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| |  |  | | --- | --- | | http://www.lawnet.com.my/libraryImages/image.aspx?imageID=29 |  | |  | **FEDERAL SUBSIDIARY LEGISLATION** |  | |  |  |  | |  |  |  | | **P.U. (A) 274/2008** | | | **Federal Agricultural Marketing Authority (Grading, Packaging And Labelling Of Agricultural Produce) Regulations 2008** | | |  | | | |  |  | | --- | --- | | Date of coming into operation | 22 August 2008 | | | |  | | |  | | |  |
| |  | | --- | |  | | [Preamble.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520020)  **PART I - PRELIMINARY**[Regulation 1. Citation and commencement.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520021)[Regulation 2. Application.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520022)[Regulation 3. Interpretation.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520023)  **PART II - GRADE STANDARD, PACKAGE AND LABEL**[Regulation 4. Grade standard of agricultural produce.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520024)[Regulation 5. Package of agricultural produce.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520025) [Regulation 6. Label of agricultural produce.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520026)  **PART III - EXPORT OF AGRICULTURAL PRODUCE**[Regulation 7. Export of agricultural produce.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520027)[Regulation 8. Conformity inspection for agricultural produce for export.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520028)  **PART IV - IMPORT OF AGRICULTURAL PRODUCE**[Regulation 9. Import of agricultural produce.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520029)[Regulation 10. Conformity inspection for import of agricultural produce.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520031)  **PART V - SALE OF AGRICULTURAL PRODUCE BY WHOLESALE AND RETAIL**[Regulation 11. Sale of agricultural produce by wholesale.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520032)[Regulation 12. Sale of agricultural produce by retail.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520034)  **PART VI - GENERAL**[Regulation 13. Reuse of package.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520035)[Regulation 14. Offence in relation to place of origin.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520036)[Regulation 15. Offence committed by body corporate.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520037) [First Schedule.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520044)[Second Schedule.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520045)[Third Schedule.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520048)[Fourth Schedule.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520049)[Fifth Schedule.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubdocumentID=520051) | |  | |  |

**Part I**

**PRELIMINARY**

**1.  Citation and commencement**

These regulations may be cited as the Federal Agricultural Marketing Authority (Grading, Packaging and Labelling of Agricultural Produce) Regulations 2008.

**2.  Application**

Except for the purposes of regulations 13 and 14, these Regulations shall only apply to the agricultural produce specified in the First Schedule in its raw form.

**3.  Interpretation**

In these Regulations:-

"Authority"  means the **Federal Agricultural Marketing Authority 1965** established under the Act;

"country of origin"  means the country in which any agricultural produce is grown;

"grade standard"  means the grade standard of any agricultural produce as provided in regulation 4.

**Part II**

**GRADE STANDARD, PACKAGE AND LABEL**

**4.  Grade standard of agricultural produce**

Agricultural produce shall be graded:-

(a) in accordance with the grade standard specified in the Second Schedule;

(b) in respect of any agricultural produce the grade of which is not specified in the Second Schedule, in accordance with the grade standard specified by the country of origin of such agricultural produce; and

(c) in respect of any agricultural produce the grade of which is specified neither in the Second Schedule nor by the country of origin of such agricultural produce, in accordance with the grade standard prescribed rity from time to time.

**5.  Package of agricultural produce**

A package of agricultural produce:-

(a) shall be of a size that provides a firm package for the quantity of agricultural produce packaged;

(b) shall contain agricultural produce of the same type and grade standard;

(c) shall not exceed thirty kilograms;

(d) shall meet the quality, hygiene and resistance characteristics so as to provide maximum protection from any damage to the agricultural produce during its handling and transporting; and

(e) shall be manufactured from a material that shall not cause damage to the shape and quality of the agricultural produce.

**6.  Label of agricultural produce**

(1) A label to be applied on a package of agricultural produce or on any material attached to the package of agricultural produce:-

(a) shall be of a size which is not less than 11 centimeter by 7 centimeter;

(b) shall be applied firmly and conspicuously on the top or side surface of the package; and

(c) shall contain the following particulars:

(i) name and business address of the importer, exporter, agent, producer or distributor, as the case may be, of the agricultural produce;

(ii) common name of the agricultural produce;

(iii) grade standard of the agricultural produce;

(iv) size of the agricultural produce;

(v) country of origin of the agricultural produce;

(vi) weight of package of the agricultural produce; and

(vii) the words "Product of Malaysia", if appropriate, if the agricultural produce is for export.

(2) The particulars referred to in paragraph (1)(c) shall be marked in the following manner to ensure its legibility and durability:

(a) in no smaller than 20 point lettering-

(i) shall be all capital letters or all lower case letters or lower case letters with an initial capital letter;

(ii) shall appear in a colour that contrasts strongly with its background; and

(iii) the type face shall be uniform in every word;

(b) if the agricultural produce is for domestic market, in the national language and may include translation in any other language;

(c) if the agricultural produce is for export, in the English language and may include translation in any other language; and

(d) if the agricultural produce is imported, in the national language.

**Part III**

**EXPORT OF AGRICULTURAL PRODUCE**

**7.  Export of agricultural produce**

Any exporter who intends to export any agricultural produce shall ensure that the agricultural produce:-

(a) is graded in accordance with the requirements under regulation 4;

(b) is packaged in accordance with-

(i) the requirements under regulation 5; and

(ii) any packaging requirements prescribed by the authority of the importing country, if any; and

(c) is labelled in accordance with the requirements under regulation 6.

**8.  Conformity inspection for agricultural produce for export**

(1) No exporter shall export any agricultural produce prior to the Authority conducting a conformity inspection on the agricultural produce.

(2) A conformity inspection is conducted by the Authority on the agricultural produce to ensure that the agricultural produce complies with the grading, packaging and labelling requirements under these Regulations.

(3) A conformity inspection under this regulation may be conducted by the Authority-

(a) at any premises managed by the Authority; or

(b) at an exporter's premises, on the request of the exporter.

(4) The day and time for the conformity inspection shall be as specified in the Third Schedule.

(5) If the Authority is satisfied that the exporter has complied with all the requirements under these Regulations, the Authority shall issue a certificate of conformity in the Fifth Schedule upon payment of the fees and other payment as specified in Part 1, 2 or 3 of the Fourth Schedule, as the case may be.

(6) An exporter of agricultural produce which have undergone a conformity inspection at any premises managed by the Authority shall remove his agricultural produce from such premises within such time as the Authority may specify.

(7) If the exporter fails to remove the agricultural produce within such time as specified, the Authority may destroy or dispose of or cause to be destroyed or disposed of such agricultural produce in any manner as the Authority thinks appropriate and all expenses so incurred shall be reimbursed by the exporter.

(8) Any exporter who exports any agricultural produce without a certificate of conformity commits an offence and shall, on conviction, be liable to a fine not exceeding one thousand ringgit or imprisonment for a term not exceeding six months or to both.

(9) Any exporter who commits an offence under subparagraph (8), whether or not any prosecution is instituted against him and whether or not he has been convicted, who does not comply with the requirements under paragraph 7(a), (b) or (c) commits an offence and shall, on conviction, be liable to a fine not exceeding one thousand ringgit or imprisonment for a term not exceeding six months or to both.

**Part IV**

**IMPORT OF AGRICULTURAL PRODUCE**

**9.  Import of agricultural produce**

Any importer who intends to import any agricultural produce shall ensure that the agricultural produce:-

(a) is graded in accordance with the requirements under regulation 4;

(b) is packaged in accordance with the requirements under regulation 5; and

(c) is labelled in accordance with the requirements under regulation 6.

**10.  Conformity inspection for import of agricultural produce**

(1) No importer shall import any agricultural produce prior to the Authority conducting a conformity inspection on the agricultural produce.

(2) A conformity inspection is conducted by the Authority on the agricultural produce to ensure that the agricultural produce complies with the grading, packaging and labelling requirements under these Regulations.

(3) The Authority may conduct a conformity inspection under this regulation at any inland clearance depot, customs warehouse, licensed warehouse, or premises or any part of any premises managed by the Authority or any competent authority.

(4) The day and time for the conformity inspection shall be as specified in the Third Schedule.

(5) If the Authority is satisfied that the importer has complied with all the requirements under these Regulations, the Authority shall issue a certificate of conformity in the Fifth Schedule upon payment of the fees and other payment as specified in Part 1, 2 or 3 of the Fourth Schedule, as the case may be.

(6) An importer of agricultural produce which have undergone a conformity inspection shall remove his agricultural produce from the inspection place within such time as the Authority may specify.

(7) If the importer fails to remove the agricultural produce within such time as specified, the Authority may destroy or dispose of or cause to be destroyed or disposed of such agricultural produce in any manner as the Authority thinks appropriate and all expenses so incurred shall be reimbursed by the importer.

(8) Any importer who imports any agricultural produce without a certificate of conformity commits an offence and shall, on conviction, be liable to a fine not exceeding one thousand ringgit or imprisonment for a term not exceeding six months or to both.

(9) Any importer who commits an offence under subparagraph (8), whether or not any prosecution is instituted against him and whether or not he has been convicted, who does not comply with the requirements under paragraph 9(a), (b) or (c) commits an offence and shall, on conviction, be liable to a fine not exceeding one thousand ringgit or imprisonment for a term not exceeding six months or to both.

(10) For the purpose of subregulation (3), "inland clearance depot", "customs warehouse" and "licensed warehouse" shall have the same meaning as defined in section 2 of the *Customs Act 1967* [Act 235].

**Part V**

**SALE OF AGRICULTURAL PRODUCE BY WHOLESALE AND RETAIL**

**11.  Sale of agricultural produce by wholesale**

(1) Any person who intends to sell any agricultural produce by wholesale shall ensure that the agricultural produce-

(a) is graded in accordance with the requirements under regulation 4;

(b) is packaged in accordance with the requirements under regulation 5; and

(c) is labelled in accordance with the requirements under regulation 6.

(2) Any person who contravenes this regulation commits an offence and shall, on conviction, be liable to a fine not exceeding one thousand ringgit or imprisonment for a term not exceeding six months or to both.

**12.  Sale of agricultural produce by retail**

(1) Any person who intends to sell any agricultural produce by retail shall ensure that the agricultural produce-

(a) is graded in accordance with the requirements under regulation 4;

(b) is packaged in accordance with the requirements under regulation 5; and

(c) is labelled in accordance with the requirements under regulation 6, except that the particulars marked on the label shall not be in smaller than 2 point lettering.

(2) Notwithstanding paragraphs (1)(b) and (1)(c), any agricultural produce may be displayed or offered for sale, without being packaged, and where any agricultural produce is displayed or offered for sale, without being packaged, the following particulars shall be displayed contiguous to the agricultural produce:

(a) common name of the agricultural produce;

(b) grade standard of the agricultural produce;

(c) size of the agricultural produce; and

(d) country of origin of the agricultural produce.

(3) Any person who contravenes this regulation commits an offence and shall, on conviction, be liable to a fine not exceeding one thousand ringgit or imprisonment for a term not exceeding six months or to both.

**Part VI**

**GENERAL**

**13.  Reuse of package**

(1) Any person who intends to reuse for any agricultural produce any package which has been marked on it, or has been attached on it any material containing, any label of any agricultural produce, shall erase or remove the label from the package before the package is reused.

(2) Any person who contravenes this regulation commits an offence and shall, on conviction, be liable to a fine not exceeding one thousand ringgit or imprisonment for a term not exceeding six months or to both.

**14.  Offence in relation to place of origin**

Any person who uses or applies a label which makes a representation that a particular agricultural produce originates from a particular place, or associates a particular agricultural produce with a particular place, which he knows or has reason to believe is false or misleading, commits an offence and shall, on conviction, be liable to a fine not exceeding one thousand ringgit or imprisonment for a term not exceeding six months or to both.

**15.  Offence committed by body corporate**

Any body corporate which commits an offence under these Regulations shall be punished under section 25 of the Act.

**FIRST SCHEDULE**

**(REGULATION 2)**

**AGRICULTURAL PRODUCE**

|  |  |
| --- | --- |
| **Common Name** | **Botanical Name** |
| **FRESH VEGETABLES** | |
| Roselle | Hibiscus sabdariffa L. |
| Asparagus | Asparagus officinalis |
| Yam stalk | Colocoasia esculenta |
| Onions | Allium cepa L. |
| Chinese spinach | Amaranthus sp. |
| Lady's finger | Hibiscus esculentus L. |
| Broccoli | Brassica oleracea var. italica |
| Sweet shoot | Sauropus androgynus |
| Mushroom | Pleurotus sp. |
| Chillies | Capsicum annuum |
| Sweet pepper | Capsicum annuum L. var. grossum |
| Spring onion | Allium fistulosum L. |
| Coriander/Chinese parsley | Coriandrum sativum |
| Celery | Apium graveolens L. |
| Ginger | Zingiber officinale Roscoe |
| Corn | Zea mays L . |
| Jering | Archidendron jiringa |
| Four-angled bean | Psophocarpus tetragonolobus |
| French bean | Phaseolus vulgaris L. |
| Long bean | Vigna sesquipedalis L. Fraw |
| Dwarf long bean | Vigna unguiculata sub. sp. unguiculata |
| Butter bean | Phaseolus lunatus |
| Green soybean | Glycine max C. |
| Snow pea/sweet pea | Pisum sativum Linn. var. saccharatum |
| Chinese kale | Brassica alboglabra Bailey |
| Water spinach/onvolvulus | Ipomoea aquatica |
| Torch ginger | Phaeomeria speciosa |
| Chinese box thorn | Lycium chinense L. |
| Angled loofah | Luffa acutangula |
| Cabbage | Brassica oleracea var . capitata |
| Cabbage | Brassica oleracea var . capitata Linn |
| Chinese cabbage | Brassica campestris L. ssp pekinensis |
| Chinese chives | Allium tuberosum |
| Wax gourd/winter melon | Benincasa hispida |
| Tumeric | Curcuma domestica Val. |
| Pumpkin | Cucurbita spp. |
| Capsicum/Bell pepper | Capsicum annum L . |
| Galangale | Languas galanga |
| Leek | Allium apmeloprasum var. porrum |
| Carrot | Daucas carota L. |
| Radish | Raphanus sativus L. |
| Cleome | Cleome gynandra L. |
| Water chestnut | Eleocharis dulcis |
| Morinda | Morinda citrifolia L. |
| Parsley | Petroselinum crispum var. tuberosum |
| Indian pennywort | Centella asiatica L. |
| Bitter gourd | Momordica charantia L. |
| Twisted cluster bean | Parkia speciosa |
| Fern shoots | Athyrium esculentum |
| Mint | Mentha sp. |
| Bamboo shoot | Bambusa spp. |
| Ceylon spinach | Basella alba L. |
| Head lettuce | Lactuca sativa L. |
| Mustards | Brassica sp. |
| Watercrest | Nasturtium officinale |
| Yam bean | Pachyrrhizus erosus (L) urban |
| Lemon grass | Cymbopogon citratus |
| Spinach (poh choy) | Spinacia oleracea L. |
| Bean sprouts | Phaseolus aureus |
| Lotus root | Nelumbo nucifera |
| Brinjal/Eggplant | Solanum melongena |
| Cucumber | Cucumis sativus L. |
| Tomato | Lycopersicum esculentum Mill. |
| Garland chrysanthemum | Leucanthemum coronarium |
| Turnip | Brassica rapa Rapifera group |
| Beetroot | Beta vulgaris L. |
| Manihot | Manihot esculenta |
| Yam | Colocasia esculenta |
| Sweet potato | Ipomoea batatas |
| Potato | Solanum tuberosum Linn |
| Ulam raja | Cosmos caudatus Kunth |
| **FRESH FRUITS** | |
| Grape | Vitis vinifera |
| Apricot | Prunus armeniaca |
| Avocado | Persea americana |
| Horse mango | Mangifera foetida |
| Starfruit | Averrhoa carambola L . |
| Papaya | Carica papaya |
| Papaya (exotica) | Carica papaya L. var. Eksotika |
| Jujube | Zizyphus mauritinia |
| Chempedak | Artocarpus chempedan Spreng |
| Cherry | Prunus avium |
| Chiko | Achras sapota |
| Pomegranate | Punica granatum |
| Dokong | Lansium domesticum |
| Duku | Lansium domesticum |
| Duku langsat | Lansium domesticum |
| Durian | Durio zibethinus Murr. |
| Soursop | Annona muricata L. |
| Apple | Malus pumila |
| Water apple | Syzygium aqueum |
| Guava | Psidium guajava L . |
| Malay apple | Syzygium malaccensis |
| Otaheite apple | Spondias cytherea |
| Raisins | Vitis vinifera |
| Kuini | Mangifera odorata |
| Plum mango | Bouea macrophylla |
| Dates | Phonex dactylifera |
| Litchi | Litchi chinensis Sonn . |
| Langsat | Lansium domesticum |
| Citrus | Citrus sp |
| Mandarin orange (domestic) | Citrus reticulata |
| Loquats | Eriobotrya japonica |
| Mango | Mangifera indica Linn |
| Mangosteen | Garcinia mangostana |
| Passion fruit | Passiflora edulis |
| Cat's eyes | Dimocarpus longan |
| Jackfruit | Artocarpus heterophyllus Lam |
| Custard apple | Annona reticulata |
| Orange | Citrus sp |
| Nutmeg | Myristica fragrans |
| Pear | Pyrus sp. |
| Peach | Prunus persica |
| Banana | Musa sapientum |
| Passimon | Diospyros kaki linn |
| Mas banana | Musa sapientum cv. mas |
| Dragon fruit | Hylocereus undatus |
| Plum | Prunus domestica |
| Pulasan | Nephelium ramboutan - ake |
| Common rambai | Baccaurea motleyana |
| Rambutan | Nephelium lappaceum |
| Strawberry | Fragaria x ananassa |
| Snake fruit | Salacca edulis |
| Bread fruit | Artocarpus communis |
| Watermelon | Citrullus vulgaris Schard |
| Musk -melon | Cucumis melo Linn |
| **FRESH CUT FLOWERS** | |
| Chrysanthemum (multi-floral) | Chrysanthemum morifolium |
| Orchid (spray type) | Orchidacea family |
| Roses (unifloral) | Genus Rosa |
| Roses (multi-floral) | Genus Rosa |
| Carnation (unifloral) | Dianthus caryophyllus |
| Carnation (multi-floral) | Dianthus caryophyllus |
| **BEANS** | |
| Groundnut kernels | Arachis hypogaea |
| Groundnut, fresh in-shell | Arachis hypogaea |
| **NUTS** | |
| Coconut | Cocos nucifera |
| **GRAINS** | |
| Coffee bean | Coffea arabica L. |
| **OTHERS** | |
| Sugar cane stem | Saccharum L. |

**SECOND SCHEDULE**

**(REGULATION 4)**

**GRADE STANDARD OF AGRICULTURAL PRODUCE**

|  |  |  |
| --- | --- | --- |
| **Agricultural Produce** | | |
| **Common name (1)** | **Botanical name (2)** | **Grade standard (3)** |
| **FRESH VEGETABLES** | | |
| Lady's finger | Hibiscus esculentus L. | MS 1230 : 1991 |
| Chillies | Capsicum annuum | MS 894 : 1984 |
| Sweet pepper | Capsicum annuum L. var. grossum | MS 1124 : 1996 |
| Ginger | Zingiber Roscoe officinale | MS 1306 : 2005 |
| French bean | Phaseolus vulgaris L. | MS 1252 : 1992 |
| Long bean | Vigna sesquipedalis L. Fraw. | MS 951 : 2003 |
| Chinese kale | Brassica alboglabra Bailey | MS 1324 : 1993 |
| Cabbage | Brassica oleracea var. capitata Linn | MS 892 : 2004 |
| Chinese cabbage | Brassica campestris L. ssp pekinensis (Lour) Olsson | MS 1393 : 1996 |
| Bitter gourd | Momordica charantia L. | MS 1146 : 1989 |
| Head lettuce | Lactuca sativa L. | MS 1361 : 1994 |
| Mustard | Brassica sp. | MS 1323 : 1993 |
| Spinach (poh choy) | Spinacia oleracea L. | MS 1362 : 1994 |
| Cucumber | Cucumis sativus L. | MS 956 : 2003 |
| Tomato | Lycopersicum esculentum Mill. | MS 893 : 2003 |
| **FRESH FRUITS** | | |
| Starfruit | Averrhoa carambola L. | MS 1127 : 2002 |
| Papaya | Carica papaya | MS 1040 : 1986 |
| Papaya (exotica) | Carica papaya L. var. Eksotika | MS 1145 : 2003 |
| Guava | Psidium guajava L. | MS 1149 : 1989 |
| Mandarin orange (domestic) | Citrus reticulata | MS 232 : 1974 |
| Mango | Mangifera indica Linn | MS 885 : 1984 |
| Mangosteen | Garcinia mangostana | MS 1128 : 1989 |
| Jackfruit | Artocarpus heterophyllus Lam | MS 1055 : 1986 |
| Banana | Musa sapientum | MS 459 : 1976 |
| Mas banana | Musa sapientum cv. mas | MS 1075 : 1987 |
| Watermelon | Citrullus vulgaris Schard | MS 1028 : 1986 |
| Musk-melon | Cucumis melo Linn | MS 1325 : 1993 |
| **FRESH CUT FLOWERS** | | |
| Chrysanthemum (multi- floral) | Chrysanthemum morifolium | MS 1354 : 1994 |
| Orchid (spray type) | Orchidacea family | MS 1280 : 1992 |
| Roses (unifloral) | Genus Rosa | MS 1233 : 1991 |
| Roses (multi-floral) | Genus Rosa | MS 1355 : 1994 |
| Carnation (unifloral) | Dianthus caryophyllus | MS 1281 : 1992 |
| Carnation (multi-floral) | Dianthus caryophyllus | MS 1353 : 1994 |
| **BEANS** | | |
| Groundnut kernels | Arachis hypogaeo | MS 457 : 1976 |
| Groundnut, fresh in-shell | Arachis hypogaeo | MS 458 : 1976 |

**THIRD SCHEDULE**

**(REGULATIONS 8 AND 10)**

**PLACE, DAY AND TIME OF CONFORMITY INSPECTION**

|  |  |  |
| --- | --- | --- |
| **Place of inspection (1)** | **Day (2)** | **Time (3)** |
| 1. At any premises managed by the Authority | (a) Working day of the Authority  (b) Weekly or public holiday | (a) 9.00 a.m. - 11.00 p.m.  (b) 11.00 a.m. - 11.00 p.m. |
| 2. At the premises | Working day of the Authority | 9.00 a.m. - 5.00 p.m. |
| 3. At any place mentioned in subregulation 10(3) other than premises managed by the Authority or any competent authority | (a) Working day of the Authority  (b) Weekly or public holiday | (a) 9.00 a.m. - 5.00 p.m.  (b) 11.00 a.m. - 11.00 p.m |

**FOURTH SCHEDULE**

**(REGULATIONS 8 AND 10)**

**CONFORMITY INSPECTION FEE AND OTHER PAYMENT**

**Part 1**

Notice given to the Authority by the exporter or importer not less than twentyfour (24) hours before the time scheduled for conformity inspection.

|  |  |  |  |
| --- | --- | --- | --- |
| **Type of agricultural produce** | **Quantity of agricultural produce** | **Fee for conformity inspection conducted during working days of the Authority** | **Fee for conformity inspection conducted during weekly or public holiday** |
| Fresh vegetables | First 1000 kilograms or part thereof  Every additional 1000 kilograms or part thereof | RM 1.00  RM 0.50 | RM 2.00  RM 1.00 |
| Fresh fruits | First 1000 kilograms or part thereof  Every additional 1000 kilograms or part thereof | RM 2.00  RM 1.00 | RM 4.00  RM 2.00 |
| Fresh cut flowers | First 500 stalks or part thereof  Every additional 500 stalks or part thereof | RM 2.00  RM 1.00 | RM 4.00  RM 2.00 |
| Groundnut | First 1000 kilograms or part thereof  Every additional 1000 kilograms or part thereof | RM 1.00  RM 0.50 | RM 2.00  RM 1.00 |
| Coconut | First 1000 nuts or part thereof  Every additional 1000 nuts or part thereof | RM 2.00  RM 1.00 | RM 4.00  RM 2.00 |
| Coffee bean | First 1000 kilograms or part thereof  Every additional 1000 kilograms or part thereof | RM 2.00  RM 1.00 | RM 4.00  RM 2.00 |
| Sugar cane stem | First 1000 kilograms or part thereof  Every additional 1000 kilograms or part thereof | RM 1.00  RM 0.50 | RM 2.00  RM 1.00 |

**Part 2**

Notice given to the Authority by the exporter or importer less than twenty-four (24) hours before the time scheduled for conformity inspection.

|  |  |  |  |
| --- | --- | --- | --- |
| **Type of agricultural produce** | **Quantity of agricultural produce** | **Fee for conformity inspection conducted during working days of the Authority** | **Fee for conformity inspection conducted during weekly or public holiday** |
| Fresh vegetables | First 1000 kilograms or part thereof  Every additional 1000 kilograms or part thereof | RM 2.00  RM 1.00 | RM 4.00  RM 2.00 |
| Fresh fruits | First 1000 kilograms or part thereof  Every additional 1000 kilograms or part thereof | RM 4.00  RM 2.00 | RM 8.00  RM 4.00 |
| Fresh cut flowers | First 500 stalks or part thereof  Every additional 500 stalks or part thereof | RM 4.00  RM 2.00 | RM 8.00  RM 4.00 |
| Groundnut | First 1000 kilograms or part thereof  Every additional 1000 kilograms or part thereof | RM 2.00  RM 1.00 | RM 4.00  RM 2.00 |
| Coconut | First 1000 nuts or part thereof  Every additional 1000 nuts or part thereof | RM 4.00  RM 2.00 | RM 8.00  RM 4.00 |
| Coffee bean | First 1000 kilograms or part thereof  Every additional 1000 kilograms or part thereof | RM 4.00  RM 2.00 | RM 8.00  RM 4.00 |
| Sugar cane stem | First 1000 kilograms or part thereof  Every additional 1000 kilograms or part thereof | RM 2.00  RM 1.00 | RM 4.00  RM 2.00 |

**Part 3**

**Other Payment**

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| **Particulars** | **Fee** |
| Additional fee for conformity inspection during non-working hours | RM 5.00 per hour or part thereof for every authorized officer involved |
| Transportation charge to premises of exporter for conformity inspection:  (a) minimum transportation charge for first 100 km from the main or any branch office the Authority  (b) transportation charge after 101 km |  |
| (a) RM 100.00 |
| (b) RM 0.70 per kilometer |
| Deposit for conformity inspection to be paid upon submission of Notice for conformity inspection, which shall be refundable if the exporter or importer is present at the time scheduled for the conformity inspection and which shall be forfeited if the exporter or importer is absent during the time scheduled for the conformity inspection: |  |
| (a) during working days  (b) during weekly or public holidays | (a) RM 50.00 |
| (b) RM 100.00 |

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| |  | | --- | | **Fifth Schedule.** | | FIFTH SCHEDULE  (Regulations 8 and 10)  FEDERAL AGRICULTURAL MARKETING AUTHORITY (GRADING, PACKAGING AND LABELLING OF AGRICULTURAL PRODUCE) REGULATIONS 2008  CERTIFICATE OF CONFORMITY OF AGRICULTURAL PRODUCE FOR EXPORT/IMPORT\*  fifth schedule 1.gif  fifth schedule 2.gif \* Delete where inapplicable  We certify that the agricultural produce specified above have been graded, packaged and labelled in accordance with the requirements of the Federal Agricultural Marketing Authority (Grading, Packaging and Labelling of Agricultural Produce) Regulations 2008.  Issued by the Federal Agricultural Marketing Authority of Malaysia.  Date and place of issue : Name of authorized officer : Signature :  Made 14 July 2008 [KP/LA/483/9 Jld. 5; PN(PU2)145/VI]  DATO' PADUKA HAJI BADRUDDIN BIN AMIRULDIN *Chairman Federal Agricultural Marketing Authority*  Approved 6 August 2008 [KP/LA/483/9 Jld. 5; PN(PU2)145/VI]  DATO' MUSTAPA BIN MOHAMED *Minister of Agriculture and Agro-Based Industry* | |  | |  | |  |

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| |  |  | | --- | --- | | http://www.lawnet.com.my/libraryImages/image.aspx?imageID=29 |  | |  | **FEDERAL SUBSIDIARY LEGISLATION** |  | |  |  |  | |  |  |  | | **P.U.(A) 65/90** | | | | **Federal Agricultural Marketing Authority (Licensing Of Exportation Of Fruit) Regulations 1990** | | | |  | | | |  | | | |  | | | |  |  |  | |  | | | |  | | | |  | |  |  | | --- | --- | | Date of coming into operation | 23th March, 1990 | |  | |  |  |  | |  | | | |  |  |  | |  |  |  | |  | | | |  | | | |  |
| |  | | --- | |  | | [Premable](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=409399)  Regulation 1. [Citation and application.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=421030) Regulation 2. [Interpretation.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=431845) Regulation 3. [Licensing.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=418622) Regulation 4. [Application for a licence or renewal thereof.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=419320) Regulation 5. [Grading packing and export of fruit.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=411971) Regulation 6. [Cancellation of licence.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=410412) Regulation 7. [Offence.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=436398) Regulation 8. [Amendment to Schedule.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=414898)  [FIRST SCHEDULE (Regulation 2)](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=431591) | |  | |  |  |
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| **Preamble** |
| IN exercise of the powers conferred by section 3 and 12 of the Federal Agricultural Marketing Authority Act 1965 *[Act 141]*, the Authority, with the approval of the Minister, makes the following regulations: |
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| **Regulation 1. Citation and application.** |
| (1) These Regulations may be cited as the **Federal Agricultural Marketing Authority (Licensing of Exportation of Fruits) Regulations 1990.**  (2) These Regulations shall apply throughtout Malaysia.  (3) The Authority, with the approval of the Minister, may be notification in the *Gazette* exempt any state or such part of a state from the application of any or all the provisions of these Regulations. |

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| **Regulation 2. Interpretation.** |
| In these Regulations, unless the context otherwise requires-  "Authority" means the Federal Agricultural Marketing Authority;  "export" means to take or cause to be taken out of Malaysia any fruit by land, sea or air, in a conveyance, vessel aircraft, for the purposes of trade;  "fruit" means any fresh fruits as specified in the First Schedule and shall include chilled fruit;  "licence" means licence issued under these Regulations;  "person" includes an individual, any corporation, statutory body, cooperative society, partnership, association and any other group of persons, wether corporate or incorporate. |
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| **Regulation 3. Licensing.** |
| No person shall export any fruit unless heis licensed in that behalf by the Authority under these Regulations. |

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| **Regulation 4. Application for a licence or renewal thereof.** |
| (1) Every aplication for a licence under regulation 3 or the renewal thereof shall be made in such form as the Authority may require.  (2) The Authority may grant or renew a licence in the form as prescribed in the Second Schedule.  (3) Any such licence issued or renewed under subregulation (1) may be subject to such terms, conditions and rectrictions as may be imposed by the Authority.  (4) Without prejudice to the provisions of subregulation (3), the following provisions shall apply with respect to every licence issued or renewed as aferosaid-  *(a)* each licence shall expire one year from the date on which such licence is issued or renewed;  *(b)* the fee payable for the grant or renewal of a licence shall be ten ringgit.  (5) A licence issued under these Regulations is not transferable. |
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| **Regulation 5. Grading packing and export of fruit.** |
| (1) No fruit shall be exported unless it has been graded, packed, labelled and sealed in such manner as the Authority may determine and the Authority shall, with respect to any respect to any fruit graded, packed, labelled and sealed as aferosaid, issue a certificate or certificates certifying such fact.  (2) The certificate or certificates to be issued by the Authority shall be in the form as specified by the Authority from time to time.  (3) The Authority may, from time to time, speciffy the manner of purchase, sale, handling, treatment, storage and transportation of fruit for export and may refuse to issue a certificate or certificates for such fruit that has not been purchased, sold, handled, treated, stored or transported in the manner specified.  (4) The Authority may specify the place, time and manner of inspection required prior to the issue of any certificate or certificates pertaining to any fruit for export, and such fruit shall be submitted for inspection at the place and time and in the manner so specified.  (5) Where the Authority finds that any fruit submitted to it for the purpose of the issue of a certificate under subregulation (1) is unsuitable for export, it may require the person who submitted such fruit to remove the fruit from such place within such time as the Authority may specified, the Authority may destroy the said fruit, and all expenses so incurred shall be borne by the said person. |
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| **Regulation 6. Cancellation of licence.** |
| (1) It is appears to the Authority that any person duly licensed under these Regulations has contravened or failed to comply with any regulation or any of the terms and conditions or restrictions imposed with respect to a licence issued to him thereunder, the Authority may call upon such a person to show cause why such licence held by him should not be cancelled.  (2) Any person called upon to show cause under subregulation (1)-  *(a)* shall be supplied by the Authority with the particulars in writing of the contravention or non-compliance complained of; and  *(b)* may, if he so desire, appear in person or be represented by any person authorised by him in writing, at a hearing before the Authority.  (3) If, after such hearing, the Authority considers that the person called upon to show cause has contravened or failed to comply with any of the provisions of these Regulations or contravened any of the terms, conditions and restrictions of the licence issued to him, the Authority may suspend or cancel the licence.  (4) The Authority, upon calling a licensee to show cause pursuant to subregulation (1) or at any time thereafter, and pending its decision with respect to the cancellation or otherwise of the licence, may order a suspension of the licence. |
| **Regulation 7. Offence.** |
| Any person who contravenes any of the provisions of these Regulations shall be quilty of an offence and shall, on conviction, be liable to a fine not exceeding one thousand ringgit or to imprisonment for a term not exceeding six months or to both. |
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| **Regulation 8. Amendment to Schedule.** |
| The Authority, with the approval of the Minister, may by order, amend, vary, delete from, or add to, the First Schedule. |