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REGULATION OF MINISTER OF AGRICULTURE OF REPUBLIC OF INDONESIA
No. 55/Permentan/KR.040/11/2016
REGARDING
FOOD SAFETY INSPECTION OVER IMPORT OF FRESH FOOD OF PLANT ORIGIN

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Minister Regulation what refer to as:

1. Food is all that originated from the biological resource from agriculture, estate, forestry, fisheries, livestock, waters, processed or not processed that is refer to as food or drinks for human consumption, including food additive, food material and other material that is used in the process of preparation, processing, and/or food or beverage production.
2. Plant is all variant of plant resource alive or dead, processed or not processed.
3. Fresh Food Plant Origin hereinafter refer to as FFPO is plant origin food that has not been processed, and/or can be as material for food processing.
4. Importation is the range of activity to import FFPO from abroad into the territory of Republic of Indonesia through the entry point that has been determined.
5. Importation location are seaport, river port, airport, crossing port, dry port, post office, state border post that has been appointed as importation or exportation location.
6. Inspection is the range of action that is conducted to assure that FFPO imported into the territory of Republic of Indonesia had completed the requirement of food safety.

Article 2

This Minister Regulation is referred to as the basis of the FFPO safety inspection and to provide assurance that FFPO importation had completed the food safety.

Article 3

Scheme of this Minister Regulation including risk analysis, requirement of Importation, Recognition of Food Safety Control System and Registration of Food Safety Testing Laboratory of certain country, Monitoring on Importation, freezing and revocation of recognition, revocation of registration, and closing the FFPO importation from the country with Food Safety Control System has not been recognized and laboratory has not been registered.

CHAPTER II
RISK ANALYSIS

Article 4

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Importation of FFPO is conducted based on risk analysis of food safety.

Article 5

Risk analysis of food safety as referred to in Article 4 is conducted in stipulation of:

- a. Requirements of importation;
- b. Recognition of food safety control system and registration of food safety testing laboratory of a certain country;
- c. Inspection of importation; and
- d. Monitoring.

CHAPTER III REQUIREMENT OF IMPORTATION

Article 6

- (1) Importation of Fresh Food of Plant Origin (FFPO) to be distributed must fulfill the requirement of FFPO safety.
- (2) FFPO Safety as referred to in sub-article (1) includes chemical and biological contaminants that do not exceed the maximum limit.
- (3) Chemical contaminant, biological contaminant, and maximum limit as referred to in sub-article (2) and type of FFPO are mentioned in Attachment I of this Regulation which is inseparable part of this Regulation.

Article 7

Importation of FFPO as referred to in Article 6 sub-article (1) can be originated from the country that have:

- a. Recognized FFPO safety control system
- b. Registered FFPO safety testing laboratory

Article 8

- (1) Importation of FFPO from the country with the recognized FFPO safety control system as referred to in Article 7 letter a, must be accompanied by Prior Notice.
- (2) Importation of FFPO from the country with the registered FFPO safety testing laboratory as referred to in Article 7 letter b, must be accompanied by:
 - a. Prior Notice; and
 - b. Certificate of Analysis

Article 9

With regard to the FFPO Importation from the country other than that of referred to in Article 7, must be accompanied by:

- a. Prior Notice; and
- b. Certificate of Food Safety.

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Article 10

- (1) Prior Notice as referred to in Article 8 sub-article (1) and sub-article (2) letter a, and Article 9 letter a, is issued by the exporter at the country of origin.
- (2) When the exporter is not in the country of origin, Prior Notice as referred to in sub-article (1) can be issued by the attorney in the country of origin.
- (3) Prior Notice as referred to in sub-article (1) is in accordance with Format-1.

Article 11

- (1) With regard to FFPO transit in a certain country and there is a reduction of volume, FFPO Importation from:
 - a. country with recognized FFPO safety control system, must be accompanied by Prior Notice and Prior Notice for transit.
 - b. country with registered FFPO safety testing laboratory, must be accompanied by Prior Notice, Certificate of Analysis, and Prior Notice for transit.
 - c. country with FFPO safety control system has not been recognized and FFPO safety testing laboratory has not been registered, must be accompanied by Prior Notice, Certificate of Food Safety and Prior Notice for transit.
- (2) Prior Notice of transit as referred to in sub-article (1) is issued by the exporter in transit country.
- (3) When the exporter is not in the transit country, Prior Notice for transit as referred to in sub-article (1) can be issued by its attorney in the transit country.
- (4) Prior Notice for transit as referred to in sub-article (1) is in accordance with Format-2.

Article 12

- (1) Prior Notice as referred to in Article 10 and Prior Notice for transit as referred to in Article 11, must be submitted by the exporter or its attorney by online through the website of Agriculture Quarantine Agency or manually.
- (2) Submission of Prior Notice and Prior Notice for transit by online as referred to in sub-article (1) is in order to get a barcode.

Article 13

- (1) Certificate of Analysis as referred to in Article 8 letter b, is issued by the registered FFPO safety testing laboratory.
- (2) Certificate of Analysis as referred to in sub-article (1) is in English and at least comprising:
 - a. identity of FFPO;
 - b. identity of owner;
 - c. identity of consignment;
 - d. date of testing
 - e. method of testing
 - f. number and date of certificate; and
 - g. result of testing

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- (3) Result of testing as referred to in sub-article (2) letter g, must be less or equal to the maximum limit of residue and/or contaminant as referred to in Article 6 sub-article (3)

Article 14

- (1) Certificate of Food Safety as referred to in Article 9 letter b is in English and issued by the accredited certification body or FSCA of the country of origin.
- (2) Certificate of Food Safety as referred to in sub-article (1) is a written assurance issued by the accredited certification body or FSCA of the country of origin stating that FFPO is safe and consumable.

CHAPTER IV

RECOGNITION OF FFPO SAFETY CONTROL SYSTEM AND REGISTRATION OF FFPO SAFETY TESTING LABORATORY OF CERTAIN COUNTRY

Part One

Recognition Requirements

Article 15

A country can be recognized its food safety control system as referred to in Article 7 letter a, if the country already has and applies the policy of:

- a. Good Agriculture Practices (GAP);
- b. Good Handling Practices (GHP).

Part Two

Recognition Requirements

Article 16

- (1) FSCA or the government representative of a country applies for the recognition of safety control system in writing to the Minister through the Head of Agriculture Quarantine Agency, in accordance with Form-3.
- (2) Application as referred to in sub-article (1) is completed with information regarding the FFPO safety inspection system of the applicant country.
- (3) Information as referred to in sub-article (2) comprises:
- a. Food safety policy;
 - b. Description of FFPO applied;
 - c. Location of production that applying GAP;
 - d. Location of handling that applying GHP;
 - e. FFPO safety monitoring system;
 - f. Result of FFPO safety monitoring system at least the past 3 (three) years;
 - g. List of inspection laboratory;
 - h. Authorized institutions, i.e: competent authority, institution that stipulates food safety policy,

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institution that conducts the food safety survey, product certification institution;

i. System of FFPO export certification; and

j. Shipping location in the country of origin.

(4) Application as referred to in sub-article (1), the study is conducted by the Assessment and Recognition Verification Team.

Article 17

(1) Assessment is conducted to assure the compatibility of the information of FFPO safety control system as referred to in Article 16, sub-article (3).

(2) With regard to the result of the assessment as referred to in sub-article (1)

a. incompatible, applicant must synchronize in 2 (two) months at the longest since the date of the incompatibility notification

b. compatible, On-site verification will be conducted

(3) Notification of incompatibility as referred to in sub-article (2) letter a, is conveyed in writing by the Head of Agriculture Quarantine Agency on behalf of the Minister to the applicant country accompanied by incompatibility background in accordance with Format-4.

(4) During the period as mentioned in sub-article (2) letter a, if the synchronization is not completed, the application for the recognition will be considered as cancelled.

Article 18

(1) On-site verification as referred to in Article 17 sub-article (2) letter b is conducted to synchronize the information and FFPO safety control system practices.

(2) Result of the On-site verification as referred to in sub-article (1) will be evaluated by the Recognition Evaluation Team.

Article 19

(1) Evaluation as referred to in Article 18 sub-article (2) is conducted to evaluate the result of the On-site verification.

(2) If the evaluation as referred to in sub-article (1) found:

a. Minor incompatibility, FSCA of the country of origin will conduct corrective action within 6 (six) months at the longest since the date of the incompatibility notification.

b. Major incompatibility, the Recognition Evaluation Team will recommend rejection to the Minister; or

c. Compatibility, the Recognition Evaluation Team will recommend the recognition to the Minister.

(3) Notification of minor incompatibility as referred to in sub-article (2) letter a, is conveyed in writing to the applicant country by the Head of Agriculture Quarantine Agency on behalf of the Minister accompanied by the background of incompatibility, in accordance with Format-5.

(4) During the period as referred to in sub-article (2) letter a, if the country of origin:

a. can fix the minor incompatibility, the Recognition Evaluation Team will recommend stipulating FFPO safety control system recognition to the Minister; or

b. cannot fix minor incompatibility, the Recognition Evaluation Team will recommend issuing a rejection to the Head of Agriculture Quarantine Agency on behalf of the Minister.

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Article 20

- (1) Rejection as referred to in Article 19 sub-article (2) letter b, and sub-article 4 letter b, is conveyed in writing to FSCA of the country of origin by the Head of Agriculture Quarantine Agency on behalf of the Minister accompanied by the background of the rejection, in accordance with Format-6.
- (2) Country recognition as referred to in Article 19 sub-article (2) letter c, and sub-article (4) letter a, is stipulated in the form of Ministerial Decree, in accordance with Format 7

Article 21

- (1) Country recognition as referred to in Article 20 sub-article (2) is valid for 3 (three) years.
- (2) Period of the recognition as referred to in sub-article (1) can be extended.
- (3) Application for the extension as referred to in sub-article (2) can be applied at least 6 (six) months before the date of expiration.
- (4) If the application of extension exceed the period as referred to in sub-article (3), it will be treated as new application for the recognition.

Article 22

Procedure of recognition and extension of FFPO safety inspection system of certain country is mentioned in Attachment II which is inseparable part of this Minister Regulation.

Part Three

Registration Requirements

Article 23

FFPO safety testing laboratory to be registered, must has been accredited by the competent institution of the country of origin or international competent institution in the scoop of chemical and/or biological contaminant testing as referred to in Article 6 sub-article (3).

Part Four

Registration Procedure

Article 24

- (1) FSCA of the country of origin applies for the registration of safety testing laboratory to the Minister through the Head of Agriculture Quarantine Agency, in accordance with Format-8.
- (2) Application as referred to in sub-article (1) accompanied by information of:
 - a. Profile of FSCA of the country of origin, comprising name of institution, address, contact person, organization structure;
 - b. Profile of the competent authority that accredits the testing laboratory at the country of origin, comprising name of the institution, address, contact person, organization structure;
 - c. Profile of the testing laboratory, comprising name of the laboratory, address, organization structure, contact person, scoop of testing, inspection method, copy of valid accredited certificate;

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- d. List of the active pesticide being used and no longer used in the country of origin; and
 - e. Monitoring mechanism by FSCA of the country of origin to the food safety testing laboratory.
- (3) Application as referred to in sub-article (1) is assessed by the Assessment and Registration Verification Team.

Article 25

- (1) Assessment as referred to in Article 24 sub-article (3) is conducted to check the compliance, trueness and compatibility of the information conveyed by FSCA of the country of origin.
- (2) When the result of the assessment as referred to in sub-article (1) finds out that the information is incomplete, untrue, or incompatible, the application for the registration is rejected.
- (3) Rejection as referred to in sub-article (2) is conveyed in writing to FSCA of the country of origin by the Head of Agriculture Quarantine Agency on behalf of the Minister along with the rejection background, in accordance with Format-9.

Article 26

When the result of the assessment as referred to in Article 25 sub-article (1) finds out that the information is complete, true and compatible:

- a. verification on FFPO safety testing laboratory of the country of origin will be conducted by the Team when needed; or
- b. the Team will recommend registering the laboratory as the FFPO safety testing laboratory to the Head of Agriculture Quarantine Agency on behalf of the Minister.

Article 27

- (1) If the result of the competency verification as referred to in Article 26 letter a, finds:
- a. Minor incompatibility, FSCA of the country of origin will conduct corrective action within maximum 6 (six) month since the date of the incompatibility notification;
 - b. Major incompatibility, the Team will recommend a rejection to the Head of Agriculture Quarantine Agency on behalf of the Minister in accordance with Format-9; or
 - c. Compatibility, the Team will recommend stipulating the registration of FFPO safety testing laboratory to the Head of Agriculture Quarantine Agency on behalf of the Minister.
- (2) Notification of minor incompatibility as referred to in sub-article (1) letter a, will be conveyed in writing to FSCA of the country of origin by the Head of Agriculture Quarantine Agency on behalf of the Minister, in accordance with Format-10.
- (3) During the period as referred to in sub-article (1) letter a, if the country of origin:
- a. can fix the minor incompatibility, the Team will recommend stipulating the registration of FFPO safety testing laboratory to the Head of Agriculture Quarantine Agency on behalf of the Minister; or
 - b. cannot fix minor incompatibility, the Team will recommend a rejection to the Head of Agriculture Quarantine Agency on behalf of the Minister accompanied with rejection background, in accordance with Format-9.

Article 28

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- (1) Stipulation of the registration of FFPO safety testing laboratory as referred to in Article 26 letter b, Article 27 sub-article (1) letter c, and sub-article (3) letter a, by the Head of Agriculture Quarantine Agency on behalf of Minister is in the form of Ministerial Decree, in accordance with Format-11.
- (2) Stipulation of the registration as referred to in sub-article (1) includes list of the testing laboratory, type of FFPO, parameter of inspection for each type of FFPO.

Article 29

- (1) Stipulation of the registration as referred to in Article 28 sub-article (1) is valid for 3 (three) years.
- (2) Registration as referred to in sub-article (1) can be extended.
- (3) Application for the extension as referred to in sub-article (2) must be submitted at least 6 (six) months before the registration period expires.
- (4) If the application for the extension exceeds the period as referred to in sub-article (3), it will be treated as new application for the registration.

Article 30

Procedure of the registration of FFPO safety testing laboratory and the extension of them is mentioned in Attachment III which is inseparable part of this Minister Regulation.

Article 31

- (1) Assessment and Recognition Verification Team as referred to in Article 16 sub-article (4) and Recognition Evaluation Team as referred to in Article 18 sub-article (2) are stipulated by the Minister.
- (2) Assessment and Recognition Verification Team as referred to in Article 24 sub-article (3) is stipulated by the Head of Agriculture Quarantine Agency on behalf of the Minister.
- (3) Period of the Team membership as referred to in sub-article (1) and sub-article (2) is 3 (three) years.

CHAPTER V INSPECTION OF IMPORTATION

Part One

General

Article 32

- (1) Inspection of FFPO safety in the entry point is conducted by Plant Quarantine officers.
- (2) Implementation of FFPO safety inspection as referred to in sub-article (1) is conducted integrally with plant quarantine measures.

Part Two

Procedure of Importation

Paragraph 1

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Procedure of Inspection for Importation from the Country with Recognized FFPO Safety Control System

Article 33

- (1) Owner of FFPO or its attorney must report and submit FFPO for the sake of FFPO safety inspection to the quarantine officer in the entry point at the latest on the arrival of FFPO.
- (2) FFPO entry as referred to in sub-article (1) must be accompanied by Prior Notice as referred to in Article 8 sub-article (1).
- (3) In the case of FFPO importation:
 - a. Not accompanied by Prior Notice, rejection will be conducted
 - b. Accompanied by Prior Notice, inspection of identity will be conducted.

Article 34

- (1) Inspection of identity as referred to in Article 33 sub-article (3) letter b is in order to find out the compatibility between the Prior Notice and the identity on packaging and physical of FFPO.
- (2) When the result of the inspection of FFPO identity as referred to in sub-article (1) finds:
 - a. Incompatible between the Prior Notice and the identity on packaging and/or physical of FFPO, rejection will be conducted; or
 - b. Compatible between the Prior Notice and the identity on packaging and physical of FFPO, plant quarantine measures will be conducted in accordance with the Law.

Article 35

With regard to FFPO transit in a country as referred to in Article 11 sub-article (1) letter a:

- a. Not accompanied by Prior Notice and/or Prior Notice for transit, rejection will be conducted; or
- b. Accompanied by Prior Notice and Prior Notice for transit, inspection of identity will be conducted.

Article 36

- (1) Inspection of identity as referred to in Article 35 letter b, is in order to find out compatibility between the Prior Notice and the Prior Notice for transit with the identity on packaging and physical of FFPO.
- (2) When the result of inspection of identity as referred to in sub-article (1) finds:
 - a. Incompatibility between the Prior Notice and/or the Prior Notice for transit with the identity on packaging and/or physical of FFPO, rejection will be conducted
 - b. Compatibility between the Prior Notice and the Prior Notice for transit with the identity on packaging and Physical of FFPO, plant quarantine measures will be conducted in accordance with Law.

Paragraph 2

Procedure of Inspection for Importation from the Country with Registered FFPO Safety Testing Laboratory

Article 37

- (1) Owner or its attorney must report and submit FFPO to Plant Quarantine officer at the entry point at the

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latest on the arrival of FFPO.

- (2) FFPO importation as referred to in sub-article (1) must be accompanied by Prior Notice and Certificate of Analysis as referred to in Article 8 sub-article (2).
- (3) In the case of FFPO importation:
 - a. Not accompanied by Prior Notice, rejection will be conducted
 - b. Not accompanied by Certificate of Analysis, suspension will be conducted; or
 - c. Accompanied by Prior Notice and Certificate of Analysis, inspection of the validity of the Certificate of Analysis will be conducted.
- (4) Suspension as referred to in sub-article (3) letter b, will be conducted for 14 (fourteen) days of calendar days at the longest in order to give chance to complete the Certificate of Analysis.
- (5) If the owner or its attorney cannot complete during the period as mentioned in sub-article (4), rejection will be conducted.

Article 38

- (1) Inspection of the validity of Certificate of Analysis as referred to in Article 37 sub-article (3) letter c, is conducted to prove that the Certificate of Analysis is in accordance with the requirements as referred to in Article 13.
- (2) In the case of the result of the inspection of the validity of Certificate of Analysis as referred to in sub-article (1) prove that:
 - a. the certificate is issued by testing laboratory that has not been registered; and/or
 - b. result of the inspection exceeds the maximum limit of the residue as referred to in Article 6 sub-article (3),rejection will be conducted.

Article 39

When the result of the inspection of the validity of Certificate of Analysis as referred to in Article 38 sub-article (1) is in accordance with the provisions as referred to in Article 13, inspection of identity will be conducted.

Article 40

- (1) Inspection of identity as referred to in Article 39 is conducted to find out the compatibility between the Prior Notice and the Certificate of Analysis with the identity on packaging and physical of FFPO.
- (2) When the result of the inspection of identity as referred to in sub-article (1) finds:
 - a. Incompatible between the Prior Notice and/or the Certificate of Analysis with the identity on packaging and/or physical of FFPO, rejection will be conducted;
 - b. Compatible between the Prior Notice and the Certificate of Analysis with identity on the packaging and physical of FFPO, plant quarantine measures will be conducted in accordance with the Law.

Article 41

- (1) With regard to FFPO transit in a country as referred to in Article 11 sub-article (1) letter b:
 - a. Not accompanied with Prior Notice or Prior Notice for transit, rejection will be conducted

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- b. Not accompanied by Certificate of Analysis, suspension will be conducted; or
 - c. Accompanied by Prior Notice, Prior Notice for transit and Certificate of Analysis, inspection of the validity of Certificate of Analysis will be conducted.
- (2) Suspension as referred to in sub-article (1) letter b, is conducted up to 14 days of calendar days at the longest in order to give a chance to complete the Certificate of Analysis.
- (3) If the owner or its attorney cannot complete Certificate of Analysis during the period as referred to in sub-article (2), rejection will be conducted.

Article 42

- (1) Inspection of the validity of Certificate of Analysis as referred to in Article 41 sub-article (1) letter c is conducted to prove that Certificate of Analysis is in accordance with the requirements as referred to in Article 13.
- (2) When the inspection of the validity of Certificate of Analysis as referred to in sub-article (1) prove that:
- a. the certificate is issued by unregistered laboratory; and/or
 - b. result of the inspection exceeds the maximum limit of residue or contaminant as referred to in Article 6 sub-article (3), rejection will be conducted.

Article 43

When the result of the inspection of the validity of Certificate of Analysis as referred to in Article 42 sub-article (1) is in accordance with provisions as referred to in Article 13, inspection of identity will be conducted.

Article 44

- (1) Inspection of identity as referred to in Article 43 is conducted to find out the compatibility between the Prior Notice, the Prior Notice for transit and the Certificate of Analysis with the identity on the packaging and physical of FFPO.
- (2) When the result of the inspection of identity as referred to in sub-article (1) finds:
- a. Incompatible information between the Prior Notice, the Prior Notice for transit and the Certificate of Analysis with the identity on the packaging or physical of FFPO, rejection will be conducted.
 - b. Compatible information between the Prior Notice, the Prior Notice for transit and the Certificate of Analysis with the identity on the packaging and physical of FFPO, plant quarantine measures will be conducted in accordance with Plant Quarantine regulation.

Paragraph 3

Procedure of Inspection of Importation from the Country whose Food Safety Control System has not been recognized and FFPO Safety Testing Laboratory has not been registered.

Article 45

- (1) Owner or its attorney must report and submit FFPO for the sake of FFPO safety inspection at the entry point of FFPO.
- (2) Entry of FFPO as referred to in sub-article (1) must be accompanied by Prior Notice and Certificate of

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Food Safety as referred to in Article 9.

(3) In the case of the entry of FFPO:

- a. not accompanied by Prior Notice, rejection will be conducted;
- b. not accompanied by Certificate of Food Safety, suspension will be conducted;
- c. accompanied by Prior Notice and Certificate of Food Safety, inspection of identity will be conducted.

(4) Suspension as referred to in sub-article (3) letter b, will be conducted at maximum 14 (fourteen) of calendar days since the suspension letter received, to give a chance to complete the Certificate of Food Safety.

(5) If the owner or its attorney cannot complete the Certificate of Food Safety, rejection will be conducted.

Article 46

(1) Inspection of identity as referred to in Article 45 sub-article (3) letter c, is conducted to find out the compatibility between the Prior Notice and the Certificate of Food Safety with the identity on packaging and physical of FFPO.

(2) When the result of the inspection of identity as referred to in sub-article (1) finds:

- a. Incompatibility between the Prior Notice and/or the Certificate of Food Safety with the identity on packaging and/or physical of FFPO, rejection will be conducted.
- b. Compatibility between the Prior Notice and the Certificate of Food Safety with the identity on packaging and physical of FFPO, plant quarantine measures will be conducted in accordance with the Law.

Article 47

(1) In the case of FFPO transit in a country as referred to in Article 11 sub-Article (1) letter c:

- a. not accompanied by Prior Notice and/or Prior Notice for transit, rejection will be conducted;
- b. not accompanied by Certificate of Food Safety, suspension will be conducted; or
- c. accompanied by Prior Notice, Prior Notice for transit and Certificate of Food Safety, inspection of identity will be conducted.

(2) Suspension as referred to in sub-article (1) letter b will be conducted at maximum for 14 (fourteen) calendar days from the date the suspension letter received, in order to give a chance to complete the Certificate of Food Safety.

(3) If the owner or its attorney cannot complete the Certificate of Food Safety, rejection will be conducted.

Article 48

(1) Inspection of identity as referred to in Article 47 sub-article (1) letter c is conducted to find out the compatibility between the Prior Notice, the Prior Notice for transit and the Certificate of Food Safety.

(2) When the result of the inspection of identity as referred to in sub-article (1) finds:

- a. Incompatibility between the Prior Notice, the Prior Notice for transit, and/or the Certificate of Food Safety with the identity on packaging and physical of FFPO, rejection will be conducted; or
- b. Compatibility between the Prior Notice, the Prior Notice for transit and the Certificate of Food Safety with the identity on packaging and physical of FFPO, plant quarantine measures will be conducted in accordance with the Law.

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Article 49

Provisions of inspection as referred to in Article 45 to Article 48 are applied for the type of FFPO that is not included in the recognition or registration.

Paragraph 4
Force Majeure

Article 50

- (1) When a country has an outbreak that can affect the FFPO safety, importation of FFPO from the country into Republic of Indonesia will be closed by the Minister in the form of Ministerial Decree.
- (2) Closing of importation as referred to in sub-article (1) can be reopened by the Minister in the form of Ministerial Decree.
- (3) Ministerial Decree as referred to in sub-article (2) is conducted based on clarification and/or verification by the Team.
- (4) Team as referred to in sub-article (3) is established by the Minister.

Part Three
Monitoring

Article 51

- (1) Monitoring is conducted to assure the FFPO safety requirements of Republic of Indonesia is fulfilled by:
 - a. country whose FFPO safety control system has been recognized;
 - b. country whose FFPO safety testing laboratory has been registered;
 - c. country whose FFPO safety control system has not been recognized and FFPO safety testing laboratory has not been registered.
- (2) Monitoring as referred to in sub-article (1) letter a, is conducted based on the consideration of:
 - a. Volume and type of FFPO;
 - b. Country of origin;
 - c. Information of food safety; and/or
 - d. Track record of compliance.
- (3) Monitoring as referred to in sub-article (1) letter b, is conducted based on the consideration of:
 - a. Volume and type of FFPO;
 - b. Country of origin;
 - c. Inspection laboratory;
 - d. Information of food safety; and/or
 - e. Track record of compliance.
- (4) Monitoring as referred to in sub-article (1) letter c, is conducted based on the consideration of:
 - a. Volume and type of FFPO;
 - b. Country of origin;

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- c. Obedience of FFPO exporter/importer;
 - d. Information of food safety;
 - e. Period of FFPO importation;
 - f. Frequency of FFPO importation; and/or
 - g. Track record of compliance.
- (5) Monitoring as referred to sub-article (1) is conducted anytime at the FFPO arrival, through the inspection of chemical and/or biological contaminant.
- (6) Monitoring as referred to in sub-article (1) is conducted by Quarantine Technical Unit of Quarantine based on the assignment from the Head of Agriculture Quarantine Agency.

Article 52

- (1) In conducting the monitoring as referred to in Article 51, taking the sample is at the place of the owner.
- (2) Sampling as referred to in sub-article (1) is conducted in the scheme of contaminant inspection.
- (3) Inspection as refer to in sub-article (2) is conducted in the laboratory assigned by the Minister or the accredited laboratory.
- (4) Laboratory assigned by the Minister as referred to in sub-article (3) is mentioned in Attachment IV of this Minister Regulation.

Article 53

When the result of laboratory inspection as referred to in Article 52 sub-article (3) finds that chemical and/or biological contaminant as referred to in Article 6 sub-article (3) exceeds the maximum limit, notification of non-compliance will be conducted.

Article 54

Monitoring as referred to in Article 51 is conducted to the FFPO that has been released.

Article 55

- (1) Based on the food safety risk analysis as referred to in Article 4, monitoring can be conducted upon the type of FFPO aside from the list in Attachment I.
- (2) Monitoring as referred to in sub-article (1) is conducted by Technical Unit of Agriculture Quarantine based on the assignment from the Head of Agriculture Quarantine Agency.

Part Four

Rejection, Demolition, and Incompatibility Notification

Article 56

- (1) Rejection of FFPO Importation as referred to in Article 33 sub-article (3) letter a, Article 34 sub-article (2) letter a, Article 35 letter a, Article 36 sub-article (2) letter a, Article 37 sub-article (3) letter a and sub-article (5), Article 38 sub-article (2), Article 40 sub-article (2) letter a, Article 41 sub-article (1) letter a and sub-article (3), Article 42 sub-article (2), Article 44 sub-article (2) letter a, Article 45 sub-article (3) letter a and sub-article (5), Article 46 sub-article (2) letter a, Article 47 sub-article (1)

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letter a and sub-article (3), and Article 48 sub-article (2) letter a, is conducted by expelling the FFPO out of the territory of Republic of Indonesia.

- (2) Rejection of FFPO Importation as referred to in sub-article (1) is conveyed to the owner or its attorney by the officer of Plant Quarantine in the form of rejection letter accompanied by the rejection background.

Article 57

- (1) If within the period of after 14 (fourteen) calendar days since the rejection letter as referred to in Article 56 sub-article (2) received, FFPO is not expelled from the territory of Republic of Indonesia, demolition is conducted.
- (2) Demolition as referred to in sub-article (1) is conducted under the supervision of Plant Quarantine Officer and a memorandum of demolition will be issued.

Article 58

The rejection as refer to in Article 56 and demolition as referred to in Article 57 are the responsibility of the owner or its attorney.

Article 59

Each incompatibility on the provisions of FFPO importation, the head of Technical Unit of Agriculture Quarantine conveys the notification of non-compliance to FSCA of the country of origin and the copy to the Head of Agriculture Quarantine Agency, in accordance with Format-12.

CHAPTER VI

FREEZING AND REVOCATION OF RECOGNITION, REVOCATION OF REGISTRATION, AND CLOSING THE IMPORTATION FROM UNRECOGNIZED AND UNREGISTERED COUNTRY

Part One

Freezing and Revocation of Recognition of a Certain Country

Article 60

- (1) Freezing of the recognition of FFPO safety control system of a certain country is conducted by the Minister.
- (2) Freezing as referred to in sub-article (1) is conducted if the result of laboratory inspection as referred to in Article 53 shows exceeding the maximum limit of chemical and/or biological contaminant 5(five) times during the period of the recognition.

Article 61

- (1) Freezing as referred to in Article 54 is conveyed in writing to FSCA of the country of origin to take corrective action by the Head of Agriculture Quarantine Agency on behalf of the Minister.

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- (2) Corrective action as referred to in sub-article (1) is conducted in the period of 6 (six) months since the date of notification of freezing in accordance with Format-13.
- (3) Result of corrective action as referred to in sub-article (2) is reported by FSCA of the country of origin to the Minister through the Head of Agriculture Quarantine Agency.
- (4) If FSCA of the country of origin does not carry out corrective action, recognition will be revoked.

Article 62

- (1) Based on the report of corrective action as referred to in Article 61 sub-article (3), verification to the country of origin can be conducted.
- (2) Verification to the country of origin as referred to in sub-article (1) is in order to prove that the corrective action has been conducted and complete the requirements of FFPO safety of the Republic of Indonesia.
- (3) When the verification as referred to in sub-article (1) proves that the corrective action is:
 - a. not in accordance with the FFPO safety requirements, recognition will be revoked.
 - b. in accordance with FFPO safety requirements, freezing will be revoked.

Article 63

Revocation of the recognition as referred to in Article 61 sub-article (4) and Article 62 sub-article (3) letter a is stipulated by the Minister in the form of Ministerial Decree, in accordance with Format-14.

Article 64

Revocation of freezing as referred to in Article 62 sub-article (3) letter b, is conveyed in writing to the FSCA of the country of origin by the Head of Agriculture Quarantine Agency on behalf of the Minister, in accordance with Format-15.

Article 65

Importation of FFPO from a country that is being frozen, the system of FFPO follows the provisions of Article 45 to Article 49.

Article 66

Procedure of freezing, revocation of recognition, and revocation of the freezing of FFPO safety control system of a certain country are written in Attachment V that is inseparable part of this Minister Regulation.

Part Two

Revocation of FFPO Safety Testing Laboratory of a Certain Country

Article 67

- (1) FFPO safety testing laboratory in the country of origin that is proven to issue Certificate of Analysis violates the provisions as referred to in Article 13 4(four) times during the period of registration, the registration of the FFPO testing laboratory will be revoked.
- (2) Revocation of the FFPO testing laboratory as referred to in sub-article (1) is stipulated by the Head of

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Agriculture Quarantine Agency on behalf of the Minister in accordance with Format-16.

Article 68

- (1) Certificate of Analysis issued by the testing laboratory whose registration being revoked as referred to in Article 67 cannot be used as the requirement of importation as referred to in Article 8 sub-article (2).
- (2) If the country of origin has only 1 (one) laboratory whose license being revoked, Importation of FFPO follows the provisions in Article 45 to Article 49.

Article 69

Procedure of revocation of FFPO testing laboratory is mentioned in Attachment VI that is inseparable part of this Minister Regulation.

Part Three

The closing of FFPO Importation from the Country whose Food Safety Control System has not been recognized and FFPO Safety Testing Laboratory has not been Registered

Article 70

- (1) The closing of FFPO Importation from the country with food safety control system has not been recognized and laboratory has not been registered, is conducted by Minister in the form of Ministerial Decree.
- (2) The closing of FFPO Importation as referred to in sub-article (1) is conducted when 3 (three) times of the result of the laboratory inspection as referred to in Article 53 shows exceeding the maximum limit of the chemical and/or biological contaminant.

Article 71

- (1) The closing of FFPO Importation as referred to in Article 70 sub-article (1) can be re-opened by Minister in the form of Ministerial Decree.
- (2) Ministerial Decree as referred to in sub-article (1) is conducted based on the result of clarification by the Team.
- (3) Team as referred to in sub-article (2) is established by the Minister.

Article 72

Format-1 to Format-16 as referred to in Article 10 sub-article (3), Article 11 sub-article (4), Article 16 sub-article (1), Article 17 sub-article (3), Article 19 sub-article (3), Article 20, Article 24 sub-article (1), Article 25 sub-article (3), Article 27, Article 28 sub-article (1), Article 59, Article 61 sub-article (2), Article 63, Article 64 and Article 67 sub-article (2), are in Attachment VII that is inseparable part of this Minister Regulation.

CHAPTER VII

COST

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Article 73

All of the costs required to conduct:

- a. Assessment, verification, and evaluation in the scheme of recognition of FFPO safety control system;
 - b. Assessment and verification in the scheme of registration of FFPO safety testing laboratory of a certain country;
 - c. Clarification and/or verification of the outbreak; and
 - d. Clarification of opening the FFPO Importation from the country whose FFPO safety control system has not been recognized and laboratory has not have registered,
- is charged to State Budget and Income.

Article 74

The cost of laboratory inspection for the purpose of monitoring as referred to in Article 52 sub-article (3) to the FFPO comes from:

- a. Country with the recognition of FFPO safety control system is covered by Agriculture Quarantine Agency.
- b. Country with the registration of FFPO safety testing laboratories is covered by the owner; or
- c. Country with the FFPO safety control system has not been recognized and laboratory has not been registered is covered by the owner.

CHAPTER VIII TRANSITION PROVISIONS

Article 75

- (1) Recognition of FFPO safety control system and registration of safety testing laboratory that have been obtained before the stipulation of this Minister Regulation are still valid until they expire.
- (2) Application for the recognition of FFPO safety control system and registration of safety testing laboratory that have been submitted and have not been recognized nor registered before the stipulation of this Minister Regulation, follow this Minister Regulation.

Article 76

When the recognition of FFPO safety control system or registration of safety testing laboratory expire and/or the extension is not obtained, inspection of FFPO safety is conducted in accordance with the provisions of Article 45 to Article 49.

Article 77

At the time this Minister Regulation comes into effect, FFPO that had arrived in entry point, its food safety inspection follows this Minister Regulation.

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CHAPTER IX CLOSING PROVISIONS

Article 78

At the time this Minister Regulation comes into effect, Regulation of Minister of Agriculture No. 04/Permentan/PP.340/2/2015 regarding Food Safety Inspection over Export and Import of Fresh Food of Plant (State Gazette No. 275, 2015) as it changed with Minister Regulation No. 13/Permentan/KR.040/4/2016 regarding The Change of Regulation of Minister of Agriculture No. 04/Permentan/PP.340/2/2015 regarding Food Safety Inspection over Export and Import of Fresh Food of Plant (State Gazette 563, 2016), is revoked and became null.

Article 79

This Minister Regulation comes into effect since the date of promulgation.

In order to make everyone knows it, it is mandated that this Minister Regulation to be placed in the State Gazette of Republic of Indonesia.

Stipulated in Jakarta
on November 15, 2016
MINISTER OF AGRICULTURE
REPUBLIC OF INDONESIA

AMRAN SULAIMAN

Promulgated in Jakarta
On November 18, 2016
DIRECTOR GENERAL OF LEGISLATION
MINISTRY OF LAW AND HUMAN RIGHTS
REPUBLIC OF INDONESIA

WIDODO EKATJAHJANA

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Attachment II

PROCEDURE OF RECOGNITION AND EXTENSION OF RECOGNITION OF FFPO SAFETY CONTROL SYSTEM

A. Procedure of Recognition of FFPO Safety Control System

1. Requirements

Recognition can be obtained when a country has and applies the

- a. Good Agriculture Practice (GAP); and
- b. Good Handling Practice (GHP).

2. Procedure

Procedure to obtain the country recognition is as follows:

a. Application Submission

Written application is submitted from FSCA (Food Safety Competent Authority) or the government representative of a country to the Minister through the Head of Agriculture Quarantine Agency by filling in the Recognition Application Form completed with documents and information regarding FFPO safety control system in the applicant country as follows:

- 1) Food safety policy;
- 2) Type of FFPO;
- 3) Production location that is applying GAP;
- 4) Handling location that is applying GHP;
- 5) FFPO safety monitoring system;
- 6) Result of last 3 (three) years of FFPO safety monitoring system;
- 7) FFPO safety inspection laboratory;
- 8) Authority institutions i.e. Competent Authority, institution that stipulates food safety policy, institution that conducts food safety survey, and product certification institution.
- 9) FFPO import certification system; and
- 10) Shipping/embarkation location.

b. Assessment

- 1) Assessment of the application is conducted by the Assessment and Verification Team established by the Minister.
- 2) If the application is completed with the documents and the information as referred to in letter a, the Team will conduct the assessment within 3 (three) months since the application is received.
- 3) If the documents and the information as referred to in letter a are not in accordance and/or during the assessment process found out that document does not match, the applicant is given 2 (two) months to complete it since the date of the incompatibility notification letter.
- 4) Notification of incompatibility is conveyed in writing to the applicant country by the Head of Agriculture Quarantine Agency on behalf of the Minister.
- 5) If the application is not completed during the period as referred to in number 3, the application for

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the recognition is considered as revoked.

- 6) If the result of the assessment of the documents and the information on FFPO safety control system of the applicant country is compatible, the application will be followed up by On-site verification in the applicant country.

c. On-site Verification

- 1) On-site verification is conducted by the Team.
- 2) Based on the documents and the information, the Team formats the plan before the On-site verification including the place, time and other related matters.
- 3) Plan of the On-site verification is discussed and agreed by the Team and the applicant.
- 4) The Team conducts the verification in the country of origin to make sure the compatibility between regulations/documents/information with practice of FFPO food safety control in the country of origin for the recognition.
- 5) Result of the On-site verification is written on work documents.
- 6) Work documents mention the result of the verification that comprising:
 - a) Elements of FFPO safety control system;
 - b) Incompatibility with authentic evidence on documents and on-site facts.
- 7) Based on the documents and the information as referred to in letter b number 6, and works documents as referred to in number 6, the Team formats the Verification Report.
- 8) The result of the verification is reported and presented to be evaluated by the Recognition Evaluation Team, at the longest 3 (three) months since the verification activities are completed.
- 9) Recognition Evaluation Team is established by the Minister, chaired by the Head of Agriculture Quarantine Agency and membered by related technical Director Generals in the Ministry of Agriculture.

d. Evaluation

- 1) When minor incompatibility is found during the evaluation, the applicant is suggested to conduct corrective action at maximum within 6 (six) months since the date of the notification letter.
- 2) Applicant reports the corrective action as referred to in number 1 to the Evaluation Team to conduct re-verification if needed.
- 3) If the result of the evaluation finds major incompatibility between FFPO safety control system and on-site implementation, the application for the recognition is not followed up and the Evaluation Team recommend a rejection of the application to the Minister.
- 4) If the result of the evaluation shows compatibility between FFPO safety control system and on-site implementation, the application for the recognition will be followed up and Evaluation Team recommend granting the recognition to the Minister .
- 5) The result of the evaluation is reported as the recommendation to the Minister in order to grant the recognition to the applicant country or not, at least 6 (six) months since the report of Verification is reported to the Evaluation Team

e. Recognition

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- 1) If based on the recommendation from the Evaluation Team, FFPO safety control system is not compatible with the FFPO safety system of Indonesia, the Head of Agriculture Quarantine Agency on behalf of the Minister submit a letter to FSCA or the government representative of the country of origin regarding the rejection of application for the recognition with the background of rejection.
- 2) If based on the recommendation from the Evaluation Team, FFPO safety control system is compatible with Indonesian FFPO safety inspection requirements, Minister will grant the Recognition.
- 3) Recognition will be granted within maximum 6 (six) months since the recommendation from the Evaluation Team.

f. Period of Recognition

Recognition as referred to in letter e number 2 is stipulated for 3 (three) years and can be extended.

B. Extension of Recognition

1. Extension of the period of Recognition can be granted after FSCA or the government representative of the country of origin submits application for the recognition and will be followed up by assessment and re-verification if needed.
2. Application for the extension of the period of the recognition is submitted by FSCA or the government representative of the country of origin no later than 6 (six) months before the termination of the recognition.
3. If the application for the extension exceeds the period as referred to in number 2, it is considered as new application for the recognition.

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REPUBLIC OF INDONESIA

AMRAN SULAIMAN

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ATTACHMENT III

PROCEDURE OF REGISTRATION AND EXTENSION OF REGISTRATIONS OF FFPO SAFETY TESTING LABORATORY

A. Procedure of Registration of FFPO Safety Testing Laboratory

1. Requirements

Requirements of safety testing laboratory of certain country, in order to be able to be registered by Agriculture Quarantine Agency, must be accredited by the competent institution of the country of origin and/or international competent institution. The scheme of accredited inspection at least in accordance with the type of FFPO and active material of pesticide that being used in the country of origin and other contaminant (pesticide active material that include Persistent Organic Pollutants (POPs), heavy metal, Mycotoxin, and/or biological contaminant) as mentioned in Attachment I of this Minister Regulation.

2. Procedure

Procedure of the registration of FFPO safety testing laboratory is as follows:

a. Application Submission

Written application is submitted by FSCA or the government representative of the country of origin to the Minister through the Head of Agriculture Quarantine Agency by filling in the Registration Application Form, accompanied by documents and information as follows:

- 1) Profile of FSCA of the country of origin comprising name of institution, address, contact person, organization structure, job and authority;
- 2) Profile of the competent authority that accredits the food safety testing laboratory in the country of origin, comprising name of the institution, address, contact person, organization structure, job and authority;
- 3) Profile of testing laboratory comprising name of laboratory, address, organization structure, contact person, scheme of inspection, method of inspection, copy of valid accreditation certificate;
- 4) List of pesticide active material being used and no longer used in the country of origin;
- 5) Monitoring mechanism by FSCA to food safety testing laboratory.

b. Document assessment

- 1) To the application for the registration, document assessment will be conducted.
- 2) Assessment on the document for the recognition is conducted by the Team established by the Head of Agriculture Quarantine Agency.
- 3) Assessment as referred to in number 1 is conducted to make sure compliance, trueness, compatibility of the information conveyed by FSCA of the country of origin.
- 4) If the application is accompanied by documents and information as referred to in letter a, the Team will conduct the assessment at maximum within 14 (fourteen) of working days since the documents are received.
- 5) If the documents and information as referred to in letter a are not complete, untrue or incompatible, the application for the registration is rejected by the Head of Agriculture Quarantine Agency.

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- 6) Rejection of the application is conveyed in writing to the FSCA of the country of origin by the Head of Agriculture Quarantine Agency on behalf of the Minister accompanied by the background of rejection.
- 7) When the result of the assessment shows that the information conveyed is complete, true and compatible, the Team will recommend stipulating the registration of FFPO safety testing laboratory to the Head of Agriculture Quarantine Agency on behalf of the Minister.
- 8) If the Team needs verification of the testing laboratory, verification on FFPO safety testing laboratory will be conducted.
- 9) Verification is conducted randomly to the testing laboratory applied to be registered in a certain country.

c. Laboratory Verification

- 1) Verification is conducted by the Team established by the Head of Agriculture Quarantine Agency.
- 2) Prior to the verification, the Team formats plans including place and time of verification and other things related to the verification process, and to be discussed with the applicant or its attorney first.
- 3) The Team will conduct verification on the testing laboratory in the country of origin to evaluate the competency of testing laboratory with the requirements to be submitted for the registration by the Head of Agriculture Quarantine Agency on behalf of the Minister.
- 4) The result of the verification is written on work document.
- 5) Work document writes the result of the verification that comprising:
 - a) Capacity of food safety testing laboratory i.e. document of laboratory quality system, method of inspection being used, laboratory personnel, inspection tools and material, documentation of inspection result etc.
 - b) Incompatibility with authentic evidences on the documents and fact on site.
- 6) Based on the documents and the information as referred to in letter a, and the work document as referred to in number 5, the Team formats Report of Competency Verification Result.
- 7) Result of the competency verification is reported and presented to get assessment.
- 8) If the result of the competency verification finds minor incompatibility between the information/data with the condition on site, the applicant is suggested to conduct corrective action at maximum within 6 (six) months since the date of the incompatibility notification.
- 9) The applicant reports the corrective action as referred to in number 8 to the Team to conduct re-verification if needed.
- 10) If FSCA of the country of origin can fix the incompatibility during 6 (six) months since the incompatibility notification, the Team will recommend the registration of FFPO safety testing laboratory to the Head of Agriculture Quarantine Agency on behalf of the Minister.
- 11) If the result of the verification shows incompatibility between the submitted information/data with the facts on site, the application for the registration is not followed up and the Team convey the recommendation of the rejection of the application to the Head of Agriculture Quarantine Agency on behalf of Minister via the letter from the Quarantine Agency on behalf of the Minister, accompanied by rejection background.
- 12) If the result of the verification shows compatibility between the conveyed information/data with the facts on site, the application for the registration will be followed up by conveying the recommendation

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to get the registration.

- 13) The result of the verification in the form of the recommendation from the Verification Team regarding the rejection or the acceptance of the application for the registration is conveyed by the Head of the Team to the Head of Agriculture Quarantine Agency in maximum 14 (fourteen) of working days after the verification completed.

d. Registration

The decision of granting registration is stipulated by the Head of Agriculture Quarantine Agency on behalf of the Minister in the form of Ministerial Decree.

e. Period of Registration

Decision of registration as referred to in letter d is stipulated for the period of 3 (three) years and can be extended.

B. Extension of Registration Period

1. Extension of the period of the registration can be granted after FSCA or the government representative of the country of origin re-applies for the registration and will be followed up with assessment and re-verification if needed.
2. Application for the extension of the period of the registration is applied by FSCA or the government representative of the country of origin no later than 6 (six) months before the registration period expire.
3. If the application for extension exceeds the period as referred to in number 2, it will be considered as new application for the registration.

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Attachment V

PROCEDURE OF FREEZING, REVOCATION OF RECOGNITION, AND REVOCATION OF FREEZING OF CERTAIN COUNTRY SAFETY CONTROL SYSTEM

1. Freezing of the recognition of FFPO safety control system will be conducted when the laboratory inspection result finds exceeding the maximum limit of chemical and/or biological contaminant 5 (five) times.
2. The freezing of the recognition is conveyed in writing to FSCA (FFPO Safety Competent Authority) by the Head of Agriculture Quarantine Agency on behalf of the Minister to undertake corrective action.
3. Corrective action is conducted within 6 (six) months since the date of the freezing notification.
4. If FSCA of the country of origin does not conduct corrective action during the period as referred to in number 3, the country recognition will be revoked.
5. Revocation of FFPO safety control system of the country of origin is in the form of Minister Decree.
6. After corrective action is conducted, FSCA of the country of origin reports the result of corrective action to the Minister through the Head of Agriculture Quarantine Agency.
7. The team conducts assessment on the report of the corrective action and re-verification in the country of origin can be conducted by Verification Team if needed. Re-verification is conducted in order to make sure that corrective action has been conducted in the country of origin and complete the requirements of FFPO safety of Republic of Indonesia.
8. Verification Team reports the result of re-verification and if based on the result of re-verification proves that:
 - a. Incompatibility with requirements of FFPO safety, the recognition of FFPO safety control system will be revoked.
 - b. Compatible with requirements of FFPO safety, freezing of the recognition will be revoked.
9. Revocation of the freezing of the recognition is conveyed in writing to FSCA or the government representative of the country of origin by the Head of Agriculture Quarantine Agency on behalf of the Minister.
10. Revocation of the freezing of the recognition is set in accordance with remaining period of previous recognition.

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Attachment VI

PROCEDURE OF REVOCATION OF THE REGISTRATION OF TESTING LABORATORY

1. Registration of FFPO safety testing laboratory will be revoked when 4 (four) times of incompatibility with the FFPO safety in Certificate of Analysis are found during the registration period.
2. Incompatibility in Certificate of Analysis as refer to in number 1 is the accumulation of these:
 - a. Incompatibility in administrative inspection that is the incompatibility during the document/administrative inspection (Certificate of Analysis does not meet the requirements); or
 - b. Incompatibility on the result of monitoring that is the incompatibility of laboratory result that shows exceeding the maximum limit of chemical and/or biological contaminant.
3. Revocation of the laboratory registration is stipulated by the Head of Agriculture Quarantine Agency on behalf of the Minister.

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