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AUTHORIZED TRANSLATION



MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

**JOINT REGULATION OF MINISTER OF TRADE OF
THE REPUBLIC OF INDONESIA**

AND

MINISTER OF MARINE AND FISHERY OF THE REPUBLIC OF INDONESIA

NUMBER: 52/M-DAG/PER/12/2010

NUMBER : PB.02/MEN/2010

REGARDING

**PROHIBITION TO IMPORT CERTAIN SPECIES OF SHRIMP TO
THE TERRITORY OF THE REPUBLIC OF INDONESIA**

BY THE GRACE OF ALLAH THE ONE SUPREME GOD

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

AND

MINISTER OF MARINE AND FISHERY OF THE REPUBLIC OF INDONESIA

Considering

- : a. that based on the description of the animal world (Organisation Internationale des Epizootic/OIE) health body and the results of scientific studies the risk of imported shrimp is currently listed and identified in shrimp viral diseases classified hazardous to health and human health shrimp and be wary of the international trade system

- b. that in order to prevent the spread of disease control and shrimp virus as well as to protect the health of natural resources and human health throughout the world including Indonesia, it is necessary to prohibit certain species of shrimp imports into the territory of the Republic of Indonesia;
- c. that, based on consideration set forth at point a and b above, it is necessary to stipulate Regulation of Minister for Trade;

In view of

- : 1. *Bedrijfsreglementerings Ordonantie* 1934 State Gazette of 1938 Number 86);
2. Law Number 16 of 1992 regarding Quarantine for Animals, Fishes, and Plants (State Gazette of the Republic of Indonesia Number 56 of 1992, Supplement to the State Gazette of the Republic of Indonesia Number 3482);
3. Law Number 7 of 1994 regarding Ratification of Agreement Establishing the World Trade Organization (State Gazette of the Republic of Indonesia Number: 57 of 1994, Supplement to the State Gazette of the Republic of Indonesia Number 3564);
4. Law Number 10 of 1995 regarding Customs (State Gazette of the Republic of Indonesia Number 75 of 1995, Supplement to the State Gazette of the Republic of Indonesia Number 3612), as amended through Law Number 17 of 2006 regarding Customs (State Gazette of the Republic of Indonesia Number 93 of 2006, Supplement to the State Gazette of the Republic of Indonesia Number 4661);
5. Law Number 31 of 2004 regarding Fishery (State Gazette of the Republic of Indonesia Number 118 of

5. Law Number 31 of 2004 regarding Fishery (State Gazette of the Republic of Indonesia Number 118 of 2004, Supplement to the State Gazette of the Republic of Indonesia Number 4433), as amended through Law Number 45 of 2009 regarding Customs (State Gazette of the Republic of Indonesia Number: 154/2009, Supplement to the State Gazette of the Republic of Indonesia Number 5073)
6. Law Number 39 of 2008 regarding State Finance (State Gazette of the Republic of Indonesia Number: 166/2008, Supplement to the State Gazette of the Republic of Indonesia Number 4916);
7. Government Regulation Number 15 of 2002 regarding Fish Quarantine (State Gazette of the Republic of Indonesia Number 36 of 2002, Supplement to the State Gazette of the Republic of Indonesia Number 4179);
8. Government Regulation Number 54 of 2002 regarding Fish Quarantine (State Gazette of the Republic of Indonesia Number 100 of 2002, Supplement to the State Gazette of the Republic of Indonesia Number 4230);
9. Presidential Decree Number 260 of 1967 regarding Confirmation on the Job and Responsibility of Minister for Trade in Overseas Trade Sector;
10. Presidential Regulation Number 47 of 2009 regarding Organization of State Ministry;
11. Presidential Regulation of Number 24 of 2010 regarding Domicile, Duty and Function of State Ministry, and Organizational Structure, Duty and

Joint Regulation of Minister of Trade of The Republic of Indonesia and Minister of Marine and Fishery of The Republic of Indonesia

Number : 52/M-DAG/PER/12/2010

Number : PB.02/MEN/2010

Function of 1st Echelon in State Ministry;

12. Presidential Decree Number 84/P of 2009, as amended through Presidential Decree Number 56/P of 2010;
13. Decree of Minister for Marine and Fishery Number KEP.24/MEN/2002 regarding Method and Technique in Making Rules of Law within the Department of Marine and Fishery;
14. Decree of Minister for Finance 545/KMK.01/2003 regarding Determination of Classification System for Import Merchandise;
15. Regulation of Minister for Trade Number 54/M-DAG/PER/2010 regarding General Provisions in Import Sector;
16. Regulation of Minister for Marine and Fishery Number PER.15/MEN/2010 regarding Organization and Work Method of Ministry for Marine and Fishery;
17. Regulation of Minister for Marine and Fishery Number: PER.17/MEN/2010 regarding Quality and Safety Control to Fishery Products Entering the Territory of the Republic of Indonesia;
18. Regulation of Minister for Trade Number 31/M-DAG/PER/2010 regarding Organization and Work Method of Trade Ministry

HAS DECIDED:

To Stipulate : JOINT REGULATION OF MINISTER FOR TRADE AND MINISTER FOR MARINE AND FISHERY REGARDING PROHIBITION TO IMPORT CERTAIN SPECIES OF SHRIMP TO THE TERRITORY OF THE REPUBLIC OF INDONESIA.

Article 1

In this Joint Regulation, the meaning of:

1. Shrimp shall be any aquatic, hard-shelled, short-tailed invertebrate with ten legs and two grasping pincers in front (crustacean);
2. Head-on shrimp shall be any shrimp along with the head and skin.
3. Headless shrimp shall be any shrimp without head.

Article 2

- (1) Certain species of shrimp shall not be imported to the territory of the Republic of Indonesia.
- (2) Certain species of shrimp set forth in paragraph (1) above written in appendix hereof shall become an integral part of this Joint Regulation.

Article 3

- (1) Any certain species of shrimp set forth in Article (2) above arrives at any Indonesian Harbor on or after the date of issuance of this Joint Regulation shall be re-exported to the country of origin or destroyed according to the rules of law.
- (2) Such certain species of shrimp set forth in paragraph (2) shall be re-exported or destroyed at the expense of the importer.

Article 4

Any shrimp species other than those set forth in Article 2, both head-on and headless, may only be imported to the territory of the Republic of Indonesia through:

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

Article 5

Any violation to provisions of Article 2, Article 3, and Article 4 shall be subject to sanction according to the rules of law.

Article 6

This Joint Regulation shall be annulled in the following events:

- a. There is scientific evidence stating that there isn't any virus hazardous to shrimp and human found in the shrimp; and
- b. Result of coordination with relevant agencies declares that prohibition to import certain species of shrimp is partially or entirely annulled.

Article 7

This Joint Regulation shall apply as of the date of issuance. In order to make everyone knows about it, it is hereby ordered that this Ministerial Regulation be placed in the State Gazette of the Republic of Indonesia.

Joint Regulation of Minister of Trade of The Republic of
Indonesia and Minister of Marine and Fishery of The Republic of
Indonesia

Number : 52/M-DAG/PER/12/2010

Number : PB.02/MEN/2010

Stipulated : in Jakarta

On : December 23, 2010

**MINISTER FOR MARINE AND FISHERY
OF THE REPUBLIC OF INDONESIA**

signed

FADEL MUHAMMAD

**MINISTER OF TRADE
OF THE REPUBLIC OF INDONESIA**

signed

MARI ELKA PANGESTU

Copy according to original

Secretariat General

Department of Trade of The Republic of
Indonesia

Head of Legal Bureau,

signed

WIDODO

**APPENDIX TO JOINT REGULATION OF MINISTER FOR TRADE OF THE
REPUBLIC OF INDONESIA AND MINISTER FOR MARINE AND FISHERY OF
THE REPUBLIC OF INDONESIA**

Number :

Number :

Date :

**LIST OF CERTAIN SPECIES OF SHRIMP THAT CANNOT BE IMPORTED TO
THE TERRITORY OF THE REPUBLIC OF INDONESIA**

NO.	TARIFF POST	DESCRIPTION
1.	Ex. 0306.13.00.00	- Frozen - Small and ordinary shrimp (of <i>Penaeus vanamae</i> species)
2.	0306.23 Ex.0306.23.30.00	- Fresh: - Small and ordinary shrimp (of <i>Penaeus vanamae</i> species) - Fresh or cold

**MINISTER FOR MARINE AND FISHERY
OF THE REPUBLIC OF INDONESIA**

FADEL MUHAMMAD

**MINISTER FOR TRADE
OF THE REPUBLIC OF INDONESIA**

MARI ELKA PANGESTU

I, **Anang Fahkcrudin**, a sworn and authorized translator, practicing in Jakarta, do solemnly and sincerely declare that the foregoing document is a true and faithful translation from **Indonesian** into **English** of the original version.

Jakarta, October 13, 2011

ANANG FAHKCRUDIN
SWORN & AUTHORIZED
TRANSLATOR
SK. GUB KDKI JAB. NO. 2228/2001