
NEWS RELEASE

**MyCC CALLS FOR PUBLIC CONSULTATION ON ITS MARKET REVIEW ON
FIVE FOOD ITEMS**

KUALA LUMPUR, 4th JUNE 2019 – To complement the government’s efforts to reduce the cost of living, the Malaysia Competition Commission (MyCC) has taken the initiative to conduct a Market Review on the Food Sector in line with section 11 of the Competition Act 2010 (hereinafter “CA 2010”) to better understand the food market, particularly in relation to five (5) selected food items, namely cabbage, *sawi*, beef, *ikan kembung* and infant milk powder. The main reason for this market review is to determine whether any feature or combination of features of the market for the selected food items indicate market failure or show signs of competition concerns.

Before finalising its findings, MyCC will conduct a series of public consultations and would like to call upon the public to take part in order to contribute opinions, inputs and ideas on the market review. MyCC will then publish a report of its findings and recommendations, as per section 12 of the CA 2010.

“The result of this market review will be monumental and crucial as it helps interested parties such as MyCC and the Government to understand the market better and highlight any anti-competitive practices, if any. Thus, we welcome views from all relevant stakeholders, in particular from businesses, relevant public authorities, associations and consumers. The result of the public consultation will be duly considered when publishing the final report at the end of July 2019.” said Iskandar Ismail, Chief Executive Officer of MyCC.

The softcopy of the said market review will be made available on the MyCC website at www.mycc.gov.my from 3rd June 2019 to 3rd July 2019 and the public can submit their feedback and comments through written submission to the Commission. Physical public consultations will also be held on 18th June 2019 in Putrajaya for government officials and 20th June 2019 in Kuala Lumpur for industry players to provide their comments.

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About Malaysia Competition Commission (MyCC)

Established in June 2011, MyCC is an independent body responsible for enforcing the Competition Act 2010, which was implemented to create healthy competition which would, in turn, stimulate productivity and innovation, thus creating wider choices of products for consumers with better quality and reasonable prices.

The Act applies to all commercial activities undertaken within and outside of Malaysia that affect competition in the Malaysian market. It provides a regulatory framework including powers to investigate, adjudicate and impose penalties on the perpetrators of the competition laws.

For more information on the Act and MyCC activities, log on to www.mycc.gov.my.

ANNEXE A

Notes to Editor:

Information on Section 11 and 12 of the Competition Act 2010. Further information on the market review as per below.

Section 11: Power to conduct market review

11. (1) The Commission may, on its own initiative or upon the request of the Minister, conduct a review into any market in order to determine whether any feature or combination of features of the market prevents, restricts or distorts competition in the market.
- (2) The market review includes study into –
- (a) the structure of the market concerned;
 - (b) the conduct of the enterprises in the market;
 - (c) the conduct of suppliers and consumers to the enterprises in the market; or
 - (d) any other relevant matters.

Section 12: Determination of market review

12. (1) Upon conclusion of the market review, the Commission shall publish a report of its findings and recommendations.
- (2) The report of the Commission shall be made available to the public.

Additional information for Market Review on Food Sector under the CA 2010

The market review shall comprise of the following aspects in the selected areas of the food sector:

- i) Overview of the existing legislation and regulations in relation to import, export, upstream level or manufacturing, distribution and retail levels.
- ii) Overview of the market structure and supply chain.
- iii) Profile of industry players that are involved in upstream level or manufacturing, distribution and retail levels.
- iv) Identify the prices across local manufacturing, wholesale and retail levels compared to other countries.
- v) Competition in the upstream level or manufacturing, distribution and retail levels.
- vi) Competition concerns in the upstream level of manufacturing, distribution and retail levels in relation to:
 - a) Anti-competitive conducts (e.g. cartel or abuse of dominant position) among the industry players; and
 - b) Any existing policy or law that impedes competition in the industry.
- vii) Recommendations and conclusion.