

PLANT QUARANTINE LEGISLATION AND REGULATION OF INDONESIA

SUWANDA
Centre for Plant Quarantine
Indonesia's Agency for Agricultural Quarantine

APSA Seed Congress
Bangkok, 9 – 12 November 2009

The Ordinance of 19 December 1877 was the Indonesia's first plant quarantine measure which absolutely prohibited importation of coffee plants and seeds from Sri Lanka to prevent the introduction of coffee leaf rust (*Hemileia vastatrix*). The ordinances regulating the importation, exportation and inter-island movement of planting materials to prevent introduction and spread of plant pests were issued afterward.

Several ordinances concerning prohibitions and restrictions on the movement of certain plants and plant products from certain island to other islands within the country to prevent spread of certain plant pests were issued from 1889 to 1954.

After some decades some of the ordinances were not in accordance with the developing society, science and technology. Hence a new law, Law No. 16 of 1992 concerning Animal, Fish, and Plant Quarantine was published and came into effect on 8 June 1992. This law forms a basis for agricultural quarantine in Indonesia. The Government Regulation No. 14 of 2002 which was designed to provide a strong legal foundation and to conduct the provision of the law in implementing plant quarantine activities enacted on 23 April 2002. With the issuance of these law and regulation, ordinances issued previously are all invalid. However, all existing executive regulations as long as they are not in contravention of these law and regulation remain in force pending the issuance of new executive regulations under these law and regulation.

After the issuance of Law No. 16 of 1992, several Government Regulations and Ministerial Decrees were also published.. The recent Decrees of Minister of Agriculture had come into effect, such as:

1. Government Regulation No. 8 of 1995 concerning Plant Protection.
2. Decree No. 70 of 2007 concerning Seed Importation and Exportation;
3. Decree NO. 38 Of 2006 concerning List of Plant Quarantine Pests (reviewed in 2009)

4. Decree 09 of 2009 concerning Plant Quarantine Requirements for Importation of Plant Quarantine Pests Carrier into the Republic of Indonesia Territory.
5. Decree No. 37 of 2009 regarding the use of Methyl Bromide.

Agricultural Quarantine Organization

The implementation of plant quarantine is placed under the responsibility of Indonesia's Agency for Agricultural Quarantine (IAQA) of the Ministry of Agriculture. IAQA is in charge of the management of plant and animal quarantine. The Director General (DG) of the agency reports directly to the Minister of Agriculture for the execution of the Minister's policies regarding agricultural quarantine.

There is no change of the head quarters organization. The Head Office of IAQA which is located in Jakarta, consists of a Secretariat, Centre for Plant Quarantine, Centre for Animal Quarantine, and Centre for Quarantine Information and Bio-safety. The main duty of Centre for Plant Quarantine is to manage plant quarantine activities all over the country.

To carry out its duty, Centre for Plant Quarantine has three divisions, i.e. (1) Division of Plant Import; (2) Division of Plant Export and Domestic; and (3) Division of Technique and Method.

Plant quarantine activities, i.e. inspection of documents and consignments, detention of consignments, isolation and observation, treatment, refusal, destruction, and release are carried out by plant quarantine services/stations at seaport and airports (including post offices). Since 2008, national quarantine organization had been changed. Plant Quarantine and Animal Quarantine Offices throughout the country merged into Agricultural Quarantine. With this new organization, there are 51 Agricultural Quarantine Services/stations located at different seaports and airports throughout the country. Each service or station supervises a number of checkpoints which are seaports, airports, container terminals, and post offices.

Central Laboratory is located in Jakarta. The laboratory acts as reference laboratory for quarantine laboratories throughout the country.

Agricultural Quarantine Training Centre

Indonesia is going to have an Agricultural Quarantine Training Centre which is located near Jakarta. The Centre was designed to be a centre for national as well as international training. The building consists of a dormitory for 250

persons, offices, laboratories, class rooms, glasshouses, animal cages, main hall, libraries, sport centre, music hall, mini market, etc.

Objectives of Plant Quarantine

The objectives of plant quarantine are:

- a. to prevent the introduction of plant quarantine pests into the territory of the Republic of Indonesia;
- b. to prevent dissemination of quarantine pests from one area to another within the territory;
- c. to prevent the concomitant exportation of plants if required by the country of destination.

Quarantine requirements

Requirement for imported carrier

Any carrier of plant quarantine pests imported into the territory of the Republic of Indonesia shall be:

- a. accompanied by health certificate from the country of origin and the country in which the carrier was landed and from which it was later re-consigned, for plant or parts of plant, except carrier classified as other articles;
- b. through the designated place of entry;
- c. notified and presented to the plant quarantine officer at the place of entry for quarantine action.

Requirements for inter-area within the country

Any carrier of plant quarantine pests to be moved from one area or island to another within the territory of the Republic of Indonesia shall be:

- a. accompanied by health certificate from the area of origin of plant or parts of plant, except carrier classified as other articles;
- b. through the designated place of entry and place of exit;
- c. notified and presented to the plant quarantine officer at the place of exit and entry for quarantine action.

Requirement for export

If so required by the country of destination, any carrier of plant pests exported from the territory of the Republic of Indonesia shall be:

- a. accompanied by health certificate of plant or parts of plant, except carrier classified as other articles;
- b. through the designated place of export;
- c. notified and presented to the plant quarantine officer at the place of export for quarantine action.

Quarantine Actions

Any carrier of plant quarantine pests imported into, or destined to be moved from one area to another within the territory of the republic of Indonesia shall be subjected to quarantine actions. Carrier of pests to be exported from the territory of the republic of Indonesia shall not be subjected to quarantine actions, unless required by the country of destination.

Quarantine actions performed by the quarantine officers include:

- a. inspection
- b. isolation
- c. observation
- d. treatment
- e. detention
- f. refusal
- g. destruction, and
- h. release

Kind of Pests and Their Carriers

The government shall designate:

- a. the kinds of plant quarantine pests;
- b. the kinds of carrier of plant quarantine pests; and
- c. the kinds of carrier of plant quarantine pests the importation of which into, or the movement of which from one area to another within the territory of the Republic of Indonesia is prohibited.

Place of Entry and Export

Place of entry and export of carriers of plant quarantine pests shall be designated by the Government.

Penalty Provision

Any person who willfully violates the provisions regarding the plant quarantine requirements and plant quarantine actions laid down in Law No. 16 of 1992 shall be punishable by a maximum imprisonment of three years and a maximum fine of Rp. 150,000,000,00. The punishable act shall be a crime.

Any person due to negligence violates the provisions shall be punishable by a maximum imprisonment of one year and a maximum fine of Rp. 50,000,000,00. The punishable act shall be an offence.

Prohibited Importation

The following plants and non-plant materials may not be imported:

- a. plant propagating materials and plant products of *Hevea* and plant propagating materials of non-*Hevea* from countries where South American Leaf blight is present.
- b. Declared quarantine pests;
- c. Soil and compost, excluding sphagnum and peat;
- d. plant materials when used as packing materials (straw of rice, cotton waste, leaves of banana, husk of coconut palm, etc.).

Restricted Importation

Restricted importation means all importation of certain planting materials, soil, compost and biological agent need an import permit from the Minister of Agriculture. Import Permit can be obtained after applying a request through the Centre for Permit and Investment, Ministry of Agriculture. Import requiring a permit:

- a. planting materials of any species of plant;
- b. soil and compost for research purposes;
- c. biological agents.

Import requiring a Phytosanitary Certificate

The following plant materials must be accompanied by phytosanitary certificate from the country of origin:

- a. all planting materials;
- b. fresh fruits, seeds and other parts of living plants for purposes other than further growth or propagation.

Import not requiring a Phytosanitary Certificate

Processed or manufactured plant materials which are not capable of carrying or harboring plant pest may enter without phytosanitary certificates.

Indonesia's Agency for Agricultural Quarantine 2009