement of criminal provisions in Law Number 41 of 2014, especially the articles that regulate the prohibition of slaughtering productive female ruminants without a permit, the prevention of counterfeiting/pollution of animal products, and the protection of animals from mistreatment or neglect. RPH is positioned as an empirical site to observe the dynamics of compliance and supervision in the field, while the office becomes a center for collecting administrative data, archiving cases, and tracing procedures for handling violations. (Sukmawan & Damayanti, 2025)

This study uses a normative-empirical juridical design with descriptive, analytical, and prescriptive elements to formulate improvement recommendations. The normative approach is used to examine the substance of norms, sanction structures, criminal elements, and relevant criminal law principles; An empirical approach is used to test the implementation of norms through supervision practices, report handling, and enforcement patterns at the regional level. The analytical framework combines a statutory approach, a conceptual approach, and a case approach (empirical case study), so that the relationship between legal texts, enforcement concepts, and institutional reality can be read in its entirety.

Data sources include primary legal materials (laws and regulations and related regulations), institutional documents (reports, enforcement archives, minutes, surveillance data), and secondary materials (books, journals, government reports, and other credible sources). Field data was obtained through in-depth interviews with Agriculture Service officials, technical/enforcement officers, legal practitioners (police/prosecutor's office), and field stakeholders (RPH managers, breeders, and animal health workers), accompanied by observation and document review. The analysis was carried out in a qualitative-descriptive-nonstatistical manner through deductive reasoning of norms and inductive from empirical findings, with triangulation between sources to maintain consistency, validity, and accuracy of conclusions.

RESULT AND DISCUSSIONS

Research Results

This study examines the application of criminal sanctions in Law Number 41 of 2014 concerning Animal Husbandry and Health using a normative-empirical juridical approach. The results of the study show that normatively, Law Number 41 of 2014 has regulated criminal sanctions quite comprehensively to ensure the protection of animal health, food safety of animal origin, and the interests of public health. The criminal provisions are intended as a preventive instrument against various forms of violations in the livestock sector, including the slaughter of productive female ruminant livestock without permission, counterfeiting and pollution of animal products, as well as acts of animal abuse and neglect. (Efendi & Mubarak, 2025)

At the normative level, the regulation of criminal sanctions in Law Number 41 of 2014 shows a strong protection orientation towards the sustainability of livestock resources and public health. Criminal sanctions are formulated in the form of imprisonment and fines with a relatively high nominal, which are theoretically expected to have a deterrent effect on offenders. The criminal norm also emphasizes the role of the state in controlling livestock practices to comply with animal health and animal welfare standards. (Siregar, 2023)

However, the results of empirical research in Deli Serdang Regency show that the implementation of criminal sanctions has not been fully effective. Enforcement of violations in the field of livestock and animal health is still dominated by administrative approaches, such as reprimands, coaching, and temporary suspension of business

activities. The application of criminal sanctions tends to be rarely carried out and is more positioned as a last step if administrative efforts are not complied with by business actors or the farming community.

Discussion

This condition shows that there is a gap between legal norms and law enforcement practices in the field. From the perspective of law enforcement theory, this situation can be understood through the framework of legal structure, legal substance, and legal culture. In terms of legal structure, limited human resources, supervision budget, and coordination between law enforcement agencies are the main factors that hinder the optimization of the implementation of criminal sanctions. The Deli Serdang Regency Agriculture Office has the authority to supervise and coach, but the authority to take criminal action remains with other law enforcement officials.

In terms of legal substance, even though criminal norms have been formulated strictly, there is a tendency that criminal sanctions are considered too severe to be applied to small-scale farmers. This encourages the apparatus to prefer a persuasive and administrative approach in order to maintain the socio-economic stability of the community. As a result, the preventive function of criminal sanctions is less than optimal because it is not applied consistently.

Meanwhile, from the aspect of legal culture, the low level of legal awareness of the farming community also affects the effectiveness of law enforcement. Some violations are still seen as a reasonable practice and have been going on for generations. This condition causes compliance with the provisions of animal health and animal welfare to not be fully formed internally in the behavior of the community. (Tashenda & Sukmareni, 2024)

The law in Law Number 41 of 2014 concerning Livestock and Animal Health is quite effective in providing a deterrent effect for large business actors, but less effective for small business actors who do not understand the regulations. Data shows that cases of violations in the livestock sector are more often resolved through administrative sanctions than criminals, according to *the principle of Ultimum Remedium*. Law Number 41 of 2014 concerning Animal Husbandry and Health, its application can be evaluated through several points of view:

1. Ideally.

The law should distinguish between minor and serious offenses. For example, administrative violations such as late reporting can be dealt with with fines, while serious violations such as illegal animal smuggling.

2. The reality.

If the Law directly establishes administrative sanctions without a gradual mechanism, then this is contrary to *the Ultimum Remedium*. This can lead to excessive criminalization of small business actors, such as local breeders who do not understand the regulations. (Bani et al., 2025)

To overcome these challenges, a more adaptive and integrated law enforcement strategy is needed. *First*, strengthening the capacity of investigators with special training on technical aspects of livestock and animal health, including effective evidence collection methods. *Second*, increased budgets and facilities for fast and accurate laboratory testing. *Third*, closer collaboration between law enforcement officials (Police, Prosecutor's Office), the Livestock Service, and the Quarantine Center in carrying out supervision and enforcement. *Fourth*, intensification of socialization and education programs for livestock business actors regarding the importance of compliance with standards and regulations. (Kevin et al., 2025)

The effectiveness of the application of criminal sanctions in Law No. 41 of 2014 against violations in the livestock sector depends not only on the existence of strong criminal articles, but also on the ability of the law enforcement system as a whole to identify, prove, and take action on such violations consistently. Without holistic improvements in the aspects of legal substance, law enforcement officials, infrastructure, and public legal awareness, potential threats to the livestock sector, food security, and public health will continue to loom. Therefore, policy recommendations must focus on strengthening all elements of law enforcement to support the realization of a sustainable and safe livestock sector.

Research Findings

Based on the results and discussions, this study found that criminal sanctions in Law Number 41 of 2014 are normatively adequate, but their implementation at the regional level still faces various structural, substantial, and cultural obstacles. The study's main findings suggest that the effectiveness of criminal sanctions is highly dependent on the integration between administrative supervision, criminal enforcement, and increased public legal awareness.

This study also found that the role of the Deli Serdang Regency Agriculture Office is more dominant in the coaching function than in the criminal enforcement function. This has an impact on weak deterrent effects and has the potential to reduce long-term compliance levels. Therefore, it is necessary to strengthen law enforcement policies that are more balanced between educational and repressive approaches.

Overall, the findings of this study confirm that the success of the implementation of criminal sanctions in the field of animal husbandry and animal health is not only determined by the completeness of legal norms, but also by the readiness of institutions, consistency of enforcement, and the legal culture of the community. Thus, research recommendations are directed at strengthening derivative regulations, increasing institutional capacity, and sustainable legal education strategies for the farming community.

The economic aspect also plays a big role in driving violations, which is part of the context of the legal culture that influences compliance. Economic pressure and the desire to get maximum profits often encourage business actors to ignore the standards and procedures that have been set. For example, the use of illegal veterinary drugs or inexpensive non-standard feeds is often chosen for cost considerations, despite the risks to animal health and consumers. For small farmers, the cost of meeting the standards set by the Act, such as building hygienic cages or mowing at RPH, is often considered burdensome. This creates a dilemma between legal compliance and economic sustainability, especially for those who live below the poverty line or have limited capital. (Scott, 2024; Scott, 2025)

Theoretically, the meaning of these various constraints is that the goals of protecting the livestock sector, food safety, and animal welfare mandated by Law No. 41/2014 have not been optimally achieved. When criminal sanctions cannot be applied effectively due to weaknesses in the substance, structure, and culture of the law, then violations will continue. This shows that the principle of Ultimum Remedium (criminal law as a last resort) which should be the basis for the use of criminal law, has not functioned as it should. Violations that go unhandled criminally, or even go undetected, create impunity for the perpetrators, which in turn erodes public trust in law enforcement systems and governments in guaranteeing safe and healthy animal products. (Manuk et al., 2024; Prasetyo et al., 2024)

Therefore, a holistic and multi-sectoral approach is needed to address these constraints. Based on Friedman's theory of the legal system, improvements must be made to all three components. The substance of the law may need to be revised to clarify criminal elements that are difficult to prove. The legal structure must be strengthened through increasing human resource capacity, strengthening inter-institutional coordination, and investing in law enforcement facilities and infrastructure. Meanwhile, legal culture needs to be improved through intensive education and socialization programs, accompanied by incentives or facilitation for small business actors to meet standards. Without this comprehensive overhaul, the criminal sanctions in Law No. 41/2014 will remain a "paper tiger" that lacks spurs in dealing with the complexity of violations in the livestock sector, thus hindering the realization of the National Food Agency's vision for safe and sustainable food security.

CONCLUSION

Based on the results of the research, it can be concluded that normatively Law Number 41 of 2014 has regulated strict criminal sanctions as a form of state commitment to protecting animal health and public health. However, in practice, the criminal sanctions have not functioned effectively as an instrument to prevent violations in the field of

animal health. The expected deterrent effect has not been optimally achieved, especially because criminal law enforcement still faces obstacles in proving criminal elements that are technical in nature and require proof of intentionality, so that many violations do not continue to the criminal process and stop at administrative sanctions or coaching.

This research also shows that the application of criminal sanctions in the livestock sector is still faced with structural and socio-economic obstacles. In terms of law enforcement, the limited capacity of human resources of the apparatus, the lack of inter-institutional coordination, and the lack of laboratory facilities and budget support hinder the consistency of the implementation of criminal sanctions. From the community side, low legal awareness and economic pressure, especially on small-scale farmers, encourage violations of livestock and animal health standards. This condition shows that the effectiveness of criminal sanctions is not only determined by the completeness of legal norms, but also by the institutional readiness and legal culture of the community.

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