

Ministerial Regulation

Prescribing the Industrial Air Odor Test Standard and Process B.E. 2548

Translation

By virtue of the provisions in Section 6 and Section 8 (5) of the Factory Act, B.E. 2535, which is an act containing some provisions about the limitation of the rights and freedom of a person, which Section 29 combined with Section 35, Section 48 and Section 50 of the Constitution of the Kingdom of Thailand prescribes to be permissible by virtue of a legislation, the Minister of Industry issues a ministerial regulation as follows:

Article 1

In the ministerial regulation,

“Odor” means pollutant in the air that can be sensed by human nose or an analyzing instrument;

“Odor sample” means a sample of smelling air in the area of an odor origin, obtained by taking a sample of air while receiving the odor according to the process prescribed in Article 4 or Article 7 as the case may be;

“Odor concentration” means the value showing the condition of an odor, which is the ratio of dilution of smelling air sample with fresh air almost to the extent of being unable to receive the odor. A stronger odor would have a greater odor concentration, because it must be diluted with a greater quantity of fresh air by means of a sensory test according to the process prescribed in Article 7;

“Industrial Zone” means a land zone in which land use is prescribed to be an industrial land under the town and country planning law or an industrial estate under the Industrial Estate Authority of Thailand law or an industrial operation zone under the Factory law;

“Off the industrial zone” means other areas than the industrial zone.

Article 2

This ministerial regulation shall apply to such factories as set forth in the list annexed hereto.

Article 3

No factories shall discharge smelling air from the factories, unless a particular act or several acts have been done to the extent that discharged air does not have a concentration exceeding the value prescribed in Article 4, provided that the method of diluting must not be used.

Article 4

An industrial odor sample must not have a concentration exceeding the prescribed value as follows:

Factory Location	Odor Concentration in Fence Area or within the Premises	Odor Concentration at Factory Air Vent
Industrial Zone	30	1,000
Off the Industrial Zone	15	300

To measure the odor concentration in the fence area or within the factory premises, take an odor sample at a spot one meter distant from the factory fence or the premises in a position down the direction of the wind which blows through the odor origin spot. For the measurement of the odor concentration at the air vent, take an odor sample according to the process prescribed in Article 7.

Article 5

The Department of Industrial Factory shall cause the odor concentration from the factories to be measured when receiving a complaint from the person suffering the impact of the air odor from the factories concerned or the Department of Industrial Factory doubts that it is a factory that discharges smelling air exceeding the standard prescribed in Article 4, except in the case where the Department of Industrial Factory deems that the said action for any factory may be hazardous to the health of the tester or in the case where there is no tester.

Article 6

The Department of Industrial Factory shall be empowered to appoint one or more Odor Test Committee to carry out the measurement of industrial air odor concentration according to the process herein prescribed. The factory operators or the relevant persons shall accord convenience to the Odor Test Committee in its duty performance under paragraph one.

Article 7

For the odor concentration measurement under Article 4, use such process as the American Society for Testing and Materials (ASTM) or the Japanese Industrial Standard (JIS) has prescribed or another process that the Minister prescribes by publishing in the government gazette.

Article 8

This ministerial regulation shall apply upon the elapse of the period of one year from the day of its publication in the government gazette onward.

Given on the 11th day of April, B.E. 2548

Mr. Watana Muangsook

Minister of Industry

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**The List Annexed to the Ministerial Regulation
Prescribing Industrial Air Odor Test Standard and Process B.E. 2547**

Item No.	Sequence No	Type or Kind of Factory
1	1	Factories engaged in business related to curing tea and tobacco.
2	2	Factories engaged in any kind or several kinds of the following business related to animals other than aquatic animals: (1) boiling, steaming or roasting plants or plant seeds; (2) cracking plant seeds or nuts; (3) compressing jute or tobacco; (4) pressing or compressing cotton or spinning or compressing kapok; (5) storing or transporting plants, plant seeds or crops in silos, go downs; (6) grinding, pulverizing or digesting various plant parts other than plant seeds or plant bulbs; (7) producing charcoal from coconut shell or grinding or repacking charcoal produced from coconut shell; (8) germinating mushrooms, orchids or bean sprouts; (9) sifting, washing, culling or grading sizes or quantities of agricultural produce; (10) agricultural produce irradiation; (11) hatching by incubators
3	4	Factories engaged in any kind or several kinds of the following business related to animals other than aquatic animals: (1) slaughtering animals; (2) preserving animal meat by the methods of roasting, smoking, salting, pickling, sun-drying or sudden freezing or dehydrating; (3) making finished food from animal meat, animal fat, animal hide or animal marrow or animal bone extracts; (4) extracting oil or fat that is an animal food or purifying oil or fat that is food from animals; (5) packing animal meat or animal fat or finished products from animal meat or fat in sealed and airtight containers; (6) washing, eviscerating, picking, boiling, steaming, frying or grinding animals or any animal parts; (7) producing products from eggs for using as food e.g. salted egg, alkalized egg, powdered egg, frozen liquid egg or chilled liquid egg
4	5	Factories engaged in any kind or several kinds of the following business related to milk: (1) fresh milk heating by any method, e.g. pasteurization or sterilization; (2) making fresh milk from powdered milk and fat; (3) making condensed milk, powdered milk or dehydrated milk; (4) making cream from milk;

		(5) making butter and cheese; (6) making drinking yoghurt or fermented milk.
5	6	Factories engaged in any kind or several kinds of the following business related to aquatic animals: (1) making food from aquatic animals and packing the same in sealed and airtight containers; (2) preserving aquatic animals by the methods of roasting, smoking, salting, pickling, sun-drying or sudden freezing or dehydrating; (3) making finished food products from aquatic animals, aquatic animal skin or fat; (4) extracting oil or fat that is food from aquatic animals or purifying oil or fat that is food from aquatic animals; (5) washing, eviscerating, picking, boiling, steaming, frying or grinding aquatic animals.
6	7	Factories engaged in any kind or several kinds of the following business related to oil from plants or animals or fat from animals: (1) extracting oil from plants or animals or fat from animals; (2) compressing or pulverizing oil-extracted plant or animal tailings; (3) solidifying oil from plant or animals or fat from animals by the method of hydrogenating; (4) purifying oil from plants or animals or fat from animals; (5) making margarine, non-dairy cream or mixed oil for cooking.
7	8	Factories engaged in any kind or several kinds of the following business related to vegetables, plant and fruits: (1) making food or drinks from vegetables, plants or fruits and packing the same in sealed and airtight containers; (2) preserving vegetables, plants or fruits by the method of churning, sun-drying, pickling or sudden freezing or dehydrating.
8	9	Factories engaging in any kind or several kinds of the following business related to plant seeds or plant bulbs: (1) milling, winnowing or scouring grains; (2) making flour; (3) pulverizing or grinding plant seeds or plant bulbs; (4) producing finished food from plant seeds or plant bulbs; (5) mixing flour or plant seeds; (6) peeling plant bulbs or making them into strands, slices or pieces.
9	10	Factories engaged in any kind or several kinds of the following business related to food from flour: (1) making bread and cake; (2) making biscuits and wafers; (3) making flour food products into strands, pellets or pieces

10	11	Factories engaged in any kind or several kinds of the following business related to sugar made from sugar cane, beech, stevia or other sweetening plants: (1) making syrup; (2) making brown sugar; (3) making raw sugar or white sugar; (4) purifying raw sugar or white sugar; (5) making cube sugar or powdered sugar; (6) making glucose, dextrose, fructose or other similar products; (7) making sugar from the juice of coconut palm, Palmyra palm or other plants than sugar cane.
11	12	Factories engaged in any kind or several kinds of the following business related to tea, coffee, cocoa, chocolate or sweets: (1) making dry tea or powdered tea; (2) roasting, grinding or pulverizing coffee or making powdered coffee; (3) making powdered cocoa or sweets from cocoa; (4) making chocolate, powdered chocolate or sweets from chocolate; (5) making powdered chrysanthemum, powdered ginger or other powdered drinks from plants; (6) making tablet tamarind, tablet lime or tablet fruits; (7) boiling in syrup or preserving in syrup fruits or fruit peels or coating fruits or fruit peels with sugar; (8) baking or roasting beans or nuts or coating beans or nuts with sugar, coffee, cocoa or chocolate; (9) making chewing gums; (10) making candies or toffees; (11) making ice cream.
12	13	Factories engaged in any kind or several kinds of the following business related to food seasoning or food ingredients: (1) making baking powder; (2) making fragrances, condiments for food or food coloring matters; (3) making leavening powder; (4) making vinegar; (5) making mustard; (6) making salad oil; (7) grinding or pulverizing spices; (8) making chili power, ground pepper or chili paste.
13	15	Factories engaged in any kind or several kinds of the following business related to animal feeds: (1) making mixed food or finished food for feeding animals; (2) pulverizing or grinding plants, plant seeds; plant tailings, animal meat, animal bone, fur or shell for making or mixing into animal food.
14	16	Distilleries or liquor blending houses.
15	17	Factories producing ethyl alcohol which is not ethyl alcohol produced from extracted sulfide for making paper

		pulp.
16	18	Factories making liquor from fruits or other types of wine but exclusive of Factories engaged in business related to malt and beer in Sequence No. 19.
17	19	Factories engaged in any kind or several kinds of the following business related to malts or beers: (1) making, pulverizing or grinding malts; (2) brewing.
18	20	Factories engaged in business related to making non-alcoholic drinks or soft drinks
19	21	Factories engaged in any kind or several kinds of the following business related to tobacco, compressed tobacco, pipe tobacco, chewing tobacco or snuff: (1) roasting tobacco or plucking the tobacco leaf stem; (2) making cigarettes, cigars or other forms of tobacco; (3) making compressed tobacco, pipe tobacco, flavored pipe tobacco or chewing tobacco; (4) making snuff..
20	29	Factories fermenting, eviscerating, roasting, pulverizing or grinding, tanning, polishing, dressing, finishing, embossing or paint-coating animal hides.
21	30	Factories combing, cleaning, bleaching, dyeing, polishing or dressing fur.
22	43	Factories engaged in business related to making, maintaining or repacking fertilizers, except chemical fertilizers.
23	92	Cold storage

Note: Sequence number means such sequence number of first-group factory, second-group factory or third-group factory as the case may be as prescribed in the list attached to the Ministerial Regulation (B.E. 2535) issued pursuant to the Factory Act B.E.2535.

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