

Kementerian Kesihatan Malaysia

EMBASSY OUTREACH ON FOOD IMPORT CONTROL IN MALAYSIA

6 DECEMBER 2023

IMPORT BRANCH

FOOD SAFETY AND QUALITY DIVISION, MINISTRY OF HEALTH MALAYSIA



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Food Safety and Quality Division, Ministry of Health Malaysia

The competent and regulatory authority for
food safety in Malaysia

MISSION

Empowering food safety and quality controls along the food supply chain through accountability with stakeholders to ensure that the people get safe and quality food

COMPETENT & REGULATORY AUTHORITY FOR FOOD SAFETY

To protect the public against **health hazards** and **fraud** in the storage, preparation, processing, packaging, transportation, sale and consumption of food

1

2

To **facilitate** trade



MANDATE ON FOOD SAFETY IS ALONG THE FOOD SUPPLY CHAIN

Primary
production/
Import



Post-
harvest/
Middleman



Processing
/Transport



Sale/
Outlet/
Export*

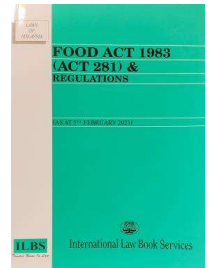


FOOD ACT 1983 AND ITS REGULATIONS

The control of imported food is to ensure that food imported into the country is safe and complies with all provisions in the food act 1983 and the regulations under it.



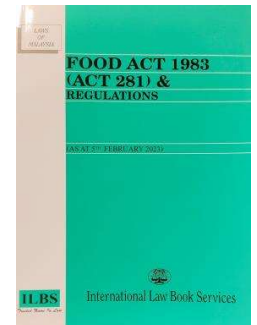
FOOD ACT 1983



Section 29. Importation.

1. Subject to the provisions of subsections (2) and (3), the importation of any food which does not comply with the provisions of this Act or any regulation made thereunder **is prohibited.**

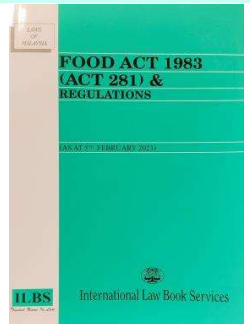
FOOD ACT 1983



Section 29. Importation.

- (2) Where food which is sought to be imported into Malaysia is processed food in a finished form and if sold in Malaysia constitutes an offence relating to labelling, **the food may be imported into Malaysia for the purpose of relabeling** it so that it complies with the provisions of this Act relating to labelling.
- (3) Where food which is sought to be imported into Malaysia is raw or semi-processed food and if sold in Malaysia constitutes an offence, the food may be imported into Malaysia for the purpose of **reprocessing or reconditioning** it so that it complies with the provisions of this Act.

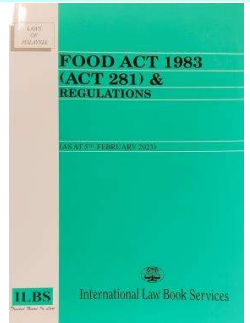
FOOD ACT 1983



Section 29. Importation.

(4) Where such food is imported into Malaysia for the purposes of relabeling, reprocessing or reconditioning it and the food is not relabeled, reprocessed or reconditioned **within three months** of the importation, the food shall be **exported by the importer within a period of two months** or such other period as the Minister may determine and, where it is not so exported, it shall be forfeited and **disposed** of as the Minister may direct.

FOOD ACT 1983



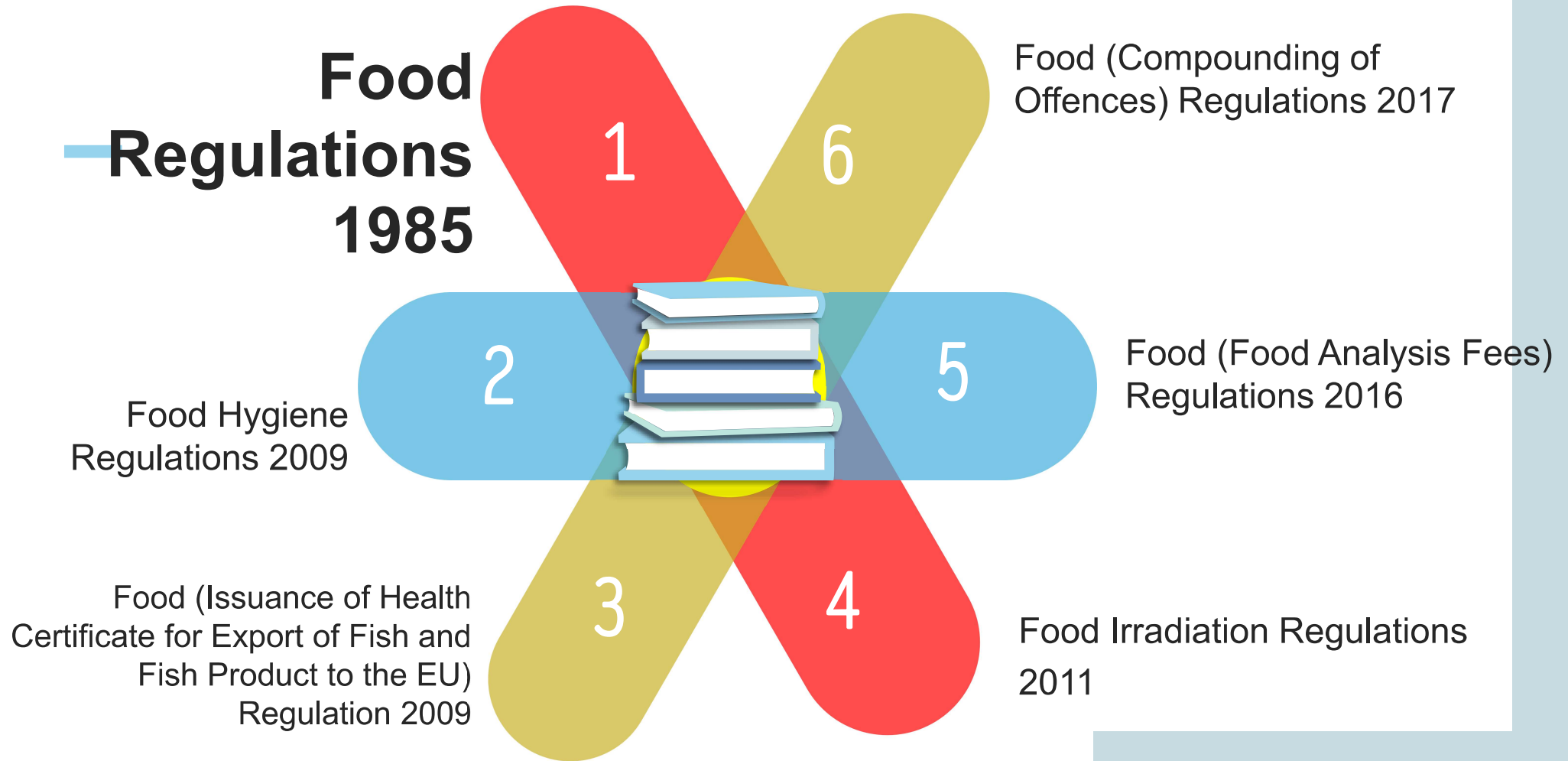
Section 29. Importation.

Section 29. Importation.

(5) The Director may require the importer to relabel, reprocess or recondition the food in a designated area under the supervision of an authorized officer to ensure that the relabeling, reprocessing or reconditioning of the food comply with the provisions of this Act.

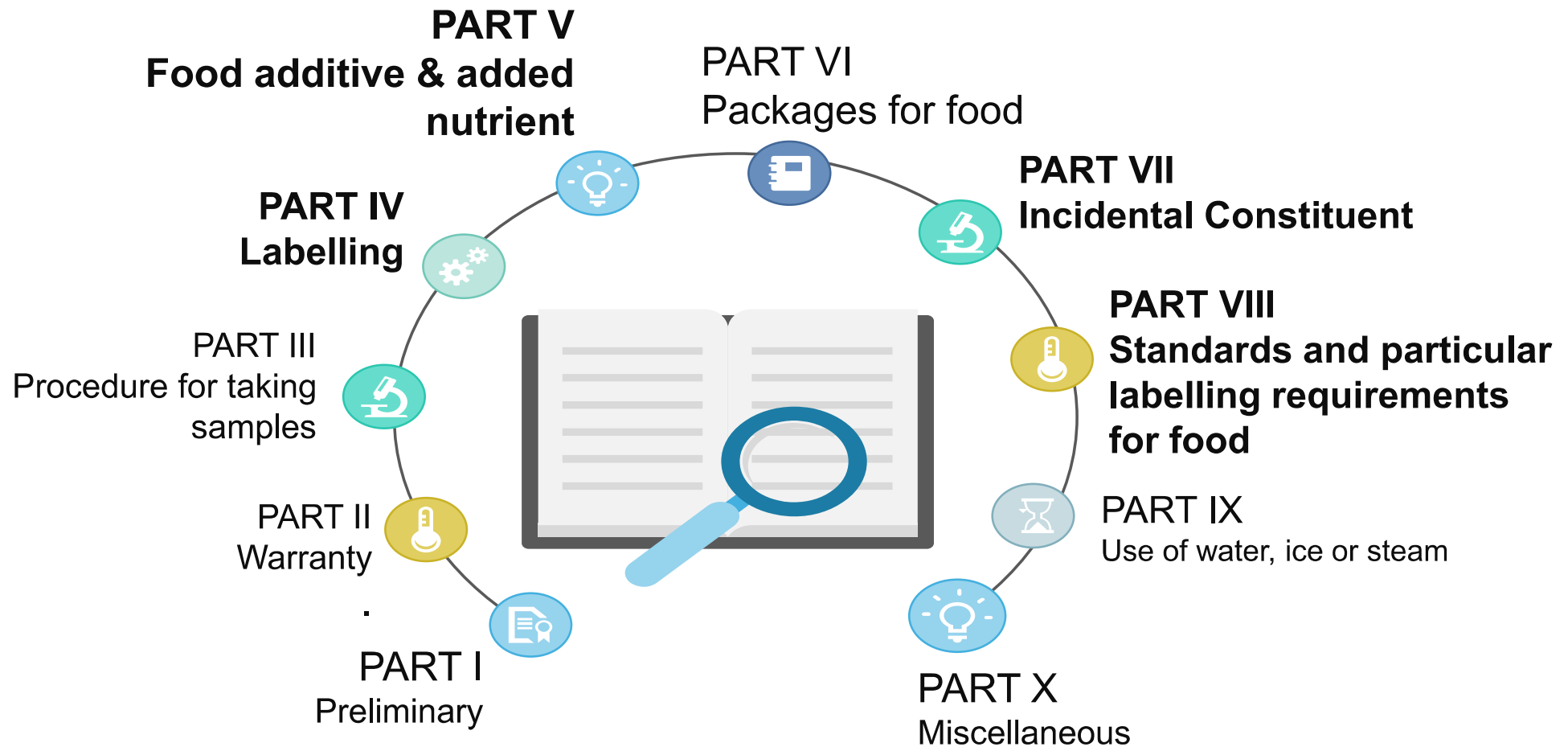
(6) The Minister may exempt any food or class of food from the provisions of this section.

RELATED REGULATIONS



FOOD REGULATIONS 1985

ARRANGEMENT OF REGULATIONS



Food Regulations 1985



- Prepared, produced or packaged in Malaysia
 - Imported into Malaysia

MANDATORY LABELING



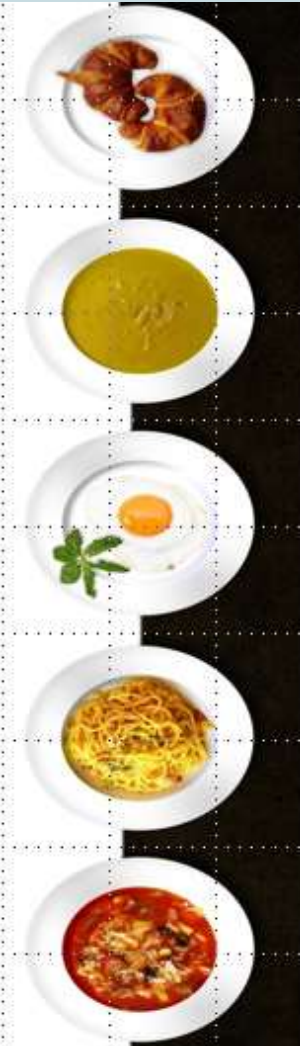
WHY LABEL

■ Transparency

Consumers right

Choice

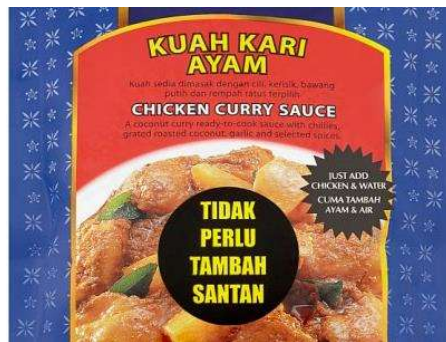
information that might have
health implications (allergenic effects)



REGULATION 10 - LANGUAGE

• LOCAL PRODUCT

- Labelled in Bahasa Malaysia
- May include translation



• IMPORTED PRODUCT

- Labelled in Bahasa Malaysia or English
- May include translation



REGULATION 10 - LANGUAGE



Product Under
Regulation 84, 90, 91,
94, 95, 97, 98, 99, 388
**MUST BE LABELLED IN
BAHASA MALAYSIA**
including imported
product

REG 11(1)(A)& (B) – PRODUCT NAME

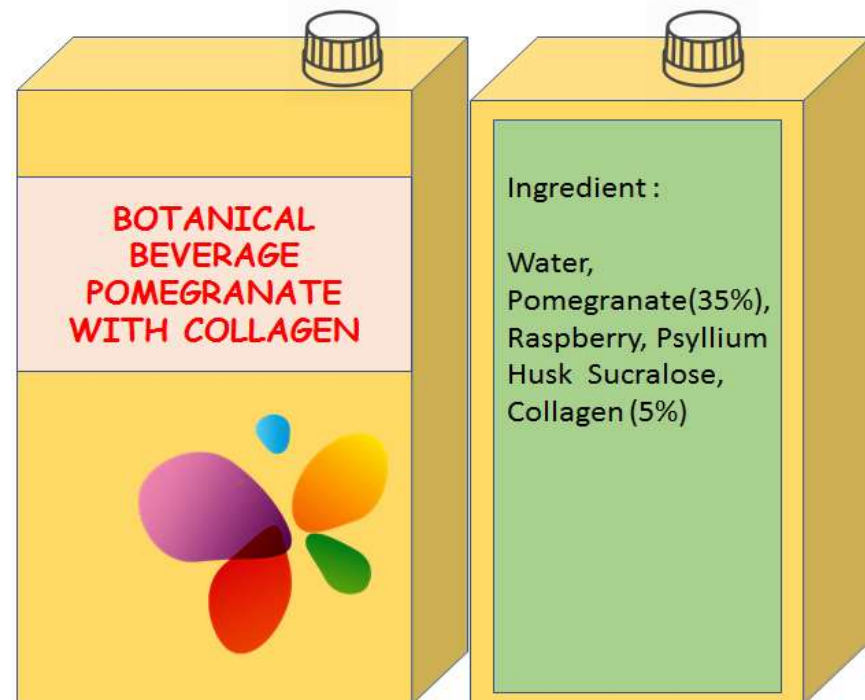
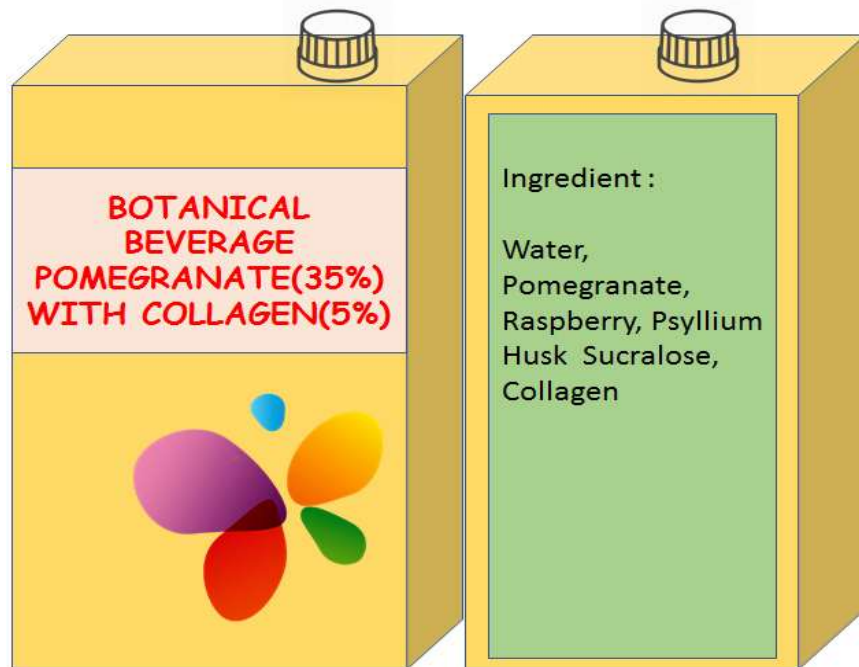


PRODUCT NAME WITH SPECIFIC REGULATIONS

The product name of a food is the name specified in regulation for a product meet with specifications.

REGULATION 11(1)(EB) – QUANTITATIVE INGREDIENT DECLARATION (QUID)

The ingredient is emphasised in the appropriate designation.



REGULATION 11(1)(EB) - QUANTITATIVE INGREDIENT DECLARATION (QUID)

The ingredient is **emphasise** in the appropriate designation & ingredient is not within the name of the food but is **essential** to characterize the food



Ingredient :
Milk, Sugar,
Cocoa, Butter,
Cocoa Mass,
Almond ,
Vegetable fat
(Palm)

Milk fat (20%),
Cocoa solid
(20%),



Ingredient :
Milk, Sugar,
Cocoa, Butter,
Cocoa Mass,
Almond (7%)
Vegetable fat
(Palm)

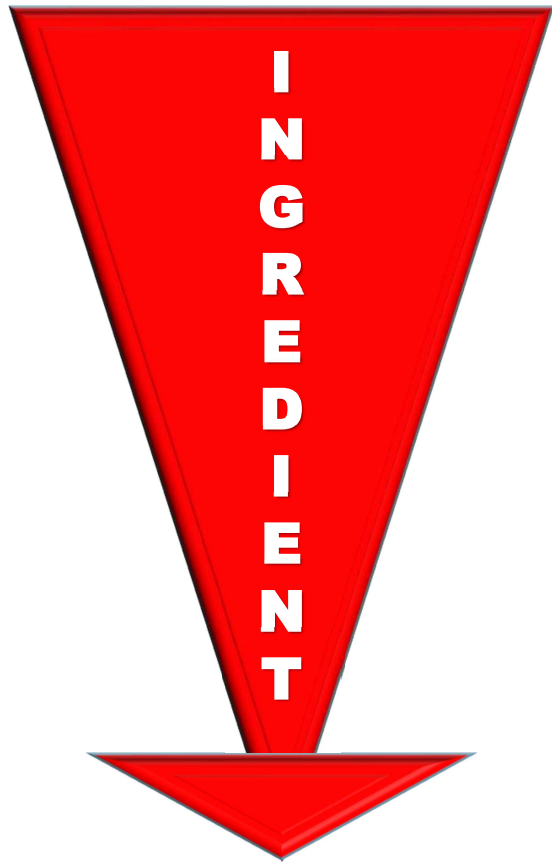
Milk fat (20%),
Cocoa solid
(20%),



Ingredient :
Milk, Sugar,
Cocoa, Butter,
Cocoa Mass,
Almond ,
Vegetable fat
(Palm)

Milk fat (20%),
Cocoa solid
(20%),

REGULATION 11(1)(E) - INGREDIENT LISTING



All ingredients, other than water, food additives and nutrient, must be listed in descending order of proportion by weight on the food label.

REGULATION 11(1)(G) -ADDITIVES

All food additives used in the food must be labelled.

COLOURING SUBSTANCES

PRESERVATIVES

FLAVOR ENHANCER

FLAVOURING SUBSTANCES

CONDITIONER

ANTIOXIDANT

REGULATION 11 (1)(GA) – **FOOD** **ADDITIVE** LABELLING

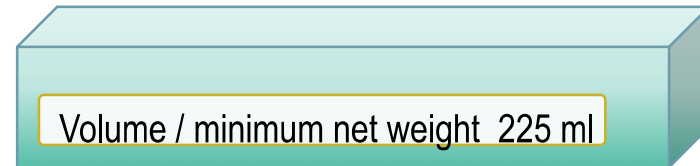
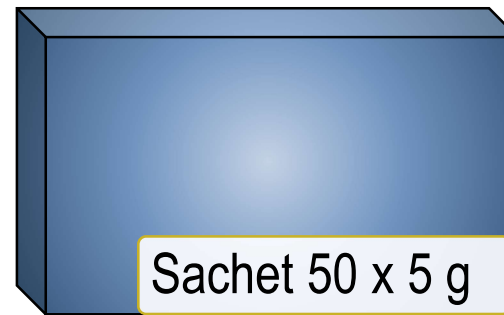
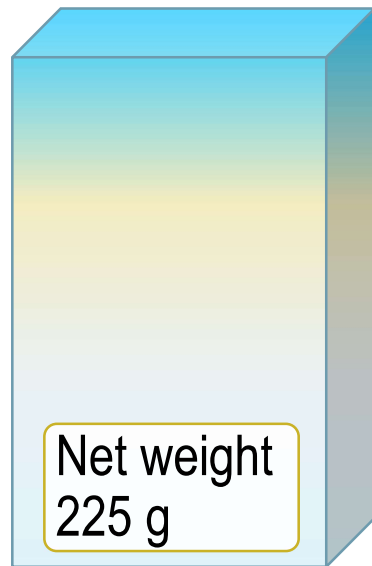
Ingredients:

Carbonated water, citric acid, malic acid, potassium benzoate, natural flavors, potassium citrate, acesulfame potassium, sucralose

Acidity regulator (INS 330, 296, 332(ii)),
Preservative (INS 212), Sweetening
(INS 950, INS 955, INS 961), Flavours

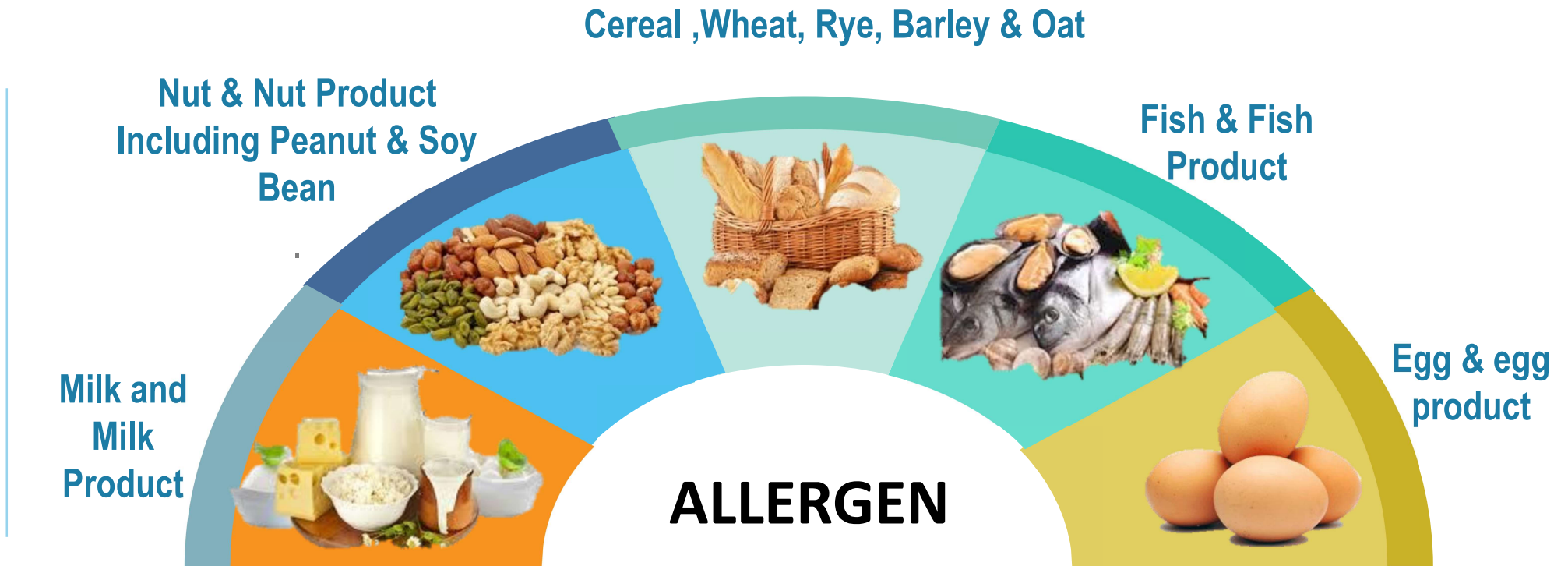


REGULATION 11(1)(I) – NET WEIGHT



Statement of Minimum net Weight or volume or number of content of the package

REGULATION 11(1)(EA) –HYPERSENSITIVITY



LAWS
OF
MALAYSIA

FOOD ACT 1983 (ACT 281) & REGULATIONS

Regulation 11. Particulars in labelling.

(1) Every package containing food for sale shall, unless otherwise provided in these Regulations, bear on it a label containing the following particulars, namely -

- (j) in the case of food locally manufactured or packed, the name and business address of the manufacturer or packer, or the owner of the rights of manufacture or packing or the agent of any of them; and in the case of imported food, the name and business address of manufacture, or the agent of any of them, and the name and business address of the importer in Malaysia and the name of the country of origin of the food;

ILBS
Trusted Name In Law



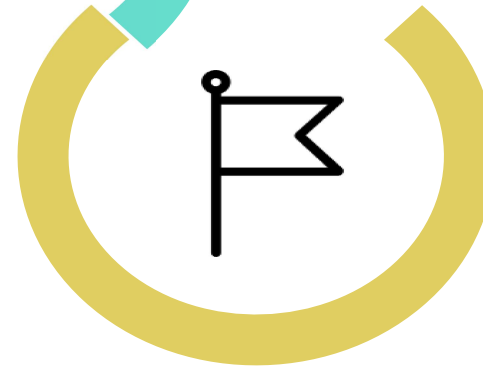
International Law Book Services

REGULATION 11(1)(J) - IMPORTED PRODUCT

Name and address of
manufacturer/ Owner of
the right of the
manufacturer



Country of origin



Name and address of
importer

MANDATORY NUTRIENTS TO BE DECLARED

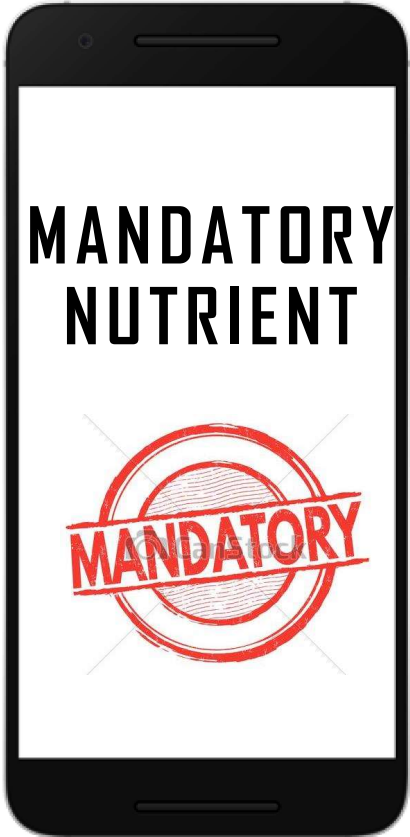
ENERGY



CARBOHYDRATE



TOTAL SUGARS



PROTEIN



FAT



SODIUM



FOOD IMPORT CONTROL AND REQUIREMENTS



MANDATE FOR FOOD IMPORT CONTROL



1. Food Act 1983

The importation of any food that does not comply with the provisions of this Act or any regulations made under it is prohibited (Section 29(1)).

2. Customs (Prohibition of Imports) Order 2023, Third Schedule, Part I

That the import is subject to approval of the Food Safety and Quality Division of the Ministry of Health

MANDATE FOR FOOD IMPORT CONTROL

| ITEM | DESCRIPTION | CHAPTER |
|------|--|--|
| 35 | Food product as listed | Chapter 2, Chapter 3 (*), Chapter 4, Chapter 5(*), Chapter 7, Chapter 8, Chapter 9, Chapter 10, Chapter 11, Chapter 12 (*), Chapter 13, Chapter 15 (*), Chapter 16, Chapter 17, Chapter 18, Chapter 19, Chapter 20, Chapter 21 (*) , Chapter 22 (*), Chapter 25 (*), Chapter 29 (*), Chapter 32 (*), Chapter 33 (*), Chapter 35 (*) and Chapter 96 (9602.00.10 00) |
| 61 | Baby feeding bottle of plastic | 3924.10.91 00 |
| 62 | Ceramic tableware and kitchenware, whether or not made of porcelain or China | 6911.10.00 00 6912.00.00 00 |

Customs Order (Prohibition For Import) Order 2023

Third Schedule, Part I.



Item 35 – Food Products



Item 61 - Baby feeding bottle of plastic



Item 62 – Ceramic tableware and kitchenware,

FOOD IMPORT ADDITIONAL REQUIREMENT



SPECIFIC ADDITIONAL DOCUMENTATION

Declaration /statement the absence of related parameter shall be indicated on the HC or verified by High Comm / Embassy of Origin Country. If the HC does not contain attestation, CoA shall be provided. CoA issued by an accredited laboratory recognized by the CA of the exporting country.

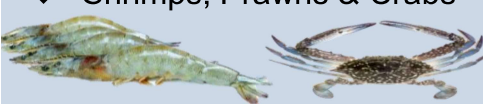




Any failure to attach required HC/ COA detention of consignment for Level 5 (Hold, Test and Released)

Issued by Competent Authority of the Exporting Country

Issued by BKKM

HC



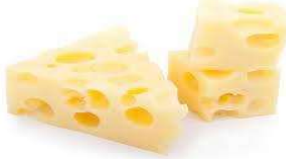


LICENSE

| Chloramphenicol | Beta-agonist | Nitrofurantoin & Its Metabolites | 3-Monochloropropane-1,2-diol (3-MCPD) | Application from BKKM before importation |
|--|---|---|---|---|
| <p>❖ Shrimps, Prawns & Crabs</p>  <p>Declaration /statement the absence of chloramphenicol is not required for wild caught shrimps/prawns/crabs. Declaration of wild caught shall be indicated on the HC or verified by High Commission/ Embassy of Origin Country.</p> | <p>Meat and Edible Meat Offal</p>  | <p>Poultry and Edible Poultry Offal</p>  | <p><i>Acid-Hydrolyzed Vegetable Protein (HVP)</i></p>  | <p><input type="checkbox"/> Natural Mineral Water <input type="checkbox"/> Packing Drinking Water</p>  |
| | | | | <p>Failure to attach required license can caused rejection of consignment as food prohibited to enter the country.</p> |

SPECIFIC ADDITIONAL DOCUMENTATION

Declaration/statement of related parameter with the detection level shall be indicated on the CoA. Any failure to provide the CoA may caused detention of consignment for Level 5 (Hold, test and release)

Issued by Competent Authority of Exporting Country

| CERTIFICATE OF ANALYSIS (COA) | | HEALTH CERTIFICATION (HC) and CERTIFICATE OF ANALYSIS (COA) | | |
|---|---|--|---|---|
| Seaweed & seaweed products  | Ceramic ware  | Cheeses from unpasteurized milk  | Honey  | <ul style="list-style-type: none"> • Peanut Butter • Raw groundnuts (shelled or de-shelled)  |
| Inorganic Arsenic , Lead & Cadmium (Metal Contaminant) | Lead & Cadmium (Metal Contaminant) | Listeria Monocytogenes (Microorganism & Their Toxin) | Chloramphenicol (Drugs Residue) | Aflatoxin (Mycological Contaminant) |
| Declaration/ statement of the maximum rate allowed clearly stated in CoA in which not exceed 1 – 2 mg/kg. | Declaration / statement of the maximum rate allowed for the release of Pb and Cd as under the Thirteenth Schedule, Register 1 | The declaration / statement of the absence of Listeria monocytogenes must be stated in the HC and stated not detected in the COA | The declaration / statement of the absence of chloramphenicol should be stated in the HC and stated not detected in the COA | The declaration / statement of the absence of Aflatoxin must be stated in the HC and the maximum amount allowed stated in the COA is not more than 5ug/kg for peanut butter and 15ug/kg for groundnut. |

LEVELS OF INSPECTION

| | |
|--|---|
| LEVEL 1 FAST RELEASE / GREEN LANE | <ul style="list-style-type: none">• Fast release of low risk consignments; and• Foods recognized through official arrangements |
| LEVEL 2 SPECIFIC REQUIREMENT | <ul style="list-style-type: none">• Foods that require specific documentation e.g. Health Certificate, Certificate of Analysis etc. |
| LEVEL 3 MONITORING (ANMPIF) | <ul style="list-style-type: none">• Consignment will be released after documents inspection and/ or physical inspection and/or samples may be taken for analysis under The Annual National Monitoring Program For Imported Foods (ANMPIF) |
| LEVEL 4 SURVEILLANCE | <ul style="list-style-type: none">• Product must undergo inspection and sampling. The consignment will be released after sample has been taken. |
| LEVEL 5 HIGH RISK FOOD | <ul style="list-style-type: none">• The consignment will be held for inspection and sampling under “Hold, Test & Release” procedure. History of non-compliance. |
| LEVEL 6 REJECTION | <ul style="list-style-type: none">• Rejects the affected food products from being imported. |

IMPORTED FOOD INSPECTION

L5



Risk Food

Referred based on compliance history.

Samples are taken for testing

Food must be held until test results known – if distributed, breach of law

L3

Surveillance Food

Referred at random (1%) from total consignments under Annual National Monitoring Program for Imported Food.



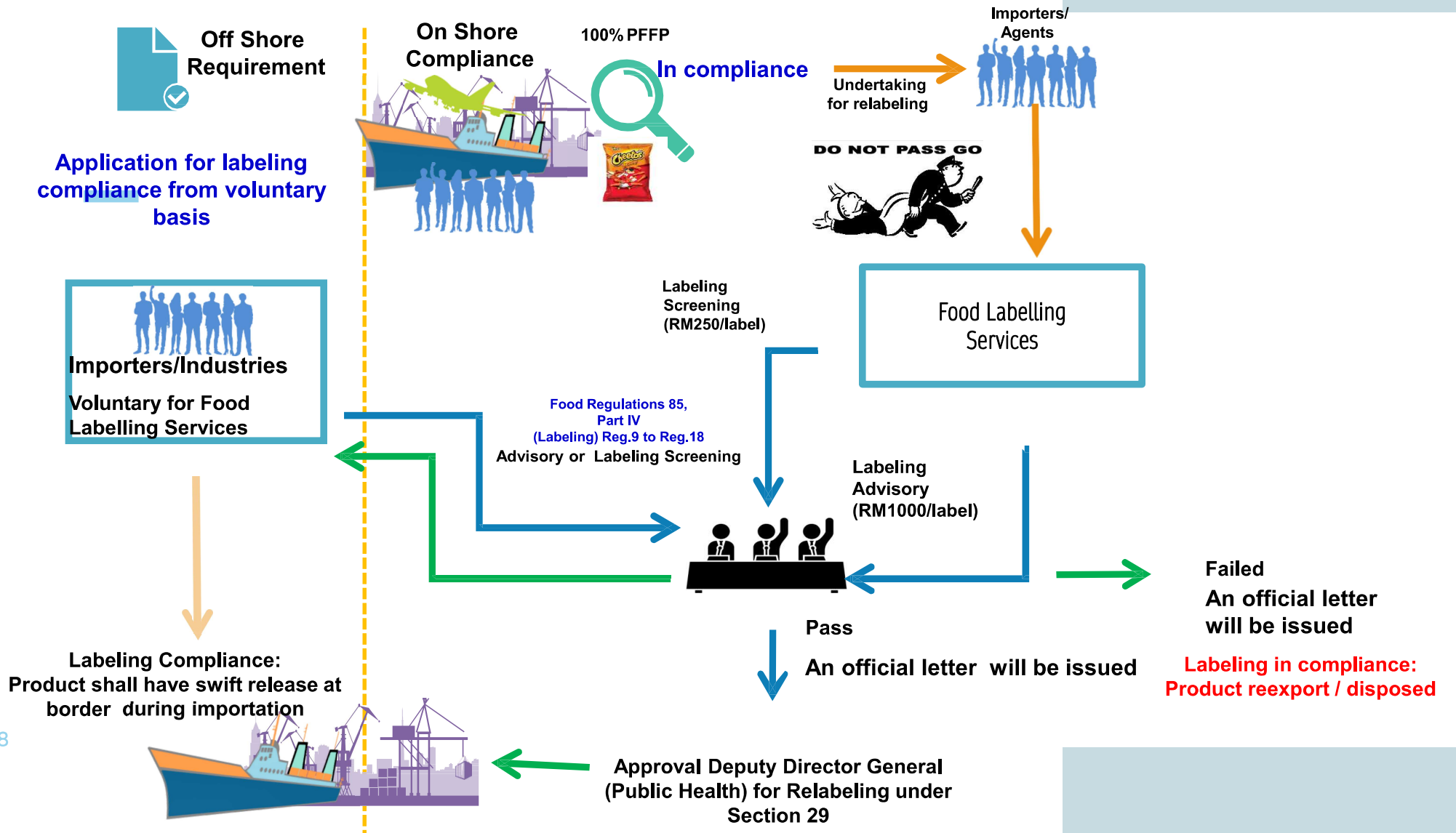
Sample may be taken for testing

Food is released to importer before test result known



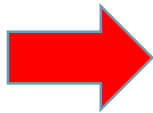
Label and visual inspection

FOOD LABELLING INCOMPLIANCE

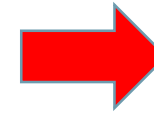


Food Alert Notification

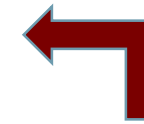
Food Alert Notification



Notification to all Entry Point via Bulletin in FOSIM



MOH Officer at Entry Point :



Share ASEAN notification in ARASFF with FoSIM

FRANECCA

Formal letter to country embassy in Malaysia (FRANECCA)



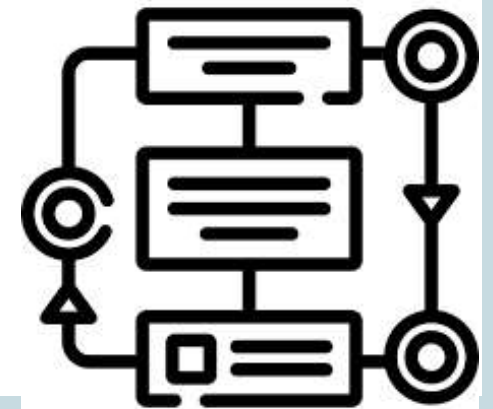
Alert Notification in ARASFF



HQ will receive alert notification from State Health Department



FOOD IMPORT PROCEDURES



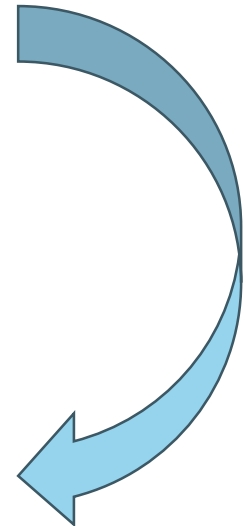
CLEARANCE OF IMPORTED FOOD CONSIGNMENT VIA FOSIM (BASIC STEPS)



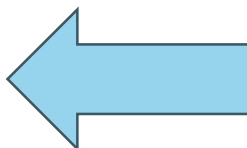
Upon arrival food consignment at entry point – agent need to make import declaration (K1) via CIS



Agent need to login into FoSIM, fill in essential information & generate K1

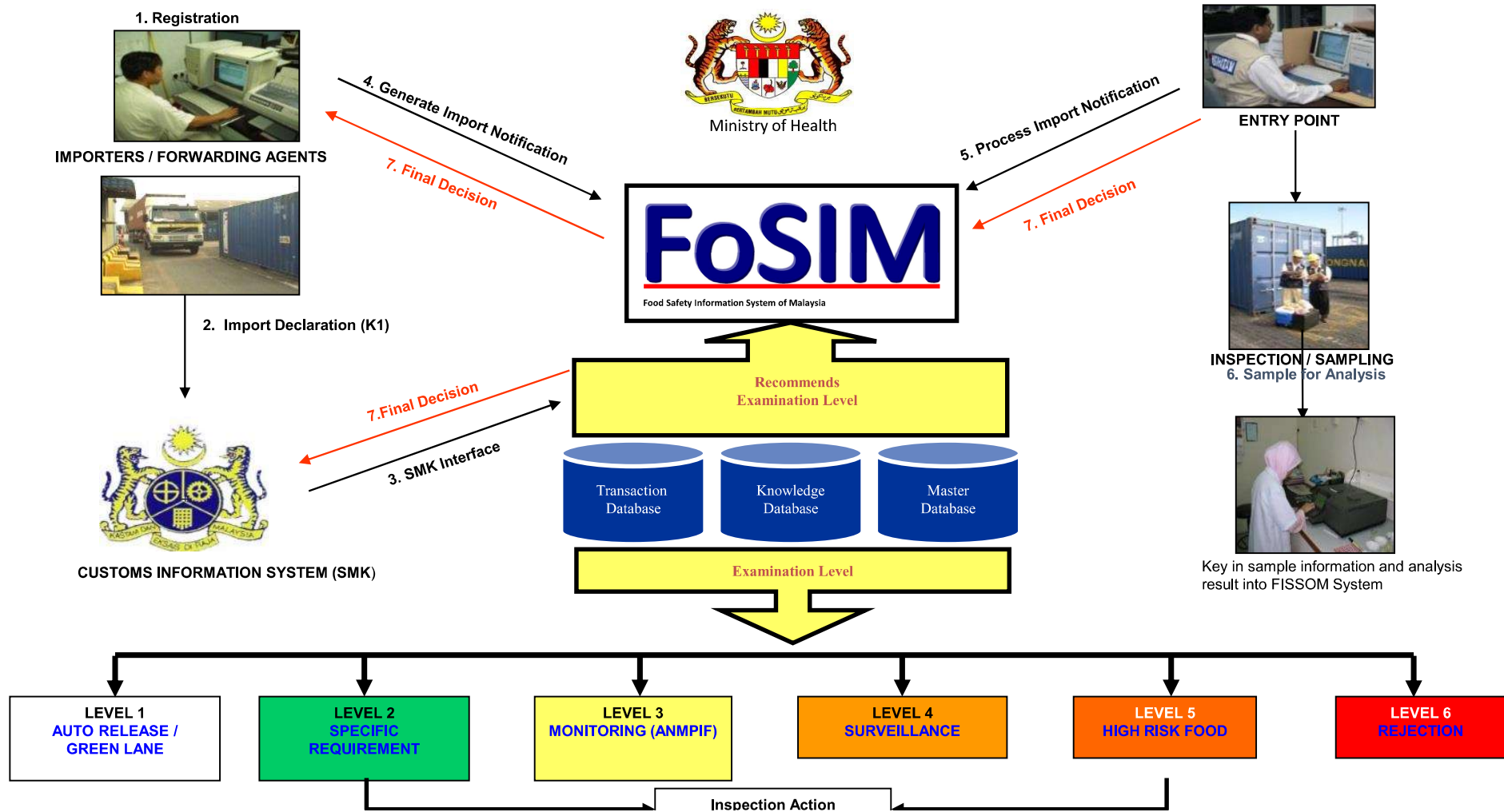


Approval by MOH– if food products comply Food Act 1983 & its Regulation/import requirement



Release of consignment

FOOD SAFETY INFORMATION SYSTEM OF MALAYSIA FOOD IMPORTATION PROCESS

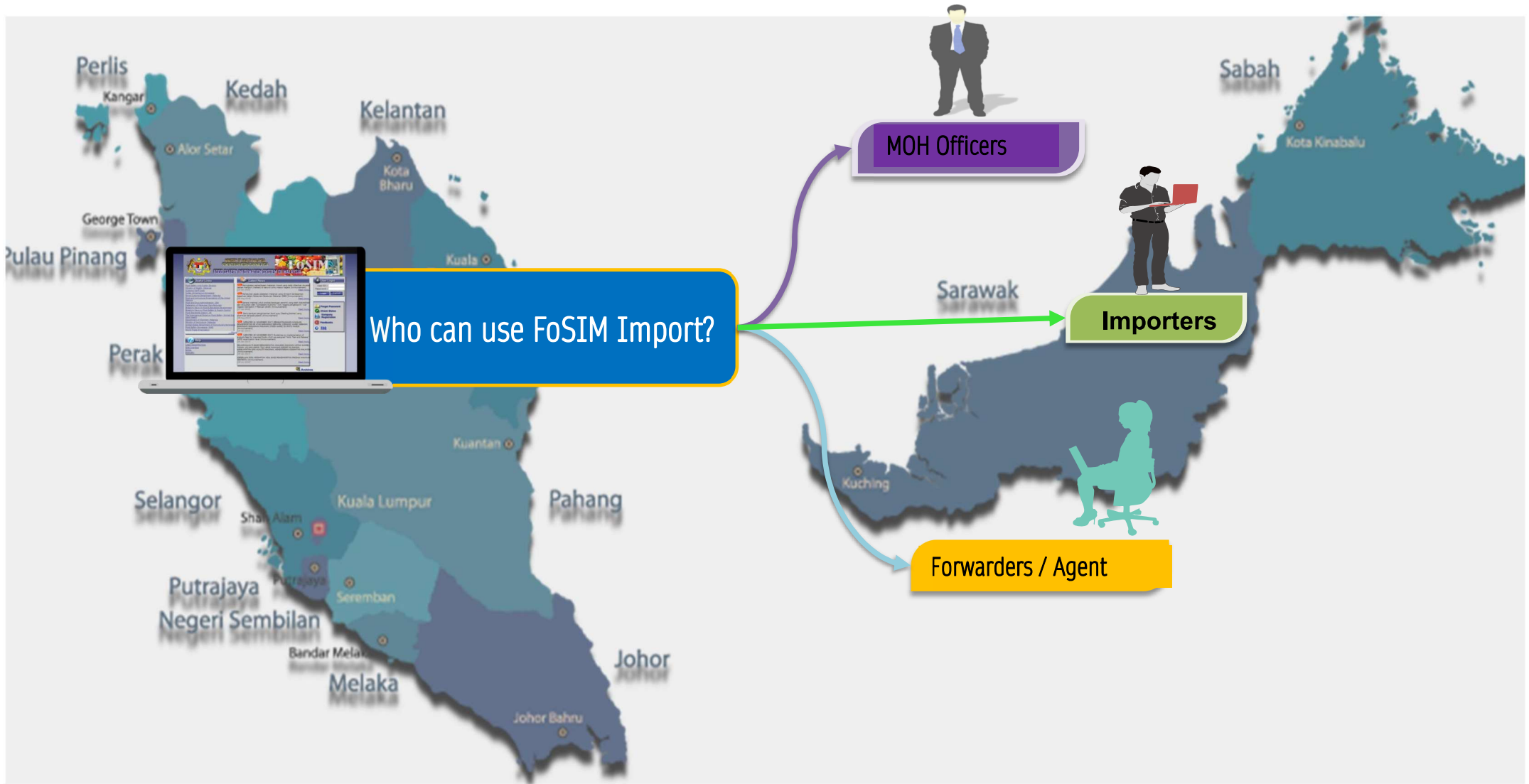


Who can use FoSIM Import?

MOH Officers

Importers

Forwarders / Agent



FOOD SAFETY INFORMATION SYSTEM OF MALAYSIA

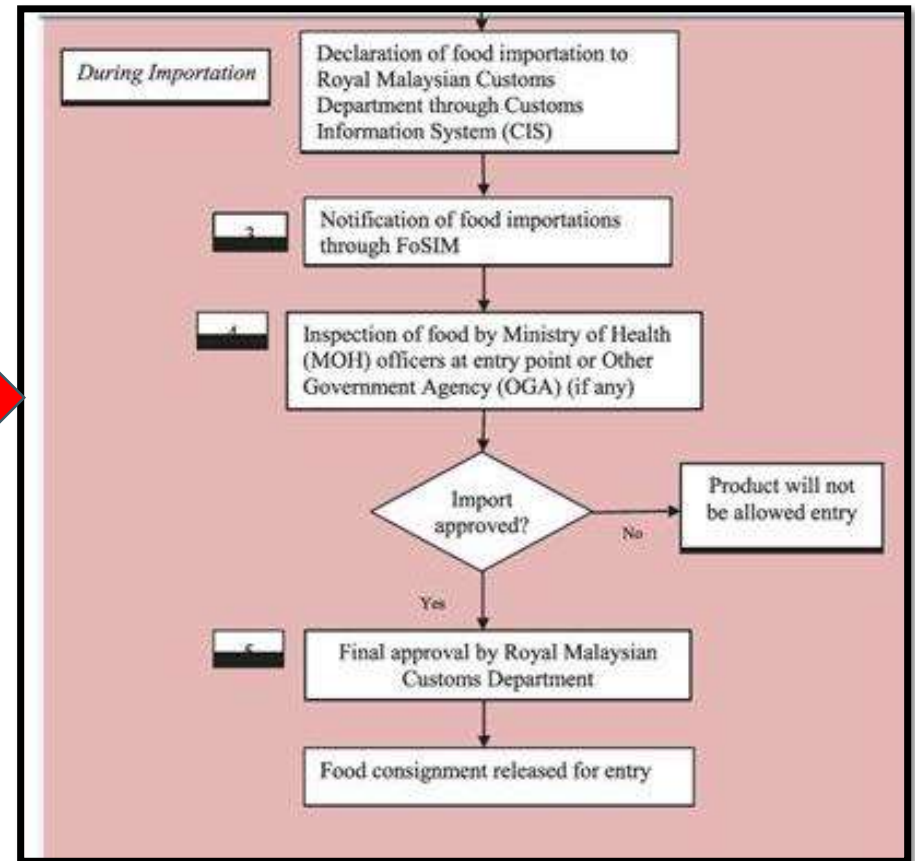
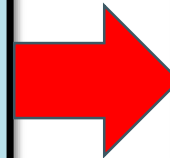
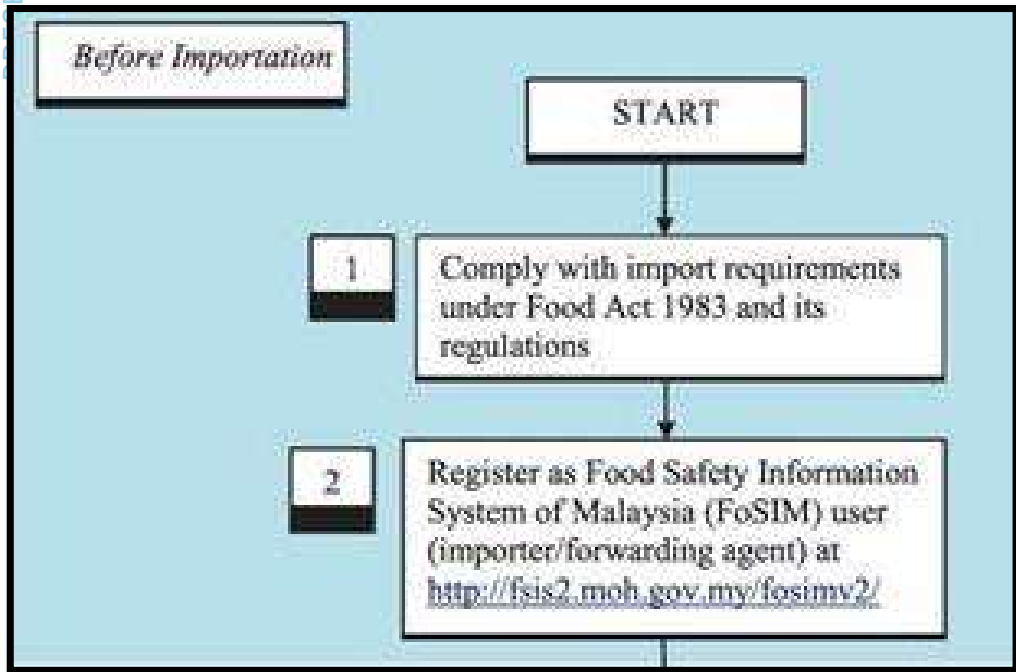
[HTTP://FSIS2.MOH.GOV.MY/FOSIMV2](http://fsis2.moh.gov.my/fosimv2)

The screenshot displays the homepage of the Food Safety Information System of Malaysia (FOSIM). At the top, the Malaysian coat of arms is on the left, followed by the text "MINISTRY OF HEALTH MALAYSIA" and "KEMENTERIAN KESIHATAN MALAYSIA". To the right is a banner with the word "FOSIM" in large letters over a background of fresh produce. Below the header, the page is divided into three main sections:

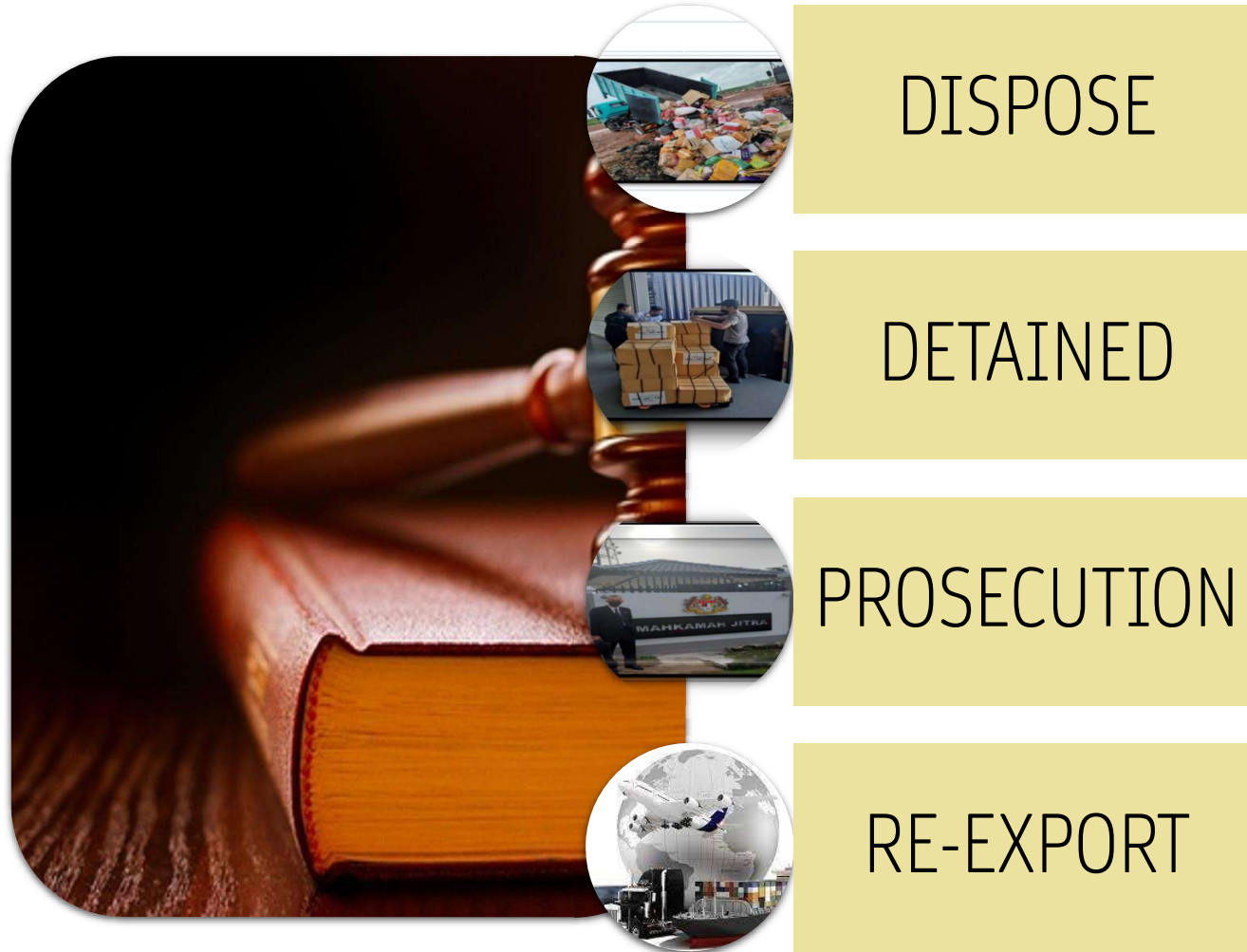
- Useful Links:** A list of external links including "Food Safety And Quality Division Ministry of Health, Malaysia", "Customs Tariff Code", "Codex Alimentarius Homepage", "Royal Customs Department, Malaysia", "Food and Agriculture Organization of the United Nations", "Food and Drug Administration, USA", "Federation of Malaysian Manufacturers", "Breaking News on Food & Beverage Development", "Breaking News on Food Safety & Quality Control", "Food Standards Agency, UK", "The International Portal on Food Safety, Animal and Plant Health", "Department of Chemistry Malaysia", "Ministry of Agriculture, Malaysia", "United States Department of Agriculture's Homepage", "Food Safety Homepage, WHO", and "World Trade Organization". A "...More" link is also present.
- Latest News:** A list of recent announcements, each starting with a "NEW" icon. The news items include: "Peningkatan pemeriksaan makanan import yang telah diberikan rawatan radiasi mengion (iradiasi) di seluruh pintu masuk negara (Announcement) [23 Jan 2020]", "Pematuhan aspek pelabelan makanan yang diimport berdasarkan keperluan dalam Peraturan-Peraturan Makanan 1985 (Announcement) [06 Aug 2018]", "Senarai makmal untuk analisa barangan seramik yang telah diakreditasi dan diluluskan oleh 'Competent Authority' (CA) negara pengeksport / luar negara (kemaskini 7 Februari 2019) (Announcement) [17 Jan 2018]", "Garis panduan pengimportan botol susu (feeding bottles) yang diperbuat daripada plastik (Announcement) [08 Aug 2017]", "(UPDATED 21 NOVEMBER 2017) PENGUATKUASAAN KAWALAN PENGIMPORAN KE ATAS BARANGAN SERAMIK (CERAMIC WARE) SEBAGAI BARANGAN KEGUNAAN MAKANAN (FOOD-WARE) DI PINTU MASUK (Announcement) [14 Apr 2017]", "(UPDATED 22 NOVEMBER 2017) Guidelines on implementation of analysis fees for imported foods which are assigned 'Hold, Test and Release' (HTR) examination level (Announcement) [05 Jan 2017]", "PELAKSANAAN FI BAGI PERKHIDMATAN ANALISIS MAKANAN UNTUK SAMPEL TAHAN, UJI DAN LEPAS (TUL) BAGI MAKANAN IMPORT DI MAKMAL KESELAMATAN DAN KUALITI MAKANAN, KEMENTERIAN KESIHATAN MALAYSIA (Announcement) [05 Jan 2017]", and "KEPERLUAN SIJIL KESIHATAN ASAL BAGI PENGIMPORAN PRODUK MAKANAN TERTENTU (Announcement) [28 Jun 2016]". Each news item has a "Read more..." link.
- User Login:** A section for user authentication with fields for "User ID" and "Password", and "Login" and "Cancel" buttons. Below this are links for "Forgot Password", "Check Status", "Company Registration", "Feedbacks", and "FAQ".

At the bottom right, there is a small "Archives" icon.

FOOD IMPORTATION PROCESS FLOW



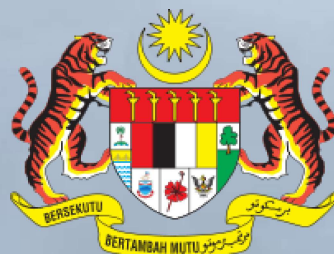
ENFORCEMENT ACTIVITIES



CONCLUSION

WRITE YOUR SUBTITLE HERE





KEMENTERIAN KESIHATAN MALAYSIA
PROGRAM KESELAMATAN DAN KUALITI MAKANAN

TERIMA KASIH

fosimsupport@moh.gov.my

+603-8885 0776

