NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** Thailand  **If applicable, name of local government involved (Article 3.2 and 7.2):** - |
| **2.** | **Agency responsible:** Food and Drug Administration (Thai FDA)  **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:** |
| **3.** | **Notified under Article 2.9.2 [****X],** **2.10.1 [****],** **5.6.2 [****],** **5.7.1 [****],** **other****:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Edible fats and Oils (ICS 67.200) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Draft Ministry of Public Health Notification, No. … B.E. … (...) Issued by virtue of the Food Act B.E. 2522 entitled "Edible Fats and Oils" (20 page(s), in Thai) |
| **6.** | **Description of content:** The Ministry of Public Health (MOPH) considered that existing Notifications of Ministry of Public Health regarding edible fats and oils should be revised to comply with relevant Codex standards for edible fats and oil as well as technologies of their production. Therefore, the draft Notification of MOPH entitled "Edible Fats and Oils" has been issued for consumer health protection and trade facilitation as follows:  Clause 1 – Following notifications of MOPH shall be repealed;  (1) Notification of MOPH (No.23) B.E.2522 (1979) Re: Peanut Oil  (2) Notification of MOPH (No. 233) B.E. 2544 (2001) Re: Amendment of the Notification of the Ministry of Public Health (No. 23) B.E.2522 (1979) Re: Peanut Oil  (3) Notification of MOPH (No.56) B.E.2524 (1981) Re: Palm Oil  (4) Notification of MOPH (No.184) B.E.2542 (1999) Re: Palm Oil (No. 2).  (5) Notification of MOPH (No. 234) B.E. 2544 (2001) Re: Amendment of the Notification of the Ministry of Public Health (No. 56) B.E. 2524 (1981), Re: Palm Oil.  (6) Notification of MOPH (No. 57) B.E. 2524 (1981) Re: Coconut Oil.  (7) Notification of MOPH (No. 235) B.E. 2544 (2001) Re: Amendment of the Notification of the Ministry of Public Health (No. 57) B.E. 2524 (1981), Re: Coconut Oil.  (8) Notification of MOPH (No. 205) B.E. 2543 (2000) Re: Oil and Fat.  Clause 2 – Edible fat and oils are prescribed food to have qualities or standards. Definition of edible fat and oils is revised as follows:  "Edible fats and oils mean foodstuffs which are composed of glycerides of fatty acids obtained from plant, animal or marine origin and be fit for human consumption, except for fish oil"  Clause 3 - Edible fats and oils are classified to 5 categories as follows:  1) Fats and oils which are obtained from plant origin as specified in Annex 1 of this notification;  2) Fats and oils which are obtained from animal origin as specified in Annex 2 of this notification;  3) Fats and oils which are obtained by marine origin as specified in Annex 3 of this notification;  4) Other fats and oils which are obtained from any source other than listed in Annex 1, 2, and 3 of this notification that be approved by Thai FDA; and  5) Mixed fats and oils which are consisted of 2 or more than 2 different types of fats and oils as classified in 1, 2, 3, 4, or specific fat and oils from particular notification of MOPH. The mixed fat and oils are processed either by mechanical process, inter-esterification process, or other processes to be approved by Thai FDA.  Clause 4 - The production processes of edible fats and oils, excepted for mixed fats and oils shall be either as follows:  1) Mechanical process by expelling or pressing, and the application of heat only, cold pressing without the application of heat, distillation and fractionation by mechanical procedures, or other mechanical process that be approved by Thai FDA, being purified by washing with water, setting, filtering or centrifuging only;  2) Processing process by purifying of oil and fat, which are obtained from mechanical process or extraction by solvent, for removing free fatty acids and may be treated for decolourization or deodorization. It includes fat and oils that have been subjected to process of modification such as fractionation, full-hydrogenation, inter-esterification, or re-esterification by using chemical agents, enzyme, or heat as catalyst as the case may be; or  3) Other processes which are approved by Thai FDA.  Clause 5 – Edible fats and oils shall comply with following the qualities or standards;  1) For edible fats and oils in liquid or semi-solid form - Colour, odour and flavour inherent of that specific characteristics of fats and oils as the case may be and free from foreign matter and rancid odour; - Chemical and physical characteristics of some fats and oils shall comply with requirements specified in Annex 4 of this notification; - Fatty acid composition of some fats and oils shall comply with requirements specified in Annex 5 of this notification; - Acid value shall be expressed in mg of potassium hydroxide per 1 g of fats and oils and complied with the limits based on type or process of fats and oils. In case of the acid value is expressed as percentage of free fatty acid, a conversion of percentage of free fatty acid to acid value shall comply with this requirement;  - Peroxide value shall be expressed in mg equivalent per 1 kg of fats and oils and complied with the limits based on type or process of fats and oils;  - Water and volatile matter at 105 degree Celsius shall comply with the limits based on type or process of fats and oilsas the case may be; - Soap content shall more than 0.005% by weight, except lard and premiere jus or oleo stockshall not be found any soap content; - Insoluble impurities shall not be more than 0.05% by weight, except Virgin olive oils which shall not more than 0.1% by weight; - The level of contaminants (mineral oil, Iron, and Copper) shall be detected not more than limit based on type or process of fats and oils as the case may be.  2) For mixed fats and oils in liquid or semi-solid form - The qualities or standardsof fats and oils before mixing shall comply with requirements for such particular single fat and oil as the case may be and shall be complied with additional qualities or standard approved by Thai FDA as the case may be.  3) For fats and oils in dried form  - Moisture content shall not more than 5% by weight; - Fats and oils used as raw materials shall comply with requirements for such particular single fat and oil as the case may be; - In case of other ingredients are contained, their qualities and standards shall comply with relevant requirements as approved by Thai FDA.  Clause 6 – Contaminants, pathogens shall not be exceed the maximum limits as specified in the Notification of MOPH regarding Standard of Foods contained contaminants and Standard of Pathogenic Microorganisms in Food, respectively.  Clause 7 – Usage of food additives and containers for edible fats and oils shall comply with the Notification of MOPH regarding Food additives and Standard of Containers, respectively.  Clause 8 – Producers or importers of edible fats and oils for sales shall follows:  1) The notification of the Ministry of Public Health, Re: Production processes, production equipment and foods storages;  2) Reused cooking oilis prohibited to use for fat and oil production process.  Clause 9 - Labeling of fats and oils shall comply with the Notification of Ministry of Public Health regarding labeling of prepackaged foods. In addition, the following information shall be expressed on its label as the case may be;  1) Production process shall be displayed with name of food for fat and oil, except for mixed fat and oil  2) Type of fats and oils used as ingredients and mix proportionin descending orderswith production process of fat and oils used in mixture shall be displayed with name of food for mixed fats and oils.  Clause 10 – Producers or importers of edible fats and oils for sales, whose permission issued prior to this notification, shall follows:  1) Existing fats and oils can be sold in the market not exceed 2 years after this notification comes into force;  2) Existing fats and oils shall be complied with this notification within 2 years after this notification comes into force.  Clause 11 – This notification shall come into force as from the day following date of its publication in the Government Gazette. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Protection of human health or safety |
| **8.** | **Relevant documents:**   1. The notification of the Ministry of Public Health regarding Standard of Foods contained contaminants; 2. The notification of the Ministry of Public Health regarding Standards for Pathogenic Microorganisms in Food; 3. The notification of the Ministry of Public Health regarding Food additives; 4. The notification of the Ministry of Public Health regarding Containers; 5. The notification of the Ministry of Public Health regarding Production processes, production equipment and foods storages; 6. The notification of the Ministry of Public Health regarding Labeling of Prepackaged Foods, etc. |
| **9.** | **Proposed date of adoption:** To be determined  **Proposed date of entry into force:** On the date after being notified in the Official Gazette |
| **10.** | **Final date for comments:** 60 days from notification |
| **11.** | **Texts available from: National enquiry point [****X]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:**  National Bureau of Agricultural Commodity and Food Standards (ACFS) 50 Phaholyothin Road, Ladyao Chatuchak, Bangkok 10900 Thailand Tel: +(662) 561 4204 Fax: +(662) 561 4034 E-mail: [spsthailand@gmail.com](mailto:spsthailand@gmail.com) Websites: <http://www.acfs.go.th> - <http://www.spsthailand.net/>  <https://members.wto.org/crnattachments/2020/TBT/THA/20_3179_00_x.pdf> |