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GAIN Report

Global Agricultural Information Network

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The Thai FDA Establishes Gluten Free Labeling Requirements

Report Categories:

WTO Notifications

FAIRS Subject Report

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Report Highlights:

The Thai Food and Drug Administration recently published a draft regulation to establish labeling requirements for gluten free foods. This draft regulation is available on the WTO website for comment (WTO Notification Number: G/SPS/N/THA/240). Interested U.S. parties are encouraged to share their comments and concerns with Thailand's SPS contact point (spsthailand@gmail.com).

General Information:

The Thai FDA Establishes Gluten Free Labeling Requirements

The Thai Food and Drug Administration recently published a draft regulation to establish labeling requirements for gluten free foods. This draft regulation is available on the WTO website for comment (WTO Notification Number: G/SPS/N/THA/240). The proposed regulation is aligned with Gluten CODEX STAN 118-1979 and defines the labeling requirements for gluten free foods and provides a definition for the term “gluten free.” Interested U.S. parties are encouraged to share their comments and concerns with Thailand’s SPS contact point (spsthailand@gmail.com). Post understands that the Thai FDA will enforce this regulation as quickly as possible.

Below is an unofficial translation of the proposed regulation notified to the WTO as G/SPS/N/THA/240.

(Unofficial Translation)
(Draft) **Notification of Ministry of Public Health**
Re: Gluten Free Labeling

As many countries and international bodies have set labeling requirements for gluten free foods in order to provide consumers who are allergic to gluten information about their food purchases, the Ministry of Public Health deems it appropriate to prescribe the food labeling requirements for gluten free foods.

By the authority of the first paragraph of Section 5, Section 6(9) and (10) of the Food Act B.E. 2522 (1979), the Minister of Public Health hereby issues the notification as follows:

Clause 1: In this notification:

“gluten” means certain proteins found in some types of grains such as wheat, rye, barley, oat or their crossbred varieties and derivatives thereof that are insoluble in water and 0.5M NaCl to which some persons are intolerant.

“Grains” means several genera and species of the Gramineae family (Poaceae) whose seeds are used to process staple foods. There are non-gluten seed types such as glutinous rice, paddy rice, corn, millet, etc. and gluten seed types such as wheat, rye, barley, oat, etc.

“Tuber vegetables” means vegetables whose roots or underground trunks provide the starch required to support their growth such as cassava, potato, sweet potato, etc.

Clause 2: For a product, to display gluten free on the label, it must meet the following requirements:

(1) Food products shall have the following attributes:

- a. Be either a grain or a root/underground trunk of tuber vegetables that naturally contains no gluten
- b. Flour derived from (a)
- c. Food products contain (a) or (b) as ingredients
- d. Food products consisting of one or more ingredients which contain either wheat (i.e. all Triticum species, such as durum wheat, spelt, and KAMUT), rye, barley, oats or their crossbred varieties, where the gluten level does not exceed 20 mg/kg in total, based on the final food product sold or distributed to the consumer.

(2) Use of the statement “gluten free” for food products under 1(d) must be accompanied by the statement “being specially processed to remove gluten”

Clause 3: The analytical methods for detecting gluten are prescribed in the annex to this notification.

Clause 4: This notification shall come into force on the day following the date of its publication in the Government Gazette.

Notified on _____

Piyasakol Sakolsatayadorn
Minister of Public Health

Annex to the Notification of Ministry of Public Health (No.....) B.E.....Re: Gluten Free Labeling

The analytical methods for detecting gluten in foods shall be as follows:

1. The quantitative determination of gluten in foods and ingredients shall be based on an immunologic method or another method providing at least the same sensitivity and specificity.
2. The antibody used in the analytical method should react with the cereal protein fractions that are toxic for persons intolerant to gluten and should not cross-react with other cereal proteins or other components of the foods or ingredients.
3. Methods used for determination should be validated. The detection limit shall be 10 mg gluten/kg or below.