

**Malaysia's reply to the Comité Européen des Entreprises Vins's comments
on TBT and SPS Notification
(G/TBT/N/MYS/114) & (G/SPS/N/MYS/54)**

Malaysia appreciates the comments from the Comité Européen des Entreprises Vins regarding "Amendments to regulations 361 to 386A and 387 and insertion of a new regulation, i.e. regulation 384A to the Food Regulations 1985". We are pleased to provide our response as follows:

Comments	Malaysia's Feedback
<p>REGULATION 362 - WINE 1) Oenological practices</p> <p>Malaysian government is proposing to remove the following provision: <i>(3) Wine may contain permitted preservative and permitted food conditioner, including polyvinylpyrrolidone in a proportion not exceeding 60 mg per litre.</i></p> <p>→ Considering that Codex Alimentarius has not a complete standard for wine, we request to maintain a specific provision that refers to the internationally recognized oenological practices for wine as set by the International Organisation of Vine and Wine (OIV):</p> <p><i>(3) For the production of wine all oenological practices recommended and published by the International Organisation of the Vine and Wine ("OIV") are authorised.</i></p>	<p>Please be informed that Regulation 19(2) of the Food Regulations (FR) 1985 allows food additives under the Codex standard to be added to any specified food categories. The deletion regarding food additive provisions in the amendment is a result of the harmonisation of food additives provisions under FR 1985 with the Codex standard in accordance to subregulation 19(2). As such, the permitted food additives can be directly referred to Codex standards.</p>
<p>REGULATION 363 - WINE COCKTAIL, VERMOUTH OR WINE APERITIF 1) Maximum degree of alcohol</p> <p>Regulation 363 (2) states that wine cocktail, vermouth, aperitif wine or aromatized wine: <i>a) shall not contain more than 20 per cent volume per volume of absolute alcohol;</i></p> <p>→ We request the maximum percentage of alcohol to be increased to 22 per cent volume per volume of absolute alcohol.</p> <p>This upper limit is the one set in Regulation (EU) 251/2014 to reflect several traditional EU aromatized wine products and by the International Organisation of Vine and Wine (OIV).</p>	<p>We welcome any proposal to amend Food Regulations 1985 by submitting it to us through an application form entitled "Format for The Application on Amendment of Commodity Standard under Food Regulations 1985", which can be downloaded from our website at http://fsq.moh.gov.my/v6/xs/page.php?id=72. This application needs to be submitted with justification and its supporting documents such as others countries' regulations via email or hard copy to this Division.</p> <p>For your information, all food commodity regulations under the FR 1985 are amended systematically through the implementation of 5-years review activities. This review is carried out based on the schedule and timeframe that have been set according to</p>

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	<p>certain commodity groups. For alcoholic beverages, announcements for requests on any proposed amendments were made in 2019 through our website. During that period, any interested parties are requested to submit any proposed amendments or new proposed regulations relating to alcoholic beverages. These exercises were completed in 2021.</p> <p>Therefore, any new proposal received will be reviewed separately and will not be included in this current proposed amendment.</p>
<p>REGULATION 363 - WINE COCKTAIL, VERMOUTH OR WINE APERITIF</p> <p>2) Production practices Malaysian government is proposing to remove the following provision: (3)<i>“Wine cocktail, vermouth or wine aperitif may contain permitted preservative, permitted colouring substance and permitted food conditioner”.</i> → We request to maintain the deleted provision to clarify that colouring and other authorized additives could be use for the production of wine cocktail, vermouth, aperitif wine or aromatized wine.</p>	<p>Please be informed that Regulation 19(2) of the Food Regulations 1985 allows food additives under the Codex standard to be added to any specified food categories. The deletion of subregulation 363(3) concerning food additive provisions is a result of the harmonisation of food additives provisions of FR 1985 with the Codex standard in accordance with subregulation 19(2). As such, the permitted food additives can be directly referred to Codex standards.</p>
<p>REGULATION 363 - WINE COCKTAIL, VERMOUTH OR WINE APERITIF</p> <p>3) Alignment with international standards We suggest Malaysia to adopt the definition and standard for aromatized wines agreed at international level at the International Organisation of Vine and Wine (OIV).</p> <p>Both comments raised before will help aligning Malaysian standard with the OIV one.</p>	<p>We welcome any proposal to amend Food Regulations 1985 by submitting it to us through an application form entitled “Format for The Application on Amendment of Commodity Standard under Food Regulations 1985”, which can be downloaded from our website at http://fsq.moh.gov.my/v6/xs/page.php?id=72. This application needs to be submitted with justification and its supporting documents such as others countries' regulations via email or hard copy to this Division.</p> <p>For your information, all food commodity regulations under the FR 1985 are amended systematically through the implementation of 5-years review activities. This review is carried out based on the schedule and timeframe that have been set according to certain commodity groups. For alcoholic beverages, announcements for requests on</p>

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