

EU ASIA COOPERATION

on (PHYTO-) SANITARY (SPS) and
FOOD SAFETY REGULATION



**GUIDELINE
REQUIREMENT FOR
IMPORTATION OF MEAT AND
MEAT PRODUCT TO MALAYSIA**



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CONTENTS

CONTENTS.....	iii
LIST OF ABBREVIATION	i
INTRODUCTION.....	2
PART 1 GUIDELINE, REQUIREMENT, AND LEGISLATION TO IMPORT MEAT AND MEAT PRODUCT TO MALAYSIA	7
1.1 Before importation	7
1.1.1 Market access and entry requirement for importation of meat and meat products to Malaysia	7
1.1.2 Application of import permit by importer/fa in Malaysia	10
1.1.3 Application of FoSIM by importer/fa in Malaysia	10
1.1.4 Additional requirements for exportation of meat and meat products to Malaysia	10
1.1.5 SPS measures.	11
1.1.6 References for importation of meat and meat products to Malaysia	12
1.2 DURING IMPORTATION	20
1.3 AFTER IMPORTATION	21
PART 2 PROCEDURE AND REQUIREMENT BEFORE IMPORTATION OF MEAT AND MEAT PRODUCT TO MALAYSIA.	23
2.1 Procedure Before Importation Meat and Meat Product to Malaysia	24
2.1.1 Fill in Risk Analysis and Application Forms	25
2.1.2 Submission of Risk Analysis and Application Forms	26
2.1.3 Adequacy Audit	26
2.1.4 Compliance Audit / On-site Inspection	26
2.1.5 Publish establishment	29
2.2 Flowchart of Procedure for Permit Application by Importer	30
LIST OF AUTHORITIES INVOLVED IN THE GUIDELINE & PROCEDURE	32

LIST OF ABBREVIATION

AWB	Airway Bill
CA	Competent Authorities
CIS	Custom Information System
CWT	Carcass Weight
DVS	Department of Veterinary Services
FA	Forwarding Agent
FHCB	Foreign Halal Certification Body
FQSD	Food Quality and Safety Department
GHP	Good Hygiene Practice
GMP	Good Manufacturing Practice
HACCP	Hazard Analysis and Critical Control Point
HAS	Halal Assurance System
ISO	International Organization for Standardization
JAKIM	Department of Islamic Development Malaysia
MAFI	Ministry of Agriculture and Food Industry
MAQIS	Malaysian Quarantine and Inspection Services
MAWB	Master Airway Bill
MOH	Ministry of Health
RMCD	Royal Malaysian Customs Department
TQM	Total Quality Management

INTRODUCTION

Malaysia is a multi-ethnic country with a current population of 32 million, of which approximately 60% are Muslims. Islam is constitutionally the official religion of this country, but there is the freedom to follow the other faiths. The Syariah Law (Law and principles of Islam derived from the Quran and the Hadith) is applicable for Muslims in Malaysia. The Syariah set as a guideline for the Muslims in their lives, including providing food, family life, finance, and business standards.

Halal is an Islamic term, derived from the Arabic word which means permissible. This concept can be seen in a broader scope by an idea of '*Halalan Toyyiban*' covering halal, safe, clean, and quality.

Apart from pork meat, which is 'Haram' and not permissible to Muslims, the halal value concept is enforced on Muslims and non-Muslim to consume only permissible '*Halal Toyyiban*' goods, including food, in order to assure the general public that these items are safe, clean, and of good quality in accordance to Malaysia majority population's religious values. Therefore, despite being a multi-ethnic country with religious freedom, in Malaysia, certain foodstuffs such as beef and poultry meat products sold to both Muslim or non-Muslim consumers must meet halal slaughtering, handling, packing and other rules in addition to the country's public policy objectives for food safety and consumer protection.

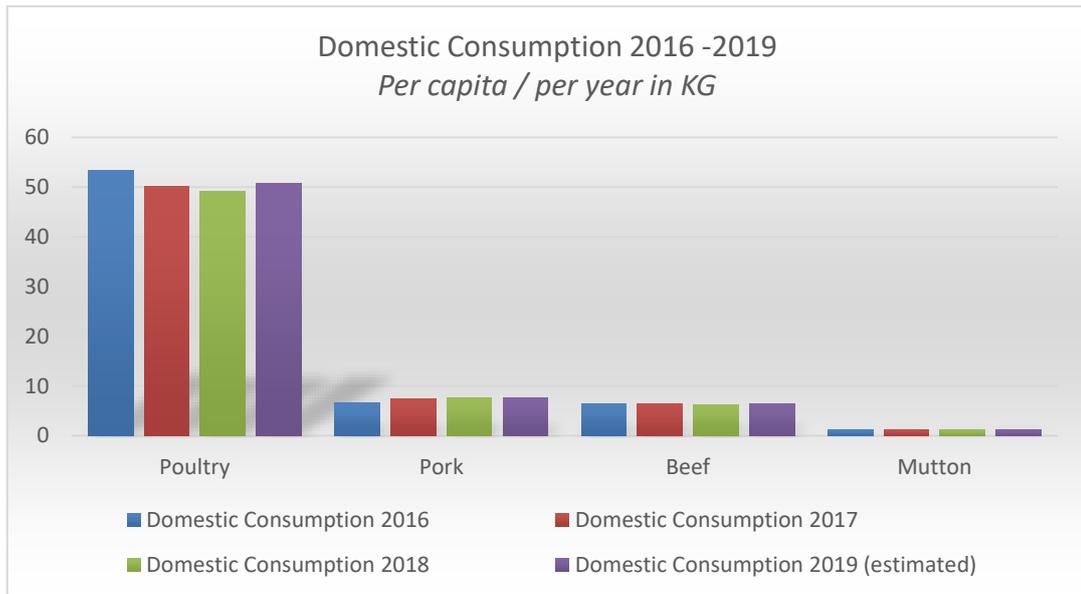
Malaysia's domestic consumption of meat and meat products exceeds domestic production. Several third country suppliers from Brazil, India, Australia, Pakistan, and Bangladesh export their halal certified meats to Malaysian consumers. Exports from the European Union concentrate on pork and pig meat products catering to the non-Muslim population and Malaysia's tourism industry. At the same time, trade in halal beef and poultry is negligible with only handful of European establishments authorized to export. In general, EU exporters see the halal import requirements overly burdensome, time consuming and costly and somewhat non-transparent.

This report is prepared as a reference for EU exporters and tries to explain import requirements for meat products. This report consists of two main parts: Part A and Part B. Part A content "Review of ASEAN Guideline for the Handling of Halal Food" and "Review of Malaysian Halal Certificate." Meanwhile, Part B is divided into two main sections; Guideline and Procedure before, during, and after importing meat and meat products to Malaysia. The report is not tackling the overly burdensome process as it is up to the Malaysian authority to reform its import conditions. That said, we hope this Guide will shed some light on the Halal and SPS regulatory framework for those EU establishments wanting to export halal beef, poultry or non-halal pork meat products to the Malaysian market.

The main livestock products that are commonly available in Malaysia are poultry, beef, mutton and pork. Table 1 shows the per capita consumption (PCC) of livestock products in Malaysia for the years 2016-2019. In table 2, it is shown that poultry meat achieved self-sufficiency value of more than 100 per cent for the Malaysian population from 2013-2019. However, self-sufficiency value for beef, mutton and pork with less than 100 per cent is on a decreasing trend over six years. These livestock products are requiring imports to fulfil the consumer needs of Malaysia population.



TABLE 1: PER CAPITA CONSUMPTION OF LIVESTOCK PRODUCTS IN MALAYSIA, 2016-2019



Source: DVS Malaysia, 2019

TABLE 2: SELF-SUFFICIENCY OF LIVESTOCK PRODUCTS IN MALAYSIA (%), 2013-2018

Commodity	2013	2014	2015	2016	2017	2018
Beef (%)	25.66	25.29	23.06	23.04	22.17	22.88
Mutton (%)	15.51	12.73	11.45	13	10.23	10.95
Pork (%)	96.94	95.66	93.57	90.96	92.12	90.95
Poultry (%)	104.85	104.27	104.16	103.24	103.68	104.02

Source: DVS Malaysia, 2019

Tables 3 to 6 show the importation of 4 main livestock products to Malaysia for 2015-2019. In 2019, Malaysia imported poultry meat, including edible offal from China (83.4%), Netherlands (8.0%) and Denmark (4.5%). For bovine meat, the domestic supply is achieved by importation generally from India (82.3%), Australia (12.6%) and New Zealand (5.0%). Besides, Australia and New Zealand were also the main countries that supply sheep or goat meat to Malaysia with 76.1% and 23.5% respectively in 2019. For swine meat, Malaysia had imported mostly from Germany and Spain with 55.4% and 24.4%.

TABLE 3: POULTRY MEAT IMPORTATION TO MALAYSIA, 2015-2019



Partner	Trade flow	Meat and edible offal of poultry; of the poultry of heading no. 0105, (ie fowls of the species gallus domesticus), fresh, chilled or frozen									
		2015		2016		2017		2018		2019	
		(k€)	(%)	(k€)	(%)	(k€)	(%)	(k€)	(%)	(k€)	(%)
China	Imports	56,508.3	91.09	28,944.4	88.17	20,074.1	83.62	39,444.6	96.43	28,795.8	83.39
Netherlands	Imports	3,201.8	5.16	2,902.8	8.84	2,958.6	12.32	812.558.7	1.99	2,960.3	7.98
Denmark	Imports	1,103.2	1.78	363.4	1.11	357.4	1.49	48.1	0.12	1,560.9	4.52

Rate used for calculation 1 € = 4.8877

TABLE 4: BOVINE MEAT IMPORTATION TO MALAYSIA, 2015-2019

Partner	Trade flow	Meat of bovine animals; frozen									
		2015		2016		2017		2018		2019	
		(k€)	(%)	(k€)	(%)	(k€)	(%)	(k€)	(%)	(k€)	(%)
India	Imports	335,211.26	81.13	320,014.50	82.34	348,023.83	81.35	321,465.75	81.51	293,916.95	82.34
Australia	Imports	51,694.99	12.51	47,495.10	12.22	57,682.80	13.48	49,902.84	12.65	44,940.63	12.59
New Zealand	Imports	25,326.31	6.13	19,750.38	5.08	21,750.92	5.08	22,270.85	5.65	17,805.53	4.99

Rate used for calculation 1 € = 4.8877

TABLE 5: SHEEP OR GOAT MEAT IMPORTATION TO MALAYSIA, 2015-2019

Partner	Trade flow	Meat of sheep or goats; fresh, chilled or frozen									
		2015		2016		2017		2018		2019	
		(k€)	(%)	(k€)	(%)	(k€)	(%)	(k€)	(%)	(k€)	(%)
Australia	Imports	78,102.25	73.28	75,521.13	74.06	101,253.21	62.49	105,096.68	70.50	103,232.91	76.11
New Zealand	Imports	27,665.59	25.96	25,615.34	25.12	59,946.61	36.99	42,523.80	28.53	31,895.19	23.51
India	Imports	684.19	0.64	756.43	0.74	723.53	0.45	610.61	0.41	324.26	0.24

Rate used for calculation 1 € = 4.8877

TABLE 6: SWINE MEAT IMPORTATION TO MALAYSIA, 2015-2019

Partner	Trade flow	Meat of swine; fresh, chilled or frozen									
		2015		2016		2017		2018		2019	
		(k€)	(%)	(k€)	(%)	(k€)	(%)	(k€)	(%)	(k€)	(%)



Germany	Imports	12,162.40	49.63	15,644.25	43.80	21,990.65	52.70	22,193.10	50.02	23,714.34	55.42
Spain	Imports	4,178.56	17.05	8,216.18	23.00	10,257.69	24.58	10,037.39	22.62	10,452.55	24.43
Netherlands	Imports	3,362.61	13.72	5,297.41	14.83	2,735.60	6.56	2,409.64	5.43	3,166.18	7.40

Rate used for calculation 1 € = 4.8877



References:

- 1 DVS (2019), Perangkaan Ternakan,
[http://www.dvs.gov.my/dvs/resources/user_1/2019/BP/Perangkaan%20Ternakan%2020182019/1\)_Malaysia_Perangkaan_Ternakan.pdf](http://www.dvs.gov.my/dvs/resources/user_1/2019/BP/Perangkaan%20Ternakan%2020182019/1)_Malaysia_Perangkaan_Ternakan.pdf)
- 2 National Health and Morbidity Survey 2014: Malaysian Adult Nutrition Survey, Volume III, Food Consumption Statistics of Malaysia,
<http://iku.moh.gov.my/images/IKU/Document/REPORT/NHMS2014-MANS-VOLUME-3-FoodConsumptionStatisticsofMalaysia.pdf>
- 3 Annual International Trade Statistics by Country,
<https://trendeconomy.com/data/h2>



PART 1 GUIDELINE, REQUIREMENT, AND LEGISLATION TO IMPORT MEAT AND MEAT PRODUCT TO MALAYSIA

This section contains guidelines, requirements, and legislation to export meat and meat products to Malaysia. It is divided into two (3) sub-sections, i.e., before, during, and after importation on requirements and legislation to export meat and meat products.

1.1 BEFORE IMPORTATION

Before importing meat and meat products to Malaysia, the establishment should fulfill market access/entry requirements and Malaysia's related legislation. Countries and facilities must be approved by DVS Malaysia and JAKIM before meat products can be exported.

1.1.1 *Market access and entry requirement for importation of meat and meat products to Malaysia*

- ▲ All meat and meat products that are intended to be imported to Malaysia must be halal certified. The establishment shall appoint Foreign Halal Certification Body (FHCB) in their own country or EU Countries that have been recognized by the Department of Islamic Development Malaysia (JAKIM) for the halal certification.

At the time of writing, JAKIM's recognised FHCB can be found at the link below:

http://www.halal.gov.my/v4/ckfinder/userfiles/files/cb2/CB_LIST_FEBRUARY_5TH_2020.pdf

(Appendix 1a)

- ▲ The establishment/exporter shall also confirm with the competent authority of the respective country on risk assessment status. The risk assessment questionnaire needs to be filled up by the competent authority for approval of the Department of Veterinary Services, Malaysia (DVS). The risk assessment is only necessary if it has not been done by the respective countries.

The link for the questionnaire for risk assessment by DVS, Malaysia is as follows:

[http://www.dvs.gov.my/dvs/resources/user_1/2019/BPSPS/SQIE/Borang%20Soal%20Selidik/A_-_Lembu_\(Cattle\).pdf](http://www.dvs.gov.my/dvs/resources/user_1/2019/BPSPS/SQIE/Borang%20Soal%20Selidik/A_-_Lembu_(Cattle).pdf)

(Appendix 1b)



- ▲ The establishment/exporter for halal meat and meat products is required to fill up the application forms and provide necessary information for adequacy audit purposes by DVS, Malaysia (for veterinary standards), and Halal Certification by JAKIM (for Halal standard).
- ▲ In the application form, there is a section whereby the endorsement of the competent authority of the exporting country is required.
- ▲ For pork and pork products, a similar procedure is applied. However, since halal certification is not required, the establishment/exporter needs to give information only for the DVS form.

The link for the application forms by DVS, Malaysia and JAKIM are as follows:

- i. Application for Export of Meat, Poultry, Milk, and Egg Products to Malaysia (Under DVS)
<http://www.dvs.gov.my/dvs/resources/auto%20download%20images/560df048219c3.pdf>
(Appendix 2a)
- ii. Form of Information on For Issuance of Halal Certificate (Under JAKIM)
<http://www.dvs.gov.my/dvs/resources/auto%20download%20images/560df0450f836.pdf>
(Appendix 2b)
- iii. Halal Application form for livestock or poultry products establishment to be exported to Malaysia – Abattoir- (Under JAKIM)
http://www.dvs.gov.my/dvs/resources/user_1/DVS%20pdf/pemeriksaan%20veterinar/2018/JAKIM-Permohonan_Rumah_Penyembelihan_luar_Negara.pdf
(Appendix 2c)
- iv. Application for Export of Non-Halal pork Products (Under DVS)
<http://www.dvs.gov.my/dvs/resources/auto%20download%20images/560df04913329.pdf>
(Appendix 2d)

- ▲ The compliance audit will be then carried out if the risk assessment and the forms are satisfactory during the adequacy audit.
- ▲ For halal meat and meat products, the compliance audit (inspection) of the establishment/exporter is required, which will be carried out by JAKIM (for the halal standard) and the Department of Veterinary Service (DVS) (for SPS, quality and safety standard).
- ▲ For pork and pork products, halal certification is not required; therefore, only DVS is involved during the compliance audit.

The link for the DVS general procedures for halal meat (beef, mutton, poultry) is as follows:

http://www.dvs.gov.my/dvs/resources/user_1/DVS%20pdf/SQIE/2017/Prosedur%20Am/PROCEDURE_TO_IMPORT_RUMINANT_MEAT_POULTRY_MEAT_RABBIT_MEAT_PRODUCTS_TO_MALAYSIA.pdf (Appendix 1c)



The link for the DVS general procedures for non-halal meat (pork) is as below:

http://www.dvs.gov.my/dvs/resources/user_1/DVS%20pdf/SQIE/2017/Prosedur%20Am/PROCEDURE_TO_IMPORT_PORK_MEAT_TO_MALAYSIA.pdf (Appendix 1d)

The DVS procedures and link to fill in the questionnaire and forms are described in Part B, Section 1 (2.1).

- ▲ Once DVS and JAKIM have approved the EU country's establishment/exporter, the establishment/exporter list will be published on the DVS website and registered in the online e-permit system.
- ▲ At the time of writing, the list of EU countries for the accredited facilities provided by DVS, Malaysia website is as follows:
 - a) Belgium
 - b) Denmark
 - c) Germany
 - d) Poland
 - e) Netherland
 - f) France
 - g) Spain
- ▲ The period of the accreditation granted by DVS is 3 years. However, the period may be shorter, depending on the countries' disease situation.
- ▲ There is no pre-listing of EU establishment for meat and meat products. However, Malaysia has adopted the pre-listing for pork and pork products (2012 and updated in 2016).



1.1.2 Application of import permit by importer/fa in Malaysia

The import permit needs to be obtained by the importer/Forwarding Agent (FA) in Malaysia before the importation of meat and meat products and shall be obtained for every consignment.

Documents that need to be prepared by the importer/FA are as below:

- ▲ **Import permit for animal products** which is required for customs clearance and market access should be obtained. An importer/FA which intends to import meat from an exporter should register at the e-Dagang net. After Registration, an importer/FA can apply for the import permit from MAQIS.

The link for the e-Dagang net is as follows:

<http://epermit.dagangnet.com>

- ▲ **Custom import declaration** describes and explains the meat and meat products that are being imported or exported.

1.1.3 Application of FoSIM by importer/fa in Malaysia

The importer/FA should register the Food Safety Information System of Malaysia (FoSIM) for MOH's inspection purpose during importation.

The list of import from FSQD, MOH Malaysia can be downloaded at the link below:

<http://fsq.moh.gov.my/v6/xs/dl.php?filename=22ab1f17d3b004cff40ca3d244fc069b.pdf>

(Appendix 1e)

Link for the FOSIM can be found at the link below:

<http://fsis2.moh.gov.my/fosimv2/HOM/frmHOMPage.aspx>

1.1.4 Additional requirements for exportation of meat and meat products to Malaysia

Additional requirements to import meat and meat product is required before importation.

Documents that to be prepared by the exporter are as below:

- ▲ **Halal certificate**, which clarifies the halal status conformity of the products.
- ▲ **Health certificates** from the competent authorities from the exporting countries verify the safety and quality of meat and meat products that meet the Malaysian microbiological standards, free from pathogens, harmful contaminants, and residues.



- ▲ **Veterinary health certificate** which clarifies the condition of the meat and meat products should be issued by the competent authorities from exporter countries.
- ▲ **Certificate of non-preferential origin** that specifies the non-preferential origins of the meat and meat products to be imported is not always required. However, Customs can demand the certificate, which Customs have doubts about the related products.

The list of documentation for the general requirement is shown in **Table 1.1**.

TABLE 1.1: GENERAL REQUIREMENTS FOR IMPORT MEAT AND MEAT PRODUCT TO MALAYSIA

Name	Description	To be prepared by	Language
Air Way bill	Report that accompanies products that have been delivered by a foreign courier to allow for monitoring. It acts as the receipt by an airline of goods, as well as the contract of carriage between the shipper and the carrier. It's a civil document that is legally enforceable. One Air Waybill may be used for the multiple transshipments of products.	Carrier (or carrier's agent)	English
Bill of Lading	A legal document issued by a carrier to a shipper those details the type, quantity, and destination of the goods being carried. It is for the international transportation of products by sea.	Carrier (or carrier's agent)	English
Commercial Invoice	A legal document issued by the seller (exporter) to the buyer (importer) in an international transaction and serves as a contract and a proof of sale between the buyer and seller.	Exporter	English
Declaration of dutiable value	A document containing all the details needed to determine the dutiable interest of the shipment. Needed for commercial imports of a value greater than MYR 10 000.	Importer	English or Malay
Insurance Certificate	A document to provide information on specific insurance coverage.	Insurance company exporter/importer	English or Malay
Manifest	Notifying documents for authorities to alert the arrival of a vessel or an aircraft and the consignments.	Freight forwarder (or agents)	English or Malay
Packing List	A document containing a list of details consignments like the number of packages, description of the products, marks, and numbers	Exporter	English
Company Registration	A document as proof that the company already registered in Malaysia	Importer	English or Malay

1.1.5 SPS measures.

The objective of Sanitary and Phytosanitary (SPS) Measures is to protect human, animal, or plant life or health from pests and diseases that may be brought in by imported agricultural products. This standard involved a broad range of authorities; central government bodies, local government bodies, and regional and non-governmental bodies. Malaysia's SPS measure list for meat and meat-based products is shown in **Appendix 1f**.



1.1.6 References for importation of meat and meat products to Malaysia

The following documents are the references for the importation of meat and meat products to Malaysia.

- ▲ The primary legislation and regulations specific for meat and meat product importation to comply are the Control of Slaughter Rules 1975, the Animal Act of 1953, Abattoir (Privatization) Act 1993, Meat Inspection Rules 1985, Standard Management Procedures, and Halal Assurance Management System. These legislations determine that all imported meat products, except pork, must be certified as Halal, and the establishment/abattoir shall be approved by the Malaysian Department of Veterinary Services (DVS) and JAKIM.
- ▲ Additional legislation and regulations to comply with are the Malaysia Food Act 1983 and Food Regulation 1985, specific to meat and meat products. The commonly accepted conditions of meat and meat products in Malaysia can be found in Regulations 141 to 155 of the Food Regulations. The regulations 37, 38, 39, and 40 cover the incidental constituent, metal contaminant, microorganism drug residue related to meat and meat products. As a remark, this legislation has been amended several times, depending on the situation and condition. (Appendix 1g)
- ▲ The importation of meat and meat products into Malaysia should also abide to part 1 of the third schedule in Custom Act 1967 & Custom (Prohibition of imports) order 2017.
- ▲ Importation of meat and meat products into the state of Sabah (except Labuan) and Sarawak need to follow with respective state ordinance as below:
 - i. Sarawak: Law of Sarawak, Chapter 32, Veterinary Public Health Ordinance 1999, Part III – Import and Export of Animals, Fish and Animal or Fish Products. (Appendix 1h)
 - ii. Sabah: ANIMAL ENACTMENT 2015 (Sabah No. 8 of 2015) (Appendix 1i)

1.1.6.1 Halal references

- ▲ The documents that are used by JAKIM for compliance audit are as follows:
 - i. MS 1500:2009 Halal Food – Production, Preparation, Handling and storage – General Guidelines (Second revision)* (Appendix 1j)
 - ii. Malaysian Protocol for the Halal Meat and Poultry Production
<http://www.halal.gov.my/v4/images/pdf/protocol%20halal%20meat%20poultry.pdf>
(Appendix 1k)



▲ Halal certification is obligatory for meat and meat products (other than pork) for importation to Malaysia. In Halal Assurance Management System, the standards, guideline, and additional documents involving JAKIM are as follow:

- i. Manual procedure for Malaysia Halal certification 2020
<http://www.halal.gov.my/v4/index.php?data=bW9kdWxlcy9uZXdzOzs7Ow==&utama=panduan&ids=202009285f719a6a9f166> (Appendix 1l)
- ii. MS 1900:2014 Shariah-based Quality Management Systems-Requirements with guidance (First revisions) (Appendix 1m)
- iii. MS 2300:2009 Value-Based Management Systems – Requirements from an Islamic Perspective (Appendix 1n)
- iv. MS 2400-1: 2010 (P) Halalan –Toyyiban Assurance Pipeline (Appendix 1o)
- v. Guidelines for Halal Assurance Management System of Malaysia Halal Certification
<http://www.halal.gov.my/v4/images/pdf/halalassurancesystem.pdf> (Appendix 1p)
- vi. Guideline for Islamic Cleansing from Islamic Perspective
<http://www.halal.gov.my/v4/index.php?data=bW9kdWxlcy9uZXdzOzs7Ow==&utama=panduan&ids=gp5> (Appendix 1q)
- vii. Malaysia Food Act 1983
<http://www.agc.gov.my/agcportal/uploads/files/Publications/LOM/EN/Act%20281%20-%20Food%20Act%201983.pdf> (Appendix 1r)
- viii. Food Regulation 1985
https://extranet.who.int/nutrition/gina/sites/default/files/MYS%201985%20Food%20Regulations_0.pdf (Appendix 1s)
- ix. Food Hygiene Regulation 2009 (Appendix 1t)
- x. Animal Act 1953 (reviewed 2006)
<http://www.agc.gov.my/agcportal/uploads/files/Publications/LOM/EN/Act%20647.pdf>
(Appendix 1u)
- xi. Animal Rules 1962 (Appendix 1v)
- xii. Animals (Importation) Order 1962 (Appendix 1w)
- xiii. Trade Description Act (Revision 2011) (Appendix 1x)



xiv. Malaysian Quarantine and Inspection Services Act 2011

<http://extwprlegs1.fao.org/docs/pdf/mal107875E.pdf> (Appendix 1y)

xv. Customs Act 1967 (Appendix 1z)

xvi. Customs (Prohibition Of Exports) Order 1998 (Appendix 1za)

xvii. Local Government Act 1976 (Appendix 1zb)

xviii. Trade Marks Act 1976 (Appendix 1zc)

xix. Fatwa

<http://e-smaf.islam.gov.my/e-smaf/index.php/main/mainv1/fatwa/3>

Notes

* The standard version of 2019 is with the withdrawal of the slaughtering section part. The slaughtering will have its own standard.

** English version will be published soon.

The overview of the content of the legislation is explained below.

1.1.6.2 Animal Act 1953

This act is arranged into eight parts.

- 1. Preliminary**, which importantly contains the definition of each animals category, the appointment of officers and identification card to be produced.
- 2. Importation and exportation of animals and birds**, which delivers the process of animal importation with a legal licence and necessary actions to be taken.
- 3. Prevention of the spread of disease**, which essentially highlights the importance of examination on the animals' health to ensure the safety of the consumers.
- 4. Prevention of cruelty to animals**, which includes the penalty for any cruelty actions towards the animal and the power of authorities to take action on the person.
- 5. Conservation of Livestock**, which contains the order of movement or slaughter of animals may be prohibited.
- 6. Improvement of Livestock**, which shall be in force in the States of Kedah and Kelantan.



- 7. Search, seizure, and arrest**, which includes the power of search for diseased animals and ascertains any offence against the Act is being committed.
- 8. Supplemental**, which delivers possibilities of obstructing officers in the execution of their duties.

A pdf version of the Act can be found at the following website:

<http://www.agc.gov.my/agcportal/uploads/files/Publications/LOM/EN/Act%20647.pdf>

1.1.6.3 Abattoir (Privatization) Act 1993

This act is divided into 6 parts.

- 1. Preliminary**, which includes short title and commencement of the Act.
- 2. License to Operate Abattoir, Suspension, and Revocation of License**, which importantly includes the power of Minister to grant licence to operate an abattoir and suspension or revocation of licence on the operator who has failed to comply with any of the provisions of this Act.
- 3. Duties of a Licensed Operator**, which delivers the general duties of a licensed operator that the services provided comply with the performance standard.
- 4. Charges and Fees**, which states the charges and fees prescribed under rules for the provision of abattoir services and revenue of the licensed operator.
- 5. Rules, General Penalty, Offence by Body Corporate and Conduct Prosecution** of any provisions of this Act.
- 6. Miscellaneous.**

A pdf version of the Act can be found at the following website:

<http://www.agc.gov.my/agcportal/uploads/files/Publications/LOM/EN/Act%20507.pdf>

1.1.6.4 Food Act 1983

This act is arranged in five parts:

- 1. Preliminary**, which importantly includes the basic information of the products.



- 2. Administration and Enforcement** of the act.
- 3. Offense and Evidence**, which essentially contains necessities for consumers' right against unsafe/adulterated meat and meat product, incorrect labelling of packaging and deceptive advertisement of the product.
- 4. Importation, Warranty, and Defences**, which delivers possibilities of the meat and meat product if not completely compliant with the requirements at entry. Obligatory actions should be taken to make the meat and meat product are compliant and safe to be imported. It also provides the requirements of a written statement that confirm the distributor or dealer of meat and meat products are compliance with the Act.
- 5. Miscellaneous Provisions.**

A pdf version of the Act can be found at the following website:

<http://www.agc.gov.my/agcportal/uploads/files/Publications/LOM/EN/Act%20281%20-%20Food%20Act%201983.pdf>

1.1.6.5 Food Regulation 1985

This regulation is the key enabling laws for the Food Act, which is more comprehensive. This regulation contains 10 parts that covered the standards and labeling requirements by food type for around 350 categories of food. The 10 parts of this regulation are:

- 1.** Part 1- Part 3 cover definition, warranty, and procedure to obtain approval for the sale of food obtained through modern biotechnology.
- 2.** Part 4 contains a procedure for labeling regarding the standard and requirement.
- 3.** Part 5 explains the type and quantity of food additive and added nutrients that allowed adding in the products.
- 4.** Part 6 covers the procedure to packages the foods.
- 5.** Part 7 explains the incidental constituent.
- 6.** Part 8 covers the standards and particular labeling requirements for food.
- 7.** Part 9 covers the standard use of water, ice or steam
- 8.** Part 10 Miscellaneous.



This regulation is attached with the schedules of the regulation. The schedules contain tables that explain crucial information such as authorized food additives, level of pesticides and contaminants allow in food depends on the category. The table will be continuously updated depends on the situation and condition.

The text of the Regulations can be found (in English) at the link below:

- a) as a PDF file:

https://extranet.who.int/nutrition/gina/sites/default/files/MYS%201985%20Food%20Regulations_0.pdf

- b) as a navigable webpage:

<http://fsis2.moh.gov.my/fosimtestsite/HOM/frmHOMFARSec.aspx?id=21>

The recent update of tables can be referred to Food Safety and Quality Division, MOH at the link below:

<http://fsq.moh.gov.my/v6/xs/page.php?id=72>.

1.1.6.5.1 Labelling Requirement

Part 4 in the Food Regulation covers packaging and labelling requirements by food products, including meat and meat product. It can be summarized in Table 1.2. Besides, it should be noted that labelling should be;

- a) Written in Bahasa Melayu or English
- b) Have clear information on the label
- c) Written in a font not smaller than 10 points (suitable with the size of the packaging)
- d) Have the color of the latter that contrast from the background.
- e) Legible and durably marked. The label can be placed in the package if the package is made from transparent material and the food in the package is not ready for direct consumption.
- f) Have words either all in capitals or all in lower case letters or lower case letters with an initial capital letter. There are exceptions for units and symbols of weight and measures.

The detail guidelines on food labelling requirement can be found in the following website:



http://www.fao.org/fileadmin/user_upload/gmfp/docs/GUIDELINES%20ON%20LABELLING%20OF%20FOODS%20AND%20FOOD%20INGREDIENTS%20PRODUCED%20FROM%20MODERN%20BIOTECHNOLOGY.pdf

1.1.6.5.2 Food Additives

Food additives requirements are explained in Part 5 of the Food Regulations. The summary:

- i. Substances that are not approved as food additives are not allowed to use as food additives.
- ii. The implement of food additives in the food shall conform to the standards set out in the food regulations (including permissible limits of use).
- iii. Food additives should not be used to distinguish any harm or deficiency of the foods.

The food additives only can be implemented in the foods if they are permitted by the Food Regulations (with permissible limit and amount) and/or allowed by Codex Alimentarius or by the approval letter of the Director of FSQD, Ministry of Health.

The implementation of food additives in meat and meat products not only should comply with the Food Regulation but also with the Animals Act, 1953. Regulation 141 until 155 is a Food Regulation specified for meat and meat products. The regulation is attached in **Appendix 1g**.

Full details of legislation on food additives can be found in the Food Regulations. A comprehensive overview of food additives in Malaysia can be referred to in the following website:

<http://www.myhealth.gov.my/en/food-additives-what-you-should-know/>



TABLE 1.2: LABELING REQUIREMENT FOR THE MEAT AND MEAT PRODUCT

Item	Description / notes
Appropriate designation of the food / common name	The specific name and not the generic description that explained the food to the consumer.
CONTAINS statement (beef / pork / alcohol)	It must be specified, accompanied by the corresponding substance in situations where the food contains: <ul style="list-style-type: none"> ➤ Beef, pork, ➤ Alcohol For alcohol, a non-serif, minimum 6 point bold font must be used; and the statement must appear directly after the designation of the food.
Ingredients	The list of ingredients shall be listed in descending order of proportion by weight. (Except for food with one ingredient).
Hyposensitivity statement	A statement that referring a food may cause hypersensitivity. This includes: <ul style="list-style-type: none"> a) cereal containing gluten, including wheat, rye, barley, and oat; b) nut and nut product, including peanut and soybean; c) fish and fish products; d) milk and milk products (including lactose); and e) egg and egg products.
Presence of edible oil/fat statement	A statement about the presence of the food such as edible fat, edible oil or both and the name of sources where the oil is derived.
Food additives statement	A statement about food contains permitted food additives.
Weight/volume	Minimum net weight or volume. In the case when food is packed in liquid, the minimum drained weight.
Name and address; origin	For imported foods, two names/addresses are needed: <ol style="list-style-type: none"> 1. That of the manufacturer, packer or owner of the rights of manufacture, or their representative. 2. That of the importer in Malaysia. 3. For fresh meat, it includes the name of the abattoir that prepared the meat. The country of origin of the food should also be stated.
Date marking	One of the following dates must appear on packaging in a bold non-serif, minimum 6 point font: <ul style="list-style-type: none"> ➤ EXPIRY DATE or EXP DATE ➤ USE BY ➤ CONSUME BY or CONS BY ➤ BEST BEFORE or BEST BEF It must be permanently marked on the package. If the validity of the date marking is dependent on storage, directions for storage must also be included.
Nutritional labeling	<i>Compulsory for the following foods: prepared cereal foods, bread, milk and powdered milk, canned meat, canned fish, canned vegetable, canned fruit, fruit juices, salad dressing, mayonnaise, soft drinks, soya bean milk, and soya bean drinks.</i> Information to provide as follows (per 100g or 100ml): <ul style="list-style-type: none"> ➤ Energy (Kcal or KJ*) ➤ Protein (grams) ➤ Carbohydrates (grams)



	<ul style="list-style-type: none">➤ Fat (grams)➤ (ready to drink beverages only) sugar➤ (if the claim made about amount or type of fatty acid) amounts of saturated, monounsaturated, polyunsaturated and trans-fatty acids
--	---

1.1.6.5.3 Packaging requirement

Packaging requirements are explained in Part 6 of the Food Regulations. Briefly, packaging should:

- ▲ Not transmit any toxic, injurious, or tainting substance to the food or materials that can cause the food's deterioration.
- ▲ Not be made of enamel or glazed earthenware that can leach out any toxic substances, including lead, antimony, arsenic, cadmium, etc., to the food.
- ▲ Not be made of a polyvinyl chloride that contains > 1 mg/kg of vinyl chloride monomer.
- ▲ Not have been used or be intended to be used for a non-food product.

1.1.6.6 Food Standards in Malaysia

The Food standards in Malaysia are developed based on the International Standardization Organization (ISO) standards and principles, Codex Alimentarius, and the International Accreditation Forum. Food standards that are cited by regulations are mandatory to abide. Other food standards are voluntary.

1.2 DURING IMPORTATION

- ▲ Before allowing the consignments to enter the country, the imported meat and meat product will be inspected at the entry point to ensure the meats and meat product are edible and safe to eat, and at the same time to ensure it complies with the prescribed standards and regulation of Malaysia.
- ▲ The process involved once the consignment arrived at the entry point are as the following:
 - Declaration of the consignment to the Royal Malaysian Customs Department through the Customs Information System (CIS)
 - Notification of food importation through FoSIM and DVS.
 - Document and physical inspection by Customs and MAQIS.
 - Inspection by MOH and other agency if necessary.



More detail information about inspection at the entrance point by RMCD, MAQIS, and MOH can be found on the following address:

RMCD: <http://www.customs.gov.my/en/uc/Pages/inspectionassessmentqref.aspx>

MAQIS: <http://www.maqis.gov.my/pemeriksaan-fizikal-konsainan-import>

MOH: <http://fsq.moh.gov.my/v6/xs/page.php?s=langkah3>

1.3 AFTER IMPORTATION

▲ Annual Performance Evaluation Report of the Exporting Countries

The annual Performance Evaluation report is required to be filled by the approved establishment and endorsed by the exporting countries' competent authority. The authority should collect and submit the report to DVS before the end of February every year.

The report of Annual Performance Evaluation of the exporting countries shall comprise of the following:

- a) Review audit on the exporters (if any); a copy of the report must be sent to DVS for further evaluation.
- b) The exporters have to promptly notify DVS through the Competent Authority of their country if there is:
 - i. Change in management
 - ii. Change in scope of activity/operation
 - iii. Major renovation work to upgrade or increase production
 - iv. The establishment has closed down and/or not in operation

▲ Review Audit by DVS and JAKIM

- DVS and JAKIM may carry out a review audit of the exporter within the timeline and/or request the exporter's internal audit report from the importer.
- DVS and JAKIM will carry out a review audit of the approved establishment in the 3rd year of approval validity.
- The establishment must submit a new application six (6) months before the expiry date through the authority if they are interested in renewing the export approval.



- The establishment that does not submit the new renewal application will not be listed for review audit inspection and removed from the approved list.
- FHCB is required to report on their certification activities every six months to JAKIM and recommended to attend the Halal Certification Bodies Conference in Malaysia annually.



PART 2 PROCEDURE AND REQUIREMENT BEFORE IMPORTATION OF MEAT AND MEAT PRODUCT TO MALAYSIA.

- ▲ Type of Products: -Poultry Meat and Products, Ruminant Meat and Products, (e.g. Beef, Lamb, Mutton, Chevron, Venison), Rabbit meat/products
- ▲ Importation of ruminant meat and products into Malaysia is allowed only from processing establishment/abattoir, which is approved by both DVS and JAKIM.
- ▲ The following Flowchart in 2.1 showed the procedure of the importation of meat and meat products to Malaysia.



2.1 PROCEDURE BEFORE IMPORTATION MEAT AND MEAT PRODUCT TO MALAYSIA

Responsibilities

2.1.1:

- Exporter (EU) / Authority
- DVS

2.1.2:

- Exporter (EU) / Veterinary Authority of exporting country
- DVS

2.1.3:

- DVS
- JAKIM

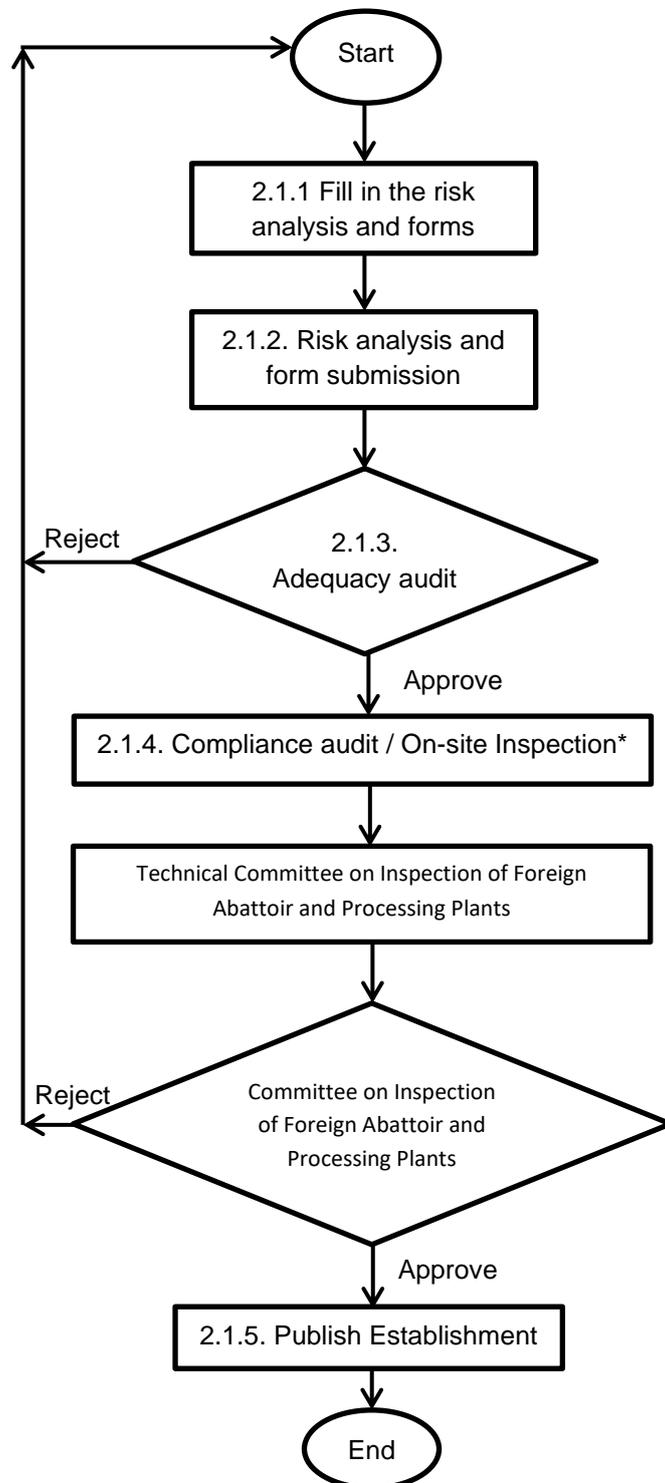
2.1.4:

- DVS
- JAKIM

2.1.5:

- DVS

Flow Chart



* This step is applicable for review audit that is conducted for the existing exporter.



2.1.1 Fill in Risk Analysis and Application Forms

Risk Analysis

The exporters country's veterinary/competent authority is required to fill up the 'Questionnaire on Animal and Public Health' based on the species. The questionnaire can be downloaded from the Department of Veterinary Services (DVS) website <http://www.dvs.gov.my/> under **the customer > import/export > animal husbandry and public health questionnaire**.

The link to the PDF for the questionnaire is as below:

[http://www.dvs.gov.my/dvs/resources/user_1/2019/BPSPS/SQIE/Borang%20Soal%20Selidik/A_-_Lembu_\(Cattle\).pdf](http://www.dvs.gov.my/dvs/resources/user_1/2019/BPSPS/SQIE/Borang%20Soal%20Selidik/A_-_Lembu_(Cattle).pdf) **(Appendix 1b)**

Application Forms

The application forms can be downloaded from the E-form link at <http://www.dvs.gov.my/> as below:

A. Halal Meat or Meat Product

- i. Application for Export of Meat, Poultry, Milk, and Egg Products to Malaysia (Under DVS)

Link:

<http://www.dvs.gov.my/dvs/resources/auto%20download%20images/560df048219c3.pdf>

(Appendix 2a)

- ii. Form of Information on Islamic Organization For Issuance of Halal Certificate (Under JAKIM)

Link:

<http://www.dvs.gov.my/dvs/resources/auto%20download%20images/560df0450f836.pdf>

(Appendix 2b)

- iii. Halal Application form for livestock or poultry products establishment to be exported to Malaysia – Abattoir- (Under JAKIM)

Link:

http://www.dvs.gov.my/dvs/resources/user_1/DVS%20pdf/pemeriksaan%20veterinar/2018/JAKIM-Permohonan_Rumah_Penyembelihan_luar_Negara.pdf **(Appendix 2c)**

B. Pork and pork products

- i. Application for Export Non-Halal Pork Product (Under DVS)



Link:

<http://www.dvs.gov.my/dvs/resources/auto%20download%20images/560df04913329.pdf>

(Appendix 2d)

Malaysia has adopted the pre-listing of EU establishments for pork in 2012, and reaffirmed this system in 2016.

2.1.2 Submission of Risk Analysis and Application Forms

The questionnaire and application form, as mentioned in (2.1.1.1), must be completed and declared by the establishment intending to export their products and then to be endorsed by the competent authority (CA) of the exporting country. The document can be submitted to Department Veterinary Services (DVS) Malaysia through CA of the exporting countries or embassies of the exporting countries in Malaysia. The material can be sent to the address below.

Senior Director
Disease Control and Veterinary Biosecurity Division
Department of Veterinary Services, Malaysia (DVS)
Ministry of Agriculture & Agro-Based Industry Malaysia
Wisma Tani, Level 5, Block 4G1, Podium 1A,
Precint 4, 626360 Putrajaya

2.1.3 Adequacy Audit

For the Halal meat, the application form will be reviewed by DVS and JAKIM to ensure all the relevant information is complete and adequate for DVS and JAKIM to decide whether to conduct an on-site inspection establishment. The unsatisfactory document will not be processed, and applicants shall submit a new application. Meanwhile, for the pork and pork products, the forms will only be reviewed by DVS.

DVS will communicate through CA of the exporting countries or the embassies of the exporting countries in Malaysia for any queries concerning the application by the interested establishments.

2.1.4 Compliance Audit / On-site Inspection

If the application document submitted to DVS is satisfactory, an on-site inspection of the establishments will be arranged with the competent authority.



For the Halal meat, both DVS and JAKIM will carry out an on-site inspection on the establishments based on the criteria, as stated in point **2.1.1.4.1** and **2.1.1.4.2** below. Meanwhile, for the pork and pork products, only DVS will carry out the inspection based on point **2.1.1.4.1**.

Once the inspection visits complete, the team will prepare the report of their findings. This report will be submitted to the Technical Committee on Approval of Foreign Abattoir and Processing Plants under DVS Malaysia for evaluation and recommendations. It is then forwarded to the Committee on Inspection of Foreign Abattoir and Processing Plant for approval.

DVS Malaysia will inform the establishments concerned about the decision through their respective embassies in Kuala Lumpur or the CA of exporting countries and subsequently listed on the DVS website.

The approval period for the establishment is valid for three (3) years. However, it depends on the disease situation and reports on Annual Performance Evaluation, as described in **2.1.1.4.3** below. However, a review audit shall be carried out on the third year of approval before the expiry date.

2.1.4.1 Criteria during Onsite Inspection (DVS)

DVS officials will conduct the on-site inspection on the establishment of the Compliance Audit and Review Audit purpose.

The on-site inspection for verification of practices, the examination of documents and records is based on the following:-

- A.** Good Manufacturing Practices (GMP)
- B.** HACCP Plan
- C.** Internal Audit Report
- D.** Competent Authority Audit Report



2.1.4.2 Criteria during Onsite Inspection (JAKIM)

JAKIM officials will conduct the on-site inspection on the establishment of halal meat and product for the Compliance Audit and Review Audit purpose. The documents that will be used by JAKIM are as follows:

- i) MS 1500:2009 Halal Food – Production, Preparation, Handling and storage – General Guidelines (Second revision) **(Appendix 1j)**
- ii) Malaysian Protocol for the Halal Meat and Poultry Production
<http://www.halal.gov.my/v4/images/pdf/protocol%20halal%20meat%20poultry.pdf>
(Appendix 1k)

The on-site inspection for verification of practices, the examination of documents and records is based on the following:-

- A. Stunning and slaughtering
- B. Slaughterman and Muslim checker
- C. Handling of the non-conformance
- D. The document on Halal Assurance System in the establishment including the internal Halal audit report
- E. Documents on the supplier for ingredients
- F. Halal certification body
 - i. Status recognition
 - ii. Responsibilities:
 - Slaughterman
 - Muslim checker
 - Training for the slaughterman and checker
 - Halal supervision
 - Notification of changes to JAKIM
 - Send by an annual report on each supervised plant (To be sent to JAKIM twice a year –January & June)
- G. Packaging and Labeling



- H. Storage
- I. Chiller and Freezer
- J. Transportation

2.1.4.3 *Report Annual Performance Evaluation of the Exporting Countries*

The report of Annual Performance Evaluation of the exporting countries shall comprise of the following:

- a. Based on the review audit on the exporting countries and a copy of the report must be sent to DVS for further evaluations.
- b. The operators of the establishment have to promptly notify DVS through the Competent Authority for:
 - i. Change in management
 - ii. Change in scope of activity/operation
 - iii. Major renovation work to upgrade or increase in production
 - iv. The establishment has closed down and/or not in operation

2.1.5 *Publish establishment*

Once DVS and JAKIM have approved the establishment of the EU country, the establishment list will be published on the DVS website and registered in the online e-permit system. The list of accredited facilities provided by DVS, Malaysia website as follow:
<http://www.dvs.gov.my/index.php/pages/view/299> (English / Bahasa Melayu version)

Note: When the business relationship occurs between importers in Malaysia and exporter in EU states, the importer may choose the approved abattoir/establishment from EU states that have been approved by DVS as published in the DVS website. They can apply for the import permit through the online e-permit system in [dagang.net](http://dagangnet.com) (electronic custom related services) under the Royal Malaysian Customs Department (RMC) <http://www.dagangnet.com/>. The detail of the application is explained in 2.1.2.



2.2 FLOWCHART OF PROCEDURE FOR PERMIT APPLICATION BY IMPORTER

Responsibilities

2.2.1:

- DVS

2.2.2:

- Importer/FA

2.2.3:

- Importer/FA

2.2.4:

- (MAQIS)

2.2.5:

- (MAQIS)

2.2.6:

- MAQIS
- IMPORTER/
FA

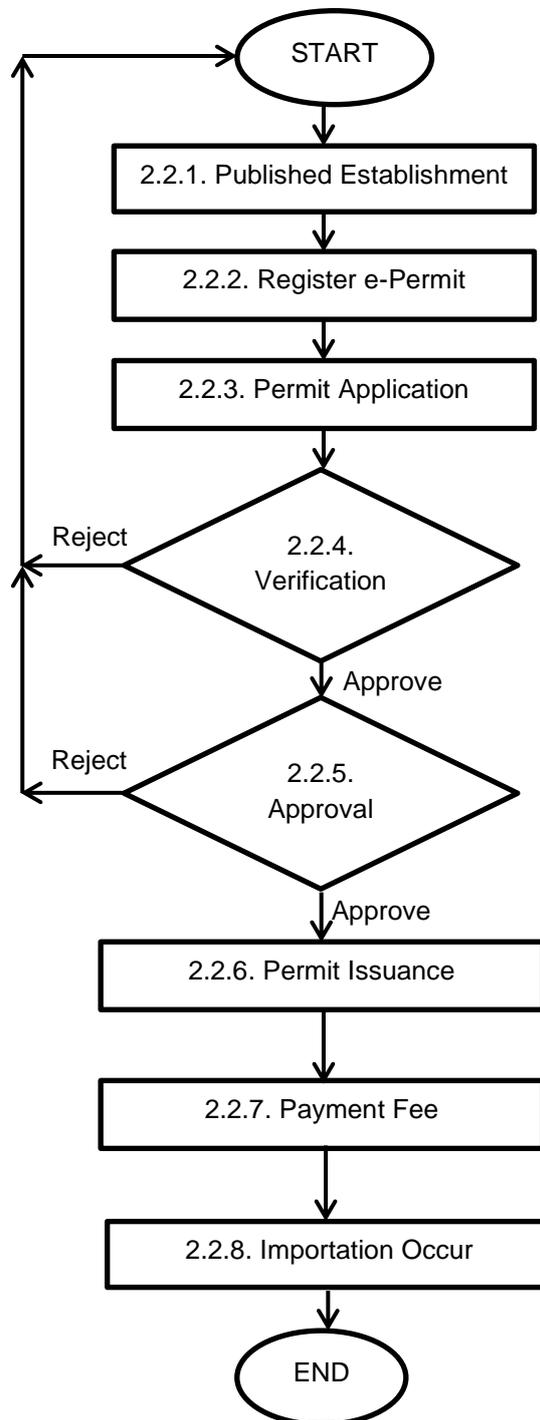
2.2.7:

- IMPORTER/FA

2.2.8:

- IMPORTER/
FA
- EXPORTER
(EU)

Flowchart



- 2.2.1. The list of the establishment or abattoir is posted on the DVS website and has been registered in the online e-permit system by DVS.
- 2.2.2. Importers or FA shall register the e-permit at <http://epermit.dagangnet.com> before importation.
- 2.2.3. Importers or FA can apply permits for importing meat under e-permit MAQIS at <http://epermit.dagangnet.com>.
- 2.2.4. MAQIS will verify the application. If the information provided in the way is not satisfactory, the application will be rejected. The importers or FA can apply for a new application.
- 2.2.5. MAQIS will approve for the satisfactory application. The unsatisfactory application will immediately be rejected. The importers or FA can apply for a new application.
- 2.2.6. The application will be submitted to Custom Information System (CIS) for the permit registration process. After CIS registered the consent, MAQIS will issue the import permit and inform DVS to contact the importer or FA.
- 2.2.7. The importer/ FA makes a payment fee at DVS. The rate of the fee for meat and meat product is RM 3.00/CWT to DVS.
- 2.2.8. After the importer or FA received the permit, the exporters can export their meat to Malaysia.



LIST OF AUTHORITIES INVOLVED IN THE GUIDELINE & PROCEDURE

MINISTRY	DEPARTMENT	CONTACT
Ministry of Agriculture and Food Industry	Department of Veterinary Services (DVS)	<p>Dr Sabariah Ismail Head, Import Export Section, Biosecurity Veterinary Management and SPS Division Department of Veterinary Services.</p> <p>Aras 5, Wisma Tani, Blok Podium, Lot 4G1, Presint 4, Pusat Pentadbiran Kerajaan Persekutuan, 62630 Putrajaya</p> <p>Phone: +603-8870 2026 Fax: +603-8888 6472 Email: sabariah@dvs.gov.my</p>
	Malaysian Quarantine and Inspection Services (MAQIS)	<p>Mdm. Siti Nur Ahmad Director, Import/Export and Data Division,</p> <p>Aras 4, Menara 4G1, Wisma Tani, No. 28, Persiaran Perdana, Persint 4, Pusat Pentadbiran Kerajaan Persekutuan, 62624, Putrajaya, Malaysia.</p> <p>Phone: +603-88708016 Email: sitinur@maqis.gov.my</p>
Prime Minister's Department	Department of Islamic Development Malaysia (JAKIM)	<p>Mr Mohd Asyraf Ibrahim Deputy Director, Regulatory Division, Halal Management Section, Department of Islamic Development Malaysia (JAKIM),</p> <p>Aras 6 & 7, Blok D, Kompleks Islam Putrajaya (KIP), No. 3 Jalan Tun Abdul Razak, Presint 3, 62100 Putrajaya, Malaysia.</p> <p>Phone : +603-8892 5000 Fax : +603-8892 5005 Emel : asyraf@islam.gov.my</p>
Ministry of Health (MOH)	Food Safety and Quality Division	<p>Mr. Mohd Azhar Abdul Aziz Head, Import Division, Food Safety and Quality Division, Ministry of Health, Malaysia.</p> <p>Aras 4, Menara Prisma No. 26, Jalan Persiaran Perdana, Presint 3 Pusat Pentadbiran Kerajaan Persekutuan 62675 Wilayah Persekutuan Putrajaya, Malaysia</p> <p>Phone: +603-8885 0797 Fax: +603-8885 0790</p>



Ministry of International Trade and Industry (MITI)	Dagang Net Technologies Sdn Bhd	Dagang Net Technologies Sdn Bhd Tower 3, Avenue 5, The Horizon Bangsar South No. 8, Jalan Kerinchi 59200 Kuala Lumpur, Malaysia Toll free : 1300.133.133 Email : careline@dagangnet.com
Ministry of Finance	Royal Customs Malaysia Department	Head Offices Royal Customs Malaysia Department Kompleks Kementerian Kewangan No 3, Persiaran Perdana, Presint 2, 62596, Putrajaya Tel: +603 8882 2100/2300 E-mail: ccc@customs.gov.my

