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GAIN Report

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Lifting Pork Ban

Report Categories:

Trade Policy Monitoring

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Report Highlights:

The Government of Indonesia (GOI) has officially lifted its ban for imports of fresh pork and pork products, which had been effective since May 2009 following the outbreak of the H1N1 flu virus in the United States.

General Information:

Lifting of Ban on Imports of Live Swine, Fresh Pork, and Pork Products

Two regulations were initially released by the GOI regarding the imports of live swine, fresh pork, and pork products from H1N1 infected countries. These regulations included Ministry of Agriculture No. 1977/Kpts/PD.620/4/2009 dated April 29, 2007 and Ministry of Trade N0. 16/M-DAG/PER/5/2009 dated May 1, 2009. (See GAIN REPORT ID 9012).

Based on the risk assessment and recommendation from World Organization for Animal Health, the Ministry of Agriculture and the Ministry of Trade recently lifted the ban on imports of live swine, fresh pork, and pork products from areas infected by H1N1. This action was made official under Ministry of Agriculture Regulation No. 21/Permentan/OT.140/2/2010, dated February 9, 2010. The Indonesian Ministry of Trade also issued Regulation No. 05/M-DAG/PER/2/2010, dated February 11, 2010 confirming the Ministry of Agriculture's decree.

The following unofficial English translation of the Indonesian Ministry of Trade's Decree No. 05/M-DAG/PER/2/2010 is provided in full:

THE MINISTER OF TRADE
OF THE REPUBLIC OF INDONESIA

REGULATION OF THE MINISTER OF TRADE
Number: 05/M-DAG/PER/2/2010

ON

LIFTING OF REGULATION OF THE MINISTER OF TRADE
NUMBER 16/M-DAG/PER/5/2009 ON TEMPORARY BAN ON IMPORTATION
OF SWINE AND ITS DERIVATIVES

WITH THE GRACE OF GOD THE ALMIGHTY

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

Considering :

- a. Whereas, based on Article 4 paragraph b the Regulation of the Minister of Trade Number 16-M-DAG/PER/5/2009 on Temporarily Ban on Importation of Swine and Its Derivatives, the Regulation of the Minister of Trade can be lifted based on the result of coordination with related technical institution declared the end of temporarily ban of importation of swine and its derivatives;
- b. Whereas, the result of coordination meeting on people welfare subject on June 29, 2009 has decided to lift the regulation of the Ministry of Trade on Temporarily Ban on Importation of Swine and Its Derivatives, in view of there is no evidence of the disease is infected from swine to human;
- c. Whereas, based on the risk assessment result and the recommendation of World Organization for Animal Health (WOAH/OIE) on June 11, 2009 on novel influenza A/A1N1 pandemic: the OIE maintains its recommendations to animal health authorities worldwide, state that hygienic handling pork as recommended by Food and Agriculture Organization (FAO), Office International des Epizooties (OIE), World Health Organization (WHO), and Codex Alimentarius Commission (CAC), it is not the factor of influenza virus (A/H1N1);
- d. Whereas, based on the consideration referred to in paragraphs a, b, and c, it is necessary to issue the Regulation of the Minister of Trade

In View of:

1. *Bedrijfsreglementerings Ordonnantie* 1934 (Staatsblad Tahun 1983 Nomor 86);
2. The Law Number 4 Year 1984 on Endemic Contagious Disease (State Gazette Year 1984 Number 20, Supplement to State Gazette Number 3273);
3. Law Number 16 Year 1992 on Quarantine of Animal, Fish and Vegetation (State Gazette Year 1992 Number 56, Supplement to the State Gazette Number 3482);
4. Law Number 23 Year 1992 on Health (State Gazette Year 1992 Number 100, Supplement to the State Gazette Number 3495);
5. Law Number 7 Year 1994 on Ratification of The Agreement Establishing World Trade Organization (State Gazette Year 1994 Number 57, Supplement to State Gazette Number 3564);
6. Law Number 10 Year 1995 on Custom (State Gazette Year 1995 Number 75, Supplement to

- the State Gazette Number 3612) as changed to Law Number 17 Year 2006 (State Gazette Year 2006 Number 93, Supplement to the State Gazette Number 4661) ;
7. Law Number 7 Year 1996 on Food (State Gazette Year 1996 Number 99, Supplement to State Gazette Number 3656);
 8. Law Number 8 Year 1999 on Consumers' Protection (State Gazette year 1999 Number 42, Supplement to State Gazette Number 42, Supplement to State Gazette Number 3821);
 9. Law Number 39 Year 2008 on Ministry of State (State Gazette Year 2008 Number 166, Supplement to the State Gazette Number 4916);
 10. Law Number 18 Year 2009 on Animal Husbandary and Animal Health (State Gazette Year 2009 Number 84, Supplement to State Gazette Number 5015);
 11. Government Regulation Number 22 Year 1983 on Veterinary Community Health (State Gazette Year 1983 Number 28, Supplement to State Gazette Number 3253);
 12. Government Regulation Number 58 Year 2001 on Development and Monitoring Consumer Protection Implementation (State Gazette Year 2001 Number 103, Supplement to State Gazette Number 4126);
 13. Presidential Decree Number 260 Year 1967 on Clarification Duties and Responsibilities of the Minister of Trade in Foreign Trade Area.
 14. Presidential Regulation Number 10 Year 2005 on Organizational Unit and Duty of Echelon I in State Ministry of the Republic Of Indonesia, as changed several times by Presidential Regulation Number 50 Year 2008;
 15. Presidential Regulation Number 47 Year 2009 on Establishment and Organization of State Ministry;
 16. Presidential Decree Number 84/P Year 2009 on The Establishment of Cabinet of the United Indonesia II;
 17. Regulation of the Minister of Trade Number 01/M-DAG/PER/3/2005 on Organization and Procedures of the Ministry of Trade as changed several times by Regulation of the Minister of Trade Number 24/M-DAG/PER/6/2009;
 18. Regulation of the Minister of Finance Number 161/PMK.04/2007 on Control of Import and Export of Prohibited Items and/or Limitation;
 19. Regulation of the Minister of Agriculture Number 20/PERMENTAN/OT.140/4/2009 on Importation and Control of Distribution of Carcass, Meat and/or Edible Offal from Foreign Countries;
 20. Regulation of the Minister of Trade Number 54/M-Dag/Per/10/2009 on General Determination of Importation;
 21. Regulation of the Minister of Agriculture Number 21/Permentan/OT.140/2/2010 on Importation of Swine and Its Products into the Territory of the Republic of Indonesia.

DECIDED:

To Stipulate:

REGULATION OF THE MINISTER OF TRADE ON LIFTING OF REGULATION OF THE MINISTER OF TRADE NUMBER 16/M-DAG/PER/5/2009 ON TEMPORARILY BAN ON IMPORTATION OF SWINE AND ITS DERIVATIVES

Article 1

Regulation of the Minister of Trade Number 16/M-DAG/PER/5/2009 on Temporarily Ban on Importation of Swine and Its Derivatives has been revoked.

Article 2

This regulation shall become effective on the date of the stipulation.

For public cognizance, instructing the enactment of this Ministry Regulation by placing it in the Statute Book of the Republic of Indonesia.

Stipulated in Jakarta
On February 11, 2010
MINISTER OF TRADE
THE REPUBLIC OF INDONESIA
(Duly signed and stamped)
MARI ELKA PANGESTU

The content of this copy is in conformity with the original
Secretary General
Ministry of Trade
Head of Legislation Bureau

WIDODO