(Unofficial)

Notification of the Ministry of Public Health

(No. 222) B.E. 2544 (2001)

Re: Ice Cream.

It deems appropriate to amend the notification of the Ministry of public Health, Re: Ice Cream.

By the virtue of provisions of Section 5 and 6 (1) (2) (4) (5) (6) (7) and (10) of the Food Act B.E. 2522 (1979), in which contain provisions in relation to the restriction of Rights and Liberties of the Persons, in respect of which Section 29 and in conjunction with Section 35, Section 48 and Section 50 of the Constitution of the Kingdom of Thailand so permit by virtue of provisions of law; the Minister of Public Health hereby issues the notification as follows:

Clause 1. The following notifications shall be repealed:

(1) The notification of the Ministry of Public Health No. 33 B.E. 2522 (1979), Re: Prescribed ice cream to be specific controlled food and prescribed qualities or standards and production processes, dated 13th September B.E. 2522 (1979).

(2) The notification of the Ministry of Public Health No. 101 B.E. 2529 (1986), Re: Prescribed ice cream to be specific controlled food and prescribed qualities or standards and production processes (No. 2), dated 7th July B.E. 2529 (1986).

Clause 2. Ice cream is prescribed to be specific controlled food.

Clause 3. Ice cream as stipulated in Clause 2 shall be classified into 5 types:

(1) Milk ice cream shall be ice cream made from milk or milk products.

(2) Modified ice cream shall be ice cream, as stipulated in (1), made from all or in parts of other substituted fat to milk fat or ice cream which is made from other fat products which are not products from milk.

(3) Mixed ice cream shall be ice cream as stipulated in (1) or (2), as the case may be, which have fruits or other kind of foods content.

(4) Ice cream as stipulated in (1), (2), or (3) which are in liquid, dry, or powder forms.

(5) Edible ice shall be ice cream which is made from water and sugar or other kind of foods content.

Ice cream as stipulated above may also have flavouring agents and colouring agents as ingredients.

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Clause 4. Every kind of ice cream, except ice cream as stipulated in 3(4), shall be respectively passed processes as follows:

(1) Being passed through heating by one of the following methods:

(1.1) Being heated up to the temperature of 68.5 degree Celsius and remaining at this temperature not less than 30 minutes or,

(1.2) Being heated up to the temperature of 80 degree Celsius and remaining at this temperature not less than 25 seconds and shall provide temperature meter with automatic recording and displaying true temperature or,

(1.3) Being heated up by any other methods which are approved by the Food and Drug Administration.

(2) Immediately being cool down to 4 degree Celsius and remaining at this temperature.

(3) Being spun, stirred, or mixed, as the case may be, and frozen at the temperature of not more than - 2.2 degree Celsius before being packed for sale and shall be kept at the temperature of not more than - 2.2 degree Celsius until the ice cream is being sold.

Clause 5. Ice cream is prescribed food to have qualities or standards as follows:

(1) Milk ice cream is prescribed to have milk fat content of not less than 5% by weight and contain milk solid non fat not less than 7.5% by weight.

(2) Modified ice cream is prescribed to have total fat of not less than 5% by weight.

(3) Mixed ice cream is prescribed to have standards as stipulated in (1) or (2), as the case may be, excluding total weight of fruits or other kind of ingredients.

(4) Edible ice and ice cream as stipulated in Clause 3(1) (2) or (3) shall be:

(4.1) Free of rancid odour.

(4.2) Artificial sweetener shall follow to Food Standard of Joint FAO/WHO Codex, Re: Food additives and the amended version and may be used in single or combination with sugar.

In cases where no standards is prescribed in the first phrase, the Food and Drug Administration shall prescribe according to the Food Committee.

(4.3) Free of preservatives.

(4.4) Total bacterial not more than 600,000 in 1 gm. of food.

(4.5) *Escherichia coli* shall not be detected in 0.01 gm. of food.

(4.6) Free of pathogenic microorganisms.

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(4.7) Free of toxic substances released by microorganisms in quantity which may be hazardous to health.

(5) Liquid ice cream is prescribed to have qualities or standards as stipulated in (1) (2) or (3), as the case may be, and qualities or standards as stipulated in (4) shall be accomplished as well.

Clause 6. Ice cream in dry or powder form is prescribed to have qualities or standards as follows:

(1) Free of rancid odour.

(2) Odour inherent of that specific characteristics of such ice cream.

(3) Shall not appear to be lump which is changed from its characteristics made up.

(4) Artificial sweetener shall follow to Food Standard of Joint FAO/WHO Codex, Re: Food additives and the amended version and may be used in single or combination with sugar.

In cases where no standards is prescribed in the first phrase, the Food and Drug Administration shall prescribe according to the Food Committee.

(5) Free of preservatives.

(6) Moisture content not more than 5% by weight.

(7) Total bacterial not more than 100,000 in 1 gm. of food.

(8) Free of pathogenic microorganisms.

(9) Free of toxic substances released by microorganisms in quantity which may be hazardous to health.

Clause 7. Usage of food additives shall follow to the notification of the Ministry of public Health, Re: Food additives.

Clause 8. Ice cream producers or importers for sale shall follow to the notification of the Ministry of Public Health, Re: Production processes, production equipments and foods storages.

Clause 9. For ice cream packagings used shall follow to the notification of the Ministry of public Health, Re: Containers.

Clause 10. Labels of ice cream shall follow to the notification of the Ministry of Public Health, Re: Labels.

Clause 11. This notification:

(1) Shall not affect to Food Registration, which are issued according to the notification of the Ministry of Public Health No. 33 B.E. 2522 (1979), Re: Prescribed ice cream to be specific controlled foods and prescribed qualities or standards and production processes, dated 13

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September B.E. 2522 (1979); the amendment of the notification of the Ministry of Public Health No. 101 B.E. 2529 (1986), Re: Prescribed ice cream to be specific controlled foods and prescribed qualities or standards and production processes (No. 2), dated 7 July B.E. 2529 (1986), prior to the come into force date of this notification, shall be further come into force.

(2) Food Labelling, which are issued to follow the notification of the Ministry of Public Health No. 68 B.E. 2525 (1982), Re: Labels, dated 29 April B.E. 2525 (1982); the amendment of the notification of the Ministry of Public Health No. 95 B.E. 2528 (1985), Re: Labels (No. 2), dated 30 September B.E. 2528 (1985); and the related notifications prior to this notification, shall be valid for 2 years as from the come into force date of this notification.

Clause 12. Ice cream producers or importers, whose permits issued prior to this notification, shall apply for food serial number within one year as from the come into force date of this notification. After applying for food serial number, the ice cream producers or importers shall be abated from the stipulation in Clause 8 for a period of 2 years after this notification come into force. As a result, the remaining labels shall be allowed to be used until last but not exceeding to 2 years after this notification come into force.

Clause 13. This notification shall come into force as from 24th July B.E. 2544 (2001).

Notified on 24th July 2001.

Signed Sudarat Keyurabhun

(Mrs. Sudarat Keyurabhun)

Minister of Public Health

(Published in the Government Gazette Vol. 118, Special Part 70 Ngor, dated 26th July 2001)

Note: This English version of the notification is translated to meet the need of the non-Thai speaking people. In case of any discrepancy between the Thai original and the English translation, the former will take priority.

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