

## TEMPORARY BAN ON THE IMPORT OF SHRIMPS OF CERTAIN SPECIES TO THE TERRITORY OF THE REPUBLIC OF INDONESIA

(Joint Regulation of the Trade Minister and the Maritime Affairs and Fisheries Minister  
No. 64/M-DAG/PER/12/2009, No. PB.03/MEN/2009, Dated December 23, 2009)

BY THE GRACE OF GOD ALMIGHTY

THE TRADE MINISTER AND THE MARITIME AFFAIRS AND  
FISHERIES MINISTER,

c. that based on the considerations in letters a and b, it is necessary to stipulate a Joint Regulation of the Trade Minister and the Maritime Affairs and Fisheries Minister;

Considering:

- a. that the circulation of virus-affected shrimps in the international market is still going on while Indonesia is making an effort to control the spread of the virus at home and therefore, in an effort to prevent the entry of the shrimps to the territory of the Republic of Indonesia, it is necessary to impose a temporary ban on the import of shrimps of certain species;
- b. that in an effort to control the spread of the virus as referred to in letter a there are several viable viruses even though they have undergone further treatment such as freezing process;

In view of :

1. Trade Ordinance of 1934 (Statute Book of 1938 No. 86) as has been amended and supplemented;
2. Law No. 16/1992 (***BN No. 5300 pages 17A-19A and so on***) on Animal, Fish and Plant Quarantine (Statute Book of 1992 No. 56, Supplement to Statute Book No. 3482);
3. Law No.10/1995 (***BN No. 5812 pages 19A-20A and so on***) on Customs Affairs (Statute Book of 1995 No. 75, Supplement to Statute Book No. 3612) as has been amended by Law No. 17/2006 (***BN No. 7476 pages***

- 23A-27A)** (Statute Book of 2006 No. 93, Supplement to Statute Book No. 4661);
4. Law No. 31/2004 (**BN No. 7158 pages 6A-17A and so on**) on Fisheries (Statute Book of 2004 No. 118, Supplement to Statute Book No. 4433) as has been amended by Law No. 45/2009 (Statute Book of 2009 No. 154, Supplement to Statute Book No. 5073);
  5. Government Regulation No. 15/2002 (**BN No. 6784 pages 21A-32A and so on**) on Fish Quarantine (Statute Book of 2002 No. 36, Supplement to Statute Book No. 4179);
  6. Government Regulation No. 54/2002 (**BN No. 7184 pages 2A-23A**) on Fishery Business (Statute Book of 2002 No. 100, Supplement to Statute Book No. 4230);
  7. Presidential Regulation No. 9/2005 on the Position, Task, Function, Organizational Structure and Work Mechanism of Ministries of the Republic of Indonesia as has been several times amended the latest by Presidential Regulation No. 20/2008;
  8. Presidential Regulation No. 10/2005 on the Organizational Unit and Task of First Echelon Officials at Ministries of the Republic of Indonesia as has been several times amended the latest by Presidential Regulation No. 50/2008;
  9. Presidential Decree No. 260/1967 on the Affirmation of Tasks and Responsibilities of the Trade Minister in the Field of Foreign Trade;
  10. Presidential Decree No. 84/P/2009 (**BN No. 7886 pages 14A-16A**) on the Formation of the Second United Indonesia Cabinet;
  11. Decree of the Maritime Affairs and Fisheries Minister No. KEP.24/MEN/2002 on the Procedures and Techniques of Drawing Up Regulations at the Maritime Affairs and Fisheries Ministry;
  12. Decree of the Finance Minister No. 545/KMK.01/2003 on the Adoption of System for the Classification of Imported Goods;
  13. Regulation of the Trade Minister No. 01/M-DAG/PER/3/2005 on the Organizational Structure and Work Mechanism of the Trade Ministry as has been several times amended the latest by Regulation of the Trade Minister No. 24/M-DAG/PER/6/2009;
  14. Regulation of the Maritime Affairs and Fisheries Minister No. PER.07/MEN/2005 on the Organizational Structure and Work Mechanism of the Maritime Affairs and Fisheries Ministry as has been several times amended the latest by Regulation of the Maritime Affairs and Fisheries Minister No. PER.04/MEN/2009;
  15. Regulation of the Trade Minister No. 54/M-DAG/PER/10/2009 (**BN No. 7884 pages 7A-11A**) on General Provisions in the Import Sector;

#### DECIDES :

To stipulate :

THE JOINT REGULATION OF THE TRADE MINISTER AND THE MARITIME AFFAIRS AND FISHERIES MINISTER ON TEMPORARY BAN ON THE IMPORT OF SHRIMPS OF CERTAIN SPECIES TO THE TERRITORY OF THE REPUBLIC OF INDONESIA.

#### Article 1

Referred to in this Joint Regulation as :

1. Shrimps are an unboned, hard-skinned, ten-feet, short-tailed water animal with two pincers on its front feet (crustacéase).

2. Head-on shrimps are unimpaired shrimps that do not have their head cut and skin removed.
3. Headless shrimps are shrimp that have had their head removed.

Article 2

The shrimps of certain species as referred to in Attachment to this Joint Regulation shall be subject to an import ban.

Article 3

- (1) The shrimps of certain species as referred to in Article 2 that arrive in Indonesian ports when or after this Joint Regulation is stipulated shall be re-exported to the country of origin or destroyed according to the law.
- (2) The re-export or destruction of shrimps of certain species as referred to in Article 2 shall become the responsibility of and/or be borne by the importer.

Article 4

Shrimps other than those referred to in Article 2, either head on or headless, can be imported only through :

- a. Seaports : 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

Violators of this Joint Regulation shall be subject to sanctions according to the law.

Article 6

This Joint Regulation shall come into force 6 (six) months after the date of stipulation and can be extended for another 6 (six) months.

For public cognizance, this Joint Regulation shall be promulgated by placing it in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta  
on December 23, 2009

THE MARITIME AFFAIRS AND FISHERIES MINISTER,  
sgd.  
FADEL MUHAMMAD

THE TRADE MINISTER,  
sgd.  
MARI ELKA PANGESTU

ATTACHMENT TO JOINT REGULATION OF  
THE TRADE MINISTER AND  
THE MARITIME AFFAIRS AND FISHERIES MINISTER

LIST OF SHRIMP OF CERTAIN SPECIES SUBJECT  
TO IMPORT BAN

| NO. | HEADINGS DESCRIPTION   |
|-----|--|
| 1.  | Ex. 0306.13.00.00<br>- Frozen:<br>-- Shrimps and prawns (of <i>Penaeus vanamae</i> species)  |
| 2.  | 0306.23<br>Ex. 0306.23.30.00<br>- Not frozen (fresh):<br>-- Shrimps and prawns (of <i>Penaeus vanamae</i> species):<br>--- Fresh or cold |

THE MARITIME AFFAIRS AND FISHERIES MINISTER,  
sgd.  
FADEL MUHAMMAD

THE TRADE MINISTER,  
sgd.  
MARI ELKA PANGESTU

====(S)====