



**PROTOKOL KEPERLUAN FITOSANITARI
PENGEKSPORTAN BUAH DURIAN SEGAR
DARI MALAYSIA KE REPUBLIK RAKYAT CHINA (RRC)**

19 Jun 2024

**PROTOCOL OF PHYTOSANITARY REQUIREMENTS FOR EXPORT OF FRESH DURIAN FRUITS
FROM MALAYSIA TO CHINA
BETWEEN
THE MINISTRY OF AGRICULTURE AND FOOD SECURITY OF MALAYSIA AND
THE GENERAL ADMINISTRATION OF CUSTOMS OF THE PEOPLE'S REPUBLIC OF CHINA**

In order to safely export fresh durian fruits from Malaysia to the People's Republic of China (hereinafter referred to as “China”), on the basis of a pest risk analysis, the Ministry of Agriculture and Food Security of Malaysia (hereinafter referred to as “MAFS”) and the General Administration of Customs of the People's Republic of China (hereinafter referred to as “GACC”) (hereinafter referred to singularly as “the Party” and collectively as “the Parties”), exchanged views and reached consensus as follows:

Article 1 Characteristics

Fresh durian fruits (*Durio zibethinus* Murr.) exported from Malaysia to China (hereinafter called “fresh durian” or “durians”) shall comply with all applicable phytosanitary laws and regulations, safety and sanitary standards of Malaysia and China and with the requirements stated herein, and be free from quarantine pests of concern to China as listed in the Annex to this Protocol.

This Protocol pertains only to phytosanitary requirements for the export of fresh durians from Malaysia to China. Other standards and requirements such as those regarding human health (for example, China’s national food safety standards), which are not included in this Protocol may also apply to fresh durians exported from Malaysia to China.

Article 2 Registration

All orchards and packing houses that wish to export fresh durians from Malaysia to China shall be recorded and registered by MAFS, and approved by both MAFS and GACC. Registration shall include the name, address and code, so that, whenever any product is detected as non-compliant with the requirements herein, it can be traced back to the registered orchards and packing houses. Before the commencement of each export season, MAFS shall provide GACC the list of registered orchards for approval and the list shall be regularly update. GACC shall publish the list on its website.

Article 3 Orchard Management

Under the supervision of MAFS, all orchards registered for export of fresh durians from Malaysia to China shall establish a quality management system and a traceability system, and apply Good Agricultural Practices (GAP) and keep good sanitary conditions, such as maintaining good fruit production environment far away from pollution source and eliminating damaged and rotten fruits promptly. Integrated Pest Management (IPM) programs shall also be implemented including regular pest monitoring, physical, chemical or biological control of pests and agricultural operation.

According to International Standards for Phytosanitary Measures 6 (ISPM 6), MAFS shall operate a management scheme to organise orchard monitoring activity for the quarantine pests of concern to China as listed in the Annex to this Protocol throughout the year. If any targeted species or their corresponding symptoms are detected, the necessary measures including physical, chemical and biological integrated methods shall be applied immediately, so as to ensure that fresh durians exported from Malaysia do not carry quarantine pests of concern to China.

All registered orchards shall keep a record of pest monitoring and control, which shall be delivered to GACC upon request. The pest chemical control record shall indicate specific information, including the name, active ingredient, date of application and dosages of the agrochemical used in the growing season . Monitoring and control of pests shall be carried out under the guidance of technical personnel knowledgeable in phytosanitary aspects, and the technical personnel should be trained by MAFS or MAFS's authorised institutions.

Article 4 Control Measures for Special Pests

1. Scale insects

For *Dysmicoccus neobrevipes*, *Planococcus minor*, *Planococcus lilacinus*, *Icerya pulchra* and *Rastrococcus iceryoides*, all registered orchards shall be monitored regularly at least every 15 days from flowering until harvest to check if there are any mealybugs on fruits, branches, stems and leaves. In addition to visual inspection, physical or chemical methods shall be used at branches and stems to monitor pests, and effective prevention and control shall be carried out if the pests or their corresponding symptoms are detected.

2. *Mudaria luteileprosa*

All registered orchards shall carry out regular monitoring during the growing season, focusing on examining whether there are wormholes on the surface of the fruit. If the wormholes are detected, the relevant fruits shall be cut promptly in order to inspect the existence of eggs, larvae or damage. In addition, registered orchards shall lure pests by light trapping, sex pheromone trapping or other methods. After *M. luteileprosa* is detected, appropriate physical, chemical or biological control as well as other measures shall be taken to eliminate the pest.

3. *Albonectria rigidiuscula*

All registered orchards shall be monitored and controlled during the growing season. Proper farm cultivation and cultural practices shall be implemented to prevent occurrence of this disease. Pre-harvest control may be employed or protection by spraying with protectant fungicide may be done.

Comprehensive control measures for the above pests shall be approved by MAFS, and provided to GACC by MAPS upon request before the trade starts.

Article 5 Packaging and Processing

The procedures of packing and processing, storage and shipment of fresh durians for the export from Malaysia to China shall be supervised by MAFS or MAFS's authorised personnel.

The packaging houses with hardened ground shall be clean and sanitary, and have raw material areas and finished product warehouses.

The receiving, processing, treatment, storage and other functional areas of durians exported from Malaysia to China shall be relatively independent, the layout be reasonable, and separated from the living area.

During the packaging process, fresh durians shall be selected, sorted and cleaned to remove diseased, infested, rotten or deformed fruits, leaves, stems or other plant debris and soil. The surface of the fruits shall be brushed or cleaned up using high pressure air gun to effectively remove scale insects, eggs, pathogenic spores on the surface of the fruits. If necessary, the surface of the fruits may be wiped manually with soft and clean cotton cloth, especially the fruit's handle and other parts. Additionally, insecticide treatment shall be carried out in the packaging house if necessary.

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Article 5 Packaging and Processing

Packaging materials shall be clean, hygienic, unused and compliant with phytosanitary and sanitary requirements of China. Wood packaging material shall comply with International Standards for Phytosanitary Measures 15 (ISPM 15).

Packaged durians shall be immediately stored in a chamber containing only durians of the same phytosanitary condition and be separated from others to prevent secondary pest infestation. Each box shall be labeled in English with the fruit name, varieties, exporting country, production place, the registered orchard name or code, name or code of packing facility. The following text shall be marked in either Chinese or English on each box and pallet: “Exported to the People's Republic of China” (输往中华人民共和国)

Containers in which the fresh durians are loaded for export from Malaysia to China shall be checked for their cleanliness at the time of loading. The containers shall be sealed and the seal shall remain intact until arrival at the Chinese port of entry.

Registered packing houses shall establish a traceability system to ensure that the fresh durians to be exported from Malaysia to China can be traced back to the registered orchards. The system shall indicate information including the record of the date of processing and packing, the sourcing orchard name or its registration number, the quantity of durians, the date of export, the quantity of export, the country of destination the container number.

Article 6 Pre-Export Inspection and Quarantine

During the first two years of the trade, MAFS or MAFS's authorised official shall carry out the inspection sampling on 2% of each consignment of fresh durians exported from Malaysia to China. All fruits suspected of infestation shall be cut to confirm that they contain no *Mudaria luteileprosa*. If no quarantine problems are detected during the two-year period, the sample size shall be reduced 1%.

If any live organisms of quarantine pests of concern to China as listed in the Annex to this Protocol or leaves, or soil are detected, the consignment shall not be exported to China. The relevant orchards or packing houses cannot export fresh durians from Malaysia to China in some cases. MAFS shall find the cause and take preventive measures for betterment. At the same time, MAFS shall keep the detection record, and provide to GACC upon request.

Upon completing an inspection, MAFS shall issue a Phytosanitary Certificate for the approved batch of fresh durians in accordance with the International Standards for Phytosanitary Measures 12 (ISPM 12), indicating the registration name or code of orchards and packing houses. The following statement shall be stated in the additional declaration: “This consignment complies with the requirements specified in the Protocol of Phytosanitary Requirements for Export of Fresh Durian Fruits from Malaysia to China, and is free from quarantine pests of concern to China.”

MAFS shall deliver copies of the Phytosanitary Certificate to GACC prior to commencing any trade.

Article 7 Entry Inspection and Quarantine

Entry ports for Malaysia fresh durians exported from Malaysia to **China are** Chinese ports authorised for fruit entry by GACC.

When a consignment of durians from Malaysia reaches the entry port of China, China Customs will conduct the corresponding inspection and quarantine, including examining the Phytosanitary Certificate and the marks on the consignment.

Shipments of fresh durians from unauthorised orchards or packing houses shall be refused entry to China.

If any live organism of quarantine pests of concern as listed in the Annex to the Protocol, or live insects of other new quarantine pests are detected, or if soil or plant debris were detected, the consignment shall be returned, destroyed or treated.

If there is non-compliance with China's national food safety standards, the fresh durians shall be returned or destroyed.

GACC shall inform MAFS of the non-compliance, and suspend the import of fresh durians from the relevant orchards or packing houses for the remaining season in some cases. MAFS shall investigate the causes of non-compliance and request the relevant orchards or packaging houses to rectify until the relevant rectification measures are effectively implemented and recognized by GACC.

Article 8 Compliance Inspection

In the first year of implementation of this Protocol, with the assistance of MAFS, GACC may carry out a compliance inspection by the way of on-site or remote investigation on the production areas of Malaysia durians, to confirm whether or not the management system of the durians to be exported to China is consistent with the requirements of this Protocol.

Any costs relating to the aforesaid on-site investigation including international traveling, accommodation expenses, shall be borne by the Malaysia side.

Article 9 Retrospective Review

GACC shall complete an additional risk analysis based on the actual presence of pests in Malaysia and pest interception at entry ports. The list of quarantine pests and relevant quarantine measures may be adjusted as agreed with MAFS to adjust the list of quarantine pests of concern to China and the corresponding quarantine measures. If necessary, GACC may send experts to Malaysia for a retrospective review, including on-site investigation.

Article 10 Revision, Modification and Amendment

Either Party may request in writing a revision, modification or amendment of all or any part of this Protocol.

Any revision, modification or amendments agreed to by the Parties shall be reduced into writing and shall form part of this Protocol.

Such revision, modification or amendments shall come into force on such date as may be determined by the Parties.

Any revision, modification or amendment shall not prejudice the rights and obligations arising from or based on this Protocol before or up to the date of such revision, modification or amendments.

Article 11 Settlement of Disputes

Any differences or dispute between the Parties arising from interpretation or implementation or application of the provisions of this Protocol shall be settled amicably through mutual consultation or negotiations between both Parties through diplomatic channels, without reference to any third party or international tribunal.

Article 12 Entry into Force, Duration and Termination

This Protocol shall come into force on the date of signing and shall remain in force for a period of three (3) years.

Notwithstanding anything in this Article, either Party may terminate the Protocol by notifying the other Party of its intention to terminate this Protocol by a notice in writing through diplomatic channels, at least six (6) months prior to its intention to do so.

If no modification or termination request is made by both Parties within six (6) months prior to the expiry of the validity, this Protocol will automatically be extended for a further period of three (3) years.

Annex

List of Quarantine Pests of Concern to China

1. *Dysmicoccus neobrevipes*
2. *Planococcus minor*
3. *Planococcus lilacinus*
4. *Icerya pulchra*
5. *Mudaria luteileprosa*
6. *Rastrococcus iceryoides*
7. *Albonectria rigidiuscula*