

Translation

NOTIFICATION OF THE MINISTRY OF PUBLIC HEALTH
RE: NAMES, CATEGORIES, TYPES OR CHARACTERISTICS OF HERBAL PRODUCTS,
THE PRODUCTION, IMPORTATION OR SALE OF WHICH REQUIRES A LICENSE,
B.E. 2563 (2020)*

By virtue of the provisions in section 5 paragraph one and section 6 (1) of the Herbal Products Act, B.E. 2562 (2019), the Minister of Public Health, with the recommendation of the Herbal Product Committee at the meeting No.3/2563 on 30th April B.E. 2563 (2020), hereby issues the Notification as follows:

Clause 1. This Notification is called the “Notification of the Ministry of Public Health Re: Names, Categories, Types or Characteristics of Herbal Products, the Production, Importation or Sale of Which Requires a License, B.E. 2563 (2020)”.

Clause 2. This Notification shall come into force as from the day following the date of its publication in the Government Gazette.

Clause 3. In this Notification:
“general sale herbal product” means an herbal product prescribed in a Notification by the Minister to be herbal product which can be generally sold;
“simple modification of herb” means dehydration, cutting, or any other method used to reduce the size but maintain the characteristics allowing speculation, through bare eye observation, of the part of herb from which it derives, as well as packaging for the purpose of storage or transportation, but does not include a modification which combines different types of herbs together.

Clause 4. Herbal products, of which the producer or importer must apply for a license to produce or a license to import, consist of:
(1) herbal products which require formula registration under section 6 (2);
(2) herbal products which require notification or listing under section 6 (3);

* Published in the Government Gazette, Vol. 137, Part 179d, Special Issue, page 16, dated 5th August B.E. 2563 (2020).

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(3) herbal products in addition to (1) and (2).

The production under paragraph one does not include a production using simple modification of herb by a community enterprise under the law on community enterprises or by smallholder farmers in accordance with the rules and conditions prescribed in a Notification by the Secretary-General of the Food and Drug Administration.

Clause 5. Herbal products, of which the seller must apply for a license to sell, consist of:

- (1) herbal products which require formula registration under section 6 (2);
- (2) herbal products which require notification or listing under section 6 (3);
- (3) herbal products in addition to (1) and (2).

The sale under paragraph one does not include a sale of general sale herbal product.

Clause 6. During the first five-year period from the date this Notification comes into force, the production of herbal products within the category of herbal compress ball by a community enterprise under the law on community enterprises shall be allowed without having to obtain a license to produce under the Herbal Products Act, B.E. 2562 (2019).

Announced on the 25th day of June, B.E. 2563 (2020)

Anutin Charnvirakul
Minister of Public Health

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