

USDA Foreign Agricultural Service

# GAIN Report

Global Agricultural Information Network

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## **Thailand**

**Post:** Bangkok

### **Thailand's Milk Code Passed the National Legislative Assembly**

**Report Categories:**

FAIRS Subject Report

Trade Policy Monitoring

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**Report Highlights:**

On April 4, 2017, the National Legislative Assembly (NLA) passed the Marketing Control on Food for Infants and Young Children Act (Milk Code) to restrict the marketing of food for infants and young children.

## General Information:

### Thailand's Marketing Control on Food for Infants and Young Children Act Passed the National Legislative Assembly.

On April 4, 2017, the National Legislative Assembly (NLA) passed the Marketing Control on Food for Infants and Young Children Act (Milk Code) to restrict the marketing of food for infants and young children. This regulation will go into effect 60 days after it is published in the Royal Gazette.

The approved legislation differs from the original draft legislation proposed by the Ministry of Public Health in the following ways:

- The approved legislation has separate definitions for infants and young children as well as separate definitions for food for infants, food for young children, and supplementary food for infants.
- The approved legislation limits the prohibition on advertising to just food for infants and supplementary food for infants. Advertising for food for young children is now permitted as long it does not cause the public to believe the product is for infants or cause the public to believe that the product was suitable for feeding infants.
- The approved legislation reduces the maximum criminal penalty of imprisonment from 3 years to 1 year and the maximum fine from 300,000 baht to 100,000 baht for violations of the advertising prohibitions.

Post's largest concern with the final legislation is the open-ended authority given to the Marketing Control on Food for Infants and Young Children Committee to provide advice on the issuance of regulations or notifications for the implementation of marketing control measures of food for young children.

Below is the unofficial translation of the Milk Code with changes from the original draft legislation to the approved legislation highlighted.

*(Unofficial Translation)*

**(Draft)**

### **Marketing Control on Food for Infants and Young Children Act B.E.....(.....)**

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Whereas it is expedient to enact a law governing the marketing control on food for infants and young children.

**Section 1.** This Act shall be called the "Marketing Control on Food for Infants and Young Children Act B.E....."

**Section 2.** This Act shall come into force **180-60** days after its publication in the Government

Gazette.

**Section 3.** In this Act,

“**Infant**” means a child from newborn to 12 months of age.

“**Young Child**” means a child over 12 months to 3 years of age.

“**Food for Infants and Young Children**” means:

1. milk or ~~other food~~ other products used as food containing appropriate and adequate nutrients for feeding infants and young children and which is registered under according the law on food; and
2. ~~other food intended for feeding infants and young children as prescribed by the Minister on the advice of the Committee.~~ Milk or other products used as food with the statement indicates that it can be used for feeding infants.

**“Food for Young Children”** means milk or other products used as food with a statement that indicates that it is to be used for feeding young children and only as prescribed by the Minister on the advice of the Committee.

“**Supplementary Food for Infants and Young Children**” means supplementary food used to add nutrient value supplementary ~~or~~ and to build up familiarity to food for infants over 6 months of age ~~or~~ young children and which is registered under according to the law on food.

“**Manufacturer**” means a person who produces, mixes, cooks, splits or combines loads, or changes packages.

“**Importer**” means a person who takes or orders (goods) into Thailand.

“**Distributor**” means a person who sells, distributes, exchanges or gives out (goods) for commercial purposes.

“**Label**” means label according to the law on food.

“**Advertising**” means the activity, by any means, of making people see or know the intended information for commercial purposes.

“**Intended Information**” includes letters, pictures, artificial marks, photographs, motion pictures, light, sound, marks or any other means to make people understand.

“**Marketing**” means any activity intended to sell, create an image of, promote or encourage the use of the Food for Infants, Food for Young Children, or the Supplementary Food for Infants ~~and Young Children~~, as the case may be, for commercial purposes.

“**Public Health Service Center**” means a place for medical treatment under the law on health service

center or a place for medical treatment operated by a ministry, department, local administration organization, state enterprise, government educational institution, other government agency, or the Thai Red Cross, and shall include non-profit non-government organizations whose activities involve mother and child health as well as Public Health Profession Organizations.

**“Public Health Profession Organization”** means a profession committee in various fields under the law on medical registration, the Medical Council of Thailand under the law on Medical Profession Act, Thailand Nursing and Midwifery Council under the law on Nursing and Midwifery Profession Act, the Dental Council of Thailand under the law on Dental Profession Act, the Pharmacy Council of Thailand under the law on Pharmaceutical Profession Act, the Physical Therapy Council under the law on Physical Therapy Profession Act, the Medical Technology Council under the law on Medical Technology Profession Act, the Thai Traditional Medical Council under the law on Thai Traditional Medical Profession Act, the Council of Community Public Health under the law on Community Public Health Profession Act, or other Medical Profession Councils and Public Health Profession Councils under the law relating thereto.

**“Public Health Personnel”** means persons from all professions who work for Public Health Service Centers, including volunteers who do work related to public health service.

**“Committee”** means the Marketing Control on Food for Infants and Young Children Committee.

**“Competent Official”** means the person appointed by the Minister for the implementation of this Act.

**“Minister”** means the Minister in charge of this Act.

**Section 4.** The Minister for Public Health shall be in charge of this Act and shall have the power to appoint the Competent Officials and to issue notifications for proper implementation of this Act.

Such notifications shall come into force upon publication in the Government Gazette.

## **Chapter 1**

### **Marketing Control on Food for Infants and Young Children Committee**

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**Section 5.** There shall be a committee called the “Marketing Control on Food for Infants and Young Children Committee” consisting of:

1. The Permanent Secretary for Public Health as the Chairman;
2. Eight ex-officio Committee members, namely: the Director-General of the Department of Children and Youth, the Director-General of the Department of Health Service Support, the Director-General of the Department of Local Administration, the Secretary-General of the Consumer Protection Committee, the Secretary-General of the Food and Drug Commission, the

Secretary-General of the National Broadcasting and Telecommunication Commission, the Secretary-General of the National Health Board, and the Permanent Secretary for Bangkok Metropolitan Administration;

3. ~~Four~~ Five expert Committee members appointed by the Minister from Thailand Nursing and Midwifery Council, the Council of Community Public Health, the Royal College of Pediatricians of Thailand, the Pharmacy Council of Thailand, and the Royal Thai College of Obstetricians and Gynecologists.
4. Five expert Committee members appointed by the Minister, three being representatives from three non-profit non-government organizations whose activities each involve mother and child health, child's rights, and consumer health protection, and the other two being qualified persons each with knowledge, expertise and experience in marketing communication and law.

The Director-General of the Department of Health shall be the Committee member and secretary, and two officials from the Department of Health shall be appointed by the Director-General as assistant secretaries.

The appointment of expert Committee members shall be in accordance with the rules, procedures and conditions prescribed by the Minister on the advice of the Committee.

**Section 6.** A Committee member must have the qualifications and must not have the prohibited characteristics, as follows:

1. Having Thai nationality;
2. Not being a political official, holder of political office, member of a local council, local administrator, or a director or executive or officer of any political party;
3. Not being an incompetent or quasi-incompetent person;
4. Not being or having been a bankrupt;
5. Not having been sentenced to imprisonment by a final judgment, unless the offence is related to an act of negligence or a petty offence;
6. Having neither a direct nor indirect interest in any business relating to the Food for Infants, Food for Young Children or the Supplementary Food for Infants and Young Children;
7. Not having been adjudged or ordered by the Court that his/her property be devolved to the State by reason of unusual wealth or unusual increase in assets; and
8. Not having been dismissed, discharged or terminated from employment by any government agency or private company on account of dishonesty, gross misconduct or corruption.

**Section 7.** Each Committee member shall hold office for a term of 3 years from the date of appointment. A retiring member is eligible for re-election, but may not hold office for more than two consecutive terms.

If a Committee member vacates office prior to the expiration of his/her term, a new Committee member in the same field of knowledge shall be appointed by the Minister to fill the vacancy. The person so appointed shall retain office only during such time as the Committee member whom he/she replaced

would have been entitled to serve. If the remaining term of the Committee member who vacates office is less than 90 days, then the Minister shall not appoint a new member to fill the vacancy, and the Committee shall be deemed to consist of the remaining members.

Upon the expiration of the office term pursuant to paragraph one, if a new Committee member is not yet appointed to fill the vacancy, the retiring member shall remain in office until the new member takes over.

**Section 8.** Other than retirement, upon the expiration of the office term, a Committee member shall vacate office upon:

- (1) Death;
- (2) Resignation;
- (3) Dismissal by the Minister on account of neglect of duty, unacceptable conduct, dishonesty or incompetence; or
- (4) Disqualification for having the prohibited characteristics as provided in Section 6.

**Section 9.** A meeting of the Committee shall require a quorum of at least one-half of the total number of members.

If the Chairman is not present or is unable to perform his duty at a meeting, the Committee members present shall elect one of them chairman for the meeting.

If any Committee member has a personal interest in any matter to be considered at a meeting, such member shall so notify the meeting and shall be entitled to explain or comment on that matter, but shall not attend and vote at the meeting.

All decisions at Committee meetings shall be adopted by a majority of votes. Each Committee member shall have one vote. In the case of a tie, the meeting chairman shall cast a second vote.

**Section 10.** The Committee shall have the following authority:

- (1) To set policies, strategies and measures for the marketing control on the Food for Infants, Food for Young Children and the Supplementary Food for Infants ~~and Young Children~~;
- (2) To promote and encourage the development of a system for monitoring the marketing of the Food for Infants, Food for Young Children and the Supplementary Food for Infants ~~and Young Children~~;
- (3) To provide advice or opinions to the Minister on the issuance of notifications for proper implementation of this Act;
- (4) To provide advice or opinions to the Minister on the marketing control on the Food for Infants, Food for Young Children and the Supplementary Food for Infants ~~and Young Children~~ to ensure compliance with this Act; and
- (5) To perform such other duties as determined by law to be those of the Committee or as assigned by the Cabinet or the Minister.

**Section 11.** The Committee may appoint sub-committees to consider or perform any tasks as

assigned by the Committee.

The provisions of Section 6, 8, and 9 shall apply *mutatis mutandis* to the meetings of the sub-committees.

**Section 12.** In performing duties under this Act, the Committee and sub-committees may ask any agency, organization or person to submit any academic reports or statistics on the marketing of the Food for Infants, Food for Young Children and the Supplementary Food for Infants and Young Children and may give written orders asking any persons to give facts or opinions or to submit explanations, documents, information, evidence or any relevant materials for their consideration.

**Section 13.** The Department of Health, Ministry of Public Health, shall be responsible for the administrative work of the Committee and sub-committees and shall have the following authority:

- (1) To promote, encourage, campaign for, and build up knowledge and understanding about breast-feeding;
- (2) To prepare and propose to the Committee policies, strategies and measures for the marketing control on the Food for Infants, Food for Young Children and the Supplementary Food for Infants and Young Children;
- (3) To coordinate and cooperate with relevant government agencies and the private sector both inside and outside the country for the implementation of the policies, strategies and measures for the marketing control on the Food for Infants, Food for Young Children and the Supplementary Food for Infants and Young Children;
- (4) To follow up and assess the implementation by the Department of Health and relevant agencies of the policies, strategies and measures for the marketing control on the Food for Infants, Food for Young Children and the Supplementary Food for Infants and Young Children and report to the Committee;
- (5) To act as a center for public relations or dissemination of data and information about the marketing control on the Food for Infants, Food for Young Children and the Supplementary Food for Infants and Young Children, as well as data and information for promoting, encouraging, campaigning for and building up knowledge and understanding about breast-feeding; and
- (6) To perform such other duties as assigned by the Minister, the Committee or sub-committees or as determined by law to be the duties and authority of the Department of Health, Ministry of Public Health.

## Chapter 2

### Marketing Control

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#### Part 1

#### Food for Infants and Food for Young Children

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**Section 14.** There shall be no advertising for the Food for Infants and Young Children.

There shall be no advertising for the Food for Young Children in the media that would cause the public to believe the product was for infants or cause to the public to believe that it was suitable for feeding infants.

Section 14/1 The manufacturer, importer, or distributor of Food for Infants or Food for Young Children; or their agent shall prepare labels that are clearly different and easily to distinguish between the label for Food for Infants and the label for Food for Young Children.

The label of Food for Infants and the label of Food for Young Children as per the above paragraph shall be clearly different from that of other food.

**Section 15.** Under Section 14, to provide information about the Food for Infants and or Food for Young Children, manufacturers, importers or distributors of the Food for Infants and or Food for Young Children, or their agents must use the same wording as appears on the labels of the Food for Infants and or Food for Young Children approved under the law on food without any claims about nutrition and health, and for Food for Infants must give the following particulars:

- (1) Overall expenses to be incurred from and the quantities for using the Food for Infants and Young Children; and
- (2) Warning against inappropriate preparation or use of the Food for Infants and Young Children.

The rules, procedures and conditions for the provision of the information pursuant to paragraph one shall be as prescribed by the Minister on the advice of the Committee.

The channels for providing information pursuant to paragraph one shall be as prescribed by the Minister on the advice of the Committee.

**Section 16.** The information about the Food for Infants and or Food for Young Children provided by manufacturers, importers or distributors of the Food for Infants and or Food for Young Children or their agents to the Public Health Personnel must be substantiated by scientific evidence, which shall be as prescribed by the Minister on the advice of the Committee.

**Section 17.** In doing the marketing of the Food for Infants and Food for Young Children, manufacturers, importers or distributors or their agents are prohibited from:

- (1) Giving out discount coupons or discount privileges, tied products, offering exchanges, discounts, prizes, gifts or other incentives. to induce sale of the Food for Infants and Young Children;
- (2) Giving out the Food for Infants and or Food for Young Children or samples thereof, directly or indirectly;
- (3) Giving out the Food for Infants and or Food for Young Children or any other things to pregnant women, mothers of infants or young children, or family members of infants or young children; or
- (4) Approaching pregnant women or mothers of infants or young children or family member with infants or young children directly or indirectly, with the aim of promoting, encouraging or recommending them to use the Food for Infants and or Food for Young Children or associating with the Food for Infants and or Food for Young Children.

**Section 18.** If manufacturers, importers or distributors of the Food for Infants **and or** Food for Young Children or their agents want to donate or give any items, equipment or things to the Public Health Service Center, such items, equipment or things must not bear the name, mark or symbol of Food for Infants **and or** Food for Young Children, or such name, mark or symbol must not associate with the Food for Infants **and or** Food for Young Children.

**Section 19.** Manufacturers, importers or distributors of the Food for Infants **and or** Food for Young Children or their agents are prohibited from giving or offering gifts, money, incentives or any other benefits to the Public Health Personnel.

The foregoing shall not apply to the customary or ethical giving in accordance with the rules, procedures and conditions prescribed by the Minister on the advice of the Committee.

**Section 20.** Manufacturers, importers or distributors of the Food for Infants **and or** Food for Young Children or their agents are prohibited from arranging or supporting the arrangement of trainings or academic seminars on Food for Infants **and or** Food for Young Children for the Public Health Service Center, the Public Health Personnel, pregnant women or mothers of infants or young children, except for the funding of such trainings or seminars for the Public Health Profession Organization **and public universities, which offer mother and child health related programs** in accordance with the rules, procedures and conditions prescribed by the Minister on the advice of the Committee.

**Section 21.** Manufacturers, importers or distributors of the Food for Infants **and or** Food for Young Children or their agents are prohibited from demonstrating or supporting the demonstration of the use of the Food for Infants **and or** Food for Young Children in the Public Health Service Center or any other place ~~for commercial purposes or~~ for the purpose of promoting or encouraging the use of the Food for Infants **and or** Food for Young Children **for commercial purposes**.

The foregoing shall not apply to the manufacturer who is the public health profession performing the duty for medical purpose or treatment to infants or young children.

**Section 22.** Manufacturers, importers or distributors of the Food for Infants **and or** Food for Young Children or their agents are prohibited from donating the Food for Infants **and or** Food for Young Children to the Public Health Service Center or the Public Health Personnel.

The foregoing shall not apply to the donation of the Food for Infants **and or** Food for Young Children for use in patients with special needs as well as the donation in case of need as prescribed by the Minister on the advice of the Committee.

The rules, procedures and conditions for the donation referred to in paragraph two shall be as prescribed by the Minister on the advice of the Committee.

**Section 23.** The academic information about mother & child health prepared or disseminated by manufacturers, importers or distributors of the Food for Infants **and or** Food for Young Children or their agents must not, directly or indirectly, promote or encourage the use of the Food for Infants **and or** Food for Young Children or associate with the Food for Infants **and or** Food for Young Children.

The foregoing shall not apply to the manufacturer who is in the public health profession performing their official medical duties or providing treatment to infants or young children

## Part 2 Supplementary Food for Infants and Young Children

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**Section 23/1.** There shall be no advertising for the Supplementary Food for Infants.

**Section 23/2.**

The manufacturer, importer, or distributor of Supplementary Food for Infants or their agent shall prepare labels that are clearly different and easily to distinguish between the label for Supplementary Food for infants and the label for Food for Infants, Food for Young Children, or other food.

**Section 24.** Manufacturers, importers or distributors of the Supplementary Food for Infants and Young Children or their agents shall not do the marketing of the Supplementary Food for Infants and Young Children to any persons in a place for medical treatment under the law on health service center or a place for medical treatment operated by a ministry, department, local administration organization, state enterprise, government educational institution, other government agency, or the Thai Red Cross, in the following manners:

- (1) Giving out discount coupons or discount privileges, tied products, offering exchanges, discounts, prizes, gifts or other incentives. to induce sale of the Supplementary Food for Infants or Young Children; or
- (2) Giving out the Supplementary Food for Infants and Young Children or samples thereof, directly or indirectly.

**Section 25.** Manufacturers, importers or distributors of the Supplementary Food for Infants and Young Children or their agents are prohibited from doing the marketing of the Supplementary Food for Infants and Young Children to pregnant women or mothers of infants under 6 months of age.

**Section 26.** The provisions of Sections 16, 18, 19, 20, and 21 shall also apply to the Supplementary Food for Infants and Young Children.

**Section 27.** — Manufacturers, importers or distributors of the Supplementary Food for Infants and Young Children or their agents are prohibited from demonstrating or supporting the demonstration of the use of the Supplementary Food for Infants and Young Children in the Public Health Service Center.

## Chapter 3 Competent Officials

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**Section 28.** In performing their duties, the Competent Officials shall have the power to:

- (1) Enter any place during office hours to inspect documents, advertising media, or any other items related to an act of violation under this Act, when there are reasonable grounds to believe that such an act has occurred, and take pictures of the same or do such other things as necessary to secure the relevant information or evidence;
- (2) Confiscate or seize documents, advertising media, or any other items related to an act of violation under this Act; and
- (3) Issue written orders asking any persons concerned to give statements or to provide written explanations or any documents or evidence for the examination or consideration of the Competent Officials.

In the performance of duties by the Competent Officials under paragraph one, all persons concerned must reasonably accommodate the Competent Officials.

**Section 29.** In performing their duties, the Competent Officials must present their identity cards to persons concerned.

The identity card of the Competent Official shall be in the form prescribed by the Minister.

**Section 30.** The documents, advertising media or any other items confiscated or seized by the Competent Officials in accordance with Section 28 (2) shall be devolved to the State, and the Director-General of the Department of Health shall have the power to order their destruction or to take any steps as prescribed by the Minister on the advice of the Committee when it appears that:

- (1) no one claims to be the owner or possessor of those documents, media or items within 90 days from the date of confiscation or seizure;
- (2) in the event of non-prosecution, the owner or possessor of those documents, media or items does not seek to reclaim them within 90 days from the date of receipt of the non-prosecution order; or
- (3) in the event of prosecution, the accused agrees to be fined; or the public prosecutor gives a non-prosecution order; or the Court does not deliver a judgment for the forfeiture of those documents, media or items and the owner or possessor does not seek to reclaim them within 90 days from the fine payment date or the date of non-prosecution order or the date of final judgment, as the case may be.

**Section 31.** In performing duties under this Act, the Competent Official shall be an Official under the Penal Code of Thailand.

## **Chapter 4**

### **Penal Provision**

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**Section 32.** Whoever advertises the Food for Infants and or Food for Young Children, which is a violation of the first and second paragraph of Section 14 or whoever advertises the Supplementary Food for Infants, which is a violation of the Section 23/1, shall be liable to imprisonment for a term not

exceeding 3 1 year or a fine not exceeding three-one hundred thousand baht, or both, and to an additional fine not exceeding ten thousand baht per day throughout the period of violation or non-compliance.

**Section 32/1** Any manufacturer, importer or distributor of the Food for Infants, Food for Young Children, or Supplementary Food for Infants; or its agent who fails to comply with Section 14/1 or 23/2 shall be liable to a fine not exceeding three hundred thousand baht and to an additional fine not exceeding ten thousand baht per day throughout the period of violation or non-compliance.

**Section 33.** Any manufacturer, importer or distributor of the Food for Infants and or Food for Young Children or its agent who fails to comply with Section 15 or gives false information under Section 15, paragraph one, shall be liable to a fine not exceeding two hundred thousand baht.

**Section 34.** Any manufacturer, importer or distributor of the Food for Infants and or Food for Young Children or its agent who fails to comply with Section 16, 18 or 23 shall be liable to a fine not exceeding two hundred thousand baht.

**Section 35.** Any manufacturer, importer or distributor of the Food for Infants and-or Food for Young Children or its agent who violates Section 17 shall be liable to a fine not exceeding three hundred thousand baht.

**Section 36.** Any manufacturer, importer or distributor of the Food for Infants and or Food for Young Children or its agent who violates Section 19, paragraph one, shall be liable to a fine not exceeding two hundred thousand baht.

**Section 37.** Any manufacturer, importer or distributor of the Food for Infants and or Food for Young Children or its agent who violates Section 20 or 22 shall be liable to a fine not exceeding one hundred thousand baht.

**Section 38.** Any manufacturer, importer or distributor of the Food for Infants and or Food for Young Children or its agent who violates the first paragraph of Section 21 shall be liable to a fine not exceeding two hundred thousand baht.

**Section 39.** Any manufacturer, importer or distributor of the Supplementary Food for Infants and Young Children or its agent who violates Section 24 or 25 shall be liable to a fine not exceeding three hundred thousand baht.

**Section 40.** Any manufacturer, importer or distributor of the Supplementary Food for Infants and Young Children or its agent who provides information about the Supplementary Food for Infants and Young Children to the Public Health Personnel without scientific evidence to substantiate such information, which is a violation of Section 16, incorporating Section 26, shall be liable to a fine not exceeding two hundred thousand baht.

**Section 41.** Any manufacturer, importer or distributor of the Supplementary Food for Infants and Young Children or its agent who donates or gives any items, equipment or things bearing the name, mark or symbol of the Supplementary Food for Infants and Young Children or using such name, mark

or symbol to associate with the Supplementary Food for Infants ~~and Young Children~~ to the Public Health Service Center, which is a violation of Section 18, incorporating Section 26, shall be liable to a fine not exceeding two hundred thousand baht.

**Section 42.** Any manufacturer, importer or distributor of the Supplementary Food for Infants ~~and Young Children~~ or its agent who gives or offers gifts, money, incentives or any other benefits to the Public Health Personnel, which is a violation of Section 19, paragraph one, incorporating Section 26, shall be liable to a fine not exceeding two hundred thousand baht.

**Section 43.** Any manufacturer, importer or distributor of the Supplementary Food for Infants ~~and Young Children~~ or its agent who arranges or supports the arrangement of trainings or academic seminars on supplementary food for infants and young children, which is a violation of Section 20, incorporating Section 26, shall be liable to a fine not exceeding one hundred thousand baht.

**Section 44.** Any manufacturer, importer or distributor of the Supplementary Food for Infants ~~and Young Children~~ or its agent who violates ~~the first paragraph of Section 27~~ 21 together with Section 26 shall be liable to a fine not exceeding two hundred thousand baht.

**Section 45.** Whoever fails to comply with an order of the Competent Official given under Section 28, paragraph one (3), or obstructs or fails to accommodate the Competent Official in the performance of his/her duty under Section 28, paragraph two, shall be liable to imprisonment for a term not exceeding one month or a fine not exceeding ten thousand baht, or both.

**Section 46.** The Director-General of the Department of Health or any person designated by the Director-General shall have the power to impose fines on all offences under this Act. ~~with the exception of the offence under Section 32, if in his opinion, the offender should not be prosecuted or punished by imprisonment.~~ The imposition of such penalty shall be in accordance with the rules and procedures set out by the Committee. After the offender pays the fines within 30 days from the date of imposition, such offence shall be deemed settled in accordance with the Criminal Procedure Code of Thailand.

~~If any person is found by an inquiry official to have committed an offence pursuant to paragraph one and such person agrees to be fined, the inquiry official shall pass the matter over to the Director-General of the Department of Health or the person designated by the Director-General within 7 days after the offender agrees to such penalty.~~

### Transitory Provision

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**Section 47.** The Committee, which initially consists of members referred to in Section 5 (1) and (2), with the Director-General of the Department of Health as member and secretary, shall perform the duties of the Committee under this Act, pending the appointment of the expert Committee members under this Act, which appointment shall take no more than ~~180~~ 90 days from the day this Act comes into force.

**Section 48.** The label of Food for Infants, label of Food for Young Children, or label of Supplementary

Food for Infants that have not complied with Section 14/1 or Section 23/2 produced before the enforcement of this Act shall continue to be used not later than 1 year from the date this Act comes into force.

**Section 49.** Ministerial notifications under this Act shall be established and announced within 180 days from the date that this Act comes into force. Otherwise, the Minister shall report to the cabinet to explain.

Countersigned by:

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Prime Minister