Asia Pacific Food Law Guide - Malaysia

Licensing and approvals requirements to import/export food

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# Customs registration

Registration with the Royal Malaysian Customs Department ("Customs") must occur when the food arrives at the Malaysian border. Usually, delay and trouble will be minimized by appointing an agent, rather than declaring personally at the border, as the agent will have all the relevant documents and information as well as an agent code, which will speed things up at the border. Naturally, this will incur a cost for the importer.

# Import permit

Whether or not an import permit is required depends on the type of food being imported. There is a list of food published by the FSQD which contains special and additional requirements that need to be fulfilled. This list is available on the [FSQD's website](http://fsq.moh.gov.my/v5/ms/kelulusan-pengimportan-makanan-tertentu/). Kindly note that the website is predominantly in Bahasa Malaysia with certain segments of it in English and that currently there is no English translation available.

Non-residents may also be able to obtain import permits. Importation of food must always be registered with the Food Safety Information System of Malaysia ("FOSIM"), which is essentially a database for importers.

**Import authority**
Some types of food are regulated by specific authorities. For example, the DVS and the MAQIS are in charge of regulating the import of food such as raw meat, milk and dairy products. In general, the DVS is in charge of ensuring that the products originate from a country which complies with the required standards. MAQIS, on the other hand, has the responsibility of enforcing compliance with the import requirements through the conduct of spot-checks at the point of importation. In this case, an E-Permit, once issued, will be valid for one consignment and for 30 days. This can be extended to 60 days upon request.

# Inspection and testing of imported foods

Imported foods will first be checked by MAQIS officers or another relevant body (depending on the identity of the foods and the body regulating their import/export). Upon the matching of their documents/permits with the imported food, and assuming that there are no further issues, the inspection by the MAQIS officers is concluded.

Another inspection round will then be conducted by Customs. This will be done on a random basis rather than on every imported food. Customs is usually more lenient in terms of inspection of food when the imported food arrives at the Malaysian border. Customs understands that the food, especially fresh food, should not be delayed too long at the border.

The only way to minimize delay at the border is to ensure that the permits and documents are prepared properly and are readily available to avoid giving rise to any doubts and/or suspicion on the part of the officers, which would lead to further investigations and unavoidable delays.

# Export permits/clearances

Export requirements differ depending on the product and destination country. For example, food regulated by MAQIS requires an export permit to be applied for by submitting the relevant documents and registering on the online registration system called [DagangNet](http://www.dagangnet.com/). Export permits are much easier to
obtain than import permits.

# Other notifications/approvals/licenses

Depending on the type of food, certain foods may require additional licenses or certificates before they can be imported into Malaysia. The list of such foods and any additional requirements is continuously being updated on the [FOSIM's website](http://fsis2.moh.gov.my/fosimv2/HOM/frmHOMPage.aspx). For example, a health certificate from the importing country will be required for food such as meat and poultry.

In the event such requirements are not complied with, the consignment will be placed under Level 5 of the FOSIM and be subjected to a "Hold, Test and Release" procedure where sampling would be conducted on the consignment.

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