

(Unofficial)

Notification of the Ministry of Public Health

(No. 351) B.E. 2556 (2013)

Re: Flavoured Milk.

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It deems appropriate to amend the notification of the Ministry of Public Health, Re: Flavoured milk.

By the virtue of provisions of Section 5 in the first phrase, and 6(3) (4) (5) (6) (7) (9) 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 33, Section 41, Section 43 and Section 45 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 Ministry of Public Health (No. 266) B.E. 2545 (2002), Re: Prescribed flavoured milk to be specific controlled foods and prescribed qualities or standards, and production process, dated 19th December B.E. 2545 (2002), shall be repealed:

**Clause 2.** Flavoured Milk is prescribed food to have qualities or standards.

**Clause 3.** Flavoured milk means products which are made from cow' s milk, or cow' s milk powder and is passed through various processes, mixed with flavouring agents or taste flavouring agents, and other substances which are not hazardous to health may also be added.

**Clause 4.** The fortification of other nutrients to increase types and quantities of nutrients in flavoured milk products as stipulated on Clause 3 shall follow to the criteria and conditions as prescribed in the notification of the Ministry of Public Health, related to the fortification of nutrients in food products.

**Clause 5.** Flavoured milk in liquid form shall be passed through one of the following heat treatment processes:

(1) Pasteurization means the heat treatment process to destroy some microorganisms at temperature not more than 100 degree Celsius by using one of the following temperatures and times:

(1.1) Temperature of not less than 63 degree Celsius and maintaining at this temperature for not less than 30 minutes and immediately cooled to 5 degree Celsius or lower, or

(1.2) Temperature of not less than 72 degree Celsius and maintaining at this temperature for not less than 15 seconds and immediately cooled to 5 degree Celsius or lower.

(2) Sterilization means the heat treatment process to destroy some microorganisms of Flavoured milk in liquid form in sealed containers at temperature of not less than 100 degree Celsius by appropriate length of times and shall be incorporated with homogenization process.

(3) U.H.T. means the heat treatment process to destroy some microorganisms at temperature of not less than 133 degree Celsius for not less than 1 second and then the treated milk shall be packed in aseptic conditions and shall be incorporated with homogenization process.

(4) Other equivalent processes to as stipulated in (1), (2), or (3) to be approved by the Food Committee.

**Clause 6.** Pasteurized flavoured milk in liquid form shall be stored at temperature of not more than 8 degree Celsius at all time after being packed until reached to consumers and total consumable period of not more than 10 days as from the packaged date for sale.

In cases where total consumable period shown is longer than as stipulated in the first phrase, there shall be of qualities or standards control measures at all time after being packed until sold to consumers as agree by Thai Food and drug administration.

**Clause 7.** Flavoured milk in liquid form which has been passed through heat treatment processes as stipulated in Clause 5(2) or (3) shall be stored at room temperature for not less than 5 days as from the packaged date but prior to sell for inspection of qualities or standards which are prescribed and the characteristics is not changed from the original products.

**Clause 8.** Flavoured milk in liquid form is prescribed to have qualities or standards as follows:

- (1) Free of communicable disease to man such as tuberculosis, miscarriage, etc.
- (2) Free of colostrum.
- (3) Shall have odour inherent to that characteristics of such flavoured milk.
- (4) Shall be in homogeneous liquid form.
- (5) Free of toxic substances, toxic substances released by microorganisms, and contaminants in quantity which may be hazardous to health, such as: residuals of pesticides, anti-biotic substances, aflatoxin, etc.
- (6) Free of preservatives.
- (7) Free of artificial sweeteners.
- (8) Milk protein content not less than 2.6% by weight.
- (9) Milk solid non fat and milk fat as follows:

(9.1) Milk solid non-fat content not less than 7.7% by weight, and milk fat content not less than 3% by weight, for flavoured whole milk.

(9.2) Milk solid non-fat content not less than 7.7% by weight, and milk fat content more than 0.1% by weight but less than 3% by weight, for flavoured partly skimmed milk.

(9.3) Milk solid non-fat content not less than 8% by weight, and milk fat content not more than 0.1% by weight, for flavoured skimmed milk.

(10) Pathogenic microorganisms shall follow to the notification of the Ministry of Public Health, Re: Food Standards as regards Pathogens.

(11) *Escherichia coli* shall not be detected in 0.1 ml.

(12) Bacterial in pasteurized flavoured milk shall be detected not more than 10,000 in 1 ml. of flavoured milk at manufacturing factory and not more than 50,000 at all time from manufactured date to the expiry date on the label.

(13) Coliform bacterial shall be detected not more than 100 in 1 ml. of pasteurized flavoured milk at manufacturing factory.

(14) Bacteria shall not be detected in 1 ml. of both pasteurized flavoured milk and U.H.T. flavoured milk.

**Clause 9.** Flavoured milk powder shall be of qualities or standards as follows:

(1) Shall have odour, taste inherent to that characteristics of such particular milk powder.

(2) Shall have the specific characteristics of such particular flavoured milk.

(3) Moisture content not more than 5% by weight.

(4) Milk solid non-fat, milk protein, and milk fat as follows:

(4.1) Milk solid non-fat content not less than 60% by weight, milk protein non-fat content not less than 34% by weight, and milk fat content not less than 16.5% by weight, for flavoured whole milk tablets.

(4.2) Milk solid non-fat content not less than 60% by weight, milk protein non-fat content not less than 34% by weight, and milk fat content more than 1.5% by weight but not up to 16.5% by weight, for flavoured partly skimmed milk tablets.

(4.3) Milk solid non-fat content not less than 60% by weight, milk protein non-fat content not less than 34% by weight, and milk fat content not more than 1.5% by weight, for flavoured skimmed milk tablets.

(4.4) Milk solid non-fat content, or milk protein non-fat content, and milk fat content shall be the same as flavoured milk in liquid form, as the case may be for flavoured milk in dry form when dissolved as declared on the labels to be ready-to-drink flavoured milk.

(5) Free of toxic substances, toxic substances released by microorganisms, and contaminations in quantity which may be hazardous to health, such as: residuals of pesticide, anti-biotic substances, alpha toxin, etc.

(6) Free of preservatives.

(7) Free of artificial sweeteners.

(8) Pathogenic microorganisms shall follow to the notification of the Ministry of Public Health, Re: Food Standards as regards Pathogens

(9) *Escherichia coli* shall not be detected in 0.1 gm. of flavoured milk.

(10) Bacterial shall be detected not more than 100,000 in 1 gm. of flavoured milk.

**Clause 10.** In milk production, if food additives are necessary to be used, except preservatives, the use of food additives shall follow to the notification of the Ministry of Public Health, Re: Food additives.

**Clause 11.** Flavoured milk producer or importer shall follow to

(1) The notification of the Ministry of Public Health, Re: production processes, production equipment, and foods storages other than milk products in liquid form which passed through pasteurization heat treatment ,acidified and low cid can food.

(2) The notification of the Ministry of Public Health, Re: Production Processes, Production Equipments, and storage of ready-to-consume milk products in liquid form which passed through pasteurization heat treatment;

(3) The notification of the Ministry of Public Health, Re: production processes, production equipment, and foods storages of acidified and low cid can food.

**Clause 12.** Usage of containers for flavoured milk shall follow to the notification of the Ministry of Public Health, Re: Containers.

**Clause 13.** Labels of flavoured milk shall follow to the notification of the Ministry of Public Health, Re: Labels, except for names of flavoured milk as stipulated in Clause 3 by one of the followings:

(1) “..... flavoured milk”, or “..... flavoured partly skimmed milk”, or “..... flavoured skimmed milk”, “..... flavoured non-fat milk”, (blanks are to designate its flavouring or taste and

its heat treatment, for milk in liquid form as stipulated in Clause 5 shall be designated, as the case may be.) For flavoured milk which are produced from raw cow' s milk or dry flavoured milk powder, the physical condition of dry flavoured milk powder may also be designated as the name of foods, such as, flavoured milk powder, flavoured milk tablets, etc.

(2) “.....recombined flavoured milk”, or “.....recombined flavoured partly skimmed milk”, or “.....recombined flavoured skimmed milk”, or “.....recombined flavoured non-fat”, (blanks are to designate its flavouring or taste, heat treatment as stipulated in Clause 5 shall be designated, as the case may be for flavoured milk which are produced from milk powder, or containing milk powder as ingredient.

(3) For trade names used, such names used shall be accompanied by expressions in (1) or (2) and shall also be expressed on the same line of trade name and shall be in different size of alphabets of trade names but subject to be clearly read.

**Clause 14.** Any producer or importer of Flavoured milk, who has been granted Registration Permit or Food Labelling Permit, as the case may be, pursuant to the notification of the Ministry of Public Health (No. 266) B.E. 2545 (2002), Re: Flavoured milk, dated 19th December B.E. 2545 (2002), prior to this notification come into force shall continue to use the food serial number as such and shall be regarded that the food has been notified according to this notification.

**Clause 15.** This notification shall come into force after 180 days as from the day following date of its publication in the Government Gazette.

Notified on 26<sup>th</sup> June 2013

(Signed) Pradit Sintavanarong

(Mr. Pradit Sintavanarong

Minister of Public Health

(Published in the Government Gazette Vol. 130 Special Part 87 Ngor, dated 24<sup>th</sup> July 2013)

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