

**PERFORMANCE OF
PLANT QUARANTINE ACTIONS OUTSIDE PLACES OF IMPORT AND EXPORT**
(Regulation of the Minister of Agriculture No. 18/Permentan/OT.160/5/2006 dated May 30, 2006)

WITH THE GRACE OF THE ALMIGHTY GOD

THE MINISTER OF AGRICULTURE,

Considering:

- a. that, based on the provisions of Article 50 paragraph (2) of Government Regulation No. 14/2002 on Plant Quarantine, plant quarantine actions can be performed outside places of import and export;
- b. that, considering the provisions of paragraph a, it is deemed necessary to stipulate performance of plant quarantine actions outside places of import and export;

In view of:

1. Law No. 16/1992 on Animal, Fish, and Plant Quarantines (Statute Book of 1992 No. 56, Supplement to Statute Book No. 3482);
2. Government Regulation No. 14/2002 on Plant Quarantine (Statute Book of 2002 No. 35, Supplement to Statute Book No. 4196);
3. Presidential Decree No. 187/M/2004 on Establishment of United Indonesia Cabinet;
4. Presidential Regulation No. 9/2005 on Positions, Duties, Functions, Organization Structures, and Work Procedures of State Ministries of the Republic of Indonesia juncto Presidential Regulation No. 62/2005;
5. Presidential Regulation No. 10/2005 on Organization Units and Duties of Echelons I of State Ministries of the Republic of Indonesia;
6. Decree of the Minister of Agriculture No. 469/Kpts/HK.310/8/2001 on Places of Import and Export of Carriers of Pest Attacking Quarantine Plants;
7. Regulation of the Minister of Agriculture No. 299/

Kpts/OT.140/7/2005 on Organization and Work Procedure of the Ministry of Agriculture;

8. Regulation of the Minister of Agriculture No. 341/Kpts/OT.140/9/2005 on Organization Units and Work Procedure of the Ministry of Agriculture;
9. Regulation of the Minister of Agriculture No. 37/Kpts/HK.060/1/2006 on Technical Conditions and Plant Quarantine Actions on Import of Fresh Fruits And Or Vegetables to Indonesian Territory;
10. Decree of the Minister of Agriculture No. 38/Kpts/HK.060/1/2006 on Types of Pests Attacking Quarantine Plants of Class I Categories A1 and A2, Class II Categories A1 and A2, Host Crops, Carriers, and Dissemination Areas.

D E C I D E S :

To stipulate:

**REGULATION OF THE MINISTER OF AGRICULTURE ON
PERFORMANCE OF PLANT QUARANTINE ACTIONS OUTSIDE PLACES OF IMPORT AND EXPORT.**

CHAPTER I
GENERAL PROVISIONS

Article 1

1. Carrier of Pest, which is hereinafter called "Carrier", is plant and its parts and or other materials that may carry pests attacking plants and or quarantine plants.
2. Plant is all kinds of biological resources in live or dead condition, unprocessed or processed.
3. Seed or Plant Seed is plant or its parts, in whatever condition and form, intended to be grown and or used for growing plants.
4. Live Plant Product is plant and its parts in live condition, but is not intended or can no longer be grown or used for growing plants.

5. Dead Plant Product Unprocessed is plant and its part in dead condition that not yet experienced processing that changes its original forms or characteristics.
6. Dead Plant Product Processed is plant and its parts in dead condition that already experienced processing that resulted in change of its original forms or characteristics as long as it is possible to become carrier.
7. Other Materials are pathogenic materials, biological materials, fish food, materials for making food for livestock and or fish, soil, compost, or media for growth of other plants, and vectors.
8. Other Carriers are wastes, amongst others, food waste that contains materials from plants.
9. Plant Quarantine is an attempt to prevent introduction and dissemination of pests from overseas and from one area to another domestically, or their exit from Indonesian territory.
10. Plant Quarantine Action included examination, isolation, observation, treatment, detention, rejection, destruction, and release of carriers of pests attacking plants and or quarantine plants.
11. Plant Quarantine Installation, which is hereinafter called "Quarantine Installation" is a place and its existing facilities used for performing plant quarantine actions.
12. Place of Import and Export included seaport, river port, crossing port, airport, post office, post on border area with other countries, and other places deemed necessary, stipulated as places of import and or export of carriers.
13. Plant Quarantine Actions Outside Place of Import and Export are plant quarantine actions performed outside place of import and export, either at quarantine installation or at other places outside quarantine installation.
14. Plant Quarantine Officer is a civil servant assigned with duty to perform plant quarantine actions pursuant to the applicable laws.

15. Local Technical Unit for Operation of Plant Quarantine is a Technical Unit for Operation of Plant Quarantine other than the Technical Unit for Operation of Plant Quarantine at place of import and or export, which is near place of performance of plant quarantine actions.

Article 2

- (1) This Regulation is intended as guidelines for Plant Quarantine Officer in performing plant quarantine actions outside places of import and export.
- (2) This regulation is to accelerate performance of plant quarantine actions.

Article 3

The scope of this Regulation included performance of plant quarantine actions outside places of import and export, either at quarantine installation or at other places outside quarantine installation.

CHAPTER II

PERFORMANCE OF PLANT QUARANTINE ACTIONS OUTSIDE PLACES OF IMPORT AND EXPORT

Part One

General

Article 4

- (1) Plant quarantine actions may be performed outside places of import and or export, either at quarantine installation or at other places outside quarantine installation.
- (2) Plant quarantine actions outside places of import and export, as meant in paragraph (1), shall be performed by Plant Quarantine Officer.
- (3) Plant quarantine actions performed at quarantine installation outside places of import and or export, as meant in paragraph (1), included examination, isolation, observation, treatment, detention, destruction, and release.
- (4) Plant quarantine actions performed in other places outside quarantine installation outside places of import and or export, as meant in paragraph (1), included examination, treatment, detention, destruction, and release.

Article 5

Plant quarantine actions, as meant in Article 4 paragraph (1), may be performed if:

- a. The time for performing plant quarantine actions at places of import and export is insufficient due to high frequency and volume of flow of goods;
- b. Quarantine installation or other places outside quarantine installation at places of import and or export are not available;
- c. Quarantine installation or other places outside quarantine installation at places of import and or export are insufficient to accommodate carriers subjected to plant quarantine actions;
- d. Carriers, pests harming certain plants and or quarantine plants, which, due to their nature, cannot be treated with plant quarantine actions at places of import and or export;
- e. Based on other laws applicable, plant quarantine actions cannot be performed at places of import and or export.

Article 6

- (1) On plant quarantine actions performed in quarantine installation outside places of import and export, as meant in Article 4, the concerned quarantine installation must fulfil the conditions set forth in the applicable regulations.
- (2) In case that plant quarantine actions were performed in other places outside quarantine installation, as meant in Article 4, such places must meet the conditions of places for performance of plant quarantine actions.
- (3) The conditions, as meant in paragraph (2), included, amongst others:
 - a. Such places must have condition and situation that guarantees non-infection and or non-dissemination of pests attacking plants and or quarantine plants;
 - b. Such places must be completed with licenses in accordance with their intended uses, issued by

the competent institutions;

- c. Such places must be able to accommodate carriers and the vehicles transporting the carriers;
 - d. Such places are in a flood-free area; and
 - e. Environmental safety.
- (4) Further provisions regarding conditions for other places that can be used for performing plant quarantine actions, as meant in paragraph (1), will be stipulated by Head of Agriculture Quarantine Agency.

Article 7

- (1) For performance of plant quarantine actions, as meant in Article 4, owner of carriers must file a request along with reasons to Head of Quarantine Agency c.q. Head of the Local Technical Unit for Operation of Plant Quarantine.
- (2) Head of the Agriculture Quarantine Agency c.q. Head of Local Technical Unit for Operation of Plant Quarantine, in observance of the provisions of Article 6 paragraph (2), may, in writing, approve or reject the above request.

Article 8

- (1) Approval on request for use of other places for performing plant quarantine actions, as meant in Article 7, shall be valid for one (1) time, and may be re-requested to get approval.
- (2) Further provisions regarding conditions of other places used for performing plant quarantine actions, as meant in paragraph (1), shall be stipulated by Head of the Agriculture Quarantine Agency.

Article 9

- For performance of plant quarantine actions, as meant in Article 4, owner of carriers shall be responsible for providing facilities, amongst others, as follows:
- a. Places for performance of plant quarantine actions;
 - b. Materials and tools that cannot be provided by the Agriculture Quarantine Agency;
 - c. Workers;
 - d. Vehicles transporting carriers to places for performance of plant quarantine actions;
 - e. Maintenance/care of carriers;

- f. Treatment of carriers;
- g. Transportation, accommodation, and consumption for Plant Quarantine Officer.

Part Two

Performance of Plant Quarantine Actions on Import of Carriers, Other Carriers, Tools and Wrappers Outside Place of Import

Article 10

- (1) Carriers, before they are treated with plant quarantine actions, as meant in Article 4, must meet the conditions for plant quarantine.
- (2) The conditions, as meant in paragraph (1), included:
 - a. Being completed with Phytosanitary Certificate from country of origin and country of transit, for plants and parts, except carriers classified as other materials;
 - b. Going through the decided place of import;
 - c. Being reported and delivered to Plant Quarantine Officer at place of import, for plant quarantine actions.
- (3) Other than the conditions, as meant in paragraph (1), additional requirements based on Analysis of Risk of Pest Attacking Plants (AROPT) must also be fulfilled.
- (4) Further provisions regarding the additional requirements, as meant in paragraph (2), will be stipulated by Head of the Agriculture Quarantine Agency.

Article 11

- (1) After meeting the conditions, as meant in Article 10, carriers can be treated with plant quarantine actions outside place of import, as meant in Article 4 paragraph (1), if such carriers have been delivered by the Owner to the Plant Quarantine Officer after meeting the procedures stipulated by the Customs and Excise and the Post Office.
- (2) Carriers, as meant in paragraph (1), which are to be brought to quarantine installation or to other places outside quarantine installation to be treated with plant quarantine actions, must meet the following conditions:

- a. Using transportation vehicle assumed by Plant Quarantine Officer as not disseminating pests, amongst others, pests will not be scattered on the way to place of destination;
- b. Being under supervision of Plant Quarantine Officer;

Article 12

Import of carriers in the form of plant seeds into Indonesian territory that needed isolation and observation shall be in accordance with the following conditions:

- a. If plant quarantine actions will be performed outside place of import in one island, the actions shall be conducted by the Technical Operating Unit for Plant Quarantine at place of import in coordination with the Local Technical Unit for Operation of Plant Quarantine; or
- b. If plant quarantine actions will be conducted outside place of import in other islands, carriers are delivered from the Technical Unit for Operation of Plant Quarantine at place of import to the Local Technical Unit for Operation of Plant Quarantine to be treated with plant quarantine actions
- c. Release of carriers, as meant in paragraph b, shall be performed by the Local Technical Unit for Operation of Plant Quarantine.

Article 13

- (1) On carriers in the form of plant seeds other than as meant in Article 12 and plant products, plant quarantine actions outside place of import may be performed by the Technical Unit for Operation of Plant Quarantine at place of import or delivered from the Technical Unit for Operation of Plant Quarantine at place of import to the Local Technical Unit for Operation of Plant Quarantine to be treated with plant quarantine actions.
- (2) Tools and wrappers imported may be treated with plant quarantine actions outside place of import by the Technical Unit for Operation of Plant Quarantine at place of import.

(3) Other carriers imported may be treated with destruction outside place of import by the Technical Unit for Operation of Plant Quarantine at place of import.

(4) Release of carriers, tools, and wrappers, as meant in paragraphs (1) and (2), shall be performed by the Local Technical Unit for Operation of Plant Quarantine.

Article 14

Other carriers, as meant in Article 13 paragraph (3) to be brought from place of import, must be carried by transportation vehicles assumed by Plant Quarantine Officer as not disseminating pests, amongst others, pests are not being scattered on the way to place of destruction.

Part Three

Performance of Plant Quarantine Actions on Export of Carriers, Tools, and Wrappers Outside Place of Export

Article 15

(1) Carriers in the form of plants and or plant products and tools and wrappers to be exported from Indonesian territory, other than given release treatment, plant quarantine actions outside place of export shall be conducted by the Technical Unit for Operation of Plant Quarantine at place of export in coordination with the Local Technical Unit for Operation of Plant Quarantine.

(2) Release of carriers and tools, as meant in paragraph (1), shall be performed by the Technical Unit for Operation of Plant Quarantine at place of export.

Article 16

(1) Treatment of wrappers to be exported from Indonesian territory may be performed by the Technical Unit for Operation of Plant Quarantine at place of export or third party under supervision of Plant Quarantine Officer of the Technical Unit for Operation of Plant Quarantine at place of export.

(2) In supervising treatment performed by third party, as meant in paragraph (1), the Technical Unit for

Operation of Plant Quarantine at place of export may coordinate with the Local Technical Unit for Operation of Plant Quarantine.

Article 17

Carriers, tools, and wrappers that were already given plant quarantine treatment by the Local Technical Unit for Operation of Plant Quarantine, as meant in Article 15, and to be brought to place of export, must be using places of wrapping, storage, and or transportation vehicles assumed by the Plant Quarantine Officer as not infecting and not being infected by pests on the way to place of export.

Part Four

Performance of Inter-Area Plant Quarantine Actions on Carriers, Other Carriers, Tools, and Wrappers at Places of Import and Export

Article 18

(1) On carriers in the form of plants and plant products and tools and wrappers to be brought or sent from one area to another in Indonesia, plant quarantine actions outside place of export shall be performed by the Technical Unit for Operation of Plant Quarantine at place of export in coordination with the Local Technical Unit for Operation of Plant Quarantine.

(2) Release of carriers and tools, as meant in paragraph (1), shall be performed by the Technical Unit for Operation of Plant Quarantine at place of export.

(3) Carriers unintentionally carried from another area in Indonesia, can be treated with destruction outside place of import by the Technical Unit for Operation of Plant Quarantine at place of import.

CHAPTER III

PLANT QUARANTINE FEE

Article 19

Performance of plant quarantine actions, as meant in Article 4, is subjected to plant quarantine fee in accordance with the applicable laws.

CHAPTER IV

CLOSING PROVISIONS

Article 20

This Regulation is valid since the date it is stipulated.

Stipulated in Jakarta

On May 30, 2006

THE MINISTER OF AGRICULTURE

Sgd

ANTON APRIYANTONO

Cc:

1. The Coordinating Minister of Economy;
2. The Minister of Foreign Affairs;
3. The Minister of Home Affairs;
4. The Minister of Finance;
5. The Minister of Communications;
6. The Minister of Justice and Human Rights;
7. The Minister of Forestry;
8. The Minister of Trade;
9. Chief of the Indonesian Police Forces;
10. The Attorney General;
11. Head of the State Financial Comptroller;
12. Head of the State Financial and Development Supervisory Agency;
13. Head of the State Intelligence Agency;
14. The Director General of Customs and Excise, the Ministry of Finance;
15. Echelons I of the Ministry of Agriculture;
16. The Governors across Indonesia.