

Translation

NOTIFICATION OF THE MINISTRY OF PUBLIC HEALTH
(NO. 429), B.E. 2564 (2021)
ISSUED UNDER THE FOOD ACT, B.E. 2522 (1979)
RE: FOOD PRODUCTS CONTAINING CANNABIDIOL EXTRACTS

Whereas it is expedient to prescribe qualities or standards of food products containing cannabidiol extracts with a view to promoting and developing cannabis and hemp into commercial plants;

By virtue of the provisions of section 5 paragraph one and section 6 (1), (2), (4), (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. Food products containing cannabidiol extracts shall be specifically controlled food.

Clause 2. In this Notification:

“cannabidiol extract” means an extract which contains cannabidiol (CBD) extracted from cannabis or hemp plants and contains no more than 0.2 per cent of tetrahydrocannabinol by weight.

Clause 3. Cannabidiol extract used as an ingredient in food products must conform to the following qualities or standards.

(1) The quantity of cannabidiol contained shall not be less than 30 per cent by weight.

(2) The quantity of tetrahydrocannabinol contained shall not exceed 0.2 per cent by weight.

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(3) It may contain or be mixed with other materials which are not harmful to health to facilitate the production process.

(4) The pesticide residues shall be in accordance with the notification of the Ministry of Public Health on food containing pesticide residues.

(5) The contaminants shall be in accordance with the notification of the Ministry of Public Health on standards for contaminants in food.

(6) The pathogenic microorganisms shall be in accordance with the notification of the Ministry of Public Health on prescribing the quality or standard, principles, conditions and methods of analysis for pathogenic microorganisms in foods.

Clause 4. Cannabidiol extract shall be used as an ingredient in food products in accordance with the Schedule annexed to this Notification.

Clause 5. A food product containing cannabidiol extracts must conform to the following qualities or standards.

(1) The detected cannabidiol and tetrahydrocannabinol substances as well as the methods for the test and analysis shall be in accordance with the Schedule annexed to this Notification.

(2) The pesticide residues shall be in accordance with the notification of the Ministry of Public Health on food containing pesticide residues.

(3) The contaminants shall be in accordance with the notification of the Ministry of Public Health on standards for contaminants in food.

(4) The pathogenic microorganisms shall be in accordance with the notification of the Ministry of Public Health on prescribing the quality or standard, principles, conditions and methods of analysis for pathogenic microorganisms in foods.

(5) The quality or standard of such food shall be in accordance with the relevant notifications of the Ministry of Public Health, as the case may be.

Clause 6. A producer of a food product containing cannabidiol extracts must acquire the cannabidiol extracts lawfully and must control the production process to

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ensure compliance with the notification of the Ministry of Public Health on food production processes, processing equipment/utensils and storage practices.

The producer under paragraph one shall also keep records of the acquired supply and usage of cannabidiol extracts at the production facility.

Clause 7. The use of food additives in cannabidiol extract and a product containing cannabidiol extracts may be carried out in accordance with the types and quantity prescribed in the notification of the Ministry of Public Health on food additives.

Clause 8. The use of containers for a product containing cannabidiol extracts shall be in compliance with the notification of the Ministry of Public Health on containers.

Clause 9. The labelling of a product containing cannabidiol extracts shall be in compliance with the notification of the Ministry of Public Health on the labelling of prepackaged foods and the notification of the Ministry of Public Health prescribing specific labelling requirements, as the case may be.

Clause 10. The label of a food product containing cannabidiol extracts shall display the following statements:

(1) the statement “Warning” the letter size of which shall not be smaller than 1.5 millimeters in a rectangular frame with the color of the letters in contrast to the color of the frame background and the color of the frame in contrast to the color of the label background;

(2) the statement “Children, pregnant women and lactating women should not consume”;

(3) the statement “If irregular symptoms occur, stop consuming immediately”;

(4) the statement “Persons with allergies or hypersensitivity to CBD or THC should not consume”;

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(5) the statement “May cause drowsiness. Driving a vehicle or working with machinery should be avoided”;

(6) the word “Cannabidiol Extract”, “Cannabidiol”, “CBD” or any other word with a similar meaning as a part of the name of the food or accompanying the name of the food.

Clause 11. The display of statements of nutrition claims on the label of a food product containing cannabidiol extracts shall be in accordance with the notification of the Ministry of Public Health on nutrition labelling.

Clause 12. The display of statements of health claims on the label of a food product containing cannabidiol extracts shall be in accordance with the notification of the Ministry of Public Health on health claims of food.

Clause 13. This Notification shall come into force as from the day following the date of its publication in the Government Gazette.*

Given on the 9th Day of August B.E. 2564 (2021)

Anutin Charnvirakul

Minister of Public Health

* Published in the Government Gazette, Vol. 138, Special Issue 198 d, page 9, dated 27th August B.E. 2564 (2021)

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Schedule of Food Products Containing Cannabidiol Extracts and Conditions, Qualities or Standards

Annexed to the Notification of The Ministry of Public Health (No. 429), B.E. 2564 (2021)

Issued under the Food Act, B.E. 2522 (1979), Re: Food Products Containing Cannabidiol Extracts

Food Category	Food Type	Maximum Authorized Limit (Milligram per Kilogram)	Maximum Contamination Limit (Milligram per Kilogram)
		Cannabidiol (CBD)	Tetrahydrocannabinol (THC)
13.6	Food supplements – ready-to-consume tablet, capsule, and liquid types only	75.0	0.15
14.1.4.1	Carbonated flavored beverages – ready-to-consume products only, except for similar products containing tea, coffee and natural and synthetic caffeine, and electrolyte beverages	75.0	0.15
14.1.4.2	Non-carbonated flavored beverages – ready-to-consume products only, except for similar products containing tea, coffee and natural and synthetic caffeine, and electrolyte beverages	75.0	0.15
14.1.5	Cereal and grain beverages – ready-to-consume products only, except for tea, coffee, tea from plants, and similar products	75.0	0.15

Remark: 1. The food categories and food types refer to those in the notification of the Ministry of Public Health on food additives.

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2. The maximum limits of cannabidiol and tetrahydrocannabinol shall be calculated on the ready-to-consume condition.

3. The test and analysis of cannabidiol and tetrahydrocannabinol substances shall be carried out using the criteria and procedures for a confirmation test conducted at a testing laboratory by a high-performance liquid chromatography (HPLC) instrument or higher.

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