

UNOFFICIAL ENGLISH TRANSLATION

Notification of the Office of the Food and Drug Administration Re: Criteria for Food Advertising B.E. 2569 (2026)

Published in the Royal Gazette, Volume 143, Special Section 182 Ngor, 27 July B.E. 2569 (2026)

Announced 13 July B.E. 2569 (2026) — In force from 28 July B.E. 2569 (2026)

TRANSLATOR'S NOTE: This is a working, unofficial English translation prepared for internal reference and interview-preparation purposes from a scanned copy of the Royal Gazette text supplied by the client. Certain passages of the source PDF (chiefly the operative clauses in the main body, Clauses 5–13) carried a corrupted/non-standard Thai font encoding in the underlying text layer; those passages have been reconstructed from the legible page images and cross-checked against standard Thai FDA regulatory drafting conventions and the clearly legible Annex tables. The four Annex tables (lists of prohibited claims, pre-approved claims, claims requiring approval, and mandatory warnings) were rendered in clean, legible Thai text and are translated with higher confidence. For any legal, regulatory-filing, or compliance-certification purpose, this translation should be checked against the original Thai text by a qualified Thai-English legal translator or local counsel. It is not a certified or official translation.

Notification of the Office of the Food and Drug Administration

Re: Criteria for Food Advertising B.E. 2569

In order that the advertising of food be modernized and consistent with present circumstances, be clear, and be in accordance with the intent of the law, whereas Section 40 of the Food Act B.E. 2522 prohibits any person from advertising the benefit, quality, or property of food that is false or exaggerated, or that is deceptive so as to cause undue belief; and Section 41 provides that any person intending to advertise the benefit, quality, or property of food by means of radio broadcasting, television, motion pictures, or printed matter or other publications, or by any other means for commercial purposes, must submit the sound, image, motion picture, or message to be advertised to the Licensing Officer for consideration in advance, and may only advertise once permission has been granted;

Now, therefore, by virtue of the powers under Section 4, Section 40, Section 41, and Section 42 of the Food Act B.E. 2522, this Notification is hereby issued as follows:

Clause 1 — Entry into force

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

Clause 2 — Repeal

The Notification of the Office of the Food and Drug Administration Re: Criteria for Food Advertising B.E. 2564, dated 25 March B.E. 2564, is hereby repealed.

Clause 3 — Definitions

In this Notification:

- “Food advertising” means any act, by any means, that causes the public to see or become aware of a message concerning food or an ingredient of food, for commercial benefit.
- “Message” includes text, sound messages, sounds, images, moving images, trademarks or symbols, or any other act that can be understood as conveying meaning.

Clause 4 — Prohibited categories of message

Food advertising must not use messages of a character that are inappropriate to the consumer, or that may cause damage to society as a whole, including the following:

- (1) A message that causes the belief that there is an ingredient in the food, or a component of the food, the truth of which does not exist, or exists in a lesser amount than what is advertised;
- (2) A message that causes misunderstanding as to the characteristics or the method of consuming the food;
- (3) A message that may cause division or the deterioration of harmony among the public;
- (4) A message that directly or indirectly supports an unlawful act, or is contrary to good morals, or that leads to the deterioration of the nation's fine traditions and culture;
- (5) A message that may induce imitative behaviour that is dangerous or violent;
- (6) A message that recommends, endorses, or praises the benefit, quality, or property of the food by medical or public-health personnel, or by a person who claims to be, holds themselves out as, or gives the impression of being, medical or public-health personnel;

- (7) A message that compares with, or disparages, the product of another person.

The examples of advertising of the foregoing character are set out in Annex 1 attached to this Notification.

Clause 5 — False, exaggerated, or misleading claims

The advertising of the benefit, quality, or property of food must not contain false or exaggerated messages, or messages that are deceptive so as to cause undue belief, which may fall within Section 40, as follows:

- (1) A message that is false or is an exaggeration of the truth;
- (2) A message that conveys or gives the impression that the food can treat, alleviate, cure, or prevent a disease, illness, or the symptom of any disease;
- (3) A message that conveys or gives the impression that the food has an effect upon changing the structure of the body, the function of any organ, or any system of the body;
- (4) A message that conveys or gives the impression that the food nourishes or enhances sexual performance, or otherwise relates to sexual intercourse;
- (5) A message that conveys or gives the impression that the food is for the purpose of nourishing the complexion or for beauty benefit;
- (6) A message that conveys or gives the impression that the food has an effect on reducing body weight or reducing obesity — except in the case of food under the Ministerial Notification concerning food for persons who wish to control their body weight, which has received permission from the Food and Drug Administration;
- (7) A message that conveys or gives the impression that the food has an effect on firming/toning body proportions, burning fat, or slimming, or any other message to similar effect;
- (8) Advertising that cites or refers to academic reports or statistics that have not yet passed evaluation of health claims by the Food and Drug Administration.

Examples of advertising of the foregoing character are set out in Annex 1 attached to this Notification.

Clause 6 — Advertising that may be undertaken without prior approval

The following advertising may be undertaken without first having to submit it for approval:

- (1) The provision of academic information that has no trade purpose and carries no implication so as to give the impression that it is advertising of the benefit, quality, or property of any food — provided that such academic information must be complete, technically accurate, and supported by credible evidence, for example showing both the advantages, disadvantages, and cautions;
- (2) Advertising in the character of presenting the corporate image of a company or business (Corporate Image);
- (3) Advertising specifically confined to messages that truthfully state a fact concerning the food, using messages set out in the list in Annex 2 attached to this Notification, provided any one or more such messages are used strictly in accordance with the criteria and conditions specified therein.

Provided, however, that under any one of the foregoing paragraphs, if there is any other message that constitutes advertising of the benefit, quality, or property of the food included together with it, an application for permission to advertise the food must be submitted together with the supporting documents for consideration of all the claimed advertising messages, and advertising may proceed only once permission has been granted.

Clause 7 — Advertising requiring prior approval

Advertising the benefit, quality, or property of food in the following cases must be submitted for an application for permission to advertise food for consideration, and advertising may proceed only once permission has been granted:

- (1) Advertising of the benefit, quality, or property of food that appears on a label which has already received approval from the Food and Drug Administration — provided that if it is desired to claim any other benefit, quality, or property beyond what has already been approved, such claim must undergo evaluation and must receive approval of the label first;
- (2) Advertising that refers to nutrition, or that uses the nutritional value of the food to promote sales, must be in accordance with the Ministerial Notification concerning nutrition labelling;
- (3) Advertising that refers to a Health Claim must be in accordance with the Ministerial Notification concerning health claims on food labels;
- (4) Advertising under Clause 6 that displays the benefit, quality, or property of the food is considered advertising that must be submitted for approval;
- (5) Advertising other than under Clause 6.

Provided that advertising under paragraph one may use messages set out in the list in Annex 3 attached to this Notification; any one or more such messages may be used strictly in accordance with the criteria and conditions specified therein.

Clause 8 — Criteria and conditions for submitting an application for permission to advertise food

(For further detail, see the Citizen's Manual: Application for Permission to Advertise Food.)

- (1) Categories of advertising media are divided into three formats: (1.1) print media or other media consisting of image only, without sound; (1.2) radio broadcast media or other media consisting of sound only; (1.3) television, film, video, or other media that consist of both image and sound.
- (2) Submission of the application for permission to advertise food shall comprise: (2.1) the Application for Permission to Advertise Food (Form Or. 1) — a single application may cover only one format of advertising medium and must correspond with whichever media are specified in the application; the food serial number and the Thai-language food name, including trademark or brand (if any), must be entered accurately in accordance with what has been approved (the English-language food name that has been approved may also be entered); for food that has no food serial number, the food serial number field need not be completed; all particulars specified in the application must be checked for accuracy before submission. (2.2) Documents attached to the application for advertising permission (Form Or. 3) — the advertising content must be prepared consistent with the category of advertising medium as follows: for print media or other image-only media without sound — submit either an actual photograph with lettering that is a suitable, legible, clear colour, style, and size, or a clear draft image in the format to be advertised together with a description of the image's characteristics, using lettering that is a suitable, legible, clear colour, style, and size. For radio or other audio-only media — submit either the spoken narration text to be used in the advertisement together with a description of the accompanying sound effects or atmosphere, or the dialogue text showing clearly who says what, together with a description of the accompanying sound effects or atmosphere. For television, film, video, or other media with both image and sound — submit a draft or storyboard showing details of the advertising content clearly, together with the image, narration text, graphics, sound effects, accompanying music, and other particulars (for example: presenter 1, presenter 2, presenter's manner, location, time, atmosphere), using lettering that is a suitable, legible, clear colour, style and size for any lettering used in the advertisement; the number of scenes in the storyboard must be sufficiently detailed and appropriate to the content being advertised so that the meaning and course of the advertised content can be understood. (2.3) Supporting documents for the

application must be correct, complete, and consistent with the content of the claims being advertised.

- (3) Approved advertising must be used in compliance with the conditions set by the Licensing Officer, including: (a) advertising material must be produced exactly as approved, as it appears in the documents attached to the application for advertising permission, and no message may be struck out, added to, or amended beyond what is specified; (b) the message being advertised must contain the message in full, exactly as approved — if the advertisement differs, is incomplete, or omits any part from what was approved, the entire advertised message shall be deemed not to have received approval; (c) the licence number for the advertising permit must be shown within the approved advertising medium; (d) the period of the advertising permit may be used for not more than five years from the date of approval; (e) other conditions as specified in the documents attached to the application for advertising permission (if any).

Clause 9 — General criteria and conditions for food advertising

(1) The food to be advertised must have particulars that are legally correct, as follows:

- (a) product quality standards must be in accordance with the Ministerial Notifications specific to that matter and Notifications relevant to the product for which the application is made;
- (b) the details of the formula and ingredients must be in accordance with the Ministerial Notifications specific to that matter and Notifications relevant to the product for which the application is made;
- (c) the use of food additives must be in accordance with the Ministerial Notification concerning food additives;
- (d) there must be no use of any substance prohibited from use in food, and/or no food which is prohibited from production, import, or distribution under the relevant Ministerial Notifications;
- (e) the food label must show particulars that are legally correct.

(2) Practice requirements in advertising food:

- (2.1) Showing the name of the food in the advertising medium: the advertisement need not show the full name of the food if the advertised content already clearly states or gives the impression as to what type or category of food is being advertised. Showing only part of the food's name, or using only part of the food's name in the advertisement, must not cause misunderstanding as to the benefit, quality, property, or material substance of the food.
- (2.2) Showing messages or warnings in the advertising medium: messages or warnings shown must be consistent with the messages or warnings on the food label, or must be in accordance with the list in Annex 4 attached to this Notification, as the case may be, and the following must be observed: (a) print media or other media with image only and no sound — the warning must be shown in lettering that is a suitable, legible, clear colour, style, and size, with the letter height not less than 1 part in 25 parts of the height of the advertising area; (b) radio broadcast media or other audio-only media — the warning must be shown as part of the advertised audio, clearly audible in every syllable; (c) television, film, video, or other media with both image and sound — the warning may be shown as part of the advertised audio, clearly audible in every syllable, or shown as scrolling text (SUPER) for a duration of not less than 5 seconds (or as appropriate to the length of the advertisement), in lettering that is a suitable, legible, clear colour, style, and size, with the letter height not less than 1 part in 25 parts of the height of the advertising area.

Clause 10 — Specific criteria for particular categories of food advertising

In advertising food, in addition to complying with the general criteria for food advertising, the specific criteria for each category of food must also be observed, as the case may be:

(1) Food for infants, follow-on formula for infants intended for consumption from 6–12 months of age, and complementary food for infants

- (1.1) Advertising is prohibited.
- (1.2) The provision of any information must comply with the criteria and conditions under the Control of Marketing of Food for Infants and Young Children Act B.E. 2560, without needing to submit it to the Office of the Food and Drug Administration for consideration.

(2) Food for young children

- (2.1) No person may advertise food for young children using messages relating to infants or young children in advertising media in a manner that is connected with, or that gives the impression, that it is food for infants or that it is suitable for feeding to infants.
- (2.2) The provision of any information must comply with the criteria and conditions under the Control of Marketing of Food for Infants and Young Children Act B.E. 2560, without needing to submit it to the Office of the Food and Drug Administration for consideration.

(3) Complementary food for young children

“Complementary food for young children” means complementary food for children from 12 months of age up to 3 years of age.

- (3.1) The advertisement must not give the impression that an infant (newborn up to 12 months) can consume the product.
- (3.2) The advertisement must not give the impression that the product is complete and sufficient in itself to meet the needs of a young child.
- (3.3) The model appearing in the advertisement must be between 12 months and 3 years of age, with a body appearance and developmental characteristics appropriate to that age.

(4) Cow's milk, flavoured milk, dairy products, fermented milk, beverages having animal or plant milk as their principal ingredient, and soy milk

- (4.1) The advertisement must not give the impression that the product is intended exclusively for a specific group of persons.
- (4.2) The advertisement must not give the impression that the product can substitute for any of the five food groups, or any similar message.
- (4.3) The model appearing in the advertisement must be over 3 years of age, and speech in the advertisement must be clearly and distinctly articulated.

(5) Instant jelly-type food and pudding

The model appearing in the advertisement must be over 3 years of age.

(6) Food for special dietary purposes; food intended for persons with specific dietary needs; Medical Food

Advertising of the property of the food, and the group of consumers for whom it is intended, is confined to what appears on the label already approved by the Office of the Food and Drug Administration; however, if it is desired to claim any other property beyond what has already been approved, such claim must undergo evaluation and must receive approval of the label first.

(7) Semi-instant food

The showing of images of certain types of semi-instant food, such as instant noodles, vermicelli, rice vermicelli, and glass noodles — including prepared instant rice porridge and prepared instant congee — may be shown as follows:

- (7.1) The product image must show the true characteristics of that product.
- (7.2) In the case of an image of prepared, ready-to-eat food that has been enhanced with the addition of meat, vegetables, eggs, or other ingredients to increase nutritional value, the message “For nutritional value, add ...” must be shown, with the blank specifying the type of food added, and the wording must correspond to the image and be clearly legible.

(8) Alcohol-free beverages (energy/electrolyte type)

May display only benefits specifically related to replacing what is lost through physical exertion/exercise.

(9) Dietary supplement products

The model appearing in the advertisement must be at least 15 years of age and must not be a pregnant woman.

(10) Advertising of caffeine-blended beverages via any media

May be undertaken only in the character of presenting the corporate image of a company or business (Corporate Image), and must not be advertised in a manner that constitutes inviting, encouraging consumption, or claiming the property of the caffeine-blended beverage, in accordance with the Council of Ministers' Resolution dated 29 July B.E. 2546.

(11) Beverages containing alcohol as an ingredient

The provision of any information must comply with the criteria and conditions under the Alcoholic Beverage Control Act B.E. 2551, without needing to submit it to the Office of the Food and Drug Administration for consideration.

(12) Dietary supplement products having kratom as an ingredient

- (12.1) The advertisement must not give the impression that it is a product intended for children, youths, pregnant women, or breastfeeding mothers, and the model appearing in the advertisement must not be a child, a youth under 18 years of age, a pregnant woman, or a breastfeeding mother.
- (12.2) Approval shall not be given to advertising that shows or gives the impression of the effect of consuming a kratom-containing dietary supplement product, or of the substance mitragynine, for a purpose other than the property of the food — for example, that it helps one work longer, relieves stress, cures depression, or any other message to similar effect — and this includes advertising must not show a manner of consumption or use that is improper.

(13) Food having hemp seed, oil from hemp seed, or protein from hemp seed as an ingredient; food having a part of the cannabis or hemp plant as an ingredient; and food having cannabidiol (CBD) extract as an ingredient

- (13.1) The advertisement must not give the impression that it is a product intended for children, youths, persons under 20 years of age, pregnant women, or breastfeeding mothers — for example, through the use of cartoon imagery — and the model appearing in the advertisement must not be a child, a youth under 20 years of age, a pregnant woman, or a breastfeeding mother.
- (13.2) Approval shall not be given to advertising that shows the effect of cannabis, hemp, or THC used improperly, or for a purpose other than the property of that category of food — for example, that it unknowingly helps one sleep, helps one fall asleep, helps one sleep longer, gives a tingling sensation, or relaxes — or any other message to similar effect, including advertising that gives the impression of

promoting or encouraging the use of cannabis or hemp flower, or the recreational use of cannabis or hemp flower in food.

- (13.3) The display of an image or symbol of any part of the cannabis or hemp plant must not cause a misunderstanding as to the ingredients used — for example, a food product having hemp seed or oil from hemp seed as an ingredient may show only the image of the hemp seed.

(14) Any other food for which approval has been granted subject to particular specific restrictions

The Licensing Officer may determine the message to be shown in the advertisement as deemed appropriate.

Clause 11 — Food labels are not “advertising” for the purposes of this Notification

The making or display of a food label so as to be in accordance with the law on the display of food labels is not considered food advertising under this Notification. The operator must comply with the Ministerial Notification concerning the display of food labels on packaging, and other relevant laws, without needing to submit an application for permission to advertise food — except where there is advertising of a label image or message via a medium or other channel that has the character of advertising under law.

Clause 12 — Revocation of an advertising permit

The Licensing Officer has the right to revoke a food advertising permit where there is reasonable cause or necessity — for example, where the production licence, import licence, food formula registration, or the registration/notification particulars of the food have been revoked — by having the food advertising permit's validity end from the date such document was revoked.

In the case of a violation of the requirements concerning food advertising under the Food Act B.E. 2522, the Licensing Officer has the authority to issue an order suspending that food advertising.

Clause 13 — Transitional provision

A person who has received permission to advertise food before this Notification comes into force may continue to use such permission until the licence expires.

Announced on 13 July B.E. 2569 (2026)

Supattra Boonserm

Secretary-General of the Food and Drug Administration

Annex 1

Attached to the Notification of the Office of the Food and Drug Administration Re: Criteria for Food Advertising B.E. 2569

1. Messages not permitted in food advertising that give rise to an expectation regarding the quality, benefit, or property of the food that exceeds the truth, for example:

- Sacred power, miraculous, extraordinary
- Worry-free, cured completely, relieves anxiety entirely
- No side effects whatsoever, free of any adverse effect
- Certified/guaranteed safe by the FDA

2. Messages not permitted in food advertising — including use of images conveying the same meaning:

2.1 Messages that convey the property of being able to treat, alleviate, cure, or prevent a disease or symptom of illness, for example:

- Lowers cholesterol; lowers blood pressure; reduces fat in the blood; lowers blood sugar
- Prevents heart disease, cancer, gout, stroke, blood-vessel blockage, immune deficiency, obesity
- Relieves migraine headache, symptoms of numbness and swelling of blood vessels in the limbs
- Relieves menstrual pain, regularises the menstrual cycle, relieves vaginal discharge
- Inhibits the growth of bacteria
- Prevents or fights infection, e.g. coronavirus (COVID-19), influenza, bacteria
- Treats infectious disease
- Improves memory, relieves forgetfulness, memory decline, treats Alzheimer's disease
- Relieves depression, insomnia
- Treats hepatitis, fatty liver
- Treats kidney disease, kidney degeneration, kidney stones
- Treats gout, rheumatoid arthritis, SLE
- Relieves joint inflammation, knee degeneration, joint pain, muscle pain, myositis
- Treats cataracts, vitreous degeneration, glaucoma, macular degeneration, dry eye, itchy/burning eyes
- Relieves tinnitus, restores hearing
- Treats haemorrhoids, anal fissure, reflux
- Treats pneumonia, tuberculosis, bronchitis, chronic obstructive pulmonary disease
- Treats psoriasis, eczema
- Sees results quickly, sees results immediately

2.2 Messages that convey the property of having an effect on changing the structure of the body, an organ's function, or a bodily system, for example:

- Balances the body, restores an organ or the body
- Increases/stimulates milk supply

- Increases blood circulation
- Nourishes the brain, nerves, liver, kidneys, eyesight, or organs of the body
- Builds or stimulates the immune system, boosts immunity, increases resistance
- Detox / eliminates toxins, cleanses the intestines
- Corrects short-sightedness/long-sightedness to normal
- Flushes out kidney stones, helps prevent cataracts, reduces menopausal hot flashes
- Firms and tightens the face, reduces sagging, lifts the cheeks, reduces double chin, reduces crow's feet, smooths brow furrows, shrinks pores, refines the nose

2.3 Messages that convey the property of nourishing sexual vigour, sexual potency, or matters related to sexual relations, for example:

- Nourishes and builds sexual capability, enhances sexual potency
- Increases male or female sexual capacity, increases male or female sex drive
- Dietary supplement for men or for women
- Increases sex hormones
- Improves the efficiency/hardness of the male organ
- Enlarges the male organ, helps the male organ stay erect longer
- Reduces premature ejaculation
- Enlarges the bust, uplifts
- Tightens the vaginal passage
- Builds masculinity, builds sex appeal, firm, tough, resilient, quick recovery
- Stimulates femininity
- Restores youthfulness, restores a youthful feeling
- Full of energetic fun

2.4 Messages that convey the property of nourishing the complexion and beauty, for example:

- Reduces wrinkles, sagging, acne, freckles, dark spots
- Whitens skin, brightens, clears, softens, firms, radiant, glowing
- Tightens pores, restores skin
- Reduces wrinkles, reduces oily skin
- Lifts and firms facial skin
- Slows ageing, looks younger than one's age
- Corrects hair loss, greying hair
- Strengthens hair and nails
- Protects from sun, tanning
- Helps eliminate body odour, bad breath

2.5 Messages that convey the property of reducing weight, reducing obesity, or other messages to similar effect, for example:

- Helps bowel movement
- Breaks down accumulated fat in the body, traps fat, reduces excess fat

- Weight loss
- Block Burn Build Break Firm
- Use of before/after images of tape measure, scale, oversized trousers
- Before/After images
- Weight Loss
- Slim, Slim, Slim Slen
- No yo-yo effect
- Firms body proportions, reduces upper arm, thigh, abdomen, helps slim the legs
- Good figure, nice figure, sexy figure
- Thin, rapid weight loss, permanent weight loss
- Reduces cravings, stubborn cravings, reduces appetite
- Sees results quickly, sees results immediately

Annex 2

Attached to the Notification of the Office of the Food and Drug Administration Re: Criteria for Food Advertising B.E. 2569

Characteristics of advertising that do not need to be submitted for permission

No.	Message or advertising characteristic	Supporting evidence	Conditions
1	Sales-promotion activities: prize draws, discounts, giveaways, free gifts, promotions, e.g. "Product ... normally 1 unit price XX baht, buy 2 units for price XXX baht"	Show details in accordance with the truth and in accordance with the Consumer Protection Act B.E. 2522	—
2	Product price, quantity of goods	—	—
3	Price comparison with quantity, e.g. "worth it", "cheaper", "best value", "more quantity but not more expensive", "free gram from ... baht"	Document certifying the price reduction, or comparison of price against quantity, value, or economy	Must not compare with the goods of another person or a competitor, or compare in a manner that disparages another
4	Place of sale, sale period, e.g. "Sold at [department store] ...from date ...", "Sold at ... only"	—	—
5	Message, logo, or certification mark received from a relevant agency, e.g. Halal, Kosher, FDA mark	Letter certifying that the advertised food product genuinely received the certification and that it has not expired	1. Must show the mark or logo per the format specified by the issuing agency. 2. May use the message together with the logo or mark.
6	Receipt of an award, e.g. receipt of a brand award trusted by a magazine ...	Letter or document confirming receipt of the award	1. The award received must correspond to the content being advertised, e.g. an award for outstanding design must not be advertised as an award for outstanding product quality. 2. Must state the year the award was received.

No.	Message or advertising characteristic	Supporting evidence	Conditions
7	Showing a message about the production	Certificate of a food-production-system standard, e.g. GMP, GHPs,	1. Must show the message in accordance with what is specified in

No.	Message or advertising characteristic	Supporting evidence	Conditions
	site having received certification, showing the following: 1. name of the food-production site that received certification; 2. type of production-system standard certified; 3. certifying body, e.g. “production site certified to ... standard (specify standard type) ... by company ... (specify certifying body)”	HACCP, or another equivalent food-production-system standard certificate not yet expired, from a government agency or from an agency accredited by a government agency, or from an internationally accredited certifying body	the Notification of the Office of the Food and Drug Administration Re: Criteria for Showing Messages or Marks Certifying a Food-Production-System Standard, current edition. 2. Use of another agency's symbol or logo must be in accordance with that agency's conditions. 3. The FDA mark must not be used.
8	Product particulars, comprising: food name; formula/ingredients; method of consumption, use, or preparation of the product	Approved ingredient formula, or 100% ingredient formula, or the method of consumption/use/preparation approved	1. Showing the food substance or key ingredient in the food name and the ingredients of the product is not exempted under this list. 2. Ingredients must not use any substance prohibited for use in food. 3. Ingredients must not conflict with relevant Ministerial Notifications, rules, regulations, or criteria. 4. Image display must be in accordance with the Order of the Office of the Food and Drug Administration No. 343/2548 Re: Criteria for Showing the Image of Product Ingredients on the Food Label, dated 9 June B.E. 2548; if flavouring substances are used, the message “Image ... is for aroma/flavour representation only” must be shown.

No.	Message or advertising characteristic	Supporting evidence	Conditions
9	Use of the message “No use of, no addition of, or no adding of ...” (blank space to specify the position or name of the additive) “...used” (blank space to specify the substance used instead, if any), e.g. preservative; flavour	Approved ingredient formula, or 100% ingredient formula	Applies to food that is legally permitted to use a food additive, but no food additive is used in the ingredient formula of the food or in the raw materials

No.	Message or advertising characteristic	Supporting evidence	Conditions
	enhancer; synthetic colouring		
10	Use of the message “no use of, no addition of, or no adding of flavouring”, “no use of, no addition of, or no adding of synthetic flavouring, ... used” (blank space to specify the substance used instead, if any), e.g. “no synthetic flavouring added, natural flavouring used”	Approved ingredient formula, or 100% ingredient formula	—
11	“New”	Evidence of approval not exceeding 1 year, or a letter certifying the commencement of sale	For new products and sold for a period not exceeding 1 year
12	“New formula”	Evidence of formula change not exceeding 1 year, or a letter certifying the commencement of sale	For products with a new formula, sold for a period not exceeding 1 year
13	Use of the message “New label”, “New pack”, or “New size”	Evidence of label/package/size change not exceeding 1 year, or a letter certifying the commencement of sale	For products whose format, pack, or size has changed, and sold for a period not exceeding 1 year
14	Use of the message “Best-selling No. 1”, “Brand best-seller No. 1”, or “Most popular”	Evidence of a sales survey ranking No. 1, or a brand ranked as best-selling No. 1, from an accepted agency or organisation	1. Must specify that it is the sales of the product, product group, or brand clearly. 2. Must state the year of the sales certification. 3. May refer only to what appears in the survey evidence, and it must not conflict with food law. 4. Use of “best-selling No. 1 worldwide” must have evidence showing sales rank No. 1 in every country.
15	Use of the message “Accepted worldwide”, “Popular worldwide”, or “Distributed worldwide”	Evidence showing that the food is distributed in not fewer than 15 countries across 3 continents	For use only in relation to claims about product distribution worldwide

16. Use of messages or advertising characteristics relating to taste, texture, or the characteristics of a particular type of food (product), e.g. delicious, easy to eat, mellow, must-try, tastes as before, rich, strong, sour, sweet, salty, oily, bitter, spicy, complex flavour, refreshing, crisp, hot and spicy, crunchy, soft, tender, chewy, sticky, firm, meaty, full-flavoured, savoury, refreshing, aromatic, cool, moist, tender, delicate, coarse, not fibrous, fresh — and similar descriptive terms. Supporting evidence: none required. Condition: used to convey a sensory impression of the product.

17. Use of messages or advertising characteristics used to express a feeling toward the product, e.g. love, like, fond of, favourite, addicted, indulgent, true flavour, real flavour, full-bodied, popular, well-liked. Supporting evidence: none required. Condition: used to express a feeling toward the product.
18. Use of the message “cool”, “refreshingly cool”, “cooling”, “cold”, or “chilled”. Supporting evidence: none required. Condition: for use with carbonated beverages, natural mineral water, or products blended with menthol or mint, or other ingredients giving a cooling/chilled sensation; excludes food products containing hemp seed, hemp-seed oil, or hemp-seed protein as an ingredient.
19. Use of the message “goes with every dish”, “try it”, “chewy and soft”, “chewy and firm”, “fun to chew”, “adds colour”, “adds fun”, “professional's choice”, “for the professional”, “chef's choice”, “Recommend”, or “We recommend”. Supporting evidence: none required. Condition: none.
20. Use of a message comparing the taste of a product within the company's own range, e.g. “tastier than”, “richer than”, “richer”. Supporting evidence: none required. Condition: may compare only with a product from within the company's own range.
21. Raw material or product imported from (specify country). Supporting evidence: import documents or documents showing country of origin of the food. Condition: must specify the name of each raw material in accordance with the evidence.
22. Style or format (specify country), e.g. Korean style; original style/formula; classic, traditional, original. Supporting evidence: none required. Condition: none.
23. “Vegetarian (Jay)”. Supporting evidence: approved ingredient formula, or 100% ingredient formula. Condition: must not contain any ingredient or raw material that conflicts with the principles of vegetarian (Jay) food.
24. Phone number, Line, QR Code. Supporting evidence: none required. Condition: the information shown must not display the property of the food.
25. “Sparkling”, “sparkling clear”. Supporting evidence: none required. Condition: for use with the product's actual characteristics.
26. “Clear”. Supporting evidence: none required. Condition: for use with food that has a clear appearance.
27. “Signature”. Supporting evidence: none required. Condition: for use with a distinctive characteristic or flavour unique to that producer.
28. Use of the message “Special edition”, “Limited edition”, or “Exclusive”. Supporting evidence: none required. Condition: produced for sale for a specific period or occasion, e.g. an anniversary of xx years, produced in a limited quantity, sold only at a specific location.
29. Health-choice logo. Supporting evidence: letter certifying use of the healthy-choice logo. Condition: 1. must be in accordance with the relevant notification; 2. must be shown only on the food label that appears in the advertisement and must match exactly the format on the label actually used for sale.
30. Use of messages or symbols relating to conducting business under the BCG Model (the economic development model for sustainability, comprising the Bio Economy, the Circular Economy, and the Green Economy), e.g. a recycling message or symbol (used to refer to the fact that the packaging material can be recycled); a carbon-footprint mark, a reduced-carbon-footprint mark, a water-footprint mark, a Green Industry mark (use of such marks/symbols must be in accordance with the conditions of the relevant issuing agency); protects the world, protects the environment, reduces plastic use, uses recycled plastic, made from recycled material (used to refer to the packaging or to production); reduces carbon-dioxide emissions, reduces greenhouse-gas emissions, reduces the use of new plastic pellets (used to refer to the factory or to production). Supporting evidence: documentation relating to the display of the message or symbol. Condition: 1. must be in accordance with the conditions of the relevant certifying agency; 2. must be in

accordance with the relevant Ministerial Notification; 3. must not convey the benefit, quality, or property of the food.

31. "Received a food serial number from the FDA", "...received permission from the FDA", "...received approval from the FDA", "FDA PERMITTED FOR...", "FDA APPROVED FOR..." (blank space to specify what has been approved, e.g. the food label). Supporting evidence: evidence of receipt of the food serial number and evidence relevant to the message shown. Condition: the product must be in accordance with the regulations of the Office of the Food and Drug Administration concerning the operation of matters relating to the food serial number, current edition, and relevant law, e.g. in the case of showing the message "FDA PERMITTED FOR LABEL", the product must be one for which the label has been submitted to the Office of the Food and Drug Administration for inspection and approval prior to use.

Annex 3

Attached to the Notification of the Office of the Food and Drug Administration Re: Criteria for Food Advertising B.E. 2569

Advertising characteristics that constitute a claim of the benefit, quality, or property of food for which an application for permission to advertise food must be submitted

1. State of preservation (fresh, chilled, frozen). Supporting evidence: food-storage documentation (as the case may be). Conditions: 1. food that is a natural product not yet processed, e.g. plants, vegetables, meat, fruit; 2. food that is a natural product that has been trimmed, chilled, or frozen, e.g. plants, vegetables, meat, fruit; 3. food with a specified sale period not exceeding 3 days from date of production, e.g. bread; 4. food in accordance with conditions in a specific notification, e.g. fresh milk; 5. food with a specific character distinct from the usual character of that food, e.g. fresh glass noodles.
2. “Natural” or “Natural”. Supporting evidence: 1. letter certifying the production process, or 100% ingredient formula; 2. letter certifying the quality standard of the raw material showing the proportion of raw material used. Conditions: 1. may be used for food products that exist in nature, e.g. plants, vegetables, meat, fruit — being food products that have undergone a basic processing/production process without the addition of any food additive, colouring, flavouring, vitamins, or minerals; 2. claims relating to an ingredient used or derived from a natural raw material, e.g. lutein extracted from natural marigold flowers; 3. food in accordance with conditions in a specific notification, e.g. natural mineral water; 4. use of the message “natural or Natural” together with another message must have a meaning consistent with the facts, e.g. “natural flavour”.
3. Use of the words “organic agricultural product”, “organic product”, “organic”, or “organic”. Supporting evidence: none listed separately. Conditions: the producer, distributor, or importer of the organic agricultural product must have received certification in accordance with criteria specified by the relevant government agency, or a certifying body accepted by the relevant government agency, or have received certification in accordance with the organic agricultural standard of IFOAM (The International Federation of Organic Agriculture Movements), or in accordance with recommendations of the Codex Alimentarius Commission, or in accordance with a foreign country's organic-agriculture standard (in the case where that foreign country has issued regulations concerning the production of organic agricultural products), with the certifying inspection body having received accreditation under the IFOAM standard or being registered with an agency in a country that has organic-agriculture regulations.
4. Use of the words “benefit”, “value”, or “nutritional benefit”. Supporting evidence: 1. approved ingredient formula, or 100% ingredient formula; 2. nutrition-analysis report per 100 grams, full copy. Conditions: 1. may claim that the food has benefit, value, or nutritional benefit in relation to certain food groups that have such component, e.g. milk, beverages blended with caffeine, instant jelly and pudding, vegetable oil, animal fat, semi-instant food — showing benefit, value, or nutritional benefit in accordance with the nutrition-analysis report; 2. may claim in relation to certain food groups, e.g. snack biscuits, candy, chewing gum, tea, coffee.
5. Messages or advertising characteristics conveying self-care promotion through eating a variety of food across 5 food groups, adequate rest, exercise, e.g. taking care of oneself, looking after oneself, wishing oneself well, caring, loving oneself, rewarding oneself, choosing good things for oneself, or other messages to similar effect. Supporting evidence: none required. Conditions: 1. must not give the impression that consuming that food alone is sufficient to take care of oneself; 2. considered according to the context of the advertisement.

6. “Fresh, refreshing”. Supporting evidence: approved ingredient formula, or 100% ingredient formula, or method of consumption. Condition: for use with liquid food products, products that must be frozen before eating, certain types of jelly, or ice cream.
7. “Lively, vibrant”. Supporting evidence: approved ingredient formula, or 100% ingredient formula, or method of consumption. Condition: for use with liquid food products — excluding products containing caffeine or with added caffeine, food with hemp-seed, hemp-seed oil, or hemp-seed-protein as an ingredient, food with hemp/cannabis plant parts as an ingredient, food with cannabidiol extract as an ingredient of any kind, and food with kratom as an ingredient.
8. “Authentic”. Supporting evidence: 1. approved ingredient formula, or 100% ingredient formula, or 2. raw-material quality standard specifying the particular characteristic of that raw material. Conditions: 1. in accordance with conditions in a specific notification, e.g. authentic fish sauce, authentic coffee; 2. that raw material must genuinely be used as an actual ingredient.
9. Use of the message “hygienic”, “hygienic characteristics”, or “hygienic in accordance with ... standard (specify name of standard)...”. Supporting evidence: food-production-system standard certificate, e.g. GMP, GHPs, HACCP, or another equivalent food-production-system standard certificate not yet expired, from a government agency or an agency accredited by a government agency, or from an internationally accredited certifying body. Condition: may be used when there is a display of the image or message relating to the production process or the production site.
10. “Has a safety-control system”. Supporting evidence: food-production-system standard certificate, e.g. GMP, GHPs, HACCP, or another equivalent food-production-system standard certificate not yet expired, from a government agency or an agency accredited by a government agency, or from an internationally accredited certifying body. Conditions: 1. the term “safe food” must not be used; 2. may be used when there is a display of the image or message relating to the production process or the production site.
11. Use of the messages “free of”, “without”, or “no” — e.g. “no MSG, uses (blank to specify the substance used instead, if any)”, e.g. “free of MSG”; “colouring”; “preservative”. Supporting evidence: analysis report. Condition: applies to food that is legally permitted to use a food additive, but no food additive is used in the ingredient formula of the food or in the raw materials.
12. “Clean”. Supporting evidence: none required. Condition: considered according to the context of the advertisement.
13. “Quality”. Supporting evidence: none required. Condition: considered according to the context of the advertisement.
14. Use of the message “...more than”, “...increased”, “upgraded”, or “Advance” (e.g. developed to contain more of a food substance). Supporting evidence: 1. document certifying comparison of the product with itself, e.g. comparison between the old and the new formula; and 2. analysis report. Condition: may not be used to compare with a competitor's product or with products of others, or in a manner that disparages another.
15. Use of the messages “for health”, “healthy”, “healthful”, “healthiness”, “health”, “healthfully”, “healthfulness”, “healthily”, or messages to similar effect. Supporting evidence: nutrition-analysis report per 100 grams, full copy. Condition: the nutrition-analysis report must be in accordance with the Ministerial Notification concerning the nutrition-facts label.
16. “Strong/healthy (physically robust)”. Supporting evidence: nutrition-analysis report per 100 grams, full copy. Conditions: 1. must not specifically imply that consuming that particular food alone leads to physical strength; and 2. may be used with milk, flavoured milk, dairy products, fermented milk, and beverages having

animal or plant milk as the principal ingredient, and containing at least the following nutrients: protein not less than 10% Thai RDI, and vitamin A, vitamin B1, vitamin B2, calcium, iron not less than 15% Thai RDI.

17. "Confidence (product)". Supporting evidence: none required. Condition: must not advertise in a manner conveying confidence in the property or benefit of the product.

18. "Secret recipe". Supporting evidence: none required. Condition: considered according to the context of the advertisement.

19. "Hygienic (sanitary)". Supporting evidence: certification letter from the Department of Livestock Development or a relevant government agency giving certification, or an agency accredited to an equivalent standard as a government agency. Condition: may be used for advertising a category of food that has received such certification.

20. Use of a message or advertising characteristic relating to the classification of a product's grade, e.g. "Gold", "Special", "Extra", "Supreme", "Selected", "Premium", "Best", "Diamond", "Silver", "Classic", "Bronze", "Royal", "Super", "The best formula of ... (blank to specify the name of the brand of product or the individual associated with the product, or the owner of the formula and the changed quality characteristic)", or messages to similar effect. Supporting evidence: information relating to the classification of the product's grade from a government agency or an internationally accredited body, e.g. the Thai Industrial Standards Institute, Codex, or a letter explaining the quality criteria of the manufacturer or importer company. Conditions: 1. this is a comparison of the product within the manufacturer's own company; 2. must not convey a comparison that disparages another's product; 3. example message, e.g. "Best Quality", "Best formula", or "Premium Quality".

21. "Patent" or "petty patent". Supporting evidence: certification letter for the patent or petty patent, not yet expired. Condition: must specify details of the patent or petty patent received.

22. "Innovation". Supporting evidence: certification letter of innovation status. Condition: must specify details of the innovation, the certifying agency, and the year of certification.

23. Use of the name of a government agency, state enterprise, or educational institution, or a model whose affiliation is stated as belonging to a government agency, state enterprise, or educational institution. Supporting evidence: letter of consent from the agency permitting use of its name, or agreeing to serve as the model. Condition: considered according to the context of the advertisement.

24. Use of a message relating to receipt of certification of a healthy-choice logo. Supporting evidence: certification letter for use of the healthy-choice logo. Condition: must be in accordance with the relevant notification.

25. "Plus". Supporting evidence: approved ingredient formula, or 100% ingredient formula, or analysis report (if any). Condition: for referring to an increase in the type of ingredient or food substance.

26. Use of the messages "Gluten-free", "processed to remove gluten", "gluten free", or "being specially processed to remove gluten". Supporting evidence: approved ingredient formula, or 100% ingredient formula, and a gluten-analysis report. Condition: must be in accordance with the Ministerial Notification concerning the display of a gluten-free food label.

27. "Probiotic". Supporting evidence: 1. approved ingredient formula, or 100% ingredient formula; 2. analysis report of the quantity of probiotic bacteria of each species, as at the expiry date of the product (specifying the date of production and the expiry date). Condition: must be in accordance with the Ministerial Notification concerning the use of probiotic microorganisms in food.

28. Display of a message or certification-mark logo "FDA Quality Award", "ThaiFDA Quality Award", or "FDA Quality Award". Supporting evidence: letter certifying receipt of the FDA Quality Award from the Office of the Food and Drug Administration. Conditions: 1. must specify the category of award received and the year the

award was received; 2. use of the award name must use the terms “FDA Quality Award”, “ThaiFDA Quality Award”, or “FDA Quality Award”; 3. display of the certification mark must use the mark according to the standard format specified by the Office of the Food and Drug Administration; 4. must not cause misunderstanding as to the material substance of the award received.

29. Use of the message “the one closest to the heart of...”, “number one in the heart of...”, “wins the heart of...”, or “the sole favourite of the heart of...” (blank space to specify the name or show the image of a person or the model, presenter, or mascot of the brand). Supporting evidence: none required. Conditions: 1. must not convey a comparison that disparages another's product; 2. must not give the impression of being the No. 1 brand or the best-selling No. 1.

30. Showing ownership of, or exclusive rights to, e.g. “sole”, “sole rights”, “exclusive sole rights...”, “specific exclusive rights...”, “authentic exclusive rights from...”. Supporting evidence: evidence of ownership of exclusive rights. Conditions: 1. used to show ownership of exclusive rights; 2. must not convey a comparison that disparages another's product; 3. must not give the impression of being the No. 1 brand or the best-selling No. 1.

31. Entering competitions and receiving various awards, e.g. Grand Prize, Consolation Prize. Supporting evidence: evidence of receipt of the award. Conditions: 1. must specify details of the award and the year the award was received; 2. the message shown must not conflict with the criteria for food advertising and other relevant law.

Annex 4

Attached to the Notification of the Office of the Food and Drug Administration Re: Criteria for Food Advertising B.E. 2569

Display of messages or warnings in advertising media

No.	Food	Message or warning in the advertising medium
1	Dietary supplement products	“Not suitable for children and pregnant women” “Has no effect in preventing or curing disease” “Read the warning on the label before consumption”
2	Food using aspartame as a substance providing sweetness in place of sugar, or a substance providing sweetness in place of sugar	“Read the warning on the label before consumption”
3	Semi-processed instant jelly and pudding	“Read the warning on the label before consumption”
4	Cow's milk, flavoured milk, dairy products, fermented milk, beverages having animal or plant milk as principal ingredient, and soy milk	“Read the label before consumption”
5	Medical Food	Show the warning message as it appears on the approved label, e.g.: – “Medical food, use as directed by a physician” – “Medical food, use under the direction of a physician” – “Medical food, use under the care of a physician” – “Medical food, use as directed by a physician and a dietitian” – “Medical food, use as directed by a physician, a nutritionist, and a dietitian” – “Medical food, use under the direction of a physician, a nutritionist, and a dietitian” – “Medical food should be used under the care of a physician, under the direction of a physician or a nutritionist” – “Medical food must be used under the direction and care of a physician”
6	Semi-instant food showing an image of the product ready to eat, with the addition of meat, eggs, vegetables, or other ingredients	“For nutritional value, should add (specify type of food added)”, or a message to similar effect
7	Biscuit-type snack food, chocolate and chocolate-flavoured sweets, and gum products	“Read the label before consumption”

No.	Food	Message or warning in the advertising medium
8	Food containing aloe vera as an ingredient	"Read the warning on the label before consumption"
9	Food containing bamboo leaf or extract from bamboo leaf as an ingredient	"Read the warning on the label before consumption"
10	Chia seed and food containing chia seed as an ingredient	"Read the warning on the label before consumption"
11	Food with added phytosterol, phytostanol, or esters of phytosterol or phytostanol	"Read the warning on the label before consumption"
12	Sunflower seed and food containing sunflower seed as an ingredient	"Read the warning on the label before consumption"
13	Dried gymnema leaf and food containing dried gymnema leaf as an ingredient, <i>Gymnema inodorum</i> (Lour.) Decne.	"Read the warning on the label before consumption"
14	Dietary supplement products containing kratom as an ingredient	"Has no effect in preventing or curing disease" "Should not be consumed continuously for more than 7 days" "Children, pregnant women, and breastfeeding women should not consume" "Read the warning on the label before consumption"
15	Food containing hemp seed, oil from hemp seed, or protein from hemp seed as an ingredient; food containing a part of the cannabis or hemp plant as an ingredient; and food containing cannabidiol extract as an ingredient of any kind	"Read the warning on the label before consumption" "Children, pregnant women, and breastfeeding women should not consume" "Persons with a history of allergy should not consume" In the case of a food product containing a part of the cannabis or hemp plant as an ingredient, or a food product containing cannabidiol extract as an ingredient, must additionally show the message: "May cause drowsiness. Avoid driving or operating machinery." In the case of a dietary supplement product, must additionally show the message: "Has no effect in preventing or curing disease."

No.	Food	Message or warning in the advertising medium
16	Food that has been imported and is thereafter divided and repacked domestically, and is intended to display where that food was produced	"Repacked in Thailand"
17	Food that must limit the quantity consumed to fewer than 3 servings per day	"Read the label before consumption"

No.	Food	Message or warning in the advertising medium
18	Other food for which a warning has been specifically required	“Read the warning on the label before consumption”, or a message as the Licensing Officer deems appropriate