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**REGULATION OF THE MINISTER OF AGRICULTURE**

**OF THE REPUBLIC OF INDONESIA**

**NO. 04/Permentan/PP.340/2/2015**

**CONCERNING**

**FOOD SAFETY CONTROL ON THE IMPORTATION AND EXPORTATION OF FRESH FOOD OF PLANT ORIGIN**

**CHAPTER I**

**GENERAL PROVISIONS**

**Article 1**

For the purpose of this Government Regulation:

1. **Food** means all which derived from biological sources of agricultural products, estate, forestry, fisheries, livestock, aquatic, and water, whether processed or unprocessed, which is applied as food or beverages for human consumption, including food additives, raw materials food, and other materials used in the preparation, processing, and / or manufacturing of food or beverages.
2. **Plant** means all kinds of plant natural resources, alive or dead, either unprocessed or has been processed.
3. **Fresh food** means food that has not been processed that can be consumed directly and/or can become raw material of food processing.
4. **Fresh Food of Plant Origin** hereinafter referred to as FFPO means food from plant origin that has not been processed, can be consumed directly, minimally processed, and/or can become raw material of food processing.
5. **FFPO Safety** means a condition and effort needed to prevent FFPO from chance of containing chemical and biological contamination that exceeding the maximum limit.
6. **Control** means a measures carried out to assure that FFPO that is imported into or exported from the territory of the Republic of Indonesia comply with food safety requirements.
7. **Chemical Contaminant** means contaminant in FFPO which is derived from chemical elements or compounds that can harm and endanger human health.
8. **Biological Contaminant** means contaminant in FFPO which is derived from biological material.
9. **Importation** means a series of activities to import FFPO from other countries into the territory of the Republic of Indonesia through designated point of entry.
10. **Exportation** means a series of activities to export FFPO from the territory of the Republic of Indonesia to other countries through designates point of exit.
11. **Entry and Exit Points** means seaports, river ports, air ports, ferry ports, dry ports, post offices, state border crossing post which has been designated as the entry and exit points.
12. **Food Safety Competent Authority** hereinafter referred to as FSCA means government institutions which have authorization to carry out control and/or food safety certification during food production process.

**Article 2**

This Regulation of the Minister of Agriculture is intended as a basis for FFPO safety control and aimed to protect peoples from chemical and biological contamination.

**Article 3**

The scope of this Minister Regulation includes requirements of importation and exportation, recognition of control system and FFPO safety laboratory testing registration of a country, import and export control, suspension and revocation of FFPO safety control system of a country and revocation of FFPO safety laboratory testing of a country, and expense.

**CHAPTER II**

**REQUIREMENTS FOR IMPORT AND EXPORT**

**Article 4**

1. The importation of FFPO to be distributed have to meet FFPO safety requirements.
2. FFPO safety requirments as referred to in para (1) includes chemicals and biological contaminants which are not exceeding the maximum limit.
3. Type of FFPO, maximum level of chemicals contaminant, and maximum level of biological contaminants as referred to in para (2) listed in Annex I as an integral part of this Minister Regulation.

**Article 5**

The importation of FFPO as referred to in Article 4 can be originated from countries which the FFPO safety control system has been:

1. Recognized; or
2. Not been recognized.

**Article 6**

1. The importation of FFPO from country which the FFPO safety control system has been recognized as referred to in Article 5 poin a, have to accompanied by prior notice.
2. The importation of FFPO from country which the FFPO safety control system has not been recognized as referred to in Article 5 point b, have to accompanied by:
3. Prior notice; and
4. Certificate of Analysis.

**Article 7**

1. Prior notice as referred to in Article 6 issued by exporters in the origin country at the latest at the time FFPO loaded into conveyance in the origin country.
2. In terms of the exporters are not in the origin country, prior notice as referred to in sub-article (1) can be issued by the authority in origin country.
3. Form of prior notice as referred to in sub-article (1) in accordance with Format-1 for country which the FFPO safety control system has been recognized and Format-2 for country which the FFPO safety control system has not been recognized.

**Article 8**

1. In terms of FFPO from country which the FFPO safety control system has been recognized, transit in a country and the FFPO volume has been reduced, beside prior notice as referred to in Article 6 sub-article (1) has to accompanied by prior notice for transit which is issued by exporters in the transit country.
2. In terms of FFPO from country which the FFPO safety control system has not been recognized, transit in a country and the FFPO volume has been reduced, beside prior notice and Certificate of Analysis as referred to in Article 6 sub-article (2) has to be accompanied by prior notice for transit which is issued by exporters in transit country.
3. In terms of the exporters are not in the transit country, prior notice for transit as referred to in sub-article (1) and sub-article (2) can be issued by its authority in transit country.
4. Form of prior notice for transit as referred to in sub-article (1) and sub-article (2) in accordance with Format-3.

**Article 9**

1. Prior notice as referred to in Article 7 and prior notice for transit as referred to in Article 8 have to submitted by exporter or its authorized by online through website of Indonesian Agricultural Quarantine Agency.
2. Submission of prior notice and prior notice for transit by online as referred to in sub-article (1) is to obtain barcode.
3. In terms FFPO from country which FFPO safety control system has not been recognized, exporter or its authorized must put number and date of Certificate of Analysis of origin country on the prior notice and prior notice for transit as referred to in sub-article (1).
4. In terms website of Indonesian Agricultural Quarantine Agency is not active, exporter or its authority can manually issued the prior notice and prior notice for ransit as referred to in sub-article (1).

**Article 10**

1. Certificate of Analysis as referred to in Article 6 sub-article (2) point b issued by laboratory testing which has been registered by Indonesian Agricultural Quarantine Agency.
2. Certificate of Analysis as referred to in sub-article (1) consist of:
3. Identity of FFPO;
4. Identity of owner;
5. Identity of consignment;
6. Date of analysis;
7. Method of analysis;
8. Number and date of certificate; and
9. Analysis result.
10. Analysis as referred to in sub-article (2) point g carried out to kind of pesticide active material which is used in origin country, kind of heavy metal contaminants, mycotoxin, and/or microba as referred to in Article 4 sub-article (3).
11. Result of analysis as referred to in sub-article (3) must be less or same with maximum level of residue and/or contaminants as referred to in Article 4 paragaraph (3).
12. Result of analysis as referred to in sub-article (2) point g accompanied by statement of assurance that the FFPO meets the Indonesian FFPO safety requirements from Head of testing laboratory.
13. Form of Certificate of Analysis as referred to in sub-article (1) in accordance with Format-4.

**Article 11**

1. The Exportation of FFPO must be accompanied by certificate or document which explain the safety of FFPO in accordance with the requirements of the destination country.
2. Certificate or document as referred to in sub-article (1) issued by accredited testing laboratory, accredited certification body, or FFPO Safety Competent Authority.

**CHAPTER III**

**RECOGNITION OF FFPO SAFETY CONTROL SYSTEM AND REGISTRATION OF FFPO SAFETY TESTING LABORATORY IN A COUNTRY**

**Part One**

**Requirements of Recognition**

**Article 12**

A country can be recognized its FFPO safety control system as referred to in Article 5 point a if the country have and applied the policy on:

1. Good Agriculture Practices/GAP;
2. Good Handling Practices/GHP; and/or
3. Good Manufacturing Practices/GMP.

**Part Two**

**Procedures for the Recognition of FFPO Safety Control System of a Country**

**Article 13**

1. FFPO safety competent authority or government representative of a country submit written proposal to the Minister through Director General of Indonesian Agricultural Quarantine Agency in accordance with Format-5.
2. Proposal as referred to in sub-article (1) accompanied with information on FFPO safety control system of applicant country.
3. Information as referred to in sub-article (2) includes:
	1. food safety policy;
	2. description of proposed FFPO;
	3. production site which apply GAP;
	4. production site which apply GHP;
	5. production site which apply GMP;
	6. monitoring system of FFPO safety ;
	7. monitoring result of FFPO safety at least in the last 3 (three) years;
	8. FFPO safety testing laboratory;
	9. authorized body, i.e. competent authority, institutions that stipulate food safety policy, institutions that carried out survey on food safety, and product certification bodies;
	10. list of producers/exporters;
	11. inspection system and FFPO export certification;
	12. inspection system and FFPO import certification; and
	13. exit point.
4. Application for recognition of FFPO safety control as referred to in sub-article (1) assessed by Team.

**Article 14**

1. Assessment carried out to ensure the compliance of information on FFPO safety control system as referred to in Article 13 sub-article (3).
2. If the assessment result as referred to in sub-article (1):
	1. Not comply, applicant have to fulfill the compliance at least 2 (two) months since the date of notification of non compliance; or
	2. Comply, field verification will be conducted.
3. Notification of non compliance as referred to in sub-article (2) point 1 submitted in written by the Director General of Indonesian Agricultural Quarantine Agency on behalf of the Minister to the applicant country accompanied with the reason of non compliance.
4. If within the periode as referred to in sub-article (2) point a is not fulfilled, the application for recognition shall be considered withdrawn.

**Article 15**

* + 1. Field verification as referred to in Article 14 sub-article (2) point b made to harmonize the information with the practice of FFPO safety control system.
		2. Field verification result as referred to in sub-article (1) will be evaluated by Team.

**Article 16**

1. Evaluation as referred to in Article 15 sub-article (2) made to assessed the verification result.
2. If within the evaluation as referred to in sub-article (1) found:
3. minor non compliance, the FSCA of origin country will carry out corrective action maximum 6 (enam) months since the date of notification of non compliance;
4. major non compliance, evaluation team will give recommendation to the Minister for a rejection; or
5. compliance, evaluation team will give recommendation to the Minister to establish the recognition.
6. If within the periode as referred to in sub-article (2) point a, country of origin can fix the minor non compliance, evaluation team will give recommendation to the Minister to establish the recognition.

**Article 17**

1. Rejection as referred to in Article 16 sub-article (2) point b submitted in written by the Director General of Indonesian Agricultural Quarantine Agency on behalf of the Minister to the FSCA of origin country accompanied with the reasons of rejection, in accordance with Format-6.
2. Determination of recognition as referred to in Article 16 sub-article (2) point c and sub-article (3) is set out in the form of Minister Decree, in accordance with Format-7.

**Article 18**

1. The periode of recognition as referred to in Article 17 sub-article (2) is valid for 3 (three) years.
2. The periode of recognition as referred to in sub-article (1) can be extended.
3. Application for extension as referred to in sub-article (2) is carried out at least 6 (six) months before the expiration of recognition.
4. If the application of extension exceeding the periode as referred to in sub-article (3) is considered as new application for recognition.

**Article 19**

Procedures for recognition and extension of the recognition of FFPO safety control system of a country as referred to in Article 18 is listed in Annex II as an integral part of this Minister Regulation.

**Part Three**

**Procedure for the Registration of FFPO Safety Testing Laboratory of a Country**

**Article 20**

(1) A country which the FFPO safety control system has not been recognized as referred to in Article 5 point b can be the origin country of FFPO if it has FFPO safety testing laboratory which have been registered.

(2) FSCA of origin country submit the application for testing laboratory registration as referred to in sub-article (1) to the Minister through the Director General of Indonesian Agricultural Quarantine Agency in accordance with Format-8.

(3) Testing laboratory as referred to in sub-article (1) have to be accredited by the competent authority of the origin country or international competent authority with scope of testing at least comply with kind of FFPO and active material of pesticide used, heavy metal, micotoxin, and/or biological contaminants as referred to in Article 4 sub-article (3).

**Article 21**

(1) The application for registration by FSCA of the origin country as referred to in Article 20 rapagraph (2) accompanied by informations on:

a. Profile of FSCA of the origin country, include institution name, address, contact person, organization structure, tasks and authority;

b. Profile of competent authority which accredit food safety testing laboratory in the origin country, include name of the institution, address, contact person, organization structure, tasks, and authority;

c. Profile of testing laboratory, include name of the laboratory, address, contact person, scope of testing method, record of testing results in last 2 (two) years, list of major equipment, layout of offices and laboratories, laboratorium personnel including the training periode for laboratory analyst, copies of documents that show the evaluation results of laboratory performance;

d. List of active pesticide materials which is being used and which is no longer used;

e. Speciment of signature and name of competent authority to certify the certificate of analysis;

f. Laboratory accreditation system; and

g. Control mechanism by FSCA on food safety testing laboratory.

1. The application as referred to in sub-article (1) will be assessed by Team.

**Article 22**

1. The assessment as referred to in Article 21 sub-article (2) carried out to ensure the completeness, correctness, and compliance of informations submitted by FSCA of the origin country.
2. In term of assessment result as referred to in sub-article (1) the information is incomplete, incorrect, or not compliance, the application for registration will be rejected by the Director General of Indonesian Agricultural Quarantine Agency.
3. The rejection as referred to in sub-article (2) will be submitted in written by the Director General of Indonesian Agricultural Quarantine Agency on behalf of the Minister to FSCA of the origin country accompanied by the reason of rejection , in accordance with Format-9.

**Article 23**

(1) In term of assessment result as referred to in Article 22 sub-article (1) the information provided is complete, correct, and comply, the verification of FFPO safety testing laboratory will be carried out.

(2) Verification of laboratory as referred to in sub-article (1) carried out to prove the competency of FFPO safety testing laboratory.

(3) The result of laboratory verification as referred to in sub-article (2) will be evaluated by Team.

**Article 24**

1. The evaluation as referred to in Article 23 sub-article (3) carried out to assess the result of testing laboratory verification.
2. If in the evaluation as referred to in sub-article (1) found:
3. Minor noncompliance, FSCA of the origin country carried out corrective action at the longest 6 (six) months since the date of notification of noncompliance letter.
4. Major noncompliance, evaluation team will recommend to the Director General of Indonesian Agricultural Quarantine Agency to carried out the rejection; or
5. Compliance, evaluation team will recommend to the Director General of Indonesian Agricultural Quarantine Agency to stipulate the registration.
6. If in the period as referred to in sub-article (2) point a, FSCA of origin country can fix the minor noncompliance, the evaluation team will recommend to the Director General of Indonesian Agricultural Quarantine Agency to stipulate the registration.

**Article 25**

(1) The rejection as referred to in Article 24 sub-article (2) point b will be submitted in written by the Director General of Indonesian Agricultural Quarantine Agency on behalf of the Minister to FSCA of the origin country accompanied by the reasons of rejection, in accordance with Format-9.

(2) Application of registration which has been accepted as referred to in Article 24 sub-article (2) point c and sub-article (3) stipulated in the form of Decree of the Director General of Indonesian Agricultural Quarantine Agency on behalf of the Minister, in accordance with Format-10.

**Article 26**

(1) The period of registration as referred to in Article 25 sub-article (2) is valid for 3 (three) years.

(2) The periode of registration as referred to in sub-article (2) can be extended.

(3) Application for extension as referred to in sub-article (2) carried out out no later than 6 (six) months before the expiration of the registration.

(4) If the application for extension beyond the period as referred to in sub-article (3) will be considered as new registration application.

**Article 27**

Procedures of registration and extension of registration for FFPO safety testing laboratory of a country as referred to in Article 26 is mentioned in Annex III as an integral part of this Minister Regulation.

**Article 28**

* 1. The assessment team on FFPO safety control system as referred to in Article 13 sub-article (40 and evaluation Team on FFPO safety control system as referred to in Article 15 sub-article (2) stipulated by the Minister.
	2. The assessment registration team as referred to in Article 21 sub-article (2) and evaluation registration team as referred to in Article 23 sub-article (3) stipulated by the Director General of Indonesian Agricultural Quarantine Agency.

**CHAPTER IV**

**CONTROL OF IMPORTATION AND EXPORTATION**

**Part One**

**General**

**Article 29**

1. Control of FFPO safety at the FFPO entry and exit points is carried out by plant quarantine officers.
2. Implementation of control for FFPO safety as referred to in sub-article (1) carried simultaneously with plant quarantine actions.

**Part two**

**Procedures for Import Control**

**Paragraph 1**

**Procedures for the Control of Importation from Country which FFPO Safety Control System has been Recognized**

**Article 30**

1. The owner or its authorized which carry out importation of FFPO from a country which FFPO safety control system has been recognized, must report and submit the FFPO to plant quarantine officer in the entry points at the latest upon arrival of FPPO.
2. Importation of FFPO as referred to in sub-article (1) must accompanied by prior notice as referred to in Article 6 sub-article (1).
3. In term of importation of FFPO:
4. Does not accompanied with prior notice, will be rejected; or
5. Accompanied with prior notice, inspection on the validity of prior notice will be carried out.

**Article 31**

1. Inspection of the validity of prior notice as referred to in Article 30 sub-article (3) point b is to prove that barcode on the prior notice is comply with the FFPO origin country .
2. If the result of inspection on the validity of prior notice as referred to in sub-article (1) shows that barcode on the the prior notice is:
3. Not comply with the FFPO origin country, will be rejected; or
4. Comply with the FFPO origin country, inspection on identity will be carried out.

**Article 32**

1. The inspection of identity as referred to in Article 31 sub-article (2) point b is to find out the compliance between prior notice and the identity on the packaging and physical of FFPO.
2. If the result of inspection of FFPO identity as referred to in sub-article (1) is:
	1. Not comply between prior notice and the identity on the packaging and physical of FFPO, will be rejected; or
	2. Comply between prior notice and the identity on the packaging and physical of FFPO, plant quarantine actions will be carried out in accordance with plant quarantine regulations.

**Article 33**

In term of FFPO from country which has been recognized, transit in a country as referred to in Article 8 sub-article (1) if:

1. Not accompanied with prior notice or prior notice for transit, will be rejected; or
2. Accompanied with prior notice or prior notice for transit, inspection on validity of prior notice and prior notice for transit will be carried out.

**Article 34**

1. The inspection on validity as referred to in Article 33 point b is to prove that barcode on prior notice and prior notice for transit is comply with FFPO origin country.
2. If the result of inspection on validity as referred to in sub-article (1) shows that barcode on prior notice and prior notice for transit is:
3. Not comply with the FFPO origin country, will be rejected; or
4. Comply with the FFPO origin country, inspection on identity will be carried out.

**Article 35**

1. The inspection on identity as referred to in Article 34 sub-article (20 point b is to find out the compliance between prior notice and prior notice for transit with identity on packaging and physical of FFPO.
2. If the result of inspection of FFPO identity as referred to in sub-article (1) is:
3. Not comply between prior notice and prior notice for transit with identity on packaging and physical of FFPO, will be rejected; or
4. Comply between prior notice and prior notice for transit with identity on packaging and physical of FFPO, plant quarantine actions will be carried out in accordance with plant quarantine regulations.

**Paragraph 2**

**Procedures for the Control of Importation from Country which FFPO Safety Control System has not been Recognized**

**Article 36**

1. The owner or its authorized which carry out importation of FFPO from country which FFPO safety control system has not been recognized, must report and submit the FFPO to plant quarantine officers in the FFPO entry points at the latest upon arrival of FPPO.
2. Importation of FFPO as referred to in sub-article (1) must accompanied by prior notice and Certificate of Analysis as referred to in Article 6 sub-article (2).
3. In term of FFPO importation is:
4. Not accompanied with prior notice, will be rejected;
5. Not accompanied with Certificate of Analysis, detention will be carried out; or
6. Accompanied with prior notice and Certificate of Analysis, inspection on validity of prior notice and Certificate of Analysis will be carried out.
7. Detention as referred to in sub-article (3) point b is carried out no later than 14 calendar days to provide an opportunity to complete the Certificate of Analysis.
8. If in the period as referred to in sub-article (4), the owner or its authorized can not complete the Certificat of Analysis, will be rejected.

**Article 37**

1. The inspection on validity of prior notice as referred to in Article 36 sub-article (3) point c, is carried out to prove that:
2. barcode comply with the FFPO origin country; and
3. number and date of Certificate of Analysis is comply with Certificate of Analysis.
4. In term of the result of inspection on validity of prior notice as referred to in sub-article (1) shows that:
5. barcode is not comply with the FFPO origin country; or
6. number and date of Certificate of Analysis is not comply with Certificate of Analysis,

will be rejected.

**Article 38**

1. The inspection on validity of Certificate of Analysis as referred to in Article 36 sub-article (3) point c, is carried out to prove that Certificate of Analysis is comply with stipulations as referred to in Article 10.
2. In term of the result of inspection on validity of Certificate of Analysis as referred to in sub-article (1) shows that:
3. issued by unregisterd testing laboratories;
4. kind of residue or contaminants which has been analized less than kind of stipulated residue or contaminants; and/or
5. result of analisis exceed the maximum level of residue or contaminants as referred to in Article 4 sub-article (3),

will be rejected.

**Article 39**

In term of the result of inspection on validity:

1. prior notice as referred to in Article 37 sub-article (1) is comply with the FFPO origin country, and number and date of Certificate of Analysis is comply with Certificate of Analysis; and
2. Certificate of Analysis as referred to in Article 38 sub-article (1) is comply with stipulations as referred to in Article 10,

inspection on identity will be carried out.

**Article 40**

1. The inspection on identity as referred to in Article 39 is carried out to find out the compliance between prior notice and Certificate of Analysis with the identity on the packaging and physical of FFPO.
2. If the result of inspection of the FFPO identity as referred to sub-article (1):
3. not comply between prior notice and Certificate of Analysis with the identity on the packaging and physical of FFPO, will be rejected; or
4. comply between prior notice and Certificate of Analysis with the identity on the packaging and physical of FFPO, plant quarantine actions will be carried out in accordance with plant quarantine regulations.

**Article 41**

1. In term of FFPO from country which FFPO safety control system has not been recognized, transit on a country as referred to in Article 8 sub-article (2) is:
2. Not accompanied with prior notice or prior notice for transit, will be rejected;
3. Not accompanied with Certificate of Analysis, will be detained; or
4. Accompanied with prior notice or prior notice for transit, and Certificate of Analysis, inspection on validity of prior notice or prior notice for transit, and Certificate of Analysis will be carried out.
5. Detention as referred to in sub-article (1) point b is carried out no later than 14 calendar days to provide an opportunity to complete the Certificate of Analysis.
6. If in the period as referred to in sub-article (2), the owner or its authorized can not complete the Certificat of Analysis, will be rejected.

**Article 42**

1. The inspection of prior notice and prior notice for transit as referred to in Article 41 sub-article (1) point c is carried out to prove that:
2. barcode comply with the FFPO origin country; and
3. number and date of Certificate of Analysis is comply with Certificate of Analysis.
4. In term of result of inspection of prior notice as referred to in sub-article (1) shows that:
5. barcode is not comply with the FFPO origin country, or
6. number and date of Certificate of Analysis is not comply with Certificate of Analysis,

will be rejected.

**Article 43**

1. the inspection on validity of Certificate of Analysis as referred to Article 41 sub-article (1) point c is carried out to prove that Certificate of Analysis is comply with stipulations as referred to in Article 10.
2. In term of the result of inspection on validity of Certificate of Analysis as referred to in sub-article (1) shows:
3. issued by unregistered testing laboratories;
4. kind of residue or contaminants which has been analized less than kind of stipulated residue or contaminants; and/or
5. result of analisis exceed the maximum level of residue or contaminants as referred to in Article 4 sub-article (3),

will be rejected.

**Article 44**

In term of the result of inspection on validity:

1. prior notice and prior notice for transit as referred to in Article 42 sub-article (1) is comply with the FFPO origin country, and number and date of Certificate of Analysis comply with Certificate of Analysis; and
2. Certificate of Analysis as referred to in Article 43 sub-article (1) comply with stipulations as referred to in Article 10,

inspection on identity will be carried out.

**Article 45**

1. The inspection on identity as referred to in Article 44 is carried out to find out the compliance between prior notice, prior notice for transit, and Certificate of Analysis with the identity on the packaging and physical of FFPO.
2. If the result of inspection of the FFPO identity as referred to sub-article (1):
3. not comply between prior notice, prior notice for transit, and Certificate of Analysis with the identity on the packaging and physical of FFPO, will be rejected; or
4. comply between between prior notice, prior notice for transit, and Certificate of Analysis with the identity on the packaging and physical of FFPO, plant quarantine actions will be carried out in accordance with plant quarantine regulations.

**Paragraph 3**

**Force Majeure**

**Article 46**

1. In term of country of origin occurred Force Majeure that affecting FFPO safety, importation is prohibited.
2. The prohibition of importation as referred to in sub-article (1) is stipulated by individual Ministerial Decree.

**Part Three**

**Monitoring**

**Article 47**

1. To find out that the FFPO safety control system of country which has been recognized and FFPO safety testing laboratory which has been registered still meet the FFPO safety requirements of the Republic of Indonesia, monitoring will be carried out.
2. Monitoring as referred to in sub-article (1) is carried out based on consideration of:
3. Number and kind of FFPO;
4. Origin country;
5. Obedience of exporter/importer of FFPO;
6. Testing laboratory;
7. Information of food safety;
8. Period od FFPO importation;
9. Frequency of FFPO importation; and/or
10. track record of compliance.
11. Monitoring as referred to in sub-article (1) is carried out at any time during the importation of FFPO through the examination on the content of chemical and/or biological contaminant.
12. Monitoring as referred to in sub-article (3) is carried by Technical Quarantine Office based on the assignment from the Director General of Indonesian Agricultural Quarantine Agency.

**Article 48**

1. The examination on the content of contaminant as referred to in Article 47 sub-article (3) is carried out in accredited or appointed laboratory as listed in Annex IV as an integral part of this Minister Regulation.
2. During testing laboratorium as referred to in sub-article (1), the FFPO is under supervision of Plant Quarantine Officer.

**Article 49**

In term of the result of testing laboratorium as referred to in Article 48 is found that:

1. chemical and/or biological contaminant is exceeding the maximum level as referred to in Article 4 sub-article (3), will be rejected, or
2. chemical and/or biological contaminant is not exceeding the maximum level as referred to in Article 4 sub-article (3), plant quarantine actions will be carried out in accordance with plant quarantine regulations.

**Article 50**

1. Rejection on the importation of FFPO as referred to in Article 30 sub-article (3) point a, Article 31 sub-article (2) point a, Article 32 sub-article (2) point a, Article 33 poin a, Article 34 sub-article (2) point a, Article 35 sub-article (2) point a, Article 36 sub-article (3) point a and sub-article (5), Article 37 sub-article (2), Article 38 sub-article (2), Article 40 sub-article (2) point a, Article 41 sub-article (1) point a and sub-article (3), Article 42 sub-article (2), Article 43 sub-article (2), Article 45 sub-article (2) point a, or Article 49 point a, is carried out by sending the FFPO out from the territory of the Republic of Indonesia.
2. Rejection on the importation of FFPO as referred to in sub-article (1) is submitted to the owner or its authorized by Plant Quarantine Officer in the form of rejection letter accompanied with the reason of rejection.
3. Rejection on the importation of FFPO as referred to in sub-article (1), the Head of Quarantine Technical Office of Indonesian Agricultural Quarantine Agency will send notification of non compliance to the FFPO safety competent authority of origin country and copy to the Director General of Indonesian Agricultural Quarantine Agency.

**Article 51**

1. If in the period after 14 (fourteen) calendar days since the date of rejection letter as referred to in Article 50 sub-article (2), FFPO is not sent out off from the territory of the Republic of Indonesia, the FFPO shall be destroyed.
2. The destruction as referred to in sub-article (1) is carried out by Plant Quarantine Officer by issuing the minutes of destruction.

**Article 52**

The implementation of rejection as referred to in Article 50 and the destruction as referred to in Article 51 is responsibility of the owner or its authorized.

**Part Four**

**Procedures for Export Control**

**Article 53**

1. Plant Quarantine Officer at the exit points carry out the inspection on compliance and accuracy of the documents required by destination country.
2. If the result of inspection as referred to in sub-article (1) is:
3. not comply, will be rejected; or
4. comply, FFPO can be exported to destination country.

**CHAPTER V**

**SUSPENSION AND REVOCATION OF RECOGNITION FOR FFPO SAFETY CONTROL SYSTEM AND REVOCATION OF REGISTRATION FOR FFPO SAFETY TESTING LABORATORY OF A COUNTRY**

**Part One**

**Suspension and Revocation of Recognition for FFPO Safety Control System of a Country**

**Article 54**

Suspension of recognition for FFPO safety control system of a country is carried out by the Minister when there have been 3 (three) time the result of laboratory testing as referred to in Article 49 point a shows that chemical and/or biological contaminant exceed the maximum level.

**Article 55**

1. Suspension as referred to in Article 54 is submitted in written by the Director General of Indonesian Agricultural Quarantine Agency on behalf of the Minister to FSCA of the origin country to carry out the corrective action.
2. Corrective action as referred to in sub-article (1) is carried out within maximum period of 6 (six) months since the date of notification letter of suspension in accordance with Format-11.
3. The result of corrective action as referred to in sub-article (2) is reported to the Minister through the Director General of Indonesian Agricultural Quarantine Agency.
4. If within the period as referred to in sub-article (2), FSCA of the origin country does not carry out corrective action, the recognition will be revoked in the form of Ministerial Decree in accordance with Format-12.

**Article 56**

1. Based on the report of corrective action result as referred to in Article 55 sub-article (3) re-verification will be carried out to the origin country.
2. Re-verification as referred to in sub-article (1) is carried out to prove that corrective action has been carried out in the origin country and comply with the FFPO safety requirements of the Republic of Indonesia.
3. If based on the result of re-verification as referred to in sub-article (2) shows:
4. Not comply with the FFPO safety requirements, recognition will be revoked; or
5. Comply with the FFPO safety requirements, suspension will be revoked.
6. Revocation of suspension as referred to in sub-article (3) point b is submitted in written by the Director General of Indonesian Agricultural Quarantine Agency on behalf of the Minister to FSCA of the origin country in accordance with Format-13.
7. Importation of FFPO can not carried out from country which recognition of FFPO safety control system is being suspended.
8. Procedures of suspension, revocation of recognition, and revocation on the suspension of FFPO safety control system of a country is listed in Annex II as an integral part of this Minister Regulation.

**Part Two**

**Revocation of Registration for FFPO Safety Testing Laboratoty of a Country**

**Article 57**

1. If FFPO safety testing laboratory of a country proven 3 (three) times issued Certificate of Analysis which is not comply with FFPO safety requirements during registration period, the registration of FFPO safety testing laboratory will be revoked.
2. Revocation of registration for testing laboratory as referred to in sub-article (1) is submitted in written by the Director General of Indonesian Agricultural Quarantine Agency on behalf of the Minister to FSCA of the origin country in accordance with Format-14.
3. Procedures for revocation of registration for FFPO safety testing laboratory as referred to in sub-article (1) is listed in Annex III as an integral part of this Minister Regulation.

**Article 58**

Certificate of Analysis issued by testing laboratory which the registration has been revoked as referred to in Article 57 sub-article (1) can not be used as import requirement as referred to in Article 6 sub-article (2).

**Article 59**

Format-1 to Format-14 as referred to in Article 7 sub-article (3), Article 8 sub-article (4), Article 10 sub-article (6), Article 13 sub-article (1), Article 17, Article 20 sub-article (2), Article 22 sub-article (3), Article 25, Article 55 sub-article (2) and sub-article (4), Article 56 sub-article (4), and Article 57 sub-article (2) are listed in Annex V as an integral part of this Minister Regulation.

**CHAPTER VI**

**EXPENSE**

**Article 60**

1. All expense necessary to implement the analysis, verification, and evaluation as referred to in Article 13 to Article 28 is burdened to the State Budget.
2. The expense of laboratorium testing in order to monitoring as referred to in Article 47 to Article 49 ro FFPO come from:
3. Country which FFPO safety control system has been recognized is responsibility of Indonesian Agricultural Quarantine Agency; or
4. Country which FFPO safety control system has not recognized is responsibility of the owner.
5. The expense of detention as referred toin Article 36 sub-article (3)point b and Article 41 sub-article (1) point b, the expense of rejection as referred to in Article 50, and the expense of destruction as referred to in Article 51 is responsibility of the owner or its authorized.

**CHAPTER VII**

**TRANSITIONAL PROVISIONS**

**Article 61**

1. Recognition for FFPO safety control system of a country which has been given before this Minister Regulation come into force, is still valid untill it expire.
2. Application of recognition for FFPO safety control system of a country which has been applied and has not been recognized before this Minister Regulation come into force, still subject to the stipulation under the Regulation of the Minister of Agriculture No. 88/Permentan/PP.340/12/2011 concerning Food Safety Control on the Importation and Exportation of Fresh Food of Plant Origin.

**CHAPTER VIII**

**CLOSING PROVISIONS**

**Article 62**

By the time this Minister Regulation come into force, the Regulation of the Minister of Agriculture No. 88/Permentan/PP.340/12/2011 concerning Food Safety Control on the Importation and Exportation of Fresh Food of Plant Origin (State Gazette No. 842 of 2011), is revoked and no longer effective.

**Article 63**

Stipulation concerning registration for FFPO safety testing laboratory as referred to in Article 20 to Article 28 come into force since this Minister Regulation promulgated.

**Article 64**

This Minister Regulation come into force after 1(one) year since the date of promulgation.

In order to be informed, ordering the promulgation of this Minister Regulation by placing it into the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

On February 10, 2015

MINISTER OF AGRICULTURE

REPUBLIC OF INDONESIA

Sgd.

AMRAN SULAIMAN

Promulgated in Jakarta

On February 17, 2015

MINISTER OF LAW AND HUMAN RIGHTS

REPUBLIC OF INDONESIA

 Sgd.

YASONNA H. LAOLY

STATE GAZETTE OF THE REPUBLIC OF INDONESIA NO. 275 OF 2015.