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AGRICULTURE

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DEPARTMENT OF AGRICULTURE OF THE REPUBLIC OF INDONESIA

DECREE OF THE MINISTER OF AGRICULTURE
NUMBER : 764/Kpts/TP.270/9/1998 ; DATED : SEPTEMBER 9, 1998

RE

THE REGISTRATION AND GRANTING OF TEMPORARY LICENSES FOR PESTICIDES

THE MINISTER OF AGRICULTURE,

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| Considering | <p>a. that pesticides whose registration is applied for have been evaluated and tested, with their results fulfilling effective requirements, but additional information is yet needed before fixed licences can be obtained;</p> <p>b. that based on the above consideration and pursuant to Article 10 of the Decree of the Minister of Agriculture No. 280/Kpts/Um/6/1973, it is deemed necessary to register and grant of temporary licences for pesticides.</p> |
| Bearing in mind | <ol style="list-style-type: none"> 1. Act No. 12/1992; 2. Act No. 23/1992; 3. Act No. 23/1997; 4. Government Regulation No. 7/1973; 5. Government Regulation No. 6/1995; 6. President Decree No. 44/1974; 7. President Decree No. 61/1998; 8. President Decree No. 122/M/1998; 9. The Decree of the Minister of Agriculture No. 280/Kpts/Um/6/1973 jo. Decree of the Minister of Agriculture No. 728/Kpts/KU.120/12/1992; 10. The Decree of the Minister of Agriculture No. 429/Kpts/Um/9/1973; 11. The Decree of the Minister of Agriculture No. 944/Kpts/TP.270/11/1984; 12. The Decree of the Minister of Agriculture No. 479/Kpts/Kp.150/ 1990; 13. The Decree of the Minister of Agriculture No. 96/Kpts/OT.210/2/1994; 14. The Decree of the Minister of Agriculture No. 270/Kpts/KP.150/4/1975; 15. The Decree of the Minister of Agriculture No. 473/Kpts/TP.270/6/1996; |
| Taking into account | <p>The opinion of the Chairman of the Pesticide Commission in the letter No. 2452/Kompes/98 dated July 16, 1998.</p> |

HAS DECIDED :

To stipulate	<p>THE DECREE OF THE MINISTER OF AGRICULTURE CONCERNING THE REGISTRATION AND GRANTING OF TEMPORARY LICENSES OF PESTICIDES.</p>
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Article 1

- (1) Pesticides which are contained in column 2 of Attachments I and II to this decree shall be registered and granted provisional licences pursuant to Article 8 of the Decree of the Minister of Agriculture No. 280/Kpts/Um/6/1973, with registration numbers as contained in column 7 of Attachment I and column 8 of Attachment II in the names of registration holders as contained in column 6 Attachment I and column 7 of Attachment II to this decree.
- (2) Registration holders as meant in paragraph (1) shall be granted licences which are effective for 1 (one) year as from the enforcement of this decree, for the distribution of, and the dissemination of information on, the pesticides as meant in paragraph (1) by observing the provisions in this decree and other relevant regulations in force.
- (3) The status of registration holders as meant in paragraph (1) shall be subject to review if they are no longer appointed to register the pesticides by proprietors of the relevant pesticide formulas, or fail to comply with other relevant regulations in force.
- (4) Applications for registration of the pesticides as contained in column 2 of Attachment I and II to this decree shall be filled not later than 3 (three) months before the expiration of the licences as meant in paragraph (2).
- (5) The re-registration of provisional licences can be granted three times at the maximum.

Article 2

- (1) The pesticides as meant in Article 1 paragraph (1) shall contain active substances as indicated in column 2 and have formula forms as indicated in column 3 of Attachment I and II to this decree.
- (2) The composition of formulas, physical and chemical properties, stability, compatibility and other characteristics of the active substances as well as formula shall conform to the data and information provided in applications for registration.

Article 3

- (1) The pesticides as meant in Article 1 paragraph (1) shall only be :
 - a. imported and or produced by registration holders and or other parties approved by registration holders and in compliance with relevant regulations in force;
 - b. stored and distributed in original containers with labels already approved by the Pesticide Commission;
 - c. used according to the indications as contained column 4 and 5 of Attachment I and columns 5 and 6 Attachment II to this decree, and the instructions on labels already approved by the Pesticide Commission.
- (2) The pesticides as meant in Article 1 paragraph (1) shall not be used by means of aircraft unless this is licensed by the Minister of Agriculture or authorised officials.
- (3) The pesticides as contained in column 2 shall only be distributed in the quantities as contain in column 3 of Attachment II to this decree.

Article 4

- (1) The registration holders as referred to in Article 1 paragraph (1) shall guarantee that :
- a. at the start of distribution the quality of pesticides is in line with the provisions in Article 2;
 - b. the pesticides are distributed in containers and packages according to those mentioned in applicants for registration and approved by the Pesticide Commission;
 - c. every container and package of the pesticides is labelled as meant in the Decree of the Minister of Agriculture No. 429/Kpts/Um/9/1973 and according other provisions in force, and as approved by the Pesticide Commission;
 - d. any information in whatever forms provided by them or by other parties with their approval must be in line with relevant licences as well as data and information provided in their applications for registration.
- (2) The registration holders as referred to in Article 1 paragraph (1) shall be obligated :
- a. to ensure that the quality of pesticides distributed is maintained without undergoing damage which causes the pesticides to become ineffective and or unsafe for distribution and use;
 - b. to withdraw from circulation the pesticides whose quality is not in line with the provisions in force;
 - c. to stop the circulation of pesticides whose containers, packages or labels fail to conform to the provisions in paragraph (1) points b, and c, until the containers, packages or labels are replaced in line with the provisions in force;
 - d. to withdraw information in whatever forms which fails to conform to the provisions in force.
- (3) The registration holders as referred to in Article 1 paragraph (1) shall provide the Secretariat of the Pesticide Commission with :
- a. pure active substances for laboratory examinations of the pesticides as meant in Article 1 paragraph (1);
 - b. samples of pesticide formulas, containers and packages and labels as meant in paragraph (1) points b, and c of this article.

Article 5

The licences as meant in Article 1 paragraph (1) shall be subject to amendment, replacement or revocation in the case of the pesticides as meant in Article 1 paragraph (1) failing to comply with relevant provisions and laws in force, producing undesired side effects, or being found out to have the potential for certain hazards previously unknown.

Article 6

This decree shall come into force as from the date of stipulation.

Stipulated in : Jakarta
On : September 9, 1998

THE MINISTER OF AGRICULTURE
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Prof. Dr.Ir. SOLEH SALAHUDDIN
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