



REGULATION OF MINISTER OF AGRICULTURE

NUMBER 88/Permentan/PP.340/12/2011

CONCERNING

FOOD SAFETY CONTROL FOR

IMPORT AND EXPORT OF THE FRESH FOOD

ORIGINATING FROM PLANT

AT THE MERCY OF THE GREAT UNITY, GOD

MINISTER OF AGRICULTURE

- Considering :
- a. that under the Regulation of Minister of Agriculture Number 27/Permentan/PP.340/5/2009, the provisions on Food Safety Control/Surveillance For Import and Export of the Fresh Food Originating From Plants have been stipulated.
 - b. that in the development of science and technology, as well as on the public demands associated with food safety and quality, then the Regulation of Minister of Agriculture Number 27/Permentan/PP.340/5/2009 has been no longer appropriate and should be reviewed;

c. that based on the considerations of letter a and letter b above, it is necessary to redefined the provisions on Food Safety Control/Surveilliance For Import and Export of the Fresh Food Originating From Plants with a regulation of Minister of Agriculture.

In view of

1. The Laws Number 16 of 1992 on Quarantine of Animal, Fish and Plant (State gazette of 1992 Number 56, Additional State Gazette Number 3482);
2. The Laws Number 7 of 1994 on Approval for Agreement Establishing the World Trade Organization (State Gazette of 1994 Number 57, Additional State Gazette Number 3554);
3. The Laws Number 7 of 1986 on Food (State Gazette of 1996 Number 99, Additional State Gazette Number 3556);
4. The Laws Number 8 of 1999 on Customer Protection (State Gazette of 1999 Number 42, Additional State Gazette Number 3821);

5. The Government Regulation Number 102 of 2000 on National Standardization (State Gazette of 2000 Number 199, Additional State Gazette Number 4020);
6. The Government Regulation Number 14 of 2002 on Quarantine of Plants ((State Gazette of 2002 Number 35, Additional State Gazette Number 4196);
7. The Government Regulation Number 28 of 2004 on Food Safety, Quality and Nutrient (State Gazette of 2004 Number 107, Additional State Gazette Number 4424);
8. The Presidential Decree Number 84/P of 2009 on Formation of The Indonesian United Cabinet II;
9. The Presidential Regulation Number 47 of 2009 on Formation and Organization of State Ministries;
10. The Presidential Regulation Number 24 of 2010 on Position, Duty and Function of State Ministries and Organizational Structure, Duty and Function of Echelon I of the State Ministries;

11. The Regulation of Minister of Health Number 239/Men.Kes/Per/V/1985 on Definite Color Substance declared as Hazardous Substance;
12. The Joint Decree of Minister of Health and Minister of Agriculture Number 881/MENKES/SKB/VIII/1996 and Number 711/Kpts/TP/270/8/ 1996 on the Maximum Limit For the Pesticide Residues on the Agricultural Produce;
13. The Regulation of Minister of Health Number 1168/Menkes/Kes/X/1999 on The Supplementary Substances forbidden to be used in Food;
14. The Regulation of Minister of Agriculture Number 37/Kpts/HK.060/1/2006 on Technical Requirements and Plant Quarantine Measures For Import of Fresh fruits and Fruity Vegetables to the Territory of the Republic of Indonesia;
15. The Regulation of Minister of Agriculture Number 32/Permentan/OT.140/3/2007 on Prohibition to Use Hazardous Chemicals in

the process of milling, hulling and cleaning rice;

16. The Regulation of Minister of Agriculture Number 18/Permentan/OT.140/2/2008 on Plant Quarantine Measures and Requirements for importation/import of Live Plant Product in the form of Fresh Layered Tuber Vegetables;
17. The Regulation of Minister of Agriculture Number 22/Permentan/OT.140/4/2008 on Organization and Work System of Technical Executive Unit for Agricultural Quarantine;
18. The Regulation of Minister of Agriculture Number 35/Permentan/OT.140/7/2008 on Requirement and Application of the good Way to manufacture the Agricultural Produce originating from Plants (Good Manufacturing Practice);
19. The Regulation of Minister of Agriculture Number 44/Permentan/OT.140/10/2009 On Good Guideline to Handle The Post-Harvest Period of the Agricultural Produce

- Originating From Plants (Good Handling Practice);
20. The Regulation of Minister of Agriculture Number 09/Permentan/OT.140/2009 on Requirements and Procedure To Take Actions of Quarantine For Importing The Carrying Media of Pest Organisms of the Quarantined Plants Into The Territory of The Republic of Indonesia;
 21. The Regulation of Minister of Agriculture Number 3237/Kpts/HK.060/9/2009 On Form and Type of Documents for Plant Quarantine Measures and Safety for The Fresh Food Originating From Plants;
 22. The Regulation of Minister of Agriculture Number 46/Permentan/HK.340/8/2010 on Entry and Exit Points for the Carrying Media of Pest and disease of the Quarantined Animals and Pest Organisms of the Quarantined Plants;
 23. The Regulation of Minister of Agriculture Number 56/Permentan/OT.140/9/2010 on Execution of Quarantine Measures Outside the Entry and Exit Points;

24. The Regulation of Minister of Agriculture
Number 61/Permentan/OT.140/10/2010 on
Organization and Work System of Ministry
of Agriculture;

- To Take Note of :
1. Principles for Food Import and Export
Inspection and Certification (CAC/GL 20-
1995);
 2. Guidelines for Food Import and Export
Control Systems (CAC/GL 47-2003);
 3. Guidelines for the Design, Operation,
Assessment and Accreditation of Food
Import and Export Inspection and
Certification;
 4. Guidelines on the Judgment of Equivalence
of Sanitary Measures Associated with Food
Inspection and Certification Systems
(CAC/GL 53-2003);
 5. Codex Alimentarius Joint FAO/WHO Food
Standards Program Value 2B, Pesticide
Residue in Food-Maximum Residue Limits,
Second Edition, 2000;
 6. Assuring Food Safety and Quality,
Guidelines for Strengthening National
Food Control Systems, FAO and WHO, 2003;

7. Codex General Standard for Contaminants and Toxins in Foods. CODEX STAN 193-1995, Rev.2-2006;
8. Indonesian National Standard (SNI) on the maximum Limit Microbe contaminants in food. SNI 7388:2009.

HAS DECIDED

To stipulate : THE REGULATION OF MINISTER OF AGRICULTURE ON
FOOD SAFETY CONTROL FOR IMPORT AND EXPORT OF
THE FRESH FOOD ORIGINATING FROM PLANT.

CHAPTER I

GENERAL TERMS

Article 1

In this Ministerial Regulation, what is meant by :

1. Fresh Food Originating From Plant, hereinafter referred to as PSAT, is the food originating from plant in form of the products produced in the process of post-harvest for consumption or industrial raw materials, and / or the products undergoing processes minimally (minimal processing products).
2. The safety of PSAT (Fresh Food Originating From Plant) is the condition and efforts required to prevent the PSAT from any possible chemical, biological contaminants,

and/or containing any banned chemical that can damage, endanger and harm human health.

3. Chemical contaminants are chemical substances (pesticide residues, heavy metals and mycotoxins) contained in the PSAT unintentionally through agricultural practices.
4. Biological contaminants are biological agents (virus, bacteria, microbes, fungi, yeasts) that can contaminate the PSAT.
5. The prohibited chemicals are the hazardous chemicals banned for use in the PSAT.
6. Information/Description of PSAT (prior notice) is an informative letter in the form of a questionnaire that describes the identity of PSAT, that must be filled by the manufacturer or exporter of PSAT in the country of origin.
7. The Safety Conditions of PSAT are standards and other conditions that must be met in order to prevent the PSAT from any possible hazards due to chemical contaminants, biological contaminants and / or from containing any prohibited chemical that harms, damages and / or endangers human health.
8. Importation (import) is an import of PSAT from abroad to the territory of Indonesia through the designated entry points.
9. Export is an export of PSAT from Indonesia to a foreign country through the designated exit points.

10. Entry/Exit Points are seaports, river ports, airports, ferry ports, dry ports, post offices, Country-border crossing posts that have been designated as entry/exit points.
11. Recognition is the acceptance of PSAT safety control system of a country producing and exporting the PSAT by the Indonesian competent authority for PSAT Safety.
12. Equivalence Agreement is an agreement made by/between the importing country and the exporting country associated with the safety control system of PSAT that is different but produces the same safety protection of PSAT.
13. Recognition of PSAT safety system in where PSAT is produced is the acceptance of PSAT safety system, in where PSAT is produced, of a country by the Indonesian component authority for PSAT safety.
14. Plant Quarantine Officer is a functional officer controlling plant pest organisms, who works at the Agricultural Quarantine Agency.
15. Surveillance is a series of activities carried out to assess the compliance rate of the Country of origin whose PSAT Safety System has been recognized by Indonesia (Government of the Republic of Indonesia).
16. The owner of PSAT or its attorney hereinafter referred to as the owner or its attorney is a person or legal entity owning the PSAT and/or in charge of the import or export of PSAT.

Regulation of Minister of Agriculture Number
38/Permentan/PP.340/8/2009.

- (2) The provided recognition of PSAT safety surveillance / control system shall remain valid until its expiration date.

CHAPTER VII

CLOSING PROVISIONS

Article 25

The implementation of safe surveillance/control for the imported and exported PSAT (Fresh Food Originating Plant) shall be integrally conducted by carrying out plant quarantine measures.

Article 26

With the enactment of this Regulation, then the Regulation of Minister of Agriculture Number 27/Permentan/PP.340/5/2009 in connection with (juncto) the Regulation of Minister of Agriculture No. 38/Permentan/PP.340/8/2009 shall be revoked and declared no longer valid.

Article 27

This Ministerial Regulation shall come into force after 3 (three) months commencing on its promulgation date.

In order that everyone knows it, this Regulation of Minister of Agriculture shall be promulgated by placing it in the State Gazette of the Republic of Indonesia.

Enacted in: Jakarta

on 14th December 2011

MINISTER OF AGRICULTURE

[Signed]

SUSWONO

Promulgated in Jakarta

On

MINISTER OF LAW AND HUMAN RIGHT OF

THE REPUBLIC OF INDONESIA

[Signed]

AMIR SYAMSUDDIN

STATE GAZETTE OF THE REPUBLIC OF INDONESIA NUMBER of 2011