



REGULATIONS ON FOOD IMPORT

**FOOD SAFETY AND QUALITY DIVISION
MINISTRY OF HEALTH MALAYSIA**

Food Safety and Quality Division,
Ministry of Health

OBJECTIVES OF FOOD SAFETY & QUALITY PROGRAMME

- **General Objectives**
 - **To protect the public against health hazards and fraud in the preparation, sale and storage of food**
 - **To facilitate food trade**

Competent Authority

The Food Safety and Quality Division,
Ministry of Health is the Competent
Authority for food safety along the food
supply chain in Malaysia

Ministry of Health as Competent Authority In Food Safety Along the Supply Chain In Malaysia

Primary production	    
Post-harvest	      
Processing	      
Sale/outlet	     

Food Safety and Quality Division,
Ministry of Health

Food Act 1983

- To protect the public against health hazards and fraud in the preparation, sale and use of food, and for matters incidental thereto or connected therewith.

PART IV IMPORTATION, PENALTY AND DEFENCES

- 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.**
- (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 relabelling** it so that it complies with the provisions of this Act relating to labelling.

29. Importation

- (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.

29. Importation

- (4) Where such food is imported into Malaysia for the purposes of relabelling, reprocessing or reconditioning it and the food **is not relabelled, 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.

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 authorised officer to ensure that the relabelling, 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.

13. Food containing substances injurious to health

- (1) **Any person** who **prepares or sells** any **food that has** in or upon it any substance which is poisonous, harmful or otherwise injurious to health commits an offence and shall be liable, on conviction, to a fine not exceeding one hundred thousand ringgit or to imprisonment for a term not exceeding ten years or to both.

13. Food containing substances injurious to health

- (2) In determining whether any **food is injurious to health** for the purpose of subsection (1), regard shall be had not only to the **probable effect of that food on the health of a person** consuming it but also to the **probable cumulative effect of the food** of substantially the same composition on the health of a person consuming the food in ordinary quantities.

13A. Food unfit for human consumption

- (1) **Any person who prepares or sells any food** that consists wholly or in part of-
- (a) any **diseased, filthy, decomposed or putrid** animal or vegetable substance;
- (b) any portion of an animal unfit for **food**; or
- (c) the product of an animal which has died otherwise than by slaughter or as game, whether manufactured or not, **commits an offence** and shall be liable, on conviction, to a fine not exceeding fifty thousand ringgit or to imprisonment for a term not exceeding eight years or to both.

13A. Food unfit for human consumption

- (2) Any person who prepares or sells any food that contains or upon which there is any matter foreign to the nature of such food, or is otherwise unfit for human consumption, whether manufactured or not, commits an offence and shall be liable, on conviction, to a fine not exceeding thirty thousand ringgit or to imprisonment for a term not exceeding five years or to both.

13A. Food unfit for human consumption

- (3) **Any person who prepares or sells any food** whether manufactured or not that is enclosed in a sealed package **and the package is damaged and can no longer ensure protection to its contents** from contamination or deterioration, **commits an offence** and shall be liable, on conviction, to a fine not exceeding thirty thousand ringgit or to imprisonment for a term not exceeding five years or to both.

13B. Adulterated food

- (1) **No person shall prepare or sell any adulterated food.**
- (2) For the purposes of and without prejudice to the generality of subsection (1), any food shall be deemed to be adulterated if-
 - (a) it contains or is **mixed or diluted with any substance** which diminishes in any manner its nutritive or other beneficial properties as compared with such food in a pure, normal or specified state and in an undeteriorated and sound condition, or which in any other manner operates or may operate to the prejudice or disadvantage of the purchaser or consumer;

13B. Adulterated food

- (b) **any substance or ingredient has been extracted**, wholly or in part, or omitted, from the food and by reason of such extraction or omission, the nutritive or other beneficial properties of the food are less than those of the food in its specified state, or the food operates or may operate to the prejudice or disadvantage of the purchaser or consumer;
- (c) it **contains or is mixed or diluted with any substance of lower commercial value** than such food in a pure, normal or specified state and in an undeteriorated and sound condition;

13B. Adulterated food

- (d) it **contains any substance the addition of which is not permitted** by this Act or any regulations made under this Act;
- (e) it **does not comply with the standard** or specification prescribed by any regulations made under this Act;
- (f) it **contains a greater proportion of any substance than is permitted** by this Act or any regulations made under this Act;
- (g) it is mixed, coloured, powdered, coated, stained, prepared or otherwise **treated in a manner whereby damage or inferiority may be concealed**; or

13B. Adulterated food

- (h) it is in a package, and the **contents of the package as originally packed have been removed** in whole or in part and other contents have been placed in the package.
- (3) For the purposes of and without prejudice to the generality of paragraph (d) of subsection (2), the addition of any substance to the food shall be deemed to be not permitted or shall be deemed to be prohibited by or under this Act if the standards or specifications prescribed for the food by regulations made under this Act do not expressly provide for the addition of such substance.

13B. Adulterated food

- (4) A person who contravenes any of the provisions of this section **commits an offence** and shall be liable, on conviction, to a fine not exceeding twenty thousand ringgit or to imprisonment for a term not exceeding five years or to both.

13C. Removal of food from food premises

- (1) Where **any food is found to have contravened** or reasonably suspected to have contravened any provision of this Act or **any regulations** made under this Act, the Director or any **authorised officer** authorised by the Director **may**, by notice in writing, **order** any of the persons in section 24 **to recall, remove, or withdraw from sale such food from any food premises within such time as may be specified in the notice.**

13C. Removal of food from food premises

- (2) Notwithstanding subsection (1), it shall be the **duty of any of the persons** in section 24, **if he knows** or has reason to believe or it has come to his knowledge that any **food** imported, manufactured, packed, farmed, prepared or sold by him **has contravened** section 13, 13A or 13B, to **recall, remove or withdraw from sale such food from any food premises with immediate effect.**

13C. Removal of food from food premises

- (3) A person who contravenes subsection (1) or (2) commits an offence and shall be liable, on conviction, to a fine not exceeding one hundred thousand ringgit or to imprisonment for a term not exceeding ten years or to both.

FOOD REGULATIONS 1985

FOOD REGULATIONS 1985

Applicable to all foods sold in the country :

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

FOOD REGULATIONS 1985

TO ENSURE THE PUBLIC IS PROTECTED AGAINST:

- Health hazards, and
- Fraud in the preparation, sale and use of food and for matters connected thereto

FOOD REGULATIONS 1985

ARRANGEMENT OF REGULATIONS

PART IV	Labelling
PART V	Food additive
PART VI	Packages for food
PART VII	Incidental Constituent
PART VIII	Standards and particular labelling requirements for food

FOOD REGULATIONS 1985

Part IV: Labelling

➤ Why Label?

- Promotes transparency and avails consumers to an informed choice.
- In line with consumers' right to know.
- Important information that might have health implications (allergenic effects) are made known.

General
labelling

Nutrition
labelling

Hypersensitivity
labelling

Organic
labelling

GMF
labelling

FOOD REGULATIONS 1985

Part V: Food Additive

‘Food Additives’ – any safe substance added to food in small quantities to affect the food’s quality, texture, appearance, etc and INCLUDES

preservative, antimicrobial agent, colouring substance, flavouring substance, flavour enhancer, antioxidant and food conditioner

FOOD REGULATIONS 1985

Part V: Added Nutrient

‘Added nutrient’ includes any mineral, vitamin, amino acid, fatty acid, nucleotide or other food components which, when added singly or in combination to food, improves the nutritional value of the food.

FOOD REGULATIONS 1985

Part VI: Packages for Food

Packages shall not yield to its content any toxic injurious or tainting substance, which contributes to the deterioration of the food

FOOD REGULATIONS 1985

Part VII: Incidental Constituent

No person shall keep, carry, spread or use, or cause or permit to be kept, carried, spread or used, any toxic, noxious or harmful substance so as to expose a food intended for sale to the risk of contamination by that substance at any time in the course of the preparation, manufacture, storage, packaging, carriage, delivery, or exposure for sale, of the food.

Metal
contaminant

3-MCPD

Microorganisms
and their toxins

Drug
residue

Pesticide
residue

FOOD REGULATIONS 1985

Part VII: Standard & Particular Labelling Requirement for Food

- **Standard –**
 - **Definition and ingredient**
 - **Quality/safety requirement**
 - **Additives**
- **Particular labelling requirements**

THANK
YOU

