

(Unofficial Translation)

Ministry of Public Health Notification

No 355 B.E. 2556 (2013)

Title: Food in a Hermetically Sealed Container

It deems appropriate to amend the notification of the Ministry of Public Health, Re: Food in a Hermetically Sealed Container

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:

Clause1. The following notification shall be repealed:

(1) The notification of the Ministry of Public health No.144 B.E.2535 (1992) entitled "Food in a Sealed Container", dated 2 July B.E.2535 (1992)

(2) The notification of the Ministry of Public health No.179 B.E.2540 (1997) entitled "Food in a Sealed Container" (No.2), dated 12 November B.E. 2540 (1997)

(3) The notification of the Ministry of Public health No.253 B.E.2545 (2002) entitled "Food in a Sealed Container" (No.3), dated 30 May B.E. 2545 (2002)

(4) The notification of the Ministry of Public health No.301 B.E.2549 (2006) entitled "Food in a Sealed Container" (No.4), dated 28 September 2549 (2006)

Clause2. Food in a Hermetically Sealed Container is prescribed food to have qualities or standards.

Clause3. Food packed in sealed container means:

(1) Food which has been passed through the process of destroying or deterring the growth of microorganisms by means of heat after or before packing or sealing and which is preserved in sealed container of metal or other durable materials capable of preventing outside air from entering into the container and which can be kept under normal temperature, or

(2) Food packed in container which has been laminated, coated compressed or affixed with rubber cover or other materials or food packed in other container which can prevent the moisture or

the air from entering into the container under normal condition and which can be kept under normal temperature.

Clause 4. The food under Clause 2 shall have the following quality or standards:

(1) Shall have no colour, odour or flavor different from the characteristics of such food;

(2) Pathogenic microorganisms shall follow to the notification of the Ministry of Public Health,

Re: Food Standards as regards Pathogens.

(3) Containing no toxic substances from microorganism in a quality that may be hazardous to health;

(4) Containing no foreign matter, except:

(4.1) Food packed in metal container:

Tin not exceeding 250 mg per 1 kg. of food.

Zinc not exceeding 100 mg per 1 kg. of food.

Copper not exceeding 20 mg per 1 kg. of food.

Lead not exceeding 1 mg per 1 kg. of food. Except the food with natural constituent of lead at high quality which is allowed as approved by the Food and Drug Administration.

Arsenic not exceeding 2 mg per 1 kg. of food.

Mercury not exceeding 0.5 mg per 1 kg. of sea food and not exceeding 0.02 mg per 1 kg of other food.

(4.1) Food packed in non-metal container:

Lead not exceeding 1 mg per 1 kg. of food. Except the food with natural constituent of lead at high quality which is allowed as approved by the Food and Drug Administration.

Arsenic not exceeding 2 mg per 1 kg. of food.

Mercury not exceeding 0.5 mg per 1 kg. of sea food and not exceeding 0.02 mg per 1 kg of other food.

Clause 5. The food under Clause 3(1) which has been passed through the process of heat after the packing or sealing shall, other than having the quality or standards under Clause 4, have the specific quality and standards as follows: containing no preservatives, except those which come with the raw materials which are the ingredients of such food.

The provision in paragraph one shall not include the use of potassium nitrite or sodium nitrite or potassium nitrate or sodium nitrate in a quality approved by food and Drug Administration in cured meat product.

Clause 6. Low acid food in 3(1) with pH higher than 4.6 and water activity higher than 0.85, must satisfy the standards and qualities in No.4 and 5 and have a further specific standards and qualities. That is no microorganism can grow from storage at room temperature.

Clause 7. Food in 3(1) with pH value up to 4.6 and food in 3(2), must satisfy the standards and qualities in Clause.4 and 5, and have the following specific standards and qualities:

(1) Any microorganism growing must:

(1.1) Not exceed 1,000 per gm for food in 3(1) at 30 or 55 degree celsius, and

(1.2) Not exceed 10,000 per gm for food in 3(2).

(2) Yeast and mold must not exceed 100 per gm.

(3) Coliform bacteria must not be found or be less than 3 per gm by The Most Probable Number Method.”

Clause 8. The manufactures of low acid food in 3(1) with pH higher than 4.6 and water activity higher than 0.85 must do either (1) or (2) below:

(1) Apply heat treatment as a scheduled process with a sterilizing value (F_0) not less than 3 minutes, which is enough to destroy the spore of *Clostridium botulinum*. The heat distribution and heat penetration specified in the scheduled at that manufacturer must be tested and found to be in accordance with the criteria, method and conditions notified by the Food and Drug Administration

(2) Add acid with a pH value not exceeding 4.6 to adjust pH of the food.

The equilibrium pH and heat treatment must be in accordance with the criteria, method and conditions notified by the Food and Drug Administration

Clause 9. Containers of foods under Clause 2 shall:

(1) be clean;

(2) have never been used for packing food or any other articles before if they are metal;

(3) contain no lead, rust or any other colours in the interior except the color of lacquer or the colour of tin the interior of the container which is made of steel sheet must be coated with tin or other substances which prevents the food from coming into direct contact with the steel sheet;

(4) not be leaking nor swollen;

(5) not give out any substance to contaminate with the food in a quality that may be dangerous to health.

Clause 10. The foods under Clause.2 shall have drained weight as prescribed in the schedule annexed here to except those which cannot be drained.

The determination of drained weight shall be made in accordance with the Associated of Official Analytical Chemist of the United States of the United States of America's (update version).

Clause 11. Use of food additives must be in accordance with the Ministry of Public Health Notification entitled "Food Additive

Clause 12. Food in a Hermetically Sealed Container producer or importer shall follow to

(1) The notification of the Ministry of Public Health, Re: production processes, production equipment, and foods storages

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

Clause 13. Labels of foods in sealed containers shall follow to the notification of the Ministry of Public Health, Re: Labels

In case of fruit cocktail and fruit salad, the labels of foods in sealed containers shall be exempt from stipulation in 3(5) of the notification of the Ministry of Public Health (No. 194) B.E. 2543 (2000), Re: Labels, dated 19th September B.E. 2543 (2000), which is amended by the notification of the Ministry of Public Health (No. 252) B.E. 2545 (2002), Re: Labels (No. 2), dated 30th May B.E. 2545 (2002), however only main compositions shall be expressed without their percentage by weight".

Clause 14 This notification shall not to enforce to,

(1) Food in sealed containers which is produced for export.

(2) Food in sealed containers under Clause 3 (2) are as follow as:

(2.1) snack food (cookies, wafer, cracker, biscuit without filling), Extruded snack ,crispy snack including fruit and vegetable, cereal and grain (oven dried or roasting or fried) , nut and peanut (oven dried or roasted), fruit and vegetable (oven dried).

(2.2) spice and seasoning powder

(2.3) flour

(2.4) food in form capsule or pallets

(2.5) oven dried or dehydrated fruit and vegetable

(2.6) oven dried or dehydrated meat

Clause 15. Any producer or importer of Food in a Sealed Container, 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.144 B.E.2535 (1992) entitled “Food in a Sealed Container”, dated 2 July B.E.2535 (1992), the notification of the Ministry of Public health No.179 B.E.2540 (1997) entitled “Food in a Sealed Container” (No.2), dated 12 November B.E. 2540 (1997), the notification of the Ministry of Public health No.253 B.E.2545 (2002) entitled “Food in a Sealed Container” (No.3), dated 30 May B.E. 2545 (2002) and the notification of the Ministry of Public health No.301 B.E.2549 (2006) entitled “Food in a Sealed Container” (No.4), dated 28 September 2549 (2006) 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 16. This notification shall come into force after 180 days as from the day following date of its publication in the Government Gazette.

Notified on 26th June 2013

(Signed) Pradit Sintavanarong

(Mr. Pradit Sintavanarong

Minister of Public Health

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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.