

Translation

NOTIFICATION OF THE MINISTRY OF PUBLIC HEALTH
(NO. 427), B.E. 2564 (2021)
ISSUED UNDER THE FOOD ACT, B.E. 2522 (1979)
RE: FOOD PRODUCTS CONTAINING CERTAIN PARTS OF CANNABIS OR HEMP *

Whereas it is the policy of the government to promote and develop cannabis and hemp into commercial plants and as Thai traditional wisdom by issuing the notification of the Ministry of Public Health on prescription of the list of category 5 narcotics to grant exemption for certain parts of cannabis and hemp which conform to the rules, procedures and conditions set forth in the notification of the Narcotics Control Committee to be used in the food industry and other industries, provided that their use as food must be in compliance with the law on food and must be for food purposes only;

By virtue of the provisions of section 5 paragraph one and section 6 (1), (2), (4), (5), (6), (7), (8), (9) and (10) of the Food Act, B.E. 2522 (1979), the Minister of Public Health hereby issues the notification as follows.

Clause 1. Food products containing cannabis or hemp parts shall be specifically controlled food.

Clause 2. In this Notification:

“cannabis part” means a part of cannabis plants with the scientific name *Cannabis indica* Lam. or *Cannabis sativa* L. which are licensed to be produced exclusively within the country, as follows:

(1) bark, stems, fibers, branches, and roots;

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Disclaimer: This translation is provided by the Food and Drug Administration as the competent authority for information purposes only. Whilst the Food and Drug Administration has made efforts to ensure the accuracy and correctness of the translation, the original Thai text as formally adopted and published shall in all events remain the sole authoritative text having the force of law.

(2) leaves not accompanied by the tops or inflorescences;

“hemp part” means a part of hemp plants with the scientific name *Cannabis sativa* L. subsp. *sativa* which are licensed to be produced exclusively within the country, as follows:

(1) bark, stems, fibers, branches, and roots;

(2) leaves not accompanied by the tops or inflorescences;

“tetrahydrocannabinol (THC)” means delta-9-Tetrahydrocannabinol (Δ^9 -THC);

“package” means a food container which is the immediate container wrapping or containing food for distribution, but does not include a packaging or a container containing such immediate package, if any.

Clause 3. It shall be prohibited to produce, import, or distribute the following food products that contain cannabis or hemp parts:

(1) infant food and follow-on formula food for infants and young children;

(2) modified milk for infants and follow-on formula milk for infants and young children;

(3) supplementary food for infants and young children;

(4) caffeinated beverages;

(5) other foods prescribed by the Minister in the notification.

Clause 4. A food product containing cannabis or hemp parts must conform to the following quality or standards.

(1) Tetrahydrocannabinol detected shall not exceed 1.6 milligrams per package.

(2) Cannabidiol detected shall not exceed 1.41 milligrams per package.

The testing method under (1) and (2) shall conform to the rules and procedures for a confirmation test conducted at a testing laboratory using high performance liquid chromatography (HPLC) instruments or more sophisticated technique.

(3) The pesticide residues shall be in accordance with the notification of the Ministry of Public Health on food containing pesticide residues.

(4) The contaminants shall be in accordance with the notification of the Ministry of Public Health on standards for contaminants in food.

(5) The pathogenic microorganisms shall be in accordance with the notification of the Ministry of Public Health on prescribing the quality or standard, principles, conditions and methods of analysis for pathogenic microorganisms in foods.

(6) The quality prescriptions or standards of each specific food shall be subject to its corresponding notifications of the Ministry of Public Health, as the case may be.

Clause 5. A producer of a food product containing cannabis or hemp parts shall use legally sourced cannabis or hemp parts and shall control the manufacturing process to ensure compliance with the notification of the Ministry of Public Health on food production processes, processing equipment/utensils and storage practices.

The producer under paragraph one shall also keep records of the acquired supply and usage of said cannabis or hemp parts at the production facility.

Clause 6. The use of food additives in food products containing cannabis or hemp parts may be carried out in accordance with the types and quantity prescribed in the notification of the Ministry of Public Health on food additives.

Clause 7. The use of containers for a food product containing cannabis or hemp parts shall be in compliance with the notification of the Ministry of Public Health on containers.

Clause 8. The labeling of a food product containing cannabis or hemp parts shall be in compliance with the notification of the Ministry of Public Health on the labeling of prepackaged foods and the notification of the Ministry of Public Health prescribing specific labeling requirements, as the case may be.

Clause 9. The label of a food product containing cannabis or hemp parts shall also display the following statements:

(1) the statement “Warning” with font size not smaller than 1.5 mm. in a rectangular frame with the color of the fonts in contrast to the color of the frame background and the color of the frame in contrast to the color of the label background;

(2) the statement “Should not be consumed by children, pregnant women and lactating women”;

(3) the statement “If irregular symptoms occur, stop consuming immediately”;

(4) the statement “Persons with allergies or hypersensitivity to THC or CBD should take precautions when consuming”;

(5) the statement “May cause drowsiness. Driving a vehicle or working with machinery should be avoided”;

(6) the statement showing the quantity of tetrahydrocannabinol per package by displaying the statement “Contain no more than 1.6 milligrams of THC per package”;

(7) the statement “Should not be consumed more than 2 packages per day”;

(8) the word “cannabis” or “hemp” or the name of the cannabis or hemp parts used as food ingredients as a part of the name of the food or accompanying the name of the food;

(9) other statements prescribed by the Minister in the notification.

Clause 10. The display of statements of nutrition claims on the label of a food product containing cannabis or hemp parts shall be in accordance with the notification of the Ministry of Public Health on nutrition labelling.

Clause 11. The display of statements of health claims on the label of a food product containing cannabis or hemp parts shall be in accordance with the notification of the Ministry of Public Health on health claims of food.

Clause 12. This Notification shall come into force as from the day following the date of its publication in the Government Gazette.

Given on the 5th Day of July B.E. 2564 (2021)

Anutin Charnvirakul

Minister of Public Health