



9 December 2015

(15-6497)

Page: 1/3

Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

<p>1. Notifying Member: <u>THAILAND</u> If applicable, name of local government involved: -</p>
<p>2. Agency responsible: Bureau of Health Promotion Department of Health Ministry of Public Health Tiwanon Road, Nonthaburi 11000, Thailand Tel: +(662) 590 4417 Fax: +(662) 590 4432 E-mail: mch.doh.center@gmail.com mathernalchild@gmail.com</p>
<p>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): Infant and young child food (HS Codes: 0401, 0402) (ICS Code: 67.100.10)</p>
<p>4. Regions or countries likely to be affected, to the extent relevant or practicable: <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:</p>
<p>5. Title of the notified document: Draft Control of Marketing of Infant and Young Child Food and Related Products Act Language(s): Thai Number of pages: 10 http://members.wto.org/crnattachments/2015/SPS/THA/15_4870_00_x.pdf</p>
<p>6. Description of content: This Draft Act controls the marketing of infant and young child food and related products according to the rules and agreement written in the International Code of Marketing of Breast-milk Substitutes and relevant resolutions adopted by member States of World Health Organization during World Health Assembly. It is composed of six chapters, 33 sections.</p> <ol style="list-style-type: none">In this Act, it controls the marketing of Infant and young child food and related products that includes: "Infant" means a child from birth under the age of 12 months.<ul style="list-style-type: none">"Young child" means a child aged between 12 months to three years. "Food for infant and young child" means infant formula, follow-up formula for infant and young children, and continuous milk for young children, complementary food that are marketed as products for infants and young children, and including other kinds of food for infant and young children proclaimed by the Minister with the advice of the Committee."Related products" means milk containers, milk bottles, teats, or other products proclaimed by the Ministerial Notice with the advice of the Infant and Young Child Food and Related Products Marketing Committee.The Committee on the Control of Marketing of Infant and Young Child Food and Related Products shall be established and composed of the government, academic, and NGOs representatives.

<p>3. In regards to infant formula, follow-on formula, and continuous milk for young children; manufacturers, importers, and distributors are not allowed, with some exceptions, to engage in following activities: (1) advertising; (2) Sales promotion; (3) Offering product samples; (4) Donation; (5) Offering of object that carries the name, logo, signs, or symbols that may be related to the products to pregnant women, mothers or family members of infant and young children, whether directly or indirectly; (6) Sponsoring events or any other communication means that directly contact with pregnant women, mothers or family members of infant and young children, whether directly or indirectly; (7) Providing object, equipment or service with name, logo, or other symbols that links to the product to the organization and health system; (8) Offering gift, money, or other incentives, to medical and nursing professionals, or public health personnel; (9) Organizing academic training or seminar about infant and young child food, with exception of providing funds to professional medical and public health organization to hold academic meeting; and (10) Any other activities prescribed in the Ministerial Notice.</p> <p>4. Manufacturers, importers, and distributors are not allowed to market the complementary food to pregnant women, mothers and family members of infants aged less than six months in the same ways as above mentioned.</p> <p>5. Producers, importers, or distributors or its representative must provide factual product information to medical, nursing professional, and public health personnel and not provide information in following manner; falsely present, distort the details, overstate the benefit or properties, create misunderstanding of key information, claim or certify the benefits without scientific evidence, and make reference to breast-milk.</p> <p>6. Object or communication materials with information on infant formula and follow-on formula must also indicate the approximate financial cost for feeding infant and young children with infant formula and follow-on formula and warning about health hazards caused by inappropriate preparation or use of the product.</p> <p>7. Medical and nursing professionals and public health personnel shall be obliged to provide counselling and education about the implementation of this Act and notify the Department of Health or the officials when the violation of this Act is observed.</p> <p>8. Any person who contravenes this Act will be liable for a fine. Medical and nursing professionals and public health personnel who engaged with the misconduct of this Act will be reported to the professional organization to consider appropriate measure according to the professional organization.</p> <p>9. This Act shall come into force 180 days following the date of its publication in the Government Gazette.</p>
<p>7. Objective and rationale: <input checked="" type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.</p>
<p>8. Is there a relevant international standard? If so, identify the standard:</p> <p><input type="checkbox"/> Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text)</p> <p><input type="checkbox"/> World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number)</p> <p><input type="checkbox"/> International Plant Protection Convention (e.g. ISPM number)</p> <p><input checked="" type="checkbox"/> None</p> <p>Does this proposed regulation conform to the relevant international standard?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, describe, whenever possible, how and why it deviates from the international standard:</p>
<p>9. Other relevant documents and language(s) in which these are available: The International Code of Marketing of Breast-milk Substitutes and relevant resolutions adopted by World Health Assembly</p>

10.	<p>Proposed date of adoption (dd/mm/yy): To be determined.</p> <p>Proposed date of publication (dd/mm/yy): To be determined.</p>
11.	<p>Proposed date of entry into force: [] Six months from date of publication, and/or (dd/mm/yy): 180 days following the date of its publication in the Government Gazette.</p> <p>[] Trade facilitating measure</p>
12.	<p>Final date for comments: [X] Sixty days from the date of circulation of the notification and/or (dd/mm/yy): 7 February 2016</p> <p>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:</p> <p>National Bureau of Agricultural Commodity and Food Standards (ACFS) Division of Agricultural Commodity and Food Standards Policy 50 Phaholyothin Road, Ladyao, Chatuchak, Bangkok 10900 Thailand Tel: +(662) 561 4204 Fax: +(662) 561 4034 E-mail: spsthailand@gmail.com Website: http://www.acfs.go.th</p>
13.	<p>Text(s) available from: [X] National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</p> <p>E-mail: spsthailand@gmail.com Website: http://www.acfs.go.th</p>