NOTIFICATION

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| **1.** | **Notifying Member:** Thailand**If applicable, name of local government involved:** - |
| **2.** | **Agency responsible:** Food and Drug Administration (Thai FDA) |
| **3.** | **Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):** Pre-packaged foods (ICS Code: 67.040) |
| **4.** | **Regions or countries likely to be affected, to the extent relevant or practicable:****[****X]** **All trading partners** **[ ]****Specific regions or countries:**  |
| **5.** | **Title of the notified document:** Draft MOPH Notification, No. … B.E. …. (....), entitled "The Labelling of Genetically Modified Foods (GMFs)".**Language(s):** Thai. **Number of pages:** 2<https://members.wto.org/crnattachments/2019/SPS/THA/19_6126_00_x.pdf> |
| **6.** | **Description of content:** The Ministry of Public Health (MOPH) is proposing to revise the MOPH Notification concerning "The Labelling of Genetically Modified Foods (GMFs)" as follows:1. The Notification of the Ministry of Public Health No. 251 B.E. 2545 (2002), Re: Labelling of Food Products Obtained Through Certain Techniques of Genetic Modification/Genetic Engineering, dated 8 December B.E. 2545 (2002), shall be repealed;
2. In addition to the general labelling requirements in accordance with relevant food labelling laws, food containing or consisting of Genetically Modified Organisms (GMOs) or produced from GMOs as the following below should be labelled:
3. Food containing or consisting of Genetically Modified Plants (GM-Plants) five percent or greater than five percent (≥ 5 %) for each ingredient;
4. Food containing or consisting of Genetically Modified Animals (GM-Animals) five percent or greater than five percent (≥ 5 %) for each ingredient;
5. Food produced by using Genetically Modified Microorganisms (GMMs);
6. The labelling requirements for GMFs:
7. Where the food consists of only one ingredient, the text "Genetically Modified" shall appear on the label in conjunction with, or in close proximity to, the name of food;
8. Where the food consists of more than one ingredient, the text "Genetically Modified" shall appear on the label in conjunction with, or in close proximity to, or under the name of ingredient;
9. Where the food is produced from GM-plants or GM-animals or using GMMs, the text "[food name/product name] produced from [type of GMO]" shall appear on the label;
10. The words shall be prominent and readily legible. It shall be displayed in bold letter, colour contrast between text and its background and the space of label shall be proportionate;
11. Additional labelling by displaying of symbol, the word "GMO" with black colour in a triangle with yellow background, or text for providing the additional information to consumers through mobile phone applications or electronic or digital link disclosure, is voluntary;
12. Exemption from this regulation:
13. Food products which can be proved that it is a non-GMO by traceability certification system;
14. Food products produced by small scaled producers and directly sell to consumers;
15. Food products prepared and sold by restaurants or vending vehicles;
16. Food products which do not contain any detectable genetic material or protein resulting from genetic modification in the final product (highly refined foods);
17. Text of "Free from Genetically Modified Food" or "Non-Genetically Modified Food" or "Do Not Contain Constituents of Genetically Modified Food" or "Segregated Genetically Modified Constituent" or any other similar text or symbols shall be prohibited by this regulation;
18. Labelling of Genetically Modified Foods (GMFs) which were allowed before the enforcement date of this regulation, can be sold in the market but not more than two years from the date this regulation came into force;
19. This notification shall come into force after 180 days from its publication in the Thai Royal Gazette.
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| **7.** | **Objective and rationale: [****X]****food safety, [ ]****animal health, [ ]****plant protection, [ ]****protect humans from animal/plant pest or disease, [ ]****protect territory from other damage from pests.**  |
| **8.** | **Is there a relevant international standard? If so, identify the standard:****[ ]****Codex Alimentarius Commission *(e.g. title or serial number of Codex standard or related text)*:** **[ ]****World Organization for Animal Health (OIE) *(e.g. Terrestrial or Aquatic Animal Health Code, chapter number)*:** **[ ]****International Plant Protection Convention *(e.g. ISPM number)*:** **[****X]** **None****Does this proposed regulation conform to the relevant international standard?** **[ ]****Yes [ ]****No****If no, describe, whenever possible, how and why it deviates from the international standard:**  |
| **9.** | **Other relevant documents and language(s) in which these are available:** 1. CAC/GL 76-2011: Compilation of Codex texts relevant to labelling of food derived from modern biotechnology
2. CODEX STAN 1-1985: Labelling of Pre-packaged Food
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| **10.** | **Proposed date of adoption *(dd/mm/yy)*:** To be determined.**Proposed date of publication *(dd/mm/yy)*:** To be determined. |
| **11.** | **Proposed date of entry into force: [ ]****Six months from date of publication**, **and/or** ***(dd/mm/yy)*:** 180 days after being notified in the Official Gazette.**[ ]****Trade facilitating measure**  |
| **12.** | **Final date for comments: [****X]****Sixty days from the date of circulation of the notification and/or *(dd/mm/yy)*:** 31 December 2019**Agency or authority designated to handle comments: [****X]****National Notification Authority, [****X]****National Enquiry Point.** **Address, fax number and e-mail address (if available) of other body:** National Bureau of Agricultural Commodity and Food Standards (ACFS)50 Phaholyothin Road, LadyaoChatuchak, Bangkok 10900ThailandTel: +(662) 561 4024Fax: +(662) 561 4034E-mail: spsthailand@gmail.comWebsites: <http://www.acfs.go.th> <http://www.spsthailand.net/> |
| **13.** | **Text(s) available from: [****X]****National Notification Authority, [****X]****National Enquiry Point.** **Address, fax number and e-mail address (if available) of other body:** SPS Thailand Contact pointE-mail: spsthailand@gmail.comWebsites: <http://www.spsthailand.net/> |