

ORGANIC FERTILIZER BIO FETILIZER AND SOIL CONDITIONER

(Regulation of the Agriculture Minister No. 70/Permentan/
SR.140/10/2011 dated October 25, 2011)

BY THE GRACE OF GOD ALMIGHTY
THE AGRICULTURE MINISTER OF
THE REPUBLIC OF INDONESIA,

Considering :

- a. that by Regulation of the Agriculture Minister No. 28/Permentan/SR.130/5/2009, organic fertilizer, bio fertilizer and soil conditioner have been stipulated;
- b. that to protect the environment, biodiversity and consumers/users, and give business certainty to producers of organic fertilizer, bio fertilizer and soil conditioner circulated in the territory of the Republic of Indonesia they must meet quality standard and their effectiveness must be guaranteed;
- c. that in line with a change in the organizational structure at the Agriculture Ministry, and developments in science and technology, it is necessary to improve services and give certainty in issuing registry numbers of organic fertilizer, bio fertilizer and soil conditioner;
- d. that based upon the considerations above, it is necessary to review Regulation of the Agriculture Minister No. 28/Permentan/SR.130/5/2009;

In view of :

1. Law No. 12/1992 on Plant Farming System (Statute Book of 1992 No. 46, Supplement to Statute Book No. 3478);
2. Law No. 8/1999 on Consumer Protection (Statute Book of 1999 No. 42, Supplement to Statute Book No. 3821);
3. Law No. 32/2009 on Environmental Protection and Management (Statute Book of 2009 No.144, Supplement to Statute Book No. 5063);
4. Government Regulation No. 85/1999 on Amendment to Government Regulation No. 18/1999 on Hazardous and Toxic Waste Management (Statute Book of 1999 No. 190, Supplement to Statute Book No. 3910);
5. Government Regulation No. 102/2000 on National Standardization (Statute Book of 2000 No. 199, Supplement to Statute Book No. 4020);
6. Government Regulation No. 8/2001 on Plant Farming Fertilizer(Statute Book of 2001 No. 14, Supplement to Statute Book No. 4079);
7. Government Regulation No. 58/2001 on Development and Supervision of Consumer Protection (Statute Book of 2001 No.103, Supplement to Statute Book No. 4126);
8. Government Regulation No. 49/2002 on Tariffs of Non-Tax State Revenues at the Agriculture Ministry (Statute Book of 2002 No. 92, Supplement to

Statute Book No. 4224) adj. Government Regulation No. 7/2004 (Statute Book of 2004 No. 14, Supplement to Statute Book No. 4362);

9. Government Regulation No. 21/2005 on Bio Security of Genetic Engineering Products (Statute Book of 2005 No. 44, Supplement to Statute Book No. 4498);
10. Presidential Decree No. 84/P/2009 on the Formation of United Indonesia Cabinet II;
11. Presidential Regulation No. 47/2009 on Formation and Organization of State Ministries;
12. Presidential Regulation No. 24/2010 on the Position, Tasks and Functions of State Ministries and the Organizational Structure, Tasks and Functions of First Echelon Officials at State Ministries;
13. Decree of the Agriculture Minister No. 797/Kpts/TP.830/10/1984 on the Entry of Plant Growing Media into the Territory of the Republic of Indonesia;
14. Regulation of the Agriculture Minister No. 58/Permentan/OT.140/8/2007 on the Implementation of National Standardization System in the Agricultural Sector;
15. Regulation of the Agriculture Minister No. 61/Permentan/OT.140/10/2010 on the Organization and Work Mechanism of the Agriculture Ministry;

D E C I D E S

To stipulate :

REGULATION OF THE AGRICULTURE MINISTER ON ORGANIC FERTILIZER, BIO FERTILIZER AND SOIL CONDITIONER.

**CHAPTER I
GENERAL PROVISIONS**

Article 1

Referred to in this Regulation as :

1. Organic fertilizer is fertilizer originating from dead plant, animal waste and/or parts of animal and/or other organic waste through engineering process, in solid or liquid form, enriched with minerals and/or microbe, useful to increase nutrient content and soil organic materials and to improve physical, chemical and biological characteristics of soil.
2. Bio fertilizer is an active biological product consisting of microbe capable of improving fertilizing efficiency, fertility and health of soil.
3. Soil conditioner is synthetic and/or natural materials, organic and/or mineral in solid and/or liquid form capable of improving the physical, chemical and biological characteristics of soil.
4. Organic fertilizer formula is the composition of organic and mineral materials forming organic fertilizer.
5. Bio fertilizer formula is the composition of microbes/microfauna and bio fertilizer composing carriers.
6. Soil conditioner formula is the composition of synthetic organic and/or natural, synthetic mineral and/or natural materials composing soil conditioner.
7. Special formula is organic fertilizer formula, bio fertilizer formula and/or soil conditioner formula specially ordered by users not for free circulation.
8. Organic fertilizer formula engineering is a set of engineering activities, chemically, physically and/

GOVERNMENT REGULATIONS

- or biologically, to produce organic fertilizer formula.
9. Bio fertilizer formula engineering is a set of bio fertilizer engineering activities, chemically, physically and/or biologically, to produce bio fertilizer formula.
 10. Soil conditioner formula engineering is a set of soil conditioner engineering activities, chemically, physically and/or biologically, to produce soil conditioner formula.
 11. Organic fertilizer quality test is an analysis of nutrient content, heavy metal elements and pathogen microbes carried out at a laboratory according to the specified quality conditions.
 12. Bio fertilizer quality test is an analysis of typical content, population and function of microbe/ microfauna as well as pathogenity at a laboratory according to the specified quality conditions.
 13. Soil conditioner quality test is an analysis of main gradient content and active materials and/or heavy metal elements or other elements in soil conditioner carried out at a laboratory according to the specified quality conditions.
 14. Certificate of quality test is a written guarantee given by an accredited agency to certify that the product has met the specified quality standard.
 15. Certificate of quality is a written statement given by a quality test agency to certify that the product has met the specified quality standard.
 16. Quality standard is a parameter set by the National Standardization Body in the form of SNI or that set by the Agriculture Minister in the form of minimum technical conditions.
 17. Organic fertilizer effectiveness test is a spot or greenhouse test to know the effect of organic fertilizer on the growth and/or productivity of plant, the efficiency of fertilizing, or the improvement of soil fertility.
 18. Bio fertilizer effectiveness test is a spot or greenhouse test to know the effect of bio fertilizer on the growth and/or productivity of plant, efficient fertilizing, or the improvement of soil fertility or soil health.
 19. Soil conditioner effectiveness test is a laboratory and/or greenhouse or spot test to know the effect of soil conditioner on the improvement of physical and/or chemical and/or biological characteristics of land and the productivity of plant.
 20. Minimum technical conditions of organic fertilizer, bio fertilizer and soil conditioner are the quality standards required and set by this regulation.
 21. Procurement of organic fertilizer, bio fertilizer and soil conditioner is the supply of locally- or foreign-made organic fertilizer, bio fertilizer and soil conditioner.
 22. Circulation is an activity or a set of activities to distribute organic fertilizer, bio fertilizer and/or soil conditioner in the domestic market, either for a commercial or non-commercial purpose.
 23. Use is an activity carried out by users to use organic fertilizer, bio fertilizer and/or soil conditioner.
 24. Written....
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[Continued from Business News No. 8284 page 46-48]

23. Use is an activity carried out by users to use organic fertilizer, bio fertilizer and/or soil conditioner.

24. Written recommendation is a statement issued by an effectiveness test institute based upon the results of effectiveness test.

25. Director General is the Director General of Agricultural Facilities and Infrastructures.

26. Head of the Center is the Head of the Center for Plant Variety Protection and Agricultural Licencing.

Article 2

(1) This regulation is aimed at laying a legal basis for the procurement, registration, circulation, use and control of organic fertilizer, bio fertilizer and/or soil conditioner.

(2) The aim of the control is to protect sustainable environmental function, land biodiversity, and consumers/users and to give business certainty to producers of organic fertilizer, bio fertilizer and/or soil conditioner.

Article 3

(1) The scope of this regulation covers procurement, registration requirements, registration procedure,

registration fees and test institute, test institute, circulation, use, supervision, obligations, development and sanctions.

(2) Organic fertilizer for organic food system is not governed in this regulation.

Article 4

(1) Organic fertilizer formula, bio fertilizer formula and/or soil conditioner formula that will be produced and circulated in the interest of the agricultural sector must meet quality standard, guarantee their effectiveness, have labels and be registered by the Minister.

(2) The Director General on behalf of the Minister shall issue registration numbers as referred to in para (1).

CHAPTER II

PROCUREMENT

Article 5

(1) The procurement of organic fertilizer, bio fertilizer and/or soil conditioner can be done through domestic production or import.

(2) The organic fertilizer, bio fertilizer and/or soil conditioner as referred to in para (1) shall meet the Indonesian National Standard (SNI) or minimum

GOVERNMENT REGULATIONS

II. ARTICLE BY ARTICLE

Article 1

Point 1 up to Point 6

Sufficiently clear

Point 7

“Not securing compensation directly” means the payment of regional tax may not be granted direct compensation in the term of contra achievement for individual or body, but collectively.

Point 8 and Point 9

Sufficiently clear

Point 10

Catering service means a business serving in the field of food, dish and meal.

Catering means a business serving order or supplying dish for party, meeting and others for the need of the ordering part

Point 11

Sufficiently clear

Article 2

Sufficiently clear

Article 3

Paragraph (1)

Sufficiently clear

Paragraph (2)

The definition “Consumed in other place” includes take away/delivery order service and other service in whatever form by restaurant, foodstall, cafeteria, bar, catering service and the like.

Paragraph (3) up to Article 5

Sufficiently clear

Article 6

“Payment or should be paid” is a sum, which is received or should be received as compensation for the provision of service as the payment for restaurant management. In the case of catering service, the payment is the moment when the payment is received by catering service provider from the ordering party.

Article 7 up to Article 14

Sufficiently clear

SUPPLEMENT TO THE REGION PROVINCE
JAKARTA SPECIAL CAPITAL REGION NUMBER 25

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technical conditions and their effectiveness can be guaranteed.

- (3) The foreign-made organic fertilizer, bio fertilizer and/or soil conditioner as referred to in para (1) shall not only meet the quality standard and guarantee their effectiveness as referred to in para (2) but also pass an environmental risk test.
- (4) Bio fertilizer containing transgenic microbe shall not only meet the quality standard and guarantee their effectiveness as referred to in para (2) but also follow the law and regulation concerning the bio security of genetically-engineered products.
- (5) The procurement of organic fertilizer, bio fertilizer and/or soil conditioner as referred to in para (1) shall be done by corporate bodies engaged in agricultural production facilities.

Article 6

- (1) Corporate bodies that will produce organic fertilizer, bio fertilizer and/or soil conditioner shall secure a permit from the regent/mayor concerned
- (2) The regent/mayor shall consider the law and regulation in the industrial field in issuing the permit as referred to in para (1).

Article 7

- (1) The organic fertilizer, bio fertilizer and/or soil conditioner produced as referred to in Article 6 shall originate from organic fertilizer formula, bio fertilizer formula and/or soil conditioner formula resulting from engineering.
- (2) The organic fertilizer formula, bio fertilizer formula and/or soil conditioner formula as referred to in

para (1) shall meet quality standard and guarantee their effectiveness as referred to in Article 5 para (2).

- (3) The minimum technical conditions as referred to in Article 5 para (2) shall be as contained in Attachment I which is an integral part of this regulation.

Article 8

- (1) The import of organic fertilizer, bio fertilizer and/or soil conditioner to the territory of the Republic of Indonesia as referred to in Article 5 para (1) can be done by corporate bodies engaged in agricultural production facilities after securing a permit according to the law and regulation.
- (2) The import of organic fertilizer, bio fertilizer and/or soil conditioner as referred to in para (1) shall follow the law and regulation concerning agricultural quarantine.

CHAPTER III

REGISTRATION REQUIREMENTS

Article 9

- (1) To obtain registration numbers as referred to in Article 4, applications for the registration of organic fertilizer formula, bio fertilizer formula and/or soil conditioner formula shall be accompanied with :
 - a. articles of incorporation and revisions;
 - b. trade permit (SIUP) and/or trade registration certificate (TDUP) and/or investment permit;
 - c. taxpayer code number (NPWP);
 - d. certificate of domicile/resident's identification

- card (KTP);
 - e. statement from the party entitled to sign documents within the framework of registration and licencing;
 - f. concept of package label;
 - g. certificate of brand registration/certificate of brand from the authorized agency; and
 - h. SNI certificate, for fertilizer that has received a SNI certificate from the National Standardization Board (BSN).
- (2) The registration of organic fertilizer, bio fertilizer and/or soil conditioner as referred to in para (1) shall be done by the owners of the related formulas or their proxies.

Article 10

The package label as referred to in Article 4 para (1) shall be written in Indonesian language containing at least :

- a. trade name;
- b. registration number;
- c. nutrient content (especially for fertilizer), with the tolerable limit set in this regulation as attached;
- d. net content or weight;
- e. circulation period;
- f. name and address of producer or importer;
- g. date, month and year of production;
- h. directives for use;
- i. active materials and aim of use (especially for soil conditioner).

Article 11

- (1) Organic fertilizer, bio fertilizer and/or soil condi-

tioner registered shall have own name serving as the identity of each formula to be circulated.

- (2) One organic fertilizer formula, bio fertilizer formula and/or soil conditioner formula must not be registered by the applicant using formula trade name/brand which is the same or almost the same as the other registered trade name/formula and shall only use one formula trade name/brand.

- (3) The naming as referred to in para (1) shall meet the following conditions:

- a. not related to the name of element showing organic fertilizer formula, bio fertilizer formula and/or soil conditioner formula;
- b. any naming of organic fertilizer formula, bio fertilizer formula and/or soil conditioner formula registered shall carry evidence of brand registration from the authorized agency according to the law and regulation concerning intellectual property rights (HKI); and
- c. the naming of formulas shall not use agitating words such as "powerful", "excellent", "super" or "effective".

CHAPTER IV

PROCEDURE OF REGISTRATION

Part One

Application for Registration

Article 12

Applications for the registration of organic fertilizer, bio fertilizer and/or soil conditioner shall be filed in writing to the Director General through the Head of the Center by enclosing administrative requirements as referred to in Article 9 using form of

GOVERNMENT REGULATIONS

model-1 as contained in Attachment I which is an integral part of this regulation.

Article 13

- (1) No later than 3 (three) working days after receiving the applications as referred to in Article 12 the Head of the Center shall have checked the completeness of the qualifications as referred to in Article 9 and reject or accept the applications.
- (2) The applications as referred to in para (1) are rejected if they still lack the qualifications as referred to in Article 9.
- (3) The Head of the Center shall convey a decision on the rejection of the applications as referred to in para (2) to the applicants, along with reasons for the rejection in writing using form model-2 as contained in Attachment III which is an integral part of this regulation.
- (4) The applications as referred to in para (1) are accepted if the qualifications as referred to in Article 9 are met.
- (5) The Head of the Center shall later convey in writing the applications accepted as referred to in para (4) to the Director General for technical process using form model-3 as contained in Attachment IV which is an integral part of this regulation.

Part Two

Test

Article 14

- (1) No later than 3 (three) working days after accepting the applications as referred to in Article 13 para (5), the Director General shall issue a deci-

sion to the applicants to conduct a quality test using form model-4 as contained in Attachment V which is an integral part of this regulation.

- (2) The quality test as referred to in para (1) is done by an accredited or appointed institute as contained in Attachment VI which is an integral part of this regulation.
- (3) In carrying out the quality test as referred to in para (2) the test institute shall follow the standard method as contained in Attachment VII which is an integral part of this regulation.
- (4) The test laboratory shall convey the results of the quality test as referred to in para (3) to the Director General, with a copy addressed to the applicant, to conduct technical assessment of the results of the quality test according to the SNI requirements or minimum technical conditions of organic fertilizer, bio fertilizer and/or soil conditioner as contained in Attachment VIII which is an integral part of this regulation.
- (5) The Director General shall conduct the technical assessment as referred to in para (4) no later than 3 (three) working days.

Article 15

- (1) Organic fertilizer formula, bio fertilizer formula and/or soil conditioner formula that have received SNI certificates are not subject to a quality test as referred to in Article 14.
- (2) To obtain registration numbers for organic fertilizer formula, bio fertilizer formula and/or soil conditioner formula that have received SNI certificates as referred to in para (1) the applicants

shall enclose SNI certificates according to the law and regulation.

Article 16

- (1) If the technical assessment of the results of quality test as referred to in Article 14 para (5) does not meet qualifications, the Director General shall notify in writing the applicants through the Head of the Center, along with reasons using form model-5 as contained in Attachment IX which is an integral part of this regulation and later the applicants can apply for a repeat quality test.
- (2) If the technical assessment of the results of quality test as referred to in Article 14 para (5) meets qualifications, the Director General shall issue a decision to the applicants to conduct an effectiveness test using form model 6 as contained in Attachment X which is an integral part of this regulation.
- (3) The effectiveness test as referred to in para (2) shall be conducted by an effectiveness test institute as contained in Attachment XI which is an integral part of this regulation.
- (4) In conducting the effectiveness test, the effectiveness test institute as referred to in para (3) shall follow a standard method as contained in Attachment XII which is an integral part of this regulation.
- (5) The test institute shall convey a report on the results of effectiveness test and recommendations for an effectiveness test to the Director General to conduct technical assessment of the results of effectiveness test according to provisions on

the passing effectiveness test of organic fertilizer, bio fertilizer and/or soil conditioner as contained in Attachment XIII which is an integral part of this regulation.

- (6) In drawing up a report on effectiveness test as referred to in para (5) the effectiveness test institute shall follow a standard method as contained in Attachment XIV which is an integral part of this regulation.
- (7) In making recommendations on the results of effectiveness test as referred to in para (5) the effectiveness test institute shall follow a standard method as contained in Attachment XV which is an integral part of this regulation.
- (8) The Director General shall complete the technical assessment of the results of effectiveness test as referred to in para (5) no later than 10 (ten) working days.

Part Three

Issuance of Registration Numbers

Article 17

- (1) If the technical assessment of the results of effectiveness test as referred to in Article 16 para (8) does not meet qualifications, the Director General shall notify in writing the applicants through the Head of the Center, along with reasons using form model-7 as contained in Attachment XVI which is an integral part of this regulation.
- (2) If the technical assessment of the results of effectiveness test as referred to in Article 16 para (8) meets qualifications, the Director General on behalf of the Minister shall issue registration

organic fertilizer, bio fertilizer and soil conditioner by privately-run test institute are set by the related test institute.

**CHAPTER VI
TEST INSTITUTE**

Article 22

(1) The test institutes appointed as referred to in Article 14 para (2) and Article 16 para (3) shall meet at least the following qualifications:

a. quality test institute:

1. having a laboratory building that meets requirements;
2. having instruments to test the quality of organic fertilizer, bio fertilizer and/or soil conditioner;
3. having a skilled worker or analyst to test the quality of organic fertilizer, bio fertilizer and/or soil conditioner;
4. being able to analyze the quality of organic fertilizer, bio fertilizer and/or soil conditioner based upon the specified analysis method; and
5. taking part in proficiency test, namely cross test at referral laboratory.

b. effectiveness test institute:

1. having instruments to conduct effectiveness tests;
2. having a plot of land or other adequate facilities to conduct effectiveness tests;
3. having a skilled worker/expert to conduct effectiveness tests of organic fertilizer, bio fertilizer and/or soil conditioner, along with executing workers; and

4. being able to conduct an effectiveness test based upon the specified test method.

(2) Verification of the feasibility of quality test institutes and effectiveness test institutes as referred to in para (1) is done by the Directorate General of Agricultural Product Processing and Marketing.

**CHAPTER VII
CIRCULATION**

Article 23

- (1) Organic fertilizer, bio fertilizer and/or soil conditioner circulated must meet quality standards, guarantee their effectiveness, and be labeled and registered as referred to in Article 14.
- (2) The labels as referred to in para (1) must be put on water resistant packages and easily seen, read clearly and not easily damaged.

**CHAPTER VIII
USE**

Article 24

- (1) The types and use of organic fertilizer, bio fertilizer and/or soil conditioner must consider productivity and environmental function conservation.
- (2) The types and procedure of using organic fertilizer, bio fertilizer and/or soil conditioner as referred to in para (1) are to be stipulated in a separate regulation.
- (3) If the use of organic fertilizer, bio fertilizer and/or soil conditioner has a negative impact on human health and/or environmental function, registration numbers shall be revoked.

CHAPTER IX
SUPERVISION

Article 25

- (1) Supervision of organic fertilizer, bio fertilizer and/or soil conditioner is done in the phases of formula engineering, procurement, circulation and use.
- (2) The supervision as referred to in para (1) shall be done once every 6 (six) months.

Article 26

- (1) The supervision of organic fertilizer, bio fertilizer and/or soil conditioner as referred to in Article 25 is done as follows;
 - a. at formula engineering level, it becomes the authority of the Minister;
 - b. at procurement, circulation and use levels, it becomes the authority of related regents/mayors under the coordination of the governor.
- (2) The supervision of procurement, circulation and use of organic fertilizer, bio fertilizer and/or soil conditioner as referred to in para (1) is done integrately under the coordination of the Director General and governors.

Article 27

- (1) Supervision at engineering level as referred to in Article 26 para (1) letter a is done by fertilizer supervising officers.
- (2) The fertilizer supervising officers as referred to in para (1) supervise the application of quality standards to organic fertilizer, bio fertilizer and/or soil conditioner, the realization of quality and effectiveness tests and the use of registration numbers.

- (3) The fertilizer supervising officers as referred to in para (1) are civil servants at the Agriculture Ministry appointed and discharged by the Minister.

Article 28

- (1) Supervision at procurement, circulation and use levels as referred to in Article 26 para (1) letter b is done by fertilizer supervising officers appointed by regents/mayors.
- (2) The fertilizer supervising officers as referred to in para (1) are civil servants at agencies responsible for carrying out main tasks and functions in developing and supervising the procurement, circulation and use of organic fertilizer, bio fertilizer and/or soil conditioner.

Article 29

Corporate bodies engaged in the procurement of organic fertilizer, bio fertilizer and/or soil conditioner shall allow the fertilizer supervising officers as referred to in Article 27 and Article 28 to conduct development and supervision at their business sites.

Article 30

- (1) The fertilizer supervising officers as referred to in Article 27 para (1) and Article 28 para (1) shall have the authority to :
 - a. check the production process of organic fertilizer, bio fertilizer and/or soil conditioner;
 - b. check storage facilities and packing method;
 - c. take samples of organic fertilizer, bio fertilizer and/or soil conditioner for a quality test;
 - d. check documents and reports;

e. examine whether qualifications to obtain permits for the procurement and/or circulation of organic fertilizer, bio fertilizer and/or soil conditioner have been met.

(2) If fertilizer supervising officers strongly believe that there has been forgery of and/or damage to organic fertilizer, bio fertilizer and/or soil conditioner in circulation, they must soon report the matter to the Director General and/or the Governor to temporarily stop the circulation of the organic fertilizer, bio fertilizer and/or soil conditioner in their jurisdiction no later than 30 (thirty) days after conducting the quality test.

(3) If the results of the quality test as referred to in para (2) indicate that the organic fertilizer, bio fertilizer and/or soil conditioner do not accord with the labels or the labels are damaged, fertilizer supervising officers shall propose to the Governor concerned to withdraw the organic fertilizer, bio fertilizer and/or soil conditioner from circulation.

(4) Provisions on the withdrawal and circulation of organic fertilizer, bio fertilizer and/or soil conditioner shall follow the law and regulation.

Article 31

The fertilizer supervising officers as referred to in Article 27 para (1) and Article 28 para (1) can be appointed as civil servant investigators according to the law and regulation.

CHAPTER X

THE OBLIGATIONS OF OFFICERS, INSTITUTES AND HOLDERS OF REGISTRATION NUMBERS

Article 32

(1) Registration officers, quality test officers and effectiveness test officers shall keep the truth and secrecy of organic fertilizer, bio fertilizer and/or soil conditioner formulas which according to their characteristics must be kept secret.

(2) Test institutes shall guarantee the secrecy of organic fertilizer, bio fertilizer and/or soil conditioner formulas that have been tested.

(3) The Director General shall manage the book of registration numbers and record all changes in the subjects and objects of the registration of organic fertilizer, bio fertilizer and/or soil conditioner.

Article 33

(1) Holders of registration numbers shall put all pieces of required information on registered labels and packages.

(2) Holders of registration numbers shall report any change in registration numbers to the Director General to be recorded in the book of registration numbers and make changes to registration numbers.

(3) Holders of registration numbers shall pay fees on the registration of organic fertilizer, bio fertilizer or soil conditioner as non-tax state revenues (PNBP) that must be paid to the State Treasury, with the amount of the fees set under the law and regulation in force.

Article 34

Holders of registration numbers shall submit an annual report on procurement and circulation

covering local production and/or import, domestic trade and/or exports once every 6 (six) months to the Director General using the format as contained in Attachment XVIII which is an integral part of this regulation.

Article 35

- (1) The registration numbers as referred to in Article 17 can change or can be transferred to other party for several reasons:
 - a. the holder of registration numbers appoints other party as a holder of registration numbers;
 - b. the holder of registration numbers transfers the ownership of formula to other party;
 - c. the appointment of other party as a holder of registration number results from the merger of companies;
 - d. a change in the name of the holder of registration numbers.
- (2) The party receiving the transfer as referred to in para (1) shall settle the transfer of registration numbers based on an agreement and the transfer shall be reported to the Director General to decide the transfer and recorded in the book of registration numbers.

Article 36

- (1) Holders of registration numbers of organic fertilizer, bio fertilizer and/or soil conditioner shall be responsible for the quality of their products and put labels on packages as referred to in Article 33.

- (2) Holders of registration numbers shall report any change in registration numbers to the Director General to be recorded on the book of registration number and make a change in the registration numbers.

CHAPTER XI

DEVELOPMENT

Article 37

- (1) Development is done to producers, importers and test institutes.
- (2) The development of producers as referred to in para (1) covers production process and production quality and is done periodically to produce goods according to the quality standard.
- (3) The development of importers as referred to in para (1) covers quality test of any import of organic fertilizer, bio fertilizer and/or soil conditioner.
- (4) The development of test institutes and effectiveness as referred to in para (1) is intended to meet the requirements as referred to in Article 22.
- (5) The development as referred to in para (1) is done by the Directorate General.

CHAPTER XII

SANCTIONS

Article 38

Test institutes and/or test laboratories found failing to guarantee the secrecy and truth of test results shall receive a reprimand from the Director General and shall be reported to the authorized official to impose a sanction according to the law and regulation in force.

Article 39

Registration officers found failing to guarantee the secrecy of fertilizer formulas as referred to in Article 37 shall be liable to an employee's disciplinary sanction according to the law and regulation.

Article 40

- (1) Applicants found circulating organic fertilizer, bio fertilizer and/or soil conditioner which is under registration process shall be liable to a sanction in the form of cancellation of registration until the investigation by the authorized official receives fixed legal force.
- (2) The sanction in the form of cancellation of application for registration as referred to in para (1) shall openly be made known to the public.

Article 41

- (1) Holders of registration numbers found failing to put all pieces of required information on the package labels as referred to in Article 33 and/or to report a change in the holder of registration numbers shall be liable to a sanction in the form of revocation of registration numbers.
- (2) Holders of registration numbers found failing to guarantee the quality of organic fertilizer, bio fertilizer and/or soil conditioner produced and/or circulated shall be liable to a sanction in the form of revocation of registration numbers.
- (3) Holders of registration numbers found failing to produce and/or import organic fertilizer, bio fertilizer and/or soil conditioner registered and to make a report as referred to in Article 34 for 2 (two) consecutive years shall be liable to a sanction in the form of revocation of registration numbers.
- (4) In connection with the revocation of registration

numbers as referred to in para (1), para (2), para (3) and para (4), holders of registration numbers, producers and/or importers shall withdraw organic fertilizer, bio fertilizer and/or soil conditioner from circulation no later than 3 (three) months after the issuance of a decree of the Minister on the revocation of registration numbers.

Article 42

The withdrawal of organic fertilizer, bio fertilizer and/or soil conditioner from circulation as referred to in Article 41 para (4) is done by and at an expense of holders of registration numbers, producers and/or importers of organic fertilizer, bio fertilizer and/or soil conditioner concerned.

CHAPTER XIII

OTHER PROVISIONS

Article 43

- (1) Producers or owners of registration numbers of organic fertilizer, bio fertilizer and/or soil conditioner can serve orders with special formulas in physical form according to those registered and used directly by those putting the orders.
- (2) The special formulas as referred to in para (1) shall not necessarily registered according to this regulation.

Article 44

Organic fertilizer, bio fertilizer and/or soil conditioner with special formulas as referred to in Article 43 before being used by those ordering them shall be reported to the Director General through the Director of Fertilizers and Pesticides for monitoring and supervision, with a copy addressed to the Head of the Center.

Article 45

Organic fertilizer, bio fertilizer and/or soil conditioner as referred to in Article 43 shall not be circulated and used in the interest of the public.

Article 46

- (1) Organic fertilizer, bio fertilizer and/or soil conditioner of import origin shall not use raw materials from industrial waste.
- (2) Organic fertilizer, bio fertilizer and/or soil conditioner may originate from domestic industrial waste if they meet quality standard, guarantee their effectiveness and pass an environmental risk test.

CHAPTER XIV

TRANSITIONAL PROVISIONS

Article 47

- (1) Organic fertilizer, bio fertilizer and soil conditioner that have been registered before this regulation is promulgated, shall remain valid until the end of registration numbers.
- (2) Organic fertilizer, bio fertilizer and soil conditioner that are undergoing or have undergone a test before this regulation is promulgated shall continue to have their registration processed according to the previous regulation.
- (3) Organic fertilizer, bio fertilizer and/or soil conditioner that are undergoing registration process but has not undergone a test before this regulation is promulgated shall be treated according to this regulation.

CHAPTER XV

CONCLUSION

Article 48

The import of plant growing media in the form of soil and compost other than organic fertilizer, bio fertilizer and/or soil conditioner shall remain under Ministerial Decree No. 797/Kpts/TP.830/10/1984.

Article 49

With the promulgation of this regulation, Regulation of the Agriculture Minister No. 28/Permentan/SR.130/5/2009 shall be revoked and declared null and void.

Article 50

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

For public cognizance, this regulation shall be promulgated by placing in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

On October 25, 2011

THE AGRICULTURE MINISTER
OF THE REPUBLIC OF INDONESIA,

sgd

SUSWONO

Promulgated in Jakarta

On October 26, 2011

THE LAW AND HUMAN RIGHTS MINISTER
OF THE REPUBLIC OF INDONESIA,

sgd

AMIR SYAMSUDDIN

STATE GAZETTE OF THE REPUBLIC OF INDONESIA
OF 2011 NO. 664

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