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Global Agricultural Information Network

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Mexico

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

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Report Highlights:

This report highlights changes made to various laws and norms published during 2012. Mexican regulations mentioned remain the same unless otherwise noted.

Section I. Food Laws:

The Mexican Bureau of Standards (DGN, Dirección General de Normas) is responsible for overall management and coordination of standards in Mexico. The legal framework for Mexico's regulatory process is the Federal Law of Metrology and Normalization. This law gives authority to the competent Mexican ministries and agencies to establish regulations relating to the protection of human, animal, and plant health, and the environment. This law establishes the requirements for products, services, processes, raw materials, labeling, testing, packaging, facilities, safety, and hygiene, among others. In addition, it lays out the administrative procedures by which the regulations are developed and disseminated.

The Mexican government publishes technical regulations (Reglamentos) or standards (Normas Oficiales Mexicanas, often simply referred to as NOMs), in the *Diario Oficial de la Federación (Diario Oficial)*, which is the Mexican equivalent of the U.S. Federal Register. Mexico's Secretariat of the Economy (ECONOMIA) coordinates the regulatory process through its Directorate General of Norms. Although other Mexican federal agencies may develop regulations under their jurisdictions, they must work through ECONOMIA to publish the norms.

Electronic versions of all valid NOMs are available on the ECONOMIA website at <http://www.economia-noms.gob.mx>. These NOMs are coded by subject and are revised every five years.

Additional laws directly applicable to food and agricultural product imports are the General Health Law, the Federal Law for Animal Health, and the Federal Law for Plant Health.

General Health Law – The General Health Law assigns the Mexican Secretariat of Health (SALUD) with the responsibility of issuing regulations related to human health, which can include food safety. This law deals with all aspects related to the promotion and protection of human health. SALUD has the authority by law to require import authorization based on new health risks prior to starting the import process. In the case of an authorization waiver, the importer must show all the required documentation under implemented regulations by the General Health Law, and must include a health certificate issued by authorities in the country of origin. The Secretariat may also randomly sample and inspect imported products to ensure compliance with Mexican requirements. Mexican regulations related to human health are issued through the SALUD's regulatory agency, which is the Federal Commission for the Protection against Sanitary Risks (COFEPRIS); its website is www.cofepris.gob.mx/

The Federal Law on Animal Health – The Animal Health Law grants the Secretariat of Agriculture (SAGARPA) authority to establish animal health measures to prevent the introduction of pests and diseases affecting animal health. SAGARPA also has the legal authority to endorse the welfare of animals, regulate products such as feed and pharmaceuticals consumed or used by livestock, establish best practices in livestock production and in slaughter, as well as in meat processing facilities, where SAGARPA shares this responsibility with SALUD. The law also authorizes SAGARPA to promote harmonization with international standards and enter into equivalence agreements with other countries. In addition, SAGARPA is responsible for establishing a list of substances or products for use or consumption by animals is prohibited, as well as determining maximum levels of acceptable contaminants. Finally, SAGARPA is tasked with formulating a preliminary Regulation for the Animal Health Law.

The Federal Law on Plant Health – The Plant Health Law authorizes SAGARPA to reduce the risks of microbiological, physical, and chemical contamination in the production of crops and to take actions to promote and protect plant health. According to this law, phytosanitary certificates are required for imports likely to host

diseases or pests. While some agricultural products may be the subject of specific regulations, such as Christmas trees, please refer to NOM-13-SEMARNAT [NOM-013-SEMARNAT-2010 for Christmas Tree Imports](#) on preventing the introduction of possible pests. The Plant Health Law further requires SAGARPA to develop Phytosanitary Requirement sheets ([Hojas de Requisitos Fitosanitarios](#)) which also lay out specific requirements for imported plant products.

[The Federal Law on Biosafety](#) – Under Mexico’s Biosafety Law and its Implementation Rules (Reglamento), three different agencies (SAGARPA, SEMARNAT and SALUD) are responsible for Mexico’s biotech policies, while the Inter-Ministerial Commission on Biosecurity and Genetically Modified Organisms (CIBIOGEM) coordinates Mexico’s biotech activities. Mexico has grown biotech crops since 1988 and is one of the original six countries to do so. On November 2011, the Secretariat of Environment and Natural Resources (SEMARNAT) submitted a draft agreement including a map delineating the centers of origin and centers of corn genetic diversity in Mexico. It has generated great controversy between numerous government, industry, academic, and other public interests, as this proposal would prohibit GM corn production in the majority of the country. No date has been set as to when the final map would be published or released in Mexico’s Federal Register (Diario Oficial). For more information please refer to GAIN Report

MX 2051 Mexico Cautiously Moves Forward with Biotechnology

[Mexico Cautiously Moves Forward with Biotechnology](#)

Section II. Labeling Requirements:

Mexican requirements for specific commercial information which must be marked on products sold to consumers may differ based on product. In general, specific labeling requirements for prepackaged food and non-alcoholic beverages for retail sale directly to consumers in Mexico are included in NOM-051-SCFI-/Salud1-2010, “General Specifications for Labeling Prepackaged Foods and Non-alcoholic Beverages”. For additional information please refer to: [NOM-051-/Salud1-2010](#) which became effective on January 1, 2011 and applies to all products.

The enforcement of the new NOM-051 is monitored jointly by the Federal Consumer Protection Agency (PROFECO) which is part of Secretariat of Economy, and COFEPRIS, which is part of Secretariat of Health.

The Mexican importer is responsible for making sure that the products comply with the revised NOM. For this reason, U.S. exporters should seek informed advice from an agent, distributor, importer or local consultant familiar with market requirements.

On March, 23, 2011, ECONOMIA updated the conditions for agricultural products imported into Mexico that are shipped to and commercialized in defined border areas, in accordance with NOM-051-2010. U.S. exporters may find this special treatment beneficial when shipping products to those areas. Simplified procedures were published in January 17, 2012 and the ruling came into effect on January 18, 2012:

Title: "Procedures for compliance evaluation: Simplified procedures for the verification of information required by Mexican Official Standards: NOM-051-SCFI/SSAI-2010 – General labeling specifications for pre-packaged food products and non-alcoholic beverages – Commercial and sanitary information, NOM-186-SSA1/SCFI-2002 – Products & services. Cocoa, products and derivatives. I. Cocoa. II. Chocolate. III. Derivates. Sanitary specifications. Commercial information, NOM-141-SSA1-1995 – Products & services. Labeling for prepackaged perfume and other beauty products, applicable to companies in the border zone and border strip" (Spanish: Procedimientos para la evaluación de la conformidad: procedimientos simplificados para la verificación de la información de productos sujetos al cumplimiento de las Normas Oficiales Mexicanas NOM-051-SCFI/SSAI-2010, Especificaciones generales de etiquetado para alimentos y bebidas no alcohólicas preenvasados- Información comercial y sanitaria, NOM-186-SSA1/SCFI-2002, Productos y servicios. Cacao, productos y derivados. I. Cacao. II. Chocolate. III> Derivados. Especificaciones sanitarias. Denominación comercial, NOM-141-SSA1-1995, Bienes y servicios. Etiquetado para productos de perfumería y belleza preenvasados aplicables a las empresas de franja y región fronteriza).

For additional information please view GAIN Report MX 2501 published on January 29, 2012:

MX 2501 Simplified Procedures in Mexico's Border Areas

[Simplified Procedures in Mexico's Border Areas](#)

For a definition of the defined border areas, please review:

MX9505 Simplified Labeling Procedures in Mexico's Border Areas

[Simplified Labeling Procedures in Mexico's Border Areas](#)

For additional information on the March 23, 2011 update, please see the following report:

MX1511 Update-Simplified Labeling Procedures in Mexico's Border Areas

[Update-Simplified Labeling Procedures in Mexico's Border Areas](#)

NOM -051 is current. For additional information related to the updated 2011 labeling requirement in accordance with NOM-051, please see the following reports:

MX0514 Mexico Issues Notice on NOM -051 Labeling Revisions

[Mexico Issues Notice on NOM -051 Labeling Revisions](#)

MX0344 Food and Agricultural Import Regulations and Standards- Country FAIRS Report- Narrative 2011

[Country FAIRS Report- Narrative 2011](#)

MX0318 Additional Changes to Food Labeling Requirements NOM -051

[Additional Changes to Food Labeling Requirements NOM -051](#)

MX0312 Update on Revised NOM-051 Labeling Requirements

[Update on Revised NOM-051 Labeling Requirements](#)

MX0505 Mexico Revises Food Labeling Requirements

[Mexico Revises Food Labeling Requirements](#)

C. Other Labeling NOMS

Aside from the requirements in NOM-051, some products such as alcoholic beverages, juices, meat, cheese, poultry and eggs, honey, and cereal have specific regulations that require special information on the labels. Some of them are:

Alcoholic Beverages: *NOM-142-Salud1-1995, "Goods and Services. Alcoholic Beverages. Sanitary Specifications. Sanitary and Commercial Labeling."* Alcoholic beverages containing alcohol of 2% to 55% by volume are required to exhibit the following information on their packaging and or label:

- The statement "el abuso en el consumo de este producto es nocivo para la salud" (abuse in the consumption of this product is harmful to your health). The label must be easily legible, in contrasting colors and without invoking or making reference to any legal provision;
- Alcohol content. Percentage of volume of alcohol at 29C: % Alc. Vol.;
- Each container must have a visible coded batch number;
- For Brandy, the word "Brandy" in an obvious way and the statement, "100% de uva" (made 100% with grapes), which must be true;
- If it contains aspartame the following statement should apply: "Fenilcetonuricos: Contiene Feninlanina";
- If daily consumption exceeds 50g of sorbitol, the following statement should apply: Contiene sorbitol: el abuso puede causar efectos laxantes (contains sorbitol and its abuse might have laxative effects)

Fruit Juice: *NOM-173-SCFI-2009 Pre-packaged Fruit Juices*

On March 11, 2011, ECONOMIA published a resolution to NOM-173-SCFI-2009 that modified the regulation originally published on August 28, 2009 to be compliant with NOM-051-SCFI/SSA1-2010. The implementation of amended NOM-173-SCFI-2009 became effective on June 2, 2011.

For additional information, please see:

MX1020 Mexico Consolidates Labeling Requirements for Fruit Juices

[Mexico Consolidates Labeling Requirements for Fruit Juices](#)

Milk:

1. NOM-155-SCFI-2012 "Milk, milk formula and combined dairy products – denomination, physical/chemical specifications, commercial information and testing methods" (Leche-Denominaciones, especificaciones fisicoquímicas, información comercial y métodos de prueba.)
http://www.dof.gob.mx/nota_detalle.php?codigo=5254842&fecha=03/05/2012
2. NOM-190-SCFI-2012 "Milk combined with vegetable fat- denomination, physical/chemical specifications, commercial information and testing methods" (Mezcla de leche con grasa vegetal-Denominaciones, especificaciones fisicoquímicas, información comercial y métodos de prueba.)

http://www.dof.gob.mx/nota_detalle.php?codigo=5266143&fecha=31/08/2012

3. NOM-183SCFI-2012 “Dairy and combined dairy products- denomination, physical/chemical specifications, commercial information and testing methods” (Producto lácteo y producto lácteo combinado-Denominaciones, especificaciones fisicoquímicas, información comercial y métodos de prueba.) http://www.dof.gob.mx/nota_detalle.php?codigo=5254843&fecha=03/05/2012
4. NOM-181-SCFI-2010 “Oficial resolution by which the 9.1 numeral is added to NOM-181-SCFI-2010, yoghurt- denomination, physical/chemical specifications, commercial information and testing methods” (Resolución por la que se adiciona el numeral 9.1 a la Norma Oficial Mexicana NOM-181-SCFI-2010, yogurt- denominación, especificaciones fisicoquímicas y microbiológicas, información comercial y métodos de prueba. http://www.dof.gob.mx/nota_detalle.php?codigo=5241796&fecha=02/04/2012
5. NOM-181-SCFI-2010 “Resolution by which changes are made to number 2, table 1 from 6.1 and 9 of NOM-181-SCFI-2010 yoghurt- denomination, physical/chemical specifications, commercial information and testing methods”(Resolución por la que se modifican los numerales 2, Tabla 1 del numeral 6.1 y 9 de la Norma Oficial Mexicana NOM-181-SCFI-2010, Yogurt-Denominación, especificaciones fisicoquímicas y microbiológicas, información comercial y métodos de prueba.) http://www.dof.gob.mx/nota_detalle.php?codigo=5242781&fecha=11/04/2012

On March 14, 2011, the Secretariat of Economy (ECONOMIA) announced in the *Diario Oficial* amendments to the labeling regulations for milk, lacteal formula, combined dairy products and hams to become effective on June 2, 2011. The changes were made in order to consolidate NOM-155 and NOM-158 with NOM-051-SCFI/SSA1-2010.

For additional information, please see:

MX1019 Mexico Consolidates Labeling Requirements for Milk and Hams

[Mexico Consolidates Labeling Requirements for Milk and Hams](#)

Meat:

1. NOM-030-ZOO-1995 “Specifications and Procedures to Verify Imported Meat, Carcasses, Viscera and Offals at the Animal Health Verification Points”
2. NOM-034-Salud1-1993 “Goods and Services. Meat products. Packaged ground meat and molded ground meat. Sanitary Specifications”
3. NOM-122-Salud1-1994 “Goods and Services. Meat products. Cured or cooked, emulsified and cooked meat products. Sanitary Specifications”

These NOMs require the following information to be placed on the products’ package or on the label to allow for full identification:

- For the importation of meat, viscera, or offals from beef, goats, horses, sheep, pigs, deer, and poultry, they shall be packaged from the point of origin, exclusively using boxes or combos;

- Carcasses will only be accepted if they are identified with the stamp from the establishment approving beef, goats, horses, sheep, pigs, and deer;
- On one side of the box or combo, the information indicated below shall be printed, or on a label, as indicated below. In the case of labels, they shall be placed in such a way that displays the identification completely, if possible:
 - The original label of the plant with the generic name of the product, net weight in kilograms, establishment name and number, as well as the packaging date. All this information shall be in the language of the country of origin;
 - A label in Spanish with the information regarding the country of origin, the establishment's name, number and address, name of product and the legend "keep under refrigeration" or "keep frozen", must be included;
 - For boxes and combos, the stamp of inspected by the corresponding health authority from the country of origin, as well as the corresponding batch number should be displayed and visible;
 - Refrigerated products under NOM-034, should also include the following statements as required "Keep Refrigerated" and "This Product Must be Consumed Well Cooked" and the expiration date indicating day and month;
 - Frozen products under NOM-034 should include the statements: "Keep Frozen at a Maximum Temperature of -18 C"; "Once Unfrozen Do Not Freeze Again", and "This Product Must be Consumed Well Cooked";
 - Products under NOM-122 should include the statement "Keep Refrigerated" and the expiration date

Other NOMS that apply to the meat industry include:

- NOM-004-ZOO-1994 - Toxic Residue Control in Meat, Fat, Liver and Kidneys from Beef, Horses, Pigs and Sheep

Biotechnology Labeling: Currently there is not a specific NOM for labeling genetically modified organisms (GMO's) or products containing GMO's. However, the industry has agreed that yellow corn must be identified as such on the package. Also, the law and regulations indicate that GMO's or products containing GMO's must be identified as such when the product's characteristics are significantly different from the traditional product (none until now). Please refer to GAIN Report MX2051 for more information:

MX2051 Agricultural Biotechnology Annual, Mexico 2012

[Agricultural Biotechnology Annual, Mexico 2012](#)

Organic Labeling: The draft guidelines for organic production were released for public comment on October 31, 2012 but have subsequently been sent back to SENASICA for further revisions. These guidelines would provide the establishment of labeling requirements for organic products. Until these

guidelines are published in the Diario Oficial, there is no organic labeling policy in place and organic products are subject to general labeling requirements.

Section III. Packaging and Container Regulations:

The General Health Law grants SALUD the authority to regulate the packaging of food, alcoholic and non-alcoholic beverages, and tobacco with respect to health concerns. Manufacturers of metal containers intended to contain food and beverages, as well as importers and distributors of canned foods and beverages are required to comply with Standard [Nom-002-Salud1-1993](#). This regulation prohibits the sale or import of foods or beverages in metal containers with lead solders and specifies the type of seams permitted for hermetically sealed containers.

[Nom-130-Salud1-1995](#) lays out basic sanitary requirements for hermetically sealed products with thermal treatment, including limits on microorganisms, heavy metals and additives.

Mexico does not have any strict recycling requirements. However, a significant percentage of soft drink and beer bottles are recyclable.

Section IV. Food Additives Regulations:

Mexican regulations define a food additive as a substance that is added directly to food and beverages during their manufacture in order to provide or intensify aroma, color, or flavor, to improve their stability or preservation. The term does not include contaminants, substances added to foods to maintain or to improve the nutritional quality, or sodium chloride.

SALUD, through COFEPRIS, regulates the use of additives in the preparation of food intended for human consumption. NOM-130-Salud 1-1995 establishes the regulation and sanitary specifications for foods in hermetically sealed containers subject to heat treatment and includes the list of authorized food additives for canned foods and their maximum allowable limits. A copy of this list is included in Appendix III.

Separate regulations address additives in cheese and meat. As of November 26, 2010, NOM-243-Salud1-2010 sets for the regulations for all products and specifications formally included under NOM-121-Salud1-1994. NOM-213-Salud1-2002 addresses the sanitary specifications for processed meat products and includes a list of permitted additives subject to best manufacturing practices, as well as a list of additives for which specific maximum levels have been established.

Additionally, on July 17, 2006 SALUD published a list of authorized additives, colorants, purified substances, enzymes, and synthetic flavors to be used as additives in food, beverages, and food supplements. This was a protective measure to: 1) guarantee the health of the Mexican population through the controlled use of additives in the preparation of food; and 2) to cope with the constant development of the Food Industry (See GAIN reports [MX6058](#) & [MX6070](#)).

For more details please refer to Appendix IV.

Section V. Pesticides and Other Contaminants:

The Inter-Secretariat *Commission for the Control Process and Use of Pesticides, Fertilizers and Toxic Substances* (CICLOPLAFEST) governs the use of pesticides in Mexico. Although it is not a regulatory body itself, the Commission coordinates the Mexican government actions on pesticides through its member agencies, each of which has regulatory authority for certain aspects of pesticide use, including imports and exports. The four member secretariats are:

- Secretariat of Agriculture (SAGARPA)

- Secretariat of Environment and Natural Resources (SEMARNAT)
- Secretariat of Health (SALUD)
- Secretariat of Economy (ECONOMIA)

The federal regulation (Reglamento) on registration, import and export authorizations, and export certificates for pesticides, fertilizers, and toxic materials, lays out the procedures for pesticide registrations. The Secretariat of Health, through COFEPRIS, is responsible for authorizing registrations and issuing free sale certificate for pesticides, as well as granting import permits. The Secretariat of the Environment (SEMARNAT) provides technical opinions regarding the protection of the environment. The Secretariat of Agriculture provides technical support regarding the biological effectiveness of pesticides and fertilizers and on phytosanitary aspects of maximum residue levels.

On April 13, 2010, the Mexican government implemented NOM-232-SSA1-2009, which establishes and updates maximum residue levels (MRLs).

The current list of Mexican MRLs can be found on COFEPRIS' website, or through this [link](#). U.S. and Codex MRLs may also apply to imported products. For up-to-date information please consult your border agent or importer of choice. Articles 47 and 50 of the Federal Plant Health Law empower SAGARPA to establish a residue monitoring plan. A small monitoring pilot program began in December 2011, with laboratory testing conducted by SENASICA.

CICLOPLAFEST also works with its counterparts in the United States and Canada under the NAFTA joint technical working groups.

A number of NOMs, such as NOM-004-ZOO-1994, NOM-021-ZOO-1995 and NOM-028-ZOO-1995, address maximum residue limits for specific veterinary medicines (including hormones), pesticides, heavy metals, and industrial contaminants. Limits on contaminants in meat are under the jurisdiction of SAGARPA.

On May 12, 2011, SAGARPA published a notice in the *Diario Oficial* requesting comments for a proposed rule regarding NOM-004-ZOO-1994. No more comments are being received. The proposed rule would:

1. Update the 1994 NOM (since revised in 1996 and 2001)
2. Incorporate 11 other NOMs addressing MRLs. The 11 other NOMs are: NOM-010-ZOO-1994, NOM-011-ZOO-1994, NOM-014-ZOO-1994, NOM-015-ZOO-1994, NOM-016-ZOO-1994, NOM-017-ZOO-1994, NOM-020-ZOO-1995, NOM-021-ZOO-1995, NOM-028-ZOO-1995, NOM-032-1996, and NOM-034-1996
3. Update testing methodologies and techniques for determining MRLs

Once the final rule is published, the 11 other NOMs will be abolished. As of the date of this report, there is no indication as to when this regulation will be published. More information is available through ECONOMIA's website:

<http://www.economia-noms.gob.mx/noms/detalleXNormaAction.do>

Or, for additional information, please see:

MX1047 GOM Accepting Comments for Proposed Rule Regarding MRLs for Animal Products

[GOM Accepting Comments for Proposed Rule Regarding MRLs for Animal Products](#)

Section VI. Other Regulations and Requirements:

1. Imports

Imports of many agricultural products entering Mexico are subject to physical inspection and/or prior approval

to ensure that animal, plant, and human health requirements are met. The most important thing for the U.S. exporter to do is to first determine the exact tariff classification under which his or her products will enter Mexico. The harmonized system number will determine the relevant regulatory agency and the import requirements that must be met.

The three main agencies that issue specific import requirements and regulations for specific products are the Secretariat of Agriculture, the Secretariat of Health, and the Secretariat of Environment.

Import Requirements Based on Animal and Plant Health Risks (SAGARPA)

Imports of live animals (including aquatic) and plants, animal and plant products, and byproducts must comply with the requirements specified by SAGARPA and implemented through its regulatory agency, the National Service of Health, Food Safety and Agro Food Quality (SENASICA). SENASICA includes the General Directorate of Plant Health (DGSV) and the General Directorate of Animal Health (DGSA). These agencies are assisted by the General Directorate of Phytozoosanitary Inspection (DGIF) at the border which is responsible for providing verification, inspection, and certification services for the products subject to the regulations.

The plant and animal health requirements take into account countries free of pests and diseases of quarantine importance to Mexico, specific requirements relevant to the product, certification from the country of origin sanitary authorities, the country of origin, laboratory tests, authorized treatments, and authorized points of entry into Mexico, among other items.

The products regulated by SAGARPA are listed in the “Accord that Establishes the Classification and Codification of Products the Importation of Which is Subject to Regulations from the Mexican Ministry of Agriculture SAGARPA” last updated on June 30, 2007. For a complete list of the products included in this Accord, please see <http://www.senasica.gob.mx/default.asp?doc=845>.

Live animals, meats, processed meat products, dairy products, other animal products (e.g. genetic material), animal fats, feeds, pet foods, hides, skins, and other products that fall under the tariff classifications included in this list must comply with the requirements of the “HRZ” (or Hoja de Requisitos Zoosanitarios) issued by the DGSA and are subject to inspection at the point of entry to verify that the products are free of pests and diseases.

New HRZ System for Animal Products

On October 13, 2010 SAGARPA announced the establishment of a new on-line system for issuing HRZs for the importation of animal products. The new system was created to simplify administrative procedures and facilitate the trade of animal products from the United States and other countries. The new on-line system replaced the prior method of issuing HRZs and went into effect on December 13, 2010. As with the prior system, the importer of record is still responsible for obtaining the HRZs for imported products. The process for requesting new HRZs remains the same.

Additional information about the new system can be obtained at <http://www.senasica.gob.mx/?id=2587> to access the system directly go to: <http://sistemas2.senasica.gob.mx/mcrz/moduloConsulta.jsf>

For additional information, please see:

MX0090 New SENASICA System for Import Requirement Sheets (HRZ's)

[New SENASICA System for Import Requirement Sheets \(HRZ's\)](#)

Aquatic Organisms

In the case of aquatic organisms the Accord mentions that these must be accompanied by an aquatic health certificate (“Certificado de Sanidad Acuícola”) issued by SAGARPA. Certain seafood species, such as lobster and shrimp, are subject to inspection at the point of entry to ensure they are free of pests and diseases.

Plant and Plant Products

Plants and plant products included on the list, such as fresh fruits and vegetables including potatoes, onions, mushrooms, apples, pears, peaches, cherries, some seeds, herbs, and grain meals, must meet the requirements of an “HRF” or Hoja de Requisitos Fitosanitarios issued by the DGSV if there is no specific NOM for the product. For example, grains and seeds not intended for planting (classified under NOM-028-FITO-1995) and fresh produce (classified under NOM-008-FITO-1995) do not require an HRF but they have to fully comply with these specific relevant NOMs.

All imported plants and plant products on the list are subject to inspection at the point of entry by the DGIF to ensure that they are free of pests and diseases. Any plant products that are not specified in a NOM or in a HRF must comply with NOM-006-FITO-1995 and will go through a pest risk assessment to determine if they are approved for import.

Specific HRFs by product can be obtained for plant health requirements at:

<http://www.senasica.gob.mx/?id=5145>

The NOMS commonly applied to the import of plants and plant products are:

NOM-007-FITO-1995	Phytosanitary requirements and specifications for the importation of propagative plant material
NOM-008-FITO-1995	Phytosanitary requirements and specifications for the importation of fresh produce
NOM-009-FITO-1995	Phytosanitary requirements and specifications for the importation of fresh flowers and foliage
NOM-028-FITO-1995	Phytosanitary requirements for the importation of grains and seeds except for sowing
NOM-044-FITO-2002	Phytosanitary requirements and specifications for the importation of nuts, processed and dried products and by-products
NOM-062-FITO-1995	Phytosanitary requirements and specifications for importation of vegetables, vegetable products and sub-products by mail or international carrier

New products or products that do not fall under a specific NOM must adhere to NOM-006-FITO-1995 which establishes minimum requirements to import vegetables, vegetable products, and by-products not regulated in a specific NOM. These products will be subject to a pest risk analysis and the results need to be acceptable to gain import approval.

Some of the information required for the application of a HRF include: product name, importer’s legal name, product description, quantity, estimated value, use, tariff code number, country of origin, port of entry, and

final destination.

In order to ensure compliance with these requirements, the Secretariat of Agriculture has established 87 approved border crossings where inspection for plant and animal health requirements can take place. Since approved border crossing points change from time to time, exporters should verify current information with their importers.

At the border, the importer by law has to use a registered customs broker or customs agent. They will provide the Mexican agricultural inspectors the necessary documentation to prove the shipment meets the relevant Hoja de Requisito. If the documents are in order and the products are found free of pests and diseases, the DGIF will issue the sanitary import certificate “Certificado de Importación Sanitaria” which must accompany the “Pedimento Aduanal” (see Section IX Import Procedures). If quarantine is required, SAGARPA has an approved list of companies that provide quarantine services under NOM-022-FITO-1995.

Finally, though no new regulations are in place pertaining to fresh potato imports, SAGARPA announced on November 20, 2012 through Mexico’s Federal Register the “Project of Agreement that establishes the mitigation measures for reducing the risk for importing potato tuber into Mexico.” This project is open 60 calendar days for public comments.

For an update please refer to GAIN Report MX2083:

MX2083 Potato Risk Mitigation Measures Announced, Mexico 2011

[Potato Risk Mitigation Measures Announced, Mexico 2012](#)

The Secretariat of Agriculture published in the *Diario Oficial* (Federal Register) on February 7, 2012, an agreement that establishes an on-line system to consult phytosanitary requirements for the importation of goods potentially subject to plant health regulations.

The on-line system can be consulted through:

www.senasica.gob.mx

In accordance with current practices, compliance with these requirements is necessary to obtain an Import Phytosanitary Certification—itsself a requirement for importing plant products. This new system is now in effect. For more information please consult GAIN Report MX2008:

MX2008 Mexico Proposes New System to Consult Phytosanitary Requirements

[Mexico Proposes New System to Consult Phytosanitary Requirements](#)

The NOMS commonly applied to the import of plants and plant products are:

Phytosanitary requirements and specifications for the importation of propagative plant material
Phytosanitary requirements and specifications for the importation of fresh produce
Phytosanitary requirements and specifications for the importation of fresh flowers and foliage
Phytosanitary requirements for the importation of grains and seeds except for sowing

Phyosanitary requirements and specifications for the importation of nuts, processed and dried products and by-products
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Phyosanitary requirements and specifications for importation of vegetables, vegetable products and sub-products by mail or international carrier
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New products or products that do not fall under a specific NOM must adhere to NOM-006-FITO-1995, which establishes minimum requirements to import vegetables, vegetable products, and by-products not regulated in a specific NOM. These products will be subject to a pest risk analysis and the results need to be acceptable to gain import approval.

Import Requirements Based on Public Health Risks (SALUD)

The Secretariat of Health (SALUD) issues the regulations designed to improve and protect public health. Imports of food and beverages for human consumption are subject to compliance with sanitary regulations dictated by SALUD. COFEPRIS (www.cofepris.gob.mx) is the regulatory agency in charge of the control and surveillance of food and beverages, food supplements, tobacco, plant nutrients, toxic or dangerous substances, biotechnology products, and pesticides among others.

The “Accord that establishes the classification and codification of products, the importation of which is subject to regulations from SALUD,” issued on September 27, 2007, and last updated on June 25, 2009, lists the tariff numbers of the products that are subject to SALUD’s regulation. These products require either an import permit, “PERMISO Sanitario de Importación,” from COFERPIS or an import notification “AVISO Sanitario de Importación,” must be made to COFEPRIS. Currently, only energy drinks with low levels of ingredients such as ephedrine, taurin, and glucoronolactone are eligible for submitting an AVISO.

Products such as fish, seafood products, dairy products, vegetable oils, fruit and vegetable products, food supplements, and energy drinks with higher levels of the ingredients mentioned above must apply for a “PERMISO.”

Again, the most important thing for the U.S. exporter to do is to determine the exact tariff classification number that applies to the product being exported to Mexico. This number will define the regulatory agency and all the documentation necessary to attain import approval.

The importer of products subject to SALUD regulations must be registered with SALUD and is responsible for securing all the necessary documentation to assure a smooth import process. The documents that must be submitted to attain an import permit are: a health certificate or a free sale certificate issued by the U.S. government or other competent authority, the original product label, a Spanish label for the product, a copy of the fees payment, and if required, a physicochemical, microbiological, or physical analysis of the product to be imported.

Import Requirements Based on Environmental Concerns (SEMARNAT)

The Ministry of the Environment and Natural Resources (SEMARNAT) regulates the imports of products that

could potentially disrupt the ecological balance. It issues import authorizations for different products through the General Directorate of Wildlife.

In the "Accord that establishes the classification and codification of products, the importation of which is subject to regulations of SEMARNAT," published on June 30, 2007, the member countries of the World Trade Organization, of which Mexico is a member, agreed to the issuance of the "Fifth Amendment to the nomenclature of the Harmonized Commodity Description and Coding System". The Federal Executive Decree published this agreement in the Mexico's Federal Register on June 29, 2012, and therefore amended the Tariff Law of the General Taxes of Import and Export.

On December 19, 2012 an [Agreement](#) between the Secretary of Economy (ECONOMIA) and the Secretary of Environment and Natural Resources (SEMARNAT) was published in Mexico's Federal Register (*Diario Oficial*) to establish the classification and coding of goods whose import and export is regulated by the SEMARNAT. This new agreement published on December 19, 2012 amends the scope of some of tariff contained in the previous official publication, so it is updated providing legal security to authorities and users. This agreement contains lists of the tariff codes for which SEMARNAT has authority. Some wild animals and plant species, products and byproducts of them, forest products and sub-products, among others are included in these lists. Among some of the requirements that these products have to meet are the submission of CITES certificates and the compliance with NOM-059-SEMARNAT-2001. Also are included lists of hazardous waste, hazardous materials and hazardous substances. All the items in these lists are subject to inspection at the point of entry. Importers and traders of products regulated by SEMARNAT must be registered within this agency and confirm the requirements for each particular case.

Permits, certificates and authorizations issued by the competent administrative units of SEMARNAT, in the terms provided in this Agreement, will include measures and requirements to be met stakeholders. SEMARNAT in coordination with the International Trade Commission, shall review annually the list of goods subject to non-tariff regulation in the terms of this Agreement, in order to exclude the tariff which it is deemed unnecessary regulation, or integrate those considered appropriate, based on technical criteria.

2. Non-import Regulations and Information

A. Dairy Products

Effective November 26, 2010, the Mexican Government implemented NOM-243-Salud1-2010, which establishes the sanitary and nutritional requirements for milk, milk formula, combined milk products and dairy products including requirements and sanitary specifications as well as testing Methods. (*Spanish: NORMA Oficial Mexicana NOM-243-SSA1-2010, Productos y servicios. Leche, fórmula láctea, producto lácteo combinado y derivados lácteos. Disposiciones y especificaciones sanitarias. Métodos de prueba.*)

The objective of this new regulation is to establish the sanitary and nutritional requirements for milk, milk formula, combined milk and dairy products. This regulation was partially enforced on November 26, 2010, and, on September 27, 2011 the regulation was completely enforced. Sections 6.1.5.5 and section 6.1.5.5.1 were enforced on that date.

For additional information, please see:

MX0076 New Mexican Regulation for Milk and Milk Products

[New Mexican Regulation for Milk and Milk Products](#)

With the enforcement of NOM-243, the following NOMs were canceled:

- NOM-035-SSA1-1993, Goods and services. Whey cheeses. Sanitary specifications as published January

30, 1995.

- NOM-036-SSA1-1993, Goods and services. Ice creams of cream, of milk or fat plant, sherbets and conditions or mixtures for ice creams. Sanitary specifications as published March 10, 1995.
- NOM-121-SSA1-1994, Goods and services. Cheeses: fresh, matured and processed. Sanitary Specifications as published February 23, 1996.
- NOM-184-SSA1-2002, Products and services. Milk, milk formula and combined dairy products. Sanitary specifications, as published October 23, 2002.
- NOM-185-SSA1-2002, Products and services. Butter, creams, sweetened condensed milk product, fermented and acidified milk products, milk-based sweets. Sanitary specifications, as published October 16, 2002.

B. School Nutrition Guidelines

On August 23, 2010 The *Diario Oficial* published an Agreement with general guidelines for the sale and distribution of snack and beverage products in schools in Mexico. On August 20, 2012 the third and final phase of the Agreement went into force further regulating the meals and snacks that can be sold in all elementary schools in the country. For additional information, requirements and nutritional guidelines please refer to the [Agreement](#).

Section VII. Other Specific Standards:

Genetically Modified Organisms (GMOs) and Products Containing GMOs

The Biosafety Law ([Ley de Bioseguridad de Organismos Genéticamente Modificados](#)), published in March 2005, regulates the commerce, release, marketing, and import of GMOs with respect to impact on human health, the environment, biological diversity, and plant, animal, and aquatic health. The regulations under the Biosafety Law can be found at [Biosafety Law Regulations](#).

Approval for Human Consumption

GMOs that are intended for human use or consumption or for processing of food for human consumption, including for feed of animals destined for human consumption, require an authorization.

Requests for authorization must include an assessment by SALUD for potential risks to human health. The guidelines, requirements, and procedures for applying for authorizations for GMOs or GMO-containing products for human consumption are laid out in the “Regulations to the Genetically Modified Organisms Biosafety Law” published on March 19, 2008. Authorizations are generally to be determined within six months from the submission of the application. Under these regulations, the list of GMOs authorized for human consumption will be published annually, in early February.

The Ministry of Finance and Public Credit (HACIENDA) has authority over importation of GMOs and products containing GMOs. This authority includes ensuring that the appropriate permits or authorizations are in place and that any identity requirements under Mexican regulations are met. The law specifically prohibits, for example, the import into Mexico of GMOs or products containing GMOs in cases where such organisms are forbidden in their countries of origin.

Packaging of GMOs and products containing them are subject to official standards jointly issued by SALUD and ECONOMIA, in accordance with the General Law of Health and the Federal Law on Metrology and Standardization. There is no current official NOM for such products.

Currently 103 biotechnology derived products (involving one or more events) have been authorized for human consumption in Mexico. By product category these include:

Tomato	3
Alfalfa	2
Sugar Beet	1
Potato	3
Cotton	26
Canola	5
Soybean	10
Rice	1
Corn	52

Additional information can be found in GAIN Report MX 2051 at:

MX2051 Agricultural Biotechnology Annual, Mexico 2012

[Agricultural Biotechnology Annual, Mexico 2012](#)

Approval for Planting

The Mexican regulatory framework for biotech seeds has not been as fully developed as that for products intended for consumption. One of the underlying principles of the Biosafety Law is that the government will take a precautionary approach with respect to the protection of the environment and biological diversity. The permit for commercial release into the environment is to be based on scientific principles as well as on a precautionary approach.

In 2011, SAGARPA permitted the cultivation of 586,910 ha of GM cotton for experimental, pilot, and commercial cultivation followed by 46,027 ha of GM soybeans and 112 ha of GM corn. The GM cotton area permitted for commercial release in 2011 totaled 341,000 ha. In 2012, commercial cultivation of GM soybeans was granted on a total of 253,500 ha. of land.

For additional information, please see GAIN Report MX2035:

MX20135 Genetically-Enhanced Soybeans Approved for Commercial Use

[Genetically-Enhanced Soybeans Approved for Commercial Use](#)

MX1056 Mexico Authorizes First Commercial Biotech Cultivation

[Mexico Authorizes First Commercial Biotech Cultivation](#)

Appellations of Origin

Mexico is one of 19 signatories to the Lisbon Agreement on Appellations of Origin. The Mexican Law of

Industrial Property (Art 156) recognizes the appellation of origin as the name of a geographic region of the country used to designate a product originating there, whose quality or characteristics are attributable to that location. In 1974, Mexico recognized Tequila as a protected appellation of origin, limited to the liquor of agave elaborated in specific areas in Mexico including parts of five states (Guanajuato, Michoacán, Tamaulipas, Nayarit, and Jalisco). Mexico has sought international protection for the use of the term Tequila.

Organic Products

On February 6, 2006, the Mexican “Organic Products Law” ([Ley de Productos Orgánicos](#)) was published in the *Diario Oficial*, and since then the government’s involvement in this sector has increased significantly. As mandated under this law, the National Counsel for Organic Production (CNPO – Consejo Nacional de Producción Orgánica) was established in 2007 with the participation of producers, processors, importers/distributors, universities, government entities, and certifiers who act as consultants for the Secretariat of Agriculture on organic production and commercialization issues.

From 2006 through 2008, the Secretariat of Agriculture developed the “Rules and Regulations for the Organic Products Law” (Reglamento) with the support of ECONOMIA, SALUD, and SEMARNAT. On April 1, 2010, the “Rules and Regulations” for the Organic Products Law were published in the *Diario Oficial*. These guidelines outline industry requirements necessary to establish an organic operation in the country, including guidelines for obtaining organic certification, policies and restrictions, and procedures for obtaining a national official organic seal.

On October 31, 2012, Mexico’s Agriculture Secretariat (SAGARPA), via its regulatory agency, SENASICA, issued long expected revised organic production guidelines. These guidelines would essentially create Mexico’s equivalent of the USDA National Organic Program, with production certifications, lists of approved pesticides and fertilizers, and marketing regulations. It is not clear at this point, how similar Mexico’s program will be to USDA Organic. Interested parties and trade associations will likely complete line-by-line comparative analyses.

On December, 2012, the draft guidelines were sent back for revision to SENASICA. No estimate is available for publishing of a new draft.

Fruit and Vegetable Import Regulations

NOM-008-FITO-1995 can be found at

<http://www.senasica.gob.mx/?doc=569>

For additional information, please see:

MX1015 Mexico Revises Fruit and Vegetable Import Regulation NOM-008

[Mexico Revises Fruit and Vegetable Import Regulation NOM-008](#)

Grain Import Regulations

No new changes to report.

Projected Regulatory Amendments

1. Project of Agreement- Mitigation Measures for Reducing the Risk for Importing Potato Tuber into Mexico

SAGARPA published in the *Diario Oficial*, on November 20, 2012, an announcement containing the “Project of Agreement that establishes the mitigation measures for reducing the risk for importing potato tuber into Mexico”. This Project of Agreement is open for public comments for 60 calendar days. This report provides some general information on how high-risk pests shall be treated (i.e., originate from pest-free areas or be irradiated).

For more information please refer to:

MX208 Potato Risk Mitigation Measures Announced

[Potato Risk Mitigation Measures Announced](#)

2. PROY-NOM-181-SCFI-2010: specifications for yogurt sold in Mexico

On November 16, 2010, ECONOMIA issued a new regulation for yogurt that established physical and chemical specifications, commercial information requirements, and test methods to be used to verify these specifications. The NOM applies to all yogurt sold in Mexico. According to industry sources, this NOM will not affect the use of imported dairy ingredients in the making of yogurt, however minimum requirements of milk-protein and butyric fat will be established and processors will be required to include these ingredients on the label as well as nutritional content.

Section VIII. Copyright and/or Trademark Laws:

Trademarks, patents and industrial designs are considered “Industrial Property” in Mexico. They are protected under Mexico’s Law of Industrial Property (“Ley de la Propiedad Industrial”) and the implementing regulations. The United States Embassy in Mexico places significant importance on the protection of intellectual property rights (IPR) and all its aspects in Mexico. The U.S. Government is working with Mexico to develop adequate standards of IPR protection and enforcement as well as with the private sector and the public to raise awareness about IPR crime and its impact on economic growth and innovation. In addition, the U.S. Government wishes to raise IPR protection levels in order to strengthen the North American market and avoid adulteration and counterfeiting of products that place consumers at risk.

Trademarks are protected for ten years and can be renewed for an unlimited number of ten-year periods. Trademark applications in Mexico are not subject to opposition. Registrations are issued and can only be canceled post-registration. On average, it takes two and a half years to cancel a trademark registration, and the

registrant is allowed to continue using the mark for one year following cancellation.

Companies interested in registering a trademark can contact the Mexican Institute of Industrial Property, IMPI (“Instituto Mexicano de la Propiedad Industrial”) an independent agency that operates under ECONOMIA. According to the U.S. Commercial Service in Mexico, some U.S. trademark holders have encountered difficulties in preventing former subsidiaries and franchisees from continued use of their trademarks. U.S. companies holding trademarks in Mexico have cited problems with trademark enforcement and administration. When counterfeit items are discovered, injunctions against trademark violators are often unenforceable and are consistently challenged before the courts. In addition, USDA cooperator organizations have reported several instances of registered trademarks being misused in the marketplace. Several cooperators have reported instances of third-country and domestic Mexican products being marketed as U.S. origin.

Although federal administrative actions are supposed to be completed within four months, actions related to trademark enforcement often take as long as 18 months. The time can be lengthened by jurisdictional and procedural disputes within the Mexican government, as well as by internal coordination problems within IMPI. U.S. exporters of food and agricultural products may contact the Office of Agricultural Affairs or the Agricultural Trade Office with any intellectual property concerns so that issues reach the interagency task force at the U.S. Embassy in Mexico City, Mexico. The task force has representation from several different U.S. government offices, including the Department of Agriculture, the Department of Justice, the Department of Commerce, the Department of State, Customs and Border Protection, Immigration and Customs Enforcement, the U.S. Food and Drug Administration.

Plant Variety Protection

The Federal Law of Plant Varieties (“Ley Federal de Variedades Vegetales”) protects the rights of plant breeders. The Regulations under the Federal Law on Plant Varieties can be found at:

http://www.cddhcu.gob.mx/LeyesBiblio/regley/Reg_LFVV.pdf.

SAGARPA is responsible for approving applications and for maintaining a public registry of protected varieties. Perennial species may be registered for 18 years, and other species for ten years. The law allows the use of protected varieties for research, individual use as seed or grain, or for personal consumption without the permission of the breeder.

According to the U.S. Commercial Service in Mexico, copyright piracy remains a major problem in Mexico with U.S. industry losses estimated to be growing each year. Although enforcement efforts by the Mexican government are improving, piracy levels continue to rise, resulting in closures of legitimate copyright-related businesses. Copyrights and related rights are governed by the Mexican Federal Copyright Law. Additional information on Mexican Copyright Laws for Copyright can be found at the National Copyright Institute (INDAUTOR, “Instituto Nacional del Derecho de Autor”).

Section IX. Import Procedures:

Before exporting products to Mexico, it is advisable to locate an experienced Mexican customs broker to help avoid problems during the border entry and inspection process. These brokers are authorized by the Mexican Internal Tax Registry (HACIENDA y Crédito Público) to handle the customs clearance operations. In addition, all companies that import agricultural products must be registered with the Mexican government customs authority (Padrón Importador) [1]. The documentation that a customs broker needs to clear shipments includes:

- Commercial Invoice or Bill of Sale;

- Required Health and Standard Certificates (issued either by the Animal and Plant Health Inspection Service [APHIS] or the Food Safety and Inspection Service [FSIS]), and/or any other relevant U.S. government regulatory authorities;
- Certificate of Origin (Note: A complete certificate of origin must be completed for products to receive NAFTA treatment);
- Technical information on product classification (tariff code, which complies with the uniform customs identification system under the General Agreement on Tariffs and Trade);
- Commercial information regarding lot (batch) number, brand and product appearance in addition to weight and volume certificate (for bulk products);
- Air or land freight shipping guide;
- Duty payments (please check this with your importer).

Finally, customs brokers will process an Export Declaration (Pedimento Aduanal). It is strongly recommended that an exporter use an experienced customs broker to ship to Mexico. The entire customs clearance procedure normally takes around 24 hours upon submission of all required documentation.

Required Documentation

Below, you will find a brief description of U.S. and Mexican documents required to clear shipments through Mexico. The documents mentioned are subject to specific norms and regulations, so please make sure to look for specific product regulations by tariff code before engaging in import operations. It is important to know your product's HTS code in order to learn if it underwent tariff increases as set by the Mexican Government and if it is subject to commodity-specific quotas. This, in turn, will lessen delays in deliveries, storage fees, food decay, and will enable you to attain a better appraisal of costs.

I. U.S. Documents

A. Shippers Export Declaration

An Export Declaration is required by U.S. Customs for all shipments over US \$2,500.

B. Sanitary or Phytosanitary Certificates

In order to comply with the SAGARPA's regulations regarding "Hojas de Requisitos," you may need to obtain an export certificate from the U.S. Department of Agriculture on health aspects of plant and animal products. This can be obtained from USDA's Animal and Plant Health Inspection Service (APHIS). The phytosanitary certificate is issued by the Plant Protection and Quarantine (PPQ) office of APHIS and the animal health certificate is issued by the Veterinary Service (VS) office of APHIS. In general, both certificates guarantee that plant and/or animal products described have been inspected and are considered to be free from pests or quarantine diseases. Specific requirements are found in this "Hoja de Requisitos" and may also be addressed in the "remarks" section. An original of this document is required at Mexican Customs. The "Hoja de Requisitos" is valid only if it is signed by an official inspector from the PPQ or VS office, and must contain a complete name and date.

C. Meat and Poultry Export Certificate of Wholesomeness

The Meat and Poultry Export Certificate is issued by the Field Operation Staff of the Food Safety and Inspection Service (FSIS) of USDA. The Meat Export Certificate attests that meat products comply with all Mexican requirements. It guarantees that meat products in a particular shipment are sourced from healthy animals that received ante-mortem and post-mortem inspections and have been registered at a federally-inspected slaughterhouse. For poultry and poultry products, the certificate certifies that birds were officially inspected and that the meat is wholesome and fit for human consumption.

These documents are issued to the exporter and include the consignee's general data. Other information contained in the certificate include the FSIS district office, country of destination, folio number, plant number, city of origin, type of facility, total net weight, total number of containers, products as labeled with their individual market weight, and number of packages. On the product description, the name of the species must be included (i.e. beef, pork, turkey, etc.). In the remarks section, it is important to write the slaughter date, packing date, lot number, and name several sanitary statements, which are listed in the "Hoja de Requisitos" for any given product. The document will only be valid once it is signed by an official inspector of the Meat and Poultry Inspection Program, including a full name and date. The original document is always required.

D. Free Sale Certificate

A Free Sale Certificate can be issued by several state and federal government agencies as well as from certified laboratories of the U.S. Food and Drug Administration (FDA). It certifies to the authorities of the importing countries that the products comply with U.S. requirements and that they are sold freely in the country of origin. For example, certificates for non-alcoholic goods are issued by the FDA or state health authorities. On the other hand, the U.S. Bureau of Alcohol, Tobacco and Firearms (ATF) issues Free Sale Certificates for alcoholic beverages. For poultry products, FSIS export certificates of wholesomeness described above are accepted as an equivalent to free sale certificates. A manufacturer's paper declaration, with the company's letterhead, stating that the products are distributed and authorized for human consumption within the United States may also be valid.

E. Commercial Invoice

The commercial invoice is a bill of the purchased goods issued by the seller to the buyer. It should include basic information about the transaction, such as a description of goods, the shipper's and seller's addresses, delivery and payment terms. The Mexican government needs the commercial invoice to assess customs duties and other taxes. The original document is required at Mexican Customs.

F. Certificate of Origin

The Mexican government requires a signed statement regarding the origin of products. Certificates are usually acquired through semi-official organizations such as local Chambers of Commerce. Its purpose is to validate that the listed products originated from the territory of the exporting company and that they comply with origin requirements as indicated for their type of goods under the North America Free Trade Agreement (NAFTA). It also ensures NAFTA tariff treatment (i.e. zero duties for most of agricultural goods). The U.S. Customs Office of the Department of Homeland Security issues certificates of origin for exporters.

G. Export Packing List

This list itemizes products per package and indicates the type of packaging (box, crate, drum, carton, etc.). It displays individual net, legal, crate, gross weights and measurements for each package (in U.S. and metric systems). Package markings should be shown with the shipper's and buyer's references. The Export Packing List should be attached to the outside of a package in a waterproof envelope marked "packing list enclosed." The list must be used by the shipper or forwarder detailing (1) the total shipment weight and volume, and (2) whether the right cargo is being shipped. Mexican and U.S. customs officials use this list to check the cargo. The original document is required by Mexican Customs.

H. Bill of Lading

Bills of lading are contracts secured between the owner of the goods and the carrier. International bills of lading can be co-signed to coordinate several arrangements between buyers and sellers. If the buyer is purchasing on

an open-account basis, the bill of lading can be consigned directly to the buyer. Hence, merchandise can be immediately available upon arrival to the delivery site. On the other hand, if the seller wants to exchange title and custody of the goods for payment, he must state on the bill of lading: "Consigned to the order of _____". Usually, the customer needs the original as a proof of ownership for custody of the goods.

II. Mexican Documents

In addition to the documents listed in this section, please make sure to have in possession all of the U.S. documentation stated above since they will also need to be submitted to Mexican authorities.

A. Land or Air Shipment Guide

Mexican customs will expect a land or air shipment guide with information about the cargo, such as the destination address and freight charges.

B. "Hoja de Requisitos Sanitarios" – Sanitary Requirements Sheet on Plant and Animal Products

The Hoja de Requisitos Sanitarios is provided by the Regulation and Sanitary Inspection Directorate (Dirección de Regulación e Inspección Sanitaria) of SAGARPA. It enumerates all sanitary requirements that apply to the specific plant or animal product being imported to Mexico. The original document is required during Mexican customs clearance. This document has to be secured by the importer or representative (customs broker) and must be submitted at the moment of the SAGARPA inspection. During the inspection, SAGARPA officials will check that the shipment's documentation complies with the requirements. It is the importer's responsibility to notify the U.S. exporter about sanitary and other requirements prior to shipment. This will enable the U.S. exporter to cater and provide all the requirements fully (like APHIS and FSIS certification).

C. Sanitary Requirements on Processed Products (Human Health)

Mexican imports of processed foods are subject to regulations issued by SALUD. The specific agency that enforces such regulations is COFEPRIS. Depending on the product, it can be subject to import notice (AVISO) or to an import permit (PERMISO). For additional information see section VI.

For more information please refer to:

MX2070 Commodities Requiring COFEPRIS Import Permits

[Commodities Requiring COFEPRIS Import Permits](#)

D. Weight and Volume Certificate

This certificate is claimed for bulk products. For example, the number of imported metric tons per cargo must be written.

E. Other Certificates & Information

Other documents might be needed to support your credentials such as permits from ECONOMIA, printed NOMs, and/or other regulations depending on the agricultural product. In addition, information yielding product identification, analysis and merchandise control will be required. Make sure to include lot number, brand and description of product presentations (it is petitioned by Article 36 of the Mexican Customs Law). For certain goods such as wine, importers need special permission from the GOM and must register these products with the Sector Registry (Padrón Importador) relevant to the commodity.

F. Duties

Mexican duties can be ad valorem, IVA (Value Added Tax - 11% charge of the goods' value at the Mexico-U.S. border region and 16% for the rest of Mexico), port fees, and/or other special taxes placed on products such as wine/spirits. It is recommended that you seek advice from your importer or customs broker regarding such duties. Any applied tariffs will need to be paid at this stage of the process.

On October 21, 2011, ECONOMIA published an announcement in the *Diario Oficial* revoking the retaliatory import tariffs on 99 U.S. agricultural and industrial products that were originally imposed on March 18, 2009. As of the date of this document, there are not current or applied import tariffs to U.S. agricultural products but this may vary depending on market conditions and regulatory international regulations and can change at any time. For additional information, please see:

MX2004 Mexico Publishes Preliminary Determination on U.S. CLQ

[Mexico Publishes Preliminary Determination on U.S. CLQ](#)

MX2058 Chicken AD Final Resolution

[Chicken AD Final Resolution](#)

MX2059 Mexican Announces Import Quota for U.S Eggs

[Mexican Announces Import Quota for U.S Eggs](#)

MX2067 U.S. Egg Import Tariff Elimination

[U.S. Egg Import Tariff Elimination](#)

MX2089 Tariff Reduction Affect Domestic Industry

[Tariff Reduction Affect Domestic Industry](#)

G. “Pedimento Aduanal” - Export Declaration

All documents must be accompanied by an Export Declaration. Once complete information is introduced in the Export Declaration it will be reviewed and approved by an automated centralized program. Afterwards, it will be validated by the central authority of the Mexican government.

Appendix I. Government Regulatory Agency Contacts:

Due to changes in the new government new contacts will be announced on an ongoing basis and the people may change. Please consult each agency to make sure all contacts are up-to-date.

COFEMER – ECONOMIA (Federal Commission for Regulatory Improvement, Ministry of Economy):

Mr. Alfonso Carballo Perez

Sectoral Regulatory Improvement, Director General

Chargé of COFEMER, Director General

Coordinador General de Mejora Regulatoria Sectorial y Director General Encargado de COFEMER

Phone: (011-52 55)5629-9650/9500, ext. 22670

acarballo@cofemer.gob.mx

Mr. Rafael Gonzalez Vazquez

Assistant

Phone: (011-52 55) 5629-9650/9500, ext. 22670

rgonzalezv@cofemer.gob.mx

Mr. Jorge Jimenez Ruiz

Energy, Infrastructure and Environment Director

Phone: (011-52 55) 5629-9500, ext. 22612

jjimenez@cofemer.gob.mx

COFEPRIS – SALUD (Federal Commission for Sanitary Risks Protection, Ministry of Health):

Ms. Rocio Del Carmen Alatorre Eden-Wynter
Commissioner of Evidence and Risk Management

PBX: (011-52 55) 5080-5200 Ext. 1404

Phone: (011-52 55) 5514-8572

Fax: (011-52 55) 5514-8557

Rocioal@Salud.gob.mx

Mr. Alvaro Israel Peres Vega
Commissioner of Sanitary Operation

Phone: (011-52 55) 5080-5200 ext. 1229

Fax: (011-52 55) 5080-5200 ext. 1005

Mr. Julio Salvador Sandes Ytepoz
Commissioner of Sanitary Development

Phone: (011-52 55) 5080-5200 ext. 1299

facosta@cofepris.gob.mx

www.cofepris.gob.mx

SENASICA-SAGARPA (Health, Innocuity and Agrofood Quality National Service; Ministry of Agriculture, Livestock, Rural Development, Fishery and Food.)

Mr. Enrique Sanchez Cruz
Director in Chief of SENASICA

Phone: (011-52 55) 5905-1005

Fax: (011-52 55) 5105-1003

directorenjefe@senasica.gob.mx

www.senasica.gob.mx

Mr. Francisco Javier Trujillo Arriaga
Plant Health General Director

Phone: (011-52 55) 5090-3000, ext. 51319

Fax: (011-52 55) 5554-0529

trujillo@senasica.gob.mx

Sria.dgsv@senasica.gob.mx

Mr. Hugo Fragoso Sanchez
Animal Health General Director
Phone: (011-52 55) 5905-1000/1007, ext. 51055
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hugo.fragoso@senasica.gob.mx

Mr. Arturo Calderon Ruanova
Phytosanitary Inspection General Director
Phone: (011-52 55) 5905-1012, ext. 51019
Fax: (011-52 55) 5905-1000 ext. 51183
arturo.calderon@senasica.gob.mx

Mr. Octavio Carranza de Mendoza
Director General of Agro Food, Aquaculture and Fishery Innocuity
Phone: (011-52 55) 5090-3000, exts. 51500-51502, 51506
carranza@senasica.gob.mx
Secretary: Silveria Perez (silveria.perez@senasica.gob.mx)

Appendix II. Other Import Specialist Contacts:

Mr. Reynaldo Ariel Alvarez Morales
Executive Secretary of the Inter-Secretarial Commission of Genetically Modified Organisms Bio-Safety (CIBIOGEM)
San Borja No. 938, esq. Heriberto Frías
Col. del Valle, Del. Benito Juárez
C.P. 03100, D.F., Ciudad de México.
(011-52 55) 5575-6878 / 7618 / 6685, ext: 20 and 21.
Fax ext. 30
mcarrillo@conacyt.mx
cibiogem@conacyt.mx
ralvarez@conacyt.mx
<http://www.cibiogem.gob.mx/>

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