



REGULATION  
MINISTER OF MARINE AFFAIRS AND FISHERIES OF THE REPUBLIC OF INDONESIA  
NUMBER: 74/PERMEN-KP/2016

CONCERNING  
OFFICIAL CONTROL OF QUALITY AND SAFETY OF FISHERY PRODUCTS  
THAT ENTRY INTO THE TERRITORY OF THE REPUBLIC OF INDONESIA

WITH THE BLESSING OF ONE GOD ALMIGHTY

THE MINISTER OF MARINE AFFAIRS AND FISHERIES OF THE REPUBLIC OF INDONESIA

**Considering:** That in order to implement the provisions of Article 32 paragraph (5) of Government Regulation Number 57 of 2015 on The System of Quality Assurance and Safety of Fishery Products, and the Enhancement of Added Value of Fishery Products, need to stipulate Regulation of Minister of Marine Affairs and Fisheries on Official Control of Quality and Safety of Fishery Products that Entry into the Territory of the Republic of Indonesia

**In view of** :

1. Law Number 16 of 1992 on Animal, Fish and Plant Quarantine (State Gazette of the Republic of Indonesia year 1992 Number 56);
2. Law Number 31 of 2004 on Fisheries (State Gazette of the Republic of Indonesia Year 2004 Number 118, Supplement to the State Gazette of the Republic of Indonesia Number 4433) as amended by Law Number 45 of 2009 on the Amendment of Law Number 31 of 2004 on Fisheries (State Gazette of the Republic of Indonesia Number 154 of 2009, Supplement to the State Gazette of the Republic of Indonesia Number 5073);
3. Law Number 18 of 2012 concerning Food (State Gazette of the Republic of Indonesia Number 227 of 2012, Supplement to State Gazette of the Republic of Indonesia Number 5360);
4. Law Number 23 of 2014 regarding Regional Government (State Gazette of the Republic of Indonesia Number 244 of 1992, Supplement to State Gazette of the Republic of Indonesia Number 5587) as amended several times, most recently by Law Number 9 of 2015 concerning Second Amendment of Number 23 Year 2014 regarding Regional Government (State Gazette of the Republic of Indonesia Number 58 of 2015, Supplement to State Gazette of the Republic of Indonesia Number 5679);
4. Government Regulation Number 57 of 2015 on the System of Quality Assurance and Safety of Fishery Products and the Added Value of Fishery Products (Official Gazette of the Republic of Indonesia Number 181 of 2015);

- 5.. Presidential Regulation Number 63 of 2015 concerning the Ministry of Maritime Affairs and Fisheries (State Gazette of the Republic of Indonesia Year 2015 Number 111);
6. Regulation of the Minister of Marine Affairs and Fisheries Number 23/PERMEN-KP/2015 on the Organization and Administration of the Ministry of Marine Affairs and Fisheries (Official Gazette of the Republic of Indonesia year 2015 Number 1227);

## CHAPTER I GENERAL REQUIREMENTS

### Article 1

In this Government Regulation the meaning of:

1. Fisheries is all activities relating to the management and utilization of fish resources and the environment ranging from preproduction, production, processing to marketing conducted over a fishery business system.
2. Fish is all kinds of organisms that all or part of their life cycle being in the water environment.
3. Importers are individuals or entities that form of legal entity or non-legal entity engaging in import operations.
4. Producer Importer Identification Number, hereinafter referred to as API-P, is an identification as manufacturer Importers that issued by the competent authority to companies that import goods for own use and / or to support the production process.
5. General Importer Identification Number, hereinafter referred to as API-U, is the general importer identification number that issued by the competent authorities to importers who import goods for the purposes of business activities with the trade or transfer the goods to another party.
6. Fish Processing Operator, hereinafter referred to UPI, is the place and the facilities to conduct fish processing activities.
7. Fish Health Certificate is an official document signed by officials / authorities in the country of origin stating that no infected Fishery Products from quarantine pests and fish diseases and / or pests and diseases of fish are required as well as safe for human consumption.
8. Fish Health Certificate of Fish Products Processing is a certificate signed by officials / authorities in the country of origin stating that the Fish and Fishery Products have met the requirements of quality and safety for human consumption.
9. The Quarantine Release Certificate is an official document signed by a Quarantine Officer which states that the carrier media listed is free from fish quarantine pests or diseases which is required to fulfil fish product quality and safety assurance.
10. Processing Advisability Certificate hereinafter referred to as SKP is a certificate given to UPI which has applied Good Manufacturing Practices (GMP), and has fulfilled Standard Sanitation Operating Procedure (SSOP) and Good Hygiene Practice (GHP) requirements according to standards and regulations from Competent Authorities.
11. Integrated Quality Management Program or the hazard analysis and critical control points (Hazard Analysis and Critical Control Point), hereinafter referred to as HACCP, is a quality management concept applied to provide quality assurance of processed products in UPI.
12. Release Approval Letter of Carrier Media from Entry Point is an official document stating that the carrier media contained therein, approved to be taken out or removed from the customs area to the implementation of quarantine measures or in traffic freed.

13. Fish Importation Risk Analysis is an assessment of the potential of the entry and spread of pests and harmful fish diseases, the risk of hazardous to the sustainability of fish resources and the environment, human health, and continuance of fisheries business that may result from the importation of fish.
14. Office International des Epizooties, hereinafter abbreviated OIE, is the World Animal Health Organization.
15. The laboratory is testing laboratory which has been accredited in accordance with the scope of testing required.
16. Modern Market is a market-shaped mall, hypermarket, supermarket, department store, which implemented modern management, priority of service, convenience of shopping by management are on one hand, is equipped with a definite price tag.
17. Sampling is the process of selecting and collecting of a packaging unit or a product lot.
18. Product Lot is a group of the smallest container or sample unit that has the size, type, procedure and time of the process in the same conditions.
19. Carrier of Quarantine Fish Pest and Disease hereinafter called the carrier is fish and / or other objects that may carry fish quarantine pests and diseases.
20. Fish quarantine officer hereinafter called quarantine officer is certain Civil Servant who was given the task to carry out quarantine measures, official control and safety of fishery products under the provisions of the legislation.
21. The Ministry is the Ministry of Marine Affairs and Fisheries.
22. Minister is the minister that administers government affairs in fisheries sector.
23. The Director General is the director general who carries out technical tasks in the field of strengthening the competitiveness of marine and fishery products.
24. Head of Agency is the Director General who carries out technical tasks in the field of fish quarantine, official control on quality and safety of fishery products.
25. The Directorate General is the directorate general who carries out technical tasks in the field of strengthening the competitiveness of marine and fishery products
26. Provincial Service is a provincial office in charge of fisheries.

## Article 2

The scopes of minister regulation include;

- a. Requirement and procedure for the importation of Fishery;
- b. Fishery Product inspection;
- c. Entry point of Fishery Products;
- d. Import of Fishery Product as luggage;
- e. Re-import of Fishery Products.

CHAPTER II  
REQUIREMENT AND PROCEDURE FOR IMPORTATION OF FISHERY PRODUCTS

Part One  
Importation Requirement of Fishery Products

Article 3

- (1) Importation of Fishery Products into the territory of the Republic of Indonesia is done by:
  - a. Importers that have API – P;
  - b. Importers that have API – U; or
  - c. Representative of Friendly Countries
- (2) Importers referred to in paragraph (1) letter a and b in doing importation of Fishery Products to be derived from a registered exporter in the country of origin.
- (3) The importer referred to in article (1) letter a and b in doing importation of Fishery Products from countries that already have a cooperation agreement in the form of Mutual Recognition Arrangement (MRA), or Memorandum of Understanding (MoU), or the like should come from exporters registered in the Ministry.
- (4) Exporters registered as referred to in paragraph (3) shall be assigned by the Decree of the Head of the Agency.

Article 4

- (1) Every Fishery Products entry into the territory of the Republic of Indonesia shall comply with the following requirements:
  - a. Fish health, quality, and safety of Fishery Products
  - b. Be given the label or accompanying document (invoice / packing list) written or printed using Indonesian and English;
  - c. Not derived from fisheries activities that violate the law, unreported, and unregulated (Illegal, Unreported, and Unregulated Fishing); and
  - d. From exporters registered of competent authority in the country of origin.
- (2) Requirements of Fish health, quality, and safety of Fishery Products referred to in paragraph (1) letter a that are :
  - a. Fish Health Certificate and Health Certificate of Fish Processing Products from the competent authority in the country of origin; and
  - b. Certificate of Origin (CoO) from the competent authority in the country of origin.
- (3) Terms of label or document (invoice / packing list) referred to in paragraph (1) letter b, namely:
  - a. Label, for Fishery Products in the form of packaging; or
  - b. documents, for Fishery Products in bulk form.
- (4) Label or document (invoice / packing list) referred to in paragraph (3) shall at least contain:
  - a. product names that include common names, trade names, or scientific name;
  - b. net weight or net contents; and
  - c. names and addresses of those who produce or import.
- (5) Requirements are not derived from the Fisheries activities that violate the law, unreported, and unregulated (Illegal, Unreported, and Unregulated Fishing) referred to in paragraph (1) letter c, proved by Catch Certificate from the competent authority that appointed by the government in the country of origin.

- (6) The form and format of the Fish Health Certificate and Health Certificate of Fish Processing Products referred to in paragraph (2) letter a, listed in Appendix I, which is an integral part of this regulation.
- (7) The form and format of the Certificate Fish Catches (Catch Certificate) as referred to in paragraph (5), listed in Appendix II, which is an integral part of this regulation.

#### Article 5

Directorate General who carry out technical tasks in the field of capture fisheries to prepare a list of competent authorities referred to in Article 4 paragraph (5), including the signer certificate of Fish Catches (Catch Certificate) and port of release of the country of origin.

#### Part Two

#### Importation Allotment of Fishery Products

#### Article 6

- (1) Import of Fishery Products done by importers who already have API-P as meant in Article 3 paragraph (1) letter a may only be used for:
  - a. raw materials of UPI of which to be processed and re-exported;
  - b. raw materials of UPI of fish canning industries;
  - c. raw material of salted boiled fish;
  - d. raw materials of fortification/enrichment of certain foods;
  - e. raw material of bait
  - f. hotel consumption and restaurant; and/or
  - g. modern market.
- (2) Import of Fishery Products done by importers who already have API-U as referred to in Article 3 paragraph (1) letter b may only be used for:
  - a. raw materials of salted boiled fish;
  - b. raw materials of fortification / enrichment of certain foods;
  - c. raw materials of feed;
  - d. hotel consumption, restaurant; and / or
  - e. Modern market.
- (3) The import of Fishery conducted by representatives of friendly countries as referred to in Article 3 paragraph (1) letter c can only be used for:
  - a. Internal consumption; and / or
  - b. Exhibitions and / or promotions

#### Article 7

- (1). Fishery Products that can be entered into the territory of the Republic of Indonesia as referred to in Article 6 paragraph (1) and (2) shall take into account:
  - a. Needs and the availability of supplies or fish production, from both aquaculture and capture;
  - b. Fishing season for Fishery Products from fishery business and / or harvest season for Fishery Products from aquaculture business;
  - c. Supplies from other production centers in Indonesia;

- d. Fishery Products that do not exist in Indonesia; and
  - e. Fishery Products that can not be produced in Indonesia in accordance with the standards / specifications are required.
- (2). Fishery Products referred to in article (1) shall be assigned by the Minister.

### Part Three

#### Procedure for Importation of Fishery Products

##### Article 8

- (1). Importers that have API-P, API-U, or representatives of friendly countries or who will perform importation of Fishery Products into the territory of the Republic of Indonesia required having an Importation Permit of Fishery Products from the Director General.
- (2) To obtain an Importation Permit of Fishery Products referred to in article (1), importers that already have API-P, API-U, or representatives of friendly countries must apply to the Director General, which shall at least contain:
- a. aims and objectives;
  - b. scientific and trade names;
  - c. type (10 digit HS code);
  - d. amount/volume and specifications;
  - e. country of origin;
  - f. means of transportation;
  - g. point of entry
  - h. distribution plan
  - i. importation schedule;
  - j. source of raw material for fish product;
- (3). Importers that have API-P in proposing the application referred to in paragraph (2) shall attach requirements:
- a. photocopy of SKP and PMMT / Certificate Application of Hazard Analysis Critical Control Point (HACCP) on Fish Processing Operator.
  - b. photocopy of Certificate of GMP and / or HACCP / ISO 22000 for importers using raw materials fortification or enrichment of certain foods;
  - c. photocopy of proof as a registered exporter of competent authorities in the country of origin;
  - d. photocopy of Taxpayer Identification Number;
  - e. the company's business plan for 1 (one) year;
  - f. fish stock reports raw materials and processed products every month;
  - g. letter of recommendation from the Provincial Office in accordance with UPI domicile or domicile of processing units that use raw materials fortification or enrichment of certain foods;
  - h. sufficient legal statement letter stating the truth of the data and information submitted; and
  - i. export realization for companies to import to be processed and re-exported.
- (4) Importers that already have API-U in proposing the application referred to in paragraph (2) shall attach the following requirements:
- a. photocopy of handling certificate;
  - b. photocopy of proof as a registered exporter of competent authorities in the country of origin;
  - c. photocopy of Taxpayer Identification Number;

- d. the company's business plan for 1 (one) year;
  - e. fish stock reports raw materials and processed products every month;
  - f. a letter of recommendation from the Provincial Office in accordance with the domicile of storage warehouses; and
  - g. sufficient legal statement letter stating the truth of the data and information submitted; and
- (5) Further provisions on the requirements and procedures for the issuance of a certificate of handling referred to in paragraph (4) letter a, in import's warehouse that store fish, and fortified products will be further stipulated by the Director General.
  - (6) For the importers already have API-P or API-U ever obtained Fishery Products Importation Permit in addition to the requirements referred to in paragraph (3) and (4), shall enclose realization of previous Fishery Products Importation Permit.
  - (7) The form and format of the business plan, the realization of the use of previous Fishery Products Importation Permit, export realization, and a statement of the truth of the data and information referred to in paragraph (3) and (4), listed in Appendix III, Appendix IV, Appendix V and Appendix VI which is an integral part of this regulation.
  - (8) Each application for Fishery Products Importation Permit application submitted online by attaching the required documents referred to in paragraph (3) and (4).
  - (9) In the case of the online system is problematic, the application of Fishery Products Importation Permit can be directly proposed via the One Stop Services at the Ministry by attaching the required documents referred to in paragraph (3) and (4).

#### Article 9

- (1) In addition to attaching the requirements referred to in Article 8 paragraph (3) and (4), importers already have API-P or API-U must enclose Results of Risk Analysis importation of fish issued by the directorate general of performing technical tasks in the field of fisheries aquaculture if:
  - a. Fishery Products originating from countries not members of the OIE; or
  - b. Fishery Products derived from OIE member countries, for the introduction of new fish and / or the first to entry.
- (2) In addition to attaching the requirements referred to in Article 8 paragraph (3) and (4), importers that already have API-P or API-U to import raw material for bait should attach:
  - a. a list of names and numbers of fishing vessel owned by the applicant or its partner, along with copies of the partnership agreement, with showing its original; and
  - b. photocopy of a fishing permit (SIPI) Fish fishing vessels owned by the applicant or its partner.
- (3) Representatives of neighboring countries in applying referred to in paragraph (2) shall enclose Letter of Fish Risk Analysis Importation Results issued by the Directorate General of Aquaculture for the introduction of new fish species and / or the first to entry.
- (4) The provisions concerning the importation of fish risk analysis referred to in paragraph (2) and (3) is regulated by the Minister.

## Part Four

### Procedures for Recommendations

#### Article 10

- (1) Provincial Office in providing recommendations as referred to in Article 8 paragraph (3) letter g and paragraph (4) letter f, for raw material of UPI for fish canning industry and raw material of UPI in order to be re-exported and not traded in the territory of the Republic of Indonesia mandatory notice :
  - a. needs and the availability of supplies or fish production, from both aquacultured fish and captured fish that is in its territory;
  - b. fishing season for Fishery Products from fishing business and / or harvest season for Fishery Products from aquaculture business;
  - c. supplies from other production centers in Indonesia; and
  - d. production capacity of UPI.
- (2) Provincial Office in providing recommendations as referred to in Article 8 paragraph (3) letter g and paragraph (4) letter f, for raw materials of steamed fish mandatory notice:
  - a. needs and the availability of supplies or fish production, from both aquacultured fish and captured fish that is in its territory;
  - b. fishing season for Fishery Products from fishery business and / or harvest for Fishery Products from aquaculture business;
  - c. supplies from other production centers in Indonesia; and
  - d. Fish consumption levels.
- (3) Provincial Office in providing recommendations as referred to in Article 8 paragraph (3) letter g and paragraph (4) letter f, for raw materials of fortification / enrichment of certain foods shall take into account:
  - a. needs and availability of supply of raw material or the production of fortification that is in its territory; and
  - b. the composition of the fortified products to the final product.
- (4) Provincial Office in providing recommendations as referred to in Article 8 paragraph (3) letter g and paragraph (4) letter f, for the consumption of hotels, restaurants and Modern Market mandatory notice:
  - a. needs and the availability of supplies or fish production, from both aquacultured fish and captured fish that is in its territory
  - b. the purpose of distribution.

#### Article 11

- (1) To obtain a recommendation as referred to in Article 10, the importers that already have API-P or API-U must apply to the Provincial Office, which shall contain:
  - a. purpose and objectives;
  - b. the product name (common name, trade name or scientific name);
  - c. Post Tariff / HS Code applicable;
  - d. quantity / volume and specification;
  - e. country of origin;
  - f. means of transportation;
  - g. point of entry
  - h. distribution plan
  - i. importation schedule;



- j. source of raw materials for fishery product;
- (2) Importers that have API-P in proposing the application referred to in paragraph (1) shall enclose requirements:
- a. photocopy of SKP and PMMT / Certificate Application of Hazard Analysis Critical Control Point (HACCP) on UPI owned;
  - b. photocopy of Certificate of GMP and / or HACCP / ISO 22000 for importers using raw materials fortification or enrichment of certain foods;
  - c. photocopy of proof as a registered exporter of competent authorities in the country of origin;
  - d. photocopy of Taxpayer Identification Number;
  - e. the company's business plan for 1 (one) year;
  - f. stock reports raw materials of fish and processed products every month;
  - g. sufficient legal statement letter stating the truth of the data and information submitted; and
  - h. export realization for companies which to import for processing and re-exported.
- (3) importers that already have API-U in proposing the application referred to in paragraph (1) shall enclose following requirements:
- a. photocopy of handling certificate;
  - b. photocopy of proof as a registered exporter of competent authorities in the country of origin;
  - c. photocopy of NPWP;
  - d. the company's business plan for 1 (one) year;
  - e. stock reports raw materials of fish and processed products every month;
  - f. sufficient legal statement letter stating the truth of the data and information submitted; and
  - g. export realization for companies which to import for processing and re-exported.

## Article 12

- (1) Provincial Office before providing a recommendation as referred to in Article 10, shall verify the application of importers that already have API-P or API-U.
- (2) The verification referred to in paragraph (1), the importers that already have API-P made against the validity of the SIUP, operationalization of UPI, production capacity, types of products processed, uptake local production of fishery products, and the agreement / export contract.
- (3) The verification referred to in paragraph (1), the importers already have API-U made against the validity of the SIUP, the capacity of the storage warehouse, distribution lists, the composition of which is distributed on its territory and the release area, and the type of fish.
- (4) Results of the verification referred to in paragraph (1) are documents which are inseparable from the letter of recommendation.
- (5) The form and format verification referred to in paragraph (2) and paragraph (3), listed in Appendix VII which is an integral part of this regulation.
- (6) The form and format of the recommendation referred to in paragraph (4), listed in Appendix VIII which is an integral part of this regulation.

## Article 13

In issuing recommendations Provincial Office refers to information about fish production, fishing season, and / or harvest season provided by the Ministry.

## Part Four

### Procedure for Issuance of Fishery Products Importation Permit

#### Article 14

- (1) Based on the application referred to in Article 8 paragraph (2) to paragraph (5) and Article 9 paragraph (1) through (3), the Director General assesses the completeness, validity and correctness requirements that result can be either approval or rejection ,
- (2) The Director General of the assessment referred to in paragraph (1), may be assisted by the evaluation team.
- (3) The Director-General within a period of ten (10) working days since the application is completely received, shall issue:
  - a. Fishery Products Importation Permit; or
  - b. issuance rejection of Fishery Product Importation Permit, along with the reasons and application file belongs to the Directorate General.
- (4) Issuance of Fishery Products Importation Permit is free of charge.

#### Article 15

- (1) Fishery Products Importation Permit as referred to in Article 14 paragraph (3) letter shall contain:
  - a. aims and objectives;
  - b. scientific and trade names;
  - c. type (10 digit HS code);
  - d. quantity/volume and specifications;
  - e. country of origin;
  - f. means of transportation;
  - g. point of entry
  - h. distribution plan
  - i. importation schedule;
  - j. source of raw materials for fishery product;
- (2) Fishery Products Importation Permit referred to in paragraph (1) valid for a period of 6 (six) months since the date of issuance.
- (3) The remaining quantity / volume of Fishery Products Importation Permit unrealized six (6) months referred to in paragraph (2) can not be used for a time thereafter;
- (4) The importation of Fishery Products of the country of origin should be performed after the Importation Permit of Fishery Products publish.
- (5) The form and format of Fishery Products Importation Permit listed in Appendix IX which is an integral part of this regulation.

#### Article 16

- (1) In terms of quantity / volume of Fishery Products Importation Permit has been realized before the expiry of permit, importers who have API-P, API-U, or friendly countries can apply for a new permit.
- (2) Fishery Products Importation Permit previously revoked and declared no longer valid when a new permit issued.

#### Article 17

Change of Fishery Products Importation Permit can be done in terms of a change of country of origin of fishery products.

#### Article 18

- (1) Importers that have API-P or API-U will change Fishery Products Importation Permit must apply to the Director General by enclose:
  - a. Importation Permit of Fishery Products;
  - b. photocopy of proof as a registered exporter of competent authority in the country of origin;
  - c. Letter of Fish Importation Risk Analysis Results issued by the directorate general of performing technical tasks in the field of aquaculture to:
    - 1) Fishery products originating from countries not members of the OIE; or
    - 2) Fishery products originating from member countries of the OIE, for the introduction of new fish species and / or the first to entry.
- (2) Representatives of friendly countries which will change Importation Permit of Fishery Products must apply to the Director General by enclose:
  - a. Fishery Products Importation Permit;
  - b. photocopy of proof as a registered exporter of competent authority in the country of origin;
  - c. Letter of Fish Importation Risk Analysis Results issued by the directorate general of performing technical tasks in the field of aquaculture for the introduction of new fish species and / or the first to entry.
- (3) Based on the application referred to in paragraph (1) and (2), the Director-General undertake assessment the completeness, validity and correctness requirements that result can be either approval or rejection.
- (4) The Director-General within a period of 5 (five) working days after the application is received, shall issue:
  - a. Fishery Products Importation Permit changes; or
  - b. Importation Permit issuance rejection of Fishery changes, along with the reasons and file the petition belongs to the Directorate General.
- (5) Fishery Products Importation Permit changes come into effect from the issuance until the expiry of Fishery Products Importation Permit changed.

#### Article 19

- (1) Importers that have API-P, API-U, or representatives of friendly countries which have a Fishery Products Importation Permit and will do import Fishery Products into the territory of the Republic of Indonesia is obliged to report at least 1 (one) day prior to arrival and submit the required documents to the quarantine officer at the entry point.
- (2) Document requirements referred to in paragraph (1) shall include:
  - a. Fishery Products Importation Permit;
  - b. photocopy of Certificate of Fish Quarantine, which is used as the implementation of fish quarantine measures;
  - c. Health Certificate of Fish and Fishery Products from the competent authority in the country of origin;
  - d. Certificate of Origin (CoO) of the authorized agency in the country of origin; and

e. Certificate Fish Catches (Catch Certificate) from the government in the country of origin.

#### Article 20

- (1) Each importers already have a Fishery Products Importation Permit and import Fishery Products into the territory of the Republic of Indonesia shall use Fishery Products in accordance with its designation as referred to in Article 6 paragraph (1) and paragraph (2).
- (2) Representatives of friendly countries which already have permit Fishery Products Importation Permit to import into the territory of the Republic of Indonesia shall use Fishery Products in accordance with its designation as referred to in Article 6 (3).
- (3) Each Importers violating the designation referred to in paragraph (1) shall be subject to administrative sanctions in the form of revocation Fishery Products Importation Permit.

#### Article 21

- (1) Evaluation Team as referred to in Article 14 paragraph (2) to provide the assessment results to the Director General shall prioritize:
  - a. Importers that have API-P or API-U that process and re-export;
  - b. industries that absorb labor-intensive / local;
  - c. absorb raw material of local fish at least 70% (seventy percent) of the requirements that are intended for steaming and canning; and / or
  - d. industrial intermediate products (carrageenan, surimi).
- (2) Director-General in providing the quantity / volume of Fishery Products Importation Permit should consider:
  - a. official recommendation;
  - b. Fish raw material requirements of the business plan;
  - c. the realization of volume permit that have been given;
  - d. available stock;
  - e. industries that absorb labor-intensive / local;
  - f. absorb raw material of local fish at least 70% (seventy percent) of the requirements that are intended for steaming and canning; and
  - g. proof of purchase contracts with partners.

### CHAPTER THREE

#### INSPECTION OF FISHERY PRODUCTS

#### Article 22

- (1) Document of Fishery Products that will enter into the territory of the Republic of Indonesia inspected by quarantine officer.
- (2) Inspection of the documents referred to in paragraph (1) is intended to ascertain the completeness, validity and accuracy of documents.
- (3) The document stated complete if they comply the requirements referred to in Article 19 paragraph (2).
- (4) The document stated valid if the document issued by the competent authority.

- (5) The document stated correctly if there is a conformity between the contents of the document with species, quantity, form, size of Fishery Products imported into the territory of the Republic of Indonesia.
- (6) In inspection validity of the documents referred to in paragraph (5) quarantine officers to undertake inspection a physical of Fishery Products in the customs area.
- (7) Inspection of the documents referred to in paragraph (2) shall be undertaken within a maximum period of 1 (one) working day which results in:
  - a. Release Approval Letter of Carrier Media from Entry Points, if the document is stated complete, valid, and true, with a copy to the director general who carry out technical tasks in the field of supervision of marine resources and fisheries; or
  - b. Rejection Letter, if the document is stated incomplete, invalid, and / or incorrect.

### Article 23

- (1) Fishery Products that have earned the Expenditure Approval Letter Carrier of the Points of Entry, excluded from the customs department to do:
  - a. Fish quarantine measures in the quarantine instalation in order to detect fish quarantine pests and diseases; and
  - b. Quality testing in an accredited laboratory in order to quality assurance and safety of fishery products.
- (2) Fish quarantine measures and quality testing referred to in paragraph (1) is done by sampling Quarantine Officer within a maximum of 1 x 24 (one time twenty-four) hours, from Fishery Products entered into Fish quarantine instalation.
- (3) Fish quarantine measure and quality testing can be done simultaneously within a period of ten (10) working days.
- (4) During the Fish quarantine measure and quality testing referred to in paragraph (3), Fishery Products prohibited for:
  - a. be removed from fish quarantine installation to another place;
  - b. Fishery Products transferable from owner to another party; and / or
  - c. Exchanged with Fishery Products of the same species or from another species.
- (5) Based on fish quarantine measures and quality testing referred to in paragraph (3), within a period of 2 (two) days quarantine officer shall issue:
  - a. Certificate of Release, if Fishery products comply with the requirements free of fish quarantine pests and diseases and quality assurance and safety of fishery products; or
  - b. Rejection Letter, if Fishery products stated not comply with free of fish quarantine pests and diseases, quality assurance and safety of fishery products, and / or in violation of the provisions referred to in paragraph (4).
- (6) Certificate of Release or Rejection Letter referred to in paragraph (5) was delivered to the applicant with a copy to the Director General, the director general who carry out technical tasks in the field of supervision of marine resources and fisheries, as well as the relevant Provincial Office.
- (7) The form and format of the Certificate of Release referred to in paragraph (5) a, listed in Appendis X which is an integral part of this regulation.
- (8) The cost required for the implementation of Fish quarantine measures and quality testing referred to in paragraph (1) shall be borne by the importers that already have API-P or API-U or representatives of partner countries.

#### Article 24

Sampling as referred to in Article 23 paragraph (2) the quantity is determined as follows:

- a. for countries that already have a cooperation agreement in the form of Mutual Recognition Arrangement (MRA) or Memorandum of Understanding (MoU) or the similar, sampling is done randomly 1% (one percent) of product lot;
- b. for a country that does not have a cooperation agreement in the form of Mutual Recognition Arrangement (MRA) or Memorandum of Understanding (MoU) or the similar, but has equivalensi system of quality assurance and safety of Fishery products with Indonesia, sampling is done randomly 5% (five percent) of product lot; and
- c. for a country that does not have a cooperation agreement in the form of Mutual Recognition Arrangement (MRA) or Memorandum of Understanding (MoU) or the similar, and does not have equivalensi quality assurance system and safety of Fishery products with Indonesia, sampling is done randomly 10% (ten percent ) of product lot.

#### Article 25

- (1) If Fishery Products subject to acts of rejection as referred to in Article 22 paragraph (7) letter b or Article 23 (5) paragraph b, Importers that already have API-P or API-U or representatives of friendly countries shall dispatch back Fishery Products to the country of origin within the period of 3 (three) days shall perform rejection.
- (2) If within a period of three (3) days are not re-exported to the country of origin, the Fishery Products shall be destroyed in accordance with the provisions of the legislation.

### CHAPTER FOUR

#### ENTRY POINT OF FISHERY PRODUCTS

#### Article 26

- (1) Every Fishery Products will be imported into the territory of the Republic of Indonesia shall be done through the entry point as follows:
  - a. seaports, including:
    1. Belawan in Medan;
    2. Tanjung Priok in Jakarta;
    3. Tanjung Emas in Semarang;
    4. Tanjung Perak in Surabaya;
    5. Batu Ampar in Batam;
    6. Soekarno Hatta in Makassar;
    7. Tanjungwangi in Banyuwangi; and
    8. Bitung in Bitung.
  - b. all international airports; and / or
  - c. border controls, include:
    1. Entikong; and
    2. Merauke.

CHAPTER FIVE  
IMPORT OF FISHERY PRODUCTS AS LUGGAGE

Article 27

- (1) The import of fishery products as luggage into the territory of the Republic of Indonesia may be carried out without a Fishery Products Importation Permit with a maximum weight of 25 kg (twenty five kilograms) and/or a maximum value of Rp1,500,000.00 (one million five hundreds thousands rupiah).
- (2) Every person that brings a fishery product as luggage referred to in point (1), must report and hand over the fish product and required documents to the Quarantine Officer on arrival at entry point.

CHAPTER VI  
RE-IMPORT OF FISHERY PRODUCTS

Article 28

- (1) Re-import of fishery products that originate from Indonesia which are partially or entirely rejected by the importing country/country of destination due to not comply with the food quality and safety requirements of the destination country, or due to request of exporter, the documents must be checked by the Quarantine Officer within a period of 1 (one) day which involve:
  - a. Health Certificate of Fish and Fishery Products from the competent authority; and
  - b. A rejection letter from the destination country.
- (2) Document inspection as referred to in paragraph (1), is carried out to ascertain the accuracy of the documents according to the species, quantity, form, and size of fishery products that will be re-imported into the territory of the Republic of Indonesia.
- (3) In inspecting the documents as referred to in paragraph (2), the Quarantine Officer carries out a physical inspection on fishery products in the customs area.
- (4) Based on the document inspection as referred to in paragraph (1) and (3), Quarantine Officers:
  - a. Issue of Release Approval Letter of Carrier Media from Entry Point if documents and physical inspection results are stated complete, valid, and correct;
  - b. Act to destroy fishery products if documents and inspection results are stated incomplete, invalid, and inaccurate.
- (5) Re-import of fishery products that originate from Indonesia which are partially or entirely rejected by importing country/country of destination due to not comply with requirements at time of export, among others not reported, not go through inspection, not go through places of export, and/or not completed with the required documents, so these fishery products are destroyed.
- (6) Re-import of fishery products must be carried out via specified entry points.
- (7) Destruction costs as referred to in point (5), are the responsibility of the owner of fishery products.

## CHAPTER SEVEN

### REPORTING

#### Article 29

- (1) Importers that already have API-P or API-U do an activity in importation of Fishery Products into the territory of the Republic of Indonesia, shall submit import realization report to the Director General and Director General of Fish Quarantine and Inspection Agency with a copy to the Provincial Office as referrals every 2 (two) months once.
- (2) Importers that already have API-P or API-U to import Fishery Products for raw materials UPI in order to be re-exported and not traded in the territory of the Republic of Indonesia as referred to in Article 6 paragraph (1) letter a, in addition to reporting the realization income referred to in paragraph (1) shall report the realization of exports.

#### Article 30

- (1) Each importer who violates the provisions of Article 29 shall be liable to administrative sanctions in the form of:
  - a. warning / written warning;
  - b. Suspension of Fishery Products Importation Permit; and / or
  - c. Revocation of Fishery Products Importation Permit.
- (2) Warning / written warning as referred to in paragraph (1) letter a subject within a period of seven (7) working days.
- (3) Suspension of Fishery Products Importation Permit as referred to in paragraph (1) shall be liable to a maximum of 1 (one) month, if until the end of the written warning not reporting the realization.
- (4) Revocation of Fishery Products Importation Permit referred to in paragraph (1) letter c imposed if until the end of suspension of Fishery Products Importation Permit not reporting the realization.

#### Article 31

Fishery Products Importation Permit may be directly withdrawn in terms of:

- a. convicted of criminal offenses quarantine and / or a crime of fisheries based on the decision that already have permanent legal force;
- b. not re-export to country of origin within three (3) days as referred to in Article 24 paragraph (1);
- c. Fishery Products entry into the territory of the Republic of Indonesia used in accordance with its designation as referred to in Article 6.

## CHAPTER EIGHT

### SURVEILLANCE

#### Article 32

- (1) Fisheries Inspectors undertake surveillance on Fishery Products which have been provided Certificate of Release.
- (2) Surveillance referred to in paragraph (1) shall be conducted to ensure Fishery Products entry into the territory of the Republic of Indonesia is utilized according to its purpose as described in Article 6.



## CHAPTER NINE

### TRANSITIONAL PROVISION

#### Article 33

- (1) Importers that have API-P or API-U or friendly country who have applied for Fishery Products Importation Permit and stated complete before this Ministerial Regulation is processed based on the Regulation of the Minister of Marine and Fisheries Number 46/PERMEN-KP/2014 on Quality Control and Safety of Fishery Products Entering into the Territory of the Republic of Indonesia (State Gazette of the Republic of Indonesia Number 1532 of 2014), as amended by Regulation of the Minister of Marine Affairs and Fisheries Number 32/PERMEN-KP/2015 on Amendments to the Regulation of the Minister of Marine Affairs and Fisheries Number 46/PERMEN-KP/2014 on Quality Control and Safety of Fishery Products Entering the Territory of the Republic of Indonesia (State Gazette of the Republic of Indonesia Number 1629 of 2015).
- (2) Fishery Products Importation Permit issued before the enactment of this regulation remain valid until the validity period Fishery Products Importation Permit expires.

#### Article 34

At the time this regulation comes into force, the obligation to enclose Catch Certificate, as referred to in Article 4 paragraph (5), against every Fishery Products entry into the territory of the Republic of Indonesia to be re-exported to non-EU countries and / or distributed in the country, came into effect 1 (one) year from the date of promulgation.

## CHAPTER TEN

### CLOSING PROVISION

#### Article 35

At the time this regulation comes into force, all the decision of the Director-General who is the implementing regulations of the Regulation of the Minister of Marine and Fisheries Number 46/PERMEN-KP/2014 on Quality Control and Safety of Fishery Products Entering the Territory of the Republic of Indonesia (State Gazette of the Republic of Indonesia Number 1532 of 2014), as amended by Regulation of the Minister of Marine and Fisheries Number 32/PERMEN-KP/2015 on Amendments to the Regulation of the Minister of Marine and Fisheries Number 46/PERMEN-KP/2014 on Quality Control and Safety of Fishery Entering the Territory of the Republic of Indonesia (State Gazette of the Republic of Indonesia Number 1629 of 2015), otherwise still in effect is not contrary to the provisions of this regulation.

#### Article 36

At the time this regulation comes into force, the Regulation of the Minister of Marine and Fisheries Number 46/PERMEN-KP/2014 on Quality Control and Safety of Fishery Products Entering the Territory of the Republic of Indonesia (State Gazette of the Republic of Indonesia Number 1532 of 2014), as amended by Regulation of the Minister of Marine and Fisheries Number 32/PERMEN-KP/2015 on Amendments to the Regulation of the Minister of Marine and Fisheries Number 46/PERMEN-KP/2014 on Quality Control and Safety of Fishery Products Entering the Territory of the Republic of Indonesia (State Gazette of the Republic of Indonesia Number 1629 of 2015), repealed and stated invalid.

#### Article 37

This Regulation comes into force on the date of promulgation.

For public cognizance, this Ministerial Regulation shall be promulgated  
in the State Gazette of the Republic of Indonesia

Stipulated in Jakarta  
on 30 December 2016

MINISTER OF MARINE AFFAIRS AND FISHERIES  
OF THE REPUBLIC OF INDONESIA,

Signed .

SUSI PUDJIASTUTI

Enacted in Jakarta  
on 30 December 2016

DIRECTOR GENERAL  
LEGISLATION, MINISTRY OF JUSTICE AND HUMAN  
RIGHTS OF THE REPUBLIC OF INDONESIA,

Signed.

WIDODO EKATJAHJANA

GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2016 NUMBER 2157