

(Unofficial)

Notification of the Ministry of Public Health

(No. 365) B.E 2556 (2013)

Re: Displaying of the term “Premium” on Food labels

In order to establish criteria and conditions as a guideline for displaying the term “premium” on food labeling, which is in accordance with the notification of the Ministry of Public Health, regarding labels and an alternative for consumers as well as a mean for food operators’ potential development;

By virtue of the provision of Section 5, paragraph one, and Section 6 (2) (3) (4) (7) and (10) of the Foods Act B.E.2522, which is an Act containing some provisions concerning the limitation of the rights and freedom of an individual, which Section 29, combined with Sections 36, 43 and 45 of the Constitution of the Kingdom of Thailand prescribes to be permissible by virtue of a legislation, the Public Health Minister hereby issues a notification as follows:

Clause 1 In this notification,

“Premium” means quality or standard or outstanding properties which are superior to foods in the same type.

“Agricultural products” means products from agriculture, fishery, animal culture or forestry.

Clause 2 Food labeled "Premium" must be approved by the Food and Drug Administration (Thai FDA).

Clause 3 Food labeled "Premium" on the label must comply with the following terms and conditions:

(1) Quality and standards shall comply with the relevant notification of the Ministry of Public Health.

(2) Meet the international standards or equivalent on conformity and certified processing system, from raw materials through to the finished product, including traceability.

(3) Manufactured from raw material production site and food manufacturing facilities as follows:

(3.1) Raw material production site

(3.1.1) With respect to the place of producing raw materials which are agricultural products, it must be assessed by a government agency or an agency acknowledged by the government authority for Good Agriculture Practice: GAP or Guidelines for the Production, Processing, Labeling and Marketing of Organically Produced Foods or other equivalent standards. No. 130 Special Part 167 Ngor Page 30 Government Gazette 27 November B.E.2556

(3.1.2) With respect to the place of producing raw materials which are non-agricultural products, it must be assessed by a government agency or an agency acknowledged by the government authority for recommended Code of Practice General Principles of Food Hygiene or Hazard Analysis and Critical Control Point: HACCP as per Codex standards or Food Safety Management System: ISO 22000 or other equivalent standards.

(3.2) In respect to the place of manufacturing food products, it must pass the assessment based on the recommended Code of Practice General Principles of Food Hygiene or Hazard Analysis and Critical Control Point: HACCP as per Codex standards or Food Safety Management System: ISO 22000 or other equivalent standards carried out by a government agency or an agency acknowledged by the state authority.

(4) The food product shall have standards, quality or specific characteristic of products that comply with the Ministry of Public Health notification regarding "premium" labeling for specific products, otherwise they shall meet the following requirements:

(4.1) Organic certification from an official government agency body or approved by an authorized agency official.

(4.2) Geographical Indication (GI) registration with the Ministry of Commerce

(4.3) Use raw materials or ingredients holding quality or standard or outstanding properties obtained from the production place superior than those mentioned in (3.1.1) or (3.1.2), as the case may be and such food product shall have quality or standard or outstanding properties that are superior to general.

(4.4) Processing through a specific method that makes characteristics of foods superior to general products.

Clause 4 The food producer or importer of food bearing the term "premium" on its label before the effective date of this notification shall comply with this notification within 2 years from the date this notification comes into force.

Clause 5. This notification shall come into force on the day following date of its publication in the Government Gazette.

Notified on 1st November B.E. 2556(2013)

(Signed) PraditSindhawanarong

(Mr.PraditSindhawanarong)

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.