



GOVERNMENT REGULATIONS

ORGANIC FERTILIZER, BIO FERTILIZER AND SOIL REGENATOR

(Regulation of the Agriculture Minister No. 28/Permentan/SR.130/5/2009 dated May 22, 2009)

BY THE GRACE OF GOD ALMIGHTY

THE AGRICULTURE MINISTER,

Considering :

- a. that by Regulation of the Agriculture Minister No. 02/Pert/HK.060/2/2006, provisions on organic fertilizer and soil regenator have been set;
- b. that thank to the advancement of science and technology, not only organic fertilizer and soil regenator but also bio fertilizer industries for the agricultural sector have been growing;
- c. that to conserve the environment and biodiversity, protect consumers/users and give business certainty to producers/business agents, organic fertilizer, bio fertilizer and soil regenator circulating in the territory of the Republic of Indonesia must meet quality standards or minimum technical requirements and their effectiveness can be guaranteed;
- d. that in consideration of the above matters, it is deemed necessary to review Regulation of the Agriculture Minister No. 02/Pert/HK.060/2/2006 and stipulate provisions on organic fertilizer, bio fertilizer and soil regenator;

In view of :

1. Law No. 5/1984 (**BN No. 5267 pages 1A-4A and so on**) on Industrial Affairs (Statute Book of 1984 No. 22, Supplement to Statute Book No. 3274);
2. Law No. 12/1992 on Plant Cultivation System (Statute Book of 1992 No. 46, Supplement to Statute Book No. 3478);
3. Law No. 7/1994 on the Ratification of Agreement Establishing The World Trade Organization (Statute Book of 1994 No. 57, Supplement to Statute Book No. 35);
4. Law No. 10/1995 (**BN No. 5812 pages 4A-20A and so on**) on Customs Affairs (Statute Book of 1995 No. 75, Supplement to Statute Book No. 3611);
5. Law No. 23/1997 on Environmental Management (Statute Book of 1997 No. 68, Supplement to Statute Book No. 3699);
6. Law No. 8/1999 (**BN No. 6321 pages 1A-7A and so on**) on Consumer Protection (Statute Book of 1999 No. 42, Supplement to Statute Book No. 3478);
7. Law No. 32/2004 (**BN No. 7183 pages 1A-11A and so on**) on Regional Government (Statute Book of 2004 No. 125, Supplement to Statute Book No. 4437);
8. Government Regulation No. 85/1999 on Amendment to Government Regulation No. 18/1999 (**BN No. 6427 pages 1A-6A and so on**) on the Management of Hazardous and Toxic Waste (Statute Book of 1999 No. 190, Supplement to Statute Book No. 3910);
9. Government Regulation No. 102/2000 (**BN NO. 6554 pages 1A-7A and so on**) on National Standardization (Statute Book of 2000 No. 199, Supplement to Statute Book No. 4020);
10. Government

10. Government Regulation No. 8/2001 on Plant Cultivation Fertilizer (Statute Book of 2001 No. 14, Supplement to Statute Book No. 4079);
11. Government Regulation No. 58/2001 on the Development and Control of Consumer Protection (Statute Book of 2001 No. 103, Supplement to Statute Book No. 4126);
12. Government Regulation No. 21/2005 on Genetic Engineering Products;
13. Government Regulation No. 38/2007 on the Sharing of Administrative Affairs between the Government, Provincial Governments and Regency/Municipal Governments (Statute Book of 2007 No. 82, Supplement to Statute Book No. 4737);
14. Presidential Decree No. 187/M/2004 (**BN No. 7128 pages 30A-31A**) on the Formation of United Indonesia Cabinet;
15. Presidential Regulation No. 9/2005 (**BN No. 7182 pages 2A-23A**) on the Position, Task, Function, Organizational Structure and Work Mechanism of Ministries of the Republic of Indonesia Adj. Presidential Regulation No. 62/2005;
16. Presidential Regulation No. 10/2005 on the Organizational Unit and Tasks of First Echelon Officials of Ministries of the Republic of Indonesia as has been amended by Presidential Regulation No. 15/2005;
17. Decree of the Agriculture Minister No. 797/Kpts/TP.830/10/1984 on the Entry of Plants into the Territory of the Republic of Indonesia;
18. Decree of the Agriculture Minister No. 237/Kpts/OT.210/4/2003 on Guidance to Control the Procurement, Circulation and Use of Unorganic Fertilizer;
19. Regulation of the Agriculture Minister No. 229/Kpts/OT.140/7/2005 on the Organizational Structure and Work Mechanism of the Agriculture Ministry adj. Regulation of the Agriculture Minister No. 11/Permentan/OT.140/2/2007;
20. Regulation of the Agriculture Minister No. 341/Kpts/OT.140/9/2005 on Supplement to Organizational Structure and Work Mechanism of the Agriculture Ministry adj. Regulation of the Agriculture Minister No. 12/Permentan/OT/140/2/2007;
21. Regulation of the Agriculture Minister No. 02/Pert/HK.060/2/2006 on Organic Fertilizer and Soil Regenerator;
22. Regulation of the Agriculture Minister No. 58/Permentan/OT.14018/2007 on the Implementation of National Standardization System in the Agricultural Field.

DECIDES :

To stipulate :

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

CHAPTER I

GENERAL PROVISIONS

Article 1

Referred to in this Regulation as :

1. Organic fertilizer is fertilizer which originates from plant waste and/or animal manure and has gone through an engineering process, in solid or liquid form, and can be enriched with natural and/or microbe minerals useful to enrich nutrient, soil organic substance, improve physical and chemical characteristics and soil biology.

2. Bio fertilizer is active biological fertilizer which consists of microbes capable of improving fertilizing, fertility and land health efficiently.
3. Soil regenerator is synthetic or natural, organic or mineral substances in solid and liquid forms capable of improving physical, chemical characteristics and soil biology.
4. Organic fertilizer formula is a composition of organic substances and natural minerals forming organic fertilizer.
5. Bio fertilizer formula is a composition of microbes/microfauna and bio fertilizer-forming carrier.
6. Soil regenerator formula is a composition of natural minerals and/or synthetic/organic substances forming soil regenerator.
7. Organic fertilizer formula engineering is a series of engineering activities, chemically, physically and/or biologically to produce organic fertilizer formula.
8. Bio fertilizer formula engineering is a series of bio fertilizer engineering activities, chemically, physically and/or biologically to produce bio fertilizer formula.
9. Soil regenerator formula engineering is a series of soil regenerator engineering activities, chemically, physically and/or biologically to produce soil regenerator formula.
10. Organic fertilizer quality test is an analysis of nutrient content, heavy metal mineral and patogene microbe conducted at a laboratory based on the given analysis method.
11. Bio fertilizer quality test is an analysis of content: type, population and function of microbe/microfauna as well as patogene microbe conducted at a laboratory based on the given analysis method.
12. Soil regenerator quality test is an analysis of soil regenerator content conducted at a laboratory based on the given analysis method.
13. Certificate of quality test is a written guarantee issued by an agency certifying that the product has met the specified quality standard.
14. Statement of quality is a written statement issued by a quality test agency to state that the product has met the specified quality standard.
15. Quality standard of organic fertilizer is the content of organic fertilizer set by the National Standardization Board in the form of SNI or that set by the Agriculture Minister in the form of minimum technical requirements.
16. Quality standard of bio fertilizer is the minimum requirement of the type and population of microbe/microfauna set in this regulation.
17. Quality standard of soil regenerator is the content of soil regenerator set by the National Standardization Board in the form of SNI or that set by the Agriculture Minister in the form of minimum technical requirements.
18. Effectiveness test of organic fertilizer is a field or greenhouse test conducted to know the impact of organic fertilizer on the growth and/or productivity of plant, efficient fertilizing or improved soil fertility.
19. Effectiveness test of bio fertilizer is a field or greenhouse test conducted to know the impact of bio fertilizer on the growth and productivity of plant, efficient fertilizing, improved soil fertility or health.
20. Effectiveness test of soil regenerator is a laboratory, greenhouse or field test conducted to know the impact of soil regenerator on the improvement of physical, chemical characteristics and land biology.

21. Minimum technical requirements of organic fertilizer, bio fertilizer and soil regenerator are a quality standard required and set forth in this regulation.
22. Procurement of organic fertilizer, bio fertilizer or soil regenerator is the act of providing organic fertilizer, bio fertilizer or soil regenerator, either from domestic or foreign production.
23. Circulation is an activity or a series of activities carried out to distribute organic fertilizer, bio fertilizer or soil regenerator at home either to be traded or not.
24. Use is the activity carried out by users to use organic fertilizer, bio fertilizer or soil regenerator.
25. Surveillance is a series of activities conducted to check production, circulation, storing, and use of organic fertilizer, bio fertilizer or soil regenerator to ensure their quality and effectiveness without disturbing human health and environmental conservation.
26. Corporate body is a company with or without legal status.
27. Director General of Technical Development of Plant Commodities includes the Director General of Food Crops, the Director General of Plantation, the Director General of Horticulture, the Director General of Husbandry and the Director General of Fish Farming.
28. Head of the Center is the Head of the Licencing and Investment Center.

Article 2

- (1) This Regulation is intended to serve as a legal basis for the procurement, registration, circulation, use and surveillance of organic fertilizer, bio fertilizer and soil regenerator.

- (2) This Regulation is aimed to protect the environment, soil bio diversity, consumers/users, as well as to give business certainty to the producers/business agents of organic fertilizer, bio fertilizer and soil regenerator.

Article 3

The scope of this Regulation shall cover procurement, registration terms, registration procedures, registration fees, circulation, use, surveillance, obligation, development, sanctions, transitional provisions and concluding provisions.

CHAPTER II PROCUREMENT

Article 4

- (1) The procurement of organic fertilizer, bio fertilizer and soil regenerator can be conducted through domestic production and/or import.
- (2) Organic fertilizer, bio fertilizer and soil regenerator of import origin shall meet test requirements and pass an environmental risk test.
- (3) Bio fertilizer containing transgenic microbe shall follow the regulation on the bio security of genetic engineering products.
- (4) Organic fertilizer, bio fertilizer or soil regenerator as referred to in paragraph (1) shall meet quality standards or minimum technical requirements as well as their effectiveness shall be guaranteed.
- (5) The procurement of organic fertilizer, bio fertilizer or soil regenerator as referred to in paragraph (1) can be conducted by a corporate body.

Article 5

- (1) A corporate body that produces organic fertilizer, bio fertilizer or soil regenerator shall secure a permit from the relevant regent/mayor.
- (2) In issuing a permit as referred to in paragraph (1) the regent/mayor shall observe the law and regulation in the industrial field.

Article 6

- (1) Organic fertilizer, bio fertilizer or soil regenerator produced as referred to in Article 5 shall originate from organic fertilizer formula, bio fertilizer formula or soil regenerator formula as a result of engineering.
- (2) Organic fertilizer formula, bio fertilizer formula or soil regenerator formula as referred to in paragraph (1) shall meet quality standards or minimum technical requirements as referred to in Article 4 paragraph (4) and pass a quality test and effectiveness test.
- (3) The quality standards or minimum technical requirements as referred to in Article 4 paragraph (4) shall be as contained in Attachment I which is an integral part of this Regulation.

Article 7

- (1) The import of organic fertilizer, bio fertilizer or soil regenerator to the territory of the Republic of Indonesia as referred to in Article 4 paragraphs (1) and (2) can be conducted by a corporate body after securing a business permit according to the law.
- (2) Organic fertilizer, bio fertilizer and/or soil regenerator of import origin as referred to in paragraph (1) shall meet quality standards or minimum technical requirements

and pass a quality test and effectiveness test as well as environmental risk test as referred to in Article 6 paragraph (3).

- (3) The import of organic fertilizer, bio fertilizer or soil regenerator as referred to in paragraphs (1) and (2) shall follow the law and regulation on agricultural quarantine.

CHAPTER III

REGISTRATION TERMS

Article 8

- (1) Organic fertilizer formula, bio fertilizer formula or soil regenerator formula to be used in the interests of the agricultural sector shall meet quality standards or minimum technical requirements, effectiveness guarantee, and shall be registered with the Agriculture Minister.
- (2) Organic fertilizer formula, bio fertilizer formula or soil regenerator formula to be registered shall be based on the results of a quality test and effectiveness test conducted by the accredited or appointed test agency.

Article 9

- (1) Organic fertilizer formula, bio fertilizer formula or soil regenerator formula to be registered as referred to in Article 8 shall be given formula trade mark.
- (2) The formula trade mark as referred to in paragraph (1) shall not use the same name or almost the same name as that of other formula trade marks already registered, except by the same company.
- (3) The naming of formula trade mark shall not be linked to the type and element of fertilizer showing the model of formula.

Article 10

A corporate body can apply for the registration of organic fertilizer formula, bio fertilizer formula or soil regenerator formula by enclosing :

- a. Articles of corporation and amendment (for a corporate body);
- b. Trade permit/certificate of company registration/recommendation (for foreign investment companies/domestic investment companies (PMA/PMDN));
- c. Taxpayer code number (NPWP);
- d. Residence identification card of the responsible person;
- e. Certificate of company's domicile;
- f. relevant formula owner or proxy;
- g. Agent appointed by foreign formula owner; and
- h. Certificate of mark or registration letter of mark from the authorized agency.

CHAPTER IV

REGISTRATION PROCEDURE

Part One

Application for Registration

Article 11

- (1) Any application for the registration of organic fertilizer, bio fertilizer or soil regenerator as referred to in Article 10 shall be filed in writing to the Agriculture Minister through the Head of the Center, with adequate duty stamp according to the law, using the form as contained in Attachment II which is an integral part of this Regulation.
- (2) The application as referred to in paragraph (1) shall carry the requirements as referred to in Article 10.

Article 12

- (1) The Head of the Center, after receiving the application as referred to in Article 11 in a complete way, no later than 10 (ten) work days, shall examine documents and accept or reject the application.
- (2) If the application as referred to in paragraph (1) is accepted, the applicant will be required to conduct a quality test of organic fertilizer formula, bio fertilizer formula or soil regenerator formula registered.
- (3) If the application as referred to in paragraph (1) is rejected, the rejection shall be notified to the applicant, along with reasons for the rejection in writing.
- (4) If after the period of 10 (ten) work days as referred to in paragraph (1) has passed the Head of the Center has not given an answer whether or not to accept the application, the application shall be considered accepted and the applicant will be required to conduct a quality test of organic fertilizer, bio fertilizer or soil regenerator formula registered.

Part Two

Test

Article 13

- (1) To ensure that organic fertilizer formula, bio fertilizer formula or soil regenerator formula as referred to in Article 8 paragraph (1) can meet quality standards and minimum technical requirements, a quality test and effectiveness test shall be conducted.
- (2) The quality test and effectiveness test as referred to in paragraph (1) for organic fertilizer, bio fertilizer or soil regenerator of import origin shall only apply to organic fertilizer, bio fertilizer or soil regenerator which is for the first time imported to the territory of the Republic of Indonesia.

- (3) The quality test and effectiveness test as referred to in paragraph (1) shall be conducted by an accredited or appointed test institute as contained in Attachment III which is an integral part of this Regulation.

Article 14

Organic fertilizer, bio fertilizer or soil regenerator of import origin shall be subject to a quality test and effectiveness test as referred to in Article 13 in addition to fulfilling provisions on the protection of bio diversity pursuant to Article 4 paragraph (2).

Article 15

- (1) The appointment of a test agency as referred to in Article 13 paragraph (3) shall be based on the following requirements:
- a. having a laboratory that meets qualifications;
 - b. having instruments that meet qualifications to conduct a quality test of organic fertilizer, bio fertilizer and soil regenerator;
 - c. having a plot of land and other facilities enough to conduct effectiveness test;
 - d. employing an expert or analyst to conduct a quality test of organic fertilizer, bio fertilizer and soil regenerator;
 - e. being able to conduct a test on organic fertilizer, bio fertilizer and soil regenerator based on the specified analysis method.
- (2) The verification of worthiness of a quality and effectiveness test agency as referred to in paragraph (1) shall be conducted by the agency at the Agriculture Ministry assigned to handle standardization and accreditation.

Article 16

- (1) The sampling of organic fertilizer, bio fertilizer or soil regenerator in solid form shall refer to SNI No. 19-0428-1989 and in liquid form to SNI 19-0429-1989.
- (2) In conducting tests, the test agency as referred to in Article 13 paragraph (3) shall use quality and effectiveness tests of organic fertilizer, bio fertilizer and soil regenerator as contained in Attachment IV and Attachment V which are an integral part of this Regulation.
- (3) The assessment of the results of a quality test and effectiveness test shall be based on quality standards or minimum technical requirements as referred to in Article 6 paragraph (3).

Article 17

The sampling by a quality test and effectiveness test of organic fertilizer, bio fertilizer and soil regenerator as referred to in Article 16 paragraphs (1) and (2) may be altered according to developments in science and technology.

Article 18

- (1) Organic fertilizer formula, bio fertilizer formula and soil regenerator formula that meet quality standards or minimum technical requirements and effectiveness as referred to in Article 6 paragraph (3) shall be declared passing the test by a test institute according to provisions on passing an effectiveness test in Attachment VI which is an integral part of this Regulation and be given a certificate of formula.
- (2) The test institute as referred to in paragraph (1) shall be held responsible for the results of tests conducted according to the procedure of reporting an effectiveness

test as contained in Attachment VII which is an integral part of this Regulation.

Part Three

The Issuance of Registration Numbers

Article 19

Organic fertilizer formula, bio fertilizer formula or soil regenerator formula that has secured a certificate from the test institute as referred to in Article 18 paragraph (1), before being produced and/or circulated, shall be given registration numbers by the Agriculture Ministry.

Article 20

- (1) To obtain registration numbers as referred to in Article 19, the applicant shall submit the results of a quality test and effectiveness test to the Head of the Center using the form as contained in Attachment VIII which is an integral part of this Regulation, accompanied by a concept of label.
- (2) The head of the center, no later than 7 (seven) work days since receiving the results of quality test and effectiveness test as referred to in paragraph (1) shall complete assessment and give an answer as to whether to accept or reject them.
- (3) If the assessment of the results of a quality test and effectiveness test is accepted as referred to in paragraph (2), organic fertilizer formula, bio fertilizer formula or soil regenerator formula shall be given a registration number by the Agriculture Minister.
- (4) If the assessment of the results of a quality test and effectiveness test is rejected as referred to in paragraph (2), organic fertilizer formula, bio fertilizer formula or soil regenerator formula shall not be given

a registration number and be notified in writing to the applicant by providing reasons for the rejection.

- (5) If within a period of 7 (seven) work days the Head of the Center has not given an answer as to whether to accept or reject it as referred to in paragraph (2), the assessment of the results of quality test and effectiveness test shall be considered accepted and organic fertilizer formula, bio fertilizer formula or soil regenerator formula shall be given a registration number.

Article 21

- (1) The registration number as referred to in Article 20 paragraph (3) shall be valid for a period of 5 (five) years, and can be extended for another period of 5 (five) years.
- (2) The extension of the validity period of the registration number as referred to in paragraph (1) can be granted if organic fertilizer formula, bio fertilizer formula or soil regenerator formula still meets quality requirements.
- (3) After the period of registration number has been extended for another 5 (five) years as referred to in paragraph (1) the holder of registration number shall renew it.
- (4) The renewal of the registration number as referred to in paragraph (3) shall be made according to this Regulation.

Article 22

- (1) Organic fertilizer formula, bio fertilizer formula or soil regenerator formula that has been given the registration number as referred to in Article 20 can be produced in and/or imported to the territory of the Republic of Indonesia.

(2) Organic fertilizer formula, bio fertilizer formula or soil regenerator formula as referred to in paragraph (1) shall meet quality standards or minimum technical requirements and their effectiveness can be guaranteed.

Article 23

- (1) The registration number as referred to in Article 20 can move or can be transferred to other party because of :
- a. legacy;
 - b. grant;
 - c. testament;
 - d. agreement in the form of notarial deed; or
 - e. other causes justified by the law.
- (2) The transfer as referred to in paragraph (1) letter b, c, d, or e can be made after securing approval from the Agriculture Minister.
- (3) The registration number that moves or is transferred to other party shall be registered with the Head Office of the Agricultural Licencing and Investment.

CHAPTER V

REGISTRATION FEES

Article 24

Fees on the registration of organic fertilizer, bio fertilizer or soil regenerator constitute non-tax state revenue (PNBP) that must be paid to the State Treasury and the amount of fees and the procedure of payment are set based on the law.

Article 25

(1) Fees on the quality test and/or effectiveness test conducted by a private test institute shall be set by the relevant test institute.

(2) Fees on the quality test conducted by a government test institute constitute non-tax state revenue (PNBP) that must be paid to the State Treasury and the amount of fees and the procedure of payment are set based on the law.

CHAPTER VI

CIRCULATION

Article 26

- (1) Organic fertilizer, bio fertilizer or soil regenerator in circulation shall meet quality standards or minimum technical requirements, carry labels and their effectiveness can be guaranteed as referred to in Article 6 paragraph (3);
- (2) The labels as referred to in paragraph (1) shall be made in Indonesian language and contain at least trade name, types (organic fertilizer, bio fertilizer or soil regenerator), composition, net volume/weight, name and address of producer (domestic production) or distributor (import), registration number and expired date.
- (3) The composition as referred to in paragraph (2) shall be registered composition.
- (4) The labels as referred to in paragraph (1) shall be put in waterproof packages and can be easily seen, clearly read and cannot easily be damaged.

CHAPTER VII

USE

Article 27

(1) The type and use of organic fertilizer, bio fertilizer or soil regenerator shall consider productivity and environmental conservation.

- (2) The type and procedure of using organic fertilizer, bio fertilizer or soil regenerator as referred to in paragraph (1) are to be stipulated by the Director General of Technical Development of Plant Commodities.

Article 28

Counselling on the use of organic fertilizer, bio fertilizer or soil regenerator shall be conducted by observing the principles of efficiency and effectiveness as well as environmental health.

CHAPTER VIII SURVEILLANCE

Article 29

Surveillance is conducted to improve the effectiveness and efficiency of organic fertilizer, bio fertilizer, and soil regenerator by protecting the environment, biodiversity and the interests of consumers/users and business agents.

Article 30

- (1) The surveillance of organic fertilizer, bio fertilizer, and soil regenerator shall be conducted as follows:
- a. at the level of formula engineering, the surveillance becomes the authority of the Agriculture Minister;
 - b. at the level of procurement, circulation and use the surveillance becomes the authority of regents/mayors under the coordination of the governor.
- (2) The surveillance over the procurement, circulation and use of organic fertilizer, bio fertilizer, and soil regenerator as referred to in paragraph (1) shall be conducted in an integrated and coordinated way.

Article 31

- (1) The surveillance at the level of engineering as referred to in Article 30 paragraph (1) letter a shall be conducted by fertilizer supervisory officers.
- (2) The fertilizer supervisory officers as referred to in paragraph (1) shall supervise the application of quality standards or minimum technical requirements of organic fertilizer, bio fertilizer or soil regenerator, the realization of quality and effectiveness tests and the use of registration numbers.
- (3) The fertilizer supervisory officers as referred to in paragraph (1) shall be civil servants of the Agriculture Ministry and appointed and dismissed by the Agriculture Minister.

Article 32

- (1) The surveillance at the level of procurement, circulation and use as referred to in Article 30 paragraph (1) letter b shall be conducted by fertilizer supervisory officers appointed by regents/mayors.
- (2) The fertilizer supervisory officers as referred to in paragraph (1) shall be civil servants of the agencies responsible for the development and control of the procurement, circulation and use of organic fertilizer, bio fertilizer and soil regenerator.

Article 33

A corporate body that conducts the procurement of organic fertilizer, bio fertilizer or soil regenerator shall allow the fertilizer supervisory officers as referred to in Articles 31 and 32 to conduct development and surveillance at its business site.

- a. audit the production process of organic fertilizer, bio fertilizer or soil regenerator;
 - b. inspect the storing places and packaging methods;
 - c. take samples of organic fertilizer, bio fertilizer or soil regenerator for quality test;
 - d. audit documents and reports;
 - e. conduct an audit to see to it that requirements of permits for the procurement and/or circulation of organic fertilizer, bio fertilizer or soil regenerator have been fulfilled.
- (2) If fertilizer supervisory officers have strong assumption that there has been falsification of and/or damage to organic fertilizer, bio fertilizer or soil regenerator in circulation, they can temporarily stop the circulation of organic fertilizer, bio fertilizer or soil regenerator at their jurisdiction no later than 30 (thirty) days to conduct a quality test.
- (3) If after the period of time as referred to in paragraph (2) has passed no decision on the alleged falsification of and/or damage to organic fertilizer, bio fertilizer or soil regenerator has been made, the step taken by fertilizer supervisory officers to temporarily stop the circulation of organic fertilizer, bio fertilizer or soil regenerator shall be terminated for the sake of the law.
- (4) If the results of a quality test as referred to in paragraph (2) show that the organic fertilizer, bio fertilizer or soil regenerator does not accord with the label or is damaged, the fertilizer supervisory officer shall propose to the regent/mayor concerned to withdraw the organic fertilizer, bio fertilizer or soil regenerator from circulation.

be appointed as a civil servant investigator according to the law.

CHAPTER IX

OBLIGATION

Article 36

- (1) Test institutes shall keep the secrecy of organic fertilizer formula, bio fertilizer formula or soil regenerator formula they have tested.
- (2) Registration officers shall keep the secrecy of organic fertilizer formula, bio fertilizer formula or soil regenerator formula for which registration is sought.
- (3) The head of the center shall manage a book of registration numbers and record all changes in the subject and object of organic fertilizer, bio fertilizer or soil regenerator registered.

Article 37

Producers and/or importers shall be responsible for the quality of their products and put registration numbers in the place on the labels which can easily be seen and read and cannot easily be omitted.

Article 38

The holders of registration numbers shall report any change in the subject of registration number to the head of the center to record it in the book of registration numbers and to change a decision on the granting of registration number.

Article 39

The holders of registration numbers shall convey reports to the head of the center on procurement covering among others production, import, and distribution of organic fertilizer, bio fertilizer, or soil regenerator once every 6 (six) months using a form as contained in Attachment IX which is an integral part of this Regulation, with a copy addressed to the Director General of the Technical Development of Plant Commodities.

CHAPTER X

Guidance

Article 40

- (1) Organic fertilizer, bio fertilizer and/or soil regenerator producers whose products are not circulated and/or have not met quality standards or minimum technical requirements as referred to in Article 6 paragraph (3) will be given guidance on the production of organic fertilizer, bio fertilizer and/or soil regenerator.
- (2) Provisions on the production of organic fertilizer, bio fertilizer and/or soil regenerator as referred to in paragraph (1) will be stipulated in a separate regulation.

CHAPTER XI

SANCTIONS

Article 41

Quality test institutes which prove irresponsible for the results of the test as referred to in Article 18 paragraph (2) or do not keep the secrecy as referred to in Article 36 paragraph (1) shall be given written warnings and reported to the authorized official by the head of the center to impose sanctions in accordance with the law.

Article 42

Registration officers who prove unable to keep the secrecy of organic fertilizer formula, bio fertilizer formula or soil regenerator formula before the registration number as referred to in Article 36 paragraph (2) has been set shall be liable to disciplinary sanction imposed by the authorized official in accordance with the law on personnel affairs.

Article 43

Heads of centers who prove unable to manage a book of registration numbers and register all changes in the subject and object of organic fertilizer, bio fertilizer or soil regenerator registered as referred to in Article 36 paragraph (3) shall be liable to disciplinary sanction imposed by the authorized official in accordance with the law.

Article 44

Producers or importers of organic fertilizer, bio fertilizer or soil regenerator who do not guarantee the quality of their products, put registration numbers in the labels as referred to in Article 37 nor report any change in the holder of registration number as referred to in Article 38 shall have their registration numbers revoked by the Agriculture Minister, and be proposed to the authorized official to revoke their production or import permits and withdraw their production from circulation, accompanied by sanction according to the law.

Article 45

The withdrawal of organic fertilizer, bio fertilizer or soil regenerator from circulation as referred to in Article 44 shall be conducted by the relevant producers and/or

importers

importers of organic fertilizer, bio fertilizer or soil regenerator at their own cost.

Article 46

If in 2 (two) consecutive years the producers of organic fertilizer, bio fertilizer or soil regenerator that have secured registration numbers do not carry out production and/or import nor submit a report on the procurement and distribution of organic fertilizer, bio fertilizer or soil regenerator shall have their registration numbers revoked by the Agriculture Minister.

Article 47

The surveillance of procurement, circulation and use as referred to in Article 29 shall mutatis mutandis be conducted under Decree of the Agriculture Minister No. 237/Kpts/OT.210/4/2003.

CHAPTER XII

OTHER PROVISIONS

Article 48

- (1) The producers of organic fertilizer, bio fertilizer or soil regenerator can serve orders by special formula in the physical form of organic fertilizer, bio fertilizer or soil regenerator in accordance with those registered and used directly by the persons putting the orders.
- (2) The special formula as referred to in paragraph (1) shall not necessarily be registered in accordance with this Regulation.

Article 49

The producers of organic fertilizer, bio fertilizer or soil regenerator can serve orders by special formula as re-

ferred to in Article 48 and report them to the Agriculture Minister.

Article 50

Organic fertilizer, bio fertilizer or soil regenerator as referred to in Article 49 shall be prohibited to be circulated and used in the interests of the public.

CHAPTER XIII

TRANSITIONAL PROVISIONS

Article 51

- (1) Organic fertilizer, bio fertilizer or soil regenerator which has been registered before this Regulation is put into force shall remain valid until the expiry of its registration number.
- (2) Applications for the registration of organic fertilizer, bio fertilizer or soil regenerator which before this Regulation is put into force is being or has been tested will constantly be processed in accordance with the previous regulation.
- (3) Organic fertilizer, bio fertilizer or soil regenerator which before this Regulation is put into force is in the process of being registered but has not been tested shall be treated in accordance with this Regulation.

CHAPTER XIV

CONCLUSION

Article 52

The import of plant growing media in the form of soil and compost other than organic fertilizer, bio fertilizer or soil regenerator shall remain subject to Decree of the Agriculture Minister No. 797/Kpts/TP.830/10/1984.

Article 53

When this Regulation takes effect, Regulation of the Agriculture Minister No. 02/Pert/HK.060/2/2006 shall be declared null and void.

Article 54

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

For public cognizance, this Regulation of the Agriculture Minister shall be promulgated by placing it in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

on May 22, 2009

THE AGRICULTURE MINISTER,

sgd.

ANTON APRIYANTONO

====(S)====