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AUTHORIZED TRANSLATION  
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**MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA  
REGULATION OF MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA**

**NUMBER: 16/M-DAG/PER/4/2013**

**CONCERNING  
PROVISIONS ON HORTICULTURE PRODUCT IMPORT**

**BY THE GRACE OF ALLAH THE AL MIGHTY**

**MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,**

- Considering : a. that in order to protect consumer, security of business, transparency, and simplification of permit arrangement process, and import administration procedure, it is necessary to regulate towards provisions on horticultural product import;
- b. that based on consideration as referred to in item a, it is necessary to stipulate the Regulation of Minister of Trade concerning Provisions on Horticultural Product Import;
- In view of : 1. *Law on Distribution of Company 1934 (Bedrijfsreglementerings Ordonnantie of 1934 (State Gazette of 1938 Number 86);*
2. Law Number 3 of 1982 concerning Mandatory Company Registration (State Gazette of the Republic of Indonesia of 1982 Number 7, Supplement to State Gazette of the Republic of Indonesia Number 3214);

3. Law Number 16 of 1992 concerning Animal Quarantine, Fish and Plants (State Gazette of the Republic of Indonesia of 1992 Number 56, Supplement to State Gazette of the Republic of Indonesia Number 3482);
4. Law Number 7 of 1994 concerning Ratification of Agreement Establishing The World Trade Organization, (State Gazette of the Republic of Indonesia of 1994 Number 57, Supplement to State Gazette of the Republic of Indonesia Number 3564);
5. Law Number 10 of 1995 concerning Customs (State Gazette of the Republic of Indonesia of 1995 Number 75, Supplement to State Gazette of the Republic of Indonesia Number 3612) as already amended by virtue of Law Number 17 of 2006 (State Gazette of the Republic of Indonesia of 2006 Number 93, Supplement to State Gazette of the Republic of Indonesia Number 4661);
6. Law Number 5 of 1999 concerning Prohibition on Monopoly Practice and Unfair Business Competition (State Gazette of the Republic of Indonesia of 1999 Number 33, Supplement to State Gazette of the Republic of Indonesia Number 3806);
7. Law Number 8 of 1999 concerning Customer's Protection (State Gazette of the Republic of Indonesia of 1999 Number 42, Supplement to State Gazette of the Republic of Indonesia Number 3821);
8. Law Number 39 of 2008 concerning State Ministry (State Gazette of the Republic of Indonesia of 2008 Number 166, Supplement to State Gazette of the Republic of Indonesia Number 4916);
9. Law Number 13 of 2010 concerning Horticulture (State Gazette of the Republic of Indonesia of 2010 Number 132,

Supplement to State Gazette of the Republic of Indonesia  
Number 5170);

10. Law Number 18 of 2012 concerning Food (State Gazette of the Republic of Indonesia of 2012 Number 227, Supplement to State Gazette of the Republic of Indonesia Number 5360);
11. Government Regulation Number 22 of 1983 concerning Veterinarian Community Health (State Gazette of the Republic of Indonesia of 1983 Number 28, Supplement to State Gazette of the Republic of Indonesia Number 3253);
12. Government Regulation Number 69 of 1999 concerning Label and Food Advertising (State Gazette of the Republic of Indonesia of 1999 Number 131, Supplement to State Gazette of the Republic of Indonesia Number 3867);
13. Government Regulation Number 14 of 2002 concerning Plant Quarantine (State Gazette of the Republic of Indonesia of 2002 Number 35, Supplement to State Gazette of the Republic of Indonesia Number 4196);
14. Government Regulation Number 68 of 2002 concerning Food Resistance (State Gazette of the Republic of Indonesia of 2002 Number 142, Supplement to State Gazette of the Republic of Indonesia Number 4254);
15. Government Regulation Number 28 of 2004 concerning Security, Quality and Food Nutrition (State Gazette of the Republic of Indonesia of 2004 Number 107, Supplement to State Gazette of the Republic of Indonesia Number 4424);
16. Government Regulation Number 21 of 2005 concerning Biodiversity Safety of Genetically Engineered Products (State Gazette of the Republic of Indonesia of 2005 Number 44, Supplement to State Gazette of the Republic of Indonesia Number 4498);

17. Government Regulation Number 38 of 2007 concerning Governmental Job Description between Government, Provincial Government, and Municipal Government (State Gazette of the Republic of Indonesia of 2007 Number 82, Supplement to State Gazette of the Republic of Indonesia Number 4737);
18. Presidential Decree Number 260 of 1967 concerning Affirmation on Task and Responsibility of Minister of Trade in the sector of Foreign Trade;
19. Presidential Decree Number 84/P of 2009 concerning the Establishment of Kabinet Indonesia Bersatu II as already amended by virtue of Presidential Decree Number 59/P of 2011;
20. Regulation of President Number 47 of 2009 concerning Establishment and Organization of State Ministry as already amended several times lastly by virtue of Regulation of President Number 91 of 2011;
21. Regulation of President Number 24 of 2010 concerning Position, Task, and Function of State Ministry and Organizational Structure, Task and Function of Echelon I of State Ministry as already amended several times lastly by virtue of Regulation of President Number 92 of 2011;
22. Regulation of Minister of Trade Number 28/M-DAG/PER/6/2009 concerning Provisions on Service of Export and Import Permit Arrangement by Electronic System through INATRADE in the Framework of Indonesia National Single Window;
23. Regulation of Minister of Agriculture Number 12/Permentan/OT.140/2/2009 concerning Requirements and Procedure for Quarantine of Plant for the importation of Timber Packing to the Territory of the Republic of

Indonesia;

24. Regulation of Minister of Trade Number 54/M-DAG/PER/9/2009 concerning General Provisions in the sector of Import;
25. Regulation of Minister of Industry Number 24/M-IND/PER/2/2010 concerning Listing of Logo of Food Tara and Recycle Code to Food Packing made of plastic;
26. Regulation of Minister of Trade Number 31/M-DAG/PER/7/2010 concerning Organization and Procedure for Ministry of Trade as already amended by virtue of Regulation of Minister of Trade Number 57/M-DAG/PER/8/2012;
27. Regulation of Head of Drugs and Food Supervisory Board Number HK.03.1.23.07.11.6664 of 2011 concerning Control for Food Packing;
28. Regulation of Minister of Trade Number 31/M-DAG/PER/10/2011 concerning Goods in Wrapped-Up Condition;
29. Regulation of Minister of Agriculture Number 88/Permentan/PP.340/12/2011 concerning Control for Food Safety towards Importation and Exportation of Fresh Food of Origin of Plant;
30. Regulation of Minister of Trade Number 18/M-DAG/PER/3/2012 concerning Authority Delegation for the Issuance of Permit Arrangement to the Coordinator and Implementing of Trade Service Unit;
31. Regulation of Minister of Trade Number 27/M-DAG/PER/5/2012 concerning Provisions on Importer Identification Number (API) as already amended several times lastly by virtue of Regulation of Minister of Trade

Number 84/M-DAG/PER/12/2012;

32. Regulation of Minister of Agricultural Number 42/Permentan/OT.140/6/2012 concerning Action of Plant Quarantine for the Importation of Fresh Fruits and Vegetables to the Territory of the Republic of Indonesia;
33. Regulation of Minister of Agricultural Number 43/Permentan/OT/140/6/2012 concerning Action of Plant Quarantine for the Importation of Fresh Tuber to the Territory of the Republic of Indonesia;

**HAS DECIDED:**

To stipulate : **REGULATION OF MINISTER OF TRADE CONCERNING PROVISIONS ON HORTICULTURE PRODUCT IMPORT.**

**CHAPTER I**

The terms of the Regulation of Minister are:

1. Horticulture means all actions relating to fruits, vegetable, vegetable medicine materials, and floriculture, including mushroom, moss, and biota functioning as vegetable, vegetable medicine materials, and/or esthetical materials.
2. Horticulture Products mean all proceeds coming from the horticulture plants which are still fresh or processed.
3. Fresh Horticulture Products mean food of origin of plants in terms of products in the process post-harvest for consumption or industrial raw materials, and or products experiencing minimum process.
4. Process Horticulture Products mean food or beverage of the process by means of or special method with or without additional materials.
5. Import means any activities to import goods to the Area of Customs.

6. Producer Importer of Horticulture Products, hereinafter referred to as IP-Horticulture Products mean industry company using the Horticulture Products for raw materials or supplementary materials in the own production process and failing to trade or transfer to other parties.
7. Registered Importer of Horticulture Products, hereinafter referred to as IT-Horticulture Products mean company carrying out the import of Horticulture Products for the purpose of business activities by trading and/or transferring to other parties.
8. Distributor means national trade company acting for and on his behalf, of which the scope including the activities of purchase, storage, sale, and goods marketing, especially distributing goods from the importer to retailer.
9. Labeling means information on Horticulture Products in the form of figure, writing, both combinations, or other forms containing information on products and information on business player and other information in accordance with the prevailing laws and regulation, accompanied with the products, imported into, attached to, or being a part of packing.
10. Food Tara Logo means the marking denoting that any safe food packing is used for food.
11. Recycle Code means the marking denoting that any food packing may be recycled.
12. Packing means any materials used to accommodate and or wrap up the Horticulture Products, whether directly or indirectly.
13. Approval of Import means import permit of Horticulture Products.

14. Recommended Horticulture Products Import hereinafter referred to as the RIPH mean any written statement given by the Minister of Agricultural or competent agency designated by the same to the company which will import horticultural products to the territory of the Republic of Indonesia.
15. Technical verification or observation mean any activity for technical inspection on the import products conducted by surveyor.
16. Surveyor means survey company which obtains authority to conduct technical verification or observation.
17. Trading Service Unit, hereinafter abbreviated to UPP means unit organizing the permit arrangement service in the trade sector.
18. Minister means minister organizing governmental affairs in the sector of trade.
19. Director General means Director General of Foreign Trade, Ministry of Trade.
20. Coordinator and UPP Performer mean Official appointed by Secretary General of Ministry of Trade to coordinate and carry out permit arrangement service to UPP.

## **Article 2**

Type of Horticulture Products regulated in this Regulation of Minister as provided in Attachment I being an integral part thereof.

## **Article 3**

Import of Horticulture Products may only be made by company which has obtained recognition as IP-Horticulture Products or specification as IT-Horticulture Products from the Minister.



#### **Article 4**

Minister shall delegate authority to issue recognition as IP-Horticulture Products or specification as IT-Horticulture Products as referred to in Article 3 to the Coordinator and Performer of UPP.

#### **Article 5**

- (1) In order to obtain recognition as IP-Horticulture Products as referred to in Article 3, company shall submit application by electronic for the Minister in this case Coordinator and Performer of UPP, by attaching:
  - a. Industry Business Permit or other similar business permits using raw materials of Horticulture Products, issued by the competent agency or technical service;
  - b. Company Registration (TDP);
  - c. Taxpayer Reference Number (NPWP);
  - d. Producer Importer Identification Number (API-I);
  - e. proof of control for storage in accordance with the characteristic of products;
  - f. proof of control for transport tools in accordance with the characteristics of products; and
  - g. Recommended Import of Horticulture Products (RIPH) from the Minister of Agriculture or nominated official.
- (2) Application shall be immediately audited by Coordinator and Performer of UPP to know the completeness of data.
- (3) In the event that data as referred to in paragraph (1) has been complete, data shall be submitted to Appraiser Team to be audited towards the completeness of document and field audit.
- (4) Audit as referred to in paragraph (3) shall be made not later than 3 (three) business days as of the receipt of application in full and conducted at most 3 (three) business

days.

- (5) In the event that audit reports as referred to in paragraph (3) are found improper data, Coordinator and Performer of UPP declines to issue the recognition as IP-Horticulture Products.
- (6) In the event that audit reports as referred to in paragraph (3) data submitted proper, the Coordinator and Performer of UP issue recognition as IP-Horticulture Products not later than 2 (two) business days after the audit as referred to in paragraph (4).

#### **Article 6**

Validity period of recognition as IP-Horticulture Products as referred to in Article 5 paragraph (6) in accordance with the validity period of RIPH as referred to in Article 5 paragraph (1) item g, as of the issuance of IP-Horticulture Products.

#### **Article 7**

The company which has obtained recognition as IP-Horticulture Products may only import Horticulture Products as raw materials or supplementary materials for the need of processing the industry products owned and prohibited to trade and/or take over.

#### **Article 8**

- (1) To obtain stipulation as IT-Horticulture Products as referred to in Article 3, the company shall submit application by electronic to the Minister in this case Coordinator and Performer of UPP, by attaching:
  - a. Trade Business Permit (SIUP) of which the sector includes horticulture or other similar business permit issued by the competent agency or technical service;
  - b. Company Registration (TDP);

- c. Taxpayer Reference Number (NPWP);
  - d. General Importer Identification Number (API-U);
  - e. Proof of ownership of storage in accordance with the characteristics of products;
  - f. Proof of ownership of transport means in accordance with the characteristics of products;
  - g. Proof of cooperation contract for the sales of Horticulture Products at least with 3 (three) distributors at least 1 (one) year;
  - h. Proof of experience as distributor of Horticulture Products for 1 (one) year;
  - i. Statement duly stamped declaring that will not sell Horticulture Products to the direct customer or retailer.
- (2) Application shall be immediately audited by Coordinator and Performer of UPP to know the completeness of data.
- (3) In the event that data as referred to in paragraph (1) has been complete, data shall be submitted to Appraiser Team to be audited towards the completeness of document and field audit.
- (4) Audit as referred to in paragraph (3) shall be made not later than 3 (three) business days as of the receipt of application in full and conducted at most 3 (three) business days.
- (5) In the event that audit reports as referred to in paragraph (3) are found improper data, Coordinator and Performer of UPP decline to issue the stipulation as IT-Horticulture Products.
- (6) In the event that audit reports as referred to in paragraph (3) data submitted proper, the Coordinator and Performer of UPP issue the stipulation as IT-Horticulture Products not later than 2 (two) business days after the audit as referred

to in paragraph (4).

#### **Article 9**

Validity period of stipulation as IT-Horticulture Products as referred to in Article 8 paragraph (6) for 2 (two) years, as of the issuance of IT-Horticulture Products.

#### **Article 10**

Appraiser Team as referred to in Articles 5 and 8 shall be stipulated by Director General and consist of the official of Ministry of Trade and related technical agency official.

#### **Article 11**

- (1) IT-Horticulture Products that will conduct the import of IT-Horticulture Products as referred to in Article 2 shall obtain Approval of Import from the Minister.
- (2) Minister shall delegate authority of issuing the Approval of Import as referred to in paragraph (1) to the Coordinator and Performer of UPP for and on behalf of the Minister.

#### **Article 12**

- (1) IT-Horticulture Products shall only import after the Approval of Import.
- (2) The approval of Import as referred to in paragraph (1) shall be issued after IT-Horticulture Products have obtained RIPH.

#### **Article 13**

- (1) To obtain the Approval of Import as referred to in Article 11, IT-Horticulture Products shall submit application by electronic to the Minister in this case Coordinator and Performer of UPP, by attaching:
  - a. RIPH; and
  - b. Stipulation as IT-Horticulture Products.

- (2) Coordinator and Performer of UPP on behalf of the Minister issue:
  - a. Approval of Import at least 2 (two) business days since the application is fully and properly received; or
  - b. Decline of issuing Approval of Import at most 2 (two) business days as of the since the application is fully and properly received of the application in case the application is incomplete / or incorrect.
- (3) Approval of Import as referred to in paragraph (2) item a shall be submitted to IT-Horticulture Products and copy is submitted to the related agency.

#### **Article 14**

Validity period of the Approval of Import as referred to in Article 13 paragraph (2) item a in accordance with the validity period of RIPH, as of the issuance of the Approval of Import.

#### **Article 15**

Company which has obtained stipulation as IT-Horticulture Products:

- a. Only may trade and/or transfer the Horticulture Products which are imported to the Distributor; and
- b. Be prohibited to trade and/or transfer Horticulture Products which are imported to the direct consumer or retailer.

#### **Article 16**

- (1) Proposed Application to obtain:
  - a. Stipulation as IP-Horticulture Products as referred to in Article 5;
  - b. Stipulation as IT-Horticulture Products as referred to in Article 8; and
  - c. Approval of Import as referred to in Article 13, may only be made served by electronic system through INATRADE.

- (2) In the event of force majeure resulting from the electronic system through INATRADE fails to function, proposed application as referred to in paragraph (1) shall be manually submitted.

#### **Article 17**

- (1) Recognition as IP-Horticulture Products as referred to in Article 5 paragraph (6), stipulation as IP-Horticulture Products as referred to in Article 8 paragraph (6), and Approval of Import as referred to in Article 13 paragraph (2) item a shall be continued online to portal Indonesia National Single Window (INSW).
- (2) In the event that Import of Horticulture Products through port unconnected to Indonesia National Single Window (INSW), copy of recognition as IP-Horticulture Products as referred to in Article 8 paragraph (6), and Approval of Import as referred to in Article 13 paragraph (2) item a shall be manually submitted to the related agency.

#### **Article 18**

- (1) Horticulture Products imported shall meet requirements for the packing:
  - a. Packing directly connected with the food shall use the allowed materials for the food in accordance with the prevailing laws and regulation;
  - b. Packing using plastic shall list Logo Tara Pangan and Kode Daur Ulang (Recycling Code) in accordance with the prevailing laws and regulation; or
  - c. Packing using wood shall be dried, and marked in accordance with the prevailing laws and regulation.
- (2) Satisfaction of requirements for the packing as referred to in paragraph (1) shall be proved by:

- a. Test certificate issued by competent test laboratory and admitted by local government; or
- b. Statement from the importer stating that the packing used has conformed to the laws and regulation by listing recycling code and food tara to the packing.

#### **Article 19**

- (1) Horticulture Products imported by IT-Horticulture Products shall list label in Indonesian Language at each product and/or packing.
- (2) Horticulture Products as referred to in paragraph (1), when entering the territory of the Republic of Indonesia has labeled in Indonesian Language and at least list:
  - a. name and/or mark of product;
  - b. net weight or total products;
  - c. name and address of producer and/or exporter; and
  - d. name and address of importer.
- (3) Labeling as referred to in paragraph (2), shall at least use clear and easy Indonesian Language.
- (4) It is allowed to use other than Indonesian Language, Arabic number, Roman script if no equivalence is available.

#### **Article 20**

- (1) Labeling as referred to in Article 19 shall be made in such a way that it is uneasy to free from the products or packing, indelible or damageable, visible and readable.
- (2) Labeling as referred to in paragraph (1) which is not enabled to be listed in the small-size products, shall be attached to the packing or accompanied to the products.

#### **Article 21**

- (1) Each implementation of import for Horticulture Products as

referred to in Article 2 by IP-Horticulture Products or IT-Horticulture Products shall first be conducted verification or technical import observation in the port of loading of country of origin.

- (2) Verification or Technical observation as referred to in paragraph (1) shall be conducted by Surveyor so stipulated by Minister.
- (3) In order to be stipulated as the performer of technical import verification or observation of Horticulture Products as referred to in paragraph (2), Surveyor shall meet the following requirements:
  - a. to have Survey Service Business Permit (SIUJS);
  - b. to have experiences as surveyor at least 5 (five) years;
  - c. to have branch or representative and/or affiliates abroad and have network in support of effectiveness of verification or technical observation; and
  - d. to have track-records in the sector of verification or technical import observation activities.

## **Article 22**

- (1) Verification as referred to in Article 21 paragraph (1) shall be made towards import of Horticulture Products, including data or particulars regarding:
  - a. Country and port of origin of loading;
  - b. Tariff post or number of HS and product descriptions;
  - c. Type and volume;
  - d. Shipment Period;
  - e. Port of destination;
  - f. Listing of Food Tare Logo and Recycle Code in the packing;
  - g. Health Certificate;



- h. Phytosanitary Certificate for fresh horticulture products;
  - i. Certificate of Origin (CoO);
  - j. Packing test certificate of food grade or statement from the importer stating that the packing used has conformed to the laws and regulation, for the fresh horticulture products;
  - k. Certificate of listing Food Tara Logo and Recycling Code, or statement from the importer stating that the packing used has conformed to the laws and regulation, for the fresh horticulture products
  - l. Adjustment to listing the label as referred to in Article 19, except for the Ornamental Plant Product and Horticulture Products used as the industrial raw materials.
- (2) Results of verification as referred to in paragraph (1) shall be contained in the form of Surveyor Report (LS) for use as supplementary customs documents in settling the customs in the sector of import.
- (3) In respect of the implementation of verification or technical observation as referred to in paragraph (1), Surveyor collects service recompense from IT-Horticulture Products or IP-Horticulture Products of which the amounts shall be determined with due observance to the use principle.

### **Article 23**

Activities of verification or Technical import observation of Horticulture Products by Surveyor shall not reduce the authority of Directorate General of Customs and Excises, Ministry of Finance for the customs inspection.

### **Article 24**

- (1) IP-Horticulture Products and IT-Horticulture Products shall

submit written report for the implementation of import of Horticulture Products by attaching the scan of Import Control Card already initialized and sealed by Customs and Excises Official.

- (2) Report as referred to in paragraph (1) item a shall be monthly submitted through <http://inatrade.kemendag.go.id> at least within the subsequent 15 months to Director General copied to Director General of Processing and Marketing of Agriculture Proceeds. Ministry of Agriculture and Head of Food and Drugs Supervisory Board.
- (3) Form of report as referred to in paragraph (1) item a listed in Attachment II being an integral part of the Regulation of Minister.
- (4) Import Control Card as referred to in paragraph (1) item b shall constitute import control card of Horticulture Products.

#### **Article 25**

Surveyor as referred to in Article 21 paragraph (2) shall submit written report on the implementation of verification or technical import observation of Horticulture Products to Director General every month at least within the subsequent 15 months.

#### **Article 26**

Recognition as IP-Horticulture Products and stipulation as IP-Horticulture Products shall be revoked if the company:

- a. fails to implement obligations to submit report as referred to in Article 24 for 3 (three) times;
- b. is proved to change information as provided in the document of import of Horticulture Products;
- c. is proved to violate provisions on packing as referred to in Article 18 and/or provisions on labeling as referred to in

Articles 19;

- d. is proved to trade and/or transfer the imported Horticulture Products as referred to in Article 7, for IP-Horticulture Products;
- e. is proved to trade and/or transfer the imported Horticulture Products other than Distributor as referred to in Article 15, for IT-Horticulture Products; and/or
- f. is declared guilty based on the ruling of court which has permanent force of laws for the criminal action relating to the misuse of import document of Horticulture Products.

#### **Article 27**

Revocation of recognition as IP-Horticulture Products and stipulation as IT-Horticulture Products shall be made by Coordinator and Performer of UPP for and on behalf of the Minister.

#### **Article 28**

Stipulation as Surveyor shall be revoked if the latter:

- a. violates in the activity of verification or technical import observation of Horticulture Products; and/or
- b. fails to meet provisions on written reporting as referred to in Article 25 for twice.

#### **Article 29**

Revocation as Surveyor as the performer of verification or technical import observation of Horticulture Products as referred to in Article 28 shall be stipulated by Minister.

#### **Article 30**

- (1) Company which imports Horticulture Products does not conform to the provisions on packing and label in the Regulation of Minister shall be subject to the prevailing

laws and regulation.

- (2) Imported fresh Horticulture Products, if the products:
  - a. fail to conform to the recognition as IP-Horticulture Products and/or Approval of Import; and/or
  - b. fail to conform to provisions on packing as referred to in Article 18, provisions on label as referred to in Article 19,shall be destroyed in accordance with the laws and regulation.
- (3) Imported Process Horticulture Products, if the products:
  - a. fail to conform to recognition as IP-Horticulture Products and/or Approval of Import; and/or
  - b. fail to conform to the provisions on packing as referred to in Article 18 and provisions on label as referred to in Article 19,shall be re-exported in accordance with the laws and regulation.
- (4) Costs for the destruction and re-export as referred to in paragraphs (2), (3), shall become the responsibility of importer.

#### **Article 31**

- (1) Inspection on adjustment to the packing as referred to in Article 18 shall be made by Quarantine Board of Agriculture, for the fresh Horticulture Products.
- (2) Inspection on adjustment to the packing as referred to in Article 18 and label as referred to in Article 19 shall be made by Drug and Food Supervisory Board, for the process Horticulture Products.

#### **Article 32**

Each import of Horticulture Products may only be made through

port of destination in accordance with the laws and regulation.

### **Article 33**

(1) Import of Horticulture Products for:

- a. the delivery of gift/grant for the purpose of worship for public, charity, social, or for the purpose of preventing from natural disaster;
- b. the goods of foreign representative along with their officials in charge in Indonesia based on the reciprocal principle;
- c. the goods for the purpose of international board along with their officials in charge in Indonesia;
- d. the goods for the purpose of research, testing, and development of science; and/or
- e. non-sales materials sample

shall obtain Approval of Import by attaching RIPH.

(2) To obtain approval of import as referred to in paragraph (1), applicant shall submit written application to the Director of Import.

(3) Import of Horticulture Products for:

- a. personal passenger goods, crew of transporter facilities; and
- b. border crosser to be personally consumed;

with a maximum of 10 (ten) kilograms per person, does not require import approval.

(4) Import of Horticulture Products as referred to in paragraphs (1) and (2) shall not apply to the provisions on IT-Horticulture Products or IP-Horticulture Products and provisions on verification or technical import observation.

### **Article 34**

- (1) Supervision towards the importation and circulation of Horticulture Products shall be conducted in accordance with the laws and regulation.
- (2) Minister may form integrated team consisting of the relevant agency representative to conduct:
  - a. the supervision of circulation of Horticulture Products;  
and
  - b. evaluation on policy of import of Horticulture Products.
- (3) Directorate General of Foreign Trade may at any time make an assessment of compliance with IP-and IT-Products Horticulture Horticultural Products.

#### **Article 35**

Technical guidance for the implementation of this Regulation of Minister may be stipulated by Director General and/or Director General of Standardization and Consumer Protection in accordance with the duties and functions.

#### **Article 36**

Notwithstanding of the provisions as provided in the Regulation of Minister shall be with the approval of Minister by considering the proposal from the related agency.

#### **Article 37**

Recognition as IP-Horticulture Products, Stipulation as IT-Horticulture Products, Approval of Import, and LS already issued by virtue of Regulation of Minister of Trade Number 30/M-DAG/PER/5/2012 concerning Provisions on Import of Horticulture Products as already amended several times lastly by virtue of Regulation of Minister of Trade Number 60/M-DAG/PER/9/2012 shall be declared valid through the termination of the validity period.

#### **Article 38**

Towards Horticulture Products already circulated before the validity of the regulation of Minister shall adjust to provisions on packing and label not later than 18 (eighteen) months as of the validity of the Regulation of Minister.

**Article 39**

Upon the implementation of the Regulation of Minister, the Regulation of Minister of Trade Number 30/M-DAG/PER/5/2012 concerning Provisions on Import of Horticulture Products as already amended several times lastly by virtue of Regulation of Minister of Trade Number 60/M-DAG/PER/9/2012 shall be revoked and declared null and void.

**Article 40**

This Regulation of Minister shall apply as of promulgation.

For public cognizance, it is ordered to enact the Regulation of Minister by publicizing the same in the State Gazette of the Republic of Indonesia.

Stipulated in : Jakarta

On : April 22, 2013

**MINISTER OF TRADE OF THE REPUBLIC OF  
INDONESIA,**

*Signed*

**GITA IRAWAN WIRJAWAN**

Copy conforms to original

Secretariat General

Ministry of Trade

Head of Legal Bureau,

*signed and sealed*

**LASMININGSIH**