

**TECHNICAL REQUIREMENTS AND PLANT QUARANTINE ACTIONS ON  
IMPORT OF FRESH FRUITS AND OR VEGETABLES TO INDONESIAN TERRITORY**  
(Regulation of the Minister of Agriculture No. 37/Kpts/HK.060/1/2006 dated January 27, 2006)

WITH THE GRACE OF THE ALMIGHTY GOD,  
THE MINISTER OF AGRICULTURE,

Considering:

- a. that, fruits flies are known as the main pest to many kinds of horticulture plants and may reduce productivity of domestic fresh fruits and vegetables;
- b. that, Regulation of the Minister of Agriculture No. 358/Kpts/OT.140/9/2005 has stipulated Technical Requirements and Plant Quarantine Actions on Import of Fresh Fruits and Vegetables to Indonesian Territory, which implementation faces many barriers;
- c. that, based on the above matters, it is deemed necessary to re-stipulate Technical Requirements and Plant Quarantine Actions on Import of Fresh Fruits and Vegetables to Indonesian Territory;

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. Law No. 7/1994 on Ratification of Agreement Establishing The World Trade Organization (Statute Book of 1994 No. 57, Supplement to Statute Book No. 35);

3. Government Regulation No. 14/2002 on Plant Quarantine (Statute Book of 2002 No. 35, Supplement to Statute Book No. 4196);
4. Presidential Decree No. 2/1977 as already amended by Presidential Decree No. 45/1990 on Ratification of International Plant Protection Convention of 1951;
5. Presidential Decree No. 58/1992 on Ratification of Asian Plant Protection Convention;
6. Presidential Decree No. 187/M/2004 on Establishment of United Indonesia Cabinet;
7. Presidential Regulation No. 9/2005 juncto Presidential Regulation No. 62/2005 on Positions, Duties, Functions, Structures of Organization, and Operational Procedures of State Ministries of the Republic of Indonesia;
8. Presidential Regulation No. 10/2005 on Units of Organization and Duties of Echelons I of State Ministries of the Republic of Indonesia;
9. Decree of the Minister of Agriculture No. 38/Kpts/HK.310/1990 on Requirements and Plant Quarantine Actions on Import of Plants and Plant Seeds to Indonesian Territory;
10. Decree of the Minister of Agriculture No. 627/Kpts/PD.540/12/2003 juncto Decree of the Minister of Agriculture No. 117/Kpts/PD.540/2/2004 on Types of Pests of Quarantine Plants Categories I and II and The Carriers;
11. Decree of the Minister of Agriculture No. 469/Kpts/HK.310/8/2002 on Places for Import and Export of Carriers of Pests Harming Quarantine Plants;
12. Regulation of the Minister of Agriculture No. 299/Kpts/OT.140/7/2005 on Organization and Operational Procedure of the Ministry of Agriculture;
13. Regulation of the Minister of Agriculture No. 341/Kpts/OT.140/9/2005 on Completeness of Organiza-

tion and Operational Procedure of the Ministry of Agriculture.

Observing:

Notification of the World Health Organization No. 6/SPS/N/IDN/24 dated May 18, 2005;

## D E C I D E S :

To stipulate:

REGULATION OF THE MINISTER OF AGRICULTURE ON  
TECHNICAL REQUIREMENTS AND PLANT QUARANTINE  
ACTIONS ON IMPORT OF FRESH FRUITS AND OR VEG-  
ETABLES TO INDONESIAN TERRITORY.

## CHAPTER I GENERAL PROVISIONS

### Article I

Hereinafter referred to as:

1. Fresh Fruits and or Vegetables are fruits or vegetables in the form of fleshed fruits, either in whole or in part, and not yet processed to processed goods and are potential to become carriers of pests.
2. Pest is all kinds of pests harming plants as stipulated by the Minister of Agriculture to be prevented from entering and or spreading in Indonesian territory.
3. Carrier of Pest, which is hereinafter called Carrier, is plants and their parts and or other media carrying pests harming quarantine plants.
4. Pest Risk Analysis is a process to determine that a pest is harming quarantine plants or harming potential plants, and to determine the proper plant quarantine requirements and actions to prevent import and spread of pest.
5. Carrier Transportation is all means of land, water, or air transportations transporting carrier.
6. Phytosanitary Certificate is a certificate issued by a competent official in the country of origin/delivery/transit stating that plants or parts of plants or those written on it are free from pests harming plants,

quarantine plants, quarantine plants Category I, quarantine plants Category II, and/or pests harming potential plants as stipulated, and or stating other necessary items.

7. Place of Import is seaport, river port, crossing port, airport, post office, border post to other countries, and other places deemed necessary and stipulated as places for import of carriers.
8. Plant Quarantine Officer is civil servant in charge of plant quarantine actions pursuant to the applicable laws.
9. Owner is a person or corporation having and or responsible for import of fresh fruits and or vegetables.

#### Article 2

- (1) This regulation is intended as directives for Plant Quarantine Officer to stipulate technical requirements and to perform plant quarantine actions on import of fresh fruits and or vegetables to Indonesian territory.
- (2) This regulation is made so that fresh fruits and or vegetables imported to Indonesian territory are free from fruit flies.

#### Article 3

The scope of this regulation includes technical requirements for import, plant quarantine actions, and place of import of fresh fruits and or vegetables.

### CHAPTER II

#### TECHNICAL REQUIREMENTS FOR IMPORT OF FRESH FRUITS AND OR VEGETABLES

#### Article 4

Fresh fruits and or vegetables imported to Indonesian territory must:

- a. be completed with Phytosanitary Certificate from the country of origin and country of transit;
- b. go through the stipulated places of import;
- c. be reported and conveyed to Plant Quarantine Officers at places of import for plant quarantine actions.

#### Article 5

Fresh fruits and or vegetables imported to Indonesian territory may originate from production area in the country of origin, which is free from infestation of pests harming quarantine plants as described in the Attachment to this Regulation or originate from production area in the country of origin, which is not free from infestation of pests harming quarantine plants.

#### Article 6

Fresh fruits and or vegetables imported to Indonesian territory from production area in a country, which is free from pests as meant in Article 5, must be stated in the Additional Declaration column on the Phytosanitary Certificate.

#### Article 7

- (1) Fresh fruits and or vegetables imported to Indonesian territory and originating from production area, which is not free from infestation of pests on quarantine plants as meant in Article 5, must be given treatment.
- (2) The treatment as meant in paragraph (1) is in the form of, among other things, refrigeration at a temperature suitable for types of fresh fruits and or vegetables or the prevented types of fruits flies, and shall be stated in the Treatment column on the Phytosanitary Certificate.
- (3) Further provisions regarding the treatment as meant in paragraph (1) will be stipulated by Head of Agriculture Quarantine Board.

#### Article 8

The fresh fruits and or vegetables as meant in Article 5 must be wrapped by, among other things, carton and plastic, and transported in a container equipped with a freezing system.

#### Article 9

- (1) On cargoes, the owner shall convey a notification on plan for import of fresh fruits and or vegetables to Head of Agriculture Quarantine Board c.q. Head of Plant Quarantine Technical Operating Unit at the decided place of import.

(2) The notification as meant in paragraph (1) shall be delivered before the fresh fruits and or vegetables are loaded onto the transportation vehicle at the place of export in the country of origin.

(3) The notification as meant in paragraph (1) shall mention, among other things, quantity, type, mark, package, transportation vehicle, container, place of export in the country of origin, place of import, and place of transit.

#### Article 10

Head of the Agriculture Quarantine Board c.q. Head of the Plant Quarantine Technical Operating Unit at the place of import, in observance of the provisions of Articles 5, 6, 7, and 8, shall give answer to the plan as meant in Article 9.

#### Article 11

The provisions of Articles 9 and 10 are also applicable to fresh fruits and or vegetables carried by passengers and delivered by postal services.

#### Article 12

(1) To find out whether a production area in the country of origin is free from the infestation of pests harming quarantine plants, a survey on the production area may be conducted by Plant Quarantine Officer and or other officer appointed by Head of Agriculture Quarantine Board.

(2) The survey as meant in paragraph (1) shall be conducted on consideration of risk analysis on pests harming plants, especially fruits flies, and the survey shall be conducted in accordance with the standards stipulated by the International Plant Protection Convention Secretariat (IPPC Secretariat) - Food and Agriculture Organization and other published standards.

(3) Cost of the survey as meant in paragraph (1) shall be charged to the account of the Agriculture Quarantine Board and or the owner.

### CHAPTER III PLANT QUARANTINE ACTIONS

#### Article 13

(1) Fresh fruits and or vegetables as meant in Article 5 imported to Indonesian territory not meeting the provisions of Articles 4, 6, 7, 8, and 9, will be rejected or destroyed.

(2) Rejection as meant in paragraph (1) is in the form of re-delivery to the country of origin or other countries.

#### Article 14

(1) Sanitary inspection of fresh fruits and or vegetables shall be conducted by Plant Quarantine Officer after the plant quarantine requirements and the technical requirements have been fulfilled.

(2) The Plant Quarantine Officer shall open or instruct other parties to open the container jointly with Customs and Excise Officer and witnessed by owner of the fresh fruits and or vegetables at the place of import of outside the place of import, inside or outside plant quarantine installation.

#### Article 15

(1) If, the sanitary inspection as meant in Article 14 paragraph (1) reveals that the fresh fruits and or vegetables are not free from pests harming quarantine plants as meant in Article 5, treatment shall be conducted.

(2) If after the treatment as meant in paragraph (1), it is proven that the fresh fruits and or vegetables cannot be freed from pests as meant in Article 5, they shall be destroyed witnessed by the competent officer, and a destruction report shall be made.

(3) If, after the treatment as meant in paragraph (1), it is proven that the fresh fruits and or vegetables can be freed from pests as meant in Article 5, the fresh fruits and or vegetables can be released, and a certificate of release shall be issued.

## Article 16

All costs for the operation or rejection or destruction as meant in Articles 13 and 15 shall be borne and paid by the owner of the fresh fruits and or vegetables.

CHAPTER IV  
PLACES OF IMPORT

## Article 17

(1) The places of import of fresh fruits and or vegetables as meant in Article 4 paragraph b are:

1. Tanjung Priok seaport, Jakarta;
2. Tanjung Perak seaport, Surabaya;
3. Belawan seaport, Medan;
4. Batu Ampar seaport, Batam;
5. Soekarno-Hatta airport, Jakarta;
6. Ngurah Rai airport, Denpasar;
7. Makassar seaport.

(2) Based on technical and strategic considerations, import of fresh fruits and or vegetables with the approval of the Minister of Agriculture may be done outside the places of import as meant in paragraph (1).

(3) The places of import as stipulated in Decree of the Minister of Agriculture No. 469/Kpts/HK.310/2001 are still applicable for introduction of carriers of pests

harming quarantine plants other than fresh fruits and or vegetables.

## Article 18

This Regulation shall be implemented effectively within not later than two (2) months since the date it is stipulated.

CHAPTER V  
CLOSING PROVISIONS

## Article 19

With the stipulation of this Regulation, Regulation of the Minister of Agriculture No. 358/Kpts/OT.140/2005 is declared invalid.

## Article 20

This Regulation is valid since the date it is stipulated.

Stipulated in Jakarta

On January 27, 2006

THE MINISTER OF AGRICULTURE

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ANTON APRIYANTONO

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