

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

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POLICY

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Report Highlights:

On January 31, 2012, Indonesian Minister of Agriculture Suswono signed Ministry of Agriculture (MOA) Regulation No. 03/2012 regarding the importation of horticultural products.

General Information:

On January 31, 2012, Indonesian Minister of Agriculture Suswono signed Ministry of Agriculture (MOA) Regulation No. 03/2012. This regulation stipulates that all importers of fresh horticultural products, as well processed products derived from horticultural products, must receive an official Letter of Recommendation for the Importation of Horticultural Products (Letter of Recommendation) from the MOA, as well as an import permit from the Ministry of Trade. According to Article 32, the Regulation will be fully implemented as of May 1, 2012

According to the Regulation, the MOA's Director General (DG) of Agricultural Processing and Marketing will issue the Letters of Recommendation to the importers. The DG reserves the right to seek input from a team of experts, to include representatives from the Directorate General of Horticulture, the Center for Plant Variety Protection and Agricultural Licensing, the Agricultural Quarantine Agency, the Indonesian Food Security Agency, the Indonesian Socio-Economic Center, and the Directorate General for Agricultural Processing and Marketing. Representatives comprising the "team" shall evaluate the following criteria prior to providing importers with a Letter of Recommendation:

- a) production of a similar, domestically produced product;
- b) domestic consumption of the horticultural product to be imported;
- c) availability of a similar, domestically produced horticultural product;
- d) the imported products potential to distort the domestic market;
- e) the harvest time of the product;
- f) the impact on food security;
- g) packaging and language labeling requirements; and
- h) safety to humans, animals, plants and the environment.

Additionally, Article 11, Section (3) seems to require that importers applying for a Letter of Recommendation must demonstrate or attest that producers and packing houses are "registered".

Local importers are alarmed that this regulation could potentially disrupt or stop U.S. fresh horticulture and related product exports to Indonesia. Related products that may be disrupted as a result of MOA Regulation 03/2012 include, but are not limited to, frozen potatoes and french fries, raisins, jams and jellies, fruit juices, pickles, and other products.

At the time of writing it remains unclear whether MOA Regulation 03/2012 has been fully vetted or approved by the Indonesian Ministry of Trade. However, the Regulation has been published in full by the Indonesian Ministry of Law and Human Rights. The following link is to the Ministry of Law and Human Rights' publication of MOA Regulation 03/2012 in the original *bahasa*:

[MOA Regulation No. 03/2012 in Bahasa](#)

An unofficial English translation of MOA Regulation 03/2012 can be found at:

[MOA Regulation No. 3/2012 in English](#)

