
AUTHORIZED TRANSLATION



THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

REGULATION OF THE MINISTER OF TRADE OF

THE REPUBLIC OF INDONESIA

NUMBER 51/M-DAG/PER/7/2012

CONCERNING

BIRD NEST EXPORT PROVISION TO PEOPLE'S REPUBLIC OF CHINA

BY THE GRACE OF THE ONE AND ONLY GOD

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that bird nest is very useful for health and has high economy value until it is necessary to maintain its preservation;
 - b. that The Republic of Indonesia and The People's Republic of China on 24th April 2012 have executed Protocol of Inspection, Quarantine and Hygiene Requirements for the Importation of Bird Nest Product from Indonesia to China Between The Ministry of Agriculture of the Republic of Indonesia and The General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China);
 - c. that in order to maintain the continuity of bird nest exportation from Indonesia to the People's Republic of China, it is necessary to make more effective supervision



against the bird nest quality of Indonesia;

- d. that in relation to the considerations as mentioned in letter a, letter b, and letter c, it is necessary to regulate bird nest export to the People's Republic of China;
- e. that by virtue of considerations as mentioned in letter a, letter b, letter c and letter d, it is necessary to stipulate Regulation of the Minister of Trade.

- In view of : 1. Bedriifsreglementerings Ordonnantie 1934 (Staatsblad Number 86 of 1938);
2. Law Number 8 Government Regulation of 1962 concerning Goods Trade in Inspection (State Gazette of the Republic of Indonesia Number 42 of 1962, Supplement to State Gazette of the Republic of Indonesia Number 2469);
3. Law Number 7 of 1994 concerning Ratification on Agreement Establishing The World Trade Organization (State Gazette of the Republic of Indonesia Number 57 of 1994, Supplement to State Gazette of the Republic of Indonesia Number 3564);
4. Law Number 10 of 1995 concerning Customs (State Gazette of the Republic of Indonesia Number 75 of 1995, Supplement to State Gazette of the Republic of Indonesia Number 3612) as already been amended by Law Number 17 of 2006 (State Gazette of the Republic of Indonesia Number 93 of 2006, Supplement to State Gazette of the Republic of Indonesia Number 4661);
5. Law Number 39 of 2008 concerning State Ministry (State Gazette of the Republic of Indonesia Number 166 of 2008, Supplement to State Gazette of the Republic of Indonesia Number 4916);



6. Law Number 32 of 2009 concerning Environment Protection and Management (State Gazette of the Republic of Indonesia Number 140 of 2009, Supplement to State Gazette of the Republic of Indonesia Number 5059);
7. Presidential Decree Number 260 of 1967 concerning Task and Responsible Confirmation of Minister of Trade in Foreign Trade Sector;
8. Presidential Decree Number 84/P of 2009 concerning Establishment of United Indonesia Governmental Cabinet II as already been amended by Presidential Decree Number 59/P of 2011;
9. Presidential Regulation Number 47 of 2009 concerning Establishment and Organization of State Ministry as already been amended for several times and the last amendment by Presidential Regulation Number 91 of 2011;
10. Presidential Regulation Number 24 of 2010 concerning Position, Task and Function of State Ministry and Organization Structure, Task and Function of Echelon I of State Ministry as already been amended for several times and the last amendment by Presidential Regulation Number 92 of 2011;
11. Regulation of Minister of Trade Number 31/M-DAG/PER/7/2010 concerning Organization and Work Procedure of Ministry of Trade;
12. Regulation of Minister of Trade Number 13/M-DAG/PER/3/2012 concerning General Provision in Export Sector;



HAS DECIDED :

To stipulate : **REGULATION OF MINISTER OF TRADE CONCERNING
BIRD NEST EXPORT PROVISION TO PEOPLE'S REPUBLIC
OF CHINA**

Article 1

In this Regulation of Minister, which is intended by :

1. Export is the activity to issue goods from customs area of Indonesia.
2. Bird nest is a product which is originated from bird saliva (*Collocalia* sp.) that functions as a place for nesting, spawning, hatching and raising its cheep and requires further process before consumption.
3. Bird Nest Registered Exporter, which is hereinafter abbreviated as ET-SBW is an individual company and body corporate with legal status or non-legal entity that performs bird nest export business activity.
4. Verification and Monitoring Team of Bird Nest Export Policy is a team that performs verification and monitoring of bird nest export policy with its member comprised of representative from related instance and agency.
5. Minister is a minister that organizes governmental affairs in trade sector.
6. Director General is a Director General of Foreign Trade of the Ministry of Trade.

Article 2

- (1) Bird Nest that can be exported to People's Republic of China is only bird nest that is included in the Tariff Post/HS ex.0410.00.10.00.



- (2) Bird Nest as mentioned in paragraph (1) must meet requirements :
- a. has met selection, washing, cleaning from dirt, heating same as or more than 70°C (seventy degree of Celcius) processes within at least 3.5 (three point five) seconds; and
 - b. wrapped in the packaging and embedded with label that contains information in Indonesia language, English and Chinese language with at least concerning name and weight of product, registration number and producer name of bird breeder, name, address, registration number of producer, storage conditions, production date, veterinary control number (NKV) and other related information.

Article 3

- (1) Bird Nest export as mentioned in Article 2 paragraph (1) can only be made by company that has acquired acknowledgment as ET-SBW from Minister.
- (2) Minister delegates the acknowledgement issuance authority as ET-SBW as mentioned in paragraph (1) to Director General.

Article 4

- (1) To acquire acknowledgement as ET-SBW as mentioned in Article 3 paragraph (1) , company concerned must submit written application to Director General, in this case is Agriculture and Forestry Product Export Director;
- (2) ET-SBW application as mentioned in paragraph (1) by enclosing document of :
- (a) copy of Trade Business License (SIUP) or business permit from technical ministry/non-ministry governmental agency/instance;



- (b) copy of Company Registration List (TDP);
 - (c) copy of Taxpayer Number (NPWP);
 - (d) copy of ownership certificate of self-processing unit that has acquired Veterinary Control Number Certificate (NKV); and
 - (e) Physical Inspection Official Report by Verification and Monitoring Team of Bird Nest Export Policy which is stipulated by Director General.
- (3) Director General issues acknowledgement as ET-SBW as mentioned in Article 3 paragraph (1) within 5 (five) working days as the longest as from the application acceptance date completely and correctly.
- (4) In case of application as mentioned in paragraph (2) is not complete and incorrect, Agriculture and Forestry Product Export Director submits application rejection within 5 (five) working days as the longest as from the application acceptance date.
- (5) ET-SBW as mentioned in paragraph (3) is valid during company concerned still performs business activity in bird nest export sector.
- (6) Acknowledgement form as ET-SBW as mentioned in paragraph (3) is put down in Attachment I that constitutes an inseparable part of this Minister Regulation.
- (7) Every data alteration of company, ET-SBW owner must report and submit ET-SBW alteration application to Director General, in this case is Agriculture and Forestry Product Export Director within 30 (thirty) days as the latest as from the occurrence of company data alteration.

Article 5

- (1) Director General submits every ET-SBW as mentioned in



Article 3 paragraph (1) to Accreditation and Certification Registration Agency of China.

- (2) ET-SBW as mentioned in paragraph (1) must be registered at Accreditation and Certification Registration Agency of China.

Article 6

- (1) Company that has acquired acknowledgment as ET-SBW must submit written report concerning bird nest export implementation once in every 4 (four) months to Director General with a carbon copy to Verification and Monitoring Team of Bird Nest Export Policy.
- (2) Report as mentioned in paragraph (1) both in this case, realized export or unrealized export, is submitted on 15th May, 15th September and 15th January as the latest.
- (3) Bird nest export implementation report form as mentioned in paragraph (1) is put down in Attachment II that constitutes an inseparable part of this Minister Regulation.

Article 7

- (1) Acknowledgement as ET-SBW as mentioned in Article 3 paragraph (1) is frozen if ET-SBW owner :
 - (a) Breaches provision of Article 4 paragraph (7); and/or
 - (b) Breaches provision of Article 6 paragraph (1) and paragraph (2) as many as 3 (three) times.
- (2) Acknowledgment as ET-SBW as mentioned in paragraph (1) can be re-activated if ET-SBW has performed its obligation as mentioned in Article 4 paragraph (7) and/or Article 6 paragraph (1) and paragraph (2).
- (3) ET-SBW owner can submit acknowledgment re-activation application as ET-SBW as mentioned in paragraph (2) after it meets provision of Article 4 paragraph (7) and/or Article 6



paragraph (1) and paragraph (2).

- (4) Acknowledgement re-activation application as ET-SBW as mentioned in paragraph (3) is submitted to Director General.

Article 8

ET-SBW as mentioned in article 3 paragraph (1) is revoked if :

- a. Does not perform obligation as mentioned in article 4 paragraph (7) and/or Article 6 paragraph (1) and paragraph (2) during the term 3 (three) months from the issuance of certificate of freezing.
- b. Change data mentioned in ET-SBW; and/or
- c. Stated as guilty by the court that has possessed permanent force of law related to breach in export sector.

Article 9

Provision of implementation of this Minister Regulation can be stipulated by Director General.

Article 10

This Minister Regulation comes into force on 31st July 2012.

For public conscience, it is hereby ordered the enactment of this Minister Regulation with its placement in the State Gazette of the Republic of Indonesia.

Stipulated in : Jakarta

On : 27th July 2012

THE MINISTER OF TRADE OF
THE REPUBLIC OF INDONESIA,

signed

GITA IRAWAN WIRJAWAN

Copy conforms to original.
Secretariat General of Ministry of Trade
Daily Executor for Head of Legal Bureau
signed and sealed
HERLIZA



ATTACHMENT I

REGULATION OF MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

NUMBER : 51/M-DAG/PER/7/2012

CONCERNING

BIRD NEST EXPORT PROVISION FROM INDONESIA TO PEOPLE'S REPUBLIC
OF CHINA

ATTACHMENT LIST

1. ATTACHMENT I : ACKNOWLEDGEMENT AS BIRD NEST REGISTERED
EXPORTER
2. ATTACHMENT II : BIRD NEST EXPORT IMPLEMENTATION REPORT

THE MINISTER OF TRADE OF THE
REPUBLIC OF INDONESIA,

signed

GITA IRAWAN WIRJAWAN

Copy conforms to original.

Secretariat General

The Ministry of Trade

Daily Executor for Head of Legal Bureau

signed

HERLIZA



ATTACHMENT I

REGULATION OF MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

NUMBER : 51/M-DAG/PER/7/2012

CONCERNING

BIRD NEST EXPORT PROVISION TO PEOPLE'S REPUBLIC OF CHINA

ACKNOWLEDGMENT AS BIRD NEST REGISTERED EXPORTER (ET-SBW)

NUMBER :

Referring to letter.....No....date.....month....year.....concerning Application to acquire Acknowledgement As Bird Nest Registered Exporter, then by virtue of Regulation of Minister of Trade NumberM-DAG/PER/...../.....concerning Bird Nest Export Provision to People's Republic of China , hereby delivers acknowledgement as :

BIRD NEST REGISTERED EXPORTER (ET-SBW)

To :

Name of Company :

Company Address :

Phone/Facsimile Number of Company :

Trade Business License (SIUP) :

Number and Date of Company Registration List (TDP) :

Taxpayer Number (NPWP) :

Veterinary Control Number (NKV) of Processing Unit :



With provisions as follows :

1. To submit ET-SBW alteration application in case of company data alteration to Director General of Foreign Trade within 30 (thirty) days as the latest from the date of such data alteration.
2. The authorized official in the environment of Ministry of Trade, Ministry of Agriculture and The National Agency of Drug and Food Control
3. To comply with provisions which prevail in the Regulation of Minister of Trade of the Republic of Indonesia No...../M-DAG/PER/...../.....concerning Bird Nest Export Provision to People's Republic of China.
4. Breach against provisions mentioned in number 1 to number 3 above, can be imposed sanction of freezing or acknowledgement revocation as a Bird Nest Registered Exporter (ET-SBW).
5. Acknowledgement as this Bird Nest Registered Exporter (ET-SBW) is valid during company performs business activity in bird nest export sector.
6. If in the later days, inexpediency between document and fact on site is found, then Acknowledgement as Bird Nest Product Registered Exporter (ET-SBW) can be frozen or revoked.

Jakarta,

On behalf of MINISTER OF TRAFE
REPUBLIC OF INDONESIA
Director General
Foreign Trade

(.....)



Carbon copies :

1. Minister of Trade (as a report).
 2. Inspector General of Ministry of Trade.
 3. Director General of Customs, Ministry of Finance.
 4. Head of Animal Quarantine Center, Agriculture Quarantine Agency, Ministry of Agriculture.
 5. Director of Veterinary Social Health, Directorate General of Farms, Ministry of Agriculture.
 6. Director of Food Product Standardization, The National Agency of Drug and Food Control.
 7. Local Economy, Industry and Trade Government Service.
- *) Streak the unnecessary.

THE MINISTER OF TRADE

THE REPUBLIC OF INDONESIA

signed

GITA IRAWAN WIRJAWAN

Copy conforms to original.

Secretariat General

Ministry of Trade

Daily executor for Head of Legal Bureau,

signed

HERLIZA



ATTACHMENT II

REGULATION OF MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

NUMBER : 51/M-DAG/PER/7/2012

CONCERNING

BIRD NEST EXPORT PROVISION TO PEOPLE'S REPUBLIC OF CHINA

BIRD NEST EXPORT IMPLEMENTATION REPORT
PERIOD :

EXPORT IMPLEMENTATION					
No.	Number and Date of PEB	Goods Description	Tariff Post Number/HS	Number	
				Volume	Value
1	2	3	4	5	6

.....
Name of Company
Management/Responsible Person
of Company
signed
(Full Name)

THE MINISTER OF TRADE
signed

GITA IRAWAN WIRJAWAN

Copy conforms to original.
Secretariat General
Ministry of Trade
Daily Executor for Head of Legal Bureau,
signed and sealed
HERLIZA

Translated from Indonesian Language
Jakarta, August 31, 2012
Authorized and Sworn Translator,

FIKRI SAID OBED

