



28 June 2023

(23-4405)

Page: 1/2

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>THAILAND</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: Thai Food and Drug Administration Cosmetics and Hazardous Substances Control Division Tiwanon Road, Nontaburi 11000, Thailand Tel: (66 2) 590-7298 Fax: (66 2) 591-8483 Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: WTO/TBT Enquiry Point and Notification Authority Thai Industrial Standards Institute (TISI), Ministry of Industry Tel: (662) 430 6831 ext. 2130 Fax: (662) 354 3041 E-mail: thaitbt@tisi.mail.go.th Website: https://www.tisi.go.th
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], 3.2 [], 7.2 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): The type 1 hazardous substances (only for the items under the FDA's responsibility)
5. Title, number of pages and language(s) of the notified document: Draft Notification of Ministry of Public Health regarding the notification of the fact relating to type 1 hazardous substances under the responsibility of the Food and Drug Administration B.E. ...; (6 page(s), in Thai)
6. Description of content: (1) Repeal "Notification of the Ministry of Public Health regarding the notification of the fact relating to type 1 hazardous substances under the responsibility of the Food and Drug Administration B.E. 2562 (2019)". (2) Revise forms as follows: - "Wor Or./Sor Thor 5" (the notifying form for manufacturing and importing of type 1 hazardous substances) shall include an additional field for "English tradename (if any)"; - "Wor Or./Sor Thor 16" (the amending form in case of changing the details in Wor Or./Sor Thor 5) shall include 2 additional fields for "English tradename (if it was not previously notified in Wor Or./Sor Thor 5)" and "Characteristics of the product".

<p>(3) Enhance the notifying process, a new step should be introduced after receiving the notification receipt of type 1 hazardous substances. A new implementation is as follows:</p> <ul style="list-style-type: none"> - Manufacturers and importers of type 1 hazardous substances are required to confirm the fact relating such hazardous substances to the authority every 6 years, starting from the initial notification year, by the 31st of January of the following year (the 31st of January of the 7th year) in accordance with the new form "Wor Or./Sor Thor .."; - In case of noncompliance with the confirmation requirement by the aforementioned, business operators shall conduct the re-notification to the authority. <p>(4) Regarding the notification, amendment and confirmation of the fact relating to type 1 hazardous substances, business operators are required to notify through the designated computer system of the Food and Drug Administration (FDA). In the event that notification cannot be completed via the FDA's computer system, the following alternative procedures shall be followed:</p> <ul style="list-style-type: none"> - the Food and Drug Administration for a business operator who has the manufacture or storage in Bangkok; - the Provincial Public Health Office in the case where a business operator has the manufacture or storage in such province.
<p>7. Objective and rationale, including the nature of urgent problems where applicable: Improving the notifying procedure and the details in the forms relating to notify the fact of type 1 hazardous substance</p>
<p>8. Relevant documents:</p> <ul style="list-style-type: none"> • The Hazardous Substances Act B.E. 2535 (1992) • Notification of the Ministry of Public Health regarding the notification of the fact relating to type 1 hazardous substances under the responsibility of the Food and Drug Administration B.E. 2562 (2019)
<p>9. Proposed date of adoption: To be determined</p> <p>Proposed date of entry into force: After 180 days from the date of its publication in the Government Gazette</p>
<p>10. Final date for comments: 8 September 2023</p>
<p>11. Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:</p> <p>WTO/TBT Enquiry Point and Notification Authority Thai Industrial Standards Institute (TISI), Ministry of Industry Tel: (662) 430 6831 ext. 2130 Fax: (662) 354 3041 E-mail: thaitbt@tisi.mail.go.th Website: https://www.tisi.go.th https://members.wto.org/crnattachments/2023/TBT/THA/23_10616_00_x.pdf</p>