

EFFECTIVENESS OF CPO OIL EXPORT PROHIBITION POLICY (CASE STUDY ON COMMUNITIES IN BORDER REGIONS)

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Abstract

Policy on the Prohibition of the Export of CPO Oil by the Government with the issuance of a moratorium through Minister of Trade Regulation No. 22 of 2022 on April 28, 2022. This moratorium is a form of government protection that prioritizes the interests of the people over the fulfillment of cooking oil needs for domestic purposes. After almost a month of implementing the policy, the government finally reopened the export of CPO and its derivatives starting May 23, 2022. This policy certainly caused problems, especially in the purchase of fresh fruit bunches (FFB) of palm oil. The purpose of this study is to discuss the impact of the policy of banning the export of CPO and its derivative products to oil palm farmers in the Border. The company's unilateral FFB price fixing, the shift of border oil palm farmers selling their FFB and the shifting of CPO demand to competitors from other countries are the inevitable impacts of the CPO export ban. The research method uses descriptive qualitative. Data was collected by observation and in-depth interviews. Withdrawal of informants is done purposely. The data was analyzed using the Miles and Huberman interactive model, which started with data collection, data reduction, data presentation and drawing conclusions. The results show that the impact of the export ban policy is very large on oil palm farmers and requires oil palm farmers to take steps to sell their palm products to Malaysia.

Keywords: *Policy, Export Prohibition, Border Society.*

I. INTRODUCTION

The State of Indonesia at the beginning of 2022 had to accept the fact that at the beginning of the year they had to face the problem of a scarcity of cooking oil which caused people to experience difficulties, both because of the scarcity of cooking oil and because the price of cooking oil had significantly increased. Community needs related to cooking oil are hampered and difficult to obtain, even if there is, the price can increase many times and of course it will have a negative impact on society, especially for those who are at the lower middle level.³ This condition is of course very influential to all Indonesian people, especially now that cooking oil is one of the most important needs.

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³ Npueng, S., Oosterveer, P., & Mol, A. P. (2022). Governing sustainability in the Thai palm oil-supply chain: the role of private actors. *Sustainability: Science, Practice and Policy*, 18(1), p. 37

It cannot be denied that when the scarcity of cooking oil occurred, many protests occurred from the public. This condition then made the government take a policy, namely by issuing a moratorium banning the export of crude palm oil (CPO) and several derivative products which took effect on April 28, 2022. Export is one of the main activities of international trade and not just as an expansion of domestic marketing.⁴ So this policy reaps pros and cons in the community because the impact of this export ban can disrupt economic growth and the palm oil market chain system starting from smallholders, entrepreneurs, to exporters and importers of CPO and its derivatives.

This policy was in effect for approximately 3 weeks and was officially revoked starting May 23, 2022. Even though the export faucet has been opened, various problems have arisen, starting from the purchase of very cheap FFB prices by companies, unilateral fixing of FFB prices by companies, the shift of border oil palm farmers selling FFB to Malaysia and the shift in demand for CPO to competitors from other countries is the impact of the export ban that must be faced by the Indonesian state.

Border communities, especially those in Entikong-Malaysia, admit that they must suffer huge losses as a result of this export ban. They have to accept the fact that the purchase price of the FFB they harvest has decreased drastically, not even covering their operational capital. In fact, according to Haposan, one of the oil palm farmers in the border area who was interviewed said that the purchase price of FFB when the export ban was imposed fell from the previous Rp. 3,500 to Rp. 1,200 even once under Rp. 1,000 Per kilogram (kg).⁵ This condition then made them choose to sell palm oil to neighboring countries, namely Malaysia. Haposan says:

"We suffered big losses, even the purchase price from the company could not cover our capital to buy fertilizer, maintenance costs, harvesting costs, even diesel costs for transporting fruit. We also have to survive and pay off our capital loan installments at the Bank. Instead of having to suffer big losses, we decided to sell our FFB to Malaysia. There the purchase per Kg can be Rp. 3,500 - Rp. 4,000. Even though the FFB delivery is further away, the price is still acceptable and we can still get a little profit to survive".

This condition certainly should be taken seriously by the government. How can oil palm farmers who actually have to travel further to be able to sell their FFB to the Malaysian state in order to survive and maintain the oil palm plantations they have cultivated. The CPO export ban moratorium which is a form of government protection for the interests of the people in overcoming the problem of scarcity and high cooking oil prices that have occurred in recent months has in fact worsened the condition of the world palm oil industry. The prolonged impact that is being felt is

⁴ Ega Ewaldo, Analysis of Palm Oil Exports in Indonesia, (Journal of Trade, Industry and Monetary), Vol .3, No.1, Januari - April 2015), p. 11

⁵ Wawancara dengan Haposan pada tanggal 28 September 2022.

still continuing to this day. This condition can have a negative impact on the Indonesian economy, especially border communities, but can also have a positive impact on people in border areas and the Indonesian economy.

The method in the research process is through a qualitative approach which aims to analyze case studies which will be presented descriptively, to answer the problems that have been formulated above. According to Sugiyono, qualitative research methods are often called naturalistic research methods because the research is carried out under natural conditions, or as an enographic method, because initially this method was used more for research in the field of cultural anthropology, it is referred to as a qualitative method, because the data collected, and the analysis is more qualitative.⁶ Data collection was carried out by observation and in-depth interviews. Withdrawal of informants was carried out purposively. Data were analyzed using the Miles and Huberman interactive model which began with data collection, data reduction, data presentation and drawing conclusions.

II. DISCUSSION

The Urgency of the Issue of Export Ban by President Jokowi Dodo

The scarcity of cooking oil that occurred in Indonesia at the beginning of 2022 certainly created a lot of responses from the public, causing people to be disappointed with the government because the policies made were not in favor of ordinary people. Almost all people speak out, because this scarcity also has an impact on price increases that are so high that they exceed the normal limit of 100 percent increase.⁷

Not a few people who gave an unfavorable response related to the performance of the Indonesian government which was unable to show its alignment with ordinary people. As a result, the cooking oil problem then resulted in new problems such as demonstrations by students and the public that occurred in almost all corners of Indonesia. Basically, people only ask for good attention, because problems related to the high selling price of cooking oil create difficulties for people in meeting their needs for cooking oil in their daily lives.

This problem then contradicts the fact that Indonesia is the world's number one producer of CPO with ownership of 14.6 million hectares of oil palm land.⁸ Based on data from the Ministry of Agriculture, palm oil production in 2018 was 48.68 million tons, consisting of 40.57 million tons of crude palm oil (CPO) and 8.11

⁶ Hendra Maujana, and Hanna Rahayu, "Effect of EU policies on Indonesian palm oil exports", Journal ICCET Vol. 8, No. 2, 2022, pp. 296-303 DOI: <https://doi.org/10.29210/020221377>

⁷ Chontina Siahaan dkk, "News of Scarcity of Cooking Oil in Online Media and Public Panic", International Journal Of Demos, Volume 4, Issue 2, June 2022 E-ISSN 2721-0642. p. 660.

⁸ Sievert, K., Lawrence, M., Parker, C., Russell, C. A., & Baker, P. (2022). Who has a beef with reducing red and processed meat consumption? A media framing analysis. *Public Health Nutrition*, 25(3), p. 578

million tons consisting of palm kernel oil (Palm Kernel). Oil - PKO).⁹ Oil palm plantations in Indonesia are divided into 3 sectors, namely:

1. The Smallholder Plantation Sector, which controls 6.9% of the oil palm land and produces 16.8 million tonnes of palm oil.
2. The State Plantation Sector, which controls 41.5% of palm oil land and produces 2.49 million tonnes of palm oil.
3. Private Plantation Sector, which controls 51.6% of palm land and produces 29.39 million tonnes of palm oil.¹⁰

Indonesia as the largest palm oil producing country in the world is apparently not able to provide the best solution for the community in terms of meeting the needs of cooking oil. Of course, it is a big question, how can a country that has abundant palm oil wealth not contribute to the fulfillment of domestic raw materials. Besides that, there is corruption committed by individuals who seek personal interests and are part of the decision makers who deliberately commit corruption which causes a scarcity of cooking oil.

This then became a strong reason for President Jokowi Dodo to issue a moratorium on the ban on exports of CPO oil and its derivatives in the hope that the Indonesian people's need for cooking oil can be met and purchase prices can also return to normal. This policy was responded to and supported by the Chairperson of the Pontianak City Indonesian Employers' Association (APINDO) Andreas Acui Simanjaya who supports President Jokowi Dodo's move to ban the export of crude palm oil (CPO) and its derivatives. He considered this policy to be a response from the government to control the supply of cooking oil for domestic consumption.¹¹

The issuance of this export ban is a form of public policy issued by the government. In public policy theory according to David Easton, public policy is as "the authoritative allocation of values for the whole society". This definition emphasizes that only those with authority in the political system (government) can legally do something for their people and the government's choice to do something or not do something is manifested in the form of allocating values. This is because the government is included in the "authorities in a political system", namely the rulers in the political system who are involved in the affairs of the political system on a daily basis and have responsibility for a particular problem where at one point

⁹ Research and Publication Team, "Palm Palm as Support for the National Economy", <https://katad-ata.co.id/berita/2019/10/07/kelapa-sawit-sebagai-penopang-perekonomian-nasional>. accessed on 7 October 2022.

¹⁰ Gisa Rachma Khairunisa, Tanti Novianti, "The Competitiveness of Palm Oil and the Impact of the European Union Renewable Energy Directive (RED) on Indonesian Exports in the European Union Market", *Jurnal Agribisnis Indonesia*, Vol 5 No.2, Desember 2017, 129-130.

¹¹ Ali Ahkmad Noor Hidayat, 2022, *Tempo.co*, "Pros of CPO Export Ban, Apindo: Also annoyed with rare cooking oil", <https://bisnis.tempo.co/amp/1585718/pro-larangan-ekspor-cpo-apindo-kesal-juga-minyak-goreng-langka> , accessed on October 1, 2022.

they are asked to make decisions at a later date. as well as binding most members of society for a certain time.¹²

This opinion is in line with the policies issued by President Jokowi Dodo which are goal-oriented to solve the problems of scarcity of cooking oil and the drastic increase in cooking oil prices. However, on the other hand, this policy has also drawn criticism, protests, both from outside and within the country. The impact caused by the export ban is also felt in various circles and even has a big influence on the palm oil industry in Indonesia. This moratorium was then lifted on May 23, 2022, after there were many protests which were even held by demonstrations by oil palm smallholders throughout Indonesia.

Number of Policies Issued by the Government During the 2022 Period

Throughout 2022, the Ministry of Trade (Ministry of Trade), the Ministry of Industry (Ministry of Industry), and the Ministry of Finance (Ministry of Finance) will implement a series of policies in response to soaring cooking oil prices and ensure the availability of affordable cooking oil supplies. Based on data created by *Center for Indonesian Policy Studies*¹³ there are at least 21 ministerial regulations issued of which 14 are from the Ministry of Trade, three from the Ministry of Industry, and four from the Ministry of Finance which are then issued in 2022 to regulate exports, prices, and supply of palm oil in the domestic market.

On January 17, 2022, the government imposed the Highest Retail Price (HET) for cooking oil through Minister of Trade Regulation (Permendag) No. 6 of 2022. This policy is aimed at maintaining the price of bulk cooking oil, simple packaging, and premium packaging.¹⁴ The HET is set at IDR 11,500 per liter for bulk cooking oil; IDR 13,500 per liter for simple packaged cooking oil; and IDR 14,000 per liter for premium packaged cooking oil. However, this policy is only valid temporarily because not long after this policy was replaced by Permendag No. 11 of 2022 in March, which imposes HET only for bulk cooking oil, while the price of simple and premium packaged cooking oil is left to the market mechanism. This move is seen by many observers and the media as an indication that the government has stepped up its sleeve in protecting consumers through price controls.¹⁵

¹² Awan Y. Abdoellah, 2016, "Public Policy Theory and Analysis", Alfabeta, Bandung. Hal. 17

¹³ Mukhammad Faisol Amir, Muhammad Nidhal & Aditya Alta, Policy Summary No. 16 From Prohibition to Export Acceleration: Why Cooking Oil Price Intervention Is Ineffective, Center For Indonesian Policy Studies (CIPS), Desember 2022, pp. 3.

¹⁴ Cabinet Secretariat of the Republic of Indonesia. (2022a). Today the government has started implementing a cooking oil policy of IDR 14,000 per liter. Cabinet Secretariat of the Republic of Indonesia. Retrieved from <https://setkab.go.id/hari-ini-Government-mulai-berJadi-policy-oil-goreng-rp14-000-per-liter/>.

¹⁵ Al Hikam, H. A. (2022). 5 facts of harsh criticism of the government after the HET for cooking oil. Second. Taken from <https://finance.detik.com/news-economy-business/d-5991638/5-fact-criticism-to-government-after-het-cooking-oil-repealed>.

In order to ensure the availability of bulk cooking oil at HET prices, the Ministry of Trade has begun implementing domestic market obligations (DMO) and domestic price obligations (DPO) in the first quarter of 2022. The DMO policy requires 30% of the total export volume CPO and refined, bleached, and deodorized (RBD) palm olein, which are raw materials for cooking oil, for distribution in the domestic market. This policy also requires exporters and producers to be registered in the Bulk Cooking Oil Information System (SIMIRAH). The DPO policy mandates the domestic selling price of CPO and RBD palm olein to ensure affordability.

As the problems persisted, the Ministry of Industry started to get involved in March. The Ministry of Industry wants to increase the distribution of bulk cooking oil to meet the needs of end consumers and Micro and Small Enterprises (SMEs). Unlike the Ministry of Trade, whose intervention was carried out to prevent CPO exports and stabilize domestic prices, the Ministry of Industry intervened in cooking oil distribution channels. Through the Regulation of the Minister of Industry (Permenperin) No. 8 of 2022 concerning Provision of Bulk Cooking Oil for the Needs of Communities, Micro Enterprises, and Small Businesses within the Financing Framework by the Oil Palm Plantation Fund Management Agency (BPDPKS), the Ministry of Industry seeks to control and oversee the distribution of subsidized bulk cooking oil.

Then the cooking oil crisis peaked on April 28 2022 when the Ministry of Trade temporarily banned the export of palm oil and its various derivative products through Permendag No. 22 of 2022. Commodities whose exports are prohibited include CPO; Refined, Bleached, and Deodorized Palm Oil (RBD Palm Oil); Refined, Bleached, and Deodorized Palm Olein (RBD Palm Olein); and Used Cooking Oil (UCO). The government argued that the temporary ban was imposed to bring back the price of domestic palm cooking oil to IDR 14,000 per liter and speed up its distribution throughout Indonesia.¹⁶

Shortly after it was enforced, the export ban was lifted by President Joko Widodo on May 19, 2022. The president claimed that, after the export ban, domestic supply reached 211,000 tons per month, exceeding domestic demand so that the export ban was no longer needed.¹⁷ The export ban was lifted through Permendag Number 30 of 2022. However, the DMO policy was re-implemented later on May 23 through Permendag No. 33 of 2022.

¹⁶ Cabinet Secretariat of the Republic of Indonesia. (2022c). Starting April 28, the government imposed a ban on the export of CPO and its derivatives. Cabinet Secretariat of the Republic of Indonesia. Retrieved from <https://setkab.go.id/mulai-28-april-Government-berJadi-ban-ekspor-cpo-dan-turunannya/>

¹⁷ Cabinet Secretariat of the Republic of Indonesia. (2022d). Statement by the President of the Republic of Indonesia regarding the reopening of cooking oil exports, at the Merdeka Palace, DKI Jakarta Province, 19 May 2022. Cabinet Secretariat of the Republic of Indonesia. Retrieved from <https://setkab.go.id/pernyataan-presiden-ri-about-pembukaan-Back-ekspor-minyak-goreng-di-istana-merdeka-provinsi-dki-jakarta-19-mei-2022/>

Not stopping at the Permendag policy No. 30 of 2022, In June, the government reissued the policy through Permendag No. 38 of 2022 concerning the Program to Accelerate the Distribution of CPO, RBD Palm Oil, RBD Palm Olein, and UCO through Exports, which is also known as the 'flush out policy' (acceleration of export distribution). This program allows participating CPO exporters to be exempt from the obligation to supply domestic cooking oil if they pay an additional fee of US\$200 per tonne excluding export duties (US\$288 per tonne at that time) and export levies (US\$200 per tonne at that time) (Minister of Finance No. 102/PMK.05/2022). As the name implies, the flush out policy was made to encourage the absorption of FFB in the hope of increasing prices to benefit domestic farmers. The program runs between June-July 2022, and aims to grant export licenses for at least one million tonnes of CPO. After the government lifted the export ban, in July 2022 the Government returned to implementing a policy of freeing exports through Minister of Finance No. 115 of 2022. This policy is to spur CPO exports and increase the price of FFB for farmers. This export levy-free policy applies from July to October. However, on November 1, 2022, this policy is still valid, but limited to a CPO price of US\$800 per ton in accordance with Minister of Finance Number 154/PMK.05/2022.

After the DMO policy was reinstated, the Ministry of Trade launched a cheap cooking oil brand called Minya us through the Minister of Trade Regulation Number 41 of 2022. This brand owned by the Ministry of Trade uses supplies originating from the DMO to provide simple packaged cooking oil with an HET of IDR 14,000 per liter. However, since it was announced in July, our oil does not seem to have affected the price of cooking oil, which is still higher than the HET. From July to November 2022, the average retail price of simple packaged cooking oil is IDR 17,460 per liter. This price is 14.09% higher than the same period a year earlier (SP2KP, 2022). Furthermore, our oil can initially be found for sale on a number of e-commerce platforms with prices ranging from IDR 16,000 per liter to more than IDR 40,000 per liter, exceeding the guaranteed HET.¹⁸

The dynamics of policy changes issued by the Government through various regulations, of course, aim to stabilize the condition of the Indonesian state to obtain stable economic growth again. But despite all the policies that have been issued, the impact of the CPO export ban in April continues to draw criticism from the public. This needs to be an important concern for the Government to further consider the steps to be taken in overcoming the problems that occur, especially considering the many protests that have arisen from people who live in border areas.

¹⁸ Widyastuti, R. A. Y. (2022). OilKita is sold on e-commerce, prices start from Rp. 16 thousand to Rp. 40 thousand more. Tempo. Retrieved from <https://business.tempo.co/read/1609580/minyakita-dijual-di-e-commerce-harga-mulai-dari-rp-16-ribu-to-rp-40-ribu-lebih>

The Impact of the Export Ban on the Purchase of FFB in Border Communities

National Interest is an important point that is often used in the Decision Making Process in an analysis related to policies related to domestic and foreign policies of a country. It is used to defend the country's power, wealth, ideology and political views¹⁹. Nuechterlein in his theory defines state policy. First, the state's desire to achieve a goal is implemented in making decisions related to certain issues. Second, state sovereignty (independent sovereign states) because this relates to the use of force (power) to request trade bans or the signing of agreements related to alliances. Third, it is needed to describe internal and external relations that occur within a country, as well as public interests related to an issue that arises in a country later.²⁰

In the CPO export ban policy which has been in effect for more or less three weeks, of course this is part of the state policy for the national interest. However, the Government must admit that this policy affects economic growth in Indonesia. The export ban policy that was imposed was indeed aimed at CPO industry entrepreneurs and its derivatives, but the government forgot that the people who suffer the most are the smallholders who depend on companies to buy the FFB they have. During the period of the export ban, the price reduction for smallholders' FFB reached 40-70% of the price set by the Plantations Service in a number of palm-producing areas.

Palm oil is currently one of Indonesia's largest export commodities which is processed into Crude Palm Oil (CPO).²¹ The government, which initially aimed to improve the existing market system in the country, especially to meet the need for cooking oil for the whole community, now in fact has created a new problem whose impact is far greater for the people of Indonesia, especially the oil palm farmers who have suffered huge losses due to the drop in the purchase price of FFB. . This is in line with the opinion of Bhima Yudhistira, Director of the Center of Economic and Law Studies, who stated that the CPO export ban policy had more negative impacts on palm oil farmers and businesses, rather than being a strategy to control cooking oil prices. In addition, the Revenue of the Oil Palm Plantation Fund Management Agency was also empty because no export levies had been withdrawn, as a result the biodiesel program had also stopped and Pertamina's diesel fuel supply had immediately decreased by 30 percent. This export ban policy will also have an impact on export performance in May 2022. This is because the foreign exchange

¹⁹ Joseph Frankel, *Key Concepts in Political Sciences: National Interest* (London: Palgrave Macmillan - Pall Mall Press Ltd., 1970), pp. 15, 17-20.

²⁰ Jevon Natasha, 2019, "Barriers to Indonesia's Crude Palm Oil (CPO) Exports to the European Union after the Renewable Energy Directive (RED) Policy" , International Problems Student Study Group, KSMPMI Centris Journal Vol. 2 – 2019. Pp. 10

²¹ Ermawati, Sulvianti Andriana, and Irham Pakkawaru. 2021. "The Effect of Exchange Rates and Prices on the Export Volume of Crude Palm Oil (CPO) PT. LETAWA Year 2017-2019." *Journal of Islamic Economics and Business -JIEBI Vol. 3 No.2, 2021. Pp. 2*

from the export of palm oil and its derivatives is zero, so the trade balance is immediately in deficit. After the export tap is opened, the Government hopes that entrepreneurs can buy palm oil at prices determined by the Government through the Technical Service, namely the Plantations Service by setting the K-Index, namely the standard price set for the purchase price of FFB for all Palm Oil Companies. However, this did not work effectively and there were still many companies buying FFB below the set K-Index price. This has made villagers in areas near the Entikong-Malaysia border complain of very low purchase prices, even below the capital they have to spend.

The people of Kembayan Village up to the border in Entikong are one example of an area that is experiencing a phase of difficulty in selling its FFB products. The purchase price of FFB, which previously reached almost Rp. 4000 per kg, after the export ban policy the purchase fell even below Rp. 1,000 per kg. Oil palm farmers around the border area after the export ban was lifted chose to sell their palm oil products to Malaysia. Malaysia, as a neighboring country directly adjacent to Indonesia, buys FFB at a much higher price.

The impact of this is that Malaysia has benefited because with the previous export ban policy, many buyers who previously bought from Indonesia, actually moved to their countries. With the sale of FFB from the people of Indonesia it will actually increase the production of CPO oil from the country. This needs to be considered by Indonesia, especially to maintain its position as an exporter of CPO oil in the world. The government should be wiser in making a decision. The policies issued must consider the impact that will occur, if the government wants to stabilize the supply of cooking oil and eradicate bribery and corruption in the palm oil industry chain and its recipients, then what is fighting is the main cause, namely the elements, not by making policies that make it difficult for the parties involved. innocent party.

III. CONCLUSION

Based on the description above, it can be concluded that the policy of prohibiting the export of CPO and CPO derivative products is a form of government sovereignty in making policies that prioritize people's welfare to meet domestic cooking oil needs. However, as a result of this export ban, Indonesia must be willing to lose a large amount of the country's foreign exchange. In addition, many oil palm farmers have lost their income due to the low purchase price of FFB. the people who live around the border area prefer to sell their palm oil to Malaysia because the purchase price is much higher. In addition, the many government policies that have changed during the 2022 period have made many people confused by these changing policies. So that the government needs to make efforts to monitor and control the purchasing price of the community's FFB so that Indonesia's sovereignty as the world's largest producer of CPO oil can be maintained.

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