

WORLD TRADE ORGANIZATION

G/TBT/N/MYS/27/Rev.1
2 May 2012

(12-2322)

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

Revision

The following notification is being circulated in accordance with Article 10.6

1.	Notifying Member: <u>MALAYSIA</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2.	Agency responsible: Ministry of Domestic Trade, Co-operatives and Consumerism Malaysia No. 13, Persiaran Perdana Presint 2 62623 Putrajaya MALAYSIA Tel.: +(603) 8882 5979/5886 Fax: +(603) 8882 5983 Website: http://www.kpdnkk.gov.my Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: Department of Islamic Development Malaysia (JAKIM) Halal Hub Division, Ground Floor, Block 2200, Enterprise 3 Building, Persiaran APEC, 63000 Cyberjaya, Selangor Darul Ehsan, Malaysia Tel.: (+603) 8315 0200/ (+603) 8886 4000 Fax: (+603) 8318 7044/ (+603) 8889 4951 Website: http://www.islam.gov.my
3.	Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [X], 5.7.1 [], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Food and food products and consumer products (HS: Chapters 2 to 24, 49, 61 to 67, 91, 92, 94 to 96) (ICS: Chapters 67 and 97).
5.	Title, number of pages and language(s) of the notified document: Trade Descriptions (Certification and Marking of Halal)(Amendment) Order 2012 and Trade Descriptions (Definition of Halal)(Amendment) Order 2012 (7 pages, in English and Malay)

6. **Description of content:** This notification is the 1st revision of G/TBT/N/MYS/27 which was notified on 14 December 2011. This is due to changes that occurred in the policy direction whereby a number of amendments had to be made accordingly.

In lieu to the changes made, projected herewith the latest description of subjected documents, to wit, Trade Description (Definition of Halal) Order 2011 and Trade Description (Certification and Marking of Halal) Order 2011 which shall be read with the Trade Description (Definition of Halal) (Amendment) Order 2012 as well as the Trade Description (Certification and Marking of Halal) (Amendment) Order 2012.

a. Trade Description (Definition of Halal) Order 2011

This Order defines the definition of halal according to Hukum Syarak (Islamic Law) and fatwa. The Order prescribes that anyone who describes any food or goods supplied by him as 'halal' shall comply with the requirement stipulated under this Order. Contravention to such requirements is an offence and shall be liable for punishment.

b. Trade Description (Certification and Marking of Halal) Order 2011

This Order imposes for certification and marking of a Halal logo on food, goods as well as services in relation to the food and goods which are intended to be described as halal. This imposition includes all food which is intended to be described in other expression to indicate that the food can be consumed or used by a Muslim.

The marking of the Halal logo on the services in relation to the food and goods can be made by any expression which may be considered as referring to the said services including the premise where the service is provided.

The authorised agency to do the certification is Department of Islamic Development Malaysia (JAKIM) and the Islamic Council of each State (MAIN).

For imported products, certification by recognised halal body as listed in Schedule 2 of this Order is acceptable. Any contravention to the provisions of this Order is an offence and shall be liable for punishment.

7. **Objective and rationale, including the nature of urgent problems where applicable:** To ensure that food and food products and consumer products that are supplied and sold in Malaysia are not falsely declared as 'Halal'. These requirements are applicable to both local and imported products. For local products, only Halal logo issued by Malaysia's competent authority is recognised. For imported products, Halal logo/label issued by Halal certification bodies recognised by Malaysia's competent authority is accepted.

The list of recognised halal certification body is available at JAKIM's website <http://www.halal.gov.my>

8.	Relevant documents:	1. Trade Description Act 2011 (47 pages, in English) 2. Trade Descriptions (Certification and Marking of Halal) Order 2011 (16 pages, in English and Malay) 3. Trade Descriptions (Definition of Halal) Order 2011 (9 pages, in English and Malay) 4. Trade Descriptions (Certification and Marking of Halal Fees) Regulations 2011 (3 pages, in English and Malay)
9.	Proposed date of adoption:	1st Jan 2012
	Proposed date of entry into force:	1st Jan 2012 (Local) 1st Jan 2013 (Imported)
10.	Final date for comments:	60 days from the date of notification.
11.	Text available from: National enquiry point [X], or address, telephone and fax numbers, e-mail and web-site addresses, if available of the other body: http://members.wto.org/crnattachments/2012/tbt/MYS/12_1573_00_x.pdf http://members.wto.org/crnattachments/2012/tbt/MYS/12_1573_01_x.pdf http://members.wto.org/crnattachments/2012/tbt/MYS/12_1573_02_x.pdf http://members.wto.org/crnattachments/2012/tbt/MYS/12_1573_03_x.pdf	