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):** Kratom leaves or food containing kratom leaves as raw materials or ingredients |
| **5.** | **Title, number of pages and language(s) of the notified document:** Draft MOPH Notification, B.E, entitled "Re: Criteria and method for posting a notice or informing the purchaser about rules of prohibition to sell kratom leaves or food containing kratom leaves as raw materials or ingredients to legally protected persons"; (1 page(s), in Thai) |
| **6.** | **Description of content:** The Ministry of Public Health (MOPH) is proposing to revise the MOPH Notification concerning " Re: Criteria and method for posting a notice or informing the purchaser about rules of prohibition to sell kratom leaves or food containing kratom leaves as raw materials or ingredients to legally protected persons " as follows:  1. Clause 3 A seller of Kratom leaves or food containing kratom leaves as raw materials or ingredients shall have a duty to post a notice or to give information at the selling place about rules of prohibition to sell to the person under the first paragraph of Section 24 as the following:  (a) to be posted at a conspicuous location, with appropriately size to the selling place.(b) Declaration of the post with statement of "Do not sell Kratom leaves or food containing Kratom leaves as raw materials or ingredients to; (1) A person under eighteen years old; (2) A pregnant woman; (3) A lactating womanwhich evidence shall be checked before purchase"  2. Clause 4 A seller of kratom leaves or food containing kratom leaves as raw materials or ingredients to be sold via electronic commerce or internet marketing shall display or inform a purchaser about rules of prohibition to sell to the person under the first paragraph Section 24 in the first phrase shall follow, mutatis mutandis as stated in Clause 3  3. Clause 5 In case of sale of kratom leaves or food containing kratom leaves as raw materials or ingredients by methods or manners other than Clause 3 and Clause 4, a seller shall have a duty to inform a purchaser in by verbal or writing manners that the seller does not sell kratom leaves or food containing kratom leaves as raw materials or ingredients to a person under 18 years old, a pregnant woman and a lactating woman.  4. This notification shall come into force as from the day following the date of its publication in the Thai Royal Gazette. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Consumer information, labelling |
| **8.** | **Relevant documents:**  - |
| **9.** | **Proposed date of adoption:** To be determined  **Proposed date of entry into force:** On the date after days from its publication in the Thai Royal 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 4024  Fax: +(662) 561 4034  E-mail: [spsthailand@gmail.com](mailto:spsthailand@gmail.com)  Websites: <http://www.spsthailand.net/>  <https://members.wto.org/crnattachments/2022/TBT/THA/22_7801_00_x.pdf> |