

**PROHIBITION ON THE IMPORT OF CERTAIN SHRIMP SPECIES
INTO THE TERRITORY OF THE REPUBLIC OF INDONESIA
(Joint Regulation of R.I. Trade Minister No. 52/M-DAG/PER/12/ 2010 and
R.I. Minister of Sea and Fishery No. PB.02/MEN/2010, dated December 23, 2010)**

WITH THE BLESSING OF THE ONE AND ONLY GOD
TRADE MINISTER OF THE REPUBLIC OF INDONESIA AND
MINISTER OF SEA AND FISHERY OF
THE REPUBLIC OF INDONESIA,

Considering:

a. that based on information of World Animal Health Organization (Organization Internationale dez Epizootic/

= OIE) and products of scientific studies (scientific evidence) on risk of imported shrimp, presently it is registered and identified there are virus diseases on shrimps categorized hazardous to the health of men and health of shrimps and shall be heeded to in the international trade system;

b. that in the context of preventing and controlling the spread of shrimp virus disease, and to protect the health

of natural resources and the health of man all over the world including Indonesia, it is necessary to prohibit the import of certain shrimp species into the territory of the Republic of Indonesia;

- c. that based on the considerations referred to in letter a and letter b, it is necessary to stipulate a Joint Regulation of the Trade Minister and Minister of Sea and Fishery;

In view of:

1. BedrijfsregleMinisterngs Ordonnantie 1934 (Staatsblad Year 1938 No. 86);
2. Law No. 16 Year 1992 (BN No. 5292 pgs 4B-13B) concerning Animal, Fish and Plant Quarantine (State Gazette of the Republic of Indonesia Year 1992 No. 56, Supplement to State Gazette of the Republic of Indonesia No. 3482);
3. Law No. 7 Year 1994 (BN No. 5696 pgs 1B-5B) concerning ratification of Agreement Establishing the World Trade Organization (State Gazette of the Republic of Indonesia Year 1994 No. 57, Supplement to State Gazette of the Republic of Indonesia No. 3564);
4. Law No. 10 Year 1995 (BN No. 5806 pgs 5B-19B etc) concerning Customs (State Gazette of the Republic of Indonesia Year 1995 No. 75, Supplement to State Gazette of the Republic of Indonesia No. 3612) having been amended by Law No. 17 Year 2006 (BN No. 7446 pgs 17B-24B etc) (State Gazette of the Republic of Indonesia Year 2006 No. 93, Supplement to State Gazette of the Republic of Indonesia No. 4661);
5. Law No. 31 Year 2004 (BN No. 7144 pgs 7B-12B etc) concerning Fishery (State Gazette of the Republic of Indonesia Year 2004 No. 118, Supplement to State Gazette of the Republic of Indonesia No. 4433) having been amended by Law No. 45 Year 2009 (BN No. 7890 pgs 2B-16B) (State Gazette of the Republic of Indonesia Year 2009 No. 154, Supplement to State Gazette of the Republic of Indonesia No. 5073);
6. Law No. 39 Year 2008 (BN No. 7755 pgs 9B-12B) concerning State Ministries (State Gazette of the Republic of Indonesia Year 2008 No. 166, Supplement to State Gazette of the Republic of Indonesia No. 4916);
7. Government Regulation No. 15 Year 2002 (BN No. 6776 pgs 3B-12B) concerning Fish Quarantine (State Gazette of the Republic of Indonesia Year 2002 No. 36, Supplement to State Gazette of the Republic of Indonesia No. 4179);
8. Government Regulation No. 54 Year 2002 (BN No. 6869 pgs 3B-7B) concerning Fishery Business (State Gazette of the Republic of Indonesia Year 2002 No. 100, Supplement to State Gazette of the Republic of Indonesia No. 4230);
9. Presidential Decree No. 260 Year 1967 (BN No. 1598 page 13A) concerning Confirmation of Trade Minister's Duty and Responsibility in the Aspect of Foreign Trade;
10. Presidential Regulation No. 47 Year 2009 (BN No. 7927 pgs 2B-12B) concerning Establishment and Organization of State Ministries;
11. Presidential Regulation No. 24 Year 2010 concerning Position, Duty, and Functions of State Ministries and

- Organization Composition, Duties and Functions of Echelon-I units of State Ministries;
12. Presidential Decree No. 84/P Year 2009 (BN No. 7875 pgs 13B-14B) having been amended by Presidential Decree No. 56/P Year 2010;
 13. Decision of the Minister of Sea and Fishery No. KEP.24/MEN/ 2002 concerning Procedure and Technique for the Compilation of Statutory Regulations within the Department of Sea and Fishery;
 14. Finance Minister Decision No. 545/KMK.01/2003 (BN No. 7041 pgs 7B-8B) concerning Stipulation of Classification System of Imported Goods;
 15. Trade Minister Regulation No. 54/M-DAG/PER/10/2009 (BN No. 7880 pgs 1B-3B) concerning General Provisions in the Aspect of Import;
 16. Regulation of Minister of Sea and Fishery No. PER.15/MEN/ 2010 concerning Organization and Work Mechanism of the Sea and Fishery Ministry;
 17. Regulation of Minister of Sea and Fishery No. PER.17/MEN/ 2010 concerning Control of the Quality and Safety of Fishery Products Entering into the Territory of the Republic of Indonesia;
 18. Trade Minister Regulation No. 31/M-DAG/PER/7/2010 concerning Organization and Work Mechanism of the Trade Ministry;

DECIDES :

To stipulate:

JOINT REGULATION OF THE TRADE MINISTER DAN MINISTER OF SEA AND FISHERY CONCERNING PROHIBITION FOR THE IMPORT OF CERTAIN SHRIMP SPECIES INTO THE TERRITORY OF THE REPUBLIC OF INDONESIA.

Article 1

In this Joint Regulation, terms used are as follows:

1. Shrimp is a boneless animal, living in water, hard skin, ten legs, short tail and having two pincers at its front legs (crustaceae).
2. Head on shrimp is shrimp in an intact condition, without chopping its head and not skinned.
3. Headless shrimp is shrimp separated from its head.

Article 2

- (1) Certain shrimp species are prohibited to be imported into the territory of the Republic of Indonesia.
- (2) The certain shrimp species referred to in paragraph (1) are contained in the Attachment being an inseparable part of this Joint Regulation.

Article 3

- (1) Certain shrimp species referred to in Article 2 arriving in Indonesian ports on or after the date stipulated in this Joint Regulation must be re-exported to the country of origin or destroyed in accordance with provisions of statutory regulations.

(2) The re-export or destruction of the certain shrimp species referred to in Article 2 shall be the responsibility and/or borne by the importer.

Article 4

Shrimps other than those referred to in Article 2, either in the form of head on shrimp or headless shrimp entering into the territory of the Republic of Indonesia may only be performed thru:

- a. Sea ports: Belawan in Medan, Tanjung Priok in Jakarta, Tanjung Emas in Semarang, Tanjung Perak in Surabaya, Soekarno Hatta in Makassar; and/or
- b. Airports: Polonia in Medan, Soekarno Hatta in Jakarta, Juanda in Surabaya, Sultan Hasanuddin in Makassar.

Article 5

Violations on provisions of Article 2, Article 3, and Article 4 shall be imposed to sanctions in accordance with provisions of statutory regulations.

Article 6

This Joint Regulation shall be revoked in the event:

- a. there is a scientific evidence stating that the virus disease on shrimp categorized hazardous to the health of shrimp and health of man is no more in existence; and

- b. result of coordination with the related technical agency stated that prohibition on the import of the certain shrimp species had expired in part or totally.

Article 7

This Joint Regulation commences to come to effect from the date of stipulation.

For public cognizance, this Joint Regulation shall be announced in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

on December 23, 2010

R.I. MINISTER OF SEA AND FISHERY,

sgd.

FADEL MUHAMMAD

R.I. TRADE MINISTER,

sgd.

MARI ELKA PANGESTU

ATTACHMENT TO JOINT REGULATION OF THE
TRADE MINISTER OF THE REPUBLIC OF INDONESIA AND
MINISTER OF SEA AND FISHERY OF THE REPUBLIC OF INDONESIA

No. : 52/M-DAG/PFR/12/2010

No. : PB. 02/MEN/2010

Date : December 23, 2010

LIST OF CERTAIN SHRIMP SPECIES PROHIBITED
TO BE IMPORTED INTO THE TERRITORY OF
THE REPUBLIC OF INDONESIA

NO.	POST TARIFF	ELUCIDATION
1.	Ex. 0306.13.00.00 0306.23	- Frozen: - Small shrimp and common shrimp (Penaeus vanamae species) - Not frozen (fresh): - Small shrimp and common shrimp

2.	Ex. 0306.23.30.00	(Penaeus vanamae species): - Fresh or cold
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R.I. MINISTER OF SEA AND FISHERY,

sgd.

FADEL MUHAMMAD

R.I. TRADE MINISTER,

sgd.

MART ELKA PANGESTU

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