

(Official Emblem)

## Ministerial Regulation

Food Selling Place Hygiene

B.E. 2561 (A.D. 2018)

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By virtue of the provisions of Section 5 paragraph one and Section 6 paragraph one of the Public Health Act, B.E. 2535 (A.D. 1992), the Minister of Public Health by advice of the Public Health Committee hereby issues this Ministerial Regulation as follows:

Clause 1. This Ministerial Regulation shall come into force after the expiration of one hundred eighty days from the date of its promulgation in the Government Gazette.

Clause 2. In this Ministerial Regulation,

“Fresh foods” means foods that are in a fresh state, such as meat, vegetables, or fruits;

“Instant foods” means foods that have undergone a making, preparing, or cooking process and are ready for consumption, including desserts and beverages;

“Dried foods” means foods that have undergone a drying process by roasting, smoking, sun drying, or other methods so as to reduce the moisture content contained in the foods for longer preservation;

“Seasoning” means substances used in the cooking process to enhance food’s appearance, taste, smell, such as salt, fish sauce, vinegar, sauce, as well as spices, herbs, or mustard;

“Food additives” means substances that are not normally consumed as foods or used as a main ingredient in foods, yet to be added for the purposes of manufacturing, packaging, preservation, or transportation, and shall include substances that are not added to foods, yet packaged with foods for the purposes mentioned hereinabove, such as desiccant, oxygen absorber;

“Business operator” means a natural or juristic person who has received a license or a certificate of notification to establish a food selling place, and shall include a person entrusted to control, monitor, or supervise the operations of such food selling place;

(Translation)

“Person in contact with foods” means a person that is in contact with foods during the food preparing, making, cooking, selling, and serving process, including the process of washing and collecting containers and cooking equipment.

Chapter 1  
Food Selling Place Hygiene

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Clause 3. For food selling places, the location and peripheral areas used for food making, preparing or cooking, selling, and consuming shall be managed as follows:

(1) The floor of food making, preparing or cooking areas must be clean, made of durable materials, easy to maintain cleanliness, and must not fall into disrepair;

(2) Provided that there is a wall or ceiling, such wall or ceiling must be clean, made of durable materials, and must not fall into disrepair;

(3) Provide adequate ventilation, and if the food selling place is a public space according to the Tobacco Products Control Act, the Tobacco Products Control Act shall be complied;

(4) Provide sufficient light as deemed appropriate for each area. In this regard, it shall be as promulgated by the Minister by advice of the Committee in the Government Gazette;

(5) Provide a hand washing station and hand cleaners that are sanitarily suitable for the location and area used for food making, preparing or cooking, and consumption, except that such location or area used for food consumption does not have enough space to accommodate a hand washing station. In such case, hand cleaners shall be readily provided;

(6) The table used for food making, preparing, or cooking, or selling shall be at least sixty-centimetre high from the floor and made of easily cleanable materials, and in a good condition;

(7) Tables or chairs arranged for food consumption must be clean, made of durable materials, and must not fall into disrepair;

Clause 4. Toilets within food selling places shall be managed as follows:

(1) A sufficient number of toilets which are in a good condition and ready to be used must be arranged or provided;

(2) Toilets must be clean with good ventilation, sufficient light, and a good drainage system with no waterlogging provided;

(3) A hygienic hand wash basin and sufficient hand cleaners shall be provided;

(Translation)

(4) Toilets must be located in a separate area and toilet doors must not be directly open to food making, preparing or cooking, storing, selling, consuming, washing areas, as well as to the container and equipment storage area, except only when such toilets are regularly cleaned with a proper partition provided. In this regard, the toilet doors are required to be closed at all times.

Clause 5. There must be waste management at the food selling places with waste receptacles that are in a good condition, non-leakage, nonabsorbent with a watertight lid. Food remains must be sorted out from other types of waste; and waste receptacles as well as peripheral areas are required to remain clean on a regular basis. In this regard, waste and waste receptacle management shall be in accordance with local regulations on waste management at food selling places.

Clause 6. There must be wastewater treatment at food selling places as follows:

(1) A good water drainage without waterlogging and leftover food remained at food selling places;

(2) Leftover food must be removed from dining utensils, equipment, and appliances before washing;

(3) Grease must be filtered for further disposal before discharging wash water to the drainage system by using a grease interceptor, or other treatment methods that are not less efficient than the treatment conducted by a grease interceptor or grease trap, and discharged water must meet the standards prescribed by the Enhancement and Conservation of National Environmental Quality Act.

Clause 7. There must be preventive measures against animals, insect vectors, and pets according to academic principles.

Clause 8. There must be measures, devices, or equipment to prevent fire incidents caused by the use of fuels in making, preparing, or cooking foods.

## Chapter 2

### Food Hygiene, Procedures of Making, Preparing, or Cooking, Storing, and Selling Foods

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Clause 9. There must be fresh food management at food selling places according to the following criteria:

(1) Fresh foods for preparing and cooking must be of good quality, clean, and safe for consumers;

(Translation)

(2) Fresh foods must be stored in a proper temperature and placed in an organised manner with coverage and without being laid on the floor or an area that may cause contamination. In this regard, it shall be in accordance with the criteria and procedures promulgated by the Minister by advice of the Committee in the Government Gazette.

Clause 10. There must be management of dried foods, foods in watertight containers, seasonings, and food additives in accordance with the following criteria:

(1) Dried foods must be clean, safe, appropriately stored, and must not be contaminated;

(2) Foods in watertight containers, seasonings, and food additives, and other substances used in the food preparing or cooking process must be safe and meet the standards prescribed in the Food Act.

Clause 11. There must be instant food management at food selling places according to the following criteria:

(1) Instant foods must be stored in a clean, safe container that prevents contamination and is placed at least sixty-centimetre high from the floor;

(2) There must be quality control of instant foods in terms of cleanliness and safety for consumption based on each type of foods as promulgated by the Minister by advice of the Committee in the Government Gazette;

(3) There must be food selling hygiene management as promulgated by the Minister by advice of the Committee in the Government Gazette.

Clause 12. Drinking water or beverages that are foods contained in watertight containers which are consumed in food selling places must meet the quality and standards prescribed in the Food Act by placing at least fifteen-centimetre high from the floor; and the outer surface of the containers must be cleaned before serving.

In the case where it is drinking water that is not foods contained in watertight containers, or not a beverage flavoured for commercial purposes, it must be contained in a clean container with coverage and prevention of contamination and placed at least sixty-centimetre high from the floor. In this regard, such drinking water and water used to produce beverages must be of quality that is not less than the quality standards of consuming water prescribed by the Department of Health.

Clause 13. In making, preparing, or cooking foods, water of quality that is not less than the quality standards of consuming water prescribed by the Department of Health shall be used.

Clause 14. There must be ice management at food selling places in accordance with the following criteria:

(Translation)

- (1) Use clean ice of which the quality meets the standards prescribed in the Food Act;
- (2) Store ice in a clean and good condition container with a lid and place it at least fifteen-centimetre high from the floor. The brim of the container must be at least sixty-centimetre high from the floor. The container must not be placed in an area that is likely to cause contamination and shall not discharge water to the floor on which it is placed;
- (3) Use a particular ice tong or utensil to scoop ice. Such utensil must be clean and come with grips;
- (4) No other foods or materials shall be stored with ice that is used for consumption.

Clause 15. There must be consuming water management in food selling places in accordance with the following criteria:

- (1) Water used must be tap water, except for localities that do not have access to tap water. In such case, the localities shall use water of which the quality is comparable to tap water, or as suggested by public health officials;
- (2) Containers that contain consuming water must be clean, safe, and in a good condition.

Clause 16. There must be management of chemicals, cleaning substances, toxic materials, or materials that may be hazardous to foods in food selling places by attaching and adhering clearly visible labels and signboards together with warnings and suggestions if there is an accident caused by such chemicals. All chemicals and substances must be isolated from food making, preparing, cooking, selling, and consuming areas.

In the case where there is a transfer of chemicals, cleaning substances, toxic materials, or materials that may be hazardous to foods from a certain container, it prescribes that such container shall not be further used as a food container, and food containers shall not be used to contain chemicals, cleaning substances, toxic materials, or materials that may be hazardous to foods.

Clause 17. It is prohibited to use cooking gas as a fuel to make, prepare, or cook foods on a table or dining area in food selling places.

Clause 18. It is prohibited to use methanol or methyl alcohol as a fuel to make, prepare, cook, or reheat foods in food selling places, except for a use of solid alcohol fuel. In this regard, such product must meet the standards prescribed in the Industrial Product Standards Act.

### Chapter 3

#### Hygiene of Containers, Equipment, and Other Utensils

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(Translation)

Clause 19. There must be management of containers, equipment, and other utensils at food selling places according to the following criteria:

(1) Containers, equipment, and utensils must be clean and made of safe materials which are suitable for each type of food, in a good condition, equipped with proper contamination prevention, and must not fall into disrepair;

(2) Containers, equipment, and utensils must be stored in a clean area by placing them at least sixty-centimetre high from the floor, and properly closed or preventing contamination;

(3) Provide a serving spoon for a shared portion of foods;

(4) Refrigerator, fridge, or other food-preserving equipment by means of refrigeration must be clean, in a good condition, suitably efficient to preserve quality of food, and must not fall into disrepair;

(5) Oven, stove, microwave, other heat cooking equipment, or food-preparing appliances must be clean, efficient, safe, in a good condition, and must not fall into disrepair.

Clause 20. Food selling places must ensure cleaning of containers, equipment, and utensils according to the following criteria:

(1) Containers, equipment, and utensils that are pending for cleaning shall be kept in an area that can prevent animal and insect vectors;

(2) There shall be hygienic cleaning of containers, equipment, and utensils, and a use of proper cleaning substances by following instructions suggested by manufacturers;

(3) Ensure sterilisation of containers, equipment, and utensils after cleaning.

Prescribing that the Minister, by advice of the Committee, shall promulgate a list of substances that are prohibited in container, equipment, and utensil cleaning in the Government Gazette.

## Chapter 4

### Personal Hygiene of Business Operators and Persons in Contact with Foods

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Clause 21. Business operators and persons in contact with foods shall follow criteria on hygiene as follows:

(1) Business operators and persons in contact with foods must be healthy with no communicable diseases diagnosed, or must not carry a trait for diseases, nor have a repulsive skin disease, or other diseases specified in local regulations. In the case where such person is

(Translation)

in poor health, it is required that he/she shall take a temporary leave and undergo treatment until being recovered in order to continue his/her work;

(2) Business operators and persons in contact with foods are required to complete a training programme in accordance with the criteria and procedures promulgated by the Minister by advice of the Committee in the Government Gazette;

(3) Persons in contact with foods are required to maintain cleanliness of their own selves, to wear clothes and protective equipment that are clean and can prevent contamination;

(4) Persons in contact with foods shall clean their hands and hygienically prepare, make, cook, sell, and serve foods, and shall not act anything that may cause contamination in foods or cause diseases;

(5) Perform other tasks concerning hygiene as prescribed by local regulations.

#### Transitional Provision

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Clause 22. Food selling places that are granted with a license or certificate of existence prior to the date this Ministerial Regulation comes into force shall improve and align their practices with this Ministerial Regulation within one hundred eighty days from the date this Ministerial Regulation comes into force, except for the following cases:

(1) For the provision prescribed under Clause 8, food selling places of which the area does not exceed two hundred square metres shall improve and align their practices with Clause 8 within one year from the date this Ministerial Regulation comes into force;

(2) For the provision prescribed under Clause 21 (2), it prescribes that food selling places shall align their practices with the regulation within two years from the date this Ministerial Regulation comes into force.

Given on the 31<sup>th</sup> Day of May 2018

Piyasakol Sakolsatayadorn

Public Health Minister

(Translation)

Note:- The reasons for the promulgation of this Ministerial Regulation are as follows. At present, consumption practices of people have shifted, that is, from cooking for themselves at home to dining out or relying on instant meals, food selling places therefore have a great impact to public health as non-hygienic food selling places may cause contamination of germs, chemicals, or heavy metals, as well as being prone to risk of transmission of diseases of which foods and water are modes. In order for the food selling places to be subject to good hygiene and to reduce risk of diseases, it is deemed expedient to prescribe measures for hygiene management within food selling places, and this Ministerial Regulation is thereby necessarily issued.