

THE REGULATION OF THE MINISTER OF AGRICULTURE**NO: 12/Permentan/ OT.140/2/2009****CONCERNING
REQUIREMENTS AND PROCEDURES OF PLANT QUARANTINE
MEASURES TOWARD THE IMPORTATION OF WOOD PACKAGING
MATERIAL INTO THE TERRITORY OF THE REPUBLIC OF INDONESIA****BY THE GRACE OF GOD THE ALMIGHTY****THE MINISTER OF AGRICULTURE,**

- Considering : a. that Indonesia is rich in natural resources, such as forestry, the biological resources that are still free from several types of plant quarantine pests;
- b. that the plant quarantine pests could be carried over through wood packaging materials used in international trade;
- c. that to prevent the introduction of plant quarantine pest through wood packaging materials into the territory of the Republic of Indonesia, it is deemed necessary to stipulate provisions concerning Requirements and Procedures of Plant Quarantine Measures Toward the Importation of Wood Packaging Material Into the Territory of the Republic of Indonesia.
- Referring to : 1. Law No. 16 of 1992 concerning Animal, Fish and Plant Quarantine (State Gazette of 1992 No 56, Additional State Gazette No 3482);
2. Law No 7 of 1994 concerning the Ratification of the *Agreement Establishing the World Trade Organization* (State Gazette of 1994 No 57, Additional State Gazette No 3554);
3. Government Regulation No. 14 of 2002 concerning Plant Quarantine (State Gazette of 35 of 2002, Additional State Gazette No 4196);
4. Presidential Decree No. 2 of 1977 concerning Ratification of the International Plant Protection Convention 1951 juncto Presidential Decree No. 45 of 1990;
5. Presidential Decree No. 58 of 1992 concerning Ratification of the Asian Plant Protection Convention;
6. Presidential Decree No. 187/M of 2004 concerning Establishment of Kabinet Indonesia Bersatu;
7. Presidential Regulation No. 9 of 2005 concerning Position, Tasks, Functions, Organizational Set-Ups, and Methods of The State Ministries of the Republic of Indonesia in conjunction with Presidential Regulation No. 62 of 2005;
8. Presidential Regulation No. 10 of 2005 concerning Organizational Units and Task of Echelon I of State Ministries of The Republic of Indonesia;
9. Decree of the Minister of Agriculture No. 796/Kpts/TP.830/10/1984 concerning The Importation of Plant Used As Packing Material Into the Territory of The Republic of Indonesia;

10. Decree of the Minister of Agriculture No. 469/Kpts/HK.310/8/2001 concerning Points of Entry and Exit of the Carriers of Plant Quarantine Pest;
11. Regulation of the Minister of Agriculture No. 299/Kpts/OT.140/7/2005 concerning Organization, and Methods of the Ministry of Agriculture in conjunction with the Minister of Agriculture Regulation No 11/Permentan/OT.140/2/2007;
12. Regulation of the Minister of Agriculture No. 341/Kpts/OT.140/7/2005 concerning Organizational Completeness, and Methods of the Ministry of Agriculture in conjunction with the Minister of Agriculture Regulation No 12/Permentan/OT.140/2/2007;
13. Regulation of the Minister of Agriculture No. 22/Permentan/OT.140/4/2008 concerning Organization and Methods of Technical Implementation Unit of Agricultural Quarantine.

- Taking Into Account : 1. International Plant Protection Convention of 1951 as last amended in 1997;
2. ISPM No. 15 (2002) with revised Annex I (2006): Guidelines for Regulating Wood Packaging Material in International Trade;
3. Notification of WTO No. G/SPS/IDN/27 date 29 May 2006 concerning Draft Decree of the Minister of Agriculture concerning Requirements of Wood packaging Material and Plant Quarantine Measures Toward The Importation of Wood Packaging Material into Republic of Indonesia;

HAS DECIDED :

- To Lay Down : REQUIREMENTS AND PROCEDURES OF PLANT QUARANTINE MEASURES TOWARD THE IMPORTATION OF WOOD PACKAGING MATERIAL INTO THE TERRITORY OF THE REPUBLIC OF INDONESIA

CHAPTER I

GENERAL PROVISIONS

Article 1

For the purpose of this regulation:

1. "Wood packaging material" means wood or unprocessed wood product with its thickness more than 6 mm, which is used to support, pack, or wedge in the transportation and/or accompanied the shipment of goods.
2. "Plant Quarantine Pest, which hereinafter called OPTK" means all pest designated by the Minister of Agriculture to be prevented from being introduced into, disseminated within the territory of the Republic of Indonesia.

3. "Marking, which hereinafter called Marka" means a sign that officially and internationally recognized, which is stipulated by Interim Commission on Phytosanitary Measures in the International Standard for Phytosanitary Measures (ISPM) No. 15.
4. "Heat treatment" means treatment toward wood packaging material using hot air at certain temperature and time.
5. "Fumigation" means treatment toward wood packaging material using fumigant in the impermeable gas chamber at certain concentration, time and temperature.
6. "Plant Quarantine officer" means a professional officer who works in the Agricultural Quarantine Agency and has the task to control plant pest organism.
7. "The owner of Wood packaging material, which hereinafter called as the owner" means the person or legal entity that own wood packaging material and/or who is responsible for Importation of wood packaging material.
8. "Release" means action to release and allows the importation of wood packaging material to be freely trafficked within the territory of the Republic of Indonesia by providing Plant Quarantine Releasing Certificate.

Article 2

- (1) This regulation is intended as a guide for:
 - a. Plant Quarantine officers in implementing the requirements and carried out plant quarantine measures toward wood packaging material imported into the territory of the Republic of Indonesia;
 - b. Individuals or legal entities who imported the consignment using wood packaging material into the territory of the Republic of Indonesia.
- (2) This regulation aims to prevent introduction and spread out of OPTK that are carried by wood packaging material into the territory of the Republic of Indonesia.

Article 3

The scope of the regulation includes requirements and procedures of quarantine measures toward the importation of wood packaging material into the territory of the Republic of Indonesia.

CHAPTER II

IMPORT REQUIREMENTS OF WOOD PACKAGING MATERIAL INTO THE TERRITORY OF THE REPUBLIC OF INDONESIA

Article 4

- (1) The importation of wood packaging material into the territory of the Republic of Indonesia shall be:
 - a. through designated points of entry;
 - b. notified and submitted to the plant quarantine officers at the entry point for the purpose of quarantine measures;
 - c. free from bark, and

- d. marked.
- (2) The mark as referred to in Section (1) point d, is listed in Attachment I as the integral part of this Regulation.

Article 5

The Importation of wood packaging material into the territory of the Republic of Indonesia which is not through the designated points of entry as referred to in Article 4 Section (1) point a, or is not notified as referred to in Article 4 Section (1) point b, or is not free from bark as referred to in Article 4 Section (1) point c is subject to refusal measures.

Article 6

- (1) The notification and submission of wood packaging material to the Plant Quarantine Officer at the entry point for the purpose of quarantine measures as referred to in Article 4 Section (1) point b, should be executed at least at the time wood packaging material arrives, before leaving the points of entry.
- (2) The notification as referred to in Section (1) shall be in written, using the form as listed in Attachment II, as the integral part of this regulation.

Article 7

Marking as referred to in Article 4 Section (1) point d, is carried out by parties registered by the authorized institutions in the country of origin.

CHAPTER III

PROCEDURE OF QUARANTINE MEASURES TOWARD THE IMPORTATION OF WOOD PACKAGING MATERIAL INTO THE TERRITORY OF THE REPUBLIC OF INDONESIA

Article 8

- (1) Any importation of wood packaging material into the territory of the Republic of Indonesia is subject to quarantine measures carried out by plant quarantine officers.
- (2) Quarantine measures as referred to in Section (1), includes inspection, treatment, refusal, destruction and/or release.
- (3) Quarantine measures as referred to in Section (1) could be carried out on or after unloading from the mode of transportation, both inside or outside points of entry.
- (4) Plant Quarantine officers in implementing quarantine measures as referred

to in Section (3) could coordinate with related parties, such as Customs and/or Port Administrator.

Article 9

- (1) Inspection measures as referred to in Article 8 Section (2) could be done randomly.
- (2) Inspection as referred to in Section (1) is carried out based on Pest Risk Analysis, country of origin, type of packaged commodity, and/or performance of the owner.

Article 10

Inspection measures as referred to in Article 9 are carried out to see the existence, authenticity and validity of mark, physical condition, conformity with the technical provisions, and to detect the possibility of OPTK infestation as listed in Attachment III, as the integral part of this regulation.

Article 11

- (1) Should the inspection result as referred to in Article 10 show that:
 - a. there is no mark as referred to in Article 4 Section (1) point d, it is subject to treatment;
 - b. mark does not comply with the provisions listed in Article 4 Section (2), the wood packaging material is subject to treatment;
 - c. Wood packaging material is not free from OPTK as referred to in Article 10, it is subject to treatment, or
 - d. mark and physical conditions of wood packaging material comply with technical provisions and free from OPTK, the wood packaging material can be released.
- (2) Having conducted the treatment as referred to in Section (1) points a and b, the wood packaging material can be released.
- (3) Having conducted the treatment as referred to in Section (1) points c and d, and the wood packaging material could be free from OPTK, then it can be released.

Article 12

Should the treatment as referred to in Article 11 Section (1) could not be carried out, the wood packaging material is subject to rejection.

Article 13

- (1) The wood packaging material that is subject to rejection as referred to in Article 12, is not taken out from the territory of the Republic of Indonesia within 14 (fourteen) working days, then it is subject to destruction.
- (2) Destruction measures as referred to in Section (1) is stated in Destruction Announcement.

Article 14

- (1) The treatment measures as referred to in Article 11, the rejection measures as referred to in Article 12, and/or destruction measures as referred to in Article 13 are the responsibility of the owner and conducted under the supervision of plant quarantine officers.
- (2) Costs incurred for the implementation of the treatment, rejection and/or destruction measures as referred to in paragraph (1) are the responsibility of the owner.

Article 15

The release measures as referred to in Article 11 are accompanied with the issuance of release certificate as listed in Attachment IV as the integral part of this regulation.

CHAPTER IV

CLOSING PROVISION

Article 16

This regulation shall entry into force on 1 September 2009.

In order that public may take cognizance of it, this regulation of the Minister of Agriculture shall be published in the Government Gazette of the Republic of Indonesia

Issued in Jakarta

On the 9th of February 2009

The Minister of Agriculture,

Sgd

ANTON APRIYANTONO

(This is unofficial translation, in case there is a difference in meaning between the English version and the original Indonesian texts, the original Indonesian texts shall apply)

Attachment I : The Regulation of the Minister of Agriculture

No.:12/Permentan/OT.140/2/2009

Date:9 February 2009

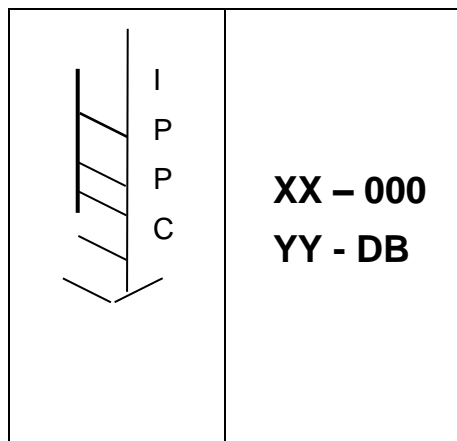
TYPES OF TREATMENT AND MARKING FOR WOOD PACKAGING MATERIAL

I. Types of Treatment

1. Heating: Heating must be carried out so that the wood core temperature reaches the minimum temperature of 56° C for at least 30 minutes.
2. Fumigation: Fumigation standard for wood packaging material uses methyl bromide (CH₃Br) based on the following provision:

Temperature	Dose (gr/m ³)	Minimum concentration (gr/m ³) at the time (CT)			
		2 days	4 hours	12 hours	24 hours
21°C	48	36	31	28	24
16°C	56	42	36	32	28
10°C	64	48	42	36	32

II. Marking



XX – 000 : Country Identity Code

YY - : Type of treatment (HT for heating or MB for fumigation with Methyl bromide)

DB : Debarking

The Minister of Agriculture,

Sgd

ANTON APRIYANTONO

Attachment II: The Regulation of the Minister of Agriculture

No.:12/Permentan/OT.140/2/2009

Date: 9 February 2009

THE IMPORTATION REPORT OF WOOD PACKAGING MATERIAL

No.: Date:

Attention To:

Head of Office/Station*) of Agricultural Quarantine

in

I signed as below:

Name :

Address :

.....

As the owner/agent authorized by and to act on behalf of the owner*), herewith reported the importation of wood packaging material as mention below for the purposes of plant quarantine measures:

- 1. Type of wood packaging material:
- 2. Amount of Wood packaging material:
- 3. Commodity which is packed:
- 4. Number and the amount of container**):
- 5. Sender Name and Address:
-
- 6. Recipient Name and Address:
-
- 7. Country and Port of origin / transit:
- 8. Country and Port of Destination:
- 9. Wood packaging material Location:
- 10. Name and Type of Mode of Transportation:
- 11. Arrival date:
- 12. Accompanied Documents:

The above information I give is true.

- a. I am willing to bear all the consequences and costs that arise if the wood packaging material is subject to quarantine measures.
- b. I will not demand compensation in any form to the Government of the Republic of Indonesia cq. Agricultural Quarantine Agency of all the consequences of the quarantine measures imposed toward the wood packaging material as mention above.

Owner/Agent *),

(Full Name)

*) Scratch the unnecessary one

***) Filled in if necessary and/or possible.

Attachment III: The Regulation of the Minister of Agriculture

No.:12/Permentan/OT.140/2/2009

Date: 9 February 2009

**LIST OF PLANT QUARANTINE PESTS
OF WOOD PACKAGING MATERIAL**

List of plant quarantine pests of wood packaging material which are the target of HT and MB treatment measures:

I. Insects; Family;

Anobiidae

Bostrichidae

Buprestidae

Cerambycidae

Curculionidae

Isoptera

Lyctidae (with the exception of HT treatment)

Platypodidae

Oedemeridae

Scolytidae

Siricidae

III. Nematode: *Bursaphelenchus xylophilus*

The Minister of Agriculture,

Sgd

ANTON APIYANTONO

Attachment III: The Regulation of the Minister of Agriculture
No.:12/Permentan/OT.140/2/2009
Date: 9 February 2009

**MINISTRY OF AGRICULTURE
AGRICULTURAL QUARANTINE AGENCY**

**CERTIFICATE OF RELEASE OF WOOD PACKAGING MATERIAL
FROM OVERSEAS**

No. : Date :

Based on Law No. 16 of 1992 and the results of plant quarantine measures,
that wood packaging material as mention below:

1. Type of wood packaging material:
2. Amount of Wood packaging material:
3. Commodity which is packed:
4. Number and the amount of container*):
5. Sender Name and Address:
-
6. Recipient Name and Address:
-
7. Country and Port of origin / transit:
8. Country and Port of Destination:
9. Wood packaging material Location:
10. Name and Type of Mode of Transportation:
11. Arrival date:
12. Accompanied Documents:

has met all the requirements stipulated for its importation into the territory of
the Republic of Indonesia and free/could be free**) from the plant quarantine
pest and/or important plant quarantine pest **) so THAT CAN BE FREELY
TRAFICKED WITHIN THE TERRITORY OF THE REPUBLIC OF
INDONESIA.

Published in:
On:
Plant Quarantine officers.
POPT

(.....)
NIP

*) Fill in whenever possible
**) Delete whenever inapplicable

The Minister of Agriculture,

Sgd

ANTON APRIYANTONO