

NOTIFICATION OF THE MINISTRY OF PUBLIC HEALTH
(NO. 432), B.E. 2565 (2022)
ISSUED UNDER THE FOOD ACT, B.E. 2522 (1979)
RE: LABELING OF FOOD DERIVED FROM GENETICALLY MODIFIED ORGANISMS*

Whereas it is expedient to revise the requirements pertaining to the labeling of food derived from genetically modified organisms;

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

Clause 1. The Notification of the Ministry of Public Health (No. 251), B.E. 2545 (2002), Re: Labeling of Food Obtained through Genetic Modification or Genetic Engineering Techniques, dated 8th April B.E. 2545 (2002) shall be repealed.

Clause 2. In this Notification:

“food derived from genetically modified organism” means:

(1) plants, animals, or microorganisms whose genetic materials have been edited, altered, or modified or recombined with new genetic materials through the application of modern biotechnology, and which are used for consumption as food;

(2) the food product which uses (1) as food ingredients or is produced from (1);

(3) the product produced from or with (1) which is used as food ingredient, food additive or nutrient;

“small-scale producer” means a producer who produces food product and makes a sale directly to consumers and is also able to directly provide information to consumers.

Clause 3. Food derived from genetically modified organisms shall be food that is required to be labeled.

* Published in the Government Gazette, Vol. 139, Special Issue 127 d, page 14, dated 7th June B.E. 2565 (2022)

Clause 4. The labeling of food derived from genetically modified organisms shall conform to the following.

(1) The notification of the Ministry of Public Health on such food shall be complied with.

(2) The notification of the Ministry of Public Health on labeling of pre-packaged food shall be complied with. The additional statements for food derived from genetically modified organisms shall also be displayed, as the case may be, as follows.

(2.1) In the case of food that consists of at least 5 percent of genetically modified plant ingredients, when considering each ingredient individually, and where genetic materials or proteins resulting from genetic modification are detected,

(a) the text “genetically modified” shall be displayed to accompany the name of the food containing only one ingredient.

(b) the text “genetically modified” shall be displayed in association with the ingredient derived from the genetically modified plant under (2.1) paragraph one by displaying it at the end of or under the name of such ingredient, as the case may be.

(c) the text “[name of the food/product] produced from genetically modified [name of the plant]” shall be displayed for a product produced from the genetically modified plant.

(2.2) In the case of food that consists of at least 5 percent of genetically modified animal ingredients, when considering each ingredient individually, and where genetic materials or proteins resulting from genetic modification are detected, —

(a) the text “genetically modified” shall be displayed to accompany the name of the food containing only one ingredient.

(b) the text “genetically modified” shall be displayed in association with the ingredient derived from the genetically modified animal under (2.2) paragraph one by displaying it at the end of or under the name of such ingredient, as the case may be.

(c) the text “[name of the food/product] produced from genetically modified [name of the animal]” shall be displayed for a product produced from the genetically modified animal.

In cases of genetically modified plants under (2.1) and genetically modified animals under (2.2) that are intended to be used as food ingredients for less than 5 percent, the labeling shall be in accordance with this Notification.

(2.3) In the case of a genetically modified microorganism, —

(a) the text “genetically modified” shall be displayed to accompany the name of the food containing only one ingredient.

(b) the text “genetically modified” shall be displayed in association with the ingredient derived from the genetically modified microorganism that are used in the food by displaying it at the end of or under the name of such ingredient, as the case may be.

(c) the text “[name of the food/product] produced from genetically modified [name of the microorganism]” shall be displayed for a product derived from the genetically modified microorganism.

The texts under (2.1), (2.2) and (2.3) shall be displayed in bold font and clearly readable. The color of the fonts shall contrast with the color of the label background. The size of the texts shall be proportional to the area of the label. In this regard, a triangle symbol with yellow background and black font color with the text “GMO” or a statement providing additional information to consumers through an application or a website may also be displayed.

Clause 5. The texts, prohibitions, precautionary statements in the consumption or any other similar statements shall be displayed in accordance with the recommendations from results of the biosafety assessment for food.

Clause 6. The texts “Free from genetically modified food”, “Non-genetically modified food”, “Does not contain genetically modified food ingredients”, “Genetically modified ingredients have been sorted out or excluded”, or other similar texts or symbols shall be prohibited from use on the label of every type of food to prevent consumers from misunderstanding with respect to the labeling of every type of food.

Clause 7. A label of food derived from genetically modified organisms that is approved to be produced or imported prior to the date on which this Notification comes into force may continue to be distributed; however, this must not exceed two years from the date on which this Notification comes into force.

Clause 8. This Notification shall not apply to:

- (1) a producer or an importer who has evidence from the traceability system showing that no genetically modified food is used as an ingredient in the production process;
- (2) a small-scaled producer who produces food and makes a sale directly to consumers;
- (3) a person who cooks and sells food directly to consumers;
- (4) food derived from genetically modified organisms that has no remaining genetic materials resulting from genetic modification and has no remaining proteins resulting from genetic modification in the final product;
- (5) protein resulting from genetic modification which is used as a processing aid.

Clause 9. This Notification shall come into force after the expiration of one hundred and eighty days from the date of its publication in the Government Gazette.

Given on the 7th Day of April B.E. 2565 (2022)

Satit Pitutacha

Deputy Minister of Public Health Acting for

Minister of Public Health