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Thai FDA Implements New Food Additive Labeling Regulation

Report Categories:

Trade Policy Incident Report

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Report Highlights:

TH4012. Effective January 29, 2014, Thai importers of food additives will be required to comply with new food additive labeling regulations as stated in Notification of Ministry of Public Health No. 363 B.E. 2556 (2013) Re: Food Additive (No. 2). The unofficial English translation of the notification is included in this report.

General Information: Thai Food and Drug Administration Implements New Food Additive Labeling Regulation

Effective January 29, 2014, the Thai Food and Drug Administration requires all importers of food additives to comply with new food additive labeling as per Notification of Ministry of Public Health No. 363 B.E. 2556 (2013) Re: Food Additive (No. 2).

Under newly revised food additive labeling regulations, labels of food additives must be presented in the Thai language and contain clear and readable details as specified in the notification. However, the major change made in the notification is the display of food additive components for food additives sold directly to consumers. It requires displaying common names of food additives together with the quantity of food additives in percentage listed by weight in descending order except for food additives sold to food manufacturers that are used as materials for further processing and not sold directly to consumers or packers. Food additive names with the word "Food Additive" or functional class and International Numbering System (INS) are required to be displayed. The name shall be listed in descending order. Other information required include: food serial number, name and address of importer and producing country, lot identification by the word "Lot No.," net contents declared in metric measurements, manufacturing or expiry information, and the phrase "Only use as materials for food processing." For food additives not sold to direct consumers, the required information can be displayed in English but the complete information in Thai is still required to be provided in the manual or sales documents.

(Unofficial Translation)
Notification of the Ministry of Public Health
No. 363 B.E. 2556
Re: Food Additive (No. 2)

It deems appropriate to establish standard of food additives labelling for the benefit of consumers' protection.

By virtue of the provision of the 1st paragraph of Section 5 and Section 6 (1) (2) (4) (5) (6) (7) (9) and (10) of the Food Act (B.E. 2522 (1979), which restricts personal rights and liberties in conjunction with sections 29, 33, 41, 43, and 45 of the Constitution of the Kingdom of Thailand. The Minister of Public Health issues the notification as follows:

Clause 1. The following provision shall be added as Clause 6/1 of the notification of the Ministry of Public health (No. 281) B.E. 2547 (2004) Re: Food Additive dated August 18th 2004.
"Clause 6/1 The use of food additives shall follow Clause 6 and the food manufacturer shall have evidence to display details of food additives and their usage as per Notification of Ministry of Public Health Re: Food Additives."

Clause 2. The following provision shall be added as Clause 8/1 of the notification of Ministry of Public health (No. 281) B.E. 2547 (2004) Re: Food Additive dated August 18th 2004.

Clause 8/1. The manufacturer or importer of a food additive for sale shall present evidence or provide necessary information to a food manufacturer to control the use of food additive in accordance to the Notification of the Ministry of Public Health Re: Food Additive.

Clause 3. The provision of Clause 10 of the notification of Ministry of Public health (No. 281) B.E. 2547 (2004) Re: Food Additive dated August 18th, 2004 shall be repealed and replaced by the following:

Clause 10. Labeling of food additives shall follow the Notification of the Ministry of Public Health Re: Labeling. Exception is made for labeling of food additives in accordance with Clause 3,4,5, and 6 of the Notification of Ministry of Public Health No. 194 B.E. 2543 (2000) Re: Labeling dated September 19th, 2000, which shall be as follows:

The labeling of food additives must have a text in the Thai language and may be accompanied with foreign text. It must contain clear and readable details as follows:

- (1) Name of food, together with the word “Food Additive or functional class.” For food additive that has more than one function or be a combined food additive, the word “Food Additive” shall be with the name of the food;
- (2) Food serial number;
- (3) Name and address of manufacturer or packer of food additives produced in the country. For imported food additives, the display of name and address of the importer and producing country is required. However, for food additives produced in the country, the name and the headquarter address of food additive manufacturer or packer shall be used instead;
- (4) Lot identification by the word "Lot No." or marked with other text that can be used for product traceability;
- (5) The net contents shall be declared in metric measurements;
 - (5.1) for solid food additives, by net weight;
 - (5.2) for liquid food additives, by net volume;
 - (5.3) for semi-solid food additives, either by net weight or net volume;
 - (5.4) for food additives in the form of tablet or capsule, by net weight and number of tablets must be shown;
 - (5.5) for other forms of food additives other than (5.1) – (5.4), by net weight;
- (6) Month and year of manufacture or month and year of expiration must be labeled according to “manufactured on (specify month and year)” or “expired on (specify month and year)” or similar text. Food additives with a shelf-life less than 18 months must display the expiry date and year using the text as “expired on (specify month and year)” or other information that provide the same meaning such as “can be used until (specify month and year)”;
- (7) The food components must display food additive components and other food ingredients as follows:
 - (7.1) For food additive components, the common name of food additives must be shown. In addition, the quantity of food additives must be given in percentage and listed by weight in descending order. The common name of notification of food additives must be shown in a specific name, according to the latest CODEX’s general standard for food additives or the Notification of the Ministry of Public Health Re: Food additives. Numbers must be provided and be in accordance with International Numbering System (INS) for food additives;

For food additives sold to food manufacturers to be used as materials for their further processing and not sold directly to consumers, or food additives sold to packers, only food additive names with INS are required to be displayed. The name shall be listed by weight in descending order;

(7.2) For other food ingredients, the name of food ingredients must be declared in the list of ingredients in descending order of proportion; In case of other food ingredients containing flavoring agents, instead of displaying the flavoring agents' names, the following information may be used: "contains flavoring agents," "contains natural flavoring agents," "contains natural flavoring agent imitations" or "contains artificial flavoring agents." In case other food ingredients contain spices or herbs, the wording "spice" or "herb" can be used in lieu of their names. However, this does not apply to flavor modifiers;

(8) The usage instruction must be given and at least cover the following:

(8.1) Usage objective;

(8.2) Food type;

(8.3) Amount of food additive used in food;

(9) Instructions for storage;

(10) Restrictions on use and warnings or cautions (if any);

The displayed text under (1) (5) and (6) must be in the position that can be clearly seen. In case a display of the information of (6) is shown at the bottom of the container, the text must clearly indicate the position of the information displaying manufacturing month and year or expiry month and year.

For food additive, which is produced or imported to be sold to food manufacturers as materials for further processing and not sold directly to consumers as well as those food additives sold to packers, the displayed text under (1) (2) (3) (4) (5) and (6) are required on the label with the text of "Only use as materials for food processing" or other information that carry the same meaning. The information can be displayed in English. However, if the quantity of food additives are displayed in percentage, the phrase "only use as materials for food processing" can be omitted and the information of (1)-(10) in Thai can be provided in the manual or sales documents.

Clause 4. The following provision shall be added as Clause 10/1 of the notification of Ministry of Public health (No. 281) B.E. 2547 (2004) Re: Food Additive dated August 18th, 2004.

"Clause 10/1 Labeling of food additives produced for export can be displayed in any language, but at the minimum required to provide the following information:

(1) Name of producing country;

(2) Food serial number or the identification of the producing factory;

(3) Lot identification by the word "Lot No." or marked with other text that can be traceable."

Clause 5. The importer and manufacturer of the food additives whom are previously permitted before the enforcement of this notification have to comply with this notification. The old labels could be used but not later than one year from the effective date of this notification.

Clause 6. This notification shall come into force after 90 days from the day following date of its publication in the Government Gazette.

Notified on 23rd September 2013.

Pradit Sinthavanarong

Minister of Public Health

(Published in the Government Gazette Vol. 130, Special Part 148 Ngor, dated 31st October 2013.)

End of the Report.