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:**  The Office of 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 [****], 3.2 [****], 7.2 [****],** **other****:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Foods (ICS Code: 67.040) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Draft Ministry of Public Health (MOPH) Notification, No. … B.E. …. (....) issued by virtue of the Food Act B.E. 2522 entitled "Nutrition Labelling"; (46 page(s), in Thai) |
| **6.** | **Description of content:** The Ministry of Public Health (MOPH) is proposing to revise the MOPH notification concerning "Nutrition Labelling" as follows:  a. Following Regulation shall be repealed;  (1) The notification of the Ministry of Public Health No. 182 B.E. 2541 (1998) entitled "Nutrition Labelling"  (2) The notification of the Ministry of Public Health (No. 219) B.E. 2544 (2001) entitled "Nutrition Labelling (No. 2)"  (3) The notification of the Ministry of Public Health No. 392 B.E. 2561 (2018) entitled "Nutrition Labelling (No. 3)"  b. The list of Food products Required to bear Nutrition Labelling is given below:  (1) Foods which have nutrition claims.  (2) Foods which have health claims.  (3) Foods which used food value in sale promotion.  (4) Other foods to be notified by the Minister of Public Health.  c. In this notification,  "Nutrition labelling" means the declaration of nutritional properties of food, consisting of energy and nutrient information on the food label according to format and conditions in the Appendices attached to this notification.  "Foods which have nutrition claim" means food which any representation that states, suggests or implies that relate to type or content of nutrients, or comparative nutrients content. This food does not include foods which are prescribed to declare the type or content of nutrients as follows to particular notification of the Ministry of Public Health.  "Foods which have health claims" means food which any representation which states, suggests or implies that a relationship exists between a food or a constituent of that food and health.  "Foods which used food value in sale promotion" means foods which bring their information and usefulness or function, ingredients or nutrients of product to health for use in sale promotion.  "Nutrient" means recommended nutrients which are prescribed in Appendix No.3 attached to this notification, and also mean to include energy and sub-nutrients of nutrients which are prescribed in Appendix No.3.  d. Nutrition labelling must be expressed in the Thai language, but the foreign language may be included and must conform to the criteria and conditions in the Appendices attached to this notification as follows:  Appendix No.1: Format and conditions to display nutrition labelling.  Appendix No.2: Method to prescribe quantity per one serving unit to the quantity per consumption unit per container.  Appendix No.3: Thai reference daily intakes.  Appendix No.4: Criteria for Nutrition Claims on food labelling.  e. Foods which have nutrition labelling shall follow the notification of the Ministry of Public Health regarding the Labeling of Prepackaged Foods.  f. Foods which have nutrition labelling prior to the date of this notification come into force can still be sold but not more than three years from the date of this notification come into force.  g. This notification shall not enforce the following foods :  (1) Infant formula and formulas for special medical purposes intended for infants, complementary food for older infants and young children, food for a special purpose and other foods which are prescribed by the Notification of the Ministry of Public Health concerning the nutrients displayed on labelling only.  (2) Foods which are not for sale directly to consumers or foods which are not produced or imported for sale in the country.  (3) Foods that are partially packed from bulk batches are intended to sell whole packages.  h. This notification shall come into force after 180 days from its publication in the Government Gazette. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Consumer information, labelling |
| **8.** | **Relevant documents:**  (1) The notification of the Ministry of Public Health No. 182 B.E. 2541 (1998) entitled "Nutrition Labelling"  (2) The notification of the Ministry of Public Health (No. 219) B.E. 2544 (2001) entitled "Nutrition Labelling (No. 2)"  (3) The notification of the Ministry of Public Health No. 392 B.E. 2561 (2018) entitled "Nutrition Labelling (No. 3)" |
| **9.** | **Proposed date of adoption:** To be determined  **Proposed date of entry into force:** 180 days after the date of its publication in the Government 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/2022/TBT/THA/22_6977_00_x.pdf> |