(Unofficial Translation)

OFFICIAL EMBLEM

MINISTERIAL REGULATION

NOTIFICATION IN UNSAFE AND DANGEROUS SITUATIONS DUE TO THE PROCESSES OR STEPS IN RELATION TO THE PRODUCTION, IMPORT, EXPORT, SALE, TRANSIT, OR POSSESSION OF PATHOGENS OR ANIMAL TOXINS B.E. 2562 (2019)

By virtue of the provisions pursuant to Section 5 paragraph one, and Section 31 paragraph four of the Pathogens and Animal Toxins Act B.E. 2558 (2015), the Minister of Public Health has issued the following Ministerial Regulation.

Clause 1 In the case of unsafe and dangerous situations for the persons, environment or public as the result of the leakage, contamination, or transmission of pathogens and animal toxins to the outside of container(s), their loss, quantity or volume increase in excess of the extent that can be possessed pursuant to Section 6 (4) or any other case, the person receiving a certificate of notification or the person receiving a license shall notify the Director-General via phone, fax, electronic media, or any other means once detection of such situations. Upon the acknowledgement of the notification, the Director-General shall immediately notify back to the whistle-blower.

The person receiving a certificate of notification or the person receiving a license shall take corrective action to primarily alleviate the situations or prevent for non-occurrence of more severe situations, and report the said action to the Director-General.

Clause 2 Upon notification pursuant to Clause 1, the person receiving a certificate of notification or the person receiving a license shall report the occurred situations to the Director-General within twenty-four hours from the notification pursuant to Clause 1 via fax or electronic media or any other means.

The report pursuant to paragraph one shall be in line with the form specified by the Director-General and promulgated in the Government Gazette, and contain the following details.

(1) Particulars of pathogens or animal toxins;

(2) Quantity and volume of pathogens and animal toxins;

(3) Cause, fact, level of severity, and information relating or believable that it is a cause of such unsafety or danger.

(4) Corrective action for the primary alleviation of the situations or prevention for the non-occurrence of more severe situations

In the case of the additional action pursuant to (4), the said additional action shall be reported to the Director-General.

Clause 3 In the case of emergency or necessity in the case where the person receiving a certificate of notification or the person receiving a license fails to notify pursuant to Clause 1 or fails to report pursuant to Clause 2 by himself/herself, the operator or the operation personnel shall notify or report to the Director-General. However, the notification or reporting shall be also made by specifying a reason of which the person receiving a certificate of notification or the person receiving a license fails to notify or report by himself/herself.

Given on the 4th day of February B.E. 2562 (2019)

Piyasakol Sakolsatayadorn

Minister of Public Health

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

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Remark :- The reason to promulgate this Ministerial Regulation is the legislation of Section 31 paragraph one and paragraph four of the Pathogens and Animal Toxins Act B.E. 2558 (2015) that in case of unsafe and dangerous situations for the persons, environment, or public due to the processes or steps in relation to the production, import, export, sale, transit, or possession of pathogens or animal toxins, the person receiving a certificate of notification or the person receiving a license shall notify the Director-General of the Department of Medical Sciences. The notification shall be in accordance with the rules, procedures, and conditions prescribed in the Ministerial Regulation. Therefore, the issuance of this Ministerial Regulation is required.

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