NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

|  |  |
| --- | --- |
| **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):** Tea infusion (HS code 0902; ICS code 67.140.10) |
| **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 "Tea infusion" (26 page(s), in Thai) |
| **6.** | **Description of content:** The Ministry of Public Health (MOPH) considered the existing Notifications of Ministry of Public Health regarding tea infusion should be revised in order to update the list of plants and parts of plant used as ingredient for tea infusion as well as to limit overlapping herbal products under the Herbal Product Act B.E. 2562 (2019) for more effective of consumer health protection and fair practice of trade. Clause 1 – The Notification of Ministry of Public Health (No. 280) B.E. 2547 (2004) Re: Herbal tea shall be repealed. Clause 2 – "Tea infusion" mean products from parts of plants that proceed by drying and maybe grinding in order to consume by boiling or infusing with hot water.Clause 3 – Plants and parts of plants allowed to be used in tea infusion shall be in the list in the annex of this notification. Clause 4 – Tea infusion shall be of the following qualities or standards:(1) The moisture content shall not be more than 10% by weight;(2) Limits of pathogenic microorganisms shall be complied with the Notification of Ministry of Public Health regarding standards for Pathogenic Microorganisms in Food;(3) Limits of contaminants shall be complied with the Notification of Ministry of Public Health regarding standard of Foods contained contaminants; (4) Limits of pesticide residues shall be complied with the Notification of Ministry of Public Health regarding food Containing Pesticide Residues;(5) Tea infusion shall not contain any modern drugs or Psychotropic Substances or narcotics prescribed by the laws thereof, as the case may be;(6) Use of food additives shall be complied with the Notification of Ministry of Public Health; (7) Tea infusion shall not be flavoured with other substances except those plants specified in the list annexed to this notification or leaves, tips, and young stems of the plants in the Camellia Family;Clause 5 – Producers or Importers of tea infusion for sale shall follow Notification of the Ministry of Public Health regarding Production Processes, Production Equipments and Food Storages. Clause 6 – Use of containers for tea infusion shall be complied with the Notification of the Ministry of Public Health regarding containers.Clause 7 – Use of label for tea infusion shall be complied with the Notification of the Ministry of Public Health regarding Labelling of prepackaged foods. In addition, warning statement as listed in the annex of this notification shall be displayed. Clause 8 – Producers or importers of tea infusion for sales, whose permission issued prior to enforcement of this notification shall follow this notification within 2 years after this notification comes into force as the case may be:1) Existing tea infusion in the list of the annex of this Notification that permitted under the Notification of Ministry of Public Health (No. 280) B.E. 2547 (2004) Re: Herbal tea; 2)  Existing tea infusion in the list of the annex of this Notification that permitted under the Notification of Ministry of Public Health regarding beverages in the sealed containers.Clause 9 – This notification shall come into force as from the day following date of its publication in the Government Gazette.This draft Ministry of Public Health Notification was also notified under the SPS Notification. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Consumer information, labelling |
| **8.** | **Relevant documents:** - |
| **9.** | **Proposed date of adoption:** -**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, LadyaoChatuchak, Bangkok 10900ThailandTel: +(662) 561 4204Fax: +(662) 561 4034E-mail: spsthailand@gmail.comWebsites: <http://www.acfs.go.th>, <http://www.spsthailand.net/><https://members.wto.org/crnattachments/2020/TBT/THA/20_5240_00_x.pdf> |