IMPLEMENTATION OF BIOSECURITY INSPECTION AT FOREIGN HATCHERIES THAT WISH TO EXPORT LIVE SHRIMP (INCLUDING BROODSTOCK AND POSTLARVAE) TO MALAYSIA

1. Background and Legal Basis

1.1 Under Section 40 (Control of Live Fish) of the Fisheries Act 1985 (Act 317), the Department of Fisheries Malaysia (DOF) regulates the importation of live aquatic animals to safeguard national aquatic animal health.

1.2 Malaysia imports live shrimp broodstock and post-larvae for aquaculture development. Given the high biosecurity risks associated with the movement of live aquatic animals, Malaysia intends to strengthen pre-import verification measures to prevent the introduction of transboundary aquatic animal diseases.

1.3 This measure is notified to the WTO under document G/SPS/N/MYS/72.

2. Objective of the Measure

2.1 The measure is introduced to:

a. Strengthen assurance of compliance with Malaysia’s aquatic animal health requirements;

b. Prevent entry and establishment of transboundary aquatic animal diseases;

c. Ensure imported live shrimp originate from facilities operating under effective biosecurity control;

2.2 This measure is consistent with:

a. WTO SPS Agreement (Articles 5, 8 and Annex C)

b. WOAH Aquatic Animal Health Code (Section 5, Chapter 5.3 and Chapter 5.9)

3. Scope of Application

3.1 The measure applies to all foreign hatcheries intending to export live shrimp (including broodstock and post-larvae) to Malaysia.

3.2 The measure applies to all trading partners on a non-discriminatory basis.

4. Two-Stage Verification Approach

4.1 Malaysia will implement a stepwise, risk-based verification process as follows:

4.1.1 Stage 1: Documentary Audit (Primary Mechanism)

4.1.1.1 Prior to import approval, DOF will conduct a documentary assessment through the competent authority of the exporting country.

4.1.1.2 The documentary review may include:

a. Hatchery biosecurity management plans;

b. Disease surveillance and monitoring programmes;

c. Laboratory testing and certification protocols;

d. Record-keeping and traceability systems;

e. Official oversight mechanisms by the Competent Authority.

4.1.1.3 Documentary verification will serve as the primary compliance mechanism. The relevant document required for verification appear as in **Appendix 1**.

4.1.2 Stage 2: On-Site Audit (Where Necessary)

4.1.2.1 An audit at the foreign hatchery will only be conducted where:

a. Documentary information is incomplete or insufficient;

b. Technical clarification is required;

c. Risk assessment indicates elevated biosecurity concern; or

d. Previous compliance history warrants further verification.

4.1.2.2 On-site inspections will be:

a. Conducted in consultation with the Competent Authority of the exporting country;

b. Risk-based and proportionate;

c. Limited to matters necessary for verification of compliance.

4.1.2.3 On-site audits are not automatic and will not be applied as a blanket requirement. It can be carried out either remotely or by physical visit.

5. Inspection and Approval Principles

5.1 The inspection procedure will:

a. Be completed without undue delay;

b. Limit information requirements to what is necessary;

c. Avoid unnecessary trade disruption;

d. Be conducted in a transparent and predictable manner.

5.2 The approval shall be valid for a period of five (5) years. Any approval issued prior to this notification shall not be subjected to this provision, provided that they remain within the original approval period of 5 years.

5.3 Malaysia remains open to technical discussions and consideration of equivalence, where objectively demonstrated by the exporting Member.

6. Entry into Force

6.1 The measure is scheduled to enter into force on 1 June 2026, following the 60-day comment period provided under WTO SPS notification procedures.

7. Review Mechanism

7.1 Malaysia will monitor implementation of the measure and may review procedures based on:

a. Scientific developments;

b. WOAH updates;

c. Practical implementation experience;

d. Technical engagement with trading partners.

Appendix 1

LIST OF DOCUMENTS TO BE SUBMITTED FOR DOCUMENTARY ASSESSMENT

NO.	TYPE OF DOCUMENT
1	Company profile, organizational structure chart and company ownership documents.
2	Valid company registration document with the Competent Authority (CA).
3	Latest hatchery layout plan including quarantine facilities.
4	Valid certification document for compliance with Good Aquaculture Practices (GAP) issued by the Competent Authority (CA).
5	SPF analysis report from a laboratory accredited with ISO 17025 or equivalent (for the most recent 1 year).
6	Shrimp disease analysis report for WOAH-listed diseases from a laboratory accredited with ISO 17025 or equivalent (for the most recent 1 year), stating that the analytical methods used are as recommended by WOAH.
7	Copy of health certificate from the country of origin for the latest broodstock/seed importation (if applicable).
8	Company policy related to biosecurity management at the hatchery.
9	Confirmation of the hatchery location is in a WOAH disease-free zone issued by the Competent Authority (CA).
10	SOP for broodstock and shrimp seed management prior to export.
11	SOP for shrimp health management covering shrimp health inspection, sampling, disposal of dead shrimp, and other related matters.
12	Photographs/catalogue of the hatchery (views of external and internal building), including available hatchery facilities.

All documents must be submitted in copies of the original language (if not in English), together with copies translated into English.