



JURIDICAL ANALYSIS OF SUPERVISION OF QUALITY SYSTEM IMPLEMENTATION IN FULFILLMENT OF EXPORT REQUIREMENTS FOR FISHERIES PRODUCTS TO REALIZE LEGAL PROTECTION TO THE COMMUNITY

(Research Study at the Office of the Fish Quarantine Center, Quality Control and
Safety of Fishery Products Tanjungpinang)

Arrofik¹, Fadlan², Lagat Parroha Patar Siadari³

^{1,2,3}Faculty of Law, Universitas Batam

E-mail: quarantine63@gmail.com

Abstract

The construction of the journal topics mentioned above are: "Juridical Analysis of Supervision of Quality System Implementation in Fulfilling Export Requirements for Fishery Products to Realize Legal Protection to the Community (Research Study at the Tanjungpinang KIPM Center)", with the formulation of the problem: "How are the Legal Arrangements, Implementation, Constraint Factors, Barriers and Solutions in the Implementation of a Quality System in Fulfilling Export Requirements for Fishery Products at the Tanjungpinang KIPM Center?. This type of writing uses a descriptive method using a normative approach (legal research) to obtain secondary data and an empirical approach (juridical sociological), to obtain primary data through field research (field research). For the grand theory using positive law theory by John Austin, middle theory uses law enforcement theory proposed by Lawrence M. Friedman and applied theory uses legal compliance theory according to Soerjono, Salman and legal effectiveness theory according to Soerjono Soekanto. The results of the analysis concluded that the supervision of the implementation of the Fishery Product Quality Assurance System/HACCP by the competent authority of Balai KIPM Tanjungpinang was carried out through monitoring the implementation of activities and evaluating the achievements of surveillance activities on the consistency of the implementation of HACCP at UPI in accordance with the surveillance and official control programs.

Keywords: *Quality Assurance, HACCP, Export Requirements*

1. INTRODUCTION

Fishery commodities are one sector that has important economic value for export. In the Law of the Republic of Indonesia Number 7 of 2014 concerning Trade, export is defined as the activity of removing goods from the customs area, while exporters are defined as individuals or institutions or business entities, whether in the form of legal entities or non-legal entities, which carry out exports.

The general requirements that must be met in the export of fishery products are as follows; through the designated place of release; reported and submitted to the Quarantine Officer for the purposes of Quarantine Measures and/or Quality Control and Safety of Fishery Products; meet the requirements of the destination country; equipped with Fish and Fishery Product Health Certificate (SKIPP) / Loading Approval Letter (SPM); accompanied by other documents in accordance with the provisions of the legislation (Regulation of the Minister of Marine Affairs and Fisheries of the Republic of Indonesia Number 38/PERMEN-KP/2019).

There is an agreement from the General Agreement on Tariffs and Trade (hereinafter abbreviated as GATT) which was later replaced by the World Trade Organization (hereinafter abbreviated as WTO), which is an international organization in the field of world trade which recommends the gradual elimination of domestic subsidies, export subsidies, and barriers to access. markets (licensing, quotas, tariffs, limited importer appointments,) have created new awareness for countries in the world about the importance of the role of technical regulations, specifically fish quarantine, in the international trade of agricultural, forestry, fishery and food products. in the

JURIDICAL ANALYSIS OF SUPERVISION OF QUALITY SYSTEM IMPLEMENTATION IN FULFILLMENT OF EXPORT REQUIREMENTS FOR FISHERIES PRODUCTS TO REALIZE LEGAL PROTECTION TO THE COMMUNITY (Research Study at the Office of the Fish Quarantine Center, Quality Control and Safety of Fishery Products Tanjungpinang)

Arrofik, Fadlan, Lagat Parroha Patar Siadari

future. With the elimination of all forms of subsidies and barriers to market access, it is estimated that the acceptability of agricultural, forestry, fishery,

The Fish Quarantine Agency, Quality Control and Safety of Fishery Products (hereinafter abbreviated as BKIPM) carries out the tasks of developing, fostering, monitoring and evaluating fish quarantine, quality control and safety of fishery products. The responsibilities, duties and functions of BKIPM are to protect fishery resources throughout the territory of the Unitary State of the Republic of Indonesia from attacks by quarantine pests and diseases of fish and to carry out quality control of the safety of fishery products.

The implementation of fishery business as regulated in Law Number 31 of 2004 concerning Fisheries as amended by Law Number 45 of 2009 Amendments to Law Number 31 of 2004 concerning Fisheries expressly stipulates that fishery business is carried out in a fishery business system which includes preproduction, production, processing, and marketing. Furthermore, it is also regulated that the fish processing process and fish processing products must meet the eligibility requirements for fish processing and the Fishery Product Quality and Safety Assurance System (SJMHP).

Provisions on the requirements for releasing fish are also regulated in Article 21 of Law Number 31 of 2004 concerning Fisheries as amended by Law Number 45 of 2009 Amendments to Law Number 31 of 2004 concerning Fisheries, it is stated "Every person who imports or exports fish and/or fishery products from and/or to the territory of the Republic of Indonesia must complete it with a health certificate for human consumption.

Quality and Safety Certificate of Fishery Products or also called Health Certificate (HC) is evidence that marketed fishery products have been processed based on the implementation of the fishery product quality and safety assurance system that is issued if a fishery product/product has met the applicable requirements or standards so that it is safe for consumption. consumed by humans. With the development of a quality management system based on the concept of Hazard Analysis and Critical Control Point (HACCP), the issuance of HC is based on the results of surveillance on the effectiveness of the implementation of the requirements for the quality assurance system and safety of fishery products in business actors/fish processing units (UPI) and the results of testing.

Hazard Analysis Critical Control Point HACCP is a form of tool or quality assurance system with scientific, rational, and systematic work procedures to identify potential hazards as well as establish safety control procedures that focus on prevention aspects. HACCP can actually be used in various industrial fields, but most often in the food or food industry (<https://mutuinstitute.com/post/menenal-apa-itu-haccp>).

Common obstacles faced by exporters of Indonesian fishery products are product rejection because they do not meet the requirements of export destination countries (Sukadi, 2022), including heavy metal contamination (mercury and cadmium), pathogenic bacteria, histamine content that exceeds the threshold, temperature control poor quality, deterioration of product quality, product contaminated with dirt, and contamination of drugs/food additives that are not permitted/exceed the threshold. Fishery products such as shrimp, tuna, tuna, skipjack, marlin, crab, and octopus have also experienced rejection by several countries such as the European Union, USA, Canada and China.

In terms of biological contamination, Radesty Triwibowo (2002) explains that sources of food/fish contamination can come from polluted waters, contaminated feed, and cross-contamination during handling, storage, and distribution of fishery products. Several efforts to prevent such contamination are to improve the quality assurance of fishery products through quality certification, application of traceability, and implementation of institutional quality assurance and food safety systems as well as by issuing regulations. The government through the



Tanjungpinang KIPM Center can provide guidance to business actors from upstream to downstream to ensure the quality and safety of the products produced are guaranteed.

2. IMPLEMENTATION METHOD

The approach method in this research is a combination of methods between the normative approach of "legal research" with the empirical approach of "Juridical Sociologies". The research mechanism with the combined approach method is carried out by elaborating the explanation of the research in an inductive way leading to a deductive way and vice versa. This is done by the author to help explain the relationship between research variables and research objects so that it can produce an understanding that is very helpful for readers, especially researchers and academics.

The specification and/or type of this thesis research is normative legal research as well as combining it with sociological (empirical) legal research using secondary data obtained directly from the first source through field research through interviews/feedback and primary data as sources/information materials in the form of primary legal materials, secondary legal materials and tertiary legal materials.

Research is a concrete reflection of scientific activities in processing science (Bahder Johan, 2008). Operationally, research can function as the development of science and technology, support development, develop systems and develop human qualities. Legal research is conducted to find solutions to legal issues that arise. Therefore, legal research is a research within the framework of know-how in law. By making prescriptions about what should be on the issues raised (Peter Mahmud Marzuki, 2011).

Theoretically, it is expected to provide an understanding of what efforts have been made by the Government through the Ministry of Marine and Fisheries (BKIPM Tanjungpinang) in the context of monitoring the implementation of the quality system in fulfilling the export requirements of fishery products. In addition, it is hoped that it will be useful as a reference material or reference in researching similar matters and the writing of this thesis is able to assist readers in developing lecture materials and is expected to contribute to new knowledge in the field of Fisheries.

The theoretical framework is very important, because the theoretical framework contains a description of the theoretical results and related previous research results (Soerjono Soekanto, 2007). Theory must express a thesis or argument about a particular phenomenon that can explain the form of its substance or existence, and a theory must be consistent about what is known about the social world by participants and other experts, at least there must be translator rules that can connect theory with legal science. even other knowledge, scientific work theoretical framework is very important role to provide direction in efforts to solve problems in research. The theoretical framework is a means for researchers who must put forward normative theories that are relevant to the research to be carried out and must explain the research variables and the relationships between the variables that are laid out. while the theoretical framework is a framework of thought or points of theoretical opinion, a thesis on a case or problem (problem) which is the material for comparison of theoretical grips. Explain the theoretical framework that is arranged in the form of Grand Theory, Middle Theory and Applied Theory. The grand theory uses the positive legal theory by John Austin, the middle theory uses the law enforcement theory proposed by Lawrence M. Friedman and the applied theory uses the legal compliance theory according to Soerjono, Salman and the legal effectiveness theory according to Soerjono Soekanto. Explain the theoretical framework that is arranged in the form of Grand Theory, Middle Theory and Applied Theory. The grand theory uses the positive legal theory by John Austin, the middle theory uses the law enforcement theory proposed by Lawrence M. Friedman and the applied theory uses the legal compliance theory according to Soerjono, Salman and the legal effectiveness theory according to Soerjono Soekanto. Explain the theoretical framework that is arranged in the form of Grand Theory, Middle Theory and Applied Theory. The grand theory uses the positive legal theory by John Austin, the middle theory uses the law enforcement theory proposed by Lawrence M.

JURIDICAL ANALYSIS OF SUPERVISION OF QUALITY SYSTEM IMPLEMENTATION IN FULFILLMENT OF EXPORT REQUIREMENTS FOR FISHERIES PRODUCTS TO REALIZE LEGAL PROTECTION TO THE COMMUNITY (Research Study at the Office of the Fish Quarantine Center, Quality Control and Safety of Fishery Products Tanjungpinang)

Arrofik, Fadlan, Lagat Parroha Patar Siadari

Friedman and the applied theory uses the legal compliance theory according to Soerjono, Salman and the legal effectiveness theory according to Soerjono Soekanto.

The conceptual framework is an operational guideline that will be used in building the concept (Benard Arif Sidarta, 2009). In the implementation of the research process. In normative and empirical legal research, it is possible to develop a conceptual framework, as well as determine certain definitions that can be used as operational guidelines in the process of collecting, processing, analyzing and constructing data (Sri Mamudji, 1995).

3. RESULTS AND DISCUSSION

Construction of Legal Arrangements for Implementation of Quality Systems in Fulfilling Export Requirements for Fishery Products at the Tanjungpinang KIPM Center

a. Provisions of Fishery Products Export Requirements

Fish Processing Unit (UPI), in carrying out the handling and processing of fish products at the production unit must comply with the provisions in Article 20 of Law No. 31 of 2004 concerning Fisheries as amended by Law no. 45 of 2009 concerning Amendments to Law No. 31 of 2004 concerning Fisheries which reads "

- (1) Processing of fish and fishery products must meet the requirements of fish processing feasibility, quality assurance system, and safety of fishery products.
- (2) The system of quality assurance and safety of fishery products as referred to in paragraph (1) consists of the following subsystems:
 - a) Quality control and supervision.
 - b) Development and application of requirements or standards for raw materials, requirements or standards for sanitation and handling and processing techniques, requirements or standards for product quality, requirements or standards for facilities and infrastructure, as well as requirements or standards for testing methods; and
 - c) Certification.
- (3) Everyone who handles and processes fish is obligated to fulfill and apply the requirements for the feasibility of fish processing, quality assurance system, and safety of fishery products.
- (4) Everyone who fulfills and applies the fish processing feasibility requirements, as referred to in paragraph (3), shall obtain a Processing Eligibility Certificate.
- (5) Everyone who fulfills and applies the requirements for the application of the fishery product quality assurance system, as referred to in paragraph (3), shall obtain a Certificate of Application of the Integrated Quality Management Program.
- (6) Fish caught and/or cultivated must meet quality and safety standards of fishery products.
- (7) Fish processing products must meet the requirements and/or quality and safety standards of fishery products as referred to in paragraph (2) letter b.
- (8) The fish processing industry which is not regulated in this Law is carried out in accordance with the provisions of the prevailing laws and regulations.

b. Provisions of Regulation of Fishery Product Quality Assurance System

In Law Number 31 of 2004 concerning Fisheries as amended by Law Number 45 of 2009 Amendments to Law Number 31 of 2004 concerning Fisheries expressly stipulates that fishery business is carried out in a fishery business system which includes preproduction, production, processing, and marketing. Furthermore, it is also regulated that the process of Fish Processing and Fish Processing Products must meet the requirements of Fish Processing Feasibility and Fishery Product Quality and Safety Assurance System.

Following up on the mandate of the Law, and as an effort to implement and operationalize it, became the basis for the issuance of Government Regulation Number 57 of 2015 concerning Quality and Safety Assurance Systems and Increasing the Added Value of



Fishery Products. The Quality Assurance and Safety System of Fishery Products is a prevention and control effort that must be considered and carried out from pre-production to distribution to produce quality and safe fishery products for human health.

Quality Control in handling, processing, packaging, storage, and distribution activities is carried out at least through a. inspection; b. verification; c. surveillance; d. audits; and e. sampling. The responsibility for controlling the quality assurance and safety of fishery products is mandated in Article (4) of the Regulation of the Minister of Marine Affairs and Fisheries Number 19 of 2010 concerning Control of the Quality Assurance and Safety of Fishery Products to the head of the Fish Quarantine and Quality Control Agency as the Competent Authority in the form of the authority to issue a Certificate of Application HACCP and Health Certificate.

Tanjungpinang KIPM Center is one of the BKIPM Technical Implementation Units (UPT) that provides HACCP certification services and Fish and Fishery Product Health Certification in the Riau Islands region minus the Batam area because in Batam there are similar UPTs that carry out the same tasks and functions.

The implementation of HACCP certification in Fish Processing Units is guided by the Minister of Marine Affairs and Fisheries Regulation Number 51 of 2018 concerning Requirements and Procedures for Issuing Certificates for Integrated Quality Management Programs/Hazard Analysis and Critical Control Points. The procedure for issuing HACCP certificates is regulated in Articles 9 to 13.

Business Actors to obtain a PMMT/HACCP Application Certificate for fishery products marketed abroad, submit an application electronically to the Head of the Agency by attaching the requirements (Minister of Marine Affairs and Fisheries Regulation Number 51 of 2018):

- (1) fishery business license in the processing sector.
- (2) Quality guidelines for implementing PMMT/HACCP that have been validated by Business Actors; and
- (3) Records of internal audit of the implementation of the Quality Assurance and Safety of Fishery Products by Business Actors.

c. Provisions for Issuance of Fishery Products Quality and Safety Certification

Quality and Safety Certificate of Fishery Products or also called Health Certificate (HC) is evidence that marketed fishery products have been processed based on the implementation of the fishery product quality and safety assurance system that is issued if a fishery product/product has met the applicable requirements or standards so that it is safe for consumption. consumed by humans. The Technical Implementation Unit (UPT) of the Tanjungpinang KIPM Center in providing Export Health Certificate / Health Certificate and Fishery Products (SKIPP) issuance services is guided by the Decree of the Head of the Fish Quarantine Agency, Quality Control and Security of Fishery Products Number 95 of 2020 concerning Technical Instructions for Quality and Safety Certification Fishery Products.

Fish and Fishery Product Health Certificate, hereinafter abbreviated as SKIPP Export, is an official document signed by the Quarantine Officer for the Release of Carrier Media and/or Fishery Products from within the territory of the Republic of Indonesia, stating that the Carrier Media listed therein is not infected from Pests Quarantine Fish Disease and/or HPI required, and/or Fishery Products meet the requirements for quality and safety of Fishery Products.

Implementation of Surveillance to Fish Processing Units (UPI) in the context of issuing Export SKIPP requires the following.

- (1) Every UPI holder of a HACCP Implementation Certificate must be monitored by a Quality Inspector.
- (2) The implementation of surveillance must be adjusted to the existence of the production process at the Fish Processing Unit.

JURIDICAL ANALYSIS OF SUPERVISION OF QUALITY SYSTEM IMPLEMENTATION IN FULFILLMENT OF EXPORT REQUIREMENTS FOR FISHERIES PRODUCTS TO REALIZE LEGAL PROTECTION TO THE COMMUNITY (Research Study at the Office of the Fish Quarantine Center, Quality Control and Safety of Fishery Products Tanjungpinang)

Arrofik, Fadlan, Lagat Parroha Patar Siadari

- (3) The implementation of surveillance can be carried out with field visits and or virtual according to field conditions.
- (4) For products which at the time of surveillance there was no production process, but were included in the scope, the surveillance was carried out by checking the HACCP manual and records of production activities carried out since the previous 2 (two) surveillance periods.

d. Fisheries / Quarantine Criminal Provisions on the Application of Quality Requirements and the Release of Fishery Products / Carrier Media.

Activities at each stage of the production process carried out by the fish handling and processing unit must meet the requirements for the feasibility of fish processing, quality assurance system, and safety of fishery products, if they do not meet the stipulated requirements, they can be subject to sanctions in accordance with the provisions of Article 89 of Law No. 31 2004 concerning Fisheries as amended by Law no. 45 of 2009 concerning Amendments to Law No. 31 of 2004 concerning Fisheries which reads; "Everyone who handles and processes fish that does not meet and does not apply the requirements for the feasibility of fish processing, quality assurance system, and safety of fishery products as referred to in Article 20 paragraph (3), shall be punished with imprisonment for a maximum of 1 (one) year and a maximum fine of Rp. 800,000,000,

Everyone who imports or exports fish and/or fishery products from and/or to the territory of the Republic of Indonesia must complete it with a health certificate for human consumption, if these provisions are not met, they may be subject to sanctions in Article 90 of Law No. 31 of 2004 concerning Fisheries. as amended by Law no. 45 of 2009 concerning Amendments to Law No. 31 of 2004 concerning Fisheries which reads; "Every person who intentionally imports or exports fish and/or fishery products from and/or to the territory of the Republic of Indonesia that is not equipped with a health certificate for human consumption as referred to in Article 21, shall be punished with imprisonment for a maximum of 1 (one) year and a maximum fine of Rp. 800,000,000.00 (eight hundred million rupiah)."

Implementation of Supervision on the Implementation of Quality System/HACCP in Fulfilling Export Requirements for Fishery Products at the Tanjungpinang KIPM Center

a. Implementation of Quality System Implementation Monitoring / HACCP

Tanjungpinang KIPM Center has three functions, namely as a Certification Agency, Inspection Agency and Testing Agency. In terms of health and fishery product certification services, Balai KIPM has implemented ISO 9001:2015, as an Inspection Agency has implemented ISO 17020:2012 and as a Testing Agency has implemented ISO 17025:2017.

Implementation of the Integrated Quality Management Program/HACCP certification through a series of inspection processes on the suitability of the implementation of the quality assurance system and fishery product safety implementation at the Fish Processing Unit (UPI) by the Conformity Assessment Institute, in this case the Tanjungpinang KIPM Center as an ISO 17020 accredited Inspection Agency: 2012 by the National Accreditation Committee (KAN).

Throughout 2022, from January to September, HACC inspection activities for extensions, new applications and scope additions totaled 11 (eleven) Fish Processing Units 43 (scope) with the distribution of 3 (three) UPI extending for 10 (ten)) scope, 7 (Seven) UPI with new applications for 31 (thirty one) scopes and 1 (one) UPI with requests for 2 (two) additions to the scope of HACCP (<http://haccp.bkipm.kkp.go.id/h3/web.php?page=rek&sub=sma&type=list&cat=inp>).

Business actors who already have PMMT/HACCP certificates are required to maintain the consistency and effectiveness of the implementation of the Fishery Product Quality and



Safety Assurance System (SJMHP), verify the consistency and effectiveness of the implementation of the Fishery Product Quality and Safety Assurance System by UPT Balai KIPM Tanjungpinang to Business Actors who already have the PMMT/HACCP Implementation Certificate is carried out through surveillance activities. The frequency of surveillance in 1 (one) year is carried out with the provisions; Grade A is held 2 (two) times, Grade B is held 3 (three) times and Grade C is held 4 (four) times.

Based on records compiled from the online HACCP application system owned by the BKIPM Ministry of Maritime Affairs and Fisheries, the number of Business Actors / UPI who implemented the PMMT/HACCP program within the Tanjungpinang KIPM Center in early January 2022 were 35 (thirty five) Fish Processing Units (UPI), with a distribution of 10 (ten) UPIs in Tanjungpinang City, 10 (ten) UPIs in Bintan Regency, 12 (twelve) UPIs in Karimun Regency, 2 (two) UPIs in Lingga Regency and 1 (one) UPI in Natuna Regency with a distribution of 1 UPI Grade A, 2 UPI Grade B, and the remaining 32 UPI Grade C.

b. Implementation of Supervision of Fulfillment of Fishery Product Export Requirements at Tanjungpinang KIPM Center

As has been explained in the legal regulation of the quality system in fulfilling the previous export requirements, that the requirements for releasing fishery products/Carrier Media include through a designated place of release, reported and submitted to quarantine officers for the purposes of quarantine measures and/or Quality Control and Product Safety. Fisheries, meeting the requirements of the destination country, equipped with a Health Certificate of Fish and Fishery Products (SKIPP) and/or Loading Approval Letter (SPM) and equipped with other documents in accordance with the provisions of the legislation.

There are 17 (seventeen) entry and exit points for Export of Quarantine Pests and Fish Diseases Carrier Media established by the Minister of Marine Affairs and Fisheries in the Tanjungpinang KIPM Balai Territory (Decree of the Minister of Marine Affairs and Fisheries Number 55 of 2022). For the record, in the Riau Islands region there is no integrated special port for exporting fishery products. The export port is dominated by the Tangkahan/Plantar port located along the fish-collecting warehouses, both in the Tanjungpinang, Bintan, Karimun, Moro, and Lingga areas. Conditions like this become a challenge for quarantine officers in carrying out stuffing on the suitability of the Health Certificate (HC) for the types and quantities of fish reported.

Based on observations in the field, for the Tanjungpinang platform and Berek Motor Kijang platform, there are dozens of Tangkahan/Plantar ports belonging to the UPI warehouse for more than one kilometer. When the product is loading, the fish transport vessel will run from one stand to another in the process of collecting and loading fish. This certainly makes it difficult for quarantine officers and other officers such as fisheries and customs supervisors in terms of loading supervision, there is the potential for loading not in accordance with the ship's manifest.

In the event that the requirements for the completeness of the fishery products sent require a Health Certificate of Fish and Fishery Products (SKIPP) for export, the UPI submitting the application report must have a certificate of implementing PMMT/HACCP. Tanjungpinang KIPM Center has attempted to certify in accordance with the applicable Norms, Standards, Guidelines and Provisions. The incoming export application will be verified for compliance with legal aspects, type of product sent, conformity with the scope of HACCP with the type of product sent, validity period of the Certificate of Surveillance Results, volume shipped and other requirements regulated by laws and regulations.

The vulnerable point in the delivery of fishery products in the event that UPI has a PMMT/HACCP Certificate is the mode of entrusting fish/fish products to UPI that has a HACCP Certificate (undername), in addition to not reporting the products sent, there is also no quality guarantee for products that are not accompanied by HC from UPI which

JURIDICAL ANALYSIS OF SUPERVISION OF QUALITY SYSTEM IMPLEMENTATION IN FULFILLMENT OF EXPORT REQUIREMENTS FOR FISHERIES PRODUCTS TO REALIZE LEGAL PROTECTION TO THE COMMUNITY (Research Study at the Office of the Fish Quarantine Center, Quality Control and Safety of Fishery Products Tanjungpinang)

Arrofik, Fadlan, Lagat Parroha Patar Siadari

implements HACCP. The tendency to entrust goods/fish to other parties is also an attempt to obscure the potential income tax from UPI who do not report.

If a product that does not have a quality guarantee is sent to a partner country, it will potentially get product rejection, this will certainly have a detrimental impact on other UPIs that have consistently implemented a quality system. Because usually every product rejection by a partner country will be followed up with further investigations and delays in delivery until product quality problems can be harmonized by the respective Competent Authorities.

c. Prosecution of Violations of the Provisions for the Integrated Quality Management Program (HACCP) and Provisions for Issuance of Export SKIPP/HC

Based on the search for information from the Case Tracing Information System (SIPP) of the Tanjungpinang District Court, there was a violation of the fisheries criminal provisions on the export requirements of fishery products that had received notification of excerpts from the verdict on March 21, 2019 against 7 (seven) owners of the Fish Processing Unit (UPI) in the Bintan area as each defendant on behalf of your brother; Tang Hung Seng, Lim Sun Tie, Sumartono alias Aseng, Suratman alias Ahok, Tan Ang Kok, Apnal Jony alias Ahuat and Suwandi alias Ahan.

which was reported with a cargo of fish owned by the Defendant to be sent abroad and the Defendant knew the other fish owners had participated in using the Health Certificate (HC) on behalf of the Defendant for fish export activities to Jurong Fish Singapore, even though the Hazard Analysis and Critical Control Point documents had not been completed. HACCP), so that the Defendant's Hazard Analysis and Critical Control Point (HACCP) and Health Certificate (HC) for other fish owners cause fish to be released abroad without a Health Certificate (HC).

That the Health Certificate for Human Consumption (HC), Hazard Analysis and Critical Control Point (HACCP) and SKP documents are issued to each fish manager who will export fishery products abroad and is declared to have implemented a fishery product quality assurance system consistently at the UPI Unit by the Quality Inspector, so that it is not permissible for a Health Certificate (HC), Hazard Analysis and Critical Control Point (HACCP) and SKP to be used together for other fish owners as a condition for exporting abroad. The defendant's actions are as regulated and subject to criminal sanctions Article 89 in conjunction with Article 20 paragraph (3) of the Republic of Indonesia Law No. 31 of 2004 concerning Fisheries in conjunction with Article 55 paragraph (1) of the 1st Criminal Code.

Factors Constraints, Barriers and Solutions in Supervision of the Implementation of the Quality System /HACCP on the Fulfillment of Fisheries Export Requirements at the Tanjungpinang KIPM Center

a. Constraints, Barriers and Solutions in the Implementation of HACCP from the Business Actor

Constraints and barriers can be separated in terms of the application of HACCP and in export HC certification. For the implementation of HACCP, from the side of business actors, there are several factors that become obstacles and obstacles in the implementation of HACCP including first, institutional factors, business actors / UPI Most of them are in the form of individuals, some UPIs are assisted by several personnel who generally do not have a good knowledge base about the conception of the Fishery Product Quality Assurance System / HACCP. The solution for the low capacity of human resources from UPI is to propose to the Tanjungpinang KIPM Center to organize technical guidance on HACCP, if the government budget is limited, UPI can develop an independent training program to improve understanding of the HACCP concept,



The success of the implementation / implementation of the HACCP system is very dependent on the management as the highest person in charge (Sere Sagarhanie Daulay, 2022). Commitment is not only in words but also in actions. All employees and staff will have to know that management is the most responsible for carrying out this implementation task. Thus, all necessary resources to support the implementation of HACCP must be provided, both human and equipment, facilities, documentation, information, methods, environment, raw materials and time.

The second factor that becomes an obstacle, the obstacle in implementing the HACCP system for business actors is the low awareness of the importance of implementing the Fishery Product Quality Assurance System (SJMHP) in all stages of the production process, this is triggered by an inaccurate understanding that export receiving countries (Singapore) do not require Health Certificate/HC from Indonesia, the assumption is that fishery products from the Riau Islands region will be received by the Singaporean Party as long as they are sent on time. Fulfillment of HACCP, HC and PEB arrangements for business actors is only considered to abort the technical and administrative requirements of the Indonesian Competent Authority, whether BKIPM or Customs and Excise.

b. Factors Constraints, Barriers and Solutions in Supervision of HACCP Implementation from the Competent Authority Sisi

Tanjungpinang KIPM Center as the Competent Authority in quality assurance of fishery products has prepared an annual quality program in terms of implementing the PMMT/HACCP program by taking into account the Main Performance Indicators (IKU) that have been determined by the Central BKIPM. The program includes inspection activities for the issuance of HACCP (new/extension/added scope), monitoring and evaluation of UPI, as well as surveillance and sampling programs. Of course, in its implementation it can not be fully implemented according to the program that has been set, there are factors and obstacles that occur in the field. Constraint factors, the first obstacle is the limited number of supervisory personnel/quality inspectors at Balai KIPM Tanjungpinang.

Based on the Workload Analysis (ABK) of the Tanjungpinang KIPM Office in 2022, for the Supervision, Information Control Section as the coordinator of product quality assurance, the number of work positions is 3,509,280, the number of employees needed is 47 (forty-seven) and the number of existing employees is 31 (thirty-one), minus 16 (sixteen) employees. Of the components that make up the job requirements (47), there are 5 (five) employees in the position of quality supervisor of fishery products, while there are only 3 (three) employees, 2 (two) employees are still needed. The value of the efficiency of the position is 1.46 and the effectiveness of the position is 108%.

The solution that can be implemented is by proposing additional employees to the Ministry of Maritime Affairs and Fisheries through the Central BKIPM by presenting relevant supporting data. Then simplify several activities that can be carried out by remote assessment, including Inspection activities for HACCP issuance, and Surveillance of HACCP consistency without reducing the quality or essence of Inspection activities.

c. Factors Constraints, Barriers and Solutions in Supervision of the Implementation of Issuance of Health Certificates (HC) in Fulfilling Export Requirements for Fishery Products at the Tanjungpinang KIPM Center from the Business Actor

The provisions for exporting Carrier Media/Fish/Fish Products can be found in the Regulation of the Minister of Marine Affairs and Fisheries of the Republic of Indonesia Number 38/PERMEN-KP/2019 concerning Releasing of Carrier Media and/or Fishery Products Article 2 paragraph (1), Any Carrier Media and/or Fishery Products or Fishery Products released from the territory of the Republic of Indonesia to foreign countries must: a. through a designated Place of Exit; b. reported and submitted to the Quarantine Officer for the purposes of Quarantine Measures and/or Quality Control and Safety of Fishery Products; c. meet the requirements of the destination country; d. equipped with Fish and Fishery

JURIDICAL ANALYSIS OF SUPERVISION OF QUALITY SYSTEM IMPLEMENTATION IN FULFILLMENT OF EXPORT REQUIREMENTS FOR FISHERIES PRODUCTS TO REALIZE LEGAL PROTECTION TO THE COMMUNITY (Research Study at the Office of the Fish Quarantine Center, Quality Control and Safety of Fishery Products Tanjungpinang)

Arrofik, Fadlan, Lagat Parroha Patar Siadari

Product Health Certificate (SKIPP) and/or Loading Approval Letter (SPM); and e. accompanied by other documents in accordance with the provisions of the legislation.

The constraint factor, the first obstacle from business actors to the issuance of HC is related to reporting time and the number of reports. For cargo or postal shipments, the Owner is obliged to report and submit the Carrier Media and/or Fishery Products along with the required documents to the Quarantine Officer within a period of no later than 1 (one) day prior to the Quarantine Action and/or Quality and Safety Control of Fishery Products. Facts on the ground, UPI can find out the total volume and type of fish that will be shipped on the day of delivery, because the dominant fish exported are fresh fish that need fast handling. Sometimes there are additional cargoes from suppliers from other islands or supplies from fishermen,

Whereas the provisions of the Technical Instructions for Issuance of HC/SKIPP Exports in terms of amendments are not permitted to the types of fish/products and volume additions. Permitted amendments such as changes in transportation means, changes in the number of packages or the date of departure. The technical guidelines also stipulate that re-verification/stuffing is carried out no later than 2 (two) to 3 (three) hours before departure at the UPI or the place of discharge or at the quarantine checkpoint. This is to ensure that the HC certification process does not hinder the product delivery process.

As an alternative solution, UPI provides tentative product delivery information that is closest to the real amount, so that there is no change in the load. After the last field stuffing/verification has been carried out by the quarantine officer/quality inspector, if the verification is appropriate, there will be no additional volume or type of fish product after the Tanjungpinang KIPM Office issues the HC. If there are additional types/products and volumes, a new HC application is made separate from the initial application.

d. Constraints, Barriers and Solutions in Supervision of the Implementation of Health Certificate (HC) Issuance in Fulfilling Export Requirements for Fishery Products at the Tanjungpinang KIPM Center from the Competent Authority

The factor that becomes an obstacle, the first obstacle for the Tanjungpinang KIPM Office in terms of supervision of the issuance of HC exports of fishery products is export reporting that is not appropriate from the type of product scope and volume. To ensure the correctness and conformity of the data contained in the export SKIPP draft with the products sent, the quality inspector or competent officer carries out stuffing/field verification of the reporting. Because fish products are sent in fresh and bulk form, in carrying out sampling the checking of product types must be careful, because in one fiber box sometimes contains more than one type of fish.

An alternative solution that can be implemented by Balai KIPM Tanjungpinang is to schedule periodic field stuffing/verification activities based on an analysis of business actors' compliance and expenditure frequency. Another step that can be taken is to carry out final stuffing on board by counting and sampling the packaging, because usually fiber boxes as packaging media have a special code from the warehouse/UPI. If it is found that the fish product to be transported is not accompanied by HC or comes from UPI that has a HACCP certificate, it will be rejected and detained for quarantine measures.

The constraint factor, the second obstacle in supervising the HC certification of fishery product exports at the Tanjungpinang KIPM Center is the unavailability of a special fishery port in the Riau Islands region that is included in the customs area. This is also an obstacle for supervision by other agencies that have the authority to supervise the export of fishery products, such as the Fisheries Supervisor (PSDKP) and Customs and Excise officers.



In general, the export of fishery products in the Riau Islands region is carried out at the people's port/tangkahan/pelantar whose position is the docking point of a UPI/fish storage warehouse, the characteristics of which are that the loading port can only be reached from the sea by ship or through a limited access door through the main building. UPI to enter the hand. This condition will make it difficult for officers to carry out monitoring of product loading optimally, because at the stage of product collection/loading, the transport ship will move from one side to another.

A more challenging condition is the process of loading/unloading fishery product exports in the Tanjung Balai Karimun area. The loading process is not at the Tangkahan port but is carried out in the middle of the sea. Export transport ships will receive supplies from fishing boats owned by fishermen or from small vessels carrying products from UPI, where the process of loading and unloading and sorting of products takes place. There is the potential for loading fishery products whose quality and food safety are not guaranteed from UPI which does not manage HC/does not apply HACCP.

4. CONCLUSION

In this concluding section, it is time to present conclusions and suggestions from all the analysis and/or explanation constructions as presented by the author in the section above, the conclusions and suggestions of which are further presented in the section below.

1. The legal regulation on the application of the quality system to the fulfillment of the requirements for the export of fishery products is quite complete and adequate, for specific problems in the area that are not yet in accordance with legal regulations or have not been regulated, they can be consulted with the BKIPM center or regulators at the level of the Ministry of Maritime Affairs and Fisheries, and carried out with efforts to improve supervision of the implementation of regulations in the field to prevent irregularities and violations. It is recommended that the BKIPM Competent Authority make legal arrangements for the implementation of the Integrated Quality Management Program/HACCP in fulfilling the export requirements of fishery products by taking into account the limited conditions in border areas, without neglecting aspects of quality assurance and food safety in order to realize legal protection in the community.
2. The internal supervision of the implementation of the Fishery Product Quality Assurance System/HACCP by the BKIPM Competent Authority is carried out through monitoring the implementation of activities and evaluating the results of surveillance activities on the consistency of the implementation of HACCP at UPI in accordance with the surveillance and official control programs. To provide a sense of justice in society and legal certainty, law enforcement/sanctions are needed for misuse of HACCP certificates that are not in accordance with the provisions of laws and regulations. It is necessary to strengthen coordination, communication and cooperation between agencies by creating a joint supervision program involving relevant agencies according to their functions, such as fisheries supervisors (PSDKP), Customs and Excise, elements of the Navy, elements of the Police (Polairud),
3. Constraint factors, obstacles in monitoring the implementation of the quality system in fulfilling export requirements for fishery products lie in the lack of understanding of human resources at UPI regarding HACCP, limited supply of raw materials, difficulties in reporting time and the suitability of the type of product quantity, limited quality inspector personnel, unavailability of special export ports. fisheries, not yet optimal function of intelligence and police, as well as budget constraints in the quality assurance program for fishery products. Solutions that can be implemented by increasing the capacity of human resources at UPI through training programs, technical guidance on HACCP by the Competent Authority of BKIPM, scheduling product stuffing based on business actor compliance and spending frequency. Provision of Cold Storage in raw material management, adjustment of crew and

JURIDICAL ANALYSIS OF SUPERVISION OF QUALITY SYSTEM IMPLEMENTATION IN FULFILLMENT OF EXPORT REQUIREMENTS FOR FISHERIES PRODUCTS TO REALIZE LEGAL PROTECTION TO THE COMMUNITY (Research Study at the Office of the Fish Quarantine Center, Quality Control and Safety of Fishery Products Tanjungpinang)

Arrofik, Fadlan, Lagat Parroha Patar Siadari

quality inspector position maps by UPT Balai KIPM Tanjungpinang, procurement of special fishing ports in the Riau Islands region, preparation of SOPs / technical guidelines for intelligence and police functions, support for increasing the quality assurance budget from the Center, as well as increasing coordination and strengthening cooperation between agencies. So that the central government through BKIPM increases the portion of budget support for a series of business processes in quality assurance of upstream and downstream fishery products in line with efforts to restore the national economy by the Government through increasing exports of quality assured and competitive fishery products.

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JURIDICAL ANALYSIS OF SUPERVISION OF QUALITY SYSTEM IMPLEMENTATION IN FULFILLMENT OF EXPORT REQUIREMENTS FOR FISHERIES PRODUCTS TO REALIZE LEGAL PROTECTION TO THE COMMUNITY (Research Study at the Office of the Fish Quarantine Center, Quality Control and Safety of Fishery Products Tanjungpinang)

Arrofik, Fadlan, Lagat Parroha Patar Siadari

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