

**DEPARTMENT OF AGRICULTURE
REPUBLIC OF INDONESIA**

**DECREE OF MINISTER OF AGRICULTURE
NO:102/Kpts/KB.430/2/2003**

**REGARDI NG
LIMITED RELEASE TRANSGENIC COTTON Bt DP 5690B
AS SUPERIOR VARIETY UNDER THE NAMA OF NuCOTN 35B
(BOLLGARD)**

MINISTER OF AGRICULTURE,

Considering :

- a. with the Decree of Minister of Agriculture No 107/Kpts/KB.430/2/2001 juncto Minister of Agriculture No 03/Kpts/KB.430/1/2002, Transgenic Cotton Bt DP 5690B has been released on a limited basis as Superior Variety under the name NuCOTN 35B (BOLLGARD)
- b. result of adaptation trials in 2002 planting season done in Jeneponto and Sinjai regencies showed the Transgenic Cotton Bt DP 5690B was resistant to the main pest of cotton *Helicoverpa armigera*, had high yield and profitable to cotton farmers
- c. result of evaluation of cotton transgenic in 2001 planting season and 2002 planting season that included environmental risk assessment, yield assessment, resistance to pest and assessment of social economic impact in South Sulawesi showed it was safe for the environment, had high productivity, resistant to pest and profitable to cotton farmers in South Sulawesi.
- d. based on the abovementioned reasons and to ensure the availability of NuCOTN 35B (BOLLGARD) in 2003 planting season, and with regard to precautionary principle, it is deemed necessary to release transgenic cotton Bt DP 5690B as superior variety under the name of NuCOTN 35B (BOLLGARD)

Remembering:

1. Law No 12 year 1992 on Plant Cultivation System (State Gazette year 1996 No 46, Addendum State Gazette No 3478)
2. Law No 23 year 1997 on Environment Management (State Gazette year 1997 No 68, Addendum State Gazette No 3699)
3. Government Regulation No 44 year 1995 on Plant Seed Production (State Gazette year 1995 No 85, Addendum State Gazette No 3616)
4. Government Regulation No 27 year 1999 on Environment Risk Assessment (State Gazette year 1999 No 59, Addendum 3838)
5. President Decree No 27 year 1971 on National Seed Agency
6. President Decree No 228/M year 2001 on Development of Gotong Royong cabinet
7. President Decree No 102 year 2001 on The status, task, function, authority, organization structure and work system of a governmental Department.

8. President Decree No 109 year 2001 on Organization Unit and Task of Departmental Echelon
9. Minister of Agriculture Decree No 461/Kpts/Org/-11/1971 on The Completeness of Organization Structure, Job Description, and Work System of National Seed Agency.
10. Minister of Agriculture Decree No 902/Kpts/TP.240/-12/96 juncto Minister of Agriculture Decree No 737/Kpts/TP.240/1998 on 737/Kpts/TP.240/1998 on Variety Testing, Assessment and Release.
11. Joint Ministers of Agriculture, Forestry and Estate Crops, Health, and Food and Horticulture, No 998/Kpts/OT.210/9/99, 790.a/Kpts-IX/1999, 1145A/MENKES/SKB/IX/1999, 015/meneg PHOR/09/1999, on Biosafety and Foodsafety of Agriculture Products Derived from Genetic Engineering Process.
12. Decree Minister of Agriculture No 01/Kpts/OT.210/-1/2001 juncto Minister of Agriculture Decree No 354.1/Kpts/OT.210/6/2001 on Organization and Work Structure of Dept of Agriculture
13. Minister of Agriculture Decree No 99/Kpts/OT.210/-2/2001 juncto Minister of Agriculture Decree No 392/Kpts/OT.210/7/2001 on Organization Completeness and Work Structure of Dept of Agriculture
14. Minister of Agriculture Decree No 107/Kpts/KB.430/-2/2001 juncto Minister of Agriculture Decree No 03/Kpts/KB.430/1/2002 on Limited Release of Transgenic Cotton Bt DP 5690B as Superior Variety Under the Name NuCOTN 35B (BOLLGARD)
15. Minister of Agriculture Decree No 305/Kpts/KP.150/-5/2001 on the Formation of Monitoring Team of Transgenic Cotton.
16. Minister of Agriculture Decree No 362/Kpts/KP.150/-5/2001 on Variety Assessment and Release Team
17. Minister of Agriculture Decree No 353/Kpts/KP.430/-6/2001 juncto Minister of Agriculture Decree No 393/Kpts/KP.150/6/2002 on Chairmanship and Membership of National Seed Agency

Observing

1. Evaluation result of transgenic cotton 2002 planting season in South Sulawesi and presented at Hotel Salak on 14-15b November 2002
2. Meeting to discuss draft of Minister of Agriculture policy regarding transgenic cotton in South Sulawesi for 2003 planting season on 17 December 2003.

Deciding

FIRST: To release on limited basis transgenic cotton Bt DP 5690B as superior variety under the name NuCOTN 35B (BOLLGARD) with certain condition.

SECOND: The release as stated in the FIRST statement is valid for 1 year since this decree is issued and to be utilized by farmers in 9 regencies, namely Takalar, Gowa, Bantaeng, Bulukumba, Bone, Soppeng, Wajo, Jeneponto and Sinjai regencies, South Sulawesi Province

THIRD: The condition as stated in the FIRST statement includes:

- a) the release of transgenic cotton Bt DP 5690B as superior variety under the name NuCOTN 35B (BOLLGARD) will be re evaluated based on new data and information
- b) planting of transgenic cotton Bt DP 5690B as superior variety under the name NuCOTN 35B (BOLLGARD) in other areas other than those regencies stated in the SECOND statement
- c) the planting of utilization of transgenic cotton Bt DP 5690B as superior variety under the name NuCOTN 35B (BOLLGARD) must be monitored and evaluated in holistic manner by Transgenic Cotton Monitoring Team that was formed by the Governor of South Sulawesi, Variety Assessment and Release Team and Biosafety and Foodsafety Agriculture Product derived from Genetic Engineering Team
- d) if in the future there are matters that are not in line with information presented during variety release, or matters that have negative impact on biosafety, environment, and human health, the release of transgenic cotton Bt DP 5690B as superior variety under the name NuCOTN 35B (BOLLGARD) will be re evaluated.

FOURTH: Description of NuCOTN 35B (BOLLGARD) as stated in the FIRST statement is attached in this Decree

FIFTH: With the issuance of this Decree, the Minister of Agriculture Decree No 107/Kpts/KB.430/2/2001 and Minister of Agriculture Decree No 03/Kpts/KB.430/1/2002 is no longer valid

SIXTH: This Decree is valid on the date issued.

Issued in Jakarta 4 February 2003

MINISTER OF AGRICULTURE

PROF.DR.IR. BUNGARAN SARAGIH MEC