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## **Thailand**

**Post:** Bangkok

### **Additional Certificate and Labelling Requirements for Fruit of Export Significance to the United States**

**Report Categories:**

WTO Notifications

Sanitary/Phytosanitary/Food Safety

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**Report Highlights:**

On November 8, 2016, Thailand informed the World Trade Organization about a draft regulation on good practice certification and labelling requirements for packing houses of fruits and vegetables. The Thai FDA is currently seeking comments on this notification (SPS/N/THA/239 also notified as G/TBT/N/THA/490) from World Trade Organization (WTO) member countries. The comment period for trading partners will be 40 days from November 8, 2016, the WTO circulation date. This report contains an unofficial translation of the proposed draft regulation. The U.S. fresh fruits impacted by this draft regulation are apples, grapes, strawberries, Mandarins oranges, and pears. U.S. exports of these fruits to Thailand were valued at over 35 million U.S. dollars in 2015.

**General Information:**

**Thai FDA Published Draft Regulation on Good Practice Requirements for Fruits and Vegetables and Labelling Requirements.**

On November 8, 2016, Thailand informed the World Trade Organization about a draft regulation on good practice certification and labelling requirements for packing houses of fruits and vegetables. The Thai FDA is currently seeking comments on this notification (SPS/N/THA/239 also notified as G/TBT/N/THA/490) from WTO member countries. The comment period for trading partners will be 40 days from November 8, 2016, the WTO circulation date. Below is an unofficial translation of the proposed draft regulation.

Under the draft regulation, U.S. packing houses or exporters of specified fruits and vegetables (listed under Annex 1) are required to provide a certificate indicating that the production process, equipment, and storage of those products are in compliance with the requirements stated in Annex 2 (GMP equivalent). However, Thai FDA will accept equivalent certification issued by either the government or a Certified Body that has been assessed and accredited by an Accreditation Body recognized by International Accreditation Forum (IAF).

The U.S. fresh fruits impacted by this draft regulation are apples, grapes, strawberries, Mandarins oranges, and pears. U.S. exports of these fruits to Thailand were valued at over 35 million U.S. dollars in 2015.

(Unofficial Translation)

**Draft MOPH Notification, B.E....,**

**Re: The Requirements for Production Processes, Production Equipment, Storage, and Labelling of Some Fresh Fruits or Vegetables**

It is deemed appropriate to establish measures to regulate and control the quality and safety of fruits and vegetables throughout the supply chain in a more effective way in order to ensure that consumers get quality and safe fruits and vegetables.

By the virtue of the provisions of the first paragraph of Sections 5 and 6 (5) (6) (7) (9) and (10) of the Food Act B.E. 2522 (1979); the Minister of Public Health hereby issues the notification as follows:

*Clause 1:* Definitions under this notification:

“Production” means the sorting, packing processes of fruits or vegetables sourced from other parties or the sorting and packing processes of own grown fruits or vegetables in the buildings or premises dedicated for sorting and packing.

"Sorting and packing" means the post-harvest processes for fresh fruits and vegetables which covers the sorting and packing in any type of packaging intended for sale. These processes may include the cleaning, cutting, waxing, or other processes which preserve the quality of fruits or vegetables.

“Some Fresh Vegetable or Fruits” means only the fresh vegetables and fruits listed in Annex 1 of this notification.

*Clause 2:* The producer of fresh vegetables and fruits listed in Annex 1 shall follow the requirements regarding the production processes, equipment, and storage, as follows:

1. In accordance with the requirements in Annex 2 of this notification; or
2. In compliance with other standards that are equivalent or higher (1)

The inspection of the production premise under (1) shall follow the criteria in Annex 3 of this notification and be documented accordingly.

*Clause 3:* The importer of certain fresh vegetables and fruits that have undergone a sorting and packing process shall present a certificate. The certificate may be issued by 1) the government authority of the producing country, 2) another organization accredited by the government authority of the producing country, 3) a Certified Body, which is assessed and accredited by an Accreditation Body recognized by the International Accreditation Forum (IAF), or 4) other organizations as stated by the Thailand Food and Drug Administration (FDA). The certificate shall be one of the following:

1. A certificate assuring that production practices, equipment, and storage comply with the requirements in Annex 2 of this notification; or
2. A certificate showing the adherence to another equivalent standard

*Clause 4:* Packaging shall follow the MOPH Notification regarding packaging.

*Clause 5:* Irradiation shall follow the MOPH Notification regarding irradiated food.

*Clause 6:* A producer under Clause 2 or an importer under Clause 3 intending to sell in the domestic market shall display a product label in Thai language. This label may also contain other languages. At a minimum, the label should provide the following information.

(1) The name and address of the producer, importer, or headquarters (where applicable)

(1.1) For domestically produced fresh vegetables and fruits, the label shall display the producer's name and address, or the producer's name and headquarters' address. The description in the label should read:

- (a) The word 'Producer' or 'Produced by' for the producer,
- (b) The word 'Headquarters' for the producer intending to declare headquarters' name and address

(1.2) For imported fresh vegetables and fruits, the label shall display the importer's name and address, with a clear word 'Importer' or 'Imported by' as well as the producing country.

(2) The registration number of the food production premise or the importer premise (where applicable); Font of this number shall not be smaller than 2 millimeters and shall be displayed in a clearly defined white box.

(3) Any code or number that indicates production lot

*Clause 7:* The retailer, who sells fresh vegetables and fruits regulated by this notification from a producer under Clause 2 and the importer under Clause 3, shall display the information required under Clause 6 or have a record of this information to inform consumers or the responsible officials.

Clause 8: Those who were granted a food production license or a food production premise number under Clause 2 or those who were granted a food import license under Clause 3 (where applicable), prior to the implementation of this notification, are given one year after the effective date to rectify any non-compliance from this notification.

Clause 9: The following products are exempted from this notification:

- (1) Certain fresh vegetables or fruits that are sold directly to consumers
- (2) Certain fresh vegetables or fruits that are sold in a ready-to-cook and ready-to-eat form, as described in the MOPH notification regarding labelling for ready-to-cook and ready-to-eat food

Clause 10: This notification shall enter into force after one year from the gazettal date.

**Annex I**  
**List of some fresh fruit or vegetables**

<b>List of Fruits</b>		<b>Scientific name</b>
1.	Banana	<i>Musa spp.</i>
2.	Chestnut	<i>Castanea spp.</i>
3.	Dragon fruit	<i>Hylocereus spp.</i> ; <i>H. undatus</i> (Haw.) Britton & Rose; <i>H. megalanthus</i> )K. Schum. ex Vaupel (Ralf Bauer; <i>H. polyrhizus</i> )F.A.C. Weber( Britton & Rose; <i>H. ocamponis</i> )Salm-Dyck (Britton & Rose; <i>H. triangularis</i> )L. (Britton & Rose;
4.	Cantaloupe	<i>Cucumis melo</i> L. var. <i>cantalpensis</i>
5.	Rambutan	<i>Nephelium lappaceum</i> L.
6.	Rose apple	<i>Syzygium Jambos</i> )L. (Alston; Syn: <i>Eugenia Jambos</i> L.
7.	Watermelon	<i>Citrullus lanatus</i> (Thunb.) Matsum. & Nakai
8.	Pomegranate	<i>Punica granatum</i> L.
9.	Guava	<i>Psidium guajava</i> L.
10.	Jujube	<i>Zizyphus jujuba</i> Mill.
11.	Mango	<i>Mangifera indica</i> L.
12.	Papaya	<i>Carica papaya</i> L.
13.	Sapodilla	<i>Manilkara zapota</i> (L.) P. Royen; Syn: <i>Manikara achras</i> )Mill. (Fosberg; <i>Achras zapota</i> L.
14.	Longan	<i>Dimocarpus longan</i> Lour. Syn: <i>Nephelium longana</i> )Lam. (Camb.; <i>Euphoria longana</i> Lam.
15.	Strawberries	<i>Fragaria</i> × <i>ananassa</i> Duchesne ex Rozier
16.	Mandarins /oranges	<i>Citrus sinensis</i> Osb.
17.	Pear	<i>Pyrus pyrifolia</i> )Burm. f. (NaKai
18.	Grapes	<i>Vitis vinifera</i> L. หลายพันธุ์ (several cultivars)
19.	Apple	<i>Malus domestica</i> Borkhausen
20.	Garlic	<i>Allium sativum</i> L.
21.	Cauliflower	<i>Brassica oleracea</i> L. var. <i>botrytis</i> L. ,

22.	Cabbages	<i>Brassica oleracea</i> L. var. <i>capitata</i> L.
23.	Chives, chinese	<i>Allium tuberosum</i> Rottler ex Spreng.
24.	Galangal	<i>Alpinia galanga</i> (L.) Stunz;
25.	Kale	<i>Brassica oleracea</i> var. <i>alboglabra</i> )L.H. Bailey (Musil
26.	Carrot	<i>Daucus carota</i> L.
27.	Spring onion	<i>Allium cepa</i> L. ,a.o. White Lisbon; White Portugal
28.	Bean sprout	<i>Vigna radiata</i> ) L. (R. Wilczek var. <i>radiate</i>
29.	Ivy gourd	<i>Coccoloba grandis</i> )L. (Voigt
30.	Cucumber	<i>Cucumis sativas</i> L.
31.	Lentils	<i>Vigna unguiculata</i> (L.) Walp. subsp <i>sesquipedalis</i> (L.) Verdc.
32.	Garden pea	<i>Pisum sativum</i> L. var. <i>sativum</i>
33.	Broccoli	<i>Brassica oleracea</i> L. var. <i>italica</i> Plenck
34.	Basil leaf	<i>Ocimum sanctum</i>
35.	Asiatic pennywort	<i>Centella asiatica</i> )L. (Urb.
36.	Spinach	<i>Spinacia oleracea</i> L.
37.	Chinese cabbage	<i>Brassica pekinensis</i> Lour
38.	Amaranth	<i>Amaranthus</i> spp
39.	Kangkung/water spinach	<i>Ipomoea aquatica</i> Forssk.
40.	Pepper	<i>Capsicum</i> spp.
41.	Pumpkin	<i>Cucurbita moschata</i> L.
42.	Tomato	<i>Lycopersicon esculentum</i> Mill.
43.	Eggplant	<i>Solanum xanthocarpum</i> Schrad. & Wendl.
44.	Potato	<i>Solanum tuberosum</i> L.
45.	Shallot	<i>Allium cepa</i> L. var. <i>aggregatum</i> Don.
46.	Edible Mushrooms	-
47.	Sweet basil	<i>Ocimum basilicum</i> L.

**Annex 4: Declaration of Registration Number  
of Production Premise or Importing Premise for Some Vegetables and Fruits**

1. Those who want to obtain a registration number for the production premises or the importing premises of vegetables and fruits shall follow the Food and Drug Administration regulations regarding food serial numbers.
2. The registration number of the production premise or the importing premise must be displayed on the label in order, starting from group one, group two, and group three. The color of the number must clearly contrast with the background and the font size must be a minimum of 2 millimeters. The registration number must be on the defined area and the color of this area must be contrasted with the color of the label.

In the case that the producers/ importers cannot display the information in 1, they must provide an

explanation for the Food and Drug Administration's consideration and approval to display other alternative information about the premise.