

(Unofficial)
Notification of the Ministry of Public Health
(No. 194) B.E. 2543 (2000)
Re: Labels.

It deems appropriate to amend the notification of the Ministry of Public Health, Re: Labels.

By the virtue of provisions of Section 5 and 6 (10) of the Food Act B.E. 2522 (1979), in which contain provisions in relation to the restriction of Rights and Liberties of the Persons, in respect of which Section 29 and in conjunction with Section 35, Section 48 and Section 50 of the Constitution of the Kingdom of Thailand so permit by virtue of provisions of law; the Minister of Public Health hereby issues the notification as follows:

Clause 1. The following notifications shall be repealed:

- (1) The notification of the Ministry of Public Health No. 68 B.E. 2525 (1982), Re: Labels, dated 29th April B.E. 2525 (1982).
- (2) The notification of the Ministry of Public Health No. 95 B.E. 2528 (1985), Re: Labels (No.2), dated 30th September B.E. 2528 (1985).

Clause 2. The following foods shall be prescribed to have labels:

- (1) Specific controlled food.
- (2) Prescribed Food to have Qualities or Standards.
- (3) Food which the Minister of Public Health Prescribed to have Label.
- (4) Other foods besides prescribed foods in (1), (2), and (3).

Clause 3. Labels of foods to be sold to consumers must be expressed in Thai language alphabets, but may contain some foreign language alphabets which are acceptable. And label must be expressed of the following declarations, except for the exception from the Food and Drug Administration:

- (1) Name of food.
- (2) Food serial number.
- (3) Names and addresses of producers or re-packers of food which is produced within the country, names and addresses of importers and country of producers as the case may be.

For foods which are produced within the country, names and addresses of head office of producers or re-packers may be expressed instead.

(4) Food quantities shall be expressed in the metric system.

(4.1) Food in solid form shall be expressed in net weight.

(4.2) Foods in liquid form shall be expressed in net volume.

(4.3) Foods in semi solid form may be expressed in net weight or net volume.

(4.4) Other foods shall be expressed in net weight.

In case of chunk food or a food packed in a liquid medium or water which can be clearly isolated from each other, those foods shall be expressed as drained weight except for foods which can not be isolated from liquid medium or water.

(5) Main ingredients shall be expressed by percentage of approximate weight except for the ingredients in which the Food and Drug Administration require to express by percentage of weight and shall be expressed in descending order by percentage. In case of food to be diluted or dissolved before consumption as prescribed by the Food and Drug Administration, the main ingredients shall be expressed when diluted or dissolved according to preparing instruction expressed on the labels.

(6) Declaration of "Utilizing preservatives" for any usage.

(7) Declarations of "Natural colour" or "Artificial colour" for any usage cases.

(8) Declaration of "Utilize offor flavour enhancer" (the blank is for the name of flavour enhancer used.)

(9) Declaration of "Utilize ofas food artificial sweetener" (the blank is for the name of artificial sweetener.) by alphabets of not smaller than 2 millimeter height and colour of the text shall be highly contrast with the background of the label.

(10) Declarations of "Natural flavour", "Identical artificial flavour", or "Artificial flavour" as the applicable case.

(11) Declarations of date, month, and year of manufacture, or month and year of manufacture; date, month, and year of expiry for consumption or date, month, and year of which foods are in good qualities or standards by declaration of "produce" "expire" "consume before" as the applicable case.

(11.1) Date, month, and year of expiration for consumption for foods which can not be stored more than 90 days.

(11.2) Month and year of manufacture, or date, month, and year of expiration for consumption for foods which can be stored more than 90 days.

(11.3) Date, month, and year of manufacture and date, month, and year of expiration for consumption as prescribed by the Food and Drug Administration.

The declaration as prescribed in (11.1), (11.2), and (11.3) shall be in the order of date, month, and year. In case of month, the declaration may be shown in alphabets.

For declarations of date, month, and year of expiration for consumption may be replaced by date, month, and year of consume before.

(12) Instruction for food storage. (If any)

(13) Food preparation method for consumption. (If any)

(14) Instruction for use and necessary instruction for foods intend for infant or young children or any particular group.

(15) Declarations in which the Food and Drug Administration prescribed to have on prescribed food.

Labels as stipulated in 2(4) at least shall have declarations in (1), (3),(4), and (11).

Clause 4. Labels of foods for sale to food manufacturers or food distributors but not to consumer is prescribed to express on label as stipulated in Clause 3 except where there are handbooks or booklets to express declarations as stipulated in 3(5) to 3(10) and 3(12) to 3(15) shall merely express as stipulated in 3(1) to 3(4) and 3(11).

Clause 5. Labels of foods which are not for sale to consumer and foods which are not prescribed to express on label as stipulated in Clause 3 or Clause 4 shall be expressed by Thai alphabets except for imported foods may contain English alphabets and at least shall have the following:

(1) Names and categories or type of foods.

(2) Food serial number.

(3) Food quantities which is expressed in the metric system.

(4) Names and addresses of producers or re-packers of food which is produced within the country, names and addresses of importers and country of producers, as the case may be.

For foods which are produced within the country, names and addresses of head office of producers or re-packers may be shown instead.

Clause 6. Labels of foods to be exported may be expressed in any language, but at least shall have the following declarations:

(1) Country of manufacturers.

(2) Food serial number. (If any.)

Clause 7. Labels of the following foods shall be submitted and approved by the Food and Drug Administration prior to use.

(1) Specific controlled foods.

(2) Other foods which are prescribed by the Minister.

Approved labels shall have the declaration of food serial number as prescribed by the Food and Drug Administration on.

Clause 8. Declaration of food serial number on the label in 2(1), 2(2), and 2(3) shall follow to criteria, methods, and conditions as prescribed by the Food and Drug Administration.

Clause 9. Labels of food shall be placed, stuck, or clearly shown on the containers and/or packages of food containers and shall be clearly seen by the proportional size of labels to the area of the containers or packages of the containers.

Clause 10. Labels of food shall not either direct or indirect miss leading between foods and declarations, characters, pictures, invented designs, marks, or trademarks which suggest other product.

Clause 11. Labels of food that have texts, characters, pictures, invented designs, marks, or trademarks in any language expressed on the labels and shall follow to:

(1) Shall not fraud or deceive to unsuitable believe or misunderstand in main features.

(2) Shall not express name of food, food ingredients, ratio of food, quantity of food, or claimed effectiveness of food which are fraud or deceive to believe.

(3) Shall not mislead to have such texts, characters, pictures, invented designs, marks, or trademarks which do not exist in the food or exist in the small amount which can not be claimed for effectiveness.

Clause 12. The texts shall be expressed clearly and easy to be read.

The texts as stipulated in 3(1), 3(4), and 3(11) shall be placed in clear visible position.

In case of the texts as stipulated in 3(11) is placed at the bottom side of package, the label shall state where to find date, month, and year of manufacture; month and year of manufacture; day, month, and year of expiration or date, month, and year in which foods are still in good quality or standard.

Clause 13. The colour use for background and texts shall be in clear contrast which will enhance the texts to be read easily. The size of the alphabets shall be rational to area size of the

label except for the following texts shall have the size of alphabets, position and format as prescribed by the Food and Drug Administration:

- (1) Food serial number.
- (2) The texts as stipulated in 3(15).

Clause 14. Labels with trademarks on it shall be prescribed by the Food and Drug Administration to express in writing of “logo” or “trademark” in association with trademark in order to prevent the consumers from misunderstanding about such foods.

Clause 15. Names of food as stipulated in 3(1) shall not be misled in main feature, fraud, deceive to believe, misunderstand, or offensive to good Thai cultures, or lead to deteriorate of nice Thai language, and shall be continuously expressed horizontally with compatible size of alphabets which are easy to read and utilizing one of the names as follow:

- (1) Specific names of food, common names, or names which is generally called.
- (2) Names of category or type of food.

(3) Trade names shall be used in association with category or type of foods on the same line with trade names and size of the alphabets shall be differ from trade names but subject to be read clearly.

In order to protect the consumers from misunderstanding about foods, the Food and Drug Administration may prescribe any texts to describe food such as packing media, production process, characteristic of food, type or part of plant, or parts from which the foods are originated.

Clause 16. Food Labelling, which are issued to follow the notification of Ministry of Public Health No. 68 B.E. 2525 (1982), Re: Labels, dated 29th April B.E. 2525 (1982), which is amended by the notification of the Ministry of public Health No. 95 B.E. 2528 (1985), Re: Labels (No. 2), dated 30 September B.E. 2528 (1985), and the related notifications, prior to this notification, shall be valid for 2 years as from the come into force date of this notification.

Clause 17. Producers or importers of foods, whose permits issued prior to this notification, shall apply for food serial number within one year as from the come into force date of this notification. And after such application, the remaining food labels are allowed to be used until last but not exceeding to 2 years as from the come into force date of this notification.

Clause 18. This notification shall come into force after 180 days as from the day following date of its publication in the Government Gazette.

Notified on 19th September 2000.

Signed Korn Thupparungsri
(Mr. Korn Thupparungsri)
Minister of Public Health

(Published in the Government Gazette Vol. 118, Special Part 6 Ngor, dated 24th January 2001)

Note: This English version of the notification is translated to meet the need of the non-Thai speaking people. In case of any discrepancy between the Thai original and the English translation, the former will take priority.

Regulation of the Food and Drug Administration
Re: Procedures for food Serial Number Application.

The Food and Drug Administration has developed food control system in order to utilize quality assurance in food production for better efficiency and productivity in consumers protection. The Food and Drug Administration deems its necessity to amend the food labelling application procedures which are formerly come into force and complied with new working procedures.

By the virtue of provisions in Section 32 and 36 of the Governmental Administrative Orders and Regulations Act B.E. 2534 (1991), in conjunction with Clause 8 of the notification of the Ministry of Public Health No. 194 B.E. 2543 (2000), Re: Labels, dated 19th September B.E. 2544 (2001), the Food and Drug Administration has issued regulations as follow:

Clause 1. This regulation is called “Regulation of the Food and Drug Administration, Re: Procedures for food serial number application”.

Clause 2. This regulation shall come into force on 24th July B.E. 2544 (2001).

Clause 3. The regulation of the Food and Drug Administration, Re: Food labelling application, dated 12th September B.E. 2539 (1996), shall be repealed.

Clause 4. The following foods shall be prescribed to have food serial number.

4.1 Specific controlled foods.

4.2 Prescribed Food to have Qualities or Standards as follow:

4.2.1 Prescribed Food to have Qualities or Standards which the Minister of Public Health prescribed to be submitted for approval prior to use.

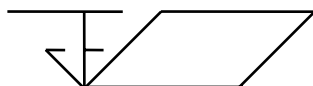
4.2.2 Prescribed Food to have Qualities or Standards besides the stipulation in 4.2.1.

4.3 Foods which the Minister of Public Health Prescribed to have Label as follow:

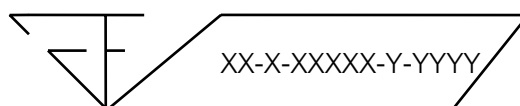
4.3.1 Prescribed Food to have Label, which the Minister of Public Health prescribed to be submitted for approval prior to use.

4.3.2 Prescribed Food to have Label besides the stipulation in 4.3.1.

Clause 5. Details of food serial number shall consist of 13-digit number which is divided into 5 groups denoting food production premises or food importation premises as applicable case, approve authority, and sequence of food number displayed in symbol of



on the food labelling as the following description:



5.1 The first group (XX) consists of two numbers which denote the province in which the food production premises or food importation premises are located by the abbreviation of that province, details of provincial abbreviation are in appendix attached in this regulation.

5.2 The second group (X) consists of one number which denote status of food production premises or food importation premises and approve authority as follow:

Number 1 means food production premises which are approved by the Food and Drug Administration.

Number 3 means food importation premises which are approved by the Food and Drug Administration.

Number 2 means food production premises which are approved by provincial authority.

Number 4 means food importation premises which are approved by the provincial authority.

5.3 The third group (XXXXX) consists of five numbers which denote to the number of food production premises or food importation premises and year in B.E. which are approved. For the first three digits of the third group represent approved food production premises or food importation premises number as the case may applied and the last two digits of the third group represent last two digits of the year approved in B.E., for example, 00241 represents the food production premise number or food importation premise number which are approved by the number 2 and are approved in the year B.E. 2541 (1998).

5.4 The fourth group (Y) consists of one number which denote to approval office that issues the serial number as follow:

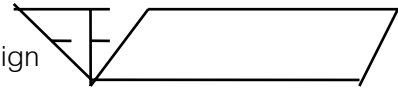
Number 1 means foods which approved food serial number from the Food and Drug Administration.

Number 2 means foods which approved food serial number from the provincial office.

5.5 The fifth group (YYYY) consists of four numbers which denote to sequence no. of food that is produced by each food production premise or imported by each food importation

premise which is divided by approval offices as stipulated in 5.4, for example, 0001 represents to item no. 1, 0099 represents item no. 99, 0110 represents item no. 110, 1001 represents to item no. 1001.

Clause 6. Food serial number shall be expressed in the sign



by numbers in contrast color to its background colour border, and the size of the numbers shall not be smaller than 2 m.m. and the colour of border shall be in contrast with the background.

In case where food serial number can not be implied as stipulated in the first phrase, explanations and reasons of such non compliance to the regulation shall be filed and should the explanations are acceptable to the Food and Drug Administration, food serial number which is expressed differ from the stipulation in the first phrase shall be approved.

Clause 7. Food producers or food importers for sale as stipulated in Clause 4. shall express food serial number and process or express food serial number as follow:

7.1 File the Application Form of Food Registration by form oor. 17 which is attached to statute of the Ministry of Public Health No. 4 B.E. 2522 (1979), dated 17th November B.E. 2522 (1979) for food as stipulated in 4.1 of Clause 4. in which is produced from the production premise which is recognised as factory, or imported, which hold Food Manufacturing License or Import Food into the Kingdom License.

7.2 File the Application Form of Food Production License which premise is not recognised as factory by form sor. bor. 1 and attach documents as required in this application form and file the Application Form of Food Labelling by form sor. bor. 3 and attach documents as required in this application form which are attached to this regulation. For foods as stipulated in 4.1 of Clause 4. in which is produced from the production premise which is not recognised as factory.

To approve or disapprove for the number of food production premises and Food Labellings, the approval shall completely fill in form and properly sign in the final part of application form sor. bor. 1 and sor. bor. 3 as the case may be.

7.3 File the Application Form of Food Labelling by form sor. bor. 3 and attach documents as required in this application form which are attached to this regulation for foods as stipulated in 4.2.1 and 4.3.1 in Clause 4. in which is produced from the production premises which is recognised as factory or imported, which hold Food Manufacturing License or Import Food into the Kingdom License.

To approve or disapprove for use of Food Labelling, the approval shall completely fill in form and properly sign in the final part of application form sor. bor. 3.

7.4 File the Application Form of Food Production License which premise is not recognised as factory by form sor.bor.1 and attach documents as required in this application form and file the Application Form of Food Labelling by form sor. bor. 3 and attached documents as required in this application form which are attached to this regulation. For foods, as stipulated in 4.2.1 and 4.3.1 of Clause 4 in which is produced from the production premise which is not recognised as factory.

To approve or disapprove for use of Food Labelling, the approval shall completely fill in form and properly sign in the final part of the application form sor. bor.3.

7.5 File Food Record / Food Declaration Form by form sor. bor. 5 as attached in this regulation for foods as stipulated in 4.2.2 of Clause 4 in which is produced from the production premise which is recognised as factory or imported which hold Food Manufacturing License or Import Food into the Kingdom License.

7.6 File the Application Form of Food Production Licence which premise is not recognised as factory by form sor. bor. 1 and attach documents as required in this application form and file Food Record / Food Declaration Form by form sor. bor. 5 in the attachment of this regulation for foods as stipulated in 4.2.2 of Clause 4. in which is produced from the production premise which is not recognised as factory.

7.7 File Food Record / Food Declaration Form by form sor. bor. 5 which is attached in this regulation for food as stipulated in 4.3.2 in Clause 4 in which is produced from the production premise which is recognised as factory or imported which hold Food Manufacturing License or Import Food into the Kingdom License.

7.8 File the Application Form of Food Production Licence which premise is not recognised as factory by form sor. bor. 1 and attach documents as required in this regulation and file application for declaration of food details by form sor. bor. 5 in this regulation for foods as stipulated in 4.3.2 of Clause 4 in which is produced from the production premise which is not recognised as factory.

Clause 8. For those who want to amend any details about production premise, importation premise, and change of food items shall follow to the following:

8.1 Food manufacturers, as stipulated in clause 4 for production premises which are recognised as factory, have applied by form oor. 1 or form oor. 5 in attachment of the statute of the Ministry of Public Health No. 1 B.E. 2522 (1979), dated 17th November B.E. 2522 (1979), shall be acknowledged for conforming to this regulation.

8.2 Food importers, as stipulated in Clause 4., have applied by form oor. 6 or oor. 10 in attachment of the statute of the Ministry of Public Health No. 2, B.E. 2522(1979), dated 17th November B.E. 2522 (1979), shall be acknowledged for conforming to this regulation.

8.3 Food producers, as stipulated in Clause 4 for production premise which are not recognised as factory, shall file application by form sor. bor. 2.

To approve or disapprove to the amendment about details of production premise, the approval shall completely fill in form and properly sign in the final part of the application form sor. bor. 2.

8.4 Foods manufacturers or importers as stipulated in 4.1 of Clause 4 for production premises which are recognised as factory and imported, and have applied by form oor. 19 in attachment of the statute of the Ministry of Public Health No. 4, B.E. 2522 (1979), dated 17 November B.E. 2522 (1979) shall be acknowledged for conforming to this regulation.

8.5 Foods producers or importers as stipulated in 4.1 of Clause 4. for production premises which are not recognised as factory and foods as stipulated in 4.2.1 and 4.3.1 of Clause 4. which are produced or imported, as the case may be, shall file application by form sor. bor. 4.

To approve or disapprove to amend about details of food, the approval shall completely fill in form and properly sign in the final part of the application form sor. bor. 4.

8.6 Foods as stipulated in 4.2.2 and 4.3.2 of Clause 4. for manufacturers and importers to file application by form sor. bor. 6.

Clause 9. Provide that approved authorities empower to revoke former Food Labelling or any document for approved food serial number, as the case may be, if foods appear to have characteristics as follow:

9.1 Impure foods as stipulated in Section 26.

9.2 Adulterated foods as stipulated in Section 27.

9.3 Substandard foods as stipulated in Section 28.

9.4 Foods with characteristics as stipulated in Section 29.

9.5 Foods which is changed to be used as drug, psychotropic substances, narcotics, cosmetics, or medical devices.

9.6 Foods which production premise is changed to be recognised as factory.

9.7 Foods which food labellings are approved but fail to file application for changes of inaccurate items within the period notified in the relevant notifications of the Ministry of Public Health.

9.8 Foods which are produced from production premises which are found to be out of business.

9.9 Specific Controlled Foods or Prescribed Foods to have Qualities or Standards or Prescribed Foods to have Labels from conversion to other type of foods as notified in the notification of the Ministry of Public Health.

9.10 Prescribed Foods to have Qualities or Standards or Prescribed Foods to have Labels without conversion to other type of foods.

9.11 Foods, which are not foods as stipulated in Clause 4., with former Food Labelling.

9.12 Foods, as stipulated in 9.9 to 9.10, which are notified in the notification of the Ministry of Public Health for period of Food Labelling usage and have overdue of such period.

9.13 Foods that fall in the condition of Clause 11.

Clause 10. Repeal of the Food Labelling or documents of approved food serial number, as the case may be, shall be proceeded as follows:

10.1 Report the truth and attach evidences submit to authority for the case that fall in the condition of Clause 9.

10.2 To inform the repeal of Food Labelling or food serial number, the authority shall inform to Food Labelling or food serial number holders by letters.

Clause 11. Foods which are granted to use Food Labelling by regulations of the Food and Drug Administration, Re: Food abelling application, dated 12th September B.E. 2539 (1996), shall follow to Clause 7. of this regulation. If require to change any items in Food Labelling, the former Food Labelling shall be repealed.

Notified on 13th June B.E. 2544 (2001).

Signed Vichai Chokevivat
(Mr. Vichai Chokevivat)

Secretary-General the Food and Drug Administration

(Published in the Government Gazette Vol. 118, Special Part 62 (Ngor), dated 2nd July 2001. Page 8-16.)

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