

**REQUIREMENTS AND PROCEDURE FOR PLANT QUARANTINE ACTIONS
ON THE ENTRY OF CARRIER MEDIA OF ORGANISMS DISTURBING
QUARANTINED PLANTS INTO THE TERRITORY OF
THE REPUBLIC OF INDONESIA**

(Regulation of the Minister of Agriculture No. 09/Permentan/OT.140/2/2009, dated February 6, 2009).

WITH THE BLESSING OF THE ONE AND ONLY GOD,
THE MINISTER OF AGRICULTURE,

Decree of the Minister of Agriculture No. 38/Kpts/
HK.310/1/90 is not suitable any more and is necessary
to be reviewed;

Considering :

- a. that by Decree of the Minister of Agriculture No. 38/
Kpts/HK.310/1/90, requirements and quarantine actions
on plants for the entry of plants and seeds into the
territory of the Republic of Indonesia had been stipu-
lated;
- b. that with the developments of science and technology,

- c. that based on the above issues and as a follow-up of
the message of Article 27 of Government Regulation
No. 14 Year 2002 concerning Plant Quarantine, it is
deemed necessary to stipulate requirements and pro-
cedure for quarantine actions on plants on the entry of
carrier media of disturbing organisms to quarantined
plants into the territory of the Republic of Indonesia;

In view of:

1. Law No. 12 Year 1992 (**BN No. 5267 pages 1A-4A and so on**) concerning Vegetation Cultivation System (Statute Book Year 1992 No. 46, Supplement to Statute Book No. 3478);
2. Law No. 16 Year 1992 (**BN No. 5300 pages 17A-19A and so on**) concerning Quarantine on Animals, Fish and Plants (Statute Book Year 1992 No. 56, Supplement to Statute Book No. 3482);
3. Law No. 7 Year 1994 concerning Ratification of Agreement Establishing the World Trade Organization (Statute Book Year 1994 No. 57, Supplement to Statute Book No. 3564);
4. Law No. 10 Year 1995 (**BN No. 5812 pages 19A-20A and so on**) concerning Customs (Statute Book Year 1995 No. 75, Supplement to Statute Book No. 3612);
5. Government Regulation No. 6 Year 1995 (**BN No. 5700 pages 22A-25A and so on**) concerning Plant Protection (Statute Book Year 1995 No. 12, Supplement to Statute Book No. 3586);
6. Government Regulation No. 44 Year 1995 concerning Plant Culture Medium (Statute Book Year 1995 No. 85, Supplement to Statute Book No. 3616);
7. Government Regulation No. 14 Year 2002 (**BN No. 6781 pages 15A-32A and so on**) concerning Plant Quarantine (Statute Book Year 2002 No. 35, Supplement to Statute Book No. 4196);
8. Presidential Decree No. 2 Year 1977 concerning Ratification of International Plant Protection Convention (Revised Text of International Plant Protection Convention 1951);
9. Presidential Decree No. 58 Year 1992 (**BN No. 5350 page 4A**) concerning Ratification of Plant Protection Agreement for the Asia and Pacific Regions;
10. Presidential Decree No. 187/M Year 2004 (**BN No. 7128 pages 30A-31A**) concerning Establishment of Indonesia United Cabinet;
11. Presidential Regulation No. 9 Year 2005 (**BN No. 7182 pages 2A-23A**) concerning Position, Mission, Functions, Organization Composition, and Work Mechanism of State Ministries of the Republic of Indonesia in conjunction with Presidential Regulation No. 62 Year 2005;
12. Presidential Regulation No. 10 Year 2005 concerning Organization Units and Duties of Echelon-I of State Ministries of the Republic of Indonesia;
13. Decree of the Minister of Agriculture No. 411/Kpts/TP.120/6/95 concerning Entry of Bio-agents into the territory of the Republic of Indonesia;
14. Decree of the Minister of Agriculture No. 469/Kpts/HK.310/8/2001 concerning Entry and Exit Places of Carrier Media of Disturbing Organisms to Quarantined Plants;
15. Regulation of the Minister of Agriculture No. 299/Kpts/OT.140/7/2005 concerning Organization and Work Mechanism of the Department of Agriculture in conjunction with Agriculture Minister Regulation No. 11/Permentan/OT.140/2/2007;
16. Regulation of the Minister of Agriculture No. 341/Kpts/OT.140/9/2005 concerning Organization Accessories and Work Mechanism of the Department of Agriculture in conjunction with Agriculture Minister Regulation No. 12/Permentan/OT.140/2/2007;

17. Decree of the Minister of Agriculture No. 38/Kpts/HK.060/1/2006 concerning Types of Organisms Disturbing Quarantined Plants Group I category A1 and A2, Group II category A1 and A2, Parent Plants, carrier media and its Spreading Area;
18. Regulation of the Minister of Agriculture No. 22/Permentan/OT.140/4/2008 concerning Organization and Work Mechanism of Agriculture Quarantine Technical Performing Units;

In view of :

International Standards for Phytosanitary Measures (ISPMs) issued by the Secretariat of International Plant Protection Convention;

DECIDES :

To stipulate:

THE REGULATION OF THE MINISTER OF AGRICULTURE CONCERNING REQUIREMENTS AND PROCEDURE FOR QUARANTINE ACTIONS ON PLANTS ON THE ENTRY OF CARRIER MEDIA OF DISTURBING ORGANISM TO QUARANTINED PLANTS INTO THE TERRITORY OF THE REPUBLIC OF INDONESIA.

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Regulation, terms used are:

1. Plant Quarantine is an action as an effort to prevent the entry and spread of Plant-Disturbing Organisms

from overseas and from an area to other areas domestically or its exit from the territory of the Republic of Indonesia.

2. Plant-Disturbing Organisms, hereinafter referred to as OPT are all organisms likely to damage, disturb the life of and/or cause the death of plants.
3. Organisms Disturbing Quarantined Plants, hereinafter referred to as OPTK are all OPTs stipulated by the Minister, the entry there-of into and its spread within the territory of the Republic of Indonesia, shall be prevented.
4. Organisms Disturbing Essential Plant , hereinafter referred to as OPTP are OPTs other than OPTK, the existence there-of in the traffic of plant seeds can cause effects that can impose losses economically to the purpose on the use of the plant seeds, and stipulated by the Minister to be subjected to quarantine actions on plants.
5. OPTK and/or OPTP carrier media, hereinafter referred to as carrier media, are plants and parts there-of and/or other substances likely to carry OPTK and/or OPTP.
6. Plants are all kinds of phyto-natural resources, alive or dead, either not yet processed or having been processed.
7. Other substances are among others bio-control means, cultivated organisms, ground, composts, organic fertilizer, or other plant growth media, and vectors.
8. OPTK Group I are OPTK that cannot be cleaned from carrier media by treatment methods.
9. OPTK Group II are OPTKs that can be cleaned from carrier media by treatment methods.
10. Quarantine Action on Plants, hereinafter referred to as quarantine actions, is an action performed by Plant

Quarantine Officers in the form of checks, isolation, observation, treatment, detention, rejection, destruction and/or cleaning of carrier media.

11. Risk Analysis on Plant-Disturbing Organisms, hereinafter referred to as, is a process to stipulate that an OPT is either OPTK or OPTP, and to determine quarantine terms and actions suitable to prevent the entry and spread of OPT.
12. Transportation means of carrier media are all land, water and air transportation means used for the traffic of carrier media.
13. Entry places are all sea ports, river ports, ferry ports, airports, post offices, border posts with other countries that had been stipulated as places for the entry of carrier media from overseas.
14. Dispatched goods are cargos or goods sent by post from overseas to be entered into the territory of the Republic of Indonesia.
15. Carried goods are goods other than dispatched goods carried directly by the owner from overseas, among others in the form of hand carried goods and/or baggage.
16. Plant quarantine installation, hereinafter referred to as quarantine installation, is a place with all of its facilities used to perform quarantine actions.
17. Country of origin is the country where the carrier media originates and/or the country where the carrier media received its health status.
18. Country of transit is the country other than the country of origin where the carrier media stopped over temporarily and/or stored, broken down, changed as of its packaging, or left in the open, hence there is a possibility of infestation or contamination of OPTK before the carrier media arrived in the territory of the Republic of Indonesia.
19. National Plant Protection Organization, hereinafter referred to as NPPO, is a government organization of a country handling plant protection nationally.
20. Carrier media owner, hereinafter referred to as owner, is an individual or legal entity possessing a carrier media and/or is responsible on the entry or transit of carrier media.
21. Plant Quarantine Officer is a functional official on the control of Plant-Disturbing Organism, working in the Plant Quarantine Agency.
22. Plant Health Certificate is a statement letter issued by the official having the authority in the country of origin/transit stating that the plant or parts there-of stated there-in is free from OPT, OPTK, and/or OPTP, and had met stipulated requirements on plant quarantine and/or stating other necessary information.
23. Transiting carrier media is carrier media stopping over temporarily and unloaded from its transportation means within the territory of the Republic of Indonesia before the carrier media reached its destination.
24. Epidemic or explosion is an OPT attack having a sudden nature, with a fast developing population and spreading widely at a rapid pace.
25. Country with high risk is a country having a strong potential as a place for the source of the spread of OPT.
26. Administrative check action is a series of activities performed to know the completeness, validity, and truth of the content of documents.
27. Health checking action is a series of activities performed on carrier media to detect and identify the existence of OPTK and/or OPTP in the carrier media, performed visually and with laboratory method.

Article 2

- (1) This Regulation is purported to be used as basis for the execution of quarantine actions by Plant Quarantine Officers on the entry of carrier media into the territory of the Republic of Indonesia, and for individuals or legal entities in the import of carrier media into the territory of the Republic of Indonesia.
- (2) The purpose of this Regulation is to prevent the entry of OPTK and/or OPTP and to provide a certainty for the performance of quarantine actions on carrier media entered into the territory of the Republic of Indonesia.

Article 3

Coverage of this Regulation are:

1. Plant quarantine requirements;
2. Quarantine actions on carrier media entered into the territory of the Republic of Indonesia;
3. Quarantine actions on carrier media re-entered into the territory of the Republic of Indonesia;
4. Notification of non-compliance;
5. Recognition and equivalence; and
6. Retribution on quarantine action services.

CHAPTER II

REQUIREMENTS OF PLANT QUARANTINE

Part One

General

Article 4

- (1) Any carrier media entered into the territory of the Republic of Indonesia, must:
 - a. be equipped with plant health certificate from the country of origin and/or country of transit for plants

and parts there-of, except for carrier media categorized as other substances;

- b. pass thru stipulated entry places; and
 - c. be reported and delivered to Plant Quarantine Officers at entry places for the purpose of quarantine actions.
- (2) The use of plant health certificate from the country of origin and/or country of transit as meant in paragraph (1) letter a in electronic model is valid if:
 - a. its method of issuance and security has been approved by the Agriculture Quarantine Agency;
 - b. information set forth in the plant health certificate is in accordance with the model stipulated by International Plant Protection Convention (IPPC);
 - c. terms for the issuance is in accordance with provisions of IPPC; and
 - d. identity of the issuing agency is clear and easily recognizable.
 - (3) Provisions of the validity of plant health certificate from the country of origin and/or country of transit referred to in paragraph (1) letter a, and the reporting and delivery of the carrier media referred to in paragraph (1) letter c is as set forth in Attachment-I constituting an inseparable part of this Regulation.
 - (4) Changes to Attachment-I as referred to in paragraph (3) shall further be stipulated by the Head of Agriculture Quarantine Agency on behalf of the Minister of Agriculture.

Article 5

- (1) If the health certificate referred to in Article 4 in accordance with statutory regulations cannot be issued by the agency having the authority in the country of

origin, quarantine actions on such carrier media shall be taken.

- (2) The carrier media referred to in paragraph (1) in the form of result of dead plants having undergone the processing process is as set forth in Attachment-II constituting an inseparable part of this Regulation.
- (3) Changes to Attachment-II referred to in paragraph (2) shall further be stipulated by the Head of Agriculture Quarantine Agency on behalf of the Minister of Agriculture.

Part Two

Additional Obligations

Article 6

Every carrier media imported into the territory of the Republic of Indonesia, besides having to fulfill the requirements referred to in Article 4, may be subjected to additional obligations.

Article 7

- (1) The additional obligations referred to in Article 6 shall be imposed in a situation that is stipulated based on the result of AROPT valued as having the potentials likely to cause the spread of plant-disturbing organisms.
- (2) The additional obligations referred to in paragraph (1) can be in the form of:
 - a. technical requirements; and/or
 - b. requirements on the completeness of documents.
- (3) Provisions on technical requirements and/or requirements on the completeness of documents referred to in paragraph (2) shall further be stipulated by the Head of Agriculture Quarantine Agency.

Article 8

- (1) AROPT on the entry of carrier media in the condition referred to in Article 7 paragraph (1) shall be performed by a Plant Quarantine Officer, and its result shall be legalized by the Head of Agriculture Quarantine Agency based on a recommendation of the AROPT Team.
- (2) The AROPT Team referred to in paragraph (1) shall be formed by the Head of Agriculture Quarantine Agency.
- (3) Procedure on the performance of AROPT referred to in paragraph (1) is as set forth in Attachment-III constituting an inseparable part of this Regulation.
- (4) Changes to Attachment-III as meant in paragraph (2) shall further be stipulated by the Head of Agriculture Quarantine Agency on behalf of the Minister of Agriculture.

CHAPTER III

QUARANTINE ACTIONS ON CARRIER MEDIA ENTERED INTO THE TERRITORY OF THE REPUBLIC OF INDONESIA

Part One

Place for the Execution of Quarantine Actions

Article 9

Quarantine actions may be performed in:

- a. the country of origin; and/or
- b. the territory of the Republic of Indonesia.

Article 10

- (1) Quarantine actions in the country of origin as meant in Article 9 letter a may be performed on carrier media not prohibited as of its entry, and based on the result of AROPT that:
 - a. the

- a. the carrier media are not those subjected to isolation and observation actions; and
 - b. it is deemed to be more effective and efficient than performing it in entry places within the territory of the Republic of Indonesia.
- (2) Quarantine actions in the country of origin as referred to in paragraph (1) constitute a replacement of quarantine actions to be performed at entry places within the territory of the Republic of Indonesia.
- (3) Quarantine actions in the country of origin as referred to in paragraph (1) must be agreed upon by the NPPO of the exporting country and the receiving country, the importer, exporter, and producer of the carrier media.
- (4) Quarantine actions in the country of origin as referred to in paragraph (1) shall be performed for each import of carrier media.
- (5) Provisions on quarantine actions in the country of origin is as set forth in Attachment-IV being an inseparable part of this Regulation.
- (6) Changes to Attachment-IV as referred to in paragraph (5) shall further be stipulated by the Head of Agriculture Quarantine Agency on behalf of the Minister of Agriculture.

Article 11

Quarantine actions in the territory of the Republic of Indonesia as meant in Article 9 letter b, may be performed:

- a. at entry places; and/or
- b. outside of entry places.

Article 12

(1) Quarantine actions at entry places as meant in Article

11 letter a, may be performed on board the transportation means and/or after being unloaded from the transportation means.

- (2) Quarantine actions after unloading from transportation means as referred to in paragraph (1) may be performed in or outside of quarantine installations.
- (3) Quarantine actions outside of quarantine installations as referred to in paragraph (2) among others are in container terminals, warehouses, or wharfs.

Article 13

- (1) Quarantine actions outside of entry places as meant in Article 11 letter b, may be performed in quarantine installations or in other places outside of quarantine installations.
- (2) Performance of quarantine actions outside of entry places as referred to in paragraph (1) shall be regulated in a separate regulation.

Part Two

Quarantine Actions

Article 14

Based on the entry report on carrier media meant in Article 4 paragraph (1) letter c, Head of the Technical Performer Unit (UPT) of Agriculture Quarantine shall assign in writing Plant Quarantine Officers to perform quarantine actions.

Sub-part 1

Checking

Article 15

- (1) After receiving the assignment referred to in Article 14, the Plant Quarantine Officer shall perform checking actions.

(2) The

(2) The checking actions referred to in paragraph (1) cover administrative checks and health checks.

Article 16

If from the result of the checks referred to in Article 15 paragraph (2) on carrier media still on board of transportation means it is found out that:

- a. it is not a carrier media, quarantine actions shall not be taken;
- b. it is a carrier media, its entry shall be subjected to isolation and observation actions;
- c. it does not meet required provisions, a rejection action shall be taken;
- d. it is of the type of carrier media that its entry is prohibited, a rejection action shall be taken;
- e. required documents are not complete, a detention action shall be taken;
- f. required documents are not legal and/or not true, a rejection action shall be taken; or
- g. required documents are complete, legal, and true, then health checking actions shall be performed.

Article 17

The health checking actions referred to in Article 16 letter g shall be performed on the transportation means, if:

- a. the carrier media originates from a country or transit in a country infected with epidemic;
- b. transportation means of the carrier media originates from a country or transit in a country infected with epidemic;
- c. the carrier media originates from a country or transit in a country having a high risk; or

d. based on the consideration of the Plant Quarantine Officer, checking of the carrier media is required to be performed on board of the transportation means.

Article 18

If from the result of the administrative checks referred to in Article 15 paragraph (2) on carrier media having been unloaded from its transportation means, it is found out that:

- a. it is not a carrier media, quarantine actions shall not be taken;
- b. it is a carrier media where its entry shall be subjected to isolation and observation actions, isolation and observation actions shall be performed;
- c. it is of the type of carrier media that its entry is prohibited, a destruction action shall be taken;
- d. does not meet required provisions, a rejection action shall be taken;
- e. required documents are not complete, a detention action shall be taken;
- f. required documents are not legal and/or not true, a rejection action shall be taken; or
- g. required documents are complete, legal, and true, health checking actions shall be performed.

Article 19

(1) If after performing the health checking actions meant in Article 16 letter g, it is found out that:

- a. it is not free from OPTK Group I, spoiled or damaged, a rejection action shall be taken;
- b. it is not free from OPTK Group II, treatment actions shall be executed on the transportation means;

- c. it is free from OPTK or after undergoing the treatment actions, it can be cleaned from OPTK Group II, a release action shall be made.
- (2) If the treatment action referred to in paragraph (1) letter b is not possible to be performed, a rejection action shall be taken on the carrier media.
- (3) The carrier media subjected to the rejection action referred to in paragraph (1) letter a or paragraph (2) is prohibited to be unloaded from its transportation means.

Article 20

- (1) If after performing the health checking actions referred to in Article 18 letter g, it is found out that the carrier media is:
 - a. not free from OPTK Group I, spoiled or damaged, destruction actions shall be taken;
 - b. not free from OPTK Group II, treatment actions shall be executed;
 - c. free from OPTK or after undergoing treatment actions, it can be cleaned from OPTK Group II, a release action shall be made.
- (2) Carrier media that are spoiled or damaged as referred to in paragraph (1) letter a shall undergo:
 - a. destruction actions totally if it is caused by OPTK;
 - b. destruction actions on spoiled or damaged parts, if it is not caused by OPTK.

Sub-part 2

Detention

Article 21

- (1) The detention action referred to in Article 16 letter e and Article 18 letter e is undertaken to secure the

carrier media by sealing method and placing it under the command and control of Plant Quarantine Officers.

- (2) On carrier media subjected to the detention action referred to in paragraph (1), the owner or his/her proxy will be provided a period of 14 (fourteen) work days at the most to fulfill the required completeness of documents.
- (3) If in the 14 (fourteen) work days period referred to in paragraph (2) the required completeness of the documents is not or cannot be fulfilled, a rejection action shall be taken.

Sub-part 3

Observation and Isolation

Article 22

- (1) Isolation and observation actions shall be performed on carrier media by placing it in an isolated location so that if there are OPTK, it will not spread to the surrounding environment.
- (2) The isolation and observation actions referred to in paragraph (1) shall be executed for a certain period to detect possibilities of the existence of OPTK which due to its nature, require a long time, and special means and condition.
- (3) The special condition referred to in paragraph (2) among others are place temperature, climate, and elevation.

Article 23

If after performing the isolation and observation actions meant in Article 21, it is found out that the carrier media is:

- a. not free from OPTK Group I, spoiled or damaged, destruction actions shall be executed;
- b. not free from OPTK Group II, treatment actions shall be executed; or
- c. free from OPTK or after performing treatment actions, it can be cleaned from OPTK Group II, a release action shall be made.

Sub-part 4

Treatment

Article 24

- (1) Treatment action is performed by physical and/or chemical method.
- (2) The treatment action referred to in paragraph (1) is performed:
 - a. to clean the carrier media from OPTK Group II; or
 - b. it is required as an additional obligation.
- (3) Treatment action as the additional obligation referred to in paragraph (2) letter b may be performed in the country of origin, on transportation means while en route, in the country of transit, and/or after arriving in the territory of the Republic of Indonesia.

Article 25

If after performing the treatment action referred to in Article 23 paragraph (1) letter a, it is found out that it:

- a. cannot be cleaned from OPTK Group II and the carrier media is still on its transportation means, a rejection action shall be taken;
- b. cannot be cleaned from OPTK Group II and the carrier media had been unloaded from its transportation means, a destruction action shall be executed; or
- c. can be cleaned from OPTK Group II, a release action shall be made.

Article 26

Provisions on the standard treatment actions referred to in Article 23 shall further be stipulated by the Head of Agriculture Quarantine Agency.

Sub-part 5

Rejection

Article 27

- (1) Rejection action on carrier media that:
 - a. is still on its transportation means, is carried out by prohibiting the entry of the carrier media into the territory of the Republic of Indonesia;
 - b. had been unloaded from its transportation means, is carried out by exporting the carrier media out of the territory of the Republic of Indonesia.
- (2) Execution of the rejection action referred to in paragraph (1) shall be followed with the issuance of a Rejection Report.
- (3) Facilities that are required for the performance of the rejection action referred to in paragraph (2) are the responsibility of the owner or his/her proxy.
- (4) If in a period of 14 (fourteen) work days after receiving the rejection letter, the owner or his/her proxy did not immediately export the carrier media out of the territory of the Republic of Indonesia, a destruction action shall be performed.

Sub-part 6

Destruction

Article 28

- (1) Destruction action on carrier media is performed by burning, heating, burying, destroying and/or other methods so that there is no possibility that the carrier media can be a source of the spread of OPTK.

- (2) Execution of the destruction action referred to in paragraph (1) shall be followed with the issuance of a Destruction Report.
- (3) Facilities that are required for the performance of the destruction action referred to in paragraph (2) are the responsibility of the owner or his/her proxy.
- (4) Provisions on the destruction meant in paragraph (1) shall further be stipulated by the Head of Agriculture Quarantine Agency.

Sub-part 7

Release

Article 29

- (1) Release action is made by releasing and/or allowing the carrier media to enter into the territory of the Republic of Indonesia.
- (2) The release action referred to in paragraph (1) is carried out on carrier media that are free from and/or can be cleaned from OPTK category A1, OPTK category A2 and/or OPTP.
- (3) Carrier media that had undergone the release action referred to in paragraph (1) may travel freely within the territory of the Republic of Indonesia.
- (4) On the performance of the release action referred to in paragraph (1), a Release Certificate shall be issued.

CHAPTER IV

QUARANTINE ACTIONS ON CARRIER MEDIA

RE-ENTERED INTO THE TERRITORY OF

THE REPUBLIC OF INDONESIA

Article 30

- (1) Re-entry of carrier media that had been exported from the territory of the Republic of Indonesia can occur due to:

a. the entry there-of is rejected by the destination country; or

b. it is returned by the destination country.

- (2) The carrier media referred to in paragraph (1) letter b was used for the purpose of among others exhibition, contest and/or research.

Article 31

- (1) On the re-entry of the carrier media referred to in Article 30 paragraph (1) letter a, if it is:

a. accompanied with Plant Health Certificate from Indonesia at the time of exit, it shall be treated in accordance with requirements on Plant Quarantine, quarantine actions other than detention actions and rejection actions shall be exercised;

b. not accompanied with Plant Health Certificate from Indonesia, and the destination country requires so, destruction actions shall be taken;

c. not accompanied with Plant Health Certificate from Indonesia, and the destination country did not require, quarantine actions other than detention action and rejection action shall be taken.

- (2) Re-entry of the carrier media referred to in paragraph (1), must be accompanied with a statement letter on rejection from NPPO or other parties in the destination country accompanied with reasons for the rejection.

- (3) If the re-entry of the carrier media is not accompanied with the statement letter meant in paragraph (2), a rejection action shall be taken.

Article 32

In the event the re-entry of the carrier media referred to in Article 30 paragraph (1) letter b is:

a. accompanied

- a. accompanied with Plant Health Certificate from Indonesia, quarantine actions shall be performed and the Plant Health Certificate accompanying the carrier media during exit can be used as a plant quarantine requirement; or
- b. not accompanied with a Plant Health Certificate from Indonesia, a destruction action shall be taken.

CHAPTER V

RECOGNITION, EQUIVALENCE DAN NOTIFICATION OF NON-CONFORMANCE

Article 33

- (1) Performance of quarantine actions on the entry of carrier media into the territory of the Republic of Indonesia can be performed thru a Mutual Recognition Agreement and an Equivalence Agreement with the country of origin.
- (2) Terms and procedure on the performance of Mutual Recognition Agreement and Equivalence Agreement referred to in paragraph (1) shall further be stipulated by the Head of Agriculture Quarantine Agency

Article 34

- (1) Notification on non-conformance will be issued by Agriculture Quarantine UPT if the entry of carrier media from overseas:
 - a. is not in accordance with statutory regulations on Plant Quarantine; and/or
 - b. the carrier media is subjected to treatment, rejection and/or destruction actions.
- (2) Notification on the non-conformance referred to in paragraph (1) shall be addressed to the NPPO in the country of origin of the carrier media.

CHAPTER VI

RETRIBUTION ON QUARANTINE ACTION SERVICES

Article 35

- (1) Carrier media owners or their proxies are obligated to pay retribution on quarantine action services.
- (2) Retribution on quarantine action services referred to in paragraph (1) is a Non-Tax State Income (PNBP) that must be deposited to the state treasury.

- (3) The amount of retribution for quarantine action services referred to in paragraph (1) shall be stipulated based on prevailing statutory regulations.

CHAPTER VII

TRANSITIONAL PROVISIONS

Article 36

On-going quarantine actions on the entry of carrier media before the stipulation of this Regulation, shall be settled by following provisions of Decision Letter of Agriculture Minister No. 38/Kpts/HK.310/1/90 concerning Requirements and Actions on Plant Quarantine for the Entry of Plants and Seeds into the Territory of the Republic of Indonesia.

CHAPTER VIII

CLOSING PROVISIONS

Article 37

With the stipulation of this Regulation, Decision Letter of Agriculture Minister No. 38/Kpts/HK.310/1/90 concerning Quarantine Requirements and Actions on Plants for the Entry of Plants and Seeds into the Territory of the Republic of Indonesia, is revoked and declared as not effective.

Article 38

This Regulation commences to come to effect from the date of stipulation.

For public cognizance, this Agriculture Minister Regulation shall be announced in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

on February 6, 2009

THE MINISTER OF AGRICULTURE,

sgd.

ANTON APRIYANTONO

Editor's Note:

- Due to technical reasons, attachments are not included.

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