

(Unofficial)

Notification of Ministry of Public Health

(No. 356) B.E. 2556 (2013)

Re: Beverages in Sealed Container

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It deems appropriate to amend the notification of the Ministry of Public Health, Re: Beverage in Sealed Containers.

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**Clause 1.** The following notifications shall be repealed:

1.The notification of the Ministry of Public Health (No. 214) B.E. 2543 (2000), Re: Beverages in Sealed Containers, dated 19<sup>th</sup> September B.E. 2543 (2000).

2.The notification of the Ministry of Public Health (No. 230) B.E. 2544 (2001), Re: Beverages in Sealed Containers (No. 2) dated 24<sup>th</sup> July B.E. 2544 (2001).

3.The notification of the Ministry of Public Health (No. 290) B.E. 2548 (2005), Re: Beverages in Sealed Containers (No. 3) dated 24<sup>th</sup> February B.E. 2548 (2005)

4.The notification of the Ministry of Public Health, Re: Beverages in Sealed Containers (No. 4) dated 4<sup>th</sup> March B.E. 2554 (2011)

**Clause 2.** Beverages in Sealed Containers is prescribed food to have qualities or standards.

**Clause 3.** Beverages in Sealed Containers as stipulated in clause 2, can be classified into 5 categories as follows:

(1) Water with dissolved carbon dioxide or oxygen gas.

(2) Beverage, which is containing or made from fruits, plants or vegetables, and may also contain dissolved carbon dioxide or oxygen gas.

(3) Beverage, which is containing or made from other constituents, except fruits, plants or vegetables, and may also contain dissolved carbon dioxide or oxygen gas.

(4) Beverage as stipulated in (2) or (3), which is concentrated and needs to be diluted before consumption.

(5) Beverage as stipulated in (2) or (3) in dried form.

**Clause 4.** Beverage as stipulated in Clause 2 shall be of the qualities or standards as follows:

(1) Odour and flavour inherent to specific characteristics of that beverage.

(2) Free of sediment, except sedimentation naturally occurring from ingredients.

(3) Water to be used in production shall follow to qualities or standards in the notification of the Ministry of Public Health, Re: Drinking water in Sealed Containers.

(4) Coliform bacteria shall be found less than 2.2 per 100 ml. of beverage by Most Probable Number Method.

(5) Free of *Escherichia coli*.

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

(7) Free of toxic substances released by microorganisms or other toxic substances in quantity which may be hazardous to health.

(8) yeast and mold shall be found follow as.

(8.1) less than 1 cfu/ml for Beverage as stipulated in 3(1)

(8.2) less than 1 cfu/ml for Beverage as stipulated in 3(2) and 3 (3) which passed through sterilization and UHT heat treatment.

(8.3) less than 100 cfu/ml for Beverage as stipulated in 3(2) and 3 (3) which other than passed through sterilization and UHT heat treatment.

(8.4) less than 10 cfu/g for Beverage as stipulated in 3(4) which passed through sterilization and UHT heat treatment.

(8.5) less than 100 cfu/g for Beverage as stipulated in 3(4) which other than passed through sterilization and UHT heat treatment.

(8.6) less than 100 cfu/g for Beverage as stipulated in 3(5)

The methods of analysis for concerned pathogens shall comply with the prescribed methods follow as Bacteriological Analytical Manual (BAM) Online. U. S. Food and Drug Administration (updated version or equivalent method)Free of contaminants, except the followings:

(9.1) Arsenic not more than 0.2 mg per 1 kg. of beverage.

- (9.2) Lead not more than 0.5 mg per 1 kg. of beverage.
- (9.3) Copper not more than 5 mg per 1 kg. of beverage.
- (9.4) Zinc not more than 5 mg per 1 kg. of beverage.
- (9.5) Iron not more than 15 mg per 1 kg. of beverage.
- (9.6) Tin not more than 250 mg per 1 kg. of beverage.
- (9.7) Sulfur dioxide not more than 10 mg per 1 kg. of beverage.

(9) Artificial sweetener shall follow to Food Standard of Joint FAO/WHO, Codex, Re: Food additives, and the amended version, and may be used in single or combination with sugar.

In case where no standards is prescribed in the first phrase, the Food and Drug Administration shall prescribe according to an approval of the Food Committee.

(10) Natural alcoholic content from ingredients or alcohol used in production process, the total quantity of alcohol shall be not more than 0.5% by weight. In necessary case where total quantity of alcohol is higher than prescription, such matters must be approved by the Food and Drug Administration.

Methyl alcohol shall not be used in production process..

Concentrated or dried beverage which needs to be diluted or dissolved before consumption according to label, when diluted or dissolved, the coliform bacteria shall be found as stipulated in (4) and contaminants shall follow as stipulated in (9).

**Clause 5.** Beverage as stipulated in clause 3, shall be of the qualities or standards as stipulated in Clause 4, moreover shall be of the specific qualities or standards as following:

(1) Beverage as stipulated in 3(2) shall be of the quantities or standards, which follow to the kinds or types of fruits, plants or vegetables and shall be approved by the Food and Drug Administration.

(2) Concentrated or dried beverage as stipulated in 3(2), when diluted or dissolved, shall be of the quantities or standards which follow to the kinds or types of fruits, plants or vegetables and shall be approved by the Food and Drug Administration.

(3) Moisture content of dried beverage shall be not more than 6% by weight. In case of dried beverage, which is made from plants or vegetables, moisture content shall follow to the approval of the Food and Drug Administration.

(4) Beverage as stipulated in 3(2) or 3(3) with preservatives shall be prescribed as follows:

(4.1) Sulfur dioxide shall be not more than 70 mg. per 1 kg. of beverage.

(4.2) Benzoic acid or sorbic acid or salts of both acids, to be calculated as acid, shall be not more than 200 mg. per 1 kg. of beverage.

Concentrated beverage as stipulated in 3(2) or 3(3), when being diluted, the preservatives shall be not more than as stipulated in clause (4).

Dried beverage as stipulated in 3(2) or 3(3), when dissolved, the preservatives shall be not more than as stipulated in clause (4).

Preservatives shall be individually used in quantity as prescribing in (4.1) or (4.2). In case where more than one preservative are used, the total quantity of preservatives used shall be not more than the least allowed quantity.

For necessary case where preservatives which are differ from the above stipulation are used, such usage must be approved by the Food and Drug Administration.

(5) Beverage as stipulated in 3(3) of which flavouring agent contain natural caffeine is used, not more 15 mg per 100 ml of beverage.

**Clause 6.** Beverages in Sealed Containers producers or importers for sales shall follow to

(1) The notification of the Ministry of Public Health, Re: production processes, production equipment, and foods storages other than beverages in Sealed Containers acidified and low cid can food.

(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 7.** Usage of containers for beverage on sealed containers shall follow to the notification of the Ministry of Public Health, Re: Containers.

**Clause 8.** Labels for beverage shall follow to the notification of the Ministry of Public Health, Re: Labels, except for beverage as stipulated in 3(2) which is containing or made from fruit juice, both in liquid and dry forms, and beverage as stipulated in 3(3) which artificial odour and taste of fruit both in liquid and dry forms, shall be as follows:

(1) Beverage as stipulated in 3(2) must be declared as the follows:

(1.1) “Water.....100%” (the blank space is to specify the name of fruits) for beverage which is containing or made from fruits only.

(1.2) “Water.....100% from water.....concentrated” (the blank space is to specify the name of fruits) for beverage which is made from concentrated fruit juice, when diluted, shall be of the qualities or standards as stipulated in (1.1).

(1.3) “Water.....%” (the blank space is to specify the name and quantity in % of fruits) for beverage, which is containing or made from fruit content of 20% by weight and up, but not beverage as stipulated in (1.1).

(1.4) “Water taste.....%” (the blank space is to specify the name and quantity in % of fruit) for beverage which is containing or made from fruit content of less than 20% by weight.

(2) Beverage as stipulated in 3(3) which is mixed with artificial odour and flavour of fruits, must be named as the follows:

“Soft drink flavor .....” (the blank space is to specify the name of artificial fruit’s flavour).

(3) Beverage as stipulated in 3(4), must be declared as stipulated in (1) or (2) by needless to show quantity of fruits, and must express “concentrated” after that name, and must express “when diluted, contain water.....%” (the blank space is to specify the type and quantity of fruits) below the name of beverage.

(4) Beverage as stipulated in 3(5), must be declared as stipulated in (1) or (2) by needless to show quantity of fruits, and must express “when dissolved, contain water.....%” (the blank space is to specify the type and quantity of fruits) below the name of beverage.

Beverage in which artificial sweetener is used, must declare “Usage of .....to be an artificial sweetener” (the blank space is to specify the name of artificial sweetener) in alphabets height of not smaller than 2 mm. and alphabets’ color contrast with label’s background colour.

Other declarations shall be prescribed by the Food and Drug Administration, (if any).

**Clause 9.** Label for beverage as stipulated in 3(3) which flavouring agent contains natural caffeine is used, shall follow to Clause 8 and shall declare “contain caffeine” with the size of alphabets height of not smaller than 2 mm. and shall be clearly seen in same panel of name food or trademarks

**Clause 11.** Any producer or importer of Re: Beverages in Sealed Containers,, 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. 214) B.E. 2543 (2000), Re: Beverages in Sealed Containers, dated 19th September B.E. 2543 (2000), the notification of the Ministry of Public Health (No. 230) B.E. 2543 (2001), Re: Beverages in Sealed Containers (No.2), dated 24th July B.E. 2544 (2001) , the notification of the Ministry of Public Health (No. 290) B.E. 2548 (2005),Re: Beverages in Sealed Containers (No.3), dated 25th February B.E. 2548 (2005) and the notification of the Ministry of Public Health, Re: Beverages in Sealed Containers (No.4), dated 4 March B.E. 2554 (2011), 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 12.** 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 the case of any discrepancy between the Thai original and the English translation, the former will take priority.