

Translation

**NOTIFICATION OF THE MINISTRY OF PUBLIC HEALTH
RE: PRESCRIBING THE LIST OF CATEGORY 5 NARCOTICS,
B.E. 2563 (2020)**

By virtue of the provisions of section 6 paragraph one and section 8 (1) and (2) of the Narcotics Act, B.E. 2522 (1979), the Minister of Public Health, with the consent of the Narcotics Control Committee, hereby issues the notification as follows:

Clause 1. The following shall be repealed:

- (1) Notification of the Ministry of Public Health, Re: Prescribing the List of Category 5 Narcotics, B.E. 2561 (2018) dated the 31st day of July B.E. 2561 (2018);
- (2) Notification of the Ministry of Public Health, Re: Prescribing the List of Category 5 Narcotics (No. 2), B.E. 2562 (2019) dated the 27th day of August B.E. 2562 (2019).

Clause 2. The following narcotics shall be prescribed as category 5 narcotics under the Narcotics Act, B.E. 2522 (1979) as amended:

- (1) cannabis, a plant in the genus *Cannabis*, and objects or substances contained in the cannabis plant, such as resin and oil, except for the following objects or substances permitted to be produced within the country which shall not be classified as category 5 narcotics:
 - (a) barks, stems, fibers, branches and roots;
 - (b) leaves that are not accompanied by the tops or inflorescences;
 - (c) extracts that consist of cannabidiol (CBD) and contain no more than 0.2 per cent of tetrahydrocannabinol (THC) by weight;
 - (d) residues or remnants which remain after the extraction of cannabis and contain no more than 0.2 per cent of tetrahydrocannabinol (THC) by weight;
- (2) hemp, a plant with the scientific name *Cannabis sativa* L. subsp. *sativa* which is a subspecies of the cannabis plant (*Cannabis sativa* L.), and objects or substances contained in the hemp plant, such as resin and oil, except for the following objects or substances permitted to be produced within the country which shall not be classified as category 5 narcotics:
 - (a) barks, stems, fibers, branches and roots;

Disclaimer: This translation is provided by the Food and Drug Administration as the competent authority for information purposes only. Whilst the Food and Drug Administration has made efforts to ensure the accuracy and correctness of the translation, the original Thai text as formally adopted and published shall in all events remain the sole authoritative text having the force of law

- (b) leaves that are not accompanied by the tops or inflorescences;
 - (c) extracts that consist of cannabidiol (CBD) and contain no more than 0.2 per cent of tetrahydrocannabinol (THC) by weight;
 - (d) hemp seeds, hemp seed oil or hemp seed extracts;
 - (e) residues or remnants which remain after the extraction of hemp and contain no more than 0.2 per cent of tetrahydrocannabinol (THC) by weight;
- (3) kratom plant, a plant with the botanical name *Mitragyna speciosa* (Korth.) Havil., and objects or substances contained in the kratom plant, such as alkaloids;
- (4) opium plant, a plant with the botanical name *Papaver somniferum* L. and *Papaver bracteatum* Lindl., or any plant with any other name of the same genus from which opium or opium alkaloids may be derived;
- (5) magic mushroom or magic mushroom plant whose scientific name is *Psilocybe cubensis* (Earle) Singer, or that with any other name of the same genus from which psilocybin or psilocin substances may be derived.

The importation of the object or substance under paragraph one (1) (a), (b), (c) and (d) and (2) (a), (b), (c), (d) and (e) shall be made in accordance with the law on narcotics, except for dry barks, dry stem cores and dry fibers of cannabis and hemp.

Clause 3. If the narcotics under clause 2 are substances that are used for quality control of an analysis and of a test to detect the presence of narcotic substances in human body and deemed to be a medical device under the law on medical devices, they shall be exempted from being considered as category 5 narcotics, provided that they are used in accordance with the purposes of such medical device.

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

Given on the 8th Day of December B.E. 2563 (2020)

Anutin Charnvirakul
Minister of Public Health

Disclaimer: This translation is provided by the Food and Drug Administration as the competent authority for information purposes only. Whilst the Food and Drug Administration has made efforts to ensure the accuracy and correctness of the translation, the original Thai text as formally adopted and published shall in all events remain the sole authoritative text having the force of law