



Penetrating Thailand Market- What you need to know

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Scope of presentation

- Update on overview Thai Food Act
- Procedures and Requirements for Importing Food Products
- Additional concern for food product
- Conclusion

Food Legislation in Thailand

Food Act 1979

Objective :

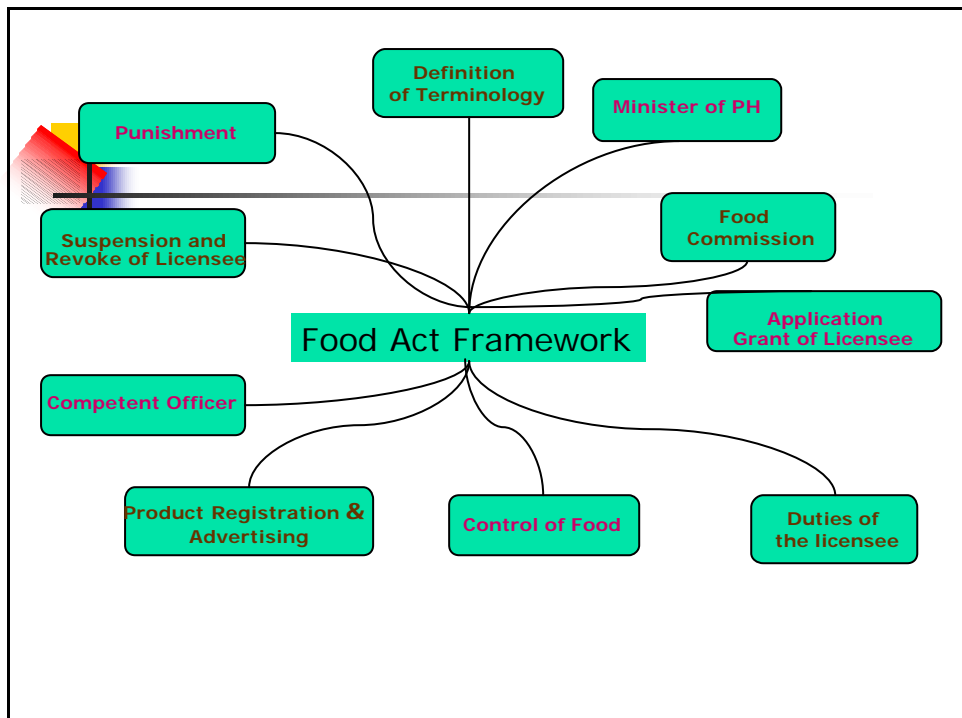
To protect consumers against unsafe, substandard and deceptive food.

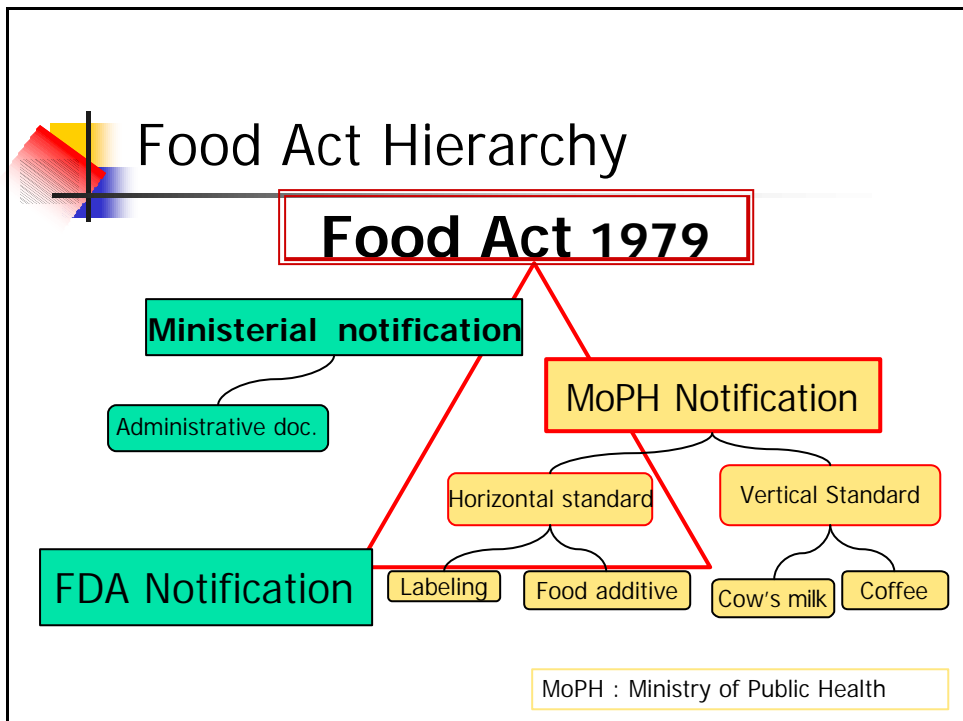
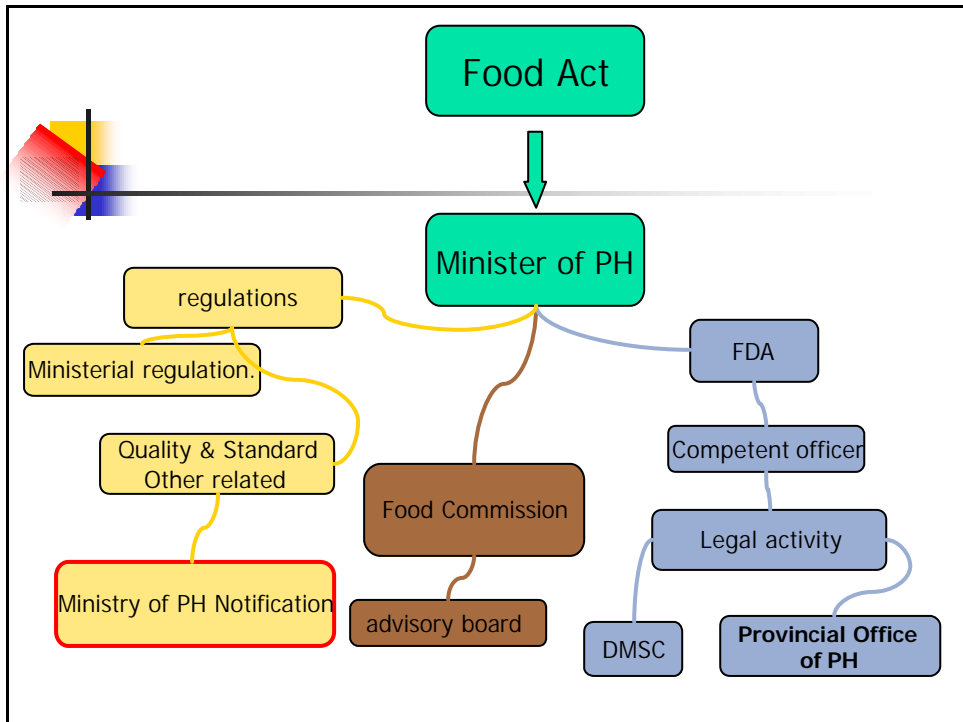
Management system :

Approval prior to sale or advertising

Authorized agency :

Food and Drug Administration (FDA)





"Food"

means edible items and those which sustain life

(1) Substance can be eat, drunk, sucked or gotten in to the body either by mouth or by other means, no matter in what form, but not including medicine, psychotropic substances, narcotic under the law as the case may be.

(2) Substance intended for use or to be used as ingredients in the production of food including food additive, coloring matter and flavoring

According to the article 4 under Food Act 1979



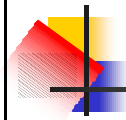
Food Category

The Food Act classify food into 3 categories as follows:

1. **Specific Controlled Food**, e.g.: Infant Food, Milk, Food for weight control, Food additive, etc.
2. **Standardized Food**, e.g. : Fat & oil, Drinking water, Coffee, Tea, Fish sauce, Soy sauce, Dietary supplement, etc.
3. **Labeled Food**, e.g. : Bakery product, Snack, etc.

according to article 6 under the Food Act 1979

List of Specific controlled Food



1. Beverage in Sealed Containers
2. Sodium Cyclamate and Foods Containing Sodium Cyclamate
3. Modified Milk for Infant and Modified Milk of follow up Formula for Infant and young children
4. Flavoured Milk
5. Drinking Yoghurt
6. Cow's Milk
7. Other Milk Products
8. Food Additives
9. Food for Infant and Food of follow up Formula for Infant and young children
10. Food for Weight Control
11. Supplementary Food for Infant and Young Children
12. Food in Sealed Containers
13. Ice Cream
14. Stevioside and Food Containing Stevioside

List of Standardized Food



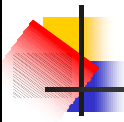
1. Coffee
2. Salt
3. Vitamin fortified Rice
4. Alkaline-preserved Egg
5. Cream
6. Electrolyte Drink
7. Chocolate
8. Tea
9. Herb Tea
10. Some Particular Kinds of Sauces
11. Ice
12. Soybean Milk in Sealed Containers
13. Drinking Water in Sealed Containers
14. Fish Sauce
15. Honey
16. Peanut Oil
17. Butter Oil
18. Palm Oil
19. Coconut Oil
20. Oil and Fat
21. Mineral Water
22. Vinegar
23. Butter
24. Cheese
25. Margarine
26. Ghee
27. Food Seasonings derived from the Hydrolysis or Fermentation of Soybean Protein
28. Dietary Supplement
29. Jam, Jelly and Marmalade in Sealed Containers
30. Royal Jelly and Royal Jelly Product
31. Semi-processed Food

List of Standard Labeled Food

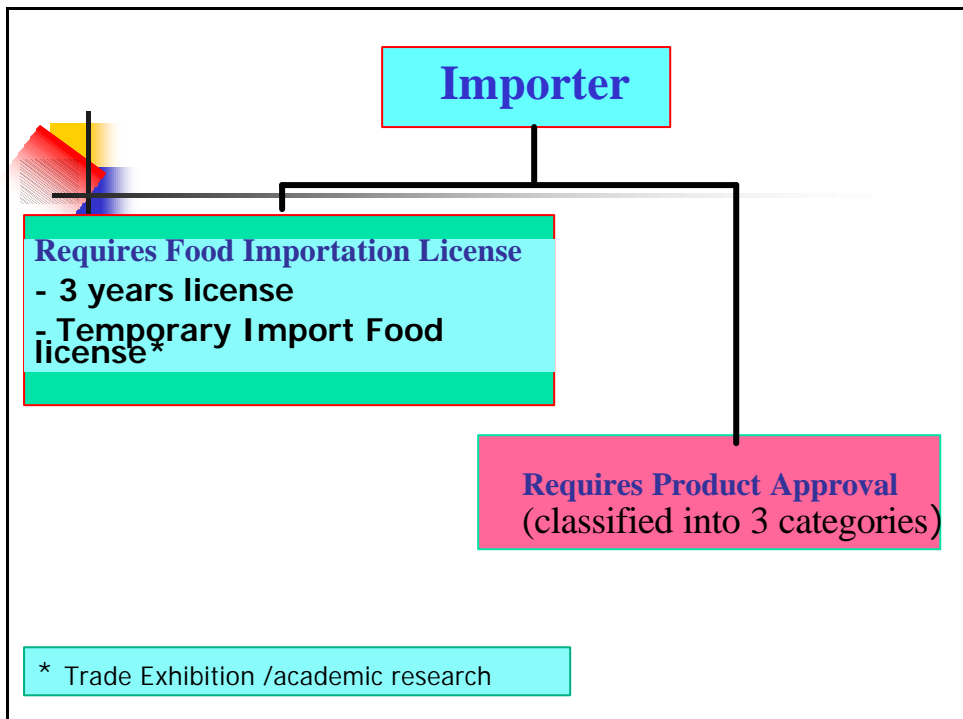
1. Bread
2. Sauce in Sealed Containers
3. Mimic fish sauce
4. Flour of Hushed Rice
5. Meat Product
6. Flavoring Agents
7. Gelatin and jelly dessert
8. Chewing Gum and Candy
9. Ready to Eat and Ready to Cook Food
10. Food for Special Dietary Use
11. Irradiated Food
12. Food obtained through certain techniques of genetic modification / genetic engineering

Management system

- Food Standard section (article 6)
- Pre-market control section
 - manufacturing/ importer } (article 14 -15,31)
 - products
 - labeling (if any) (article 6)
 - advertising (article 6,40-41)
- Post- market monitoring section (article 6)



- Procedures and Requirements for Importing Food Products





FOOD IMPORTER

Requires Food Importation License.

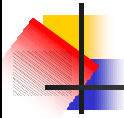
1. Submit application form with supporting documents such as company registration, type of food, list of ingredients in the product, warehouse lay out, etc.
2. FDA verifies the application and advises on corrections (if necessary)
- 3..FDA issues the license

FEE : 15,000 Baht per 3 calendar years

Time for issue :7 working days

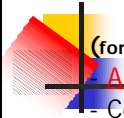
Detail of required document for Food Importation License

1. An application form of Import Food into the Kingdom Licence.
2. A copy of domestic registration.
If an applicant is alien; a work permit in Thailand which issued by the Labour Department shall be attached.
3. A copy of Trade or Commercial Registration.
4. A copy of company registration which declared objectives and authorised person of the company.
5. A copy of certifying nationality of company (List of share holders) from the Ministry of Commerce.
6. Certificate of proxy to act on behave of applicant entity (for juristic person) with excise tax of 30 Baht.
The company stamp is also required if it specified in the company registration.
7. 2 Sets of the following scaled plans and photo
 - 7.1 Location map of the importation premise, storage area and nearby buildings.
 - 7.2 Storage area plan



Storage area plan

- its surroundings
- adequate area for each food item
- adequate ventilation and lighting system
- equipments of methods for keeping quality of food which shall be installed (if necessary)



Document required for application of Temporary Import Food License

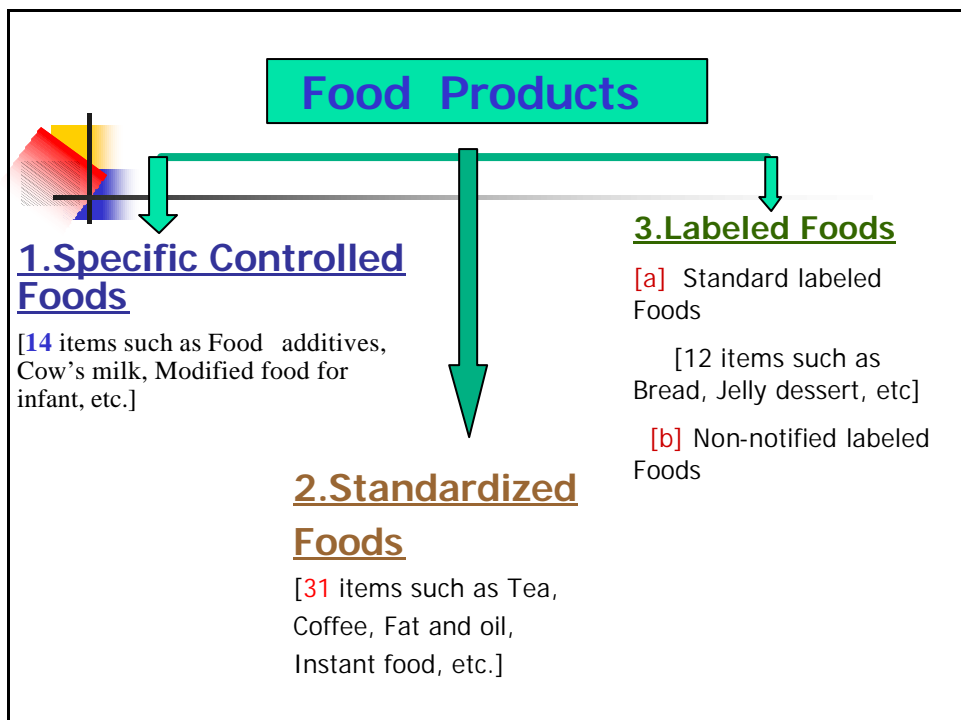
(for Trade Exhibition of Person, Juristic Person, and Organizations).

- Application form Orr. 12

- Copy of domestic registration.
- Copy of company registration. (If any)
- Letter of intent to import and manage such products after trade exhibition that shall be not for sale, distribution, given and shall be responsible for its standard quality and safety which may occur.
- Certificate of exhibition place as evidence.
- Letter of confirmation from exhibition organizer denote that the company participates in the trade exhibition.
- Food importation documents such as: Invoice, Bill of Lading, or Air Way Bill.
- Health certificate or Certificate of Free Sale which is issued by government authorities or parties which is certified by the government.

Documents required for application of Temporary Import Food License (for Academic Research).

- [Application form Orr. 12](#)
 - Copy of domestic registration.
 - [Copy of company registration. \(If any\)](#)
 - Copy of approved research project from human research project committee of the Ministry of Public Health which indicate the target group for research and qualification, experience of research group as evidence.
 - [Certificate of confirmation that products in this research will be utilised within the approved boundary of the project only, no commercial sale or distribution and agree to be inspected and followed to the result of the research.](#)
- *Should the imported product is unsafe, FDA has the right to retain or revoke the product.
- [Report of research result shall be gradually submit to the FDA](#)
 - Food importation documents such as: Invoice, Bill of Lading, or Air Way Bill.
 - [Health certificate or Certificate of Free Sale which is issued by government authorities or parties which is certified by the government](#)



1. Specific Controlled Foods

Required **registration** for Certificate of Food Recipe

Application form with supporting documents:

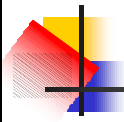
- Name of food;
- Name and quantity of ingredients in the food
- Manufacturing process
- Type of packaging material / size of packing
- Analysis report issued by government lab. or accreditation lab.
- Labeling
- Certificate of Free Sale (if any)
- Manufacturing certificate

-FEE : 5,000 baht / recipe , Time : 35 working days

Manufacturing Certificate

Mandatory requirement for certain food manufacturing ;

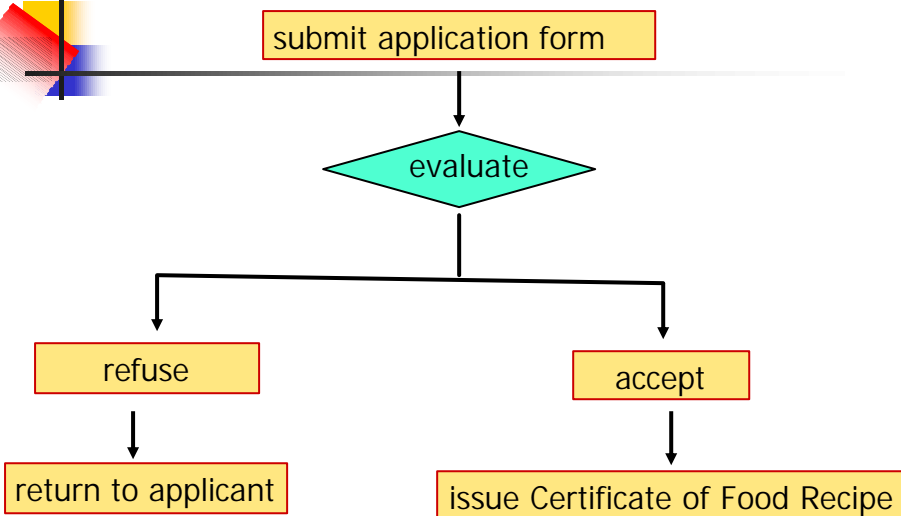
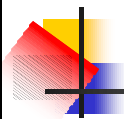
- **Imported product** : Certificate should be issued by recognized regulatory agency or manufacturing license/food license by recognized/relevant authority.
- The Certificate should be valid and define the expiration date of use of such certificate within **ONE** year as from the issuing date of such certification except the evidence from such certificate are still valid.
- Other equivalent system such as quality management system (ISO 9001,9002)



Original copy of manufacturing certificate

- certified copy of certificates to be certified or recommendations from the issuing offices or
- certified by embassy of manufacturer's country in Thailand or
- certified by governmental office or
- certifying body such as notary public, etc.,

Registration Procedure of Specific Controlled Food





2. Standardized Foods

Divide into 2 class :

1. Required registration
similar procedure specially controlled food , but
different in application form.
2. Required notification

-FEE : No charge



Standardized Foods

Required notification

Notification form with supporting documents:

- A photocopy of food importation license
- Manufacturing Certificate issued by authorized agency

-FEE : No charge

-Time : 2 weeks

Exemption from Dietary Supplement comply with its regulation.

3. Other Food

(a) Standard labeled Foods

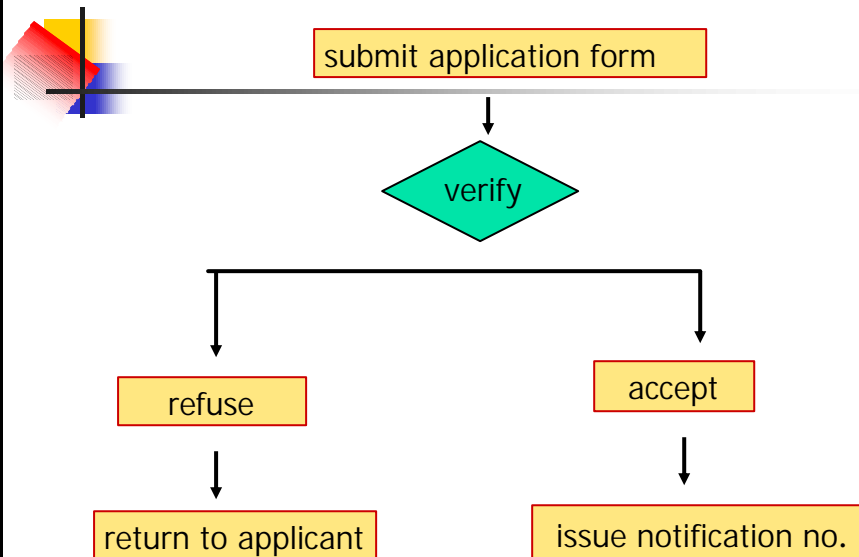
- Requires notification

- FEE : No charge
- Time : 2 weeks

(b) Labeled Foods

- Registration or notification is not required, but the product must be produced up to the prescribed quality or standard and labeling comply with labeling regulation.

Notification for Standardized Food and Standard Labeled Food





Application can be submitted at

- For facility located in Bangkok:
 - One Stop Service Center
Food and Drug Administration
Ministry of Public Health
Nonthaburi
 - Tel. 02-590-7341
- For facility located in other provinces,
? Provincial Health Office in your province.
- more information visit website
 - 📖 WWW: fda.moph.go.th
 - 📖 e-mail address: food@fda.moph.go.th



ADDITIONAL CONCERN FOR FOOD PRODUCT

- Product classification
- Product formulation
- Analytical report of product
- The use of food additive
- Guideline for vitamins & mineral fortification (if any)
- Packing material



ADDITIONAL CONCERN FOR FOOD PRODUCT (cont.)

- Labeling requirement
- Specific statement for some type of products
- Claims requirement (if any)
 - e.g. halal logo
- Banned and restricted product



Product classification

1. Identify the product to be imported for
2 which category it falls into.
2. Verify against your importation license to see if the product falls within the categories indicated in the license prior to filing the application. Otherwise, importer must apply for an additional food category intended to import.

Product classification (cont) /Product formulation

3. Quality and standard of the product must comply with the quality and standard set forth by regulation.

4. Provide Product formulation percentage weight by weight including food additive information by providing name of food additive, quantity and its functional use.

Analytical report

- Analytical report issued by government laboratory or accreditation lab.
- The standard of these food products have to meet the standards specified in the MoPH Notifications.



The use of food additives

- The use of food additives in the product shall comply with the MoPH Notification no.281 B.E.2547(2003) : Food Additive or
- Codex standard : General Standard for Food Additive
www.codexalimentarius.net
- Other than above, seek for FDA approval



Guideline for vitamins & minerals fortification

- 10-200 % of Thai RDI for W/S vitamins
- 10-150 % of Thai RDI for F/S vitamins
- 10-150 % of Thai RDI for minerals
- 10-120 % of Thai RDI for Fe, Zn
- F required FDA Approval case by case
(MoPH notification 182 entitled : Nutrition Labeling)
- exemption DS. allowed 15-100 % of Thai RDI. (MoPH notification 293 entitled : Dietary Supplement)

Note : w/s : water soluble, F/S : fat soluble

Thai Recommended Daily Intake (Thai RDI)

Total Fat	65 g.	Thiamin	1.5 mg.	Iron	15 mg.
Saturated Fat	20 g.	Riboflavin	1.7 mg.	Iodine	150 mcg.
Cholesterol	300 mg.	Niacin	20 mg.NE	Magnesium	350 mg.
Protein	50 g.	Vitamin B6	2 mg.	Zinc	15 mg.
Total Carbohydrate	300 g.	Folate	200 mcg.	Copper	2 mg.
Dietary Fiber	25 g.	Biotin	150 mcg	Potassium	3,500 mg.
Vitamin A	800 mcg.RE	Pantothenic Acid	6 mg.	Sodium	2,400 mg.
Vitamin B12	2 mcg.	Iron	15 mg.		
Vitamin C	60 mg.	Iodine	150 mcg.		
Vitamin D	5 mcg.	Magnesium	350 mg.		
Vitamin E	10 mg.	Zinc	15 mg.		
Vitamin K	80 mcg.	Copper	2 mg.		
Calcium	800 mg.	Potassium	3,500 mg.		
Phosphorus	800 mg.	Sodium	2,400 mg.		

Food Packaging

- Standard of plastic ceramic container and coated metal container

Notification of MoPH No.92 B.E. 2548 (1985)

- Standard of plastic container

Notification of MoPH No. 295 B.E. 2548(2003)

- Standard of baby feeding bottle

Notification of MoPH No. 117 B.E. 2532 (1989)



Labeling : General Requirement

Required **Thai text on the label** for prepackaged food

- 2 - Name of food
- Name and quantity of the ingredients in the food
- Net content
- Food registration no. /Food notification no.



- Name and address of manufacturer, in case of imported product must be shown name and address of importer
- Manufacturing date/expiration date/best before
- Suggestion/ warning statement [if any]
- Specific requirement [if any]

MoPH notification no. 194 B.E. 2543 (2000) entitled : Labeling

e.g. : specific statement requirement

- for caffeine drink (energy drink)
 - suggested consumption maximum of 2 servings/day may cause palpitation otherwise.
 - not recommended for children and pregnant



Labeling for GM. food

Statement "Genetic Modification" must be shown on the label for Genetic Modified Foods such as

"soy bean from genetic modification"

MoPH. Notification no. 251 B.E.2545 (2002) entitled :Labeling for genetic modification food



Claims regulation

- Nutrition claims
- Health claims (on process)
 - Other claims



Nutrition claims

1. Notification of Ministry of Public Health No.182 B.E. 2541 (1998) entitled : Nutrition labeling

- Nutrient content
- Nutrient comparative
- Nutrient function Claim

2. Notification of Ministry of Public Health No.305 B.E. 2550 (2007) entitled : Labeling Requirement of Snack Foods



5 types of Snack Foods

which most preferable by children

■ Potato Chips



■ Corn Chips



■ Rice Crisps (extrude)



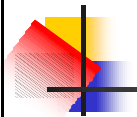
■ Biscuits



■ Stuffed wafers



Compulsory nutritional labelling



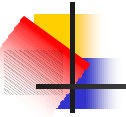
Nutrition Information	
Serving size :	(.....)
Serving Per Container	:
Amount Per Serving	
Total energy	kcal
Total Fat	g. %
Cholesterol	mg (in case of significant content) %
Protein	g. %
Total Carbohydrate	g. %
Sugar	g.
Sodium	mg.
* Thai recommend daily intakes for ages of 6 years and up (Thai RDI) with percent diary values are based on a 2,000 calorie diet	

Contain Cholesterol more than 2 mg/serving size



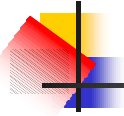
Thai Food and Drug Administration

Other claims



- Halal logo certificate



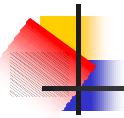


Halal logo certificate

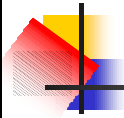
Halal logo certificate is defined as food permitted under the Islamic Law.

Halal certificate issued by the Office of Central Islamic Affairs committee of Thailand.

More information visit :www.halal.or.th



Banned & Restricted products



Restricted products

- Food Additive
- Caffeine drink

Foods prohibited to manufactured, imported or sold

Notification of MoPH (No.292) B.E. 2548

- **Dulcin or chemical name is “para-phenolcarbamide” which used as sweetener**
- **Clycamic acid and its salt excluded salt of Cyclamic acid which is Sodiumcyclamate (allow to manufacture for export)**
- **AF-2 Furylfamide which used as food additive**
- **Food containing AF-2 or cyclamic acid or salt of cyclamic acid except sodium clycamate**

Foods prohibited to manufactured, imported or sold

Notification of MoPH (No.292) B.E. 2548

- Potassium bromate as food additive
- Food containing Daminozide or Succinic acid 2,2-dimethylhydrazide
- Stevia and its products e.g. Crude extract which is non-water extraction and its derivative from stevia or *Stevia rebaudiana* Bertoni (except for export or sell to manufacturer for exporting or sell to producers who extract Stevioside from Stevia)

Food prohibited to manufactured, imported or sold

- Small size package of processed jelly dessert containing Glucomanan which has a diameter not more than 4.5 centimeters. **Notification of MoPH(No.263) B.E. 2545**
- Puffer fish and Food containing Puffer fish meat as ingredient **Notification of MoPH(No.264) B.E. 2545**
- Corn and corn products as stated in the following list which contaminated with Cry 9C DNA Sequence **Notification of MoPH(No.215),(No.217) B.E. 2544**



Food prohibited to manufactured, imported or sold

Notification of MoPH (No.311) B.E. 2551

Foods which contain melamine and its analogues (Cyanuric acid, Ammelide and Ammeline) are prohibited food to be produced, imported or sold unless they meet to the criteria which prescribed by the Food and Drug Administration by the approval of the food committee.



Food prohibited to be import or sold

• Following foods whose declared "expiration date" or "best before date" has been passed ;

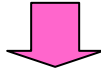
Notification of MoPH (No.174) B.E. 2539

- (1) Modified Food (other than milk) for Infant and Young Children
- (2) Supplementary Food for Infant and Young Children
- (3) Modified Milk for Infant and Young Children
- (4) Drinking Yoghurt
- (5) Pasteurized Milk
- (6) Food for Special Purpose

Food prohibited to be import or sold (cont.)

Notification of MoPH (No.296) B.E. 2549

- **Foods produced from cows and cow products from the origin countries with risk from Bovine Spongiform Encephalopathy (BSE)**



Great Britain, Portugal, France, Ireland, Switzerland, Belgium, Germany, The Netherlands, Denmark, Italy, Liechtenstein, Luxembourg, Spain, Czech Republic, Greece, Japan, Slovakia, Slovenia, Austria, Finland, Israel, Poland, Canada and USA (24 countries)

Food prohibited to be import or sold (cont.)

- **Except milk and milk product, gelatin and collagen required to have a Safety Certificate stating the country of origin and free from Bovine Spongiform Encephalopathy (BSE) .**
- Gelatin made from bone. Except gelatin made from bone that have a Safety Certificate stating the country of origin and free from BSE.



Substances prohibited to be used as ingredients in food

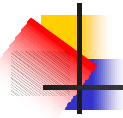
Notification of MoPH (No.151) B.E. 2536, (No.247) B.E. 2544

- Brominated vegetable oil
- Salicylic acid
- Boric acid
- Borax
- Calcium iodate or Potassium iodate
- Nitrofurazone
- Beta-agonist
- Potassium chlorate

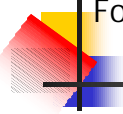


Substances prohibited to be used as ingredients in food (cont.)

- Formaldehyde, Formaldehyde solution,
para-Formaldehyde
- Coumarin
- Dihydro-coumarin or Benzodihydropyrone or
3,4-Dihydrocoumarin or Hydrocoumarin
- Diethylene Glycol or Dihydroxydiethyl ether or Diglycol
or 2,2'-oxybis-ethanol or 2,2'-oxydiethanol
- Methyl alcohol or Methanol
(except for food processing aid for export)



conclusion



Food legislation in Thailand is Food Act B.E. 2522 (1979)

For imported food into Thailand

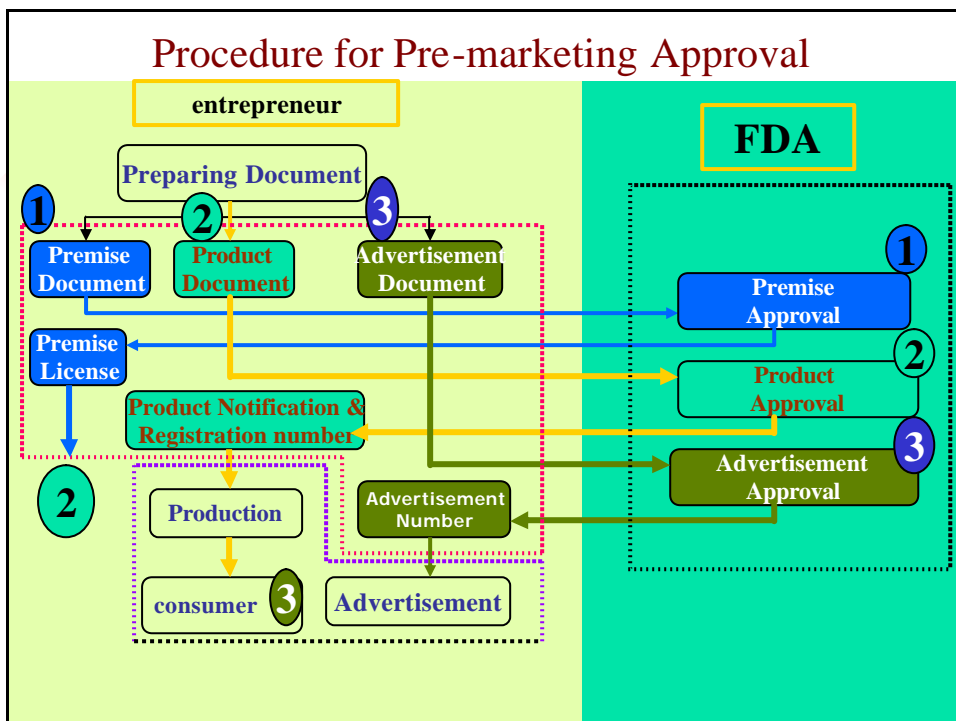
1. Approval of the Importation license.
2. Approval of the Product.



Food Categories and How to Apply

Categories	Imported Food
A. Specific Controlled Food	1. Apply for Importation License 2. Register for Approval Number
B. Standardized Food	1. Apply for Importation License 2. Notify for Approval Number*
C. Labeled Food	
1. Notify standard labeled food	1.1. Apply for Importation License 1.2. Notify for Approval Number*
2. Non-notify standard labeled food	2.1 Apply for Importation License 2.2 --

Procedure for Pre-marketing Approval



Required document for importing products

document	Cat.1	Cat.2	
1. Manufacturing certification	☑	☑	☑
2. Certificate of free sale	☑	✓?	✓?
3. Product formulation	☑	✓	✓
4. Manufacturing process	☑	✓	✓
5. The use of food additive	☑	✓	✓
6. Analytical report	☑	✓	✓

Note : ☑ required document for product submission

: ✓ for applicant self-verification and keep for post market monitoring check

: ✓? Under review

: cat. 2 for dietary supplement required document similar the cat.1

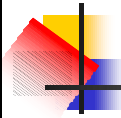
Required document for importing products

document	Cat.1	Cat.2	Cat.3
7. Instruction of use (if any)	☑	☑	✓?
8. Shelf-life	☑	✓?	✓?
9. Labeling	☑	✓	✓
10. Nutrition Labeling (if any)	☑	✓	✓
11. Other claims	☑	✓	✓
12. Packaging material information	☑	✓	✓

Note : ☑ required document for product submission

: ✓ for applicant self-verification and keep for post monitoring check

: ✓? Under review



Application can be submitted at

- **For facility located in Bangkok:**
 - One Stop Service Center
Food and Drug Administration
Ministry of Public Health
Nonthaburi
 - Tel. 02-590-7341
- **For facility located in other provinces,**
? Provincial Health Office in your province.

- **more information visit website**
WWW: fda.moph.go.th



THAI FOOD AND DRUG ADMINISTRATION
For more information please visit :
www.fda.moph.go.th