

Voluntary Report – Voluntary - Public Distribution

Date: December 21, 2023

Report Number: TH2023-0074

Report Name: Thai FDA Specified Submission Requirements for A Food Safety Assessment of New Plants or Plant Tissues for Tea Infusion

Country: Thailand

Post: Bangkok

Report Category: Food and Agricultural Import Regulations and Standards - Narrative, Food Processing Ingredients

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Report Highlights:

The Thai Food and Drug Administration (Thai FDA) has announced on its website the proposal to approve and add more plants or plant parts for use as a raw material for tea infusion products to the existing approved list under the Notification of the Ministry of Public Health No. 426 B.E. 2564 (2021) Re: Tea Infusion.

General

Tea infusion producers or importers of tea infusion wishing to add plants or plant parts to Thai FDA's approved list of raw materials for tea infusion can submit the required data for a food safety assessment to the Food Division, Thai FDA via food.publichearing@gmail.com until February 20, 2024.

Thai FDA defines "tea infusion" as products obtained from plants or plant tissues that are processed by drying or coarse grinding or another reduction in size for consumption. The products require further processing through boiling or infusion with water prior to consumption. The [Notification of the Ministry of Public Health No. 426 B.E. 2564 \(2021\) Re: Tea Infusion](#) (in Thai only) lists 201 of the currently approved plants and plant parts. The unofficial translation of this Ministerial Notification is included as an annex to this report.

The criteria for consideration of plants and plant parts that can be used as raw materials for tea infusion are as follows:

- 1) There has been historic use of the plant product as food¹, including as tea, for over 15 years and no findings of natural toxins or other substances that may be harmful to health.
- 2) Consumption should not be restricted based on consumption method, serving size or to certain consumer groups.
- 3) The purpose of consumption must not be therapeutic, preventive, curative or to improve body functionality.

Thai FDA requires the following documents for consideration:

- 1) Product Information
 - Product formula
 - Production Method
 - Objective/ Benefits from consumption
 - Quantity and suggestion in consumption
- 2) Plant data
 - Scientific and generic name
 - Plant parts used for food/infusion production
 - Historic use of food
 - Relevant food regulation if permitted for sale in other countries.

Example of reliable database to examine scientific name of plants.

- 1) The [Plant List](#) - A working list of all plant species produced in collaboration of the Royal Botanic Gardens, Kew and Missouri Botanical Garden.

¹ "Historic use" of food means foods generally consumed by humans with a specified pattern, consumption quantity, and a target consumer group (e.g., baby, toddler and adult) for some specified types of foods.

- 2) [Natural Resources Conservation Service](#) (NRCS)
- 3) [Global Biodiversity Information Facility](#) (GBIF)

Thai FDA's Guidance:

1. Confidentiality: please specify if any information required for approval constitutes a trade secret. If so, provide justification for Thai FDA's review.
2. Information may be used for evaluation with other related ingredients.

(Unofficial translation)

Notification of the Ministry of Public Health

(No.426) B.E 2564 (2021)

Issued by virtue of the Food Act B.E. 2522

Re: Tea Infusion

It deems appropriate to revise the Notification of Ministry of Public Health regarding herbal tea in order to avoid overlapping with health products issued under the regulations for herbal product and to effectively protect consumer health.

By the virtue of the provisions in the first phase of Section 5 and Section 6 (3)(4)(5)(6)(7) and (10) of the Food Act B.E. 2522 (1979), the Minister of Public Health hereby issues the notification as follows:

Clause 1 The notification of Ministry of Public Health (No. 280) B.E. 2547 (2004) Re: Herbal teas shall be repealed.

Clause 2. Tea infusion shall be food prescribed to have qualities or standards.

Clause 3 “Tea infusion” means products obtained from parts of plants that are processed by drying and may rough grinding or diminishing for consumption by boiling or infusing with water.

Clause 4 Plants stipulated in Clause 3 shall be in accordance with the list of plants and parts of plants used as raw materials for tea infusion in the annex of this notification and additional list issued by the Minister of Public Health.

Clause 5 Tea infusion shall be of the following qualities or standards:

- (1) The moisture content shall not be more than 10% by weight;
- (2) Pathogenic microorganisms shall follow the notification of Ministry of Public Health regarding describing the quality or standard, principles, conditions and methods of analysis for pathogenic microorganisms in foods;
- (3) Contaminants shall not be found in amount exceed the maximum levels specified in the notification of Ministry of Public Health regarding standard for contaminants in food;
- (4) Pesticide residues shall follow the notification of Ministry of Public Health regarding food containing pesticide residues;
- (5) Shall not contain any modern drugs or psychotropic substances or narcotics prescribed by the laws thereof, as the case may be;

(6) Usage of food additives shall follow the notification of Ministry of Public Health regarding food additives;

(7) Shall not be flavored with other substances except those plants specified in the list annexed to this notification or leaves, tips, and young stems of the plants in the Camellia Family.

Clause 6 Producers or Importers of tea infusion for sale shall follow the Notification of the Ministry of Public Health regarding Production Processes, Production Equipments and Food Storages.

Clause 7 Usage of tea infusion containers shall follow the Notification of Ministry of Public Health regarding containers.

Clause 8 Labeling of tea infusion shall follow the notification of the Ministry of Public Health regarding Labeling of Prepackaged Foods and shall display warning statement specified in the list of plants and parts of plants used as raw materials for tea infusion in the annex of this notification.

Clause 9 Producers or importers of tea infusion as the following cases shall follow this notification within two years from the date of this notification come into force;

(1) Tea infusion which plants are in the list of plants and parts of plants used as raw materials for tea infusion are listed in the annex of this notification and are permitted for sale under the notification of Ministry of Public Health (No. 280) B.E. 2547 (2004) Re: Herbal teas issued on 4th June B.E. 2547 (2004) prior to the date of this notification come into force.

(2) Tea infusion other than (1) which plants are in the list of plants and parts of plants used as raw materials for tea infusion are listed in the annex of this notification and are permitted for sale under the notification of Ministry of Public Health regarding Beverages in Sealed Container prior to the date of this notification come into force.

Clause 10 This Notification shall come into force as from the day following date of its publication in the Government Gazette onwards.

Notified on 29th March B.E. 2564 (2021)

(Signed) Anutin Charnvirakul

(Mr. Anutin Charnvirakul)

Minister of Public Health

(Published in the Government Gazette Vol. 138, Special Part 102 Ngor, dated 13th May 2021.)

Attachments:

No Attachments.