

(Unofficial)

Notification of Ministry of Public Health

(No. 214) B.E. 2543 (2000)

Re: Beverages in Sealed Container

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It deems appropriate to amend the notification of the Ministry of Public Health, Re: Beverage in Sealed Containers.

By the virtue of the provisions of Sections 5 and 6 (1) (2) (4) (6) (7) and (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 notification of the Ministry of Public Health No. 62 B.E. 2524 (1979), Re: Beverages in Sealed Containers, dated 7<sup>th</sup> September B.E. 2542 (1999) and the notification of the Ministry of Public Health No. 180 B.E. 2542 (1999), Re: Beverages in Sealed Containers (No. 2) dated 12<sup>th</sup> November B.E. 2543 (2000), shall be repealed.

**Clause 2.** Beverages in Sealed Containers is prescribed to be specific controlled food.

**Clause 3.** Beverages in Sealed Containers as stipulated in clause 2, can be classified into 5 categories as follows:

- (1) Water with dissolved carbon dioxide or oxygen gas.
- (2) Beverage, which is containing or made from fruits, plants or vegetables, and may also contain dissolved carbon dioxide or oxygen gas.
- (3) Beverage, which is containing or made from other constituents, except fruits, plants or vegetables, and may also contain dissolved carbon dioxide or oxygen gas.
- (4) Beverage as stipulated in (2) or (3), which is concentrated and needs to be diluted before consumption.
- (5) Beverage as stipulated in (2) or (3) in dried form.

**Clause 4.** Beverage as stipulated in Clause 2 shall be of the qualities or standards as follows:

- (1) Odour and flavour inherent to specific characteristics of that beverage.
- (2) Free of sediment, except sedimentation naturally occurring from ingredients.
- (3) Water to be used in production shall follow to qualities or standards in the notification of the Ministry of Public Health, Re: Drinking water in Sealed Containers.
- (4) Coliform bacteria shall be found less than 2.2 per 100 ml. of beverage by Most Probable Number Method.
- (5) Free of *Escherichia coli*.
- (6) Free of pathogenic microorganisms.
- (7) Free of toxic substances released by microorganisms or other toxic substances in quantity which may be hazardous to health.
- (8) Free of yeast and mold.
- (9) Free of contaminants, except the followings:
  - (9.1) Arsenic not more than 0.2 mg per 1 kg. of beverage.
  - (9.2) Lead not more than 0.5 mg per 1 kg. of beverage.
  - (9.3) Copper not more than 5 mg per 1 kg. of beverage.
  - (9.4) Zinc not more than 5 mg per 1 kg. of beverage.
  - (9.5) Iron not more than 15 mg per 1 kg. of beverage.
  - (9.6) Tin not more than 250 mg per 1 kg. of beverage.
  - (9.7) Sulfur dioxide not more than 10 mg per 1 kg. of beverage.
- (10) Artificial sweetener shall follow to Food Standard of Joint FAO/WHO, Codex, Re: Food additives, and the amended version, and may be used in single or combination with sugar.

In case where no standards is prescribed in the first phrase, the Food and Drug Administration shall prescribe according to an approval of the Food Committee.

(11) Natural alcoholic content from ingredients or alcohol used in production process, the total quantity of alcohol shall be not more than 0.5% by weight. In necessary case where total quantity of alcohol is higher than prescription, such matters must be approved by the Food and Drug Administration.

Methyl alcohol shall not be used in production process..

Concentrated or dried beverage which needs to be diluted or dissolved before consumption according to label, when diluted or dissolved, the coliform bacteria shall be found as stipulated in (4) and contaminants shall follow as stipulated in (9).

**Clause 5.** Beverage as stipulated in clause 3, shall be of the qualities or standards as stipulated in Clause 4, moreover shall be of the specific qualities or standards as following:

(1) Beverage as stipulated in 3(2) shall be of the quantities or standards, which follow to the kinds or types of fruits, plants or vegetables and shall be approved by the Food and Drug Administration.

(2) Concentrated or dried beverage as stipulated in 3(2), when diluted or dissolved, shall be of the quantities or standards which follow to the kinds or types of fruits, plants or vegetables and shall be approved by the Food and Drug Administration.

(3) Moisture content of dried beverage shall be not more than 6% by weight. In case of dried beverage, which is made from plants or vegetables, moisture content shall follow to the approval of the Food and Drug Administration.

(4) Beverage as stipulated in 3(2) or 3(3) with preservatives shall be prescribed as follows:

(4.1) Sulfur dioxide shall be not more than 70 mg. per 1 kg. of beverage.

(4.2) Benzoic acid or sorbic acid or salts of both acids, to be calculated as acid, shall be not more than 200 mg. per 1 kg. of beverage.

Concentrated beverage as stipulated in 3(2) or 3(3), when being diluted, the preservatives shall be not more than as stipulated in clause (4).

Dried beverage as stipulated in 3(2) or 3(3), when dissolved, the preservatives shall be not more than as stipulated in clause (4).

Preservatives shall be individually used in quantity as prescribing in (4.1) or (4.2). In case where more than one preservative are used, the total quantity of preservatives used shall be not more than the least allowed quantity.

For necessary case where preservatives which are differ from the above stipulation are used, such usage must be approved by the Food and Drug Administration.

**Clause 6.** Beverages in Sealed Containers producers or importers for sales shall follow to the notification of the Ministry of Public Health, Re: Production processes, production equipments and foods storages.

**Clause 7.** Usage of containers for beverage on sealed containers shall follow to the notification of the Ministry of Public Health, Re: Containers.

**Clause 8.** Labels for beverage shall follow to the notification of the Ministry of Public Health, Re: Labels, except for beverage as stipulated in 3(2) which is containing or made from fruit juice, both in liquid and dry forms, and beverage as stipulated in 3(3) which artificial odour and taste of fruit both in liquid and dry forms, shall be as follows:

(1) Beverage as stipulated in 3(2) must be declared as the follows:

(1.1) “Water.....100%” (the blank space is to specify the name of fruits) for beverage which is containing or made from fruits only.

(1.2) “Water.....100% from water.....concentrated” (the blank space is to specify the name of fruits) for beverage which is made from concentrated fruit juice, when diluted, shall be of the qualities or standards as stipulated in (1.1).

(1.3) “Water.....%” (the blank space is to specify the name and quantity in % of fruits) for beverage, which is containing or made from fruit content of 20% by weight and up, but not beverage as stipulated in (1.1).

(1.4) “Water taste.....%” (the blank space is to specify the name and quantity in % of fruit) for beverage which is containing or made from fruit content of less than 20% by weight.

(2) Beverage as stipulated in 3(3) which is mixed with artificial odour and flavour of fruits, must be named as the follows:

“Soft drink flavor .....” (the blank space is to specify the name of artificial fruit’s flavour).

(3) Beverage as stipulated in 3(4), must be declared as stipulated in (1) or (2) by needless to show quantity of fruits, and must express “concentrated” after that name, and must express “when diluted, contain water.....%” (the blank space is to specify the type and quantity of fruits) below the name of beverage.

(4) Beverage as stipulated in 3(5), must be declared as stipulated in (1) or (2) by needless to show quantity of fruits, and must express “when dissolved, contain water.....%” (the blank space is to specify the type and quantity of fruits) below the name of beverage.

Beverage in which artificial sweetener is used, must declare “Usage of .....to be an artificial sweetener” (the blank space is to specify the name of artificial sweetener) in alphabets height of not smaller than 2 mm. and alphabets’ color contrast with label’s background colour.

Other declarations shall be prescribed by the Food and Drug Administration, (if any).

**Clause 9.** This notification shall not to enforce to beverages in sealed containers for export.

**Clause 10.** Food Registration or Food Labelling, which are issued to follow the notification of the Ministry of Public Health No. 62 B.E. 2524 (1981), Re: Beverages in Sealed Containers, dated 7<sup>th</sup> September B.E. 2524 (1981), which is amended by the notification of the Ministry of Public Health No. 180 B.E. 2540 (1997), Re: Beverages in sealed containers (No. 2), dated 12<sup>th</sup> November B.E. 2543 (1997), prior to this notification, shall be valid for 2 years as from the come into force date of this notification.

**Clause 11.** Beverages in Sealed Containers producers or importers, 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. After applying for food serial number, beverages in sealed containers producers or importers shall be abated from the stipulation in Clause 6 for a period of 2 years after this notification come into force. As a result, the remaining labels are allowed to be used until last but not exceeding to 2 years after this notification come into force.

**Clause 12.** This notification shall come into force after 180 days as from the day following date of its publication in the Government Gazette.

Notified on 19<sup>th</sup> September 2000

(Signed) Korn Thupparungsri

(Mr. Korn Thupparuagsri)

Minister of Public Health

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

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