

Notification of the Committee on Labels

Re: Determination of Adjuvant Products and Soil Conditioner Products as Label-Controlled Products.

In which it appears that there is the distribution of products used in agriculture that are not classified as fertilizers according to the law on fertilizers and not classified as hazardous substances according to the law on hazardous substances with the use of statements on the product label displayed product properties in statements form claiming to have properties or have active ingredients to improve soil quality or promote plant growth, such as surfactants, additives, plant enhancers, chitosan, seaweed extracts and amino acids for plants, soil conditioners, and soil enhancing substances, which are widely used by farmers without being able to prove that such products have the properties or the active ingredients as specified on the product label. Therefore, in order to protect the consumer rights, it is appropriate to designate plant enhancers and soil conditioner products as label-controlled products.

By virtue of section 30 and section 31 of the Consumer Protection Act, B.E. 2522 (1979), as amended by the Consumer Protection Act (No. 2), B.E. 2551 (2008), the Committee on Labels hereby issues the Notification as follows:

Clause 1. In this Notification

“Additive Products” means products with properties, qualities, benefits, and purposes to enhance plant growth, including chitosan, seaweed extracts, amino acids for plants, and other substances with similar characteristics as the above mentioned substances that are not classified as fertilizers according to the law on fertilizers and hazardous substances according to the law on hazardous substances.

“Soil Conditioner Products” means products with properties, qualities, benefits, and purposes to use for soil improvement and maintenance that are not classified as fertilizers according to the law on fertilizers and hazardous substances according to the law on hazardous substances.

Clause 2. Determination of additive products and soil conditioner products as label-controlled products

Clause 3. The label of the label-controlled products according to Clause 2 shall be specified the statement, figure, artificial mark, or image as appropriate, depending on the case. But such statement must be true, does not cause misunderstandings about the essence of the product, and must be in Thai language or a foreign language accompanied by Thai language in order to explain the meaning of the figure, artificial mark, or image that can be seen and read clearly. In this regard, it must be in accordance with Clause 4.

The first paragraph does not apply to such label of the label-controlled products manufactured for export and not for sale in Thailand.

Clause 4. The Labels of label-controlled product must be specified as follows:

(1) The name of the category or type of product that can be understood what the products are.

(2) The name or trademark registered in Thailand of the manufacturer for sale in Thailand.

(3) The name or trademark registered in Thailand of the person ordering or importing to the kingdom for sale.

(4) The chemical name or common name (if any).

(5) In the case of additive products, a statement concerning the properties, qualities, and benefits of the substances or products to enhance plant growth must be specified.

(6) In the case of soil conditioner products, a statement about the properties, qualities, and benefits of the substances or products for soil improvement must be specified.

(7) The non-liquid products must be specified with a percentage of the essential substances that are components of the product.

(8) The liquid products must be indicated the concentration of the active substance as a weight per volume.

(9) The usage ratio, procedure, and method of use.

(10) The method of storage.

(11) The poisoning symptoms and preliminary antidote.

(12) Specifying a statement as: “This product is not classified as a fertilizer under the law on fertilizers and hazardous substances according to the law on agricultural hazardous substances or pesticides.”. The aforementioned statement must use not less than 5 millimeters of characters and the color of the statement must be contrasted with the background color as well.

(13) The name of country of manufacture the product.

(14) The location of the manufacturer for sale or the location of the person ordering or importing into the kingdom for sale.

(15) Displaying the size or dimension or quantity or volume or weight of the product by case, for the unit of measure may be used the full name or abbreviation or symbol.

(16) Displaying the method of use in order that consumers are able to accurately understand the purpose of use.

(17) The instructions to use or storage for consumers to properly use the product.

(18) Warning, prohibition of use, or caution in order that consumers are able to use the product safely. However, the aforementioned statement must be larger than other letters and must be used in the contrasting color with the background color. It must be able to see and read clearly from other statements.

(19) The day, month, and year of manufacture, unless the exact date of manufacture cannot be specified, it is able to specify only week and year of manufacture or the month and year of production to understand the benefits of the qualities or properties of the product.

(20) The day, month, year of expiration or day, month, and year which should be used before the day, month, and year of specification shall be determined only in the case of a product with lifetime to understand the benefits of quality or features of that product.

(21) The price, which is specified the unit in Baht and may also be specified the unit in other currencies.

The declaration of statements in (19) and (20) shall be displayed in order of the day, month, and year. However, “month” may be displayed in numbers or letters; for “year”, it shall be specified as “B.E.” or “C.”. There must be a message or character that clearly conveys to the consumer how to display such messages accompanied by year, month, and day of manufacture, 2021/09/17 means it was produced on 17th August B.E. 2564 (2021) or on 17 August B.E. 2564 (2021) or year, month, and day of expiration 2021/08/17 means expired on 17th August B.E. 2564 (2021).

The content of the product label must be clearly visible and legible. The font size used must be related to the size of the label area. The height of the letters must not be less than 2 millimeters, except in the case of labels with an area of less than 35 square centimeters. The height of the letters must not be less than 1.5 millimeters.

Clause 5. In the case that the labels of the product under the label-controlled cannot be displayed correctly as specified in Clause 3 and Clause 4, assembling in the same position, for example if it may not be completely displayed on the product, it shall be displayed either the statement, figure, artificial mark or image in any part of the product or container or packaging or inserted or included with the product or container or packaging of the product or in documents or manuals to use in accompanying with product or signs installed or displayed on such products or containers or packages of the product, but when including the displaying of label everywhere, it must be able to see and read clearly.

Clause 6. This Notification shall come into force after one hundred and twenty days following the date of its publication in the Government Gazette onwards.

Given on 10 June 2022 (B.E.2565)

(Signed)

(Mr. Thasornatt Thanittipun)

Chairman of the Committee on Labels