

(Unofficial)

**Announcement of the Food and Drug Administration
Re: Criteria for Advertisement of Caffeinated Beverages**

By virtue of Article 41 of the Food Act B.E.2522 (1979) prescribe anyone wishing to advertise qualities, usefulness or properties of food by radio, television, film, newspapers or other printed matters or by other means for commercial purposes, such person must submit sound, pictures, films or texts of such advertisement to the authority for consideration and receiving permission prior to advertise. Bringing government policy together on streamlining of advertisement of caffeinated beverages by Radio-TV broadcasting to improve standard of Thailand Road Safety and the resolution of cabinet on July 29th B.E.2546 (2003) has prohibited advertisement in the manner to persuade to consume or claim on effect of caffeinated beverages but advertisement can be made as Corporate Image only and this policy shall be taken by relevant agencies. Therefore, to efficiently carry on this issue, the Food and Drug Administration issues an announcement as follows:

Clause 1 Announcement of the Food and Drug Administration, Re: Criteria for Advertisement of Caffeinated Beverages dated 19th September B.E.2546 (2003) shall be repealed.

Clause 2 In this announcement “Advertisement of Corporate Image” means Advertisement in the manner to promote society, morale or goodness of culture but not including advertisement of effect, benefit or quality of products both directly and indirectly but may present as name or symbol of products or pictures of products.

Clause 3 Advertisements in the following manners shall be considered as persuasion, claim on effects of caffeinated beverages both directly and indirectly:

(1) Advertisement to make attitude of drinking caffeinated beverages will increase energy and work more without being tired, awaken, alert or will be successful in social and sex.

(2) Advertisement by athletes or labors as presenters.

(3) Advertisement by super stars, singers, actors/actress as presenters with their ages are less than 18 years old at the first time of broadcasting.

(4) Advertisement with persuaded, coaxed to buy or consume for giving revenue to charity.

Clause 4 The following details shall be expressed when advertisement of caffeinated beverages with their pictures:

(1) Warning statement “should not drink more than 2 bottles per day, children and pregnant women should not drink”

(2) Expression of warning statements

(2.1) Radio broadcasting medium express warning with each clear syllable sound when listen and duration is not less than 3 seconds.

(2.2) TV broadcasting, projection or film media:

(a) Express warning with each clear syllable sound when listen and duration is not less than 3 second; or

(b) Express warning with Super, duration is not less than 5 seconds. The expression shall be made with white letters, their height not less than 1:25 of picture frame height within dark color frame and contrast with advertised background and having frame area 1:10 of picture frame height with clear and eligible font positioned at either top or bottom of advertised area as suitable.

(2.3) Printing media and outdoor media express warning statements with white letters their height are not less than 1:25 of advertised area height within dark color frame and contrast with advertised background and having frame area 1:10 of picture frame height with clear and eligible font positioned at either top or bottom of advertised area.

Clause 6 This announcement shall come into force as from the date 8th March B.E.2555 (2012) onwards.

Announced on 8th March B.E.2555 (2012)

(Signed) Pipat Yingseree

(Mr. Pipat Yingseree)

Secretary-General of Food and Drug Administration

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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.