FOOD HYGIENE REGULATIONS 2009

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FOOD SAFETY AND QUALITY DIVISION
MINISTRY OF HEALTH MALAYSIA
FOOD LEGISLATION

FOOD ACT 1983

- FOOD REGULATIONS 1985
- FOOD HYGIENE REGULATIONS 2009
- FOOD (ISSUANCE OF HEALTH CERTIFICATE FOR EXPORT OF FISH AND FISH PRODUCT TO EU REGULATIONS) 2009
NEW REGULATIONS

- FOOD HYGIENE REGULATIONS 2009
  - 25 Feb 2009

- FOOD (ISSUANCE OF HEALTH CERTIFICATE FOR EXPORT OF FISH AND FISH PRODUCT TO EUROPEAN UNION) REGULATIONS 2009
  - 28 Feb 2009

- FOOD REGULATIONS (AMENDMENT) 2009 (Transglutaminase & Ice)
  - 12 Mac 2009
FOOD HYGIENE REGULATIONS 2009

- Background
- Objective
- Application
- Contents
- Penalty
BACKGROUND

- Promulgation began in 1983
- Sections under Food Act 1983

Section 10 – Director may order food premises or appliances to be put into hygienic and sanitary condition

Section 11 – The Director or an officer authorised by him in this particular respect may in writing order the closure forthwith not exceeding 14 days of any premises preparing or selling food that fails to comply with sanitary and hygienic requirements and such that it is likely to be hazardous to health
The Food Hygiene Regulations 2009 provides an infrastructure to control the hygiene and safety of food sold in the country to protect public health.
SPECIFIC OBJECTIVES

- To ensure food premises are hygienic and satisfactory in terms of design and building
- To ensure food handlers maintain personal hygiene and avoid practices that can contaminate food
- To ensure equipments and appliances used are suitable, clean and easy-to-clean
- To facilitate, strengthen and harmonize the enforcement activities in food premises including those conducted by the Local Authorities
- To provide for requirement of mandatory food safety assurance program such as HACCP, GHP and GMP in food factories
All food premises as defined in the regulations shall comply with the Food Hygiene Regulations 2009

Definition under Food Act 1983
“premises” includes-
(a) any building or tent or any structure, permanent or otherwise together with the land on which the building, tent or other structure is situated and any adjoining land used in connection therewith and any vehicle conveyance, vessel or aircraft; and
(b) for the purposes of section 4 any street, open space or place of public resort or bicycle or any vehicle used for or in connection with the preparation, preservation, packaging, storage, conveyance, distribution or sale of any food

“food premises” means premises used for or in connection with the preparation, preservation, packaging, storage, conveyance, distribution or sale of any food, or the relabelling, reprocessing or reconditioning of any food
<table>
<thead>
<tr>
<th>Part</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Part I</td>
<td>Preliminary</td>
</tr>
<tr>
<td>Part II</td>
<td>Registration of food premises</td>
</tr>
<tr>
<td>Part III</td>
<td>Conduct and maintenance of food premises</td>
</tr>
<tr>
<td>Part IV</td>
<td>Food handler</td>
</tr>
<tr>
<td>Part V</td>
<td>Special requirements in handling, preparing, packing, serving, storing and selling of specific food</td>
</tr>
<tr>
<td>Part VI</td>
<td>Carriage of food</td>
</tr>
<tr>
<td>Part VII</td>
<td>Miscellaneous</td>
</tr>
</tbody>
</table>
PART I – PRELIMINARY

- Reg 1
  Citation:
  Food Hygiene Regulations 2009

- Reg 2
  - Interpretation:
    potable water, high risk food, water vending machine, owner, food handler, proprietor, sanitary, meat, fish, milk, etc.
PART II – REGISTRATION OF FOOD PREMISES

Reg 3 – 7

- All food premises in First Schedule must be registered with Ministry of Health Malaysia.
- Fee for the certificate of registration issued is RM 30.00 and valid for a period 3 years.
- Certificate of registration as prescribed in the Second Schedule
- Application for renewal must be made at least 30 days before expiry date
### PART III – CONDUCT AND MAINTENANCE OF FOOD PREMISES

<table>
<thead>
<tr>
<th>Chapter 1</th>
<th>Duty of proprietor, owner or occupier of food premises</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter 2</td>
<td>General requirements for food premises</td>
</tr>
<tr>
<td>Chapter 3</td>
<td>Specific requirements for food premises</td>
</tr>
</tbody>
</table>
Chapter 1 – Duty of proprietor, owner or occupier of food premises

- Reg 8 – Display of certificate of registration, notices, etc. in food premises
  - conspicuously display
    - certificate of registration
    - notice to wash hands thoroughly
    - notice that disallows animal into food premises

- Reg 9 – Food safety assurance program
  - All food premises specified in the Third Schedule must have a food safety assurance program
Chapter 1 – Duty of proprietor, owner or occupier of food premises

- **Reg 10- Food traceability system**
  - All food premises shall have a food traceability system from production to distribution

- **Reg 11 – General duties of proprietor, owner or occupier of food premises**
  - complies with general requirements of food premises
  - employ only food handlers who have
    - undergone a food handlers training and
    - been medically examined and vaccinated;
  - maintain records pertaining to cleaning, packaging, processing, storing, distributing of food
CHAPTER 2 – General requirements for food premises

- **Reg 12 – Location**
  - Located away from sources of contamination

- **Reg 13 – General design**
  - Design shall facilitate cleaning and disinfection

- **Reg 14 – Water supply**
  - Ample supply of potable water and adequate facilities for its storage and distribution
Chapter 2 – General requirements for food premises

- **Reg 15 – Cleanliness of food premise**
  - maintained in good condition, clean and tidy
  - adequate facilities for cleaning; suitable cleaning agents

- **Reg 16 – Pest control in food premises**
  - free from any pest
  - take all practicable measures to destroy the pest and prevent reinfestation
  - suitable agent for control treatment

- **Reg 17 – Disposal of refuse**
  - Disposal of waste as soon as possible
Chapter 3 – Specific requirements for food premises

- **Reg 18 – Floor Surfaces**
  - good condition, easy to clean
  - impervious, non-absorbent, washable and non toxic materials
  - adequately drained

- **Reg 19 – Wall surfaces**
  - good condition, easy to clean
  - impervious, non-absorbent, washable and non toxic materials
  - smooth surface up to a height appropriate
  - all angles sealed and coved
Chapter 3 – Specific requirements for food premises

- **Reg 20 – Lighting**
  - adequate natural/artificial lighting which does not lead/cause contamination of food

- **Reg 21 – Ventilation**
  - suitable and sufficient ventilation system which does not lead/cause contamination of food
  - airflow of ventilation system does not flow from a contaminated area to a clean area

- **Reg 22 – Ceiling**
  - ceilings/interior surface of roof constructed to prevent the accumulation of dirt and shedding of particles

- **Reg 23 – Door**
  - easily cleaned and disinfected where necessary
  - smooth, non absorbent surface and self closing
Chapter 3 – Specific requirements for food premises

- **Reg 24 – Furniture, fittings and food contact surfaces**
  - well maintained, kept clean at all times
  - impervious material and easily clean

- **Reg 25 – Food Storage**
  - suitable storeroom of adequate size
  - different storerooms for the storage of raw food materials and ingredients; for processed food

- **Reg 26 – Changing room**
  - must be provided for food handlers, where necessary
Chapter 3 – Specific requirements for food premises

- **Reg. 27 – Wash-basin**
  - Adequate, suitably located and designed
  - Adequate running water, soap /suitable liquid detergent in a dispenser, paper towel / automatic hand dryer, kept clean and well maintained and equipped with non-hand operated taps

- **Reg. 28 – Toilet room**
  - Adequate
  - running water, soap /suitable liquid detergent in a dispenser, paper towel / automatic hand dryer
  - Clean and free from malodor
  - Not directly open to any room or compartment for the storage, production and serving of food

- **Reg. 29 – Drainage facility**
  - adequate, smooth type material, fitted with food trap
  - designed and constructed to avoid any risk of contamination to food
PART IV – FOOD HANDLER

- **Chapter 1**: Training, medical examination and health condition, clothing and personal hygiene of food handler

- **Chapter 2**: Protection of food
Chapter 1- Training, medical examination and health condition, clothing and personal hygiene of food handler

- **Reg 30 – Food handlers training**
  - Compulsory for all food handlers

- **Reg 31 – Medical examination and health condition of food handler**
  - Compulsory for all food handlers
  - Food handler who suffers from, or is a carrier of food borne diseases shall -
    (a) not be allowed to enter food premises and handle food,
    (b) report to the management of the food premises,
    (c) be suspended from working in food premises until certified cured from the disease and fit to work
Chapter 1- Training, medical examination and health condition, clothing and personal hygiene of food handler

- **Reg 32 – Clothing of food handler**
  - Food handlers shall wear
    - clean, suitable and proper clothing
    - clean, suitable and light coloured overall/ light-coloured apron, head cover and footwear
  - Clothing kept in a suitable cupboard/ locker when not in use

- **Reg 33 – Personal hygiene**
  - Food handlers shall-
    - maintain a high degree of personal cleanliness
    - remove his overall/ head cover/ apron before visiting the toilet
    - wash his hands before commencing work
    - not engage in any behaviour or action can contaminate the food
    - not wear jewellery, watches, pins, accessories
Chapter 1- Training, medical examination and health condition, clothing and personal hygiene of food handler

Reg 34 – Duty to keep food premises clean

- Food handler shall ensure that premises where food is handled and kept –
  - is clean and free from rubbish, pest, dirt or soot, sweepings, ashes, wastes and cobwebs at all time
Reg 35 – Handling of food, appliances, etc.
A food handler shall ensure the following-

- not bring food in direct contact with material that can contaminate the food
- appliances/containers do not yield up or impart any taint, foreign, poisonous or injurious substances to food
- appliances for raw food are cleaned before they are used for cooked food
- ice and steam use must not contaminate the food
- not sweep the floor, clean the wall or dust the ceiling while the food is being handled
- not refreeze any food to be sold in frozen condition
Reg 36 – Preparing, packing and serving of food

A food handler shall ensure the following-

- the preparation, packing or serving is free from any contamination
- food package provide adequate protection for food
- not use his bare hands to handle any unwrapped food
- a warmer maintains a temperature of food above 60°C where a food is to be served hot
- different appliances for food of swine origin and food of non-swine origin
Chapter 2- Protection of food

Reg 37 – Storage, exposure or display of food for sale

- Protected from any contamination
Chapter 2- Protection of food

Reg 38 – Storage of Food

➢ Separate storage:
  - raw material and processed food
  - food from cleaning agent and disinfectant
  - food of swine origin from non-swine origin
  - high risk food or perishable food

➢ Food maintained clean and protected from contamination
Chapter 2- Protection of food

- minimum space of 15 cm between the wall of storage facility and food stored
- minimum space of 20 cm above the floor
- suitable temperature for chilled or frozen storage
- raw material and ingredients to be labelled
- *First In-First Out (FIFO) system* in food storage
- cold chain is not interrupted
## PART V – SPECIAL REQUIREMENTS IN HANDLING, PREPARING, PACKING, SERVING, STORING AND SELLING OF SPECIFIC FOOD

<table>
<thead>
<tr>
<th>Chapter 1</th>
<th>Meat</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter 2</td>
<td>Fish</td>
</tr>
<tr>
<td>Chapter 3</td>
<td>Ice cream and frozen confection</td>
</tr>
<tr>
<td>Chapter 4</td>
<td>Milk</td>
</tr>
<tr>
<td>Chapter 5</td>
<td>Ice</td>
</tr>
<tr>
<td>Chapter 6</td>
<td>Vending machine</td>
</tr>
</tbody>
</table>
Chapter 1 - Meat

- **Reg 39 – Preparation of meat**
  - preparation area - cleaned and disinfected after each working day
  - area/equipment for meat preparation - maintained below 15°C
  - frozen meat - stored at -18°C

- **Reg 40 – Carriage of meat**
  - carcass/ portion of carcass - protected from contamination

- **Reg 41 – Sale of meat**
  - chilled meat - stored at temperature -1°C to 10°C
  - all meat displayed for retail sale - kept at or below 10°C
Reg 42 – Unloading and landing of fish
- equipments - easy-to-clean and in good condition
- operations - do not contaminate the fish
- vehicles likely to impair the quality of fish - not allowed to enter the premises

Reg 43 – Handling of fresh fish
- Processing - storage, heading and gutting, filleting and cutting must to be carried out hygienically
- melt water - not in contact with fish

Reg 44 – Handling of processed crustacean or mollusc
- rapid cooling after cooking
- shelling or shucking - hygienically carried out
Chapter 2-Fish

- **Reg 45 – Fish storage**
  - fresh fish – temperature approaching of melting ice
  - frozen fish – temperature maintained -18°C
  - frozen fish in brine – temperature - 9°C

- **Reg 46 – Carriage of fish**
  - temperature of fresh fish approaching of melting ice
  - melt water from ice is not in contact with the fish

- **Reg 47 – Sale of fish and frozen fish**
  - chilled fish – temperature between -1°C to 10°C
  - frozen fish – temperature below -18°C
CHAPTER 3- ICE CREAM AND FROZEN CONFECTION

- Reg 48 – Preparation, package or sale of ice cream or frozen confection
  - freezer protected from contamination

- Reg 49 – Conduct of person selling ice cream or frozen confection
  - sell ice cream or frozen confection that has not melted or refrozen
  - store below -18°C
Reg 50 – Temperature requirements
- upon acceptance, milk is cooled as soon as possible at not more than 6°C unless:
  - process within 4 hours after acceptance; or
  - higher temp. is required for technological reasons

Reg 51 – Sale of milk
- Raw milk – stored below 4°C
- Milk in sealed package
  - seal is not tampered
  - to be sold in original form, container and quantity in which it was received
Chapter 5- Ice

- Reg 52 – Carriage, storage and delivery of ice
  - in clean containers and covered to prevent contamination
  - vehicle and equipment able to protect ice from any contamination
Chapter 6 – Vending machine

- Reg 53 – Installation of food vending machine or water vending machine
  - name and registered address of owner/operator to be labelled on machine
  - located in suitable place to protect from contamination and easily to clean
  - rendered clean and sanitary
  - floor where machine is installed is free from smooth impervious material
Chapter 6 – Vending machine

- Reg 54 – Food vending machine
  - kept in a good working order and condition
  - exclusively for the sale of food
  - located in clean area, tidy and free from pest
  - provided with waste container
  - if dispenses perishable food, it is equipped with a temperature control device
  - reusable containers that come in direct contact with food are cleaned daily
Chapter 6 – Vending machine

- Reg 55 – Water vending machine
  - design and construction: easy-to-clean and maintained
  - corrosive resistant and non-absorbent material
  - recessed or guarded-resistant dispensing spout
  - effective system of handling drip, spillage and overflow of water
  - backflow prevention device for all connection and overflow of water
  - water is disinfected by ozonisation/approved method
  - maintained in clean and sanitary condition
  - uses approved public water supply
Reg 56 – Carriage of food

- vehicle is clean and in good condition
- permit the separation of food from non-food items during carriage to prevent any risk of contamination
- vehicle not used for carrying hazardous, toxic or poisonous item
- able to maintain the temperature required
- cold chain is not interrupted
- separate vehicle to carry food of swine origin
Reg 57 – preparing, etc., of food within food premises

- Two or more rooms within the same compound are **not deemed to be separate food premises** even though the processes are carried in the separate rooms or places of the food premises.

- Two or more rooms or places within the same compound of food premises used solely for the selling of food but under the same management **are deemed to be separate food premises**.
PART VII - MISCELLANEOUS

- **Reg 58 Compoundable offences**
  - prescribed in *Fourth Schedule*

- **Reg 59 Compounding of offences**
  - offer to compound in a form as in *Fifth Schedule*
  - acceptance of offer to compound as in *Sixth Schedule*

- **Reg 60 Payment of compound**
  - payment of compound is made by cash, money order, postal order or bank draft to District Medical Officer of Health
PENALTY

- General penalty: Not more than **RM10,000** or in imprisonment for a term not exceeding two (2) years
- Penalty for regulation 32 is fine not exceeding **RM1,000**
ENFORCEMENT

- Comes into operation on 1 March 2010
GOVERNMENT GAZETTE

Warta Kerajaan
SERI PADUKA BAGINDA
DITERBITKAN DENGAN KUASA
HIS MAJESTY’S GOVERNMENT GAZETTE
PUBLISHED BY AUTHORITY

MELAYU

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GOVERNMENT GAZETTE

Where is gazette available?
- Pencetakan Nasional Sdn Bhd
- FSQD website – new regulations
Implementation of Food Hygiene Regulations 2009 is important to ensure food premises are clean, sanitary and consumers can consume food that are clean and safe at a reasonable price.
THANK YOU
for your attention
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